

JANUARY 5, 2021

## INSIDE THIS ISSUE

- **India Gazettes Changes to Food Safety and Standards (Food Product Standards and Food Additives) Regarding Cherries**
- **Update on United Kingdom Separation from European Union**
- **Taiwan Bulk Food Labeling Requirements Enter into Force**
- **USDA Publishes Update Regarding Mexico's Changes to Compliance Procedures for Imports**
- **Korea Proposes Amendment to Mandatory Recycling Labeling on Packaging**
- **UK Publishes Draft Regulations Restricting Promotion of HFSS Foods and Drinks**

**A REPORT FOR  
THE CALIFORNIA  
CHERRY BOARD**

## SPECIFIC ISSUES OF INTEREST TO THE CCB:

**India Gazettes Changes to Food Safety and Standards (Food Product Standards and Food Additives) Regarding Cherries**

- India has published its [Food Safety and Standards \(Food Product Standards and Food Additives\) Tenth Amendment Regulations, 2020](#) (in English starting on p. 25) to its Official Gazette, amending [Food Safety and Standards \(Food Products Standards and Food Additives Regulation, 2011](#).
- The new amendment changes regulations around thermally processed fruit (p. 29 of Tenth Amendment Regulations, p. 338 of 2011 regulations), adding that “cherries may contain stems and shall be labeled accordingly.”
- Additionally, the new amendment adds that “in the case of cherries with stems, drained weight of the cherries shall be calculated after the removal of the stems from the cherries.”

## GENERAL ISSUES OF INTEREST TO THE CCB:

**Update on United Kingdom Separation from European Union**

- On December 31, 2020, the transition period for the United Kingdom's (UK) exit from the European Union (EU) ended, meaning the UK no longer adheres to EU regulations, policies, or agreements.
- The [EU-UK Trade and Cooperation Agreement](#) announced on December 24, 2020 establishes the terms of the new bilateral trading relationship. Provisional application of the agreement began on January 1, 2021, but it still requires formal ratification by both parties.
- According to summaries published by the [UK](#) and [EU](#), the agreement provides for many aspects of trade including services, energy, public policy, movement of persons, aviation and road transport, and fisheries. Notably, trade in goods between the EU and UK shall not be subject to any tariffs or quotas, although required customs formalities mean certain duties such as value-added taxes will be applied upon import.
- A [WTO notice](#) regarding UK policies notes that some EU legislation relevant to trade with other WTO members has been retained in UK domestic law, and that the UK will notify members of modifications at the earliest point possible. Additional details are available via a [website](#) devoted to this transition.

**Taiwan Bulk Food Labeling Requirements Enter into Force**

- Taiwan's [Regulations on Bulk Food Labeling](#) entered into force on January 1, 2021.
- According to the regulations, registered food business operators selling bulk food must include the product name and country of origin.
- Labels must be presented in Chinese in the form of cards, markings, or notice boards that are posted, hung, or utilized in other ways which are clearly visible.

**Bryant Christie Inc. – Seattle**  
1418 Third Avenue, Suite 300  
Seattle, WA 98101  
Phone: (206) 292-6340 Fax: (206) 292-6341

**Bryant Christie Inc. – Sacramento**  
2005 "I" Street, Suite 200  
Sacramento, CA 95811  
Phone: (916) 492-7062 Fax: (916) 492-7061

### USDA Publishes Update Regarding Mexico's Changes to Compliance Procedures for Imports

- A recent USDA GAIN [report](#) clarifies that under newly published Mexican regulations, imports of organic products must be certified by the Ministry of Agriculture and Rural Development (SADER) as of June 26, 2021.
- Mexico's [Agreement Establishing Goods whose Import and Export are Subject to Regulation by the Ministry of Agriculture and Rural Development](#) (in Spanish) was published in the country's Official Gazette on December 26, 2020 and entered into force on December 28, 2020. An [unofficial English translation](#) has also been shared by SADER. It specifies customs compliance procedures for imported products, including organic and genetically modified food (*BCI Monitor 12-22-20*).
- This measure was [notified](#) (in Spanish) to the WTO on December 21, 2020. Comments are due by February 19, 2021.

### Korea Proposes Amendment to Mandatory Recycling Labeling on Packaging

- South Korea [notified the WTO](#) of a [new proposed amendment](#) (in Korean) to the *Act on the Promotion of Saving and Recycling of Resources*. Korea previously notified the WTO in September 2020 of a similar proposed amendment (*BCI Monitor 9-29-20*).
- The proposed amendment requires manufacturers to undergo pre-inspection before a product launch to ensure the packaging standards are observed to lessen packaging waste. After inspection, the packaging material and packaging method (including space ratio and number of packages) must be labeled.
- If passed, the proposed adoption and enforcement date is April 1, 2021. Comments are due by March 6, 2021.

### UK Publishes Draft Regulations Restricting Promotion of HFSS Foods and Drinks

- The UK Department of Health and Social Care (DHSC) has published [draft Food \(Promotion and Placement\) \(England\) Regulations 2021](#) (Annex A). The regulations restrict placement and promotion options for foods high in fat, salt, or sugar (HFSS) as part of the UK's ongoing anti-obesity regulatory effort.
- The new regulations ban several forms of promotion for HFSS foods including:
  - Volume price promotions such as multibuy promotions (e.g., three for the price of two) and promotions that indicate a product, or part of the product, is free (e.g., buy one get one free, fifty percent extra free)
  - Free refills for soft drinks
  - Promotions or advertisements located at checkouts, shop entrances, or end of aisles for businesses over 2,000 square feet
  - Online advertisements on an entry page, while searching for other products, pop-up advertisements, or on a checkout page
- [Open consultation](#) on the regulations will end of February 22, 2021. If approved, the regulations will enter into force on April 6, 2022.