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## A REPORT FOR THE CALIFORNIA CHERRY BOARD

## SPECIFIC ISSUES OF INTEREST TO THE CCB:

**U.S. Trade Representative Publishes 2020 National Trade Estimate Report**

- On March 31, USTR Katherine Tai [released](#) the 2021 National Trade Estimate (NTE) [report](#).
- The report is published annually and covers barriers to trade in 65 partner countries and trade groups which together account for 99 percent of U.S. goods trade.
- The report includes details on tariff and non-tariff barriers to U.S. agricultural exports, such as non-science-based regulatory measures, biotechnology approval, import licensing, and use of common product names.
- The U.S. request for improvement of Korea's cherry export program remains pending. The U.S. has requested that Korea's Ministry of Agriculture, Food and Rural Affairs (MAFRA) expedite the approval process for these products, and the two countries discussed the issue at a meeting of the KORUS Sanitary and Phytosanitary Measures committee in December 2020.
- In April 2019, France banned import and sales of cherries where dimethoate can be used. The U.S. has provided documentation that it is not used in cherry-producing states or is used postharvest when there is no possibility for residues.
- Argentina has agreed to reestablish access for U.S. cherries.

## GENERAL ISSUES OF INTEREST TO THE CCB:

**South Korea Notifies Proposed Amendments to Standards and Specifications for Food**

- On April 6, South Korea [notified](#) the WTO of proposed [amendments](#) to the Standards and Specifications for Food (in Korean).
- The proposed revisions would update the general provisions, common standards and specifications for general foods, standards and specifications for long shelf-life foods, and for each food product.
- The proposed amendments also revise the general test methods, add 29 ingredients to the list of ingredients approved for use in food, and revise the maximum residue limits of pesticides in agricultural products.
- The final day for comments is 60 days from notification on June 5, 2021. Comments can be submitted to the International Cooperation office, Ministry of Food and Drug Safety at [intmfds@korea.kr](mailto:intmfds@korea.kr).

### South Korea Notifies Proposed Revision of Imported Food Safety Regulations

- On April 6, South Korea [notified](#) the WTO of a proposed [revision](#) to the “Special Act on Imported Food Safety Control” (in Korean).
- The proposed revision would require that documents proving approval of manufacturing businesses be submitted for approval, registered and declared according to the relevant food law of the exporting country. Importers and foreign food facility operators may apply for renewal of registration of foreign food facilities.

### Russia Notifies Eurasian Economic Commission of Amendments to Customs Union Commission

- On April 6, Russia [notified](#) the WTO of [draft](#) amendments (in Russian) to the Eurasian Economic Commission Customs Union Commission Decision as of 18 June 2010.
- The draft provides changes for the use of electronic forms of commercial and transport shipping documents and phytosanitary certificates by the competent authorities, as well as conveying the results of quarantine phytosanitary control in electronic form.
- Comments are due through the EAEU legal [portal](#) sixty days from the date of circulation on June 5, 2021.

### Kazakhstan Notifies Draft Eurasian Economic Commission Decision on Phytosanitary Requirements

- On April 1, Kazakhstan [notified](#) the WTO of the [Draft](#) Eurasian Economic Commission Council Draft Decision on Amendments to the Common quarantine phytosanitary requirements for quarantine products and quarantined objects on the customs border and the customs territory of the Eurasian Economic Union (in Russian) following consultation through the EAEU legal portal.
- The draft regulations include provisions allowing the importation and circulation of fruits and berries infected by some quarantined species, as well as prescriptions for plant products including cherries.
- The order came into force upon publication by the EAEU.

### Japan Revises MRLs for 13 Agricultural Chemicals

- On March 30, 2021, Japan’s Ministry of Health, Labour, and Welfare (MHLW) announced [revisions](#) to Japan’s maximum residue levels for 13 agricultural chemicals, according to USDA Foreign Agricultural Service reporting.
- Revisions affecting cherries include Flazasulfron and Cypermethrin MRLs.
- Interested U.S. parties may submit comments to [PlantDivision@usda.gov](mailto:PlantDivision@usda.gov) by April 9, 2021. Japan will subsequently notify to the WTO, which will provide another opportunity to comment.

### Japan Updates Tariff Rates

- The latest phase of tariff reductions under the U.S.-Japan Trade Agreement were implemented on April 1, 2021, per the Japanese Government’s financial year. Japan also reduced tariffs on products from other trade agreement partners, including the EU and Comprehensive and Progressive Trans-Pacific Partnership (CPTPP) members that have completed ratification, including Canada, Australia, New Zealand, and Vietnam.
- The tariff on U.S. cherries (HS 0809.29) is now 1.7%. The tariff will be further reduced over the next two years and U.S. cherries will enter Japan duty-free as of April 1, 2023.

### Update on Mexico Front-of-Pack Labeling Requirements

- New provisions under Mexico’s front-of-pack (FOP) labeling requirements regarding endorsements and claims entered into force on April 1, 2021.
- In January, Mexico’s Consumer Protection Office (PROFECO) [published](#) (in Spanish) details stipulating that the inclusion of seals and nutritional recommendations endorsed by organizations and associations must be approved by PROFECO and renewed annually through a registration process. Additional details are available via USDA GAIN [reporting](#).
- Mexico has established a grace period from April 1 – May 31 to facilitate trade. Products will not be penalized for lack of compliance with the newest provisions, and the use of stickers will still be allowed. A recent USDA [GAIN report](#) provides more information regarding Mexico’s new requirements.