

SEPTEMBER 7, 2021

INSIDE THIS ISSUE

- **USDA Publishes EU Stone Fruit Annual Market Report**
- **U.S. International Trade Commission Publishes Year in Trade 2020 Report**
- **Australia Implements Updated Minimum Documentary and Import Declaration Requirements**
- **Korea Proposes Update to Food Hygiene Law for Recycled Packaging Materials**
- **France Gazettes Climate Law**
- **UK Extends Transition Period for Trade Under Northern Ireland Protocol**

**A REPORT FOR
THE CALIFORNIA
CHERRY BOARD**

SPECIFIC ISSUES OF INTEREST TO THE CCB:

USDA Publishes EU Stone Fruit Annual Market Report

- USDA/FAS projects that cherry production in the European Union (EU) will decline 5.3% in MY 2021/22 (April-March) from the previous year, citing unfavorable weather conditions in leading producer countries such as Poland, Spain, and Italy as a primary reason for the decline. Total planted area for cherries is expected to remain stable at approximately 405,000 acres.
- Overall, EU stone fruit exports have been trending downward in recent years, partly as a result of the 2014 Russian embargo on EU food products. Fresh cherry exports in MY 2020/21 amounted to nearly 15,000 MT valued at \$48 million, 15% lower by volume compared to MY 2019/20.
- The EU remains a net importer of cherries, with Germany ranking the third-largest importer in the world following China and Hong Kong. Turkey is the main external supplier of cherries to the EU.
- Due to lower domestic supply, EU imports of fresh cherries surpassed 52,000 MT valued at \$185 million in MY 2020/21, a 5% increase compared to the previous season.
- Additional information regarding the EU fresh cherry market, including details on policy initiatives and trade barriers, is available in the USDA FAS [report](#).

U.S. International Trade Commission Publishes Year in Trade 2020 Report

- On September 7th, the U.S. International Trade Commission (USITC) released its [Year in Trade 2020](#) publication, highlighting key international economic developments in the past year and their impact on trade.
- The review includes comprehensive reporting on the following topics:
 - The COVID-19 pandemic and its effect on trade;
 - Bilateral trade issues and ongoing negotiations with major partners, including efforts by the U.S. to address trade balance with Mexico related to seasonal fresh fruits and vegetables;
 - Activities at the World Trade Organization including dispute settlement developments; and
 - Updates regarding U.S. trade preference programs and actions under international trade laws including antidumping and countervailing duties.

Australia Implements Updated Minimum Documentary and Import Declaration Requirements

- On August 2, Australia's [Minimum Documentary and Import Declaration Requirements \(Version 4.0\)](#) entered into force, replacing Policy Version 3.0 (Policy v3.0). The change follows a [2019 policy review](#).
- The Australian government has provided a [Table of Changes](#) between the two versions and a [Frequently Asked Questions](#) document.

(Continues on next page)

Australia Implements Updated Minimum Documentary and Import Declaration Requirements (continued)

- Changes include updates to definitions, organization of the regulations, statements on methyl bromide and sulfuryl fluoride fumigations, and a requirement that a declared company address is a physical address unless otherwise stated.
- Changes to fumigation certificates mandate a single statement, which accounts for timber thickness in addition to plastic wrapping requirements, be used on all methyl bromide and sulfuryl fluoride certificates regardless of whether the treatment provider is registered with DAWE (*BCI Monitor* 7-20-21). DAWE recently [issued a reminder](#) on this requirement.
- Most documents for goods exported prior to August 2 that meet Policy v3.0 will be accepted until October 31, 2021. Annual packing declarations issued prior to August 2 under Policy v3.0 will be valid until their expiration date, 12 months from issue. Fumigation certificates for goods treated prior to August 2, meeting Policy v3.0 will be accepted for six months from the date of treatment.

GENERAL ISSUES OF INTEREST TO THE CCB:

Korea Proposes Update to Food Hygiene Law for Recycled Packaging Materials

- Korea's Ministry of Food and Drug Safety (MFDS) recently published a [legislative notice](#) (in Korean) announcing proposed changes to its *Food Hygiene Act* regarding recycled food packaging materials.
- The draft amendments would update standards for synthetic resin raw materials that require treatment for use in food packaging and containers.
- Stakeholder responses on the draft notice may be submitted to MFDS or through Korea's National Participation Law Center [online feedback platform](#) by October 5, 2021.

France Gazettes Climate Law

- On August 24, France published to their national gazette [Law No. 2021-1104 of August 22, 2021 on the fight against climate change and strengthening resilience in the face of its effects](#) (in French). The law was passed in July.
- The law covers a wide range of climate change-related measures, including measures impacting cars, building codes, and more. The law is sweeping and significantly affects food and agriculture in several areas of French society, including:
 - Article 2: Mandatory environmental labeling on a wide range of products. Experiments with different type of eco-score FOP labels, including in food, will be carried out for a maximum of five years, before a label is selected.
 - Article 24: Starting January 1, 2025, take-away services must serve food in a reusable container or containers made from recycled materials.
 - Article 252: School cafeterias and canteens in publicly run buildings are required to offer an exclusively vegetarian meal at least once per week beginning January 1, 2023.
 - Article 253: No later than August 2023, training courses related to cooking must include modules on health and environmental benefits of the diversification of protein sources in human food.
 - Article 264: To safeguard France's food sovereignty, France will "protect farmers from unfair competition" of imported products from production systems that do not meet the standards imposed by European regulations.
 - Article 265: Requirements for the national food program to account for French food sovereignty, social justice, education, greenhouse gasses, and more in policymaking relating to nutrition and health.
 - Article 268: Farms must reduce fertilizer use by 15 percent by 2030 from 2015 levels. If the target is not met for two years, taxes will be introduced on the fertilizers in question.
 - Article 277: Certain retail stores are required to make available clear and legible information regarding the seasonality of fresh fruit and vegetables offered for sale.

UK Extends Transition Period for Trade Under Northern Ireland Protocol

- The United Kingdom (UK) has [announced](#) another extension of the post-Brexit transition period for trade from Great Britain to Northern Ireland as specified under the Northern Ireland Protocol.

(Continued on next page)

UK Extends Transition Period for Trade Under Northern Ireland Protocol (continued)

- The transition period for the Protocol was first extended in March 2021, in a unilateral decision by the UK, then again in June. Before the latest announcement, the UK was expected to introduce customs checks on consignments moving from Great Britain into Northern Ireland on October 1, 2021.
- Trade from Great Britain to Northern Ireland is being governed by the Northern Ireland Protocol as part of the EU-UK Withdrawal Agreement, implemented on January 1, 2021.
- The European Commission responded in a [statement](#) that “Our focus remains on identifying long-term, flexible, and practical solutions to address issues related to the practical implementation of the Protocol... However, we will not agree to a renegotiation of the Protocol.” The statement also noted that the EU, which paused a lawsuit filed against the UK in June, is not currently pursuing further legal action against the UK for violations of the agreement, although it reserves that right.