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**A REPORT FOR
THE CALIFORNIA
CHERRY BOARD**

SPECIFIC ISSUES OF INTEREST TO THE CCB:

Update on China's Decree 248, 249

- On November 1, [registration opened](#) for overseas production facilities for foods defined under Article 9 of [Decree 248](#) that do not require recommendation of foreign competent authorities. The USDA Foreign Agricultural Service has not yet published a translated guide on how to register but did indicate to BCI in October that such a guide would be forthcoming (*BCI Monitor 10-19-21*).
- Australia's Department of Agriculture, Water, and the Environment (DAWE) has provided an [extensive Frequently Asked Questions document](#), [webinar recording](#), and [clarification of the webinar](#). While the advice is geared towards Australian industry, it provides further clarity on the Decree's upcoming implementation. Of note to the California Cherry Board, DAWE understands that fresh fruit production and processing facilities, orchards, and exporters are exempt from the new requirements where there are existing bilateral agreements.

Canada Opens Public Consultation on Grade Requirements for Fresh Fruit and Vegetables

- The Canadian Food Inspection Agency (CFIA) is conducting a 5-phased [consultation](#) on the [Canadian Grade Compendium: Volume 2 – Fresh Fruit or Vegetables](#). Each phase will include proposed changes to grades and requirements for different fruits and vegetables and will be open for 60 days. [Registration is available](#) for notification for the start of each phase
- Phase 5 will propose changes to grades and requirements for sweet cherries.
- The [changes](#) to the current regulation will reflect current market and consumer trends, developments in technology, and harmonization with the requirements of Canada's trading partners.
- Transition periods of up to 12 months will be determined by product seasonality, existing storage supply, and possible challenges of achieving compliance with new requirements.

FAS Seeks Input Regarding FAO Agricultural Plastics Initiative

- USDA Foreign Agricultural Services (FAS) Plant Division is asking stakeholders to share their input regarding the development of a comprehensive voluntary code of conduct on agricultural plastics use and sustainability. Specifically, FAS would like to know if stakeholders would find value in the FAO developing a voluntary Code of Conduct on Agricultural Plastics and if there is strong enough science to provide practical recommendations on agricultural plastics.
- The voluntary code will be discussed during the FAO's 28th session of the Committee on Agriculture (COAG 28), which will take place July 18-22, 2022.
- A [report by the European Commission](#) from July 2021 may give some relevant background on this initiative. A draft code of conduct is not yet available.
- Feedback and questions can be submitted to Mason.Grahame@usda.gov or PlantDivision@fas.usda.gov.

GENERAL ISSUES OF INTEREST TO THE CCB:

China Publishes Several Draft Food Standards for Comment

- The National Health Commission of the People's Republic of China (NHC) [recently announced](#) that [34 Draft National Food Safety Standards](#) were published for comment on October 22.
- The draft standards include several on the standard determination of food components, microbiological testing methods and procedures, and food contact materials, including the *National Food Safety Standard – Plastic Materials and Products for Food Contact* and the *National Food Safety Standard – Food Contact Rubber Materials and Products*.
- Feedback can be submitted online via the [National Standards for Food Safety Management Information System](#) until November 20, 2021.

EU Suspends Retaliatory Tariffs Regarding Section 232 Tariffs on Steel and Aluminum

- The European and United States announced in a [joint statement](#) that they had reached an agreement regarding steel and aluminum trade. As part of the agreement, the EU [announced](#) it has suspended [retaliatory tariffs on U.S. products](#) first implemented in 2018 (Annex I) and tariffs on a second tranche of products (Annex II), which were [set](#) to enter into force on December 1 (*BCI Monitors 05-18-21, 5-22-18*).
- Cherries were not included in either tariff list.
- The UK and U.S. have yet to reach a similar agreement, but are continuing negotiation according to recent statements from the [UK Department of International Trade](#) and [U.S. Department of Commerce](#). Annex I tariffs, implemented before Brexit, are still in place. In May, the UK launched a [public consultation](#) on [U.S. products](#) to which it was considering applying retaliatory tariffs (*BCI Monitors 5-18-21, 5-25-21*).

India Extends Compliance Dates for Updated Food Labeling Laws

- On October 22, the Food Safety and Standards Authority of India (FSSAI) [postponed mandatory compliance with provisions](#) in several recent regulations. Of note to the California Cherry Board, mandatory compliance with [labeling provisions](#) in the Food Safety and Standards (Labelling and Display) Regulations, 2020 is delayed to July 1, 2022 (*BCI Monitor 12-19-20*).
- FSSAI is considering industry concerns regarding revised tolerance limits for nutrients and the Food Safety and Standards (Packaging and Labelling) Regulations, 2011 remain effective until FSSAI reaches a final decision.

India Allows Recycled Plastics as Food Contact Material

- India's Ministry of Environment, Forest, and Climate Change published the [Plastic Waste Management \(Second Amendment\) Rules, 2021](#) (in English starting on p. 2), permitting the use of recycled plastics as food contact material. The amendment updates [Plastic Waste Management Rules, 2016](#) (in English).
- Use of recycled plastics as food contact material is subject to compliance with the [Food Safety and Standards Act, 2006 \(34 of 2006\)](#).
- The rule entered into force on September 22, 2021.