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General Issues of Interest to the CCB:

**A REPORT FOR**

**THE CALIFORNIA**

**CHERRY BOARD**

# United Kingdom and Australia Complete Negotiations for Free Trade Agreement

* The [United Kingdom](https://www.gov.uk/government/news/uk-and-australia-sign-world-class-trade-deal) (UK) and Australia have [concluded](https://www.dfat.gov.au/trade/agreements/not-yet-in-force/aukfta/australia-uk-fta-official-text) a free trade agreement (FTA).
* The UK base tariff on fresh sweet cherry (HS 0809.29) imports from Australia is set at 12.0% for the period July 16 to June 15 and 6.0% for the period June 16 to July 15. The Australian base tariff on fresh cherry (HS 0809.29) imports from UK is set at 0%.
* All base tariffs mentioned for the California Cherry Board shall be eliminated on the date the agreement enters into force.
* The agreement shall enter into force 30 days after the date on which the UK and Australia have ratified the agreement and informed each other by written notice of the outcome of their domestic legislative process.

# China Publishes Guidance on Decree 248

* On December 14, the General Administration of Customs of China (GACC) published [Announcement 103](http://www.customs.gov.cn/customs/302249/2480148/4053483/index.html), which formally announced that Decree 248 only applies to goods produced *after* January 1, 2022. The USDA subsequently published an [English translation of the announcement.](http://traderegulationdatabase.com/usercontent/c58/documents/Decrees%20248%20and%20249%20-%20January%201%20Implementation%20Date_Beijing_China%20-%20People's%20Republic%20of_12-08-2021.pdf)
* Fresh fruits are not affected by Decree 248.
* China also reiterated that Decrees 248 and 249 will enter into force on January 1, 2022. The U.S. Government [continues to ask](https://www.fda.gov/food/cfsan-constituent-updates/fda-takes-steps-facilitate-export-food-under-chinas-new-facility-registration-requirements-decree?utm_medium=email&utm_source=govdelivery) for implementation to be delayed 18 months and further clarity from GACC.

# Japan Notifies Draft Annual Changes to Quarantine Pest Lists

* On December 17, Japan [notified the WTO](https://docs.wto.org/dol2fe/Pages/SS/directdoc.aspx?filename=q:/G/SPS/NJPN905.pdf&Open=True) of its draft 2022 revisions to the *Ordinance for Enforcement of the Plant Protection Act* and quarantine pest lists. A [summary](https://members.wto.org/crnattachments/2021/SPS/JPN/21_7841_00_e.pdf) of the proposed revisions is attached to the notification.
* In the light of the emergence of oriental fruit fly (*Bactrocera dorsalis species complex*), the proposed revisions will enter into force immediately after completion of domestic legal procedures, by the end of March 2022. Malawi, Oman, and Mauritius have been added on the list of the import prohibited plants for oriental fruit fly ([Annex III](https://members.wto.org/crnattachments/2021/SPS/JPN/21_7841_03_e.pdf)).
* Submissions can be sent to the U.S. SPS Inquiry Point at [us.spsenquirypoint@fas.usda.gov](mailto:us.spsenquirypoint@fas.usda.gov) until February 15, 2022.

# European Food Safety Authority Publishes Draft Scientific Opinion on Bisphenol A

* On December 15, the European Food Safety Authority (EFFSA) [published](https://www.efsa.europa.eu/en/news/bisphenol-efsa-draft-opinion-proposes-lowering-tolerable-daily-intake) its [draft scientific opinion](https://connect.efsa.europa.eu/RM/sfc/servlet.shepherd/document/download/0697U000000H6u5QAC) regarding tolerable daily intake of Bisphenol A (BPA) and opened [public consultation](https://connect.efsa.europa.eu/RM/s/publicconsultation2/a0l1v00000E8BRD/pc0109) until February 8, 2022.
* EFSA suggests establishing a maximum tolerable daily intake of 0.04 nanograms per kilogram of body weight per day. In 2015, EFSA had set 4 micrograms per kilogram of body weight per day as a temporary tolerable daily intake.

# The United Kingdom Amends Transitional Regulation Regarding Agricultural Marketing Standards for Organic Products

* The United Kingdom (UK) recently published the [*Common Organisation of the Markets in Agricultural Products (Marketing Standards and Organic Products) (Transitional Provisions) (Amendment) Regulations 2021*](https://www.legislation.gov.uk/uksi/2021/1396/contents/made), entering into force on January 1, 2022.
* The regulations amend several retained direct European Union (EU) regulations. Of note to the California Cherry Board, competent authorities in third countries may continue to use Certificates of Conformity for fresh or processed fruits and vegetables that conform to Article 14(1) of *Commission Implementing Regulation (EU) No 543/2011* (as amended) until July 1, 2022 (previously March 1, 2022), unless informed by the UK Secretary of State that EU marketing standards are no longer deemed at least equivalent to UK standards.

# Brazil Approves Amendments to Plastic and Cellulosic Packaging Regulations

* On December 10, Brazil’s National Health Surveillance Agency (ANVISA) [announced](https://www.gov.br/anvisa/pt-br/assuntos/noticias-anvisa/2021/aprovada-norma-que-altera-criterios-para-embalagens-plasticas-e-celulosicas) (in Portuguese) it recently approved amendments to its standards for plastic and cellulosic packaging material.
* The updates were made to [Resolution 105/1999](http://antigo.anvisa.gov.br/legislacao#/visualizar/26370), as well as Resolutions of the ANVISA Collegiate Board (RDCs) [88/2016](http://antigo.anvisa.gov.br/legislacao#/visualizar/319281) and [56/2012](http://antigo.anvisa.gov.br/legislacao#/visualizar/28917)(all in Portuguese), to transpose updated MERCOSUR packaging legislation into national law in Brazil.
* *Resolution 105/1999* outlines general provisions for plastic food contact packaging, while *RDC 88/2016* and *RDC 56/2012* provide detailed specifications for approved cellulosic and plastic packaging substances, respectively.