

**FEBRUARY 15, 2022**

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**SPECIFIC ISSUES OF INTEREST TO THE CCB:**

**Vietnam Food Labeling Amendments Enter into Force**

- Vietnam [Decree 111/2021/ND-CP](#) (in Vietnamese), which amends and replaces [Decree 43/2017/NDCP](#) on Goods Labeling, entered into force on February 15.
- Goods labeled in accordance with [Decree 43/2017/ND-CP](#) and already manufactured, imported, or circulated before the effective date of this decree can continue in circulation until their expiration.
- In December, the USDA Foreign Agricultural Service (FAS) published an [analysis](#) and [an unofficial translation of the Decree](#) (*BCI Monitor 1-4-22*). FAS has noted changes in the following areas of the labeling standard for imported food products:
  - Mandatory content on the original labels (amending Article 10 of Decree 43)
  - Name of the entity responsible for the product (amending Article 12 of Decree 43)
  - Country of origin (amending Article 15 of Decree 43)
  - Quantities of ingredients (amending Article 16 of Decree 43)
  - Nutritional labeling for processed foods (replacing Appendix I of Decree 43)
  - Requirements for ingredient/food additive declaration (replacing Appendix IV of Decree 43).

**GENERAL ISSUES OF INTEREST TO THE CCB:**

**Thailand Opens Consultation on Recycled Plastics as Food Contact Materials**

- Thailand [invites](#) comments on the [Draft Notification](#) (in Thai) of the Ministry of Public Health, revising *Notification of the Ministry of Public Health (No. 295) B.E.* with regard to [the use of recycled plastics](#) (in Thai) as food contact material and quality requirements for plastic food packaging.
- The draft amendments are based on *European Commission Regulation (EU) No 10/2011* on plastic food contact materials and related guides and standards by the European Union.
- Plastics obtained from primary and tertiary recycling, as defined in the Notification, will be permitted as food contact materials without further evaluation. Plastics obtained from secondary recycling must be evaluated against standards and processes set out in the Notification regarding contaminants.
- Importers of food in containers made of recycled materials shall submit an evaluation report for approval by the Thai FDA.
- Comments can be submitted until March 4, 2022 via email to [food.publichearing@gmail.com](mailto:food.publichearing@gmail.com) using this [comment form](#).

**A REPORT FOR  
THE CALIFORNIA  
CHERRY BOARD**

### Canada Opens Public Consultation on Requirement for Recycled Content in Plastic Packaging

- Canada [invites comments](#) on a [proposed regulatory initiative](#) under the *Canadian Environmental Protection Act, 1999*, setting a minimum percentage of recycled content for certain items made of plastic.
- The regulations will follow a product-based approach, potentially setting different requirements for different packaging formats such as bottles, rigid, flexible, and foam containers, film, and others. They will not replace existing or future requirements for plastic food packaging. Food contact materials will be exempt from these regulations, except for beverage containers.
- Comments can be submitted to Tracey Spack, Director, Plastic Regulatory Affairs Division, Department of the Environment, at [ContenuRecycleRecycledContent@ec.gc.ca](mailto:ContenuRecycleRecycledContent@ec.gc.ca) until March 14, 2022.
- Draft regulations will be published for comments by the end of 2022 in the *Canada Gazette*.

### France Opens Consultation on Single-Use Plastic Packaging Reduction Strategy

- France's Ministry of Ecological Transition has [opened a public consultation](#) (in French) regarding the development of a strategy for reduction, reuse, and recycling of single-use plastic packaging.
- Under France's [Law No. 2020-105](#) (in French) on the fight against waste and the circular economy, France is aiming to end single-use plastic packaging use in its market by 2040. Reduction and recycling targets are to be set for five-year periods; targets for the initial period (2021-2025) were published in April 2021.
- France also held a consultation in September 2021 on its targets for the minimum proportion of reused packaging in its market annually, with a goal of 1.5% in 2022, 5% in 2023, and 10% in 2027 (*BCI Monitor 9-28-21*).
- The public consultation closes on February 25, 2022. Feedback may be submitted via the French Ministry of Ecological Transition [website](#).

### Updates to UK Plastic Packaging Tax

- The United Kingdom has recently published [The Plastic Packaging Tax \(General\) Regulations 2022](#), which sets out the detailed administrative requirements for the Plastic Packaging Tax which enters into force on April 1, 2022 (*BCI Monitors 11-23-21, 12-14-21*).
- The list of packaging to be taxed is expansive, including labels and film/wraps. The tax will be assessed at £200 per ton for finished plastic packaging components which contain less than 30% recycled plastic.
- HM Revenue & Customs has published [updated guidance](#) on in-scope packaging and [step-by-step](#) guidance for registration.

### Chile's Polystyrene Restrictions Come into Force

- Effective February 13, 2022, Chilean [Law No. 21.368](#) (in Spanish) prohibits the delivery of expanded polystyrene single-use plastic products to foodservice establishments (*BCI Monitor 8-24-21*). Other measures of the law, including additional prohibitions and a certification system to ensure single-use plastics contain compostable or recyclable material, will be phased in over several years.
- [Law No. 21.368](#), approved by the Chilean government in May 2021, followed Chile's publication of its [National Strategy on Marine Waste and Microplastics](#) (in Spanish). Additional details are provided in a USDA FAS [GAIN report](#).