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**A REPORT FOR
THE CALIFORNIA
CHERRY BOARD**

SPECIFIC ISSUES OF INTEREST TO THE CCB:

Australia Updating Compliance-Based Intervention Scheme for Imported Cherries from U.S.

- The Australian Department of Agriculture, Water, and the Environment recently [announced](#) it is decommissioning certain commodity codes – including for cherries – to improve the [Compliance-Based Intervention Scheme \(CBIS\)](#). CBIS is a risk-based intervention scheme for specific plant commodities imported into Australia.
- The new function within CBIS, scheduled to be available from March 2, will improve the import lodgment process by utilizing profile questions rather than AQIS Commodity Codes to identify and rule products for CBIS processing. The change is expected to increase the number of goods qualifying for CBIS.

GENERAL ISSUES OF INTEREST TO THE CCB:

FAS Publishes English Translation of China's Cold Chain Guidelines for Covid-19

- China's Ministry of Health recently published the second edition of [Annex 1](#) and [Annex 2](#) (both in Chinese) of the *Technical Guidelines for the Prevention and Control of Novel Coronavirus in Cold Chain Food Production and Operation* (*BCI Monitor* 2-8-22).
- On February 25, the USDA Foreign Agriculture Service (FAS) [published](#) an unofficial English translation and summary.

South Africa Expands Capability to Accept ePhyto Certificates

- On February 23, South Africa [notified the WTO](#) that the South African certification system has developed a module that allows the receipt of ePhytos sent via the International Plant Protection Convention (IPPC) hub beginning April 1, 2022.

The EAEU to Accept ePhyto Certificates

- The Council of the Eurasian Economic Commission (EEC) [recently amended](#) (in Russian) its regulations and will now allow the use of electronic phytosanitary certificates and shipping documents in the Eurasian Economic Union (EAEU).
- The EAEU includes Armenia, Belarus, Kazakhstan, Kyrgyzstan, and Russia.

EFSA Publishes Scientific Opinion on Tolerable Intake Level for Dietary Sugars

- The European Food Safety Authority (EFSA) [published](#) a scientific opinion on the [tolerable upper intake level for dietary sugars](#). A [non-technical summary](#) is also available.
- While confirming links between a range of health problems and sugar intake, EFSA was not able to set a tolerable upper intake level based on scientific evidence. It recommends an as low as possible consumption of added and free sugars.

Vietnam Publishes Decree on Single-Use Plastics and Extended Producer Responsibility

- Vietnam published [Decree No. 08/2022/ND-CP](#) (in Vietnamese) implementing a number of articles of the *Law on Environmental Protection 2020* (BCI Monitor 8-3-21, 10-14-21).
- According to unofficial translation, the decree establishes the Vietnam Environmental Protection Fund to support waste management, a single-use plastics (SUP) ban implemented in stages, and an Extended Producer Responsibility (EPR) Scheme.
- **Fund/Tax:** Producers and importers of products using single-use plastics as defined in the decree must pay VND 1,500 (approx. 0.066 USD) per kg of plastic used to the Vietnam Environmental Protection Fund by March 31 of each year for products placed on the market in the previous year.
- **SUP ban:** Starting January 1, 2026, the import and manufacture of poorly degradable plastic bags of 50cm x 50cm or smaller and 50µm thick or less will be prohibited. Starting December 31, 2030, the import and manufacture of single-use plastics (food containers, trays, bowls, chopsticks, glasses, cups, cutlery, straws, and other tableware), and poorly degradable plastic packaging materials will be banned. Poorly degradable plastic packaging means packaging mainly made of petroleum-derived polymers.
- **EPR:** Producers and importers of packaged food can choose between 1) contributing to the Vietnam Environmental Protection Fund according to the payment formula defined in the decree; or 2) implementing recycling plans with compulsory recycling rates. Packaging materials falling under the decree include paper, metal, plastic, and glass. This requirement becomes effective on January 1, 2024.
- Producers and importers must also disclose information about the containers and packaging they produced or imported.
- The decree entered into force on January 10, 2022.

UK and New Zealand Sign Free Trade Agreement

- On February 28, the [UK-New Zealand Free Trade Agreement](#) (FTA) [was signed](#).
- Upon entry into force, New Zealand will remove all tariffs on goods originating from the United Kingdom.
- The United Kingdom will eliminate tariffs on 99.5% of current exports from New Zealand from entry into force.
- Additional detail on tariff reductions can be found in [Annex 2A: Schedule of Tariff Commitments for Goods](#).

Korea Proposes Amendments to Food Labeling Act

- Korea's Ministry of Food and Drug Safety (MFDS) [opened the public consultation](#) on [Ministry of Food and Drug Safety Advance Notice No. 2022-90](#) (in Korean), amending the [Food Labeling Standards](#) to improve expiration date labeling. The regulatory changes are based on [Act No. 18445](#) amending [Act on Labeling and Advertising of Food, etc.](#), which was promulgated on August 17, 2021 (BCI 11-16-21).
- According to the [WTO notification](#), the following three changes are proposed: The term to be used for date markings will be changed from 'Sell by date' to 'Use by date'; for unprocessed foods (foods in natural state) the use of harvest date will be permitted; recent *Korean Nutrient Intake Standards* will be reflected in the amended law.
- Based on feedback from the USDA Foreign Agricultural Service (FAS), the notification clarifies that the term "manufacture date" referred to in the standards means production or packing date for fresh products. Natural produce is not subject to mandatory shelf-life labeling under current labeling guidelines. This change only affects the voluntary labeling of shelf life for fresh/natural products.
- Comments can be sent to the U.S. TBT Inquiry Point at usatbtep@nist.gov until March 16, 2022.
- MFDS also [opened the public consultation](#) on the Ministry of Food and Drug Safety Advance Notice No. 2022-100, revising Standards for setting shelf life of food, food additives, livestock products and health functional foods.
- According to informal translation, the revision will update or add definitions of terms such as "quality and safety limit period", "consumption period", and "recommended expiry date". It will also align the standard with the proposed change cited above.
- Comments can be sent to MFDS's postal address listed on the [Notice's webpage](#) until March 16, 2022.

Korea Opens Consultation on Draft Revision of Health and Functional Food Labeling Standard

- Korea's Ministry of Food and Drug Safety (MFDS) [invites comments](#) on a draft notice (in Korean), revising health and functional food labeling standards.
- The revisions pertain to labeling allergens, business contact information, and labeling probiotic bacteria count, specifically for health functional foods.
- Comments can be submitted to MFDS by March 17, 2022. The address is stated on the consultation's webpage.