

APRIL 12, 2022

## INSIDE THIS ISSUE

- **Beijing Implements Increased Cold Chain COVID-19 Protocols**
- **Japan Adopts Revisions to Plant Protection Act**
- **Australia Notifies Harmonization of Food Standards Code with Codex**
- **Japan Publishes New Guidelines Regarding Additive-Free Food Labeling**
- **Korea Adopts Changes to Expiration Date Food Labels**
- **France Publishes Decree Promoting “Reused Packaging”**

**A REPORT FOR  
THE CALIFORNIA  
CHERRY BOARD**

## SPECIFIC ISSUES OF INTEREST TO THE CCB:

**Beijing Implements Increased Cold Chain COVID-19 Protocols**

- Beginning April 1, the city of Beijing implemented increased requirements for imported cold-chain food products. The changes were announced in a [Beijing municipal press conference](#) on March 23. According to a [USDA GAIN report](#) on the changes, food industry analysts in Beijing report that this is the strictest COVID-19 measure imposed on imported cold-chain food products to date.
- New requirements of bringing imported cold-chain foods into Beijing include:
  - Imported cold-chain food products are not allowed into Beijing without a mandatory inspection appointment in advance
  - All products must be verified and inspected at a checkpoint before arriving into Beijing
  - Information on the flow of cold-chain food products are required and updated in the Beijing cold-chain system
  - All cold-chain food products must go into a First Stop Transition Inspection Warehouse newly constructed for inspection and disinfection at Beijing entry checkpoints
  - Other management measures on cold-chain imported food products
- The aforementioned [USDA GAIN report](#) provides further details and an unofficial translation of the press conference. According to the USDA, implementation in the first few days has not caused major issues. USDA sources provide a conflicting account on whether the measures are slowing down trade.

**Japan Adopts Revisions to Plant Protection Act**

- On April 11, Japan [notified the WTO](#) of the adoption of its 2022 revisions to the *Ordinance for Enforcement of the Plant Protection Act* and quarantine pest lists (*BCI Monitor 12-21-21*).
- The following documents have been revised: [Quarantine Pest List](#), [List of the Plants Subject to Field Inspection in Exporting Countries](#), [List of the Import Prohibited Plants](#), and [List of the Plants Subject to Specific Phytosanitary Measures to be Carried Out in Exporting Countries](#).
- The revisions and requirements entered into force on March 23, 2022.

## GENERAL ISSUES OF INTEREST TO THE CCB:

**Australia Notifies Harmonization of Food Standards Code with Codex**

- Food Standards Australia New Zealand (FSANZ) [notified Proposal M1019](#), harmonizing Schedule 22 of the *Australia New Zealand Food Standards Code* with the food classification system established by Codex Alimentarius (Codex) for primary commodities of plant origin in 2021.
- As Schedule 22 is directly mentioned in *Standard 1.5.37 — Irradiation of food* and *Schedule 58 — Nutrient profiling scoring method*, the proposed changes will lead to a change in definition of food groups and categories in these regulations.
- Publication of the corresponding legislative instrument is expected for September 2022.
- Comments can be sent to the U.S. SPS Inquiry Point at [us.spsenquiry@fas.usda.gov](mailto:us.spsenquiry@fas.usda.gov) until May 5, 2022.

### Japan Publishes New Guidelines Regarding Additive-Free Food Labeling

- On March 30, [Japan's Consumer Affairs Agency](#) published [Guidelines Concerning Additive-Free Food Labeling](#) (in Japanese). The new guidelines were finalized after a public consultation on a draft was held in January (*BCI Monitor 1-11-22*).
- In January, a [USDA GAIN report](#) was published summarizing the draft guidelines and providing an [unofficial English translation](#) (*BCI Monitor 1-18-22*).
- The guidelines set appropriate use of the term “additive-free” and similar terms on food labels. Specifically, they correspond to prohibited labeling terms stipulated in Article 9 of the [Food Labeling Standards of 2015](#). Based on machine translation, the last section of the guidelines require that all food businesses begin using the guidelines. Additionally, food businesses have two years, until March 2024, to review if their current labels meet the new guideline requirements.

### Korea Adopts Changes to Expiration Date Food Labels

- On March 31, Korea's Ministry of Food and Drug Safety (MFDS) published [Notice No. 2022-25](#) (in Korean), adopting revisions to its labeling standards for food 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 Monitor 11-16-21*). A [draft version](#) was [notified to the WTO](#) and [published for public consultation](#) in February (*BCI Monitor 3-1-22*).
- According to machine translation, the adopted revisions change the term “expiration date” on food labels to a “consumption date.” MFDS has stated that the changes are intended as a food waste prevention measure.
- Based on prior 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 effects voluntary labeling of shelf life for fresh/natural products.
- The changes detailed in the notice shall be implemented from the date of the notice. Foods that have already been manufactured, processed, or shipped for import in accordance with the previous regulations may be sold as such for the duration of their shelf life/consumption period.

### France Publishes Decree Promoting “Reused Packaging”

- France's Ministry of Ecological Transition published [Decree n° 2022-507](#) on the promotion of reused packaging as set out in Articles 67 of [LOI n° 2020-105 of February 10, 2020 on the fight against waste and the circular economy](#) (all documents in French, *BCI Monitor 9-28-21*).
- “Reused packaging” is packaging that is used at least a second time for the same use for which it was designed, with its reuse organized by or on behalf of the producer. The packaging may be refilled at the point of sale as part of a bulk purchase or, where relevant, recharged at home.
- The regulation applies to any person marketing at least 10,000 units of packaged products per year as well as to any eco-organization approved for packaging, with units of packaging defined in article R. 543-43 5 of the [Environment Code](#).
- The decree sets targets for the minimum proportion of reused packaging to be put on the market annually for three groups of producers, categorized by their annual turnover:
  - Annual turnover of less than 20 million Euros: 5% in 2026, and 10% in 2027
  - Annual turnover of between 20 and 50 million Euros: 5% in 2025, 7% in 2026, and 10% in 2027
  - Annual turnover of more than 50 million Euros: 5% in 2023, 6% in 2024, 7% in 2025, 8% in 2026, and 10% in 2027.
- The decree enters into force on January 1, 2023.