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**A REPORT FOR
THE CALIFORNIA
CHERRY BOARD**

SPECIFIC ISSUES OF INTEREST TO THE CCB:

USTR Publishes 2022 National Trade Estimate Report on Foreign Trade Barriers

- The Office of the U.S. Trade Representative (USTR) on March 31 [announced](#) the publication of the [2022 National Trade Estimate Report on Foreign Trade Barriers \(NTE Report\)](#). The report outlines significant barriers to U.S. exports in foreign markets and actions taken to remedy those obstacles.
- The NTE report specifies 14 barrier categories such as import policies (e.g., quantitative restrictions and import licensing), technical barriers to trade (e.g., standards and conformity assessments), and sanitary and phytosanitary measures. It covers 60 countries including China, Hong Kong, and Taiwan, as well as members of the European Union (EU) and Arab League.
- Key barriers affecting U.S. agricultural exports noted in the report include: 1) China's facility and registration requirements in Decrees 248 and 249; 2) non-science based sanitary and phytosanitary (SPS) measures such as Turkey's requirements for agricultural biotechnology approvals; and 3) non-transparent administration of import licensing requirements in countries including Indonesia, Ecuador, Egypt, and Angola.
- Other issues affecting fresh horticultural exports include: 1) Canada's prohibition of some bulk fruit and vegetable imports in packaging exceeding certain sizes without a ministerial exemption; 2) Egypt's registration requirements for foreign entities exporting finished consumer products including fruit; 3) EU subsidies for fruit and vegetable production under its Common Agricultural Policy (CAP); and 4) high tariffs on many horticultural imports in markets such as India, Thailand, and Turkey.

Australia, India Sign Free Trade Deal

- The Australia-India Economic Cooperation and Trade Agreement was signed on April 2 after over ten years of negotiations. The agreement will immediately eliminate tariffs on 96 percent of Indian goods entering Australia and 85 percent of Australian exports to India, expanding to 90 percent of Australian exports over 10 years.
- Indian tariff reductions for Australian agricultural exports include the elimination of tariffs over 3, 5, 7, or 10 years on goods such as certain peas and beans; nuts such as macadamias, cashews, and hazelnuts; fruits including avocados and berries; certain oil seeds; and food preparations such as malt extract, pasta, and breakfast cereals.
- Notably, India's 30 percent tariff on Australian sweet cherries (HS 0809.29) will be eliminated over seven years following entry into force.
- An [overview of the agreement](#) as well as the [full text including all tariff schedules](#) is provided by Australia's Department of Foreign Affairs and Trade.

GENERAL ISSUES OF INTEREST TO THE CCB:

New Zealand Publishes Ban of Certain Plastic Food Packaging

- New Zealand published the [Waste Minimisation \(Plastic and Related Products\) Regulations 2022](#), implementing the phase out of certain plastic products as announced in 2021 (*BCI Monitor* 7-6-21). The adoption was [notified](#) to the WTO.
- Starting October 1, 2022, the regulation prohibits the manufacture and sale of items including
 - any plastic product with pro-degradants, including oxo-degradable or photo-degradable plastics
 - all PVC food trays or containers
 - expanded polystyrene packaging sold by retail
- Notably, originally only PVC food trays used for meat were included in tranche 1. However, New Zealand has expanded the phase-out to include all PVC food trays, including for produce.

Canada Opens Consultation on its Draft Federal Sustainable Development Strategy

- Canada [invites comment](#) on its [draft Federal Sustainable Development Strategy](#) for the next 4 years.
- [Plastic waste reduction goals](#) are mentioned under “Sustainable Development Goal 12: Responsible consumption and production”. Canada proposes a target of 50% recycled content in plastic packaging by 2030. For single-use plastics with readily available alternatives, Canada seeks a 4 percent reduction in those entering the waste stream and a 7 percent reduction in those entering the environment as pollution.
- Comments can be submitted to SDO-BDD@ec.gc.ca until July 9, 2022.

UK Plastic Packaging Tax Enters into Force

- The United Kingdom’s [Plastic Packaging Tax \(General\) Regulations 2022](#) entered into force on April 1, 2022.
- The regulations, published in February 2022, establish detailed requirements for the tax, which covers an expansive list of packaging materials including labels and film/wraps (*BCI Monitor* 2-15-22). The tax will be assessed at £200 per ton for finished plastic packaging components that contain less than 30% recycled plastic.
- HM Revenue & Customs has published [updated guidance](#) on in-scope packaging and [step-by-step guidance for registration](#).

Argentina Notifies Front of Pack Warning Label Implementation

- On April 1, Argentina [notified the WTO](#) regarding the entry into force of [Decree No. 151/2022](#) (in Spanish) regarding front of pack nutrition warning labels. Argentina gazetted the regulation on March 22, 2022 (*BCI Monitor* 3-29-22).
- As previously reported, the regulations introduce a mandatory, octagon style front of pack warning labels for foods high in added sugar, total fat, saturated fat, sodium, and calories.
- The labeling requirements will be introduced in two stages. The first stage will be enforced after 15 months (June 22, 2023) for small and medium-sized enterprises (SMEs) and after nine months (December 22, 2022) for all other companies. The second stage enters into force after 24 months (March 22, 2024) for SMEs and after 18 months (September 22, 2023) for all other companies.

Codex Alimentarius Commission Requests Feedback on Labeling Exemptions in Emergency Situations

- The 46th Session of the Codex Committee on Food Labelling (CCFL46) is [requesting feedback](#) on its work to assist countries in establishing flexibilities in food labeling requirements during public health emergencies.
- Following the feedback period, the United States will prepare a discussion paper to outline new work toward developing a common framework for labeling flexibilities to ensure consumer protection during emergencies like the COVID-19 pandemic.
- The feedback will help assess whether those labelling flexibilities are best provided for by amendments to the General Standard for the Labelling of Prepackaged Foods (CXS 1-1985) or through a separate guideline document.
- Comments are due by April 30 and may be submitted through the Codex Contact Points of Codex members and observers using the [Codex Online Commenting System](#).