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SPECIFIC ISSUES OF INTEREST TO THE CCB:

Australia, India Free Trade Agreement to Enter Into Force

- [Australia](#) and [India](#) announced the ratification of the Australia-India Economic Cooperation and Trade Agreement. The trade agreement will enter into force on December 29, 2022.
- An [overview of the agreement](#) as well as the [full text including all tariff schedules](#) are provided by Australia's Department of Foreign Affairs and Trade. 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.
- Notably, India's 30 percent tariff on Australian sweet cherries (HS 0809.29) will be eliminated over seven years following entry into force.

GENERAL ISSUES OF INTEREST TO THE CCB:

EU to Open Negotiations on Trade in Organic Products to Include Colombia, Mexico

- On November 21, the European Commission [added Colombia and Mexico](#) to the countries with which it will seek to negotiate an agreement on organic trade.
- Under new [EU Organic Regulation 2018/848](#), which entered into force January 1, 2022, only trade agreements may govern EU organic trade. Thus, in order to continue trade in organics, Argentina, Australia, Canada, Costa Rica, India, Israel, Japan, New Zealand, South Korea, Tunisia, and the United States must reach new trade agreements on organic products by January 1, 2027. Agreements are already in place with Switzerland, Chile, and the United Kingdom (*BCI Monitor* 8-31-21).

South Korea Publishes Draft Revisions on Methods and Standards for On-Site Inspections of Overseas Facilities

- South Korea's Ministry of Food and Drug Safety [published](#) (in Korean) *Ministry of Food and Drug Safety Announcement No. 2022-538* containing draft revisions to the [Methods and criteria for on-site inspection of overseas manufacturing establishments and overseas workplaces](#) (in Korean), which enters into force on January 1, 2023.
- The revisions reflect the addition of "non-face-to-face" inspection options set forth in Article 9.2 of the [Special Act on Imported Food Safety Control](#) (in Korean).
- Instructions for submitting comments are provided in the notice. Comments are due by December 21, 2022

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CHERRY BOARD**

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EU Adopts Draft Revised Packaging and Packaging Waste Directive

- On November 30, the European Commission [adopted](#) a [proposal for a regulation](#) on packaging and packaging waste (including in Annex), amending *Regulation (EU) 2019/1020* and *Directive (EU) 2019/904*, and repealing *Directive 94/62/EC*.
- The draft proposal complements the [EU Policy framework on biobased, biodegradable and compostable plastics](#), also adopted on November 30, 2022. The European Union (EU) published FAQ documents for the [draft packaging and packaging waste regulation](#), and [the policy framework](#).
- Article 2 states that the regulation applies to all packaging and all packaging waste, regardless of material. Article 4(1) requires all packaging placed on the market to comply with the regulations. Article 4(5) grants Member States authority over labeling requirements for extended producer schemes **[DB]**, or deposit and return systems.
- The regulation pertains to sustainable packaging requirements, labeling requirements, extended producer and related registration responsibilities, waste and recycling targets, and product bans.
- BCI will publish a detailed analysis of the proposal in next week's monitor.
- Comments on the draft regulation can be submitted through the [EC's Have Your Say Portal](#) until January 27, 2023. The deadline is extended daily until the proposal is published in all EU languages.
- The draft regulation will now be discussed and voted on in the European Parliament and Council. After approval by both legislative bodies, it will be published in the Official Journal of the European Union and shall enter into force on the 20th day following its publication. It shall apply 12 months after entry into force, with the following exemptions of interest to the cherry industry:
 - Article 8 (Compostable packaging) will be applied 24 months after entry into force.
 - Article 11(1) (Labeling: Material composition) will be applied 42 months after entry into force.
 - Article 11(2) (Labeling: Reusability) will be applied 48 months after entry into force.
 - [Article 8\(2\)](#) of *Directive 94/62/EC* on the identification system for packaging materials will apply until 42 months after the date of entry into force.

Correction: India to Allow Rectification of All Imported Food Labels

- Last week, the BCI Monitor story on this topic included a faulty link in the last bullet. The story is reshared below with the corrected link.
- On November 18, the Food Safety and Standards Authority of India [published an order](#) that all non-compliant labels on imported food consignments may be rectified at the port of entry.
- Rectification can be accomplished by affixing a single non-detachable sticker or other non-detachable methods and must be carried out at the Customs bonded warehouse before visual inspection or re-inspection by the Authorized Officer or representative.
- The Authorized Officer or representative shall then verify label compliance during the visual inspection. The consignment shall be subject to sampling and testing only if it is compliant with labeling requirements.
- In June 2022, FSSAI [announced](#) that the percentage of Recommended Dietary Allowance and expiration dates on labels could be rectified at the port of entry (*BCI Monitor 6-21-22*).