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INSIDE THIS ISSUE

- **EU-New Zealand Free Trade Agreement Enters into Force May 1**
- **USDA Publishes Translation of Vietnam's Updated List of Imported Goods Subject to Inspection**
- **EU Opens Consultation on Amendment to Plastic FCM Regulations**
- **Vietnam Notifies Draft Amendment to Food Inspection List**

**A REPORT FOR
THE CALIFORNIA
CHERRY BOARD**

Bryant Christie Inc. – Seattle
1418 Third Avenue, Suite 300
Seattle, WA 98101
Phone: (206) 292-6340 Fax: (206) 292-6341

SPECIFIC ISSUES OF INTEREST TO THE CCB:

EU-New Zealand Free Trade Agreement Enters into Force May 1

- On March 25, New Zealand's Parliament [ratified](#) the European Union-New Zealand Free Trade Agreement (FTA) and the Government [announced](#) the FTA will enter into force on May 1, 2024.
- The two sides concluded negotiations in June 2022 and signed the FTA in July 2023 (*BCI Monitors 7-5-22, 7-11-23*).
- Upon entry into force, the agreement will eliminate tariffs on all EU exports to New Zealand.
- The EU's 12% tariff on cherries from New Zealand will be eliminated upon entry into force.

USDA Publishes Translation of Vietnam's Updated List of Imported Goods Subject to Inspection

- On March 22, the U.S. Department of Agriculture Foreign Agricultural Service (USDA FAS) published a [GAIN Report](#) including an English translation of Vietnam's Ministry of Agriculture and Rural Development (MARD) *Circular No. 01/2024/TT-BNNPTNT* on HS codes for imported goods subject to MARD inspection (*BCI Monitor 2-27-24*).
- The Circular includes three appendices: 1) Appendix I - all HS codes under MARD management; 2) Appendix II – HS codes for imported goods subject to specialized inspection before customs clearance; and 3) HS codes subject to specialized inspection after customs clearance.
- Of note, cherries (HS 0809.29) are included in Appendix II.
- *Circular No. 01/2024* replaced MARD *Circular No. 11/2021* upon entry into force on March 20, 2024

GENERAL ISSUES OF INTEREST TO THE CCB:

EU Opens Consultation on Amendment to Plastic FCM Regulations

- On March 25, the European Union (EU) [notified the WTO](#) of its [Draft Commission Regulation \(EU\)](#) amending [Commission Regulation \(EU\) No. 10/2011](#) on plastic food contact materials (FCM) and [Commission Regulation \(EC\) No. 2023/2006](#) on good manufacturing practices for plastic FCM's.
- The draft amendments to *Regulation (EU) No. 10/2011* include the following provisions of potential interest to CCB:
 - The compositional requirements in Chapter 2 of the regulation are clarified to include all plastic FCM's. Previously, the requirements could be misinterpreted to only apply to multi-layer FCM packaging.
 - Article 14a on labeling is added to the regulation. Article 14a requires the party responsible for placing an FCM intended for repeated use on the market to provide information about its maximum life to its user through labeling. Labeling should include instructions on slowing deterioration of the FCM and a description of deterioration that may indicate that it has reached its maximum lifespan.
- Comments can be sent to the U.S. SPS Inquiry Point at us.spsenquiry@fas.usda.gov. The WTO comment deadline is May 24, 2024.
(Continued on next page)

Bryant Christie Inc. – Sacramento
2005 "I" Street, Suite 200
Sacramento, CA 95811
Phone: (916) 492-7062 Fax: (916) 492-7061

EU Opens Consultation on Amendment to Plastic FCM Regulations (Continued)

- Alternatively, the public consultation can be found on the European Commission's (EC) consultation [website](#) and comments can be submitted until April 15, 2024.
- Adoption and publication are expected in August 2024.
- The regulation would enter into force on the 20th day following its publication in the *Official Journal of the European Union*. The proposed amendments include an 18-month transition period during which FCM compliant with the un-amended regulations may be sold until the exhaustion of stocks.

Vietnam Notifies Draft Amendment to Food Inspection List

- On March 21, Vietnam [notified the WTO](#) of a [draft circular](#) (in Vietnamese), which provides a list of the food and food-related products subject to inspection prior to entering the country. The draft will repeal and replace [Circular 28/2021/TT-BYT](#) (in Vietnamese), which served the same purpose.
- The draft circular includes a table of impacted food products organized by HS code. Of potential interest, the table includes several forms of plastic packaging in direct contact with food (pages 43 – 44).
- The proposed entry into force date of the draft circular is August 15, 2024.
- Comments can be sent to the U.S. SPS Inquiry Point at us.spsenquiry@fas.usda.gov. The WTO comment deadline is May 20, 2024.