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A REPORT FOR
THE CALIFORNIA
CHERRY BOARD

SPECIFIC ISSUES OF INTEREST TO THE CCB:

Chile Notifies Draft Amendment to Phytosanitary Conditions for U.S. Cherries

- Chile's Agricultural and Livestock Service (SAG) recently [notified the WTO](#) of [draft amendments](#) to [Resolution No. 2458/2013](#) (all links in Spanish) regarding phytosanitary import requirements for stone fruit, including cherries from California.
- Chile is updating the regulation in response to USDA/APHIS' reclassification of *Epiphyas postvittana* (light brown apple moth – LBAM) as a non-quarantine pest for the U.S.
- The amendment revises the mitigation measures for LBAM and proposes details about future oversight for *Anarsia lineatella* (peach twig borer).
- The proposed date of adoption and entry into force is approximately 80 days from the date of the notice, or around October 9, 2025.
- BCI is working with APHIS on behalf of the CCB to respond to Chile's proposal.

GENERAL ISSUES OF INTEREST TO THE CCB:

Chile Moves to Contain Fruit Fly Outbreaks

- Chile's fruit sector is on high alert after a sharp rise in Mediterranean fruit fly outbreaks, according to recent [media reporting](#). A total of 42 new active cases have been reported, with the Arica and Parinacota region hardest hit (17 outbreaks), followed by Coquimbo (9), and the Metropolitan and Valparaíso regions (4 each).
- Agricultural leaders cited illegal cross-border food smuggling as the main cause and warned that uncontrolled borders allow pests to enter without inspection, threatening agricultural production.
- Frutas de Chile and Chile's Agricultural and Livestock Service (SAG) are urging the government to fast-track a bill granting SAG stronger tools to combat illegal food smuggling. SAG reports that 95% of the outbreaks are in urban areas rather than major production zones, but still pose serious risks to export markets and the country's phytosanitary status.
- The cost of controlling the pest is significant, with cherries alone facing a reported additional US\$20 million in costs last year. Outbreaks can trigger large quarantine zones, such as a 27.2 km radius required by China, restricting exports unless mitigation measures like cold treatment are applied.

U.S., China Delay Tariffs Another 90 Days

- On August 11, the White House [announced](#) another delay of additional tariffs on Chinese goods imported into the U.S., leaving the current tariff level at 30 percent. Similarly, China [announced](#) (in Mandarin) that it would also be delaying additional tariffs on U.S. imports for another 90 days, leaving the current tariff rate at 10 percent.
- This latest 90-day delay is set to expire at 12:01 a.m. eastern standard time on November 10, 2025.

USDA Reports on Vietnam Draft Updated Food Safety Law

- On August 6, the U.S. Department of Agriculture Foreign Agricultural Service (USDA FAS) published a [GAIN report](#) including a translation of Vietnam's proposed amendments to its *Food Safety Law*. Vietnam [notified the WTO](#) on July 30 (*BCI Monitor* 8-5-25).
- Notably, Vietnam is also currently in the process of amending *Decree 15/2018*, which provides implementation guidance for the *Food Safety Law*.
- The USDA report includes a summary of key proposed changes versus the [2010 version](#), including:
 - Introduction of a definition for counterfeit food (Article 3.38)
 - Integration of quality management into food safety management (Article 4)
 - Marketing authorization certificate requirement for food and food ingredients (Article 11)
 - Classification of food and food ingredients by risk levels (Article 32)
 - Three-tier inspection system for imported food and food ingredients (Article 23)
 - MOH now responsible for specifying food labeling requirements
 - Undefined responsibilities for line ministries
 - Definition of genetically engineered foods
- FAS is seeking further clarification from Vietnam on the proposed amendments

Japan Consults on Changes to Food Import Notification Rules

- On July 28, Japan's Ministry of Health, Labor, and Welfare (MHLW) opened a [consultation](#) on a [draft ministerial ordinance](#) (both in Japanese) amending the *Enforcement Regulations of the Food Sanitation Act*.
- According to machine translation, the proposed revisions are intended to make electronic filing easier for food importers.
- Currently, companies repeatedly importing the same food products (or similar ones) can file a single import plan instead of filing every time only if they file on paper. Under current rules, companies cannot use this simplified method when submitting via Japan's electronic system. A system upgrade will go live on October 12, 2025, enabling digital submission of import plans for repeated imports.
- To align with the new capability, MHLW is amending the enforcement regulation to remove the clause that prohibits digital use of import plans.
- Feedback may be submitted via the guidelines on the consultation webpage and is due by August 26, 2025.

EU Notifies Draft Amendment to Plastic Food Contact Material Regulation Transition Enforcement Date

- On August 6, the European Union (EU) [notified the WTO](#) of a [draft Commission Regulation](#) amending [Commission Regulation \(EU\) 2023/1442](#), which provides the positive list of substances approved for use in plastic food contact materials (FCMs).
- *Commission Regulation (EU) 2023/1442* revoked the authorizations for the substances 'wood flour and fibers, untreated' (FCM No 96) and 'salicylic acid' (FCM No 121) with transitional measures (*BCI Monitor* 8-1-23). The draft regulation adjusts these dates:
 - Plastic FCMs manufactured with salicylic acid or untreated wood flour or fibers may continue to be placed on the EU market between February 1, 2025 – January 31, 2026, if: (i) an authorization application for was submitted to the competent authority before August 1, 2024 and (ii) the use of the substance is limited to the intended conditions of use described in the application.
- Comments can be sent to the U.S. SPS Enquiry Point at us.spsenquirypoint@fas.usda.gov. The WTO comment deadline is October 5, 2025. The proposed date of adoption and publication is November 2025.

Brazil Extends Enforcement Date of Registration Framework for Food and Food Packaging

- On July 31, Brazil's National Health Surveillance Agency (Anvisa) [announced](#) and published [Collegiate Board Resolution No. 983 of July 28, 2025](#), amending [Collegiate Board Resolution - RDC No. 843, of February 22, 2024](#) (all in Portuguese), which sets out the framework and procedures for the registration of food and food packaging in the National Health Surveillance System (SNVS) (*BCI Monitors* 9-20-22, 3-5-24, 8-20-24).
- The amendment adds a transition period to *RDC No. 843*, allowing for the depletion of food and beverage packaging already produced before its gazettal in September 2024. Packaging may be placed on the market up to 180 days after its registration approval or notification.
- The amendment was gazetted on July 29, 2025.