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**A REPORT FOR  
THE CALIFORNIA  
CHERRY BOARD**

## GENERAL ISSUES OF INTEREST TO THE CCB:

**USDA Publishes Update on Vietnam's Suspension of New Food Safety Decree**

- A new U.S. Department of Agriculture Foreign Agricultural Service (USDA FAS) [GAIN report](#) confirms that Vietnam has formally extended the suspension of [Decree 46/2026](#) (in Vietnamese), reinforcing the earlier March 20 announcement that implementation would be delayed beyond April 15 (*BCI Monitor* 3-24-26).
- As previously reported, *Decree 46*, introduced in January with immediate effect, triggered significant trade disruption due to new import inspection and registration requirements replacing [Decree 15/2018](#) (English translation provided by USDA FAS). The latest update confirms that *Decree 15* will remain in force throughout the extended suspension period, maintaining regulatory continuity for exporters.
- USDA FAS further clarifies that the suspension will remain in place until amendments to Vietnam's *Food Safety Law* (FSL) are completed and implemented, rather than a fixed interim deadline.
- The Ministry of Health has now outlined a formal amendment roadmap, including draft policy development, stakeholder consultations, and WTO notification, with submission to the National Assembly expected in September 2026.
- The revised FSL is tentatively scheduled to take effect on July 1, 2027, alongside a new implementing decree that will replace both *Decree 15* and *Decree 46*.

**Hong Kong Publishes Guidance on Food Sample Compensation**

- Hong Kong's Centre for Food Safety (CFS) recently published its '[Guide to Application for Food Sample Cost Claims](#)'.
- The guide provides a step-by-step process for importers to claim compensation for the market value of food samples collected by the CFS in accordance with Hong Kong's [Food Surveillance Programme](#). Key documents required include:
  - Original invoice
  - Original sampling notice
  - Business Registration Certificate for first-time applicants
- Notably, invoices must include invoice number, issue date, company contact telephone number and mailing address.

**South Korea Notifies Draft Amendment to Imported Food Safety Regulation**

- On April 21, South Korea [notified](#) the WTO of a [draft amendment](#) to its [Enforcement Rule of the Special Act on Imported Food Safety Control](#) (both in Korean).
- The proposed amendment would replace a uniform inspection requirement for reimported non-compliant foods with a risk-tiered approach. Under current rules, any food with a prior non-compliance history is subject to a fixed number of detailed inspections regardless of the nature of the violation. The amendment would allow the Ministry of Food and Drug Safety to adjust the number of inspections-up to a maximum of 20-based on the assessed risk level of the product.
- South Korea has not indicated when this amendment would enter into force. However, it does allow for a six-month transition period.
- Comments can be sent to the U.S. SPS Enquiry Point at [us.spsenquiry@fas.usda.gov](mailto:us.spsenquiry@fas.usda.gov). The WTO comment deadline is June 20, 2026.

### EU Proposes New Requirements for Recycled Plastics in Food Contact Materials

- The European Union (EU) recently [notified](#) the WTO of [draft amendments](#) to *Regulation (EU) 2022/1616* that would revise requirements for recycled plastics used in food contact materials, including products imported into the EU.
- The proposal introduces enhanced compliance documentation, updated testing methods, and new documentation requirements to be presented at the point of entry for goods released into free circulation. It also establishes a legal basis for new TARIC codes and introduces an interactive digital platform to support industry registration and allow authorities to better manage and monitor recycling installations.
- The measure is intended to address current challenges in controlling recycled plastics, with a focus on improving traceability, regulatory oversight, and consistency in compliance procedures across the EU.
- Adoption is expected on September 30, 2026, and publication is expected on October 1, 2026. The regulation would enter into force 20 days following publication in the Official Journal of the EU, with certain provisions subject to transitional measures.
- Comments can be sent to the U.S. SPS Enquiry Point at [us.spsenquiry@fas.usda.gov](mailto:us.spsenquiry@fas.usda.gov). The WTO comment deadline is June 14, 2026.

### EU Adopts Amendment to Pest Regulation

- On April 14, the European Union (EU) published [Commission Implementing Regulation \(EU\) 2026/826](#), amending *Implementing Regulation (EU) 2019/2072* regarding the regulation of quarantine pests. On April 17, the EU [notified](#) the WTO.
- The EU notified the WTO of the proposed amendments in December 2025 (*BCI Monitor 12-9-25*). As previously reported, the amendment makes various changes to the Regulation, including the addition and removal of certain pests as well as revisions to import and internal movement controls. No changes directly applicable to U.S.-origin cherries were identified.
- The Regulation enters into force on the twentieth day following its publication in the Official Journal of the EU, May 5, 2026.

### Southern Hemisphere Cherry Market Faces Lower Prices and Ongoing Challenges

- According to a recent [media report](#) providing cherry market analysis, the Southern Hemisphere cherry sector has entered a more challenging phase following years of strong growth, with declining prices, oversupply, and ongoing logistical and quality issues.
- Chile exported approximately 570,000 metric tons in the latest season, down from the previous year, with weather disruptions, production variability, and softer market conditions contributing to the decline. China remains the primary destination for Chilean cherries, though its share has declined slightly as exporters attempt to expand into other markets.
- The sector is reportedly at a strategic inflection point, with industry stakeholders evaluating improvements in quality control, logistics, shipment planning, and cost efficiency, alongside efforts to diversify markets.
- Meanwhile, Argentina's cherry exports also declined significantly, though the country maintained a more diversified export profile across Asia, North America, and Europe. High production costs, infrastructure limitations, and limited trade agreements continue to affect Argentina's competitiveness, though niche opportunities exist in high-quality and early- or late-season supply windows.

### Brazil Notifies Adoption of Food Contact Material Resolution

- Brazil has [notified](#) the WTO of the adoption of National Health Surveillance Agency (ANVISA) *Draft Resolution No. 1236/2024* as [Normative Instruction No. 435/2026](#) (in Portuguese), effective April 7, 2026.
- According to machine translation, *Normative Instruction No. 435/2026* establishes a comprehensive regulatory framework for silicones used in food-contact materials, including definitions, authorized substances, compositional and migration limits, and technical specifications for silicone oils, resins, elastomers, coatings, and additives. It also sets analytical and testing requirements and permits certain recycled silicone use. It is supplemented by multiple annexes that provide detailed positive lists of authorized substances and applicable analytical methods.