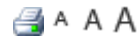




Freshfel Newsletter 24 - 3/07/2017



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Reminder: Import-Export Division meeting 11th of June 2017

The next Freshfel Trade meeting, combining import and export division, will take place on Tuesday, 11th of July at our Freshfel Office (Rue de Trèves 49-51, 1040 Brussels). The meeting will start at 10.30 and will finish at approximately 16.00. A working lunch will be foreseen.

Topics discussed during the meeting will be (among other):

- Export & Import trends and current trade flows
- Status quo: Free Trade Negotiations & SPS Challenges
- Market Access Third Countries
- Consequences of a pending BREXIT
- Plant and food safety / Official Control Reform
- Certification matters

See the draft agenda attached below. If you miss a topic, please feel to contact us at any time. Please indicate your participation via nelly@freshfel.org

Related document

- [/2017/Newsletter_/NL_23/Import_Export_Meeting_-_Agenda.pdf](#)

Events

Civil Dialogue Group on Promotion and Quality

The Civil Dialogue Group on Promotion took place on Friday 30 June 2017. The meeting focused on:

- the debriefing and state of play of the call for the proposals 2017
- the (draft) annual work programme 2018
- the new technical support service of CHAFEA for promotion programme
- the Commissioner High level mission to Canada
- the Commissioner High level mission to Saudi Arabia and Iran
- the modification of the grant agreement
- the state of play of the official controls

Among the topics discussed, there was an overview of proposals received to the call of 2017 (see presentation attached), but also notably the Annual Work Programme for 2018. Please see the presentation attached with the main elements of the draft programme as it has been so far prepared by the commission.

I would like to call your attention to the fact that the commission has taken into account several of our suggestions as expressed in our position paper of March this year, particularly on what refers to:

- Simplification of the priorities
- Increased budget for multi country programmes

To be noted that a special envelop will be dedicated to **promoting the consumption of fruit and vegetables in the internal market**. The draft for the moment makes this linked to health, but after discussions on the meeting this is likely to change to a more broader headline.

The Commission is accepting further comments to this draft until Friday 14 July. All your comments are suggestions in this respect would be very welcome. We will collect comments received until Wednesday 12 July C.O.B. for further input to the Commission.

In regard to the upcoming mission to Saudi Arabia and Iran, the deadline for application is 10 of July. All presentations [can be found here](#).

Agricultural Policy

Organics – compromise made – new legislation applicable as of 2020

Last week a compromise has been reached in the organic legislation trialogue discussions. As such, the new legislation has been pushed through still during the Maltese Presidency, which ended at the end of June. The text of the agreement will be submitted to European Parliament Agriculture Committee for approval and then to the Parliament's plenary for adoption. It shall apply from the 1st of July 2020.

For the file to be concluded, several major decisions have been made. The use of demarcated beds (no connection to the soil) in greenhouse production, as well as the detection of non-authorised substances, have been the most controversial points throughout the discussions. Given that these points were so controversial, they came to a conclusion to agree to disagree.

To sum it up:

1. Presence of non-authorised substances:

For non-authorised substances, the agreement was to reinforce the precautionary principle and to keep the status quo with different member states having different systems. The system of controlling non-authorised substances and the consequences thereof are very different in member states (some have thresholds, some have action levels that trigger investigations, others have a clear 0% line). Given the differences between member states an agreement was not feasible. As such, the Commission will conduct a study 4 years after the introduction of the new legislation and will compare different practices in different member states to see if there is a possibility to come to a more harmonised solution. Member States that already have in place national rules for thresholds for non-authorised substances can maintain them.

2. Green houses and demarcated beds

The text includes a phasing out of derogations for production in demarcated beds in greenhouses. The Commission bases themselves on the EGTOP publication of 2013 which states that demarcated beds are not in line with organic production, given that there is no full contact to the soil. However, a clear definition on demarcated beds is not provided. Three countries (Finland, Denmark and Sweden) get a derogation for all greenhouses using demarcated beds for organic production. Those who were recognised by 28 June 2017 are allowed to continue producing organically for 10 years after application of the regulation by derogation in Finland, Denmark and Sweden. The Commission will execute a study 5 years after implementation to determine what demarcated beds are and an evaluation of this cultivation method and how this situation can be harmonised afterwards. Mushrooms do not fall under this rule as this is considered a different cultivation method, see more details here:

Regarding production methods (see Annex II)

1.1. "*Organic crops, except those which are naturally grown in water, shall be produced in living soil or in living soil mixed or fertilised with materials and products allowed in organic production in connection with the subsoil and bedrock.*

1.1a *Hydroponic production, which is a method of growing plants, which are not naturally growing in water, with their roots in a nutrient solution only or in an inert medium to which a nutrient solution is added, is prohibited.*

1.1b. *[By way of derogation from paragraph 1.1,] the production of sprouts by moistening of seeds [and the obtaining of chicory heads including by dipping in clear water,] shall be allowed.*

[1.1c By way of derogation from paragraph 1.1(new), the following practices shall be allowed:

- i) growing plants for the production of ornamentals and herbs in pots to be sold together with the pot to the final consumer;*
- ii) growing seedlings or transplants in containers for on growing purposes further transplanting.]*

[1.1.d By way of derogation from point 1.1, growing crops in demarcated beds shall only be allowed for the surfaces that have been certified as organic for this practice before 17 July 2017. Any extension of these surfaces shall not be permitted.

This derogation shall end 10 years from the date of application of this Regulation.

The Commission shall present a report to the European Parliament and the Council on the use of demarcated beds in organic agriculture. This report may be accompanied, if appropriate, by a legislative proposal as regards the use of demarcated beds in organic farming.

3. Trade:

Regarding imports (Art.28), organic produce from third countries will have to be produced in full compliance with EU law. However derogations are foreseen for some regions and some products depending on whether there are equivalency agreements and FTAs

4. Official controls:

On certification and controls, while the risk based approach was clearly put forward as the guiding principle in recently published official controls regulation - hereby allowing national authorities to put their resources where they are most needed - this approach has only been partly considered for organic controls. MEPs insisted that the controls regime would include annual physical on-site checks for farmers, processors, traders and importers but with the possibility to be reduced to every two years if no non-compliance in the past three years (Art. 26b.c).

The draft compromise legislation is attached here. This is still the compromise with the marks and remarks in the pages, this is not the official publication yet.

Related document

- [Organics - compromise text as of 21 June SCA](#)

Exceptional measures Russian ban continue – 70 mil EUR more for fruit growers

As of the 1st of July, the exceptional measures have been extended one more year until the end of July 2018. The extended scheme is worth 70 mil EUR for fruit producers affected by the Russian embargo. It will compensate European fruit farmers who choose for example to distribute their excess products to organisations (i.e. charity, schools) or make use of it for other purposes (i.e. animal feed, composting, processing).

Vegetable production has been taken off the list for the extended measures. The fruit categories included are apples & pears, plums, citrus (oranges, clementines, mandarins and lemons) and peaches & nectarines.

Maximum quantities of products allocated per Member State

(tonnes)	Apples and pears	Plums	Oranges, clementines, mandarins and lemons	Peaches and nectarines
Belgium	21 845			
Germany	1 615			
Greece	680	4 165	2 040	5 355
Spain	1 955	1 275	14 110	9 775
France	3 060			

Croatia	510		850	
Italy	4 505	3 910	850	2 380
Cyprus			3 060	
Netherlands	5 865			
Austria	510			
Poland	75 565	425		510
Portugal	935			

The delegated act 2017/1165 is available at the following link in the different languages: <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32017R1165>

More information: [Fruit and vegetables: crisis prevention and management](#)

The press release can be found here: http://europa.eu/rapid/press-release_IP-17-1825_en.htm

Food Safety

WTO notifications: Proposed MRLs changes for pesticides 2-phenylphenol, bensulfuron-methyl, dimethachlor and lufenuron

The European Commission notified to the World Trade Organisation (WTO) changes to the maximum residue levels (MRLs) for 2-phenylphenol, bensulfuron-methyl, dimethachlor and lufenuron in or on certain products.

MRLs for these substances in certain commodities are changed: either increased or lowered. Lower MRLs are set after updating the limits of determination and/or deleting old uses which are not authorised any more in the European Union or for which a human health concern may not be excluded. The residue definitions of the substances have also been updated.

Freshfel members are invited to inform the secretariat if any of the proposed changes will have an impact on trade of fresh produce commodities. Deadline: 15 July.

See the related documents via the links below:

- [WTO notification](#)
- [Annex 1](#)
- [Annex 2](#)
- [Annex 3](#)
- [Annex 4](#)

Active substance thiabendazole

On 1 July 2017 the European Commission has published a [Commission Regulation \(EU\) 2017/1164](#) amending Annexes II and III to Regulation (EC) No 396/2005 of the European Parliament and of the Council as regards maximum residue levels for acrinathrin, metalaxyl and **thiabendazole** in or on certain products.

This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union. It (amended MRLs) shall apply from 21 January 2018.

DG Santé audit reports

DG Santé, European Commission has published the following auditing report:

- Denmark - [National audit systems](#)
- Belgium - [Enhanced import controls](#)

Freshfel MRL monitoring initiative, week 26

In order to facilitate the monitoring of MRL changes in fresh produce food categories, Freshfel launched the MRL monitoring initiative. Freshfel compiled an overview of requests/mandates sent to EFSA for the setting of MRLs or re-evaluation of existing MRLs, covering the period: 1 January 2015 - present. The overview can be found enclosed in the attachments.

On a weekly basis Freshfel publishes an updated overview based on submitted new mandates to EFSA and published opinions during that week.

Publications of week 26 relate to:

-review and modifications of existing MRLs:

- Review of the existing maximum residue levels for [penconazole - EFSA-Q-2010-00197](#)
- Modification of the existing maximum residue level for prohexadione (considered variant prohexadione-calcium) in plums -[EFSA-Q-2016-00499](#)
- Modification of the existing maximum residue levels for spinetoram in various crops -[EFSA-Q-2016-00257](#) & [EFSA-Q-2016-00652](#)
- Modification of the existing maximum residue levels for ametoctradin in herbs and edible flowers -[EFSA-Q-2016-00504](#)

-recent publications related to settings of new MRLs:

-

Other relevant publications:

-

Related document

- [MRL monitoring: 1 January 2015 - week 26, 2017](#)

Active substances: authorisations

The European Commission published the following regulations regarding authorisations of active substances:

- [Commission Implementing Regulation \(EU\) 2017/1113](#) renewing the approval of the active substance benzoic acid.
- [Commission Implementing Regulation \(EU\) 2017/1114](#) renewing the approval of the active substance pendimethalin, as a candidate for substitution.
- [Commission Implementing Regulation \(EU\) 2017/1115](#) renewing the approval of the active substance propoxycarbazone.

Increased import controls: Changes to Annex I of Regulation (EC) No 669/2009

The European Commission has published a [Commission Implementing regulation \(EU\) 2017/1142](#) amending Regulation (EC) No 669/2009 as regards the increased level of official controls on imports of certain feed and food of non-animal origin.

Changes introduced into Annex I of Regulation 669/2009 are as follows:

New listings:

- -

Decrease of frequency of official controls:

- Peas with pods from Kenya due to pesticides – from 10% to 5%
- Brassica oleracean (Chinese broccoli) from China due to pesticides – from 50% to 20%

De-listings:

- Aubergines from Cambodia due to pesticides

The changes apply as from 1 July 2017.

Consultation: Draft Regulation on maximum levels for mercury in agricultural commodities

The Commission launched a public consultation on the draft Regulation proposing to amend maximum mercury levels agricultural commodities.

This Regulation was subject to consultation to non-EU countries via WTO (Freshfel newsletter 13 of 2017) and now the Commission is consulting EU stakeholders.

Members who wishes to comment are invited to inform the secretariat no later than 12 July. Send you comments to Egle Baecke-Eimontaite at egle@freshfel.org.

Link to the consultation: [here](#)

Active substances: maximum residue levels

The European Commission published the following regulations regarding the setting of maximum residue levels:

- [Commission Regulation \(EU\) 2017/983](#) as regards maximum residue levels for tricyclazole in or on certain products.
- [Commission Regulation \(EU\) 2017/1135](#) as regards maximum residue levels for dimethoate and omethoate in or on certain products.
- [Commission Regulation \(EU\) 2017/1164](#) am as regards maximum residue levels for acrinathrin, metalaxyl and thiabendazole in or on certain products.

Rapid Alert System for Food & Feed - week 26

The enclosed overview of notifications on fresh fruit and vegetables are derived from the EU's rapid alert system for food and feed.

An alert notification is sent when a food or feed presenting a serious risk is on the market and when immediate action is required, whereas an information notification is where a risk has been identified with a particular product but no action is necessary. Border rejections concern food and feed consignments that have been tested and rejected at the external borders of the EU when a health risk was found.

Related document

- [Overview RASFF notifications](#)
-

Quality Policy

Geographical indications

The European Commission published an [application](#) for approval of a minor amendment of the application for a recognition as a geographical indication of Italian carrot "Carota Novella di Ispica".

Trade Policy

Trade Mission with Commissioner Hogan to Saudi Arabia & Iran: Application deadline 10th of July 2017

As announced earlier this year Agricultural Commissioner Phil Hogan has announced his next study visit from the 7th to the 12th of November 2017 to Iran (10-12) and Saudi Arabia (7-10). He will be accompanied by a selection of business delegates from the agricultural sphere. The trip will combine official visits by Commissioner Hogan with relevant Iranian counterparts and promoting activities attended by the business delegation in a similar framework to the ongoing trade missions to China, Japan, Vietnam, Indonesia, Columbia and Mexico. The mission shall help to intensify cooperation on regulatory issues and to increase best-practices sharing on agricultural matters in this growing region.

To participate at the trade mission, agricultural business associations and companies are invited to apply until the 10th of July 2017. To be as specific as possible, the Commission has highlighted key sectors for both destinations with regard to the biggest market potential. Fresh fruit and vegetables are identified as one of key commodities to be promoted for Saudi Arabia, and the application is highly recommended. For Iran, fruit and vegetables might be considered, but do not comprise a key commodity. As in the past costs for travel and accommodation have to be covered by the participants.

Please find more detailed information on the trade mission to Saudi Arabia and Iran attached to this article. The application form is available [here](#).

Related document

- [Invitation letter to the trade mission with Commissioner Hogan to Saudi Arabia and Iran](#)
-

Commission Implementing Regulation 2017/991 - Tariff rate quotas for strawberries from Egypt

The European Commission has amended Council Regulation No. 747/2001 with regard to the volume of the Union tariff rate quota for fresh strawberries originating in Egypt. See the full regulation and new tariff quotas [here](#).

European Commissions annual report on trade and investment barriers published

The European Commission has published its annual report on global trade and investment barriers. Generally, according to European exporters, the number of trade barriers has been roughly increased by 10% in 2016 alone. 372 barriers in over 50 trade destinations have been identified in the report. The report is a holistic approach to all sectors, identifying the agricultural and fisheries sector as second affected. Please see attached the full report for your information.

Related document

- [Press Statement Trade Barriers Report](#)
- [/2017/Newsletter_/NL_24/trade_barrier_report.pdf](#)

EU-Japan trade talks in hot phase

European and Japanese negotiations have met last week (19th -23rd of June) to discuss final details of the bilateral trade deal. Hopes are high, that a swift conclusion of the deal is finally coming closer. A possible EU-Japan summit in July might follow-up on the concluded round. Negotiators of both side are constant exchange at the moment, after Juncker had announced earlier in March together with Japans Prime Minister Abe, that a swift and fast conclusion of the agreement is a high priority.

WTO notifications

The report on the WTO notifications for the period of 26-30 June 2017 can be found enclosed in the section below.

Related document

- [WTO notifications](#)

This Newsletter contains information for the personal use of Freshfel members only, and must not be further disseminated to non-members. Freshfel members are kindly invited to inform the Secretariat about any specific country or industry developments which are appropriate for circulation in this Newsletter. For more information on the contents of this Newsletter, contact Philippe Binard, Raquel Izquierdo de Santiago, Eglé Baecke-Eimontaité, Daphne van Doorn, Nelli Hajdu or Helene Deruwe at the Association's Secretariat.

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