



EU Quality and Safety Requirements of fruits and vegetables

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Safety requirements for export to the EU – Fruits and vegetables

- The sets of rules, that exporters from the Vietnam should be aware of, relate to the level of contaminants in foodstuffs for products in the EU market and the maximum residue levels allowed of certain pesticides.
- In order to ensure a high level of consumer protection, imports into the EU of foodstuffs should comply with EU legislation designed to ensure that food placed on the market is safe to eat and does not contain contaminants at levels, which could threaten human health. Contaminants may be present in food as a result of the various stages of its production, packaging, transport or holding, or also might result from environmental contamination.

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Safety requirements for export to the EU – Fruits and vegetables

- Regulation [\(EEC\) No. 315/93](#) regulates the presence of such contaminants in foodstuffs in the EU.

In relevant part, the Regulation states that:

- Food containing a contaminant to an amount unacceptable from the public health viewpoint and in particular at a toxicological level, shall not be placed on the EU market and will be rejected;
- Contaminant levels shall be kept as low as can reasonably be achieved following recommended good working practices; and
- Maximum levels may be set for certain contaminants in order to protect public health.

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Safety requirements for export to the EU – Dried fruits and nuts

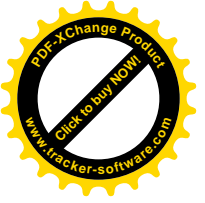
- Regulation (EC) [No. 1881/2006](#) sets maximum levels for certain contaminants in food to be placed on the EU market. Relevant to exporters of fresh and processed fruits and nuts from the Vietnam are Sections 2 and 3 of the Annex to that Regulation. Section 1 sets limits for nitrate in lettuce, spinach and baby foods. Section 2 sets limits for various mycotoxins in, inter alia, groundnuts, nuts, dried fruit (including dried vine fruit) and products thereof, fruit juices. Section 3 sets limits for various heavy metals in, inter alia, fruits and vegs

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Safety requirements for export to the EU – Fruits and vegetables

		Section 2: Mycotoxins		
		Foodstuffs (*)		
		Maximum levels (µg/kg)		
		B ₁	Sum of B ₁ , B ₂ , G ₁ and G ₂	M ₁
2.1	Aflatoxins			
2.1.1	Groundnuts to be subjected to sorting, or other physical treatment, before human consumption or use as an ingredient in foodstuffs	8.0 (*)	15.0 (*)	—
2.1.2	Nuts to be subjected to sorting, or other physical treatment, before human consumption or use as an ingredient in foodstuffs	5.0 (*)	10.0 (*)	—
2.1.3	Groundnuts and nuts and processed products thereof, intended for direct human consumption or use as an ingredient in foodstuffs	2.0 (*)	4.0 (*)	—
2.1.4	Dried fruit to be subjected to sorting, or other physical treatment, before human consumption or use as an ingredient in foodstuffs	5.0	10.0	—
2.1.5	Dried fruit and processed products thereof, intended for direct human consumption or use as an ingredient in foodstuffs	2.0	4.0	—

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Maximum residue levels

- Regulation [No. 396/2005](#) creates a fully harmonized set of rules for pesticide residues. This Regulation lays down provisions for the setting of EU pesticide maximum residue levels (hereinafter, MRLs) in food and feed. Imports of plant and animal products must comply with such MRLs set by the EU Commission to protect consumers from exposure to unacceptable levels of pesticide residues.

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Maximum residue levels

- Annexes to Regulation No. 396/2005 set out the list of products subject to control and MRLs applicable to them.

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Maximum residue levels

The organization of the Annexes is as follows:

- Annex I establishes a list of products to which the MRLs apply, which includes animal products, fruits, vegetables, cereals, spices and certain edible plants;
- Annex II contains the list of EU definitive MRLs;
- Annex IV provides a list of pesticides for which no MRLs are needed because of their low risk;
- Annex V contains the list of pesticides for which a default limit other than 0.01 milligrams per kilogram will apply;
- Annex VII contains a list of pesticides used as fumigants for which EU Member States are allowed to apply special derogations before the products are placed on the market.

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Maximum residue levels

- More information on the substances and the MRLs included in the lists of Annexes II, III and IV is available on the EU Pesticide Database website.
- <http://ec.europa.eu/food/plant/pesticides/eu-pesticides-database/public/?event=homepage&language=EN>

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Import Control

- All lots of fruit and vegetables from third countries will be subject to compliance with marketing standards
- Importers must provide the inspection bodies with information that they consider necessary for the organization and performance inspection.
- The competent inspection body performs for each consignment compliance checks and issues certificate of conformity
- If an import is composed of multiple lots, compliance can be certified through a single certificate listing the separate import consignments up concerned.

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Food Safety Requirements

- General requirements
 - General Food Law
 - [Reg.\(EC\) No 178/2002](#)
 - Official Food and Feed Controls [Reg.\(EC\) No 882/2004](#)
- Specific requirements
 - Pesticide residues- Regulation (EC) No 396/2005 on maximum residue levels of pesticides in or on food and feed of plant and animal origin
 - Hygiene rules
 - Contaminants –Regulation (EC) 1881/2006
 - Nitrates
 - Ochratoxin A
 - Patulin

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General Requirements of Food Law

Art. 14 of Reg. EC 178/2002

- << Food shall not be placed on the market if it is unsafe
- >> Where any food which is unsafe is part of a batch, lot or consignment of food of the same class or description, it shall be presumed that all the food in that batch, lot or consignment is also unsafe, unless following a detailed assessment there is no evidence that the rest of the batch, lot or consignment is unsafe.

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General Food Law Reg. (EC) 178/2002

- Article 11 of Reg. (EC) 178/2002
 - General Obligations in the food and feed trade
 - << Food and feed imported for placing on the market must comply with the relevant requirements of EU food law or conditions equivalent there-to or specific agreement
- Article 17 of Reg. (EC) 178/2002
- Responsibilities
 - Member States shall enforce food law, and monitor and verify that the relevant requirements of food law are fulfilled by food and feed business operators at all stages of production, processing and distribution

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General Food Law

Rapid Alert System (Articles 50, 51, 52)

- food and feed (RASFF)
- MS notify the Commission
 - restricting / forcing the withdrawal or recall of food and feed
- any rejection of a batch or consignment of food or feed by a Competent Authority at the outside border of the European Union.

Emergencies (Articles 53, 54)

- Food and Feed of Community origin
 - serious risk to human or animal health or to the environment

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Rapid Alert System Food and Feed (RASFF)

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Emergency measures

The Commission shall immediately adopt adequate measures as

- suspension of import/ non-EU country/ part of/ non-EU Country of transit
 - Laying down special conditions/ Third Country/ part of
 - Any other appropriate interim measure

Emergency Measures such as:

- Reg. (EC) 1151/2009 („Mineral oil“ contamination on sunflower oil from Ukraine)- repealed by 32014R0853
- Reg. (EC) 1152/2009 (Aflatoxin contam.)

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Official food and feed controls

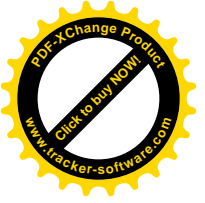
Reg. (EC) 882/2004

- What are official controls?
- Official controls are defined as " any form of control performed by the Competent Authority or by the Community for the verification of compliance with feed and food law, as well as animal health and animal welfare rules".

Official controls and „import“

- Definition of "import" (Article 2, point 15) - 'import' means the release for free circulation of feed or food or the intention to release feed or food for free circulation

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„Official food and feed controls“
 Reg. (EC) 882/2004

- Article 15 Official controls of FNAO (Food of Non Animal Origin) from non-EU countries!
 - Multi-Annual National Control Plan (Article 41)
 - Appropriate place for the control
- point of entry
- point of release for free circulation
- warehouses
- premises of importers

Article 15.5

- list of F&FNAO (Feed and Food of Non Animal Origin) subjected to increased level of official controls at the point of entry into territories
- serves as the basis for and is implemented by Reg. (EC) 669/2009

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„Official food and feed controls“

Reg. (EC) 882/2004

- Article 16.1
 - Types of checks on F&FNAO
 - systematic documentary check
 - random identity check
 - physical check (as appropriate)
- Article 16.2
 - Physical checks
 - frequency depends on
 - risks of food and feed
 - history of compliance (product; non-EU Country;
 - establishment of origin; operator – import/export)

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Under which conditions is a product of non-animal origin originating from a Third Country likely to be subject to an increased level of controls as foreseen by the Reg. 669/2009?

- Art. 15 (5) of Reg. (EC) 882/2004, the decision to include an imported commodity of non-animal origin in Annex I to the Regulation is taken by the Commission, assisted by Member States, in their role of risk managers.

Information sources are taken into account:

- notifications by national authorities through the Rapid Alert System for Food and Feed (RASFF)
- quarterly reports from Member States under Article 15 of the Reg. 669
- findings of the missions carried out in Third Countries by the EU Commission's Food and Veterinary Office
 - EFSA scientific opinions
- any other relevant information provided by Member States and Third Countries are taken into account.

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FNAO subject to an increased level of official controls at the designated point of entry

- When the above sources indicate that there is the need to step up controls at EU borders because of the possible occurrence of a known or emerging risk, and in order to ensure a uniform intensity of such controls, the imported commodity which is associated with that risk is proposed for listing in Annex I to the Regulation.

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https://ec.europa.eu/food/safety/rasff/how_does_rasff_work_en

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THANK YOU FOR YOUR ATTENTION

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