

## Customs Duty and Import Regulations (Fish & Crustaceans)

### **EU Directives**

As strict control applies to importation of fish products for consumption in the EU. Only certain approved and listed non-EU countries and certain companies within those countries are permitted to export fish and crustaceans to the EU market (more information regarding approval and listing can be found at [http://europa.eu.int/comm/fisheries/policy\\_en.htm](http://europa.eu.int/comm/fisheries/policy_en.htm)).

In a few cases a single exporter can be approved even though his home country is not approved. Imports of fish products are only allowed for countries, which are included on a specified EU lists part of Directive 97/296 and 97/20 – see [http://europa.eu.int/comm/fisheries/doc\\_et\\_publ/factsheets/legal\\_texts/sani\\_en.htm](http://europa.eu.int/comm/fisheries/doc_et_publ/factsheets/legal_texts/sani_en.htm)).

The list is divided into EEA countries, completely harmonized countries, provisionally harmonized countries as well as not harmonized countries where different regulations on imports to the EU apply.

With regards to trade with fish products, the EU has set very strict rules regarding the quality standard of the products. Following the harmonization of rules and regulations in the EU (of January 1993) uniform quality regulations apply EU-wide.

Two directives, issued by the European Commission, bear special relevance to the trade with fish products.

Directive 1991/493/EEC and Directive 1991/492/EEC regarding health conditions for the production and placing of fish products. These directives specifically deal with hygienic conditions in the process of handling, preparation, processing, packaging, storage, and transportation. On the basis of these directives, bans and restrictions have been imposed several times. The key feature of both directives is that all fish products, whether fresh, chilled, frozen, canned, salted, smoked or dried, imported from developing countries into the EU must come from a preparation, processing, packaging or storage facility, which has been approved by a relevant official body in the country concerned.

Other directives impose strict requirements to buildings, constructions, purification tanks and storage of the products in order to minimize the microbiological hazards that exist in the handling and processing of fish products. An exporter of fish products must therefore allow certain investigations to be carried out during the production phase and record data for a supervisory authority.

For more information on EU directives, see <http://europa.eu.int/eur-lex/>

### **EU and National Regulations (Fruits & Vegetables)**

As a member of the EU, Denmark follows the common rules and regulations regarding the importation of canned fruit and vegetables into the EU market. Generally, it can be said that the European market, including Denmark, sets very high standards for the quality of the products. In order to ensure that the right procedures are followed, a foreign exporter of fruit and vegetables to the EU market should pay attention to certain regulations directly related to the exportation of fruit and vegetables. Many product regulations apply for canned fruit and vegetables and moreover, the regulations differ per species of fruit or vegetables.

Compliance with the standards set by the Danish authority and the importer are essential as failure to do so results in the goods being refused or only accepted at a much lower price for further processing. As legislation concerning food is continuously changing, it is advisable to always check with the Danish importer or the Danish Veterinary and Food Administration.

### **Approved Additives Regulation**

The Approved Additive regulation is based on Directive 95/2/EC and deals with the nonnutritive substances, which can legally be added to some or all food products. Only specific additives may be applied to certain groups of canned fruit and vegetables. For detailed information, please refer to:

[http://europa.eu.int/smartapi/cgi/sga\\_doc?smartapi!celexapi!prod!CELEXnumdoc&lg=en&nu](http://europa.eu.int/smartapi/cgi/sga_doc?smartapi!celexapi!prod!CELEXnumdoc&lg=en&nu)

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### **Controlling Micro-organisms**

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When food is canned it is of paramount importance to eliminate or inactivate microorganisms, such as yeast, moulds and bacteria, as these can cause diseases, poisonous toxins or deteriorate the product canned fruit or vegetable product. Depending on the acidity of the food, the vegetable/fruit should be subject to either sterilisation (heating to min 123 degrees Celsius) or pasteurisation (heating to app. 95 degrees Celsius). Due to the natural acid in fruit pasteurisation is usually sufficient for the preservation of fruit, whereas vegetables are either sterilised or preserved as pickles by means of adding vinegar or acetic acid.

### **Organic Production**

If canned fruit and vegetables are to be sold as organic products, they must comply with the rules and regulations laid down in the Council Regulation (EEC) 2092/91. In this regulation the main principles for organic production as well as the rules to be followed for the processing, sale and import of organic products from non-EU countries are established. Foreign exporters must be aware that the whole distribution chain –from agricultural unit to exporting company must be certified by a recognised EU control body before the products can be sold in Denmark in order to ensure that the EU and national standards are met.

For more information on rules and regulation, see also the internet site:

[http://europa.eu.int/smartapi/cgi/sga\\_doc?smartapi!celexapi!prod!CELEXnumdoc&lg=EN&nu](http://europa.eu.int/smartapi/cgi/sga_doc?smartapi!celexapi!prod!CELEXnumdoc&lg=EN&nu)

mndoc=31991R2092&model=guichett

### **Contaminants in Foodstuff**

According to environmental legislation and toxicity, certain requirements have to be fulfilled in relation to the use of packaging material, especially when it comes to canning of food.

Commission Regulation (EC) No 466/2001 sets maximum levels for certain contaminants in foodstuffs. Foodstuff cannot be sold on the Danish market if the maximum level of, for example, mercury, cadmium, and lead are exceeded. For more information on maximum values for contaminants in foodstuff, please refer to [http://europa.eu.int/eurlex/en/consleg/pdf/2001/en\\_2001R0466\\_do\\_001.pdf](http://europa.eu.int/eurlex/en/consleg/pdf/2001/en_2001R0466_do_001.pdf)

### **HACCP**

All food processors in the EU are legally required to follow an approved HACCP system, which is a system that deals with the handling and treatment of foodstuff in order to ensure that foodstuff do not pose a risk to human health under normal use. The system is applicable to all companies which process, treat, pack, transport, distribute and trade foodstuff. The HACCP regulation is also important for exporters of foodstuff outside of the EU as responsibility of the production is passed all the way throughout the distribution chain. As a consequence of the General Food Law, from 2005 the EU will require that foreign producers, who want to export foodstuff to the EU, must have a quality control system similar to the principles of the HACCP system so that they can track the origin of the products.

For more information on the General Food Law and the EU general food safety requirements, please refer to:

[http://europa.eu.int/eur-lex/pri/en/oj/dat/2002/l\\_031/l\\_03120020201en00010024.pdf](http://europa.eu.int/eur-lex/pri/en/oj/dat/2002/l_031/l_03120020201en00010024.pdf)

### **Maximum Residue Levels (MRLs) / Pesticides**

Imports of fruit and vegetables to Denmark must comply with the regulations for maximum values for the content of residuals of a large number of pesticides. Regulations on the approved level of pesticides to be found in imported fruit and vegetables to the EU market are stated in Council Directive 90/642/EEC. For a comprehensive overview of the approved levels of pesticides, please refer to: Market Survey – Canned Fruit and Vegetables DIPP September 2004 28

[http://europa.eu.int/comm/food/plant/protection/pesticides/index\\_en.htm](http://europa.eu.int/comm/food/plant/protection/pesticides/index_en.htm) .

Moreover, Denmark has additional regulations for a number of pesticides. Please contact the Danish Veterinary and Food Administration for more information: [www.fvst.dk](http://www.fvst.dk)

### **Other**

Moreover, two other types of food legislations laid down by the EU Commission is of relevance to exporters of canned fruit and vegetables:

„h Regulation EC 178/2002 known as the General Food Law, adopted in 2002, deals with the general requirements and principles of food legislation in the EU. As this regulation will only come into force by January 2005, the exportation of fruit and vegetables to Denmark –or another EU country– should until then continue to comply with the rules of the particular country.

„h Directive 93/43/EEC deals with general rules for food hygiene stating explicitly that food products cannot be sold in the EU if they are not safe and moreover, the regulation also emphasizes that it should always be possible to trace the origin of the food product.

For an elaboration of the different types of regulations, the following internet sites could be helpful:

„h For information on EU directives and regulations:  
<http://europa.eu.int/eur-lex/en/search/index.html>

„h For information on different aspects of EU food safety regulations:  
[http://europa.eu.int/comm/food/index\\_en.html](http://europa.eu.int/comm/food/index_en.html)

## **Packaging and Labelling**

Paying attention to transport packaging is an issue to consider for the exporter as well in order to ensure that the canned fruit and vegetables will arrive in good condition to the Danish market. Generally, canned products should be designed so that they can be stacked and preferably transported on pallets as this will minimize chances of damaging the products.

However, there are no set rules at European Union level regarding the packaging of canned fruit and vegetables, but often the importer will have certain preferences with regard to the packing material as well as the sizes of the packages. See also chapter 6, Success Factors.

Concerning the labelling of the products when exporting to Denmark, it should always be possible to trace the fruit and vegetables back to the foreign producer and exporter of the products. As a minimum, labels should therefore contain information about the country of origin, the date, month, year of packaging as well as the name of the producer and exporter of the fruit and vegetables. If the products are imported in consumer packages more extensive information have to be provided. All consumer products sold on the Danish market must be labelled in Danish and contain the following information:

- „h Name and address of the producer, packager or importer within the EU
- „h List of ingredients, including additives, colorants etc.
- „h The quantity of the ingredients (QUID - Quantitative Ingredient Declaration)
- „h Net weight/ net volume
- „h Expiration date of the product Market Survey – Canned Fruit and Vegetables DIPP September 2004 29
- „h Storage instructions

It is recommended that the requirements regarding packaging and labelling should always be agreed upon and specified in the contract between the exporter and the Danish importer in order to meet expectations and to comply with EU regulations. Usually, the importer informs the foreign supplier of the requirements to packaging and labelling. Another important aspect in the cooperation with a Danish importer is the packing material used by the foreign manufacturer. Greater focus is placed on this issue as the way of packing the food products matters to consumers as well as the retail stores handling the goods. A tendency is that products originally packed in cans or glass jars are now being substituted by different plastic materials especially developed for food products. Often the Danish importer will require the foreign manufacturer to pack the fruit/vegetable products according to his wishes.