



# The European Union's approach to import of spices from India

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# The EU28 and India

## 11 major EU28 trade partners (2015)

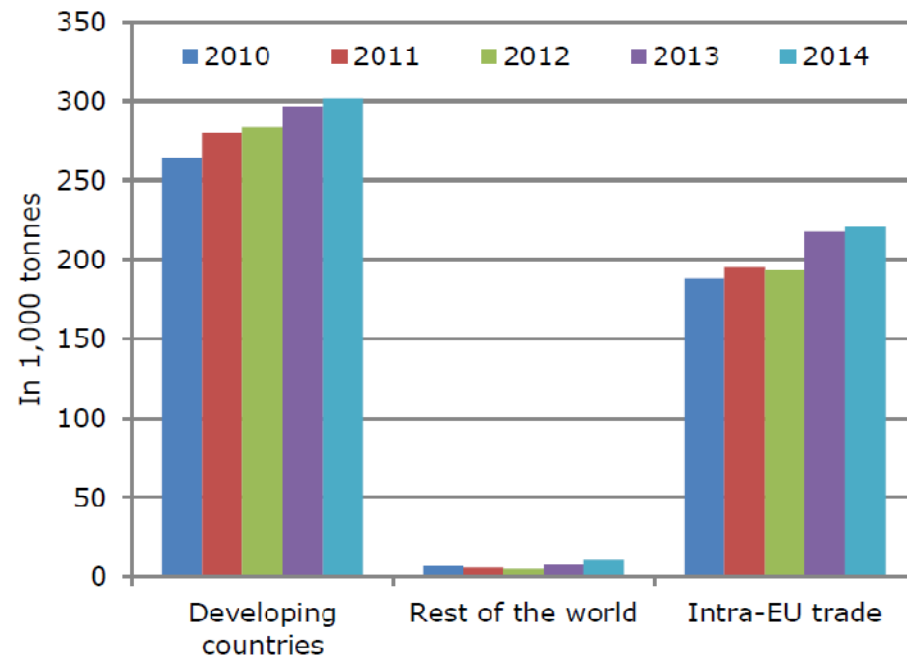
N°	Total EU Trade with...	million euro	share (%)	EU Imports from...	million euro	share (%)	EU Exports to...	million euro	share (%)
	<b>Extra EU28</b>	<b>3,513,929</b>	<b>100.0</b>	<b>Extra EU28</b>	<b>1,724,867</b>	<b>100.0</b>	<b>Extra EU28</b>	<b>1,789,063</b>	<b>100.0</b>
1	USA	615,760	17.5	China	350,257	20.3	USA	369,549	20.7
2	China	520,657	14.8	USA	246,211	14.3	China	170,399	9.5
3	Switzerland	253,132	7.2	Russia	135,876	7.9	Switzerland	150,833	8.4
4	Russia	209,781	6.0	Switzerland	102,299	5.9	Turkey	78,959	4.4
5	Turkey	140,533	4.0	Norway	74,313	4.3	Russia	73,905	4.1
6	Norway	123,180	3.5	Turkey	61,574	3.6	Japan	56,572	3.2
7	Japan	116,298	3.3	Japan	59,726	3.5	Norway	48,867	2.7
8	South Korea	90,209	2.6	South Korea	42,327	2.5	United Arab Emirates	48,480	2.7
9	India	77,368	2.2	India	39,449	2.3	South Korea	47,882	2.7
10	Brazil	65,468	1.9	Brazil	30,879	1.8	Saudi Arabia	40,248	2.2
11	Canada	63,433	1.8	Vietnam	29,958	1.7	India	37,919	2.1

### Trade in Agriculture and Fishery Products (Millions EUR)

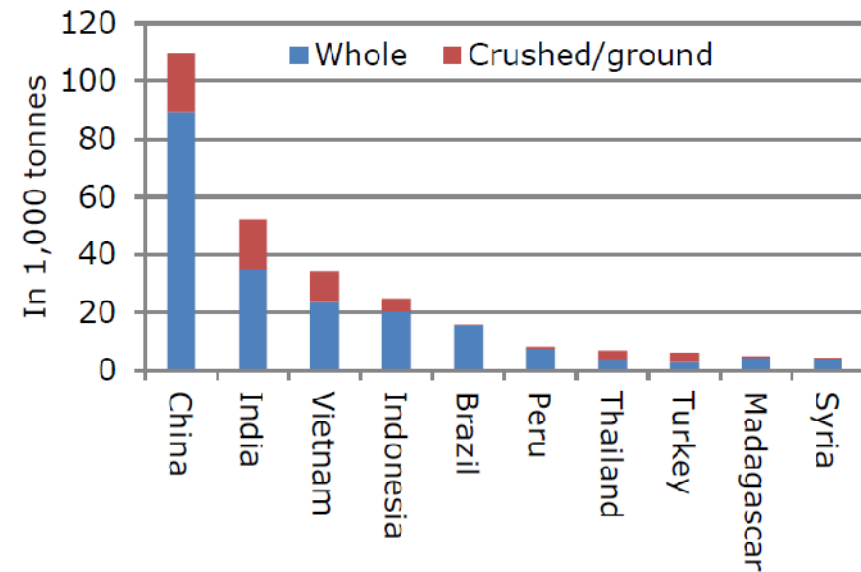
	2006	2007	2008	2009	2010	2011	2012	2013	2014
Imports from India	1.882	2.120	2.542	2.117	2.575	3.166	3.164	3.254	3.165
Exports to India	381	310	300	289	397	493	408	381	423
Balance (E-I)	-1.501	-1.810	-2.242	-1.828	-2.178	-2.673	-2.756	-2.873	-2.742

# The EU28 imports of spices and herbs

EU28 imports of spices and herbs, 2010-2014, in 1,000 tonnes



Largest suppliers of spices and herbs to the EU, 2014





# The European Union

## **The EU is a Success Story**

- 60 years peace, shared values, compromise
- Single Market with 507 Million citizens
- Economic stability, 70% of trade intra-EU
- Harmonisation of rules and standards

## **The EU is a nightmare**

- 28 countries, 22 Languages,
- Diverse traditions expectations and economies,
- 100.000s food businesses,
- By far the biggest importer and exporter of food worldwide





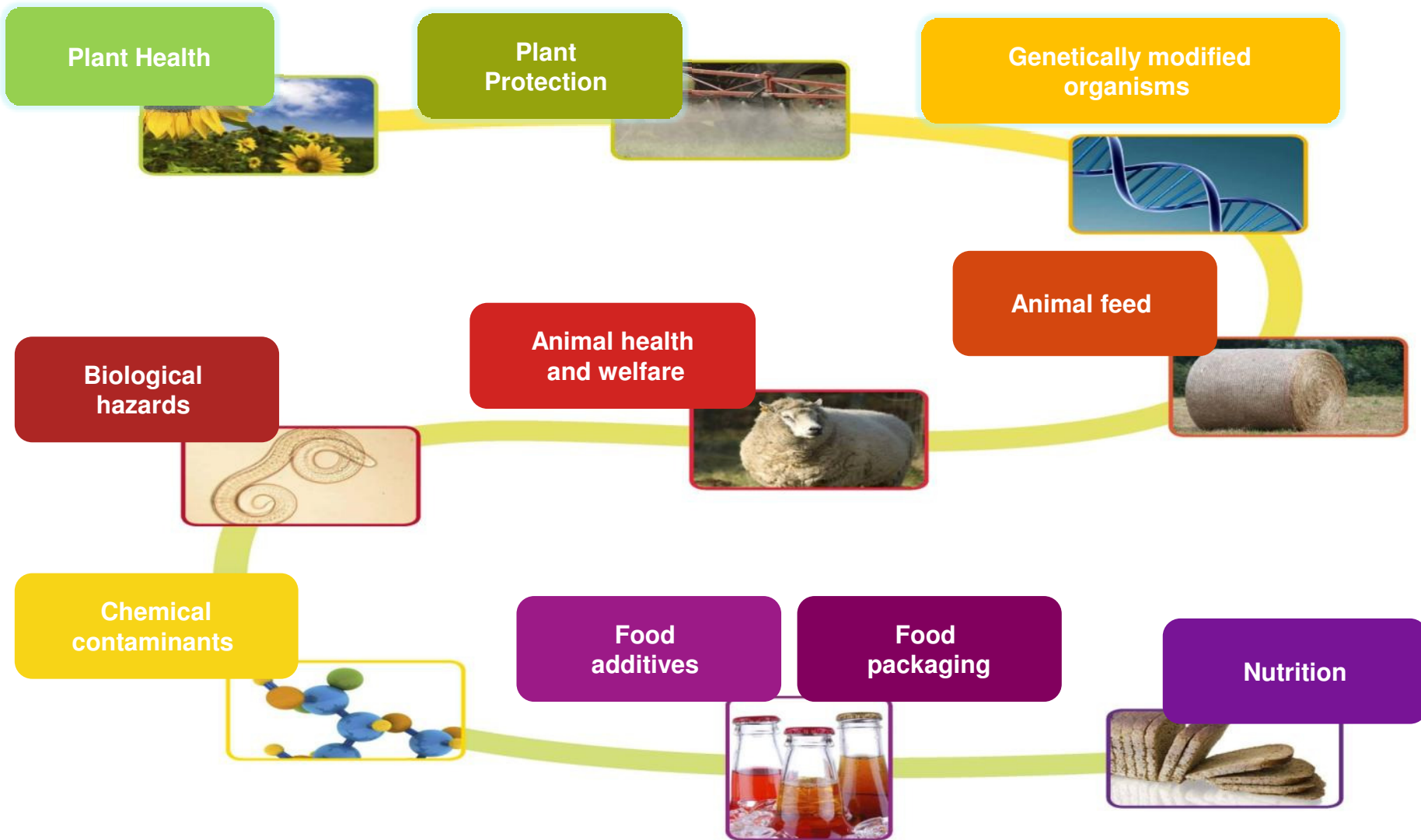
## **A Single Market for goods**

- Member States may restrict the free movement of goods only in exceptional cases, for example when there is a risk resulting from issues such as public health, environment, or consumer protection.
- Approximately half of the trade in goods within the EU is covered by harmonised regulations, while the other half is accounted for by the 'non-harmonised' sector, which is either regulated by national technical regulations or not specifically regulated at all.
- Once allowed into the EU, food commodities and animal products in particular, can be sold in any Member State





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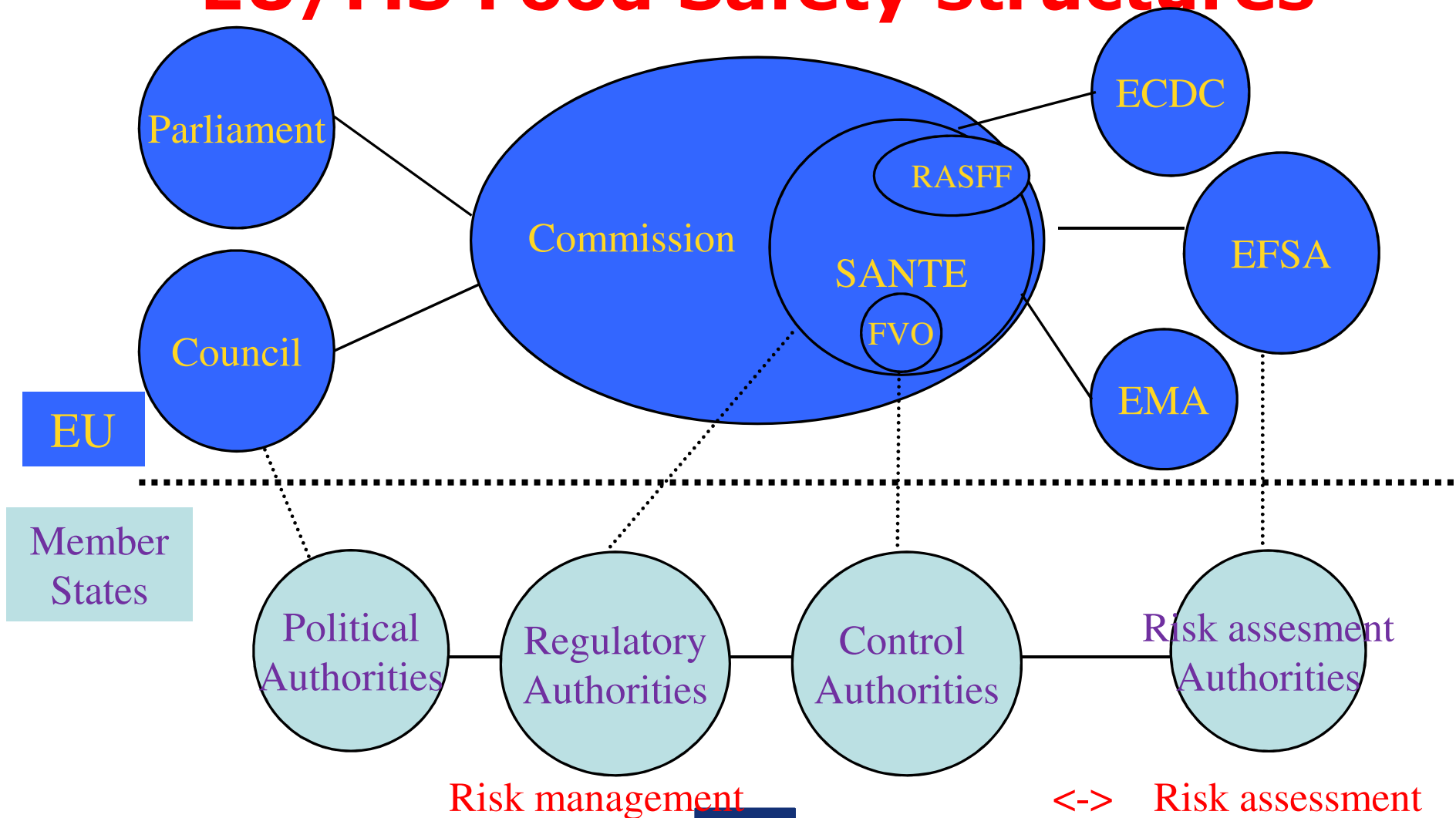
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## Food Safety: EU risk management competences

<b>Contaminants</b>	<b>Additives</b>	<b>Nutrition</b>	<b>Hygiene</b>	<b>Animal health</b>	<b>Feed</b>
<b>Residues</b>	<b>Contact materials</b>	<b>Food complements</b>	<b>Training</b>	<b>Animal welfare</b>	<b>Plant health</b>
<b>Pesticides</b>	<b>Flavourings</b>	<b>Labelling</b>	<b>Official Controls</b>	<b>Animal-by products</b>	<b>GMOs</b>



# EU/MS Food Safety structures







# White Paper on Food Safety (2000)

## □ ***Structural reforms:***

- Reorganization of Commission services (DG SANCO/SANTE)
- Creation of FVO (Food and Veterinary Office)
- Creation of EFSA (European Food Safety Authority)
- Reform of regulatory committees
- Creation of advisory group of the food chain

## □ ***Procedural reforms:***

- RASFF (Rapid Alert System for Food and Feed)
- Crisis management structure
- Emergency procedures

## □ ***Legislative reforms:***

- New regulatory framework
- New legislation enacted (Regulations)
- Recasting (simplification) of existing legislation (Regulations)





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# Regulation (EC) No 178/2002

Completed in record time!

Based on a coherent and comprehensive approach: L 31/1

- **Traceability ("from farm to table")**
- **Functional separation between:**
  - **Risk assessment**
  - **Risk management** *(Acts whose publication is obligatory)*
- **Risk assessment (EFSA):**
  - **Based on available scientific proof**
  - **Conducted in an independent, objective and transparent manner**
- **Risk management:**
  - **Based on risk assessment**
  - **Precautionary principle**
  - **Other legitimate factors**
- **Transparency**
  - **Consultation of stakeholders**
  - **Access to information**



THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Articles 17, 19, 159 and Article 152(4)(b) thereof,

the Member States, the Commission and the European Central Bank, desiring to ensure the functioning of the internal market, and in particular to improve the conditions of competition in the internal market,

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# Regulation (EC) No 178/2002

## □ **New emphasis on:**

### ➤ **Enforcement**

### ➤ **Communication:**

- Risk/crisis communication
- Website
- Guidance documents

### ➤ **Training (“Better Training for Safer Food”)**

## □ **New legal framework for food business operators:**

### ➤ **Equal treatment of:**

- Domestic producers
- Importers from non-EU countries

### ➤ **Clearly assigned responsibilities:**

- Producers, wholesalers, retailers
- Officials



# Harmonisation at international level

*food safety*  
**CODEX**



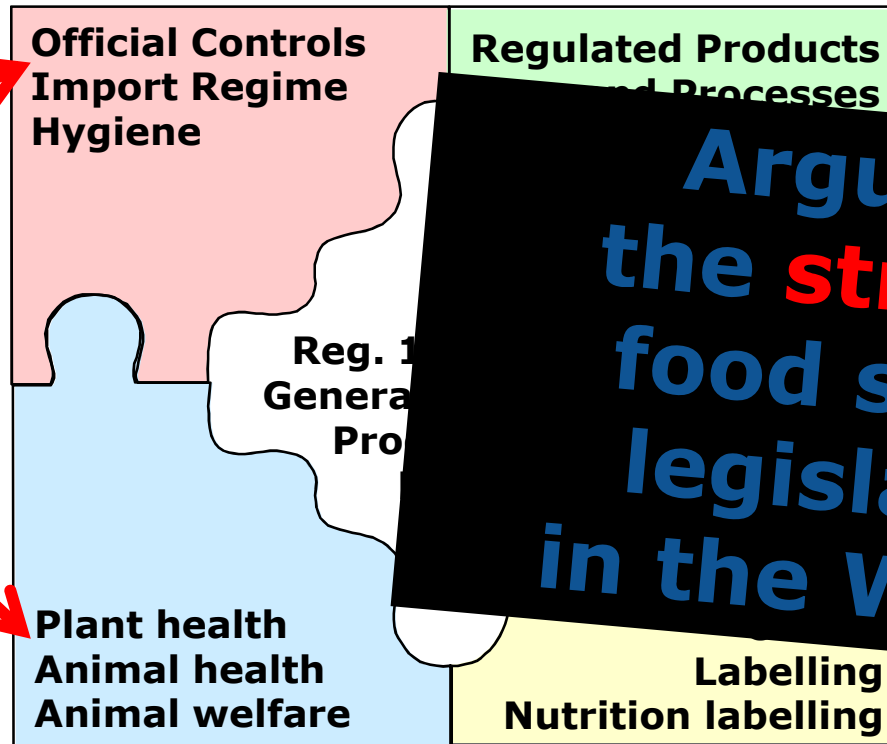
*animal health*  
**OIE**



*plant health*  
**IPPC**



# The EU food safety legislation



**Arguably  
the strictest  
food safety  
legislation  
in the World !**



## **Tools for enforcement**

**Primary responsibility** of food/feed operators-HACCP-obligation to withdraw/recall and notify

**MS control authorities** shall enforce food law

**Reg. on official controls 882/2004:** general framework for the national control authorities (obligations, multi-annual control plans, training, auditing role of FVO)

**Border Inspection posts** (live animal and food of animal origin).

**Traces** (TRAdE Control and Expert System) is a trans-European network for veterinary health which notifies, certifies and monitors imports, exports and trade in animals and animal products





## **Tools for emergency/ crisis**

*RASFF (Rapid Alert for Food and Feed)*

- Notifications by MS control services
- Follow-up of the measures taken

*Emergency procedures*

- Safeguard measures (ban, reinforced controls etc)

*Crisis procedures in place in the EU Commission and EFSA*





# Organization of official controls

## ❑ Legislation on official controls:

### ➤ Regulation (EC) 882/2004:

- To prevent or eliminate risks which may arise for human beings and animals
- To guarantee fair practices and the protection of consumers' interests, including labelling of food and feed

## ❑ Official controls are in the hands of Member States

### ➤ Official controls must:

- enable Member States to verify and ensure compliance with national and EU rules on feed and food
- be carried out at any stage of production, processing and distribution of feed and food

### ➤ Official controls are defined as a function of:

- the identified risks,
- the experience and knowledge gained from previous controls,
- the reliability of the controls already carried out by the business operators concerned, and
- a suspicion of possible non-compliance.





# Organization of official controls

## □ National Control Plans:

- **The Member States must prepare an integrated multi-annual national control plan which**
  - sets out the national control system and activities in a global and comprehensive way
  - is developed along the lines that are contained in guidelines established by the Commission
- **The Member States must submit to the Commission an annual report indicating updates their control plan.**
- **The Commission must:**
  - establish a general report on the overall operation of the official control systems on the basis of the national reports and the results of the audits which it has carried out
  - pass this report on to the European Parliament and the Council and publishes it.

## □ EU controls in the Member States

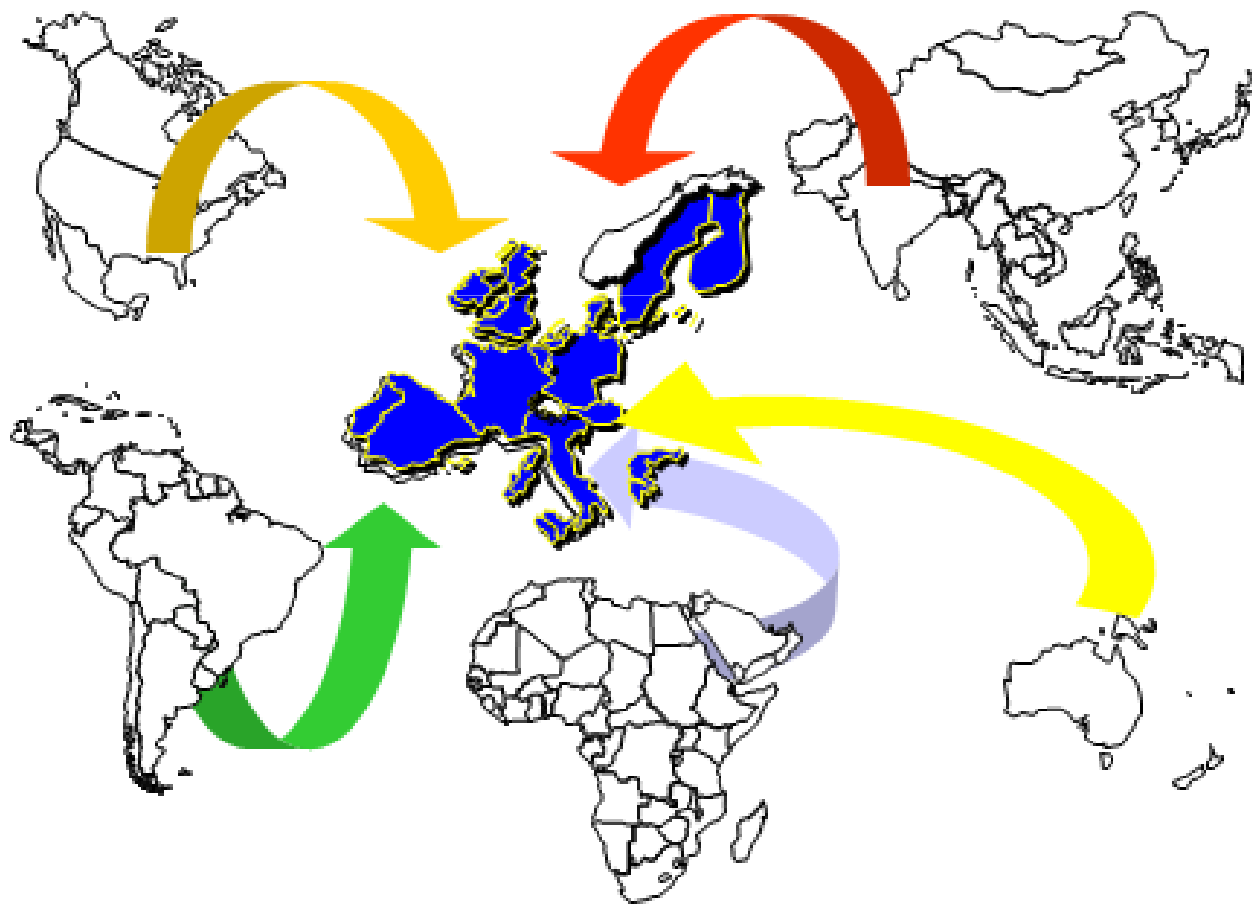
- **Audits by the Food and Veterinary Office (FVO)**





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# Imports from non-EU countries





## Food of non-animal origin (incl. spices)

- EU rules in R 178/2002 (e.g. traceability), 852/2004 (e.g. good manufacturing practices, HACCP, microbiological criteria, ...), on residues, contaminants, ... must be applied and can be checked by FVO.
- Establishments must be registered and lists of such establishments available by the competent authority of the country of origin
- Enhanced monitoring at import might be imposed (e.g. for aflatoxines, pesticides, Salmonella)
- Import certificate in case of import of sprouts and seeds intended for the production of sprouts

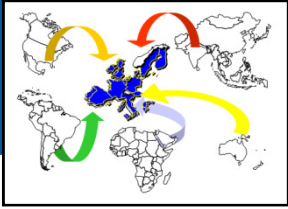




## Food of non-animal origin (incl. spices)

- Control at import based on Article 15 to 25 of Regulation (EC) No 882/2004 of EP and Council
- Implementing act: Commission Regulation (EC) No 669/2009: increased level of official controls
  - **On the basis of known or emerging risk (RASFF – unfavourable previous checks)**
  - **Increased level of official controls (quarterly review)**
    - Documentary checks on all consignments
    - Identity and physical checks, including laboratory analysis, at a frequency to be decided
  - **No placing on the market until results are known**





# Imports from non-EU countries

- ❑ **Food imported from non EU-countries must conform with EU requirements**
  - No recognition of equivalence
- ❑ **Responsibility of the producers**
  - To know and understand EU requirements
  - To implement them
- ❑ **Compliant with the requirements of the SPS agreement of the WTO / international standards**
- ❑ **Role of the competent authorities of exporting country varies:**
  - Products of animal origin
  - Products of non-animal origin
  - and...
  - Composite products: products containing both ingredients of non-animal origin and processed products of animal origin.





## Destination after border inspection

- ❑ **Consignments which are found to be compliant with EU legislation are “in free circulation” in the EU. They may be:**
  - Placed on the market as food or feed, or used for food or feed production
  - Used for industrial purpose
  - Re-exported to a third country
  
- ❑ **Consignments which are found **not** to be compliant with EU legislation shall be:**
  - either destroyed
  - or, under certain conditions, re-dispatched within 60 days



# RASFF notifications on spices from India

- Since 2010, 368 RASFF notifications related to spices from India
- Spices concerned: nutmeg, black pepper, chillies, ginger, turmeric, curry powder, curry leaves, cayenne, ...
- Problems concerned : aflatoxins, ochratoxin A, pesticide residues (mainly in curry leaves), spoilage, absence of certificates, curry powder, microbial contamination (*Salmonella*, *Bacillus cereus*)

## RASFF notifications on spices from India

	2016	2015	2014	2013	2012	2011	2010
<b>Aflatoxins</b>	<b>6</b>	<b>19</b>	<b>16</b>	<b>17</b>	<b>24</b>	<b>42</b>	<b>96</b>
Ochratoxin A	1	3	4	4	2	4	4
Pesticide residues	1	5	1	9	33	12	8
Microbial contamination	0	2	6	6	5	6	5
Other	0	11	2	4	1	2	7
Total	8	40	29	40	65	66	120



# EU legislation on aflatoxins in spices

**Maximum level of aflatoxin B1 = 5,0 µg/kg**

**Maximum level of aflatoxin total = 10 µg/kg**

For the following species of spices (including dried spices):

- *Capsicum* spp. (dried fruits thereof, whole or ground, including chillies, chilli powder, cayenne and paprika)
- *Piper* spp. (fruits thereof, including white and black pepper)
- *Myristica fragrans* (nutmeg)
- *Zingiber officinale* (ginger)
- *Curcuma longa* (turmeric)
- Mixtures of spices containing one or more of the abovementioned spices

## EU legislation on ochratoxin A in spices

### Maximum level of ochratoxin A = 15 µg/kg

- *Piper* spp. (fruits thereof, including white and black pepper)
- *Myristica fragrans* (nutmeg)
- *Zingiber officinale* (ginger)
- *Curcuma longa* (turmeric)
- Mixtures of spices containing one or more of the abovementioned spices

### Maximum level of ochratoxin A = 20 µg/kg

- *Capsicum* spp. (dried fruits thereof, whole or ground, including chillies, chilli powder, cayenne and paprika)



# Special import conditions Regulation (EU) 884/2014

- Special conditions governing the import of certain feed and food from certain third countries due to contamination risk **by aflatoxins.**
- Certain spices from India have been recently included in the Annex after controls performed in the frame of Regulation (EC) 6699/2009 provided evidence of a continued high level of non-compliance with EU legislation on aflatoxins
- Recent amendment – Regulation (EU) 2016/24 – applicable since 02/02/2016

Applicable to:

**Nutmeg and *Capsicum annuum*** (dried fruits thereof whole, crushed or ground including chillies, chilli powder, cayenne and paprika)

## What are the special import conditions?

- Health certificate issued by competent authority of country of origin/provenance and results of sampling of analysis (official sampling and analysis prior to export)
- Common Entry Document to be presented at entry in the EU
- Documentary controls (frequency 100 %) and possibly identity and physical controls (frequency 20 %) to take place at Designated Points of Entry (DPE)

## What are the special import conditions?

- Identity and physical controls also possible at points inland (Designated Points of Import - DPI)
- After the controls, the release for free circulation is subject to the presentation by the operator to the custom authorities of a CED duly completed by the CA once all official controls have been carried out and the control results were favourable.



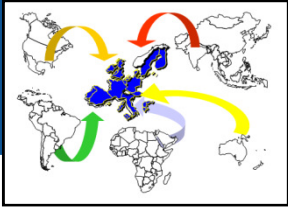
## **Ongoing discussions at Codex as regards mycotoxins in spices**

- Discussions take place in the Codex Committee on Contaminants and Toxins in Food (CCCF)
  - Code of Practice for the prevention and reduction of mycotoxin contamination in spices (working group co-chaired by India) → for mycotoxins in general but focus on aflatoxins and ochratoxin A.



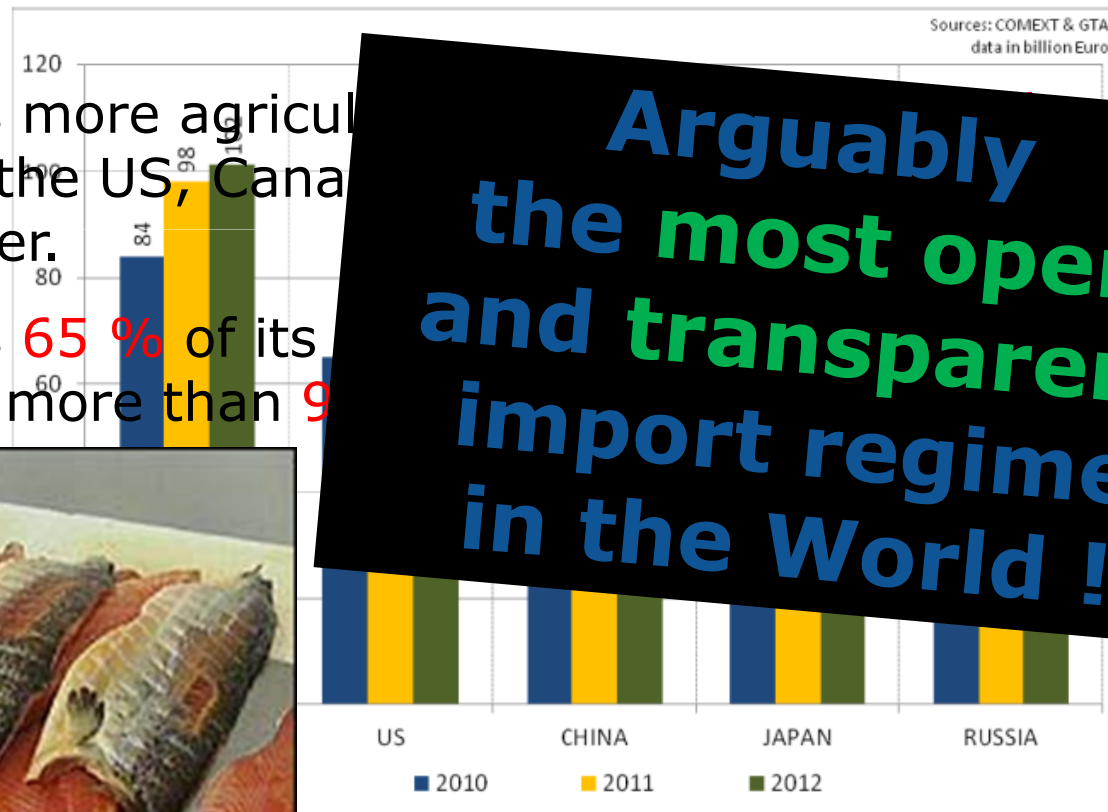
## Ongoing discussions at Codex as regards mycotoxins in spices

- Discussions take place in the Codex Committee on Contaminants and Toxins in Food (CCCF)
  - Discussion on the development of maximum levels for mycotoxins in spices → prioritisation of work
    - \* Two groups of spices are prioritised (dried or dehydrated form) for discussion:
      - group 1: chilli and paprika , ginger, nutmeg, pepper, turmeric
      - group 2: caraway, celery seed, cloves, coriander seed, garlic, fenugreek
    - \* Following mycotoxins are prioritised for discussion:  
aflatoxin B1, aflatoxin total, ochratoxin A



## Yet...

- ❑ The EU is the **largest importer** of agricultural products in the World.
- ❑ The EU imports more agricultural **countries** than the US, Canada and New Zealand together.
- ❑ The EU imports **65 %** of its agricultural products, from more than 90 countries.



**Arguably  
the most open  
and transparent  
import regime  
in the World !**





European  
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Thank you!

