



Indo-German Cooperation on Agricultural Market Development

Building sustainable partnerships



Study Report of Market Situation and Requirements (legal, specifications) for Indian exports to Germany / EU markets with focus on Spices (Cumin, Coriander, Ginger and Turmeric)

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TABLE OF CONTENTS

Executive Summary	1
Acronyms and Abbreviations	2
1 Background, scope and methodology of work	4
2 Situation and Challenges of Indian exports of Spices to Germany / EU	5
2.1 Market Situation for Indian exports.....	5
2.1.1 Volumes, values, and composition	5
2.1.2 Wholesale, retail, consumer prices and trends	6
2.1.3 Product forms, level of processing, varietal preferences and quality factors .	9
2.1.4 Specifics of markets of organic spices and non-organic spices	11
2.2 EU legal & regulative requirements.....	12
2.2.1 General Food Law, Food Hygiene, Packaging, Labelling, Irradiation.....	12
2.2.2 Contaminants and Pesticides	17
2.2.3 Organic Production	21
2.3 Further Specifications (physical and chemical characteristics).....	23
2.3.1 Purity.....	23
2.3.2 Moisture	24
2.3.3 Acid-insoluble ash	24
2.3.4 Volatile Oil.....	24
2.3.5 Certification (quality/sustainability)	24
2.4 Outline of Import Procedures of Third Countries	25
2.4.1 Food law	25
2.4.2 Customs law	28
2.4.3 Licenses.....	29

ANNEXES

Annex 1 Current maximum residue levels (MRL) for pesticide active substances in Coriander

Annex 2 Current maximum residue levels (MRL) for pesticide active substances in Cumin

Annex 3 Current maximum residue levels (MRL) for pesticide active substances in Ginger

Annex 4 Current maximum residue levels (MRL) for pesticide active substances in Turmeric

Annex 5 Model Official certificate (Annex IV of Implementing Regulation (EU) 2019/1793)

Annex 6 Common Health Entry Document CHED

LIST OF TABLES

Table 1 DGHM values for spices intended for delivery to the final consumer and fit for consumption without further heating 14

Table 2 Maximum levels for contaminants in spices 19

EXECUTIVE SUMMARY

Europe plays an important role as a buyer of spices. Without sufficient production of their own, numerous products are imported in significant quantities. Suppliers of cumin, coriander, ginger and turmeric find good sales opportunities in Germany. The processing food industry is clearly the largest customer, which wants to be continuously supplied with good product qualities. In addition, distribution via food retailers is the second most important sales opportunity. However, it is likely to be difficult for smaller suppliers to supply the centrally purchasing retailers with correspondingly large, standardized batches.

The European market is constantly on the move. New trends such as sustainability, transparency and convenience are emerging, while market segments as for example organic production and fair trade are becoming established. All this certainly offers spice suppliers opportunities to position themselves in the market.

The basic requirement for any food product that wants to gain or defend a share of the European market is "it must be safe". The European regulatory framework for food consists of numerous EU regulations and is extremely extensive. This represents a major challenge, especially for suppliers who are new to the market. In addition, the European specifications, for example the maximum levels for contaminants, are constantly changing. This makes the specifications confusing for all market participants, and compliance with them is proving challenging. Nevertheless, only products that meet the legal requirements will be accepted onto the market. Already upon entry into the EU, i.e. at the external borders, for example at the ports, there is a strict inspection of goods, which imports have to undergo. Products that do not meet all EU requirements are rejected.

In many cases, customers define additional requirements that go beyond the statutory provisions. Suppliers must gain access to the relevant information and familiarize themselves with it in order to comply with them. The European spice industry has compiled its product quality requirements in guidelines that are publicly available. For most companies, their content represents a binding requirement for suppliers.

For goods from countries outside the EU that want to gain market access, there are some additional requirements that need to be considered. These include further food laws, customs legislation and sometimes licenses issues. Both importers and exporters can be affected by the rules. Since changes in this area are also taking place on an ongoing basis, market players must make every effort to keep up to date in this regard.

This report summarizes all the important information for companies wishing to produce cumin, coriander, ginger and turmeric for the European market. Cross-references are provided at the relevant points where current legal changes can be found.

ACRONYMS AND ABBREVIATIONS

Abbreviation	Name/title
ADT	ADT Project Consulting GmbH (Germany)
AFC	Agriculture and Finance Consultants GmbH (Germany)
BIP	border inspection post
BLE	Federal Agency for Agriculture and Food (Germany)
BMEL	Federal Ministry of Food and Agriculture (Germany)
BSCI	Business Social Compliance Initiative
BRC	British Retail Consortium
BVL	Federal Office of Consumer Protection and Food Safety (Germany)
CBI	Centre for the Promotion of Imports from developing countries (The Hague)
CHED	Common Health Entry Document
CFU	colony-forming unit
COI	certificate of inspection
CO2	Carbon dioxide
DGHM	Deutsche Gesellschaft für Hygiene und Mikrobiologie
EC	European Community
EFSA	European Food Safety Authority
ESA	European Spice Association
ETI	Ethical Trading Initiative
ETO	Ethylene Oxide
EU	European Union
FSCC	Food Safety System Certification
GFSI	Global Food Safety Initiative
GMO	genetically modified organism (GMO)
HACCP	Hazard Analysis and Critical Control Points
IFS	International Featured Standards
IMSOC	Integrated Management System for Official Controls
ISO	International Organisation for Standardization
MRL	Maximum Residue Levels
O.J.	Official Journal of the European Union

PF	Processing Factors
QR	Quick Response
RASFF	Rapid Alert System for Food and Feed
SEDEX	Supplier Ethical Data Exchange
SMETA	SEDEX Members' Ethical Trade Audit
SPS	Sanitary and Phytosanitary
TRACES	Trade Control and Expert System

1 BACKGROUND, SCOPE AND METHODOLOGY OF WORK

The Indo-German Cooperation on Agricultural Market Development (AMD) supports India's strategy for modernizing agricultural markets. In this way, it contributes to sustainable growth in the agricultural sector and to improving living conditions in rural regions.

Within the AMD project, several export-oriented agricultural value chains will be conceptually developed. Four value chains concern the spices Cumin, Coriander, Ginger and Turmeric. The focus is on the export of the products to Germany / the EU. For the products, initial analyses (commodity studies) have already been prepared regarding demand in Germany / the EU and basic requirements. However, for the Indian products to gain unhindered access to the German / EU market, more far-reaching information is necessary.

This study compiles the relevant detailed information so that it can be made available to the Indian partners. Only if all specifications are known, the supplier can adjust to them. Therefore, the identification and verification of the technical specifications and all other requirements for traded or for imported goods is part of the present study. In addition to identifying possible importers in Germany, typical forms of traded goods are to be worked out. Indications which product forms have a potential for export from India will be collected.

Of crucial importance for all trade participants is the extensive European legal framework for foodstuffs, because this also applies to spices imported into the EU. Suppliers need clarity on what the hygiene specifications are, what requirements are placed on the preparation of products (sterilization/irradiation) as well as on labelling and packaging. The currently applicable maximum levels for all relevant contaminants and maximum residue levels for pesticide active ingredients will also be compiled. A special focus is placed on the EU requirements for organic products. Because new legal requirements have to be complied with since 01.01.2022, all market participants must familiarize themselves with them. Furthermore, specifications that are not based on legislation have been compiled. The analysis is rounded off by information on the import procedure so that spices can be imported into Germany / the EU without any problems.

The study required extensive secondary research into the applicable regulatory framework. In addition, numerous interactions took place with regulatory authorities and standard setters in order to map all market requirements. In a further step, the analyses were deepened and verified in particular in the course of technical discussions with insiders and market participants (trade associations and importers). Initial feedback from Indian cooperation partners on the overall problem was considered in the questions.

2 SITUATION AND CHALLENGES OF INDIAN EXPORTS OF SPICES TO GERMANY / EU

2.1 Market Situation for Indian exports

2.1.1 Volumes, values, and composition¹²

- Germany is largest European importer of spices with a share of 20 percent
- Large German manufacturers often import directly from spice-growing countries
- Numerous small companies and start-ups are particularly active in the organic sector

Volumes and values

Europe accounts for 26 percent of total global imports of herbs and spices. Germany is the largest European importer of spices, with a share of 20 percent and an import value of 542.7 million euros in 2020.

About 15 percent of total global coriander seed are exported to Europe. This amounted to around 20,000 tons worth 26 million Euros in 2019. Germany is the second largest European market for coriander seeds. This is where about 22 percent of all European imports go. In 2019, this amounted to 4,422 tons worth 4.7 million euros. Although India is the world's leading producer of coriander, its share of German imports is only 4 percent.

Around 10 percent of global exports of cumin seeds end up in Europe. Since 2016, European imports of have increased by 7 percent annually and in 2020 were more than 24,000 tons worth 65 million Euro. Since 2016, imports of cumin to Germany have increased at an annual growth rate of 13 percent to 3,000 tons worth 9.1 million Euro. India gained market share in Germany in recent years. In 2020, With a combined import share of over 60 percent, Syria and Turkey were the most important suppliers of cumin to Germany, followed by India with 25 percent.

In 2020, direct imports of dried **ginger** from developing countries to Europe totalled 152,000 tonnes. Since 2016, the import volume has increased by 8.5 percent annually. In that same period, the (direct) import values increased by more than 16 percent annually, totalling 310 million Euros in 2020. Germany is the third largest importer of ginger. Its total import volume has increased by 9.3 percent

¹ Statista GmbH, Hamburg

² Centre for the Promotion of Imports from developing countries (CBI), The Hague

annually since 2016, to a volume of 28,000 tonnes in 2020. Almost 40 percent of Germany's imported ginger comes directly from developing countries. India is involved in this with only 350 tons.

In 2020 European imports of **turmeric** were 20 percent larger than in 2019. Import increased from 28,000 tonnes in 2019 to more than 32,000 tonnes with a total value of over 64 million Euro in 2020. In Europe, consumption of turmeric is expected to increase by more than 10percent per year over the next five years, especially due to the health benefits associated with turmeric. Germany is the third largest importer of turmeric. In 2020, imports increased by 13 percent, reaching 5,680 tonnes, and continuing the trend of the previous four years. 75 percent of the import volume came from India (4,260 tonnes).

Composition

The German spice industry is very diversified. In addition to the established companies that have joined forces in the German association of the spice industry (Fachverband der Gewürzindustrie), there are numerous other companies, some of them very small, and start-ups that are particularly active in the organic sector.

More than 90 German spice processors and refiners are member of the German association of the spice industry which is headquartered in Bonn. The leading German spice company is the privately owned Fuchs Group with the brands "Fuchs", "Ostmann" and "Ubena". Members of the association are listed on their website³:

Large spice manufacturers, which grind, package and process spices, have a strong presence in the German market. They often import spices directly from spice-growing countries. They have direct contact with suppliers and work with quality auditors on site. Other large general food processing companies such as Nestlé, Kraft Foods and Hela, which also have a presence in Germany, are increasing their direct imports, but still rely significantly on supply from dedicated spice traders. These companies contribute to the food and beverage industry being the fourth largest industry in Germany.

2.1.2 Wholesale, retail, consumer prices and trends

- German food retailing is a highly concentrated market
- German consumers are very price-conscious
- Organic, sustainability, fair-trade, health, transparency and convenience are trends

³ [Fachverband der Gewürzindustrie e.V. - Mitglieder des Fachverbands der Gewürzindustrie \(gewuerzindustrie.de\)](http://www.gewuerzindustrie.de)

Wholesale and Retail

The German food trade is divided into wholesale and retail. While the former is aimed at commercial customers such as bulk buyers in industry and the food service sector, the retail trade focuses on private end consumers. The retail trade, in turn, is differentiated into the much more important, less specified retail trade, which includes supermarkets etc., and the traditional specialist food retail trade, which includes small independent grocery stores, bakeries and butchers. German consumers are rather reluctant to buy groceries online. This is more of a niche market.

Food retailing in Germany is a highly concentrated market. Measured in terms of nationwide food sales, the four major retailers EDEKA, REWE, Aldi and the Schwarz Group (Lidl and Kaufland) share over 80 percent of the market. The EDEKA Group is the leading group of companies in German food retailing. This cooperatively organized group has a market share of almost 30 percent. It consists of seven cooperatively organized regional companies, which on the one hand act as wholesalers for the independent EDEKA merchants, but on the other hand also operate their own stores. The group buys fruit and vegetables, for example, produces the private labels (gut&günstig) and organizes marketing. The independently operating EDEKA stores can supplement their assortment individually.

The most important competitors on the food market are Aldi, the REWE Group, the Schwarz Group (Lidl, Kaufland) and the Metro Group, which, however, only operates as a wholesaler. These trading houses generally purchase their products centrally and then supply their individual stores with the same predefined range of products. The individual stores have no influence on the assortment.

There are also numerous independent supermarkets of local significance. These so-called convenience stores, also known as "neighbourhood stores", usually have a small sales area. They compile their assortment on their own responsibility from the range offered by the wholesale markets and can therefore also offer products that are not listed in the large supermarket chains..

Consumer prices

There are considerable price differences in German supermarkets. Prices are usually lower at the so-called discounters Lidl, Aldi Süd, Aldi Nord and Penny. They account for more than 40 percent of sales in food retailing. Their product selection is very limited, and they offer private-label products.

Prices in the other supermarkets such as EDEKA, REWE, Kaufland, etc. are usually higher. They offer a much larger selection of products, numerous branded products (premium quality) and organic products on the shelves.

Consumer price differences are illustrated by the example of ground cumin⁴:

conventional	conventional “premium”:	organic	organic and fairtrade
			
31 Euro/kg	35 Euro/kg	50 Euro/kg	240 Euro/kg

Trends⁵⁶⁷

Awareness of the issue of environmental sustainability is enjoying increasing prevalence among the German population. A big trend trend is **organic** production. In recent years, the share of organic foods in total food sales has risen steadily in Germany. In 2021, the market share of organic foods was around 6.8 percent. Sales of organic spices are expected to continue to grow in tandem with the growing market for organic food. Although specific statistics for organic spices are scarce, the most commonly traded herbs and spices, i.e., black pepper, chilies and other peppers, as well as ginger and turmeric, are also believed to be most relevant to the organic market segment. In 2020, the EU introduced "European Green Deal" to make the European economy more sustainable and climate-neutral by 2050. The Green Deal includes the Farm to Fork Strategy and the Biodiversity Strategy. Both impact future food production and trade. Aspects of the European Green Deal are relevant to the import of spices into the EU including reduction of the use of pesticides and increasing organic farming.

In Europe, there is a growing demand for **sustainable** products. No company in Germany can avoid this topic. Virtually every company demonstrates on its website that it is concerned with sustainability aspects such as human rights and freedom from deforestation. Sustainability is a broad term with many aspects, so a single, recognized sustainability certification has not yet become established. One example of proven sustainability is the publication of CO₂ emission values on products. However,

⁴ www.amazon.de

⁵ European Spice Association (ESA), meeting 13.05.2022

⁶ Fachverband der Gewürzindustrie, conversation 30.05.2022

⁷ Aruhma, Flavors of India, meeting 12.05.2022, Bonn

it is difficult to verify the reliability of the measurements. Currently, the most common certifications focus on environmental impacts (organic certification, Rainforest Alliance certification) and ethical aspects (Fairtrade certification, SEDEX/SMETA audit). It should be noted that the segment of Fairtrade certified products is (still) smaller than the market for organic spices.

In 2021, consumers in Germany spent around 2.1 billion euro on **fair-trade** goods. Compared to the previous year, sales of fair-trade products went up in the Corona year 2021. Germany is one of the most important sales markets for fair trade products. The top-selling fair-trade product is cocoa, followed by coffee and fruit (especially bananas).

The topic of **health** is taking on a high priority in German society. Many food producers are jumping on this trend. However, the declaration of the corresponding effects is not without problems. According to EU law, the so-called health claims must be scientifically substantiated. In this context, the growing trend towards meat-free diets should also be noted. To produce vegan and vegetarian alternatives to meat, at least as many, possibly other spices need to be kept stable, as similar mixtures are used in both the meat industry and the meat-free industry.

Many consumers are interested in the origin of products and demand more **transparency**. That is why many food companies and retailers are disclosing their supply chains. They hope this will give them a competitive edge and increase customer loyalty. Some companies have started using QR codes to provide end consumers with more information about products.

Another trend is certainly **convenience**. These products are ready-made spice blends that make it easier for the consumer to prepare food. Several start-up companies are active in this market segment. But also, the companies established on the market have appropriate spice blends in your portfolio.

2.1.3 Product forms, level of processing, varietal preferences and quality factors

- Coriander mainly imported as whole seed to preserve flavour
- Importers prefer whole Cumin seeds, as allergens and impurities are easier to detect
- Ginger enjoys increasing popularity as a healthy ingredient
- Turmeric is sold in various forms and considered as natural yellow colour food additive

The purchase of spices is a matter of trust. This is repeatedly pointed out by the companies that purchase their products worldwide. Only with **consistent qualities** can suppliers survive on the

market. Some buyers require a specific variety or specific quality. They define factors such as product description, quantity, relevant technology, certificates, and delivery terms.

Most of the spices that are imported into Germany go to the **processing industry**. Market experts assume that around two-thirds will find a use in this way. The largest customers are the sausage and meat processors, increasingly also the manufacturers of meat/sausage substitutes. Manufacturers of snack products such as chips also source considerable amounts of spices.

In **supermarkets**, where due to expert's opinion one third of spices are sold, usually sold in packaged form and rarely in bulk. They are offered either in different sized tins (made of metal or plastic), glass jars or in paper/plastic bags. To maintain the quality of the spices, resealable packaging is preferred. The package contents vary widely. Here are some examples⁸:



Coriander

More than 70 percent of the German imports concern whole coriander seeds. The remaining 30 percent being crushed or ground seeds. Thus, Germany imported more whole coriander seeds than United Kingdom.

The German food industry prefers whole seeds, which retain flavour better than powder. Processing here includes crushing, blending, sterilizing, and packaging. Coriander powder is used in a variety of spice mixtures and in the production of minced meat mixtures (such as hamburger and kebab), sausages, sauces, soups, and sweet bakery products. Whole seeds are included in marinades and pickled vegetables.

Cumin

More than 80 percent of cumin imports are whole seeds, while the remaining 20 percent are crushed or ground seeds. The German food industry prefers whole seeds because they are easier to test for

⁸ own photos

allergens and impurities. In addition, whole seeds retain flavour better than powders. Processing of the grains includes crushing, blending, sterilizing, and packaging.

Cumin is an important ingredient in spice mixtures for kebab dishes, which are very popular in Germany. A significant proportion of cumin powder is therefore consumed in one of the 40,000 fast-food kebab restaurants. It is estimated that the kebab industry in Germany has a turnover of 2.4 billion Euros per year. Furthermore, cumin is used in Germany's large sausage industry but in curry spice mixes, sauces, pickled vegetables or in cheese.

Ginger

The growing ginger market in Europe provides opportunities for exporters. In Germany, the market for ginger has grown significantly in recent years as ginger has become increasingly popular as a healthy ingredient. Nevertheless, European legislation is very strict regarding health claims on consumer packaging.

Turmeric

Turmeric is sold in various forms. The most common are food-grade powders powder, capsules and high-potency tablets. Based on the growing health trend and the numerous health-promoting effects attributed to turmeric, more and more teas and powder shakes containing the spice are coming onto the market.

Turmeric is also considered a natural yellow colour additive in the EU. Food industry is therefore increasingly using it to colour cheese, mustard, butter or yellow cake mixes in order to avoid the use of other colorants that might be perceived as chemical by consumers.

2.1.4 Specifics of markets of organic spices and non-organic spices

- No official figures for organic spices available
- Germany is most important market for certified organic products
- Specialized organic food retailers in Germany

Although no official figures are available on the share of organic spices in the total spice market, market experts assume that their share corresponds to that of other organic products, i.e. between six and ten percent. Within Europe, Germany is the most important market for certified organic spices. Even though the volume of organic products sold is still manageable, the growth rate is significantly higher than the growth of the conventional spice market. Especially startup companies show themselves active in this segment and find their market. Certified organic spices are still a niche

market. Yet ginger, along with turmeric, cumin and pepper, is one of the most widely traded certified organic spices.

Many organic spices are sold by specialized organic food retailers such as Mein Denn's BioMarkt ([Mein denn's Deutschland \(meindenns.de\)](http://Mein_denn's_Deutschland_(meindenns.de))), the leading organic supermarket chain in Germany, followed by organic supermarkets operated by Alnatura (www.alnatura.de) or the drugstore dm (www.dm.de), which is strongly represented in Germany. In addition, a large proportion of organic spices are used in the food processing industry, for example in organic meat/sausage products, meat substitutes or snacks.

2.2 EU legal & regulative requirements

All food sold on the EU market must be safe. Of course, this also applies to imported products. In order to ensure safety, the EU has laid down numerous requirements, such as the following: harmful contaminants such as pesticide residues and excessive mycotoxin levels are prohibited; additives added to the food must be permitted; label should tell whether a food contains allergens.

2.2.1 General Food Law, Food Hygiene, Packaging, Labelling, Irradiation

All European regulations are frequently updated. Current versions of regulations are called „consolidated” texts, and they are available on the EU website⁹. The following rules apply to spices.

- Traceability of all food throughout the supply chain, including products imported
- Food hygiene requirements are applicable for imported goods also
- The official controls focus on pathogenic germs such as Salmonella
- Packaging should be food safe and must not be a source of contamination
- Labelling of food must comply with the European regulations
- Added food additives require EFSA approval and must be labelled
- Food that are, contain, or are derived from genetically modified organism are subject to mandatory labelling
- Irradiation of spices is authorised but not often used

⁹ [Advanced search - EUR-Lex \(europa.eu\)](http://Advanced_search_-_EUR-Lex_(europa.eu))

General Food Law

The General Food Law (Regulation (EC) No 178/2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety¹⁰) is a legal framework. This regulation addresses amongst others, risk analysis, precautionary principle, food safety requirements and traceability. It is based on the "farm to table" concept. This means that all food must be traceable throughout the supply chain, including products imported into the EU from third countries.

Where it is evident that food imported from a third country is likely to constitute a serious risk to human health, animal health or the environment, and that such risk cannot be contained satisfactorily by means of measures taken by the EU member states concerned, the European Commission will immediately adopt one or more of the following measures, depending on the gravity of the situation:

- Suspension of imports of the food in question from all or part of the third country concerned and, where applicable, from the third country of transit;
- Laying down special conditions for the food in question from all or part of the third country concerned;
- Any other appropriate interim measure.

Food Hygiene

To achieve food safety, European Union agreed on further details (Regulation (EC) No 853/2004 on the hygiene of foodstuffs¹¹). Regarding imported food, the hygiene requirements are applicable for food business operators. They must ensure that all stages of production, processing and distribution of foodstuffs under their control comply with the relevant hygiene requirements. General hygiene regulations must be observed and specific hygiene measures such as compliance with microbiological criteria, sampling and analysis must be taken. A procedure based on Hazard Analysis of Critical Control Points (HACCP) principles must be established, implemented, and maintained

Microbiological contaminants

Microorganisms in food can pose a risk to human health. Therefore, the microbiological contamination of spices is regularly examined. Microbiological requirements for foodstuffs are laid down in Regulation (EG) No 2073/2005¹². This regulation requires that no salmonella be detectable "in 25 g" samples. If salmonella test is positive, the entire lot/batch must be recalled from the market (including from the consumer). The official controls focus on pathogenic germs (Salmonella) as well as the total germ count and spoilage agents (e.g., yeasts and molds).

¹⁰ O.J. L31, 01.02.2002

¹¹ O.J. L 139, 30.4.2004

¹² O.J. L 338, 22.12.2005

German Society for Hygiene and Microbiology (Deutsche Gesellschaft für Hygiene und Mikrobiologie - DGHM) goes one step further and prescribes microbiological references and warning values for foodstuffs handled in Germany. The reference and warning values provide competent authorities and industry with an objective basis when assessing the microbiological status of foodstuffs.

Table 2 DGHM values for spices intended for delivery to the final consumer and fit for consumption without further heating (values apply to the end consumer and valid in Germany only)¹³.

	guideline value (cfu*/g)	warning value (cfu*/g)
Escherichia coli	1 x 10 ³	1 x 10 ⁴
Molds	1 x 10 ⁵	-
Presumptive Bacillus cereus	1 x 10 ³	1 x 10 ⁴
Spores from sulfin-reducing clostridia	1 x 10 ³	1 x 10 ⁴
Salmonella	-	not detectable in 25 g

*cfu = colony-forming unit

Since water activity is a key parameter that affects microbiological growth, ESA recommends a target value of maximal 0.65. Buyers are requiring their suppliers to use steam sterilisation to combat the microbiological contamination.

Packaging

The contents of the packaging must match the quantity (weight or volume) indicated on the label. Importers check this to ensure that product packaging is within allowable ranges. Details are set in Directive 76/211/EEC on the approximation of the laws of the Member States relating to the making-up by weight or by volume of certain pre-packaged products¹⁴. Occupational health and safety laws in some EU countries allow workers to lift a maximum of 20 kg.

In principle the packaging must not be a source of contamination or migration, should be food grade and must protect the product quality during transportation and storage (Regulation (EC) No 852/2004 on the hygiene of foodstuffs¹⁵).

¹³ European Spice Association

¹⁴ O.J. L46, 21.2.1976

¹⁵ O.J. L 139, 30.4.2004

Concerning materials and articles intended to extend the shelf life of a packaged food product or to preserve or improve its condition are set in Regulation (EC) No 1935/2004 on materials and articles intended to come into contact with food¹⁶. Materials and articles (e.g., tins, foil composite bags) must be designed in accordance with good manufacturing practice so that, under normal conditions of use, they do not transfer their constituents to food in quantities that could endanger human health or cause an unacceptable change in the composition of the food or an impairment of its organoleptic properties.

Labelling

European food labelling allows the consumer to make an informed choice that suits both their dietary, food intolerance needs or preferences. Details are fixed in Regulation (EU) No 1169/2011 on the provision of food information to consumers¹⁷. The following must be indicated on each package, even if it is imported into the EU:

- Name of the product, e.g. “Coriander“, “Cumin“, “Curcuma“, “Ginger“ (use language of destination country)
- Batch code
- Net weight in metric system
- Shelf life of the product or best before date, and recommended storage conditions.
- Lot identification number
- Country of origin and name and address of the manufacturer, packer, distributor, or importer
- Lot identification and the name and address of the manufacturer, packer, distributor, or importer may be replaced by an identification mark.

A label can also include details such as brand, drying method, harvest date etc. In the case of retail packaging, the product must contain further information (minimum font size is mandatory) including nutrition, origin, and allergen.

¹⁶ O.J. L338, 13.11.2004

¹⁷ O.J. L304, 22.11.2011

Nutrition: Pre-packed foods must always bear a nutrition declaration, providing the energy value and the amounts of fat, saturates, carbohydrate, sugars, protein, and salt of the food (Regulation (EU) No 1169/2011 on the provision of food information to consumers¹⁸). Information must always be stated in relation to 100 grams (g) and be presented in a legible tabular format on the packaging. This declaration is often provided on the back of food packaging.

Origin: The origin of the essential ingredient (so-called primary ingredient) of a food must always be indicated if it does not correspond to the stated country of origin or place of provenance of the food (Regulation (EU) 2018/775 laying down rules for the application of Article 26(3) of Regulation (EU) No 1169/2011 on the provision of food information to consumers, as regards the rules for indicating the country of origin or place of provenance of the primary ingredient of a food¹⁹). For example, if Indian coriander is packed in Germany, the packaging must indicate the origin. The way to do this is to indicate "India" as the origin, but the packer can also write "non-EU" or declare "coriander does not originate from Germany."

Allergen: In the EU, the labelling of the 14 most important substances or products that can trigger allergies or intolerances, such as nuts, soy, or sulphur dioxide (which is sometimes used as a preservative in spices) must be listed in the list of ingredients (Regulation (EU) No 1169/2011 on the provision of food information to consumers²⁰). There is no legal regulation for allergens that are not used as ingredients, so-called contaminants or "cross-contact", which unintentionally enter the products during the production or processing of food. The so-called "traceability labelling" has so far been voluntary and only linked to the responsibility of the food business operator.

Use of Food additives

Food additives are substances that are added to food to perform certain technological functions, e.g., to colour, sweeten or preserve food. In the EU food additives require approval before they can be used in food, including spices. Additives that are authorised in the EU are listed in a database published by European Food Safety Authority (EFSA)²¹. All food additives are labelled with E-numbers and must always be indicated on the ingredient list on the packaging of the foods in which they are used. The label must list both the function of the additive in the finished food (e.g., colorant or preservative) and the specific substance used with the corresponding E-number or its name. Spices with undeclared, unauthorized, or excessive levels of foreign substances may be rejected by the buyer and European control authorities.

¹⁸ O.J. L304, 22.11.2011

¹⁹ O.J. L131, 29.05.2018

²⁰ O.J. L304, 22.11.2011

²¹ [AUTHORISATION OF ADDITIVES \(europa.eu\)](https://eur-lex.europa.eu/eli/reg/2013/1831/oj)

Genetically modified organisms

According to Regulation (EC) No 1831/2003 concerning the traceability and labelling of genetically modified organisms and the traceability of food and feed products produced from genetically modified organisms²² all foods that are, contain, or are derived from genetically modified organism (GMO) are subject to mandatory labelling. The import of genetically modified food into the EU is strictly regulated. Genetically modified spices are not allowed to be imported. Nevertheless, food is regularly tested for (unapproved) genetic modifications.

Irradiation

Irradiation of spices is not often used but is authorised as a way of sterilisation by the European Union. Specifications for manufacture, marketing and importation of foods and food ingredients treated with ionising radiation are fixed in Directive 1999/2/EC on the approximation of the laws of the Member States concerning foods and food ingredients treated with ionising radiation²³. Irradiated foods must be labelled "irradiated" or "treated with ionizing radiation". Foodstuff treated with ionising radiation may not be imported from a third country unless it has been treated in an irradiation facility approved by the Community. The list of approved irradiation facilities is as set out in the Annex to Commission Decision 2002/840/EC²⁴.

2.2.2 Contaminants and Pesticides

- Strict rules for contaminants such as mycotoxins, heavy metals, Polycyclic aromatic hydrocarbons (PAH) and Pyrrolizidine Alkaloids (PA)
- Maximum residue levels of pesticides in or on food apply also for imported goods

The European Union set contaminants at levels which are toxicologically acceptable in order to protect public health. Regarding spices maximum levels for mycotoxins (Aflatoxin and Ochratoxin A), heavy metals (lead) and Polycyclic aromatic hydrocarbons (Benzo(a)pyrene) are specified. Uniform EU-wide maximum levels for pesticide residues in or on food and feed of plant and animal origin have also been fixed. Compliance within the framework of official food controls includes regular inspections, which can be carried out at all stages of marketing in the EU. They also apply to imports. In the event

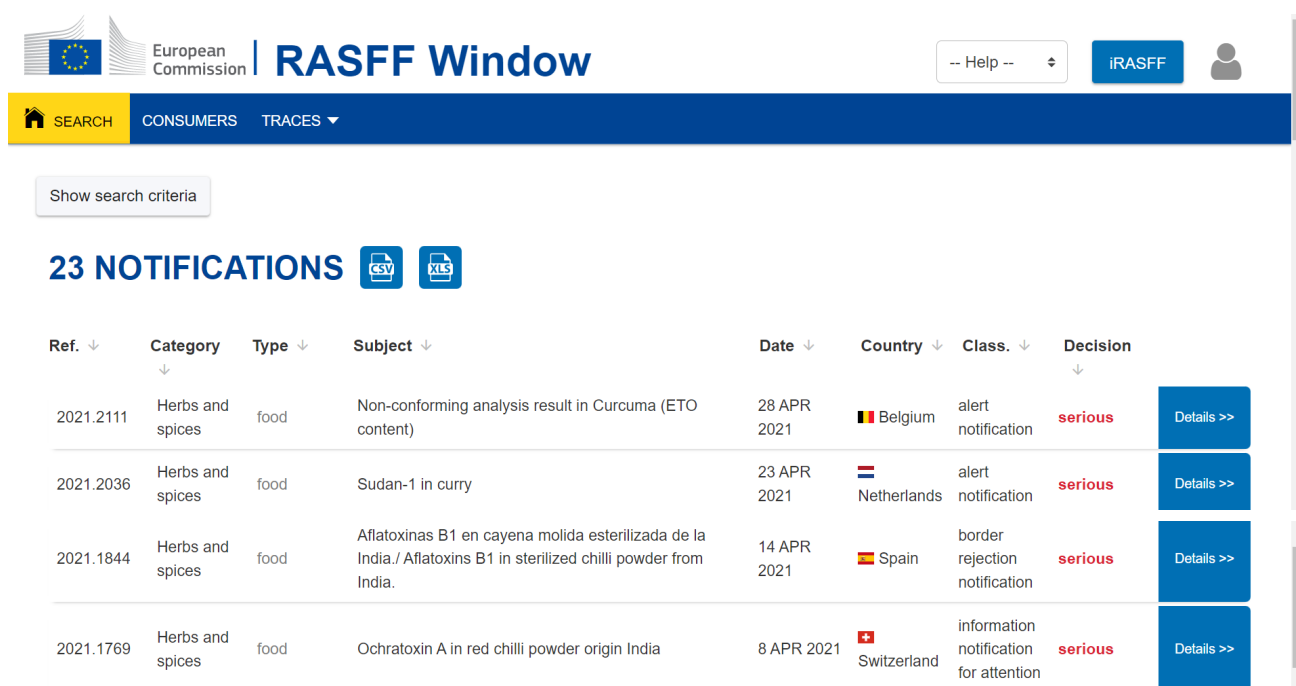
²² O.J. L268, 18.10.2003

²³ O.J. L66, 13.03.1999

²⁴ O.J. L287, 25.10.2002

of violations of European food law, individual cases are reported via the Rapid Alert System for Food and Feed (RASFF)²⁵, which is freely accessible to the interested public.

During the first four months of 2022²⁶, several Indian spices were rejected due to unacceptable residues of pesticides (anthraquinones, chlorpyrifos, ethylene oxide, 2-chloroethanol), mycotoxins (aflatoxin), unauthorised colouring agents, undeclared allergens or unauthorized novel food. Products involved had to be withdrawn from the market or were already rejected at the EU external border. In order to ensure unhindered market access, compliance with the following requirements is therefore crucial. Residues of ethylene oxide (ETO) are currently the focus of official controls. Spices imported into the EU from India must be accompanied by a health certificate.



The screenshot shows the RASFF Window interface. At the top, there is a navigation bar with 'SEARCH', 'CONSUMERS', and 'TRACES'. Below this, a table lists 23 notifications. The table has columns for Ref., Category, Type, Subject, Date, Country, Class., and Decision. Each row includes a 'Details >>' button. The notifications are as follows:

Ref.	Category	Type	Subject	Date	Country	Class.	Decision
2021.2111	Herbs and spices	food	Non-conforming analysis result in Curcuma (ETO content)	28 APR 2021	Belgium	alert notification	serious
2021.2036	Herbs and spices	food	Sudan-1 in curry	23 APR 2021	Netherlands	alert notification	serious
2021.1844	Herbs and spices	food	Aflatoxinas B1 en cayena molida esterilizada de la India./ Aflatoxins B1 in sterilized chilli powder from India.	14 APR 2021	Spain	border rejection notification	serious
2021.1769	Herbs and spices	food	Ochratoxin A in red chilli powder origin India	8 APR 2021	Switzerland	information notification for attention	serious

Contaminants

The maximum levels for contaminants are laid down in Regulation (EC) No 1831/2003 setting maximum levels for certain contaminants in foodstuffs²⁷. They are regularly adapted to the latest scientific findings. It is therefore important that the current version of the regulation is observed.

²⁵ [RASFF Window - Search \(europa.eu\)](https://europa.eu/rasff/)

²⁶ [RASFF Window - Results \(europa.eu\)](https://europa.eu/rasff/)

²⁷ O.J. L 364, 20.12.2006

Table 2 Maximum levels for contaminants in spices

Contaminant	Maximum level (valid May 2022)
Aflatoxin B1	5 µg/kg for following species: 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.
Sum of Aflatoxin B1, B2, G1 and G2	10 µg/kg for following species: 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.
Ochratoxin A	15 µg/kg for following spices, including dried spices: Piper spp. (fruits thereof, including white and black pepper), Myristica fragrans (nutmeg), Zingiber officinale (ginger) , Curcuma longa (turmeric) 20µg/kg for Capsicum spp. (dried fruits thereof, whole or ground, including chillies, chilli powder, cayenne and paprika) 15 µg/kg for mixtures of spices containing one of the abovementioned spices
Lead	0.60 mg/kg (wet weight) for dried Fruit spices (such as Cumin and Coriander) 1.50 mg/kg (wet weight) for dried Root and rhizome spices (such as Ginger and Turmeric)
Cadmium	no max. limit for dried Cumin, Coriander, Ginger and Turmeric 0.2 mg/kg for fresh herbs (dehydration factors might be used for evaluation of Cadmium residues in dried herbs)
Polycyclic aromatic hydrocarbons (PAH) - Benzo(a)pyrene	10 µg/kg for dried spices with the exception of cardamon and smoked Capsicum spp.

<p>- Sum of benzo(a)-pyrene, benz(a)anthracene, benzo(b)-fluoranthene and chrysene</p>	<p>50 µg/kg for dried spices with the exception of cardamon and smoked Capsicum spp.</p>
<p>Pyrrrolizidine Alkaloids (PA)</p>	<p>400 µg/kg for dried Cumin seeds* (no max. limit for other spices) 400 µg/kg for dried herbs with the exception of Borage, lovage, marjoram and oregano and mixtures exclusively composed of these * max. limit applies from 01.07.2022; products that were lawfully placed on the market before, may continue to be marketed until continue to be marketed until 31.12. 2023.</p>

Pesticides Residues

Maximum residue levels (MRL) are laid down in annexes of Regulation (EC) No 396/2005 on maximum residue levels of pesticides in or on food and feed of plant and animal origin²⁸. MRL also apply to imported goods. As other plant protection products are legally applied to foodstuffs produced outside the EU and this may lead to different pesticide residues, deviating MRL can be set for imported products, so-called import tolerances. Requests for import tolerances are to be submitted to individual EU member states.

MRL are regularly adapted to the latest scientific findings. It is therefore important that the current MRL is observed. They can be found in EU Database²⁹. The current³⁰ maximum residue levels for pesticide active substances in the four spices are given in the Annexes 1, 2, 3 and 4 of this report.

If no MRLs are set in the database for processed and/or composite food, the MRLs apply first to the raw commodity. Specific concentration or dilution factors for certain processing operations may be taken into account in the evaluation of identified pesticide residue. The European Commission has compiled initial processing factors (PF) for pesticides in a variety of processed foods in a publicly available database³¹. PF are specified for individual raw material/process/active ingredient combination. In addition, European Spices Association (ESA) has recommended different

²⁸ O.J. L70, 16.03.2005

²⁹ [EU Pesticides Database \(europa.eu\)](http://europa.eu)

³⁰ June 2022

³¹ [European database of processing factors for pesticides in food | Zenodo](https://zenodo.org/record/1111111)

dehydration factors which may be applied to dried spices and herbs³². However, they are not binding. For seed spices, the dehydration factor does not apply.

2.2.3 Organic Production

In recent years, the purchase of organic food in Germany has increased significantly. The results of the Ökobarometer³³, regularly commissioned by the Federal Ministry of Food and Agriculture, see a continuing trend towards more organic in the coming years. According to this survey, 38 percent of respondents said they regularly buy organic products. Looking ahead, 47 percent of respondents estimate that they will purchase organic food frequently (41 percent) or exclusively (6 percent). Demand for organic products in Germany is highest for vegetables, fruits, and eggs.

- New specifications must be applied since 01.01.2022
- Goods from non-EU countries that have been produced and certified according to a standard recognized by the EU can be labelled with the European organic seal
- Handling of pesticide residues in organic goods is not uniform in the European Union
- Specific rules for European importers of organic products are to be followed

New Regulation in force

According to the new Regulation (EU) 2018/848 on organic production and labelling of organic products³⁴, whose specifications do not have to be applied until 2022 due to the pandemic, inspection of organic production and organic products will be stricter to prevent fraud. To market spices as organic in Europe, they must now be grown using organic production methods according to European legislation. Growing and processing facilities must be audited by an accredited certifier before they can put the EU's organic seal on their products.

³² [dehydrationfactorsjournalofconsumerrrotectionandfoodsafety \(1\).pdf](#)

³³ [Ökobarometer 2021 \(oekolandbau.de\)](#)

³⁴ O.J. L150, 14.6.2018

Labelling

Goods from non-EU countries (third countries) that have been produced and certified according to a standard recognized by the EU can be labelled with the organic seal. The use of the organic label is voluntary and free of charge for all market participants. Products that are labelled with the organic seal (bio seal) by the importer must be reported to the Bio-Siegel Information Office before they are used for the first time.

Pesticide residues

In organic farming, the use of chemical or synthetic fertilizers or pesticides is prohibited. Some EU countries tolerate no residues of pesticide active ingredients at all, while other countries do not apply this zero tolerance, but decide specifically on a case-by-case basis whether or not the product may be sold as organic food in the event of a residue finding or contamination. In Germany, measures and sanctions additionally differ at the state level. For importers and traders, the inconsistent approach may be very disadvantageous because it lowers the profitability of Europe-wide trade in organic products if organic products are not allowed to be traded due to different limit value situations in some member states.

Import regulation

Companies trading in organic food must take part in the control procedure under EU legislation for organic farming. All importers must follow specific rules when they wish to market a product as organic in the EU. These procedures depend on where the goods have originated. For products which originate in India, inspection and certification is the responsibility of control bodies or authorities. These are independent bodies appointed by the European Commission to ensure that organic producers in their area of responsibility follow standards and control measures equivalent to the EU ones. Each import into the EU must be accompanied by a certificate of inspection (COI), which must be created and processed in the Trade Control and Expert System (TRACES) NT electronic system ([Log in \(europa.eu\)](https://ec.europa.eu/traces/)). Thus, organic importers as well as all third country inspection bodies signing the COI for the organic import must be listed in the TRACES NT system and approved by a competent authority (List of competent control authorities: [Oekolandbau: Zuständige Behörden Ökoproduktion](#)). The release of the importers is done in Germany by competent authorities for the implementation of the Eco-Basis Regulation. The release in TRACES NT and the processing of the COI may be subject to a fee. All organic imports are subject to official control, which is checked either at a border inspection post (BIP) or, in the case of goods that are not SPS goods (goods subject to sanitary and phytosanitary measures), at another location for release into the customs free area (controlled locations). The document check and thus the decision in field 30 of the COI in the TRACES NT system is carried out by the specialized authorities for eco-imports at the competent state authorities

([Oekolandbau: Fachbehörden Öko-Importe](#)). A template of the current certificate of inspection (COI) can be found in the annex to Regulation (EU) 2021/2306³⁵.

2.3 Further Specifications (physical and chemical characteristics)³⁶

- ISO requirements are internationally agreed
- Spices must be free from adulteration
- Water content of dry spices should generally not exceed 12 percent
- Maximum acid-insoluble ash contents are defined by ESA for several spices
- Minimum volatile oil contents are defined by ESA for several spices

In addition to the above regulations, there is a large number of guiding principles. Although these do not have a binding legal character, they are regarded as market specifications. Most significant in this respect are ISO standards. They are internationally agreed by experts. The standard specifies minimum requirements. If a product does not comply with ISO requirements, it has to be labelled as “minor quality”. Spices declared in this way hardly find any buyers

Guiding principles are published in the German Food Book. In this compilation, all requirements that are important for the marketability of food are described. These are adopted in accordance with recognized international food standards and are supplemented on an ongoing basis. Importers of spices often follow the Quality Minima Document³⁷ published by the European Spice Association (ESA) in 2015 (updated March 2018). This sets out several parameters that must be met if spices are to be sold in Europe. Buyers can also use certification as a selection criterion.

2.3.1 Purity

Herbs and spices must be free from adulteration. They should be free in practical terms from live and/or dead insects, insect fragments and rodent contamination visible to the naked eye. Limits for extraneous matter are 2 percent by weight regarding herbs and 1 percent by weight for spices.

³⁵ [CL2021R2306EN0000030.0001.3bi_cp 1..1 \(europa.eu\)](#)

³⁶ European Spice Association (ESA), meeting 13.05.2022

³⁷ [esa-qmd-rev-5-update-as-per-esa-tc-26-03-18 \(3\).pdf](#)

2.3.2 Moisture

To avoid spoilage, the water content of dry spices should generally not exceed 12 percent. Nevertheless, ESA recommends specific maximum moisture contents for various herbs and spices, including Coriander seed (12 percent), Cumin (13 percent), Ginger (12 percent) and Turmeric (whole 12 percent, ground 10 percent). Further, ESA suggests, unless otherwise agreed between buyer and seller, determination of moisture content ISO 939-19801.

2.3.3 Acid-insoluble ash

The acid-insoluble ash is a measure of the soil and sand content present. Maximum acid-insoluble ash contents are defined by ESA for several herbs and spices including Coriander seed (1.5 percent), Cumin (3.0 percent), Ginger (2.0 percent) and Turmeric (whole 2.0 percent, ground 2.5 percent). ESA recommends, unless otherwise agreed between buyer and seller, determination of acid-insoluble ash ISO 930-1997.

2.3.4 Volatile Oil

Minimum volatile oil contents are defined by ESA for several herbs and spices including Coriander seed (0.6 percent/traces), Cumin (1.5 percent), Ginger (1.5 percent) and Turmeric (whole 2.5 percent, ground 1.5 percent). ESA recommends, unless otherwise agreed between buyer and seller, determination of acid-insoluble ash EN ISO 6571-2009.

2.3.5 Certification (quality/sustainability)

To safeguard food, many European buyers such as distributors, food processors or retailers require the implementation of a HACCP-based management system. The most important systems are the Food Safety System Certification 22000 (FSSC 22000), the International Featured Standards (IFS), the British Retail Consortium (BRC) and the Safe Quality Food Programme (SQF). Buyer preferences for a particular management system should always be clarified. For most German food companies, compliance with IFS and FSSC 22000 standard guarantees safe products. FSSC 22000 is based on ISO standards and is recognized by the Global Food Safety Initiative (GFSI). FSSC 22000 certifications are widely accepted in international trade as well as by the processing industry. Internationally oriented food companies now quite frequently commit to conducting their business in an ethical and socially responsible manner. They then also expect their business partners to follow the principles of a code of conduct. For example, some companies require the signing of a code of conduct or adherence to common standards such as Supplier Ethical Data Exchange (SEDEX), Ethical Trading Initiative (ETI), the Business Social Compliance Initiative (BSCI) code of conduct or BCorp.

2.4 Outline of Import Procedures of Third Countries³⁸

When exporting food into the EU, there are always three areas of law to consider: food law, customs law, and the issue of licenses.

- Importers of products from countries outside the EU are regarded as the manufacturer of these goods
- Some foodstuffs shall be accompanied by an official certificate when entering European market
- Foodstuffs (and their processed products) affected by special conditions will be subject to increased official controls by competent food control authorities
- Certain products imported from countries outside the EU require a license

2.4.1 Food law

Obligations for importers

The importer of products from third countries, i.e. from countries outside the EU, is regarded as the manufacturer of these goods. In accordance with the Food Hygiene Regulation (EC) No. 853/2004³⁹, he must register with the competent municipal or district administration (Food Control Department). The food importer takes responsibility for the products he brings to the EU market. He is obliged to check, in the form of random sampling, the composition of the food, the correctness of the weight indication, labelling and quality of the product, as well as possible effects of the packaging on the food. If a food product manufactured in a third country is first imported into another EU member state and then imported into Germany, it must be treated - if it has been inspected in accordance with the requirements of European law - in the same way as a product manufactured in the country of first import.

Emergency measures

Health hazards identified on the basis of investigations, for example due to mycotoxins (aflatoxins) in nuts and spices or due to unacceptable pesticide residues in fruit and vegetables, lead to special EU

³⁸ Bundesanstalt für Landwirtschaft und Ernährung (BLE), conversation 31.05.2022

³⁹ O.J. L139, 30.04.2002

protective measures being taken for imported food. The particular measure may apply to the food from all third countries or be limited to certain third countries. Foodstuffs and their processed products affected by an emergency measure are subject to increased official controls by the competent food control authorities. Affected foodstuffs are listed in Annex I of the Implementing Regulation (EU) 2019/1793⁴⁰ on the temporary increase of official controls and emergency measures governing the entry into the Union of certain goods from certain third countries implementing Regulations (EU) 2017/625 and (EC) No 178/2002⁴¹. The costs of increased controls shall be borne by the person authorized to dispose of the goods. The release for free circulation can be made only after their consent. Following foodstuffs from India are subject to a temporary increase of official controls at border control posts and control points (due to an identified risk; status May 2022):

- Hazard due to pesticide residues: fresh, chilled, frozen or dried curry leaves (*Bergera/Murraya koenigii*); fresh, chilled or frozen okra; drumsticks (*Moringa oleifera*).
- Hazard due to Aflatoxins and Ochratoxin A: rice; husked (brown) rice; semi-milled or wholly milled rice.

Special conditions for the entry

In addition, certain products are subject to special conditions for the entry into the Union due to contamination risk by mycotoxins, including aflatoxins, pesticide residues, pentachlorophenol and dioxins, and to microbiological contamination. These foodstuffs shall be accompanied by an official certificate. They are listed in Annex II of Implementing Regulation (EU) 2019/1793 on the temporary increase of official controls and emergency measures governing the entry into the Union of certain goods from certain third countries implementing Regulations (EU) 2017/625 and (EC) No 178/2002⁴². Following foodstuffs from India are subject to the special conditions (due to an identified risk; status May 2022):

- Hazard due to Salmonella: betel leaves (*Piper betle* L.); sesamum seeds.
- Hazard due to Aflatoxins: dried, roasted, crushed or ground peppers of the genus *Capsicum* (sweet or other than sweet); nutmeg (*Myristica fragrans*); in shell Groundnuts (peanuts); shelled groundnuts (peanuts); peanut butter; otherwise prepared or preserved, including mixtures groundnuts (peanuts); oilcake and other solid residues, whether or not ground or in the form of pellets, resulting from the extraction of groundnut oil; groundnut flours and meals; groundnuts paste.
- Hazard due to pesticide residues: fresh, chilled or frozen peppers of the genus *Capsicum* (other than sweet); sesamum seeds; locust beans (carob); crushed or ground locust beans

⁴⁰ O.J L277, 29.10.2019

⁴¹ O.J. L 277, 29.10.2019

⁴² O.J. L 277, 29.10.2019

seeds (not decorticated); mucilages and thickeners, whether or not modified, derived from locust beans or locust bean seeds; guar gum; pepper of the genus *Piper*, dried or crushed or ground fruit of the genus *Capsicum* or of the genus *Pimenta*; vanilla; cinnamon and cinnamon-tree flowers; cloves (whole fruit, cloves and stems); nutmeg, mace and cardamoms; seeds of anise, badian, fennel, **coriander**, **cumin** or caraway, juniper berries; **ginger**, saffron, **turmeric (curcuma)**, thyme, bay leaves, curry and other spices; sauces and preparations thereof; mixed condiments and mixed seasonings; mustard flour and meal and prepared mustard; calcium carbonate; food supplements containing botanicals.

- Hazard due to Pentachlorophenol and dioxins: guar gum.

The official certificate (Annex 5 to this study report) shall be issued by the competent authority of the third country of origin or of the third country where the consignment is consigned from if that country is different from the country of origin. It shall bear the identification code of the consignment to which it relates. The certificate shall bear the signature of the certifying officer and the official stamp. Where the official certificate contains multiple or alternative statements, the statements which are not relevant shall be crossed out, initialled and stamped by the certifying officer, or completely removed from the certificate. Furthermore, the official certificate shall consist of a single sheet of paper or several sheets of paper where all sheets are indivisible and constitute an integrated whole or a sequence of pages with each page numbered so as to indicate that it is a particular page in a finite sequence. The official certificate shall be presented to the competent authority of the border control post of entry into the EU where the consignment is subjected to official controls. It shall be issued before the consignment to which it relates leaves the control of the competent authorities in the third country issuing the certificate. The official certificate shall be drawn up in the official language, or in one of the official languages, of the Member State of the border control post of entry into the EU. It shall be valid for not more than four months from the date of issue, but in any case, no longer than six months from the date of the results of the laboratory analyses. By way of derogation a European member state may consent to official certificates being drawn up in another official language of the EU and accompanied, if necessary, by an authenticated translation.

1. Each consignment of food listed in Annex II shall be accompanied by an official certificate in accordance with the model 'official certificate'.
2. The official certificate shall comply with the following requirements: (a) the official certificate shall be issued by the competent authority of the third country of origin or of the third country where the consignment is consigned from if that country is different from the country of origin; (b) the official certificate shall bear the identification code of the consignment to which it relates; (c) the official certificate shall bear the signature of the certifying officer and the official stamp; (d) where the official certificate contains multiple or alternative statements, the statements which are not relevant shall be crossed out, initialled and stamped by the certifying officer, or completely removed from the certificate; (e) the official certificate shall consist of one of the following: (i) a single sheet of paper; (ii) several

sheets of paper where all sheets are indivisible and constitute an integrated whole; (iii) a sequence of pages with each page numbered so as to indicate that it is a particular page in a finite sequence; (f) where the official certificate consists of a sequence of, each page shall bear the unique code, the signature of the certifying officer and the official stamp; (g) the official certificate shall be presented to the competent authority of the border control post of entry into the EU where the consignment is subjected to official controls; (h) the official certificate shall be issued before the consignment to which it relates leaves the control of the competent authorities in the third country issuing the certificate; (i) the official certificate shall be drawn up in the official language, or in one of the official languages, of the European member state of the border control post of entry into the EU; (j) the official certificate shall be valid for not more than four months from the date of issue, but in any case no longer than six months from the date of the results of the laboratory analyses;

3. By way of derogation from point (i) of paragraph 2, a European member state may consent to official certificates being drawn up in another official language of the EU and accompanied, if necessary, by an authenticated translation.

4. The colour of the signature and of the stamp other than an embossed or watermarked stamp, which are referred to in point (c) of paragraph 2, shall be different to the colour of the printing.

5. Points (c) to (g) of paragraph 2 and paragraph 4 shall not apply to electronic official certificates.

6. Points (d), (e) and (f) of paragraph 2 shall not apply to official certificates issued in paper and completed in, and printed from, TRACES.

7. Competent authorities may issue a replacement official certificate only in accordance with the rules laid down in Implementing Regulation (EU) 2020/2235.

8. The official certificate shall be completed on the basis of the notes set out in Annex IV of Implementing Regulation (EU) 2019/1793 on the temporary increase of official controls and emergency measures governing the entry into the Union of certain goods from certain third countries implementing Regulations (EU) 2017/625 and (EC) No 178/2002⁴³.

The European Commission reviews the lists set out in Annexes I and II on a regular basis not exceeding a period of six months, in order to take into account new information related to risks and non-compliance.

2.4.2 Customs law

Foodstuffs (and their processed products) affected by special conditions shall be subject to increased official controls by the competent food control authorities. Customs authorities shall permit the release of a shipment for free circulation only upon presentation of a duly completed Common Health Entry

⁴³ O.J. L 277, 29.10.2019

Document (CHED) in accordance with Annex II, Part 2, Section D of the Implementing Regulation (EU) 2019/1715 laying down rules for the functioning of the information management system for official controls and its system components (Integrated Management System for Official Controls - IMSOC Regulation⁴⁴). The CHED (added as Annex 6 to this study report) confirms compliance with the applicable regulations for the shipment.

The operator responsible for this consignment must complete the relevant part of the CHED for each consignment of goods and provide information necessary for the immediate and unambiguous identification of the consignment and its destination. He submits this document to the competent border control point (food control authority at the EU external border) via the TRACES NT system. According to the regulation, he has to notify the arrival of a consignment in advance.

In principle, these foodstuffs can be declared at any customs office in Germany for placement under a customs procedure. A list of border inspection points (BIP)⁴⁵ through which foodstuffs can be cleared for import into or transit through Germany has been published by the Federal Office of Consumer Protection and Food Safety (BVL).

2.4.3 Licenses

Imports of certain products from third countries into the EU require a license. These serve to protect against disruption of the EU market. This also affects some plant products such as cereals, rice, sugar, fruits and vegetables, processed fruits and vegetables, live plants and floricultural goods, seeds, flax and hemp, and hops. Currently, all other plant products, including coriander, cumin, ginger and turmeric, can be imported without a license in principle.

⁴⁴ O.J. L261, 14.10.2019

⁴⁵ [Verzeichnis_Grenzkontrollstellen.pdf \(bund.de\)](#)