New EU Regulation on Marketing Standards
Experience of Inspection
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Reg. (EC) No 1234/2007

- Single CMO
- Marketing standards and inspection: articles 1, 113, 113a, 121, 194-196, annex I part IX
- Amended by Reg. (EC) No 361/2008


- Practical application
- Marketing standards and inspection: art. 1-20a, annexes I-VI
Specific marketing standards for 10 products

These 10 products cover 75% of the EU market
General marketing standard

- Reg. 1234/2007 annex I part IX
- Explanatory notes to the Combined Nomenclature
  Official Journal C 133 of 30 May 2008
- Exemptions pursuant article 3 of Reg. 1580/2007

➤ BLE list of excluded products: www.ble.de
before: 36 standards  now: 1 + 10 standards = > 120 products
>= 120 products practically reduced by

- product range of the trader
- season
- region
- risk analysis
Risk analysis = simplification for inspection

- Guidance on Risk Analysis
  Revision approved by German ministries

- production / wholesale / retail / export
  - company
    - turnover
    - product range
    - inspection results
  - all products

- import
  - product
    (focused on 10 SMS, 26 old SMS, pineapples, mangoes, grapefruit)
  - exporter
  - inspection results
Customs clearance

- Specific and general marketing standards
  - conformity certificate
  - waiver (no inspection, industrial processing etc.)

http://quakon.ble.de

- web-based system for application
- entry of application – automatic feed of back
- information whether control or not
- electronic waiver (no inspection, industrial processing etc.)
General Marketing Standard

Advantages

- fruit and vegetable range covered in total
- uniform definition of minimum quality
  = produce sound, fair and of marketable quality
  = article 113a of Reg. (EC) No. 1234/2007
- indication of country of origin

Disadvantage

- no classification

Article 2a (1): General marketing standard
Where the holder is able to show they are in conformity with UNECE standards, the product shall be considered as conforming to the general marketing standard.
How to show conformity with UNECE standard?

- Product / lot must be in conformity with UNECE standard
- Labeling (class) is not a proof of UNECE standard
- Inspection is the only proof

Labelling the class

- mandatory
  - specific marketing standards
  - UNECE standards
- optional
  - private standards
    (may replace GMS provided at least the UNECE standard is respected)
Inspection of general marketing standard (GMS) – part I

- GMS checked
- GMS not respected
- Class labelled
- UNECE checked ¹
  ¹) in case UNECE standard is less strict
- UNECE conform = GMS conform
Inspection of general marketing standard (GMS) – part II

- GMS checked
- GMS respected
- STOP Inspection
- Class labelled
- UNECE not checked
- GMS conform
Labeling: no class
Control: conform with GMS

Labeling: Class I
Control: conform with GMS

Labeling: Extra Class
Control: conform with GMS
Inspection according to article 2a

Alternative system
- class indicated
  - = UNECE inspected
- otherwise GMS inspected
- 4 Member States only!

Pro
- indication of the class
  - = basis for transparency in trade

Contra
- too many standards
General marketing standard

- interpretation and application
- explanatory notes developed in each member state
- harmonisation necessary between
  - EU Member States (EU level)
  - EU and Third Countries (OECD, UNECE level ?)
- harmonisation workshops in 2010
International Meeting
Quality Control
Fruit & Vegetables

March 2011 in Bonn
www.ble.de
Recommendation for Traders

- apply specific marketing standards
- apply UNECE standards to replace the general marketing standard
- these product specific marketing standards provide
  - uniform basis for classification
  - trading language
  - market transparency
  - basis for prices
  - basis for long term trading relations
  - basis for satisfied clients / consumers
Thank you for your attention!