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Survey on standards implementation

Preliminary survey findings

Submitted by the secretariat

Summary

In early 2023 the ECE secretariat in consultation with the Working Party on Agricultural Quality Standards (WP.7) Bureau launched a survey to compile additional information on the use of ECE standards and their link to relevant legislative frameworks in participating countries. The survey was conducted in February–March 2023, via an online form sent to government delegations that had attended the meetings of WP.7 and its Specialized Sections in the past five years. This note summarizes the initial findings of that survey.

The Specialized Section is invited to discuss the findings and provide additional information and suggestions for how to document the use and impact of the standards.

I. Introduction

1. The survey was sent in February–March 2023 to government delegates that had attended at least one of the meetings of WP.7 and its Specialized Sections over the past five years, with responses received from over 30 countries¹ and from the European Commission. The replies showed that the use of agricultural quality standards of the United Nations Economic Commission for Europe (ECE) Working Party on Agricultural Quality Standards (WP.7), and their potential integration into legislative frameworks, vary widely by country and product. Some countries had incorporated the standards into their regional or national legislation, while others used them on a voluntary basis. While some countries and regions, including the European Union (EU), referenced ECE standards in their regulations, others had their own established standards that were developed independently. ECE standard implementation also varied based on whether a product was being imported, exported, or produced and shipped only within an internal market. With regard to the use of quality conformity certificates, the survey found that it varies by country and product, with some requiring them for both imports and exports, some only one or the other, and others not using them at all. Outside of Europe, some countries used ECE standards as a reference for the development of national legislation, while in others, ECE standards were totally voluntary and not harmonized with national legislation but commonly used for exports to European markets.

II. Main findings

a) Fresh fruit and vegetables

2. The replies to the survey showed that ECE standards for fresh fruit and vegetables (FFV) were used differently by different countries. In EU member States, the ECE FFV standards are applied through EU regulations that reference them, which apply at import and export as well as in the internal market. The EU has ten “specific marketing standards” which are mandatory at the EU level: apples; citrus fruit; kiwifruit; lettuces, curled-leaved and broad-leaved endives; peaches and nectarines; pears; strawberries; sweet peppers; table grapes; and tomatoes. As the standards for these ten products are mandatory under EU legislation, and as the requirements are based on and harmonized with ECE standards, the ECE standards are functionally mandatory for these 10 products. Other FFV products are covered by the general marketing standards of EU which contain general principles with which produce must comply. Commission Implementing Regulation (EU) No 543/2011 provides for equivalence between this general standard and the ECE standards on fresh fruit and vegetables via a dynamic link contained in Article 3 of the Regulation, which is directly applicable to all member States.² This regulation states that if a producer/buyer/seller can show that their fresh product conforms with the applicable ECE standard, that product can be considered as conforming with the EU general marketing standard for FFV. In this way, the EU standards are aligned with the ECE standards.

3. Outside EU, the use of ECE standards was more variable. Several countries outside EU, including Kenya, Kyrgyzstan, and Morocco, stated that they require the use of the ECE standards for exports into EU, in line with the EU requirements. Application of ECE FFV

¹ Albania, Australia, Austria, Belgium, Brazil, Bulgaria, Czechia, Denmark, Estonia, Finland, Germany, Israel, Kenya, Kyrgyzstan, Latvia, Lithuania, Luxemburg, Morocco, Netherlands (Kingdom of the), New Zealand, Philippines, Poland, Russian Federation, Slovenia, South Africa, Spain, Switzerland, Tajikistan, Türkiye, United Kingdom of Great Britain and Northern Ireland, United States of America, Uzbekistan.

² Article 3 stipulates that: “The requirements of Article 113a(1) of Regulation (EC) No 1234/2007 shall be the general marketing standard. The details of the general marketing standard are set out in Part A of Annex I to this Regulation. Fruit and vegetables not covered by a specific marketing standard shall conform to the general marketing standard. However, where the holder is able to show that the products are in conformity with any applicable standards adopted by the United Nations Economic Commission for Europe (UNECE), they shall be considered as conforming to the general marketing standard.”

standards is much less common for imports or internal markets outside EU, although there are some instances of national standards being derived from the ECE standard or partially harmonized with it, as is the case with Kenya and Türkiye. Kenya and Morocco also stated that they use ECE standards for exports outside EU, including to South Africa, the United Kingdom of Great Britain and Northern Ireland, the United States of America and to countries in the Middle East.

b) Dry and dried produce

4. The survey showed that within EU, some of the ECE standards for dry and dried produce (DDP) are implemented in a similar way to the standards for fresh fruit and vegetables, i.e. with products required to conform to the general marketing standard of EU, or the related ECE standard. There is also an EU regulation specific to dried grape varieties, which adopts the minimum characteristics and permitted tolerances laid down in the ECE standard. This means that for dried grapes, the ECE standard is essentially mandatory in EU. Outside EU, the ECE standards for DDP are generally voluntary.

c) Seed potatoes

5. Survey respondents affirmed that the ECE standard for seed potatoes is currently the only international standard for seed potatoes. As such, it is frequently used as a guideline for certification and trade of seed potatoes both within and outside EU. European Union member States follow the EU standard for seed potatoes, which respondents indicated is highly harmonized with and based in part on the ECE standard. Most trade for seed potatoes in the EU region is carried out exclusively within EU, and certificates are mandatory in most cases. In some parts of EU, such as Poland, seed potatoes can be produced according to either the EU or the ECE standard, with the latter possible to use for exports to third countries.

6. As with other agricultural products, non-EU countries often use the ECE standard when trading with EU countries. Though the adoption of ECE standards in non-EU countries varies, many of them have consulted the ECE standard when developing their own, national standards, making the national standards in many countries “aligned” or “harmonized” with ECE standards. For example, New Zealand harmonizes its (voluntary) seed potato standard with the ECE standard for seed potatoes. ECE standards are used by non-EU countries as a means of showing transparency when trading in seed potatoes.

d) Meat and eggs

7. The survey results indicated that the implementation of the ECE standards for meat and eggs varies more than for the standards for FFV, DDP, and seed potatoes. Respondents indicated that the European Union has its own standards for meat and eggs which do not reference ECE standards. Actors in industry are allowed to choose to use the ECE standards in addition to the EU standards if they desire, but not enough information was provided to conclude how frequently this occurs. Outside of EU, implementation of the ECE meat and egg standards shows a spectrum that includes countries where the national standards are identical to the ECE standards (e.g. Australia); countries where national standards have been minorly influenced by the ECE standards; and countries where ECE standards are only being used for exports to certain markets or not being used at all.

e) Cut flowers

8. Survey respondents did not provide any evidence of the use of the ECE standards for cut flowers, whether mandatory or voluntary. More research is needed on this.