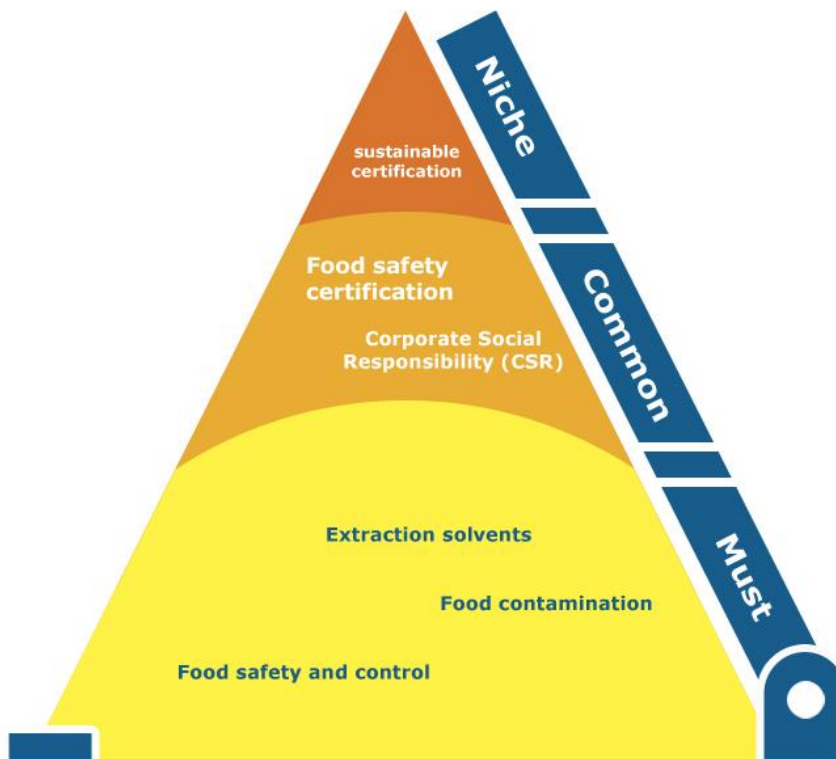




# EU Buyer Requirements for coffee, tea and cocoa

Buyer requirements for coffee, tea and cocoa (CTC) can be divided into (1) *musts*, requirements you must meet in order to enter the market, such as legal requirements, (2) *common* requirements, which are those most of your competitors have already implemented, in other words, the ones you need to comply with in order to keep up with the market, and (3) *niche* market requirements for specific segments.



## Legal requirements are a must – food safety and informing consumers correctly

Here you can find requirements you must meet when marketing your products in the EU. Pay attention to the indications of which products are concerned per requirement described.

- **Food safety** – all products
- **Health control** – all products, in practice especially relevant for tea
- **Contamination** – chemical and physical contamination for food products
- **Extraction solvents** – cocoa butter, decaffeinated coffee and tea
- **Product specific legislation** – coffee, cocoa and cocoa products

### Food safety: Traceability, hygiene and control

Food safety is a key issue in EU food legislation. The [General Food Law](#) is the EU legislative framework regulation for this subject. Food products must be traceable throughout the entire supply chain to guarantee food safety, to allow appropriate action in cases of unsafe food and to limit risks of contamination. An important aspect to control food safety hazards is defining critical control points (HACCP) by implementing food management principles (see *Common requirements*). Subjecting food products to official controls is another important aspect. Products that are not considered safe will be denied access to the EU.

### Control of food imported to the EU

In the event of repeated non-compliance of specific products originating from particular countries stricter conditions, such as a health certificate and analytical test report, are required for import. Products from countries that have shown repeated non-compliance are put on a list included in the Annex of [Regulation \(EC\) 669/2009](#). Due to problems with pesticide residues in tea from China, it is subject to an increased level of official controls. In April 2013, the EU strengthened its [regulation](#) on cadmium in cocoa beans. In the annex subsection 3.2.7 the differentiated levels for various cocoa powder and chocolate products (need to be extrapolated to cocoa) are mentioned and will become effective in January 2019. Cadmium is found naturally in the soil. However poisoned pesticide and chemical fertilizer are other sources of cadmium.

### Avoid contamination to ensure food safety

Contaminants are substances that may be present as a result of the various stages of growing, processing, packaging, transport or storage. Threshold limits for several contaminants force to avoid negative impact on the quality of food and risks to human health. The different forms of contamination are:

- a) Pesticides: The presence of pesticides is the most common reason for border authorities to reject CTC. Tea, in particular green tea, is often refused for this reason. Be aware that products containing more

### Considerations for action

- Read more about [health control](#) at the EU Export Helpdesk.
- To help you answer key questions about health control refer to the [guidance document](#) of the EU.
- Search in the [EU's Rapid Alert System for Food and Feed \(RASFF\) database](#) to see examples of withdrawals of CTC from the market and the reasons behind these withdrawals.
- Check the website of EUR-Lex for the most recent list included in the Annex of [Regulation \(EC\) 669/2009](#) (see under *Amended by*). The list of products and countries subjected is updated regularly. It is important to keep updated on developments despite the limited increased levels of controls for CTC.
- Provisions for [methods of sampling and analysis](#) for the official control of cadmium and other heavy metals helps you to ensure compliance. Bear in mind that different maximum levels apply to cocoa, cocoa powder and chocolate. Be aware that German importers are already applying the 2019 rule (affecting a large part of EU imports).
- [Here](#) (p.14) and [here](#) (scroll down) you find some recommended first steps to control the cadmium levels, more research is conducted or contact the [Sustainable Trade Initiative](#).
- To find out the maximum residue level (MRLs) that are relevant for your products, you can use the EU [MRL database](#) in which all harmonised MRLs can be found. You can search on your product or pesticide used. Read more about [MRLs](#) in the EU Export Helpdesk. Check with your buyers if they require additional requirements on MRLs and pesticide use.
- A good way to reduce the amount of pesticides, is applying integrated pest management ([IPM](#)), which is an agricultural

- pesticides than allowed will be withdrawn from the EU market.
- b) Mycotoxic: Moulds and fungi are another important reason for many border rejections. For roasted coffee beans and ground roasted coffee the maximum level of Ochratoxin A (OTA) is set at [5 µg/kg](#). There are no specific limits for green coffee beans as they are not consumed as such. For cocoa especially farmers in West-Africa should be aware of mycotoxins.
- c) Poly-aromatic hydrocarbons (PAH) - can result from cocoa beans coming into direct contact with smoke, for example during artificial drying using badly designed or poorly maintained driers. The limit for benzo(a)pyrene is 5.0 µg/kg of fat and 35 µg/kg for the total sum of PAHs. The limit for the latter will become stricter (30 µg/kg) as per 1 April 2015.
- d) Salmonella: is a very serious form of contamination and occurs occasionally as a result of incorrect harvesting and drying techniques. Cocoa and coffee beans are considered low-risk commodities. Tea, especially herbal and rooibos tea, is most prone to contamination. In the current [EU legislation](#) no microbiological criteria for CTC have been set. Food safety authorities however can withdraw imported food products from the market or prevent them from entering the EU when Salmonella is found present. Irradiation is a way to combat microbiological contamination but this is not allowed by [EU legislation](#) for CTC.
- e) Foreign matter: Contamination by foreign matter like plastic and insects are a threat when food safety procedures are not carefully followed.

#### Extraction solvents

These can be used for decaffeination of coffee and tea and the production of cocoa butter. There are maximum residue limits restrictions for the extraction solvents such as methyl acetate (20 mg/kg in the coffee or tea), dichloromethane (2 mg/kg in the roasted coffee and 5 mg/kg in the tea) and Hexane (1 mg/kg in cocoa butter).

#### Product specific legislation

Be aware of specific product legislation for coffee extracts and cocoa and chocolate products (including cocoa butter), in addition to other legislation which e.g. sets common sales names. You will need to take into account composition, description and labelling on the packages and clearly communicate to your buyer about these issues if you supply the products listed in the respective EU Directives.

If nutrition or health claims are made, these have to be approved in advance by the [European Food Safety Agency](#) (EFSA). In December 2014 [Regulation 1169/2011](#) will go

pest control strategy that uses complementary strategies including growing practices and chemical management.

- The risk of contamination of any kind can be prevented by better growing, drying, processing and storage practices and discuss them with your suppliers. Implement Good Manufacturing Practices (GMP) or discuss Good Agricultural Practices (GAP) with your suppliers.
- The European Tea Committee (ETC) drafted a [Code of Practice for pesticide residues in tea](#) you could revert to. Click [here](#) for a compendium of guide lines for tea.
- Lately, there have been issues with the maximum level of anthraquinone set at 0,01mg/kg for food, including tea leaves. It probably migrates from the paper package material into tea. It is expected that the EC will raise this maximum level.
- Check out the guide about [pesticide use in cocoa](#) published by ICCO.
- For information on safe storage and transport of CTC go to the [website](#) of the Transport Information Service.
- Check the European Commission's factsheet on food contaminants "[Managing food contaminants: how the EU ensures that our food is safe](#)"
- Read more about [contaminants in the EU at the Export Helpdesk](#).
- Recently residues of mineral oils (MOSH and MOAH) have been found in chocolate, which are constituents of recycled paper and treated gunny bags. There are warnings, no legislation on this so far.
  
- Refer to [EU Directive 2009/32/EC](#) for more information about the restriction of extraction solvents.
  
- Refer to the website of EU for more information about the legislation and the list of [coffee](#) and [cocoa and chocolate products](#) for which the labelling and packaging legislation applies.
- The [compendium of guidelines for tea](#) is also a useful source for information regarding requirements.

into effect. The new allergen legislation states that pre-packed food products should state even more clearly whether they contain allergens. Annex VII refers to cocoa butter. In annex II vegetable fats (e.g. palm oil, shea and mango kernel) are mentioned that may be used as a substitute (up to 5%) for cocoa butter in chocolate products.

#### **Full overview of requirements for CTC:**

For a list of requirements, consult the [EU Export Helpdesk](#). Here you can select your specific product codes under chapter 09 (coffee and tea) and 18 (cocoa)..

#### **General requirements on packaging and liability**

Note that there is also non product specific legislation on [packaging](#) and [liability](#) that apply to all goods marketed in the EU

### **Common requirements: Food safety certification is crucial, corporate responsibility is following suit**

#### **Food Safety certification as a guarantee**

As food safety is a top priority in all EU food sectors, you can expect many players to request extra guarantees from you, such as certifications. Many EU buyers (e.g. traders, food processors, retailers) require the implementation of a ([HACCP](#)-based) food safety management system. The most important food safety management systems in the EU are [BRC](#), [IFS](#), [FSSC22000](#) and [SQF](#), which are mainly relevant for processors (not so much for farmers or traders).

Different buyers may have different preferences for a certain management system, so before considering certification for one of these standards, it is advised to check which one is preferred (e.g. UK British retailers often require BRC and IFS is more commonly required on the mainland). All the mentioned management systems are recognised by the [Global Food Safety Initiative \(GFSI\)](#), which means that any of them should be accepted by several major retailers. However, in practice some buyers still have preferences for one specific management system.

#### **Corporate responsibility**

EU buyers (especially those in western and northern EU countries) are increasingly addressing social and environmental issues. In business organisations, sustainability is generally translated into a Corporate Social Responsibility (CSR) policy. Companies often have their own CSR policies, codes of conduct, or projects that deal with social and environmental issues. This has led to a large number of large supermarkets chains and large industry players like [Nestlé](#), [Unilever](#), [Kraft](#) developing CSR- and sourcing policies. This also affects you as a supplier. Common requirements are the signing of a suppliers' code of conduct in which you declare that you

#### **Considerations for action**

- Familiarise yourself with food safety management systems. Since EU market entry preparation often includes implementing one.
- Read more about HACCP and health control in the [EU Export Helpdesk](#) and the [guidance document](#). Read more about how to manage HACCP specifically for [coffee](#) and [tea](#).
- When you plan to target one or more markets, check which specific food safety management systems are most commonly requested. In any case choose for a management system that is [GFSI](#) approved.
- Read more on the different Food Safety Management Systems at the [Standards Map](#).
- Be aware that many of the environmental and social sustainability issues take place at farm level (which may not be a part of your company). Think about a way to assure responsible business at the premises of your suppliers. To test to what extent your farmers are sustainable you could ask them to fill in the [Farmer Self Assessment](#) by the Sustainable Agriculture Initiative.
- Consider defining and implementing your own code of conduct. This is not required by buyers, but may be a good way to show potential buyers your views on corporate responsibility.
- Check whether you can adhere to the guidelines laid down in the industry agreements. They can be a good starting point if you want to certify products. Consider participating or visiting roundtable

do your business in a responsible way, meaning that you (and your suppliers) respect local environmental and labour laws, stay away from corruption etc. Besides the individual company codes there are overall company codes that industries use to guarantee and communicate their social compliance. [BSCI](#) and [SA 8000](#) are the most common ones.

Sustainability has been formalised in several agreements and partnerships between exporting countries, EU buyers and governing bodies such as the International Cocoa Council. These agreements are signed by important industry players that are (becoming) important in the various CTC sectors, for more information:

- [International Coffee Agreement 2007](#)
- [International Cocoa Agreement 2010](#)
- [Roundtable on a Sustainable Cocoa Economy](#) (RSCE)
- [The Ethical Tea Partnership \(ETP\)](#)

meetings (via conference call) or seminars to meet industry players and other interesting stakeholders.

- The specific governing bodies such as the [World Cocoa Foundation](#) (WCF), [International Cocoa Organization](#) (ICCO), [International Coffee Organisation](#) (ICO) and the [Ethical Tea Partnership](#) (ETP) have programmes for producer support to implement sustainable practices.
- The European Committee for Standardization ([CEN](#)) is developing a norm for sustainable and traceable cocoa. It is unsure when the norm will be finalized, 2016 perhaps. It aims to establish a worldwide framework for sustainable cocoa beans, including the process and the product itself.

### ITC's Standards Map

Check the International Trade Centre's Standards Map <<http://www.standardsmap.org/identify>>, an online tool which provides comprehensive information on over 130 voluntary sustainability standards and other similar initiatives covering issues such as food quality and safety. In Standards Map you can identify standards or codes of conduct relevant to your product, review the main features of the selected standards and codes and compare standards' requirements side-by-side. Furthermore you can assess your company's performance against standards requirements in a self-assessment module, and generate your own company's "sustainability diagnostic report" which you can then share with the business community. Check the Standards Map videos <<https://www.youtube.com/watch?v=hRghHKufMW8&list=PLVgDaw1NnOSAjk06sG6kWcpcujCutXRjZq>> to see how Standards Map can help you to determine which initiatives may be useful for your company.

### Niche requirements: Sustainable certification

#### Sustainable certification for the mainstream market

Certification is the most common way to show compliance with CSR criteria. It is still a niche market although the target is to mainstream certification. Various certifications focus on different issues and are popular in different countries or segments. Traditionally, certification focuses on either environmental or social issues. Nowadays these issues are increasingly integrated. The demand for certified CTC is driven by ambitious goals of industry players and consortia like the [Sustainable Trade Initiative](#) that aims to increase the amount of sustainable CTC on the Dutch and EU market. [Utz](#) (coffee and cocoa) and [Rain Forest Alliance](#) (tea, coffee) are most commonly used by mainstream large and small retailers. Business-to-business (B2B) schemes (no logo on the final product) are also a good

#### Considerations for action

- Most certification schemes have tools and other types of assistance to help you understand the criteria and educate you on how to become certified. For example, [UTZ](#) has tools for steps to establish an internal control system, implementation guide code of conduct for coffee, good coffee practice guide and an [e-learning guide](#). Rainforest Alliance provides [\(online\) training](#).
- Read more on certification in the [Standards Map](#).

way to address sustainability issues. [4C](#) is an important B2B-scheme used in the coffee sector.

### **Niche market certification**

The market for sustainable niche markets is still small, although it is growing. The (certified) niche products, often sold as a specialty, are most popular in north and west EU countries. Specific certifications for this market are listed here:

- *Organic:* Organic CTC are produced and processed by natural techniques (e.g. crops rotation, biological crop protection, green manure, compost). You are allowed to put the EU organic logo on your products, as well as the logo of the standard holder (e.g. in the UK [Soil Association](#) and [Organic Farmers and Growers](#) and Germany [BCS Öko-Garantie](#)) when you grow your CTC products using organic production methods. These are laid down in this [EU legislation](#) and an accredited certifier must audit growing and processing facilities.
- *Fair trade:* Having your CTC [Fairtrade](#) certified, is the proven way to show your business performance for social conditions in your supply chain. After certification by an independent third party, you are allowed to put the Fairtrade logo on your product. In general, prices for fair trade products consist of a minimum price plus a premium. Although large industry players like [Nestlé](#) have fair trade product lines, it is still considered a niche market.

- Implementing organic production and becoming certified can be expensive, especially for small holders. In the current market the return on investment may not be high. On the other hand it can increase yields and improve quality.
- Consult the [Standards Map database](#) for the different organic labels and standards.
- Check the Soil Association standard for [Food and drink](#) to get an idea of the requirements of organic production.
- There are a lot of different organic labels. The labels that fall under umbrella organisation International Federation of Organic Agriculture Movements (IFOAM) are more or less [harmonised](#).
- Companies trading fair trade products have to follow the [Trade Standard](#), be aware of certain exceptions for specific commodities. View information for [smallholders](#). Check the Fairtrade Standards for [small producer](#) and the [standard for hired labour](#) of CTC.
- Next to certification, transparency of the supply chain is an asset in the specialty segment. Communicate a traceable and clear, direct link between producer and consumer.

This document was compiled for CBI by CREM B.V.

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