



SPICES BOARD

(Ministry of Commerce & Industry Govt. of India)
Sugandha Bhavan
N.H.By-pass
P.B.No. 2277
Palarivattom P.O.
Kochi - 682 025, India

स्पाइसेस बोर्ड

(वाणिज्य एवं उद्योग मंत्रालय, भारत सरकार)
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Circular No:26/2021

15th February 2022

Sub: Mandatory Testing for Ethylene Oxide and Official Certificate for export of spices to the European Union (EU)- Advisory on Ready To Eat (RTE) products, Issuance of Test reports for counter samples of consignments shipped before 06th January 2022 & Clarification on applicability of ETO Official Certificate for UK-reg

Ref : 1. Spices Board Circular No.24/2021 dated 2nd February, 2022 & Circular No.25/2021 dated 9th February, 2022
2. EU Regulation No. 2021/ 2246

Attention is invited to Spices Board Circular No.24/2021 dated 2nd February 2022, informing the commencement of mandatory testing for Ethylene Oxide (ETO) and Official Certificate for export of spices to the European Union (EU), with effect from 7th February 2022.

In the case of products falling under (4 digit) HS Code / CN Code 2103 (including Ready to Eat Products), as per Circular 24/2021, Official certificate and mandatory testing for (ETO) was prescribed only for products, which contain spices falling under HS Codes / CN Codes from 0904 to 0910, in a quantity of more than 20%.

Meanwhile, the Board has been informed that some port health authorities in the EU Member States are insisting for Official Certificate for ETO, for all products which fall under chapter 2103 (including RTE products), that contain spices falling under (4 digit) HS Codes / CN Codes from 0904 to 0910, in any quantity (irrespective of the composition percentage).

An official confirmation from European Commission on the same is being obtained. Meanwhile, all exporters who intend to export products falling under chapter 2103 (including RTE products), are hereby advised to obtain the Official Certificate for export of the same, by following the procedures mentioned in Circular 24/2021.

Further, vide Circular No.25/2021 dated 9th February, 2022, the Board had communicated that the **transitional period up to 17th February 2022**, provided by EU for the consignments **shipped before 6th January 2022** is subject to the condition that such consignments are subject to 100% official controls, including sampling and laboratory analysis at Border Control Posts (BCP).

The exporters have informed that sampling and testing at EU BCPs incur significant cost and time and has requested the Board to issue test reports for ETO, in the case of consignments for which pre-shipment samples have already been drawn by the Board under mandatory sampling and testing program and counter samples are available with the Board. It has been communicated by the exporters that the authorities at some of the EU BCPs are open to consider accepting such ETO test reports issued by the Board, the official competent authority in India, in the case of consignments shipped **before 6th January 2022 and reaching EU within the transitional period up to 17th February 2022**. Hence, it has been decided to undertake testing of such counter samples by the Board, **on demand by the exporters**, for facilitating clearance at EU BCPs, and issue test report with clear remarks that results are based on the "Counter Sample" available with the Board. It may be noted that, in such cases the Board will be issuing only the ETO test report and NOT the Official Certificate (Health Certificate).

The exporters who wish to avail this facility may contact the Board's Sample Receipt Desk/ Regional Office concerned. **Further, it may be noted that the testing of counter samples and issuance of test reports by the Board is only an additional facility provided for facilitating speedy clearance and in NO case will guarantee clearance at the EU BCPs, of consignments shipped before 6th January 2022 and reaching EU within the transitional period up to 17th February 2022, without additional testing by the authorities concerned.**

Further, in the case of export to the United Kingdom (UK), as per the official information received by the Board, Official Certificate for ETO is currently not required for export of spices to UK. However, based on feedback from exporters about the considerable demand from UK buyers, it has been **decided to issue Official Certificate for ETO by the Board, for export of spices falling under (4 digit) HS Codes / CN Codes from 0904 to 0910 & 2103 to the UK, on demand by the exporters.**

This circular is issued under the provision of Spices Board Act 1986 & Spices Board (Registration of Exporters) Regulations, 1989.



Hindi version follows

Director (Marketing)

All Exporters of Spices and Spice Products / Exporters Associations

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