



Visualising a Greener HS – WCO symposia

Session:

**Expanding food horizons –
recognising agricultural diversity
for sustainable global food security**

*DG TAXUD
Unit B5 – Customs Tariff
Brussels, 5 October 2022*

Greener HS

- “Greening” the HS
 - fully corresponds with the “EU Green Deal” and DG TAXUD’s “Greening Customs” initiative
- Opportunity to present ideas on how to make the HS more “green” for agricultural and food commodities (HS Chapters 1 – 24)
- Taking into account basic principles for the classification of goods within the HS

Possible areas for amendments of the HS

- Organic food products



- Products from Aquaculture

- Plant-based animal product alternatives (PB-APAs)

- Cell-cultured food products



Organic food products



- Currently **NO** single definition
- According to Wikipedia:
 - **Organic food, ecological food or biological food** are food and drinks produced by methods complying with the standards of **organic farming**.
 - **Organic farming** features practices that cycle resources, promote ecological balance, and conserve biodiversity.
 - Organizations regulating organic products may restrict the use of certain pesticides and fertilizers in the farming methods used to produce such products. Organic foods typically are not processed using irradiation, industrial solvents, or synthetic food additives.
 - **Standards vary worldwide** - based in large part on the standards set by the [International Federation of Organic Agriculture Movements](#) (IFOAM)

Organic food products



- How to prove “**organic**” origin for the classification in the HS?

What is ORGANIC?
What is NONORGANIC?



Organic food products



- How to prove “**organic**” origin for the classification in the HS?
 - The products have been produced and processed **without the use of pesticides and chemical fertilizers and should not contain any contaminants** – according to a general definition
 - *However:*
 - **Definition of “organic” and allowed chemicals/substances may vary;**
 - **Customs laboratories might not be equipped to carry out trace-analysis of such compounds**
 - **It may involve higher budgetary requirements**
 - **Difficult to be controlled at the border – impact on trade facilitation**

Organic food products



- How to prove “**organic**” origin for the classification in the HS?

Option 1:

- Develop a definition of “**organic products**” for classification purposes based on **objective criteria, if possible** – close cooperation with the FAO, IFOAM and other international organizations
 - *Clear and easily checked objective criteria may not exist*

Option 2:

- **Develop a certification scheme** that would be acceptable **worldwide** – close cooperation with the FAO, IFOAM and other international organizations
 - *It may require involvement of authorities other than customs administrations;*
 - *It may require considerable amendments of the current HS structure at headings’ level*

Organic food products



- Conclusion
 - **Further consideration on the feasibility either of the Options is needed at international level**
 - WCO might take a leading role in liaising with other international organizations (e.g., FAO and IFOAM, etc.)
 - Provided a definition or certification scheme is developed, new headings and/or subheadings covering products of “organic” origin could be introduced
 - **Unlikely that an amendment could be introduced under 7th Review Cycle**
 - **Possibility to address this issue under the WCO Strategic Review of the HS initiative**



Products from Aquaculture

- **Aquaculture (aquafarming)** - controlled cultivation (“farming”) of aquatic organisms, such as fish, crustaceans, mollusks, algae and other aquatic plants, under controlled or semi-natural conditions (*source: Wikipedia*)
- Difference between products from aquaculture and other products:
 - **By genetic testing**
 - *However:*
 - **Customs laboratories are not equipped to carry out genetic tests**
 - **It may involve higher budgetary requirements**
 - **Difficult to be controlled at the border – impact on trade facilitation**

Products from Aquaculture

- How to prove “**aquaculture**” origin for the classification in the HS?

Option 1:

- Develop a definition of “**aquaculture products**” for classification purposes based on **objective criteria, if possible** – close cooperation with the FAO and other international organizations
 - *Clear and easily checked objective criteria may not exist – genetic testing might be problematic*

Option 2:

- **Develop a certification scheme** that would be acceptable **worldwide** – close cooperation with the FAO and other international organizations
 - *It may require involvement of authorities other than customs administrations;*
 - *It may require considerable amendments of the current HS structure at headings’ level*

Products from Aquaculture

- Conclusion
 - **Further consideration on the feasibility either of the Options is needed at international level**
 - WCO might take a leading role in liaising with other international organizations (e.g., FAO and IFOAM, etc.)
 - Provided a definition or certification scheme is developed, new headings and/or subheadings covering products of “aquaculture” origin could be introduced
 - **Unlikely that an amendment could be introduced under 7th Review Cycle**
 - **Possibility to address this issue under the WCO Strategic Review of the HS initiative**



Plant-based animal product alternatives

- Animal product alternatives (or **alternative proteins**) are meat, eggs, and dairy products not made from living animals.
- Plant-based animal product alternatives (PB-APAs) are more environmental sustainable compared to animal products across a range of outcomes including greenhouse gas emissions, water use, land use, and other outcomes.
- In terms of healthiness, PB-APAs present a number of benefits, including generally favourable nutritional profiles, aiding weight loss and muscle synthesis, and catering to specific health conditions.

Plant-based animal product alternatives

- *It might, however, be difficult to analytically prove that “plant-based” products do not contain any animal-source product*



Animal protein-replacement products

(Laboratory tests are available to differentiate between plant and animal proteins)

An amendment with respect to products based on plant protein



Plant-based animal product alternatives

Products based on plant protein Possible amendment to heading 21.06

21.06 - Food preparations not elsewhere specified or included.

2106.10 - Protein concentrates and textured protein substances

2106.20 - Products containing by weight in the dry matter [30] % or more of plant protein, but not containing animal protein or animal fats

2106.90 - Other

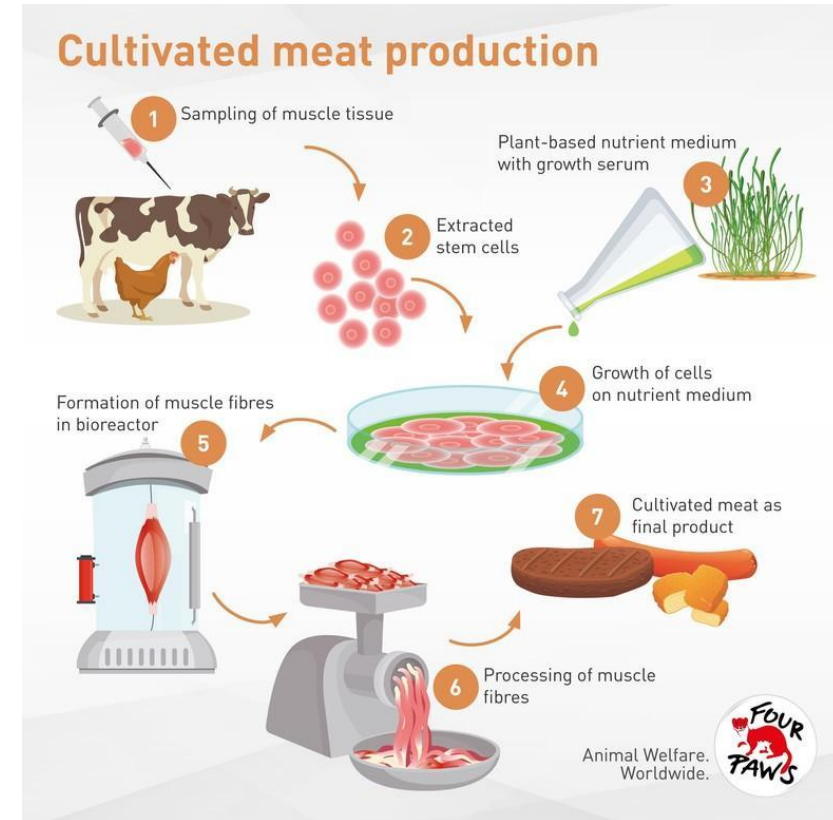


Cell-cultured food products

- **Cellular agriculture** focuses on the production of agricultural products from cell cultures using a combination of biotechnology, tissue engineering, molecular biology, and synthetic biology to create and design new methods of producing proteins, fats, and tissues that would otherwise come from traditional agriculture (source: Wikipedia)
- Mostly products such as meat, milk, and eggs
- Rapidly developing technology to produce “cell-based” products
- Such products could be introduced in the HS

Cell-cultured food products

- **Cell-cultured meat** – meat produced by in vitro cell cultures of animal cells
 - *healthy meat, slaughter-free meat, in vitro meat, vat-grown meat, lab-grown meat, cell-based meat, clean meat, cultivated meat and synthetic meat*
- May reduce the environmental impact of meat production
- **Amendments to the HS may need to be considered for cell-cultured meat and products thereof**



Cell-cultured food products

Cell-cultured meat and products thereof Possible amendment to the HS

- **Possible current classification:**
 - **Not under Chapter 2** – ‘this Chapter applies to meat in carcasses (i.e., the body of an animal with or without the head), half-carcasses (resulting from the lengthwise splitting of a carcass), quarters, pieces, etc., to meat offal, and to flours and meals of meat or meat offal, of all animals[...].’
 - **Under Chapter 21**
- **Possible amendment to Chapter 21**



Cell-cultured food products

Cell-cultured meat and products thereof Possible amendments to the HS

21.06 - Food preparations not elsewhere specified or included.

2106.10 - Protein concentrates and textured protein substances

2106.20 - Products containing by weight in the dry matter [30] % or more of plant protein, but not containing animal protein or animal fats

2106.30 - Cell-cultured meat and food preparations thereof

2106.90 - Other

Cell-cultured food products

Cell-cultured meat and products thereof Possible amendments to the HS

- **Definition (Chapter 21 – new Chapter Note):**

“Throughout the nomenclature, the expression ‘cell-cultured meat’ means meat produced by *in vitro* cell cultures of animal cells [(the process by which cells are grown under controlled conditions, generally outside their natural environment)].”

- **Exclusion Notes:**

- **New Note 1 (e) to Chapter 2** – “cell-cultured meat and food preparations thereof (heading 21.06)”;

- **New Note to Chapter 16** – “This Chapter does not cover cell-cultured meat and food preparations thereof (heading 21.06).”



Thank you for your attention



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