

USDA Foreign Agricultural Service

GAIN Report

Global Agricultural Information Network

THIS REPORT CONTAINS ASSESSMENTS OF COMMODITY AND TRADE ISSUES MADE BY
USDA STAFF AND NOT NECESSARILY STATEMENTS OF OFFICIAL U.S. GOVERNMENT
POLICY

Required Report - public distribution

Date: 12/15/2016

GAIN Report Number: RO1625

Romania

Food and Agricultural Import Regulations and Standards - Narrative

FAIRS Country Report

Approved By:

Russ Nicely

Prepared By:

Monica Dobrescu

Report Highlights:

This report provides updated information on the agriculture and food legislation in Romania. In 2016 new rules in regards to meat and milk labelling, frozen foods, packaging waste management and food waste reduction were adopted. The report should be read in conjunction with the comprehensive FAS USEU European Food & Agricultural Import Regulations (FAIRS) Report.

SECTION I. GENERAL FOOD LAWS:	3
SECTION II. FOOD ADDITIVES REGULATIONS:	4
SECTION III. PESTICIDES AND OTHER CONTAMINANTS:	4
SECTION IV. PACKAGING AND CONTAINER REQUIREMENTS:	4
a. Packaging Waste Management	4
b. Food Waste reduction	5
SECTION V. LABELING REQUIREMENTS:	5
a. COOL Labeling for meat and milk	6
b. Nutritional labeling	6
c. Biotechnology Labeling	6
d. Organic Labeling	7
SECTION VI. OTHER SPECIFIC STANDARDS:	7
a. Food Supplements	7
b. Alcoholic Beverages from fruits	7
c. Organic Food	8
d. Infant and follow-on formulas	8
e. Frozen food	8
SECTION VII. OTHER CERTIFICATION AND TESTING REQUIREMENTS	8
SECTION VIII. IMPORT PROCEDURES	9
APPENDIX I. GOVERNMENT REGULATORY AGENCY CONTACTS:	10

Section I. General Food Laws:

Romania's food laws and regulations have been harmonized with the European Union (EU) legislation. Romania, as a member of the European Union, follows the EU regulations therefore this report is recommended to be read in conjunction with the Food and Agricultural Import Regulations and Standards (FAIRS) report (<http://gain.fas.usda.gov/Pages/Default.aspx>) produced by the U.S. Mission to the EU in Brussels, Belgium.

Several Romanian governmental entities share the responsibilities related to food and agricultural products, produced locally or imported, as outlined below:

Ministry of Agriculture and Rural Development - responsible for drafting and implementing the national agricultural policy. The Ministry of Agriculture ensures the implementation of the EU regulations in the field of agriculture, food-industry, land reclamation, and agricultural research.

Ministry of Environment, Water and Forests - the main body conducting environmental risk assessment (including for genetically engineered products) and monitoring activities that might have adverse effects on human health and the environment.

National Sanitary Veterinary and Food Safety Authority - the main body in charge with sanitary veterinary and food safety activities in Romania. Animal health and safety of foodstuffs of animal and non-animal origin, either produced locally or imported, are the responsibilities of this authority. The National Sanitary Veterinary and Food Safety Authority publishes every year the program for surveillance, prevention and control for animal disease transmittal and the program for surveillance and control on food safety.

Ministry of Health - responsible for overseeing the production and registration of drugs, food additives, and medical equipment. It is also responsible for public health as it relates to contaminants and food supplements.

National Authority for Consumers Protection - the Government agency established with the aim of protecting the consumers' rights and interests. The authority applies the legislation related to consumer protection, including food products.

The major pieces of legislation which govern the production and import of food and agricultural products are listed below:

- Government Decision 106/2002 concerning food labeling with subsequent amendments;
- Government Ordinance 34/2000 concerning organic food along with Order 1253/2013 issued by Ministry of Agriculture regarding the registration of producers, processors, and importers of organic products (with the subsequent amendments);
- Emergency Ordinance 43/2007 transposing [Directive 2001/18](#) regarding the deliberate release

- into the environment of genetically-modified organisms;
- Emergency Ordinance 44/2007 transposing [Directive 90/219](#) referring to contained use of genetically-modified micro-organisms;
 - Order 438/2002 issued by the Ministry of Health defining and listing additives permitted for use in foodstuffs, with subsequent amendments;
 - Annual Order issued by the National Sanitary Veterinary and Food Safety Authority setting the technical regulation for monitoring and surveillance in livestock, animal and non-animal origin products;
 - Government Decision 935/2011 on the promotion of the use of biofuels amended by Government decision 928/2012 and Government Decision 1121/2013 approving new biofuel mandates concerning the market conditions for introducing biofuels on the market;
 - Law 321/1999 concerning food products trading;
 - Government Decision 563/2007 on the protective measures against the introduction into Romania of organisms harmful to plants or plant products from other member states or third countries and against their spread amended in 2015.

Section II. Food Additives Regulations:

Romania follows the EU specific legislation on the additives permitted for use in foodstuffs. Order 438/2002 regarding the food additives to be used in foodstuff for human consumption has been amended several times since its initial publication in order to reflect EU legal amendments. An updated list of permitted additives, flavorings, processing aids, enzymes provided by EU regulations may be read [here](#). The above-mentioned website describes the EU legislation which applies to EU member states.

Section III. Pesticides and Other Contaminants:

The Maximum Residues Levels (MRLs) in the EU have been harmonized by [EU Regulation 396/2005](#) on food or feed of plant and animal origin. Pesticide MRLs for processed or composite products are based on the MRLs of the raw agricultural ingredients. Romania follows the provisions of the [EU Regulation no. 396/2005](#) on maximum residue levels of pesticides in or on food and feed of plant and animal origin with its subsequent amendments. For latest updates the U.S. exporters are advised to check the European Commission's website at http://ec.europa.eu/food/plant/pesticides/index_en.htm.

Section IV. Packaging and Container Requirements:

a. Packaging Waste Management

Member States are required to take measures to reduce packaging waste. In Romania legislation

concerning packaging waste management has been in place since 2005, when the EU regulations in this field were transposed through Government Decision 621/2005. According to these provisions, any business operator placing on the market packaged products has to recover part of the packaging materials for recycling. The law provisions apply naturally to food operators, producers, importers and traders, industries dealing with packaged products, such as the canning industry, dairy industry, soft drinks industry, mineral water, wine, etc. regardless the origin of the products, domestic or foreign.

b. Food Waste reduction

On food waste reduction Romania approved law 217/2016 which introduces the obligation for companies to donate or sell at reduced prices the food products that are close to expiry. Companies in the food sector need to take measures to prevent food waste, starting from the production, processing, storing, distribution, and sale of products. These business operators may transfer the food products, either by donating or selling at reduced prices. The law will be implemented six months after publication, a timeframe during which Ministry of Agriculture will draft the enforcement rules to be approved by the Romanian Government.

Section V. Labeling Requirements:

The principal law on food labeling remains Government (GOR) Decision 106/2002 which outlines the methodology and requirements for food labeling, accompanied by its Enforcement Rules. Decision 106/2002 was amended several times since its publication, as Romania has gone through the process of transposing EU Directives.

As a general rule, the information on the labels cannot mislead consumers regarding the characteristics of the food product, especially regarding its nature, identity, features, composition, amount, durability or its origin, as well as the manufacturing or production methods.

The labels must contain the following compulsory specifications in Romanian language:

- the name of the product;
- the ingredient list (for processed products only). These ingredients must correspond to the ones specified in the technical description of the product. The vitamins and minerals must be also mentioned in the list if added in the product;
- the net content (weight/capacity) for prepackaged products;
- the expiration date (best before);
- the required storage conditions (temperature, humidity, etc.), when applicable;
- usage instructions, in case the absence might result in improper usage;
- place of origin or provenance if its absence would mislead consumers;
- information meant to help the lot identification, which has to correspond with the number written in the export documents, with few exceptions;
- the name and address of the producer/packager/ distributor registered in European Union; in case of food products imported from third countries, the name and address of importer/distributor registered

in Romania;

- date of manufacturing.

In addition, the provisions of the [Regulation 1169/2011](#), also called “Food Information to Consumers”, are applicable in Romania. The regulation entered into force on December 13, 2014, with the exception of the nutrition declaration which will be applied starting with December 13, 2016.

In general the Romanian language labels are applied in Romania, but exporters and importers may agree on having the labels attached to the products at the origin before shipment.

In order to avoid any delays in placing the food products on the Romanian market, U.S. exporters are advised to check in advance about any additional requirements regarding labeling of the goods they intend to export.

a. COOL Labeling for meat and milk

In 2016 specific rules on COOL labelling for meat and milk were adopted. According to the provisions of law 150/2016 concerning food products trade the meat label should contain the following information: origin country of the animal, country where the animal was born in, raised, slaughtered, the health stamp/identification and name of the commercial operator, country of the cutting plant. In the case of meat products, the label must indicate the percentage of meat originating from Romania.

A similar Country of Origin Labelling (COOL) law was approved on dairy products in May 2016. According to the Law 88/2016 on supplementary mandatory measures for labelling fresh milk and dairy products, the following information must be included on the label: name of the food product, the list of ingredients, weight of the product, expiration date, special storage conditions, country of origin and the place of provenance for the milk utilized as raw material, name of the packer and stamp, name and address of the dairy processor, nutritional declaration, fat content expressed in percentage, type of heat treatment utilized (pasteurized, sterilized, ultra-pasteurized). Furthermore, the law specifies the conditions under which one operator is allowed to use the expression “Romanian Product” as being only in case they use 100 percent raw milk originating from Romanian farms. In addition, dairy products should include on the label the warning “*It contains milk powder in proportion ofpercentage*”.

The COOL rules have not been enforced yet and it is not clear what the date of implementation is since these rules have to be notified first at the EU level.

b. Nutritional labeling

The [EU regulation 1169/2011](#) (Food Information to Consumers) brings new rules also on nutritional labeling. Please read the updated information on nutritional labeling on the USEU [website](#).

c. Biotechnology Labeling

In this area the legislation has not been amended. Agricultural Ministry Order No. 61/2012 transposing [Regulation \(EC\) No 1830/2003](#), which provides labeling requirements of food stuff derived from

genetically engineered (GE) products or containing ingredients which have been genetically engineered, remains valid. Animal feed, if produced from GE crops, is required to be labeled, according to Government Decision 256/2006, which has not been altered.

d. Organic Labeling

Ordinance 34/2000 provides information on the organic product label specifications. No changes were made in 2016. The label attached to organic products should include information regarding the name and the address of the producer/processor, the name of the product and the ecological production method, the name and the mark of the inspecting and certifying institution, the storage conditions, the minimum term of validity, the interdiction to store the ecological products along with conventional products.

Section VI. Other Specific Standards:

a. Food Supplements

In Romania food supplements are regulated by Order 1228/2005 approved by the Ministry of Agriculture and Ministry of Health, which was amended by Order 972/2007. Two entities regulate food supplements: Ministry of Health and Ministry of Agriculture. Their responsibilities are separated based on the composition of the food supplements.

In case of food supplements containing permitted vitamins and minerals only, the provisions of [Directive 46/2002](#) and [Regulation 1170/2009](#), transposed through Order 1069/2007 are applicable. According to the above rules, the business operators must submit a notification dossier to the Ministry of Health, both electronically and by mail, along with the product label. The notification procedure is not fee-based. Information regarding the set of documents and notification procedure is available on the [Ministry of Health](#) website.

In case of food supplements containing permitted vitamins and minerals mixed with other substances, a notification dossier has to be submitted to either the Institute for Food Bio-resources, part of the Ministry of Agriculture, or the National Institute of Public Health, part of the Ministry of Health. The content of the notification dossiers for imported food supplements may be viewed in the [GAIN report RO1520](#).

b. Alcoholic Beverages from fruits

Order 1219/2015 establishes rules on production, labelling and marketing of alcoholic fermented beverages, other than beer and wine. It also sets the process used for flavoring and sweetening of the beverages and the name under which such beverages may be marketed - “fermented alcoholic beverages”. When a single fruit was used for fermentation, the label may indicate “fermented alcoholic beverage from” followed by the name of the fruit and fruits, in case more than one fruit was used in

fermentation.

The order sets clear provisions regarding the names that should not appear on the label or to be used in advertising or display of the products. Storage location should be separated from the ones where wines or distilled spirits are produced, stored or packaged, unless facilities are used during different timeframes.

c. Organic Food

In 2013 the Ministry of Agriculture issued Order 1253 instructing organic products traders to inform the Agricultural Office at county level quarterly or whenever requested to do so, regarding the status of their import/export situation by product, quantity, origin country. The order was amended few times since its publication bringing additional clarification concerning organic operators' registration. The order set a 5-year prohibition new registration requests, in case an inspection and certification body cancelled its previous certification as a result of a major fraud.

d. Infant and follow-on formulas

In accordance to the provisions of law 207/2016 it is prohibited that producers or distributors conduct any advertising at any step along the supply chain for a comprehensive list of products targeting infants up to two years old. The list of products includes: infant formula and follow-on formula (for babies up to 2 years), any liquid food or solid food for babies up to six month old. No special offers, lottery, prizes or discounts, sample distributions. The law will be enforced starting with May 2017.

e. Frozen food

In 2016 the Consumer Protection Authority published Order 183/2016 concerning the information that has to be provided to consumers by the suppliers of certain foods obtained from frozen foods. The list of products to which this order applies is the following: bread, baked goods and other pastry goods obtained from frozen products. The order applies also to hotels, restaurants and institutions which use frozen goods in order to prepare the meals. "Frozen food products" concept applies to the following categories: bread and baked goods, pastry products, meat/products of animal origin, vegetables, fruits.

All suppliers of products listed above as well as the foodservice companies have to mandatorily inform consumers by placing the information in a visible way, readable, easy to understand on the package label or in the restaurant menu the wording "*defrosted product or from defrosted product*".

Section VII. Other Certification and Testing Requirements

No changes occurred in regard to the requirements for seeds and seedling material or in regard to products derived from Biotechnology. The information provided in the previous [GAIN report RO1520](#) remains valid.

Section VIII. Import Procedures

As a member of the EU-28, Romania applies the same regime for importing animal and non-animal products originating from third countries as does the European Union. Depending on the type of agricultural or food product subject to import, specific authorities have responsibilities for clearing the shipments, namely National Sanitary Veterinary and Food Safety Authority, Ministry of Agriculture and Ministry of Finance through its Customs Directorate.

Each border inspection point is authorized to perform a certain set of checks depending on the type of commodity, thus U.S. exporters should verify prior to shipping if the border point they intend to use for commodities entrance in Romania is authorized by the competent authority to perform checks on the respective category of products (frozen, live etc.). The same border point should be indicated on the documents accompanying the goods. List of designated points for inspection of imported products may be found on the [Customs Division](#) website.

Order 206/2006 issued by the National Sanitary Veterinary and Food Safety Authority set up the principles which regulate the veterinary controls on animal products entering the European Union from third countries. The order was amended in 2014 by the same authority through Order 166/2014, with the purpose to transpose provisions from various EU directives. The import procedure and type on control for each category of products (beef, poultry, seafood, dairy products, egg products etc.) are described on the website of the National Sanitary Veterinary and Food Safety Authority, at Border Control Procedures (<http://www.ansvsa.ro/?pag=434>; this page is available in the Romanian language only).

The Order 145/2007 issued by the Ministry of Agriculture and Rural Development regulates the import conditions for products of non-animal origin. As in the case of imported animal-origin products, detailed procedures are available on the website of the National Veterinary Authority.

The protective measures against the introduction into the European Union of organisms harmful to plants or plant products and against their spread within the EU are provided by the Government Decision 563/2007, which transposed the [EU Directive 29/2000](#). The above decision established the protective measures against the introduction into Romania of organisms harmful to plants or plant products from other member states or third countries and against their spread as well as the phytosanitary -veterinary certificates models. After being amended several times in 2014 Decision 563/2007 was enriched again with provisions regarding the introduction and placing in Romanian or protected territories from Romania of certain organisms harmful to plants or plant products for experimental or scientific purposes.

Considering the complexity of this legal area, given by the multitude of restrictions imposed to different geographical areas, U.S. exporters are advised to verify in advance the import requirements for the goods intended to be exported to Romania. U.S. exporters may either contact FAS Bucharest office or directly the Government Authority responsible for the products they intend to place on the Romanian market (contact addresses below).

In regards to Customs duties level, Romania applies the Customs regime adopted at EU level through [EU Regulation 952/2013](#) of the EU Parliament. Import duties are determined by the tariff classification of goods and by the customs value. As all the EU Member States apply the same tariff on goods, if one product was cleared in one Member State, it may move freely to another EU member state.

Appendix I. Government Regulatory Agency Contacts:

Ministry of Agriculture and Rural Development

24, Bd. Carol I, sector 2

020921 Bucharest, Romania

Phone: (+40) 21 307 2446/8682/8553

Fax: (+40) 21 307 8554

E-mail: comunicare@madr.ro

Website: <http://www.madr.ro>

Agency for Payments and Intervention in Agriculture – in case of imports of products subject of tariff quotas (for instance beef)

17, Bd. Carol I, sector 3

Bucharest, Romania

Phone: (+40) 21 305 4801

Fax: (+40) 21 305 4900

E-mail: secretariat@apia.org.ro

Website: <http://www.apia.org.ro>

Ministry of Health

1-3, Cristian Popisteanu Str., sector 1, 010024

Bucharest, Romania

Phone: (+40) 21 307 2500/2600

Fax: (+40) 21 307 2671

Website: <http://www.ms.gov.ro>

National Sanitary-Veterinary and for Food Safety Authority

P-ta Presei Libere nr. 1 Corp D1 Sector 1

013701 Bucharest, Romania

Phone: (+40) 37 415 0200

Fax: (+40) 21 312 4967

E-mail: office@ansvsa.ro

Website: <http://www.ansvsa.ro>

Ministry of Environment, Water and Forestry

12 Libertatii Blvd., Sector 5

Bucharest, Romania

Phone: (+40) 21 4089605

E-mail: mmediu@mmediu.ro

Website: <http://www.mmediu.ro>

National Agency for Environment Protection

294 Splaiul Independentei, Sector 6, București, 060031

Phone: (+40) 21 207 1101/1102

Fax: (+40) 21 207 1103

E-mail: office@anpm.ro

Website: <http://www.anpm.ro/>

National Authority for Consumers Protection

72 Aviatorilor Blvd., Sector 1

011865, Bucharest, Romania

Phone: (+40) 307 6784

Fax: (+40) 21 314 3462

E-mail: office@anpc.ro

Website: <http://www.anpc.ro>

National Customs Authority

34-40 Alexandru Ivasiuc St. Bl. 5

Sector 6 Bucharest

Phone: (+40) 21 315 5858/5859

Fax: (+40) 21 313 8251

E-mail: relatiipublice@customs.ro

Website: <http://www.customs.ro>

Institute of Food Bioresources

6 Dinu Vintila St., Sector 2, Bucharest

Phone: (+40) 21 210 9128

Fax: (+40) 21 211 3639

Website: <http://www.bioresurse.ro>

Central Laboratory for Seeds Quality

10 Aleea Constantin Sandu Aldea St.

Sector 1 Bucharest

Phone: (+40) 21 2240264

Fax: (+40) 21 2240291

E-mail: lccsms@b.astral.ro

Website: <http://www.lccsms.bvl.ro>

For further information on this report, please contact the following office in Bucharest:

Foreign Agricultural Service (FAS)

American Embassy Bucharest

4-6 Liviu Librescu Street Sector 1

Bucharest, Romania

Phone: (+40) 21 200 3374

Fax: (+40) 21 200 3442

E-mail: AgBucharest@fas.usda.gov