

USDA Foreign Agricultural Service

GAIN Report

Global Agricultural Information Network

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Finland

Food and Agricultural Import Regulations and Standards - Narrative

FAIRS Country Report

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Report Highlights:

This report gives an overview of food laws currently in force in Finland. For information on the general EU level, please refer to the USEU Food and Agricultural Import Regulations and Standards Report please refer to the USEU Food and Agricultural Import Regulations and Standards Report available at www.useu.be/agri/usda.html as well as at www.fas.usda.gov/scriptsw/attacherep/default.asp. No sections are updated.

Section I. Food Laws:

The Ministry of Agriculture and Forestry in Finland (www.mmm.fi/en) is responsible for the preparation of legislation

concerning food and agriculture and is also responsible for the monitoring of its implementation. The Ministry of Agriculture and Forestry has thirteen agencies and institutes within its administrative sector. The most important one concerning enforcement practices and import policies for agricultural products is the Finnish Food Safety Authority EVIRA (www.evira.fi/portal/en/). The Food Safety Authority implements control duties and steers control, carries out research and risk assessment, provides communication services and engages in international cooperation, in order to ensure the quality and safety of food products as well as of the production input of agriculture and forestry, the health and well being of animals, and plant health.

Finland is a member of the European Union (EU) and Finnish food legislation is, to a large extent, harmonized with the EU's food legislation. It is, however, important to note that there can be some exceptions. For example, Finland is allowed (in addition to Sweden) to apply stricter salmonella controls than the other EU member countries. Finland is granted additional salmonella guarantees covering trade in fresh meat from bovine and porcine animals, fresh poultry meat, table eggs and minced meat.

This report provides an overview of Finnish food legislation where it differs from EU legislation. For information on EU legislation, please refer to the USEU FAIRS Report available at www.useu.be/agri/usda.html as well as at www.fas.usda.gov/scriptsw/attacherep/default.asp.

Section II. Labeling Requirements:

Please refer to the USEU FAIRS Report. Information on labeling requirements specific for Finland is given below.

Language Requirements on Labels

Languages required in labeling information are Finnish and Swedish. Instead of Swedish, the Norwegian or Danish language may be used. The country and place of origin can be informed in another general language, such as English.

Warning Labels on Alcoholic Beverages

The Finnish government has decided to amend its Alcohol Act establishing a general health warning and an additional warning on the dangers of alcohol to fetuses on the packages of alcoholic beverages. The new requirement went into force on January 1, 2009. The warning is proposed to read: "WARNING: Alcohol causes risk to the development of fetus and your Health." The word "WARNING" must be written with minimum 3 mm capital letters. The warning is not to be placed in the bottom of the package or the cork/tab. The warning labels must be published in both Finnish and Swedish.

Section III. Packaging and Container Regulations:

Please refer to the USEU FAIRS Report.

Section IV. Food Additives Regulations:

Please refer to the USEU FAIRS Report.

Section V. Pesticides and Other Contaminants:

Please refer to the USEU FAIRS Report. Information on pesticide regulations specific for Finland is given below.

Finnish Maximum Residue Levels for Dioxins in Fish

Finland applies EU maximum residue levels with regard to dioxin. Due to the relatively high dioxin levels in fish from the Baltic Sea, however, Finland (and Sweden) has received a derogation allowing fish with dioxin levels exceeding the EU thresholds to be sold in Finland under the condition that they are not exported to other EU countries. This exception will remain until 2011.

Section VI. Other Regulations and Requirements:

A. Product Inspection and Registration Requirement

Please refer to the USEU FAIRS Report.

B. Certification and Documentation Requirements

Please refer to the USEU FAIRS Report. Information on certification and document requirements specific for Finland is given below.

Finnish Salmonella Control Program

Fresh meat (included frozen), ground meat and meat preparations imported into Finland are subject to salmonella control at the border inspection post, unless the consignment is accompanied by a certificate from a recognized responsible authority that it has been tested according to Commission decision 95/409/EC and 95/411/EC with negative results. If the consignment tests positive for salmonella, the Finnish Food Safety Authority is entitled to take appropriate action.

Section VII. Other Specific Standards:

A. Genetically Modified Foods (GMOs)

Please refer to the USEU FAIRS Report.

B. Novel Foods

Please refer to the USEU FAIRS Report.

C. Dietetic or Special Use Food

Please refer to the USEU FAIRS Report.

D. Wine, Beer and Other Alcoholic Beverages

Please refer to the USEU FAIRS Report. Information specific for Finland is given below.

Finnish Alcohol Monopoly

Retail sales of wine and liquor in Finland are restricted to a government agency, Alko. The National Product Control Agency (STTV) steers the implementation of the Alcohol Act (1143/1994), at the regional and local level. STTV also supervises the State Alcohol Monopoly in Finland and ensures that it treats the producers of alcoholic beverages equally.

According to the Alcohol Act, importers of beer and other alcoholic beverages do not need import permission, but must have a license from the STTV (www.sttv.fi) to sell alcohol. Imports of wine products from non-EU countries require import certificates. Import certificates can be applied for with AGRIM form 561023. Applications shall be sent to the Intervention Unit of the Ministry of Agriculture and Forestry (www.mmm.fi) Application of import certificate requires also the payment of securities. The application of import certificate and the payment of securities are the responsibilities of the importer – not the US exporter. The importer delivers the certificate to Finnish customs with other documents required in customs declaration.

E. Organic Foods

Please refer to the USEU FAIRS Report.

F. Vertical Legislation (Breakfast Directives)

Please refer to the USEU FAIRS Report.

G. Animal Products

Please refer to the USEU FAIRS Report.

H. Frozen Foodstuffs

Please refer to the USEU FAIRS Report.

I. Ionizing Radiation

Please refer to the USEU FAIRS Report.

J. Fruits and Vegetables

Please refer to the USEU FAIRS Report.

K. Seafood

Please refer to the USEU FAIRS Report.

Section VIII. Copyright and/or Trademark Laws: Copyright Laws

In Finland, copyright is governed by national legislation, EU directives and international conventions. Copyright issues come under the Ministry of Education The Finnish Copyright Act (404/1961), which was amended in 2005 and 2006 in order to implement the Copyright Directive of EU, and which basically protects works of Finnish origin.

Works of foreign origin are protected under international treaties. International copyright treaties signed by Finland have been implemented nationally by separate Acts and Decrees.

More information about the copyright laws can be found on the website of the Ministry of Education www.minedu.fi/OPM/Tekijaenoikeus/?lang=en

Trademark Laws

Industrial property rights, such as patents and trade marks, come under the Ministry of Trade and Industry. The National Board of Patents and Registration (www.prh.fi/en.html) provides information and advice regarding questions about industrial property rights.

Legislation

Finnish trademark legislation is regulated in the Trademarks Act, Trademarks Decree and Act on Collective Marks. The unofficial English translations can be found on the website www.prh.fi/en/tavaramerkit/lainsaadanto.html

A trademark or a brand mark can be registered at the National Board of Patents and Registration (NBPR). Registration gives the exclusive right to use the mark as a symbol for goods or services in Finland. An exclusive right means that only the registration holders may use the trademark in their business and may also, when necessary, prohibit others from using their mark or some other mark liable to be confused with it.

The trademark can, for example, be a word or a figure or a combination of these. It can also be a slogan, a combination of letters, a sound or some other mark that can be represented graphically. The purpose of a trademark is to distinguish the products of one trader from those of another trader on the market.

Registration

In order to register a trademark, the applicant has to file an application in writing to the National Board of Patents and Registration (NBPR). A separate application has to be filed in respect of each mark and the applicant or his

representative signs the application. A foreign applicant not residing in Finland has to appoint a representative resident in Finland to represent him in all matters concerning the trademark. If the applicant has appointed a representative, the application must contain the representative's name, domicile, and address. The application can be made on a form available at NBPR's website: www.prh.fi/en/tavaramerkki/lomakkeet.html. It is not, however, obligatory to use this form.

A trademark cannot be altered after filing the application. Only minor changes that do not alter the overall impression of the trademark are allowed. The application is considered filed when the application fee has been paid. A copy of the receipt has to be attached to the application.

The protection of a registered trademark begins on the date when the application is filed. The registration is in force ten years from the date of registration, and can be renewed for a further ten years to begin after the previous term of registration has expired. If the applicant does not wish to alter any of the particulars entered into the Register, the renewal can simply be made by paying the renewal fee into the Trademarks Unit's bank account. The renewal application has to be made in writing when the applicant wishes to make changes to his register entries.

Limitations on Trademarks

According to the Trademarks Act, a trademark has to be distinctive in order to be registered. The distinctive character is an absolute condition for registration. A mark is not distinctive if it denotes, either alone or with only a few alterations or additions, the kind, quality, use, price, origin, or time of manufacture of the goods or services. The distinctive character is examined in Finnish, Swedish, English, and in some other languages. Some words cannot be registered because no exclusive rights can be granted to them owing to the freedom of advertising.

More information about the trademark issues can be found from the website of National Board of Patents and Registration of Finland www.prh.fi/en/tavaramerkki.html

Protected Geographical Indications

Please refer to the USEU FAIRS Report.

Section IX. Import Procedures:

Please refer to the USEU FAIRS Report.

The website of the Finnish Customs in English is www.tulli.fi/en/index.jsp?language=en

Appendix I. Government Regulatory Agency Contacts:

Ministry of Agriculture and Forestry

PO Box 30,
FI-00023 GOVERNMENT
FINLAND
Tel: +358-9-16001
Website: www.mmm.fi

Legislation concerning food and agriculture and monitoring of its implementation

Finnish Food Safety Authority EVIRA

Mustialankatu 3
FI-00790 HELSINKI
FINLAND
Tel: +358 20 77 2003 (exchange)
E-mail: info@evira.fi
Website: www.evira.fi

Implementation and control of regulations concerning the quality and safety of food products, agriculture and forestry, animals and plants health

National Board of Patents and Registration of Finland

P.O.Box 1170,
FI-00101 HELSINKI

Agency operates under Ministry of Agriculture and Forestry
Trademarks

FINLAND

Tel: +358 9 6939 5855

E-mail: registry@prh.fi

Website: www.prh.fi

Ministry of Education

P.O. Box 29

FI - 00023 GOVERNMENT

FINLAND

Tel: +358 9160 04 or +358 9 578 14

E-mail: opmkirjaamo@minedu.fi

Website: www.minedu.fi

National Board of Customs

P.O. Box 512

FI-00530 HELSINKI

FINLAND

Tel. +358 9 6141

E-mail: kirmo@tulli.fi (to the registry)

Website: www.tulli.fi

Finnish Customs Laboratory

P.O. Box 53

02151 Espoo

Tel. +358 9 6141

**National Product Control Agency for
Welfare and Health**

P.O. BOX 210

FI-00531 HELSINKI

FINLAND

Tel. +358 9 3967 270

e-mail: sttv@sttv.fi

Website: www.sttv.fi

Copyright matters

Alcoholic products, tobacco and
chemicals

Agency operates under the Ministry of
Social Affairs and Health.

Appendix II. Other Import Specialist Contacts:

U.S. Embassy

Foreign Agricultural Service

Dag Hammarskjölds Väg 31

115 89 Stockholm

Tel: + 46 8 783 5470/5392

Fax: +46 8 662 8495

Email: AgStockholm@fas.usda.gov

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