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**Report Highlights:**

Germany is a member of the European Union (EU) and generally follows EU directives and regulations, including those relating to the importation of food products. This report provides an overview of food laws in force in Germany that cover areas, which are not yet harmonized. Food laws currently in force in the EU are summarized in the USEU FAIRS report.

Last updated December 2021

**Disclaimer:**

**This report was prepared by the USDA/Foreign Agricultural Service in Berlin, Germany, for U.S. exporters of domestic food and agricultural products. While every possible care was taken in the preparation of this report, information provided may not be completely accurate either because policies have changed since its preparation, or because clear and consistent information about these policies was not available. It is highly recommended that U.S. exporters verify the full set of import requirements with their foreign customers, who are normally best equipped to research such matters with local authorities, before any goods are shipped.**

**FINAL IMPORT APPROVAL OF ANY PRODUCT IS SUBJECT TO THE IMPORTING COUNTRY'S RULES AND REGULATIONS AS INTERPRETED BY BORDER OFFICIALS AT THE TIME OF PRODUCT ENTRY.**

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## Executive Summary

Germany as a member of the European Union (EU) follows all EU directives, regulations, and obligations. EU Regulations are explained in the Food and Agricultural Import Regulations and Standards (FAIRS) report produced by the U.S. Mission to the EU in Brussels, Belgium, and referenced throughout this report as [USEU FAIRS Report](#). The USEU FAIRS Report and other USDA reports are available in the FAS GAIN report database at <https://gain.fas.usda.gov>

This report focuses on food laws in force in Germany that cover areas which are not yet EU-harmonized. In addition, it provides the German terms for labeling information required by EU laws and contact information for regulatory agencies and technical contacts in Germany.

Additional regulation for Germany exists for:

- Voluntary nutrition declaration (traffic light system/Nutri-Score),
- Packaging waste recycling,
- Maximum levels for certain contaminant/product combinations not yet harmonized in the EU.

Germany has also notified the EU and the WTO about proposed national legislation to prevent the migration of mineral oil aromatic hydrocarbons (MOAH) from certain packaging materials into the packaged food.

Germany is the largest economy in the European Union. Its top trading partners are other EU member states. This also pertains to the agricultural sector, with roughly 80% of German imports and 70% of German exports being traded with other EU countries. Germany is a net-importer of agricultural and related products despite also being a major producer. This is in part due to its structural deficit in animal protein feed and in part because of large imports of bananas, citrus, and tropical fruits that cannot be grown in Germany.

In 2020, the most important suppliers to Germany outside the EU were the United States, followed by China, Brazil, and Switzerland. The top ten imported product categories included dairy products, forest products, fresh fruits, seafood, fresh vegetables, bakery goods, chocolate and cocoa products, tree nuts, processed vegetables, and wine.

U.S. agricultural exports to Germany amounted to \$2.45 billion<sup>1</sup> in 2020. Tree nuts, soybeans, and seafood products were the largest commodities representing 34, 21, and 9 percent of total U.S. agricultural trade, respectively.

## Section I. General Food Laws

In Germany, the Food, Commodities, and Feed Code (*Lebensmittel-, Bedarfsgegenstaende- und Futtermittelgesetzbuch or LFGB<sup>2</sup>*) contains most German food and feed laws. These laws are based on, and generally fully harmonized with, EU regulations and directives. The LFGB states the goals of the German food law and provides definitions, procedural rules, and product-specific rules. It defines general food safety and health protection rules; addresses labeling requirements; and regulates

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<sup>1</sup> Source: Trade Data Monitor, LLC, accessed in December 2021

<sup>2</sup> <http://www.gesetze-im-internet.de/lfgb/LFGB.pdf> (German language only)

inspection, detention, and seizure rules for suspect food. These rules apply to both domestic and imported food products.

Liability for the legal and proper marketing of any imported products into Germany lies solely with the product's German importer. German law enforcement agencies hold the importer responsible for any violations of the LFGB because they cannot take action against foreign producers, including those in other EU countries.

The authority for enforcement rests with the 16 federal states (German *Länder*). This implies that a minor infraction to the LFGB may be tolerated in one state but not in another. However, major violations are prosecuted in all federal states. Domestic and foreign goods are checked through random sampling by government laboratories at the point of sale, at any other point in the trade chain, or at the processing location. German government laboratories, in addition to looking for prohibited ingredients and improper labeling, evaluate products generally, assessing the credibility of the company's trade practices and whether the product, as presented, will fulfill consumer expectations. An administrative food safety rule requires German authorities to take five samples per thousand inhabitants annually, translating into roughly 400,000 samples in total. If a product is determined to pose a risk to public health in violation of the LFGB (regardless of whether the product is domestic or foreign), the risk will be reported to the press, which will announce the brand name of the product, its importer, and, often, its producer.

Compliance with German food regulations is monitored by the *Bundesamt fuer Verbraucherschutz und Lebensmittelsicherheit* (BVL), an agency under the supervision of the Federal Ministry of Food and Agriculture (BMEL). For contact information please see Appendix I.

The BVL was established as one of two independent administrative agencies in the wake of the "mad cow disease" crisis in 2002. BVL is responsible for risk management, while risk assessments are carried out by its sister agency, the German Federal Institute for Risk Assessment (BfR). BVL exercises authority over substances and products that harbor potential risks and that are directly or indirectly related to food safety (such as plant protection products and veterinary drugs).

The BVL formulates general administrative rules to implement laws regarding consumer health protection and food safety, as well as in the preparation and monitoring of surveillance systems and plans by the *Länder*. In addition, the BVL coordinates inspections carried out in Germany by the European Food and Veterinary Office and is responsible for implementing the European rapid alert system for consumer health protection and food safety issues in Germany.

The national reference laboratory for the detection of residues and the Community reference laboratory for the detection of residues are also part of the BVL.

## Section II. Labeling Requirements

### General Requirements

Germany applies EU-harmonized legislation on labeling. The standard, domestic U.S. label does not comply with EU labeling requirements. Detailed information on food labeling requirements set out in the EU's "[Food Information to Consumers \(FIC\)](#)" regulation 1169/2011 regulation is available in the GAIN report "New EU Food Labeling Rules Published," supplemented by the GAIN report "How to Comply with the EU's New Food Labeling Rules." You can access these reports, as well as updates on EU labeling rules, on the FAS USEU's website at <http://www.usda-eu.org/trade-with-the-eu/eu-import-rules/eu-labeling-requirements/>.

### Language Requirements

All foods marketed in Germany must be labeled in German. Multi-language labels are allowed. Labeling may also include illustrations. However, it is prohibited to show ingredients on the label that are not contained in the product, e.g., illustrations of fruits if only artificial flavors are used. Another example: a multi-fruit juice may only show pictures of those fruits contained in the product. Since many other requirements of the FIC are applicable, U.S. food manufacturers and exporters should contact their potential German importer before making changes to labels on products labeled for distribution in Germany.

### Minimum Durability

Annex X to the FIC sets out rules for the indication of the date of minimum durability, use-by date, and date of freezing. The use-by date must be indicated on individual pre-packed portions. The durability date AND the date of (first) freezing preceded by the words "frozen on" is required on labels of frozen meat, frozen meat preparations, and frozen unprocessed fishery products:

English	German term
Best before [date]	Mindestens haltbar bis [...]
Best before end [date]	Mindestens haltbar bis Ende [...]
Use by [date]	Zu verbrauchen bis [...]
Frozen on [date]	Eingefroren am [...]

### Voluntary Additional Nutrition Declaration

In addition to the general mandatory nutrition declaration (for details please refer to the [USEU FAIRS report](#)), Germany implemented a **voluntary** front of pack traffic light labeling system. Since November 6, 2020, companies may use the French Nutri-Score<sup>3</sup> system for products sold in Germany. The

<sup>3</sup> <https://www.bmel.de/DE/themen/ernaehrung/lebensmittel-kennzeichnung/freiwillige-angaben-und-label/nutri-score/naehrwertkennzeichnung-hilfestellungen.html>

introduction of the expanded nutrition label is part of Germany's strategy to fight obesity and the BMEL hopes that this will help consumers to make healthy food choices.

### **Stick-on labels**

Some importers may agree to affix computer generated, adhesive labels in Germany for smaller quantities during a test-marketing phase.

### **Other Specific Labeling Requirements**

#### **Country of Origin Labeling (COOL)**

##### ***Beef***

In the EU, a compulsory beef labeling system has been in place since 2000. For more information, please refer to <http://www.usda-eu.org/trade-with-the-eu/eu-import-rules/eu-labeling-requirements/beef-labeling/>. The label must include:

- A reference number ensuring the link between the meat and the animal or animals,
- A traceability code linking the meat to the animal or a group of animals representing the production of maximum one day,
- And the following information:

<b>English</b>	<b>German term</b>
Born in: [name of third country]	Geboren in: [...]
Reared in: [name of third country or third countries]	Gemästet in: [...]
For beef derived from animals born, raised, and slaughtered in the same third country, the above indications may be combined as: Origin: [name of third country]	Ursprung: [...]
Slaughtered in: [third country / approval number of slaughterhouse]	Geschlachtet in: [...]
cut in: [third country / approval number of cutting plant]	Zerlegt in: [...]

In addition to the compulsory beef labeling program, the German food industry initiated a 'Quality and Safety' (QS) program to assure the consumer that the production of such labeled products is fully controlled along every step of the production chain from the field to the sales counter. Documentation is based on legal requirements and additional industry-determined production process criteria. The quality and safety program is certified by an approved certification organization. The system is open for domestic and imported products.

QS Qualitaet und Sicherheit GmbH  
 Schedestr. 1-3  
 53113 Bonn  
 Phone +49 228 35068-0  
 Fax +49 228 35068-10  
 Contact: [info\(at\)q-s.de](mailto:info(at)q-s.de)  
 Website: <https://www.q-s.de/en/?lang=gb>

### *Seafood*

EU laws require that fishery products on sale at the retail level are labeled with origin indication and production method. The German terms are:

English	German term
Caught in: [catch region]	Gefangen in: [...]
Caught in freshwater in: [country]	Aus Binnenfischerei in: [...]
Farmed in: [country]	Aus Aquakultur in: [...]
Cultivated in: [country]	Gezüchtet in: [...]

Detailed information on shipping seafood and fishery products to the EU is provided on the Department of Commerce – NOAA Fisheries’ website <https://www.fisheries.noaa.gov/national/seafood-commerce-certification/export-certification-european-union>.

Information on labeling can also be found on the European Commission’s website at [https://ec.europa.eu/fisheries/cfp/market/consumer-information\\_en](https://ec.europa.eu/fisheries/cfp/market/consumer-information_en).

### *Pork, Sheep, Goats, and Poultry*

Commission Implementing Regulation 1337/2013 requires country of origin labeling for fresh, chilled, and frozen meat of swine, sheep, goats, and poultry. In general, the label must indicate where the animal was reared and slaughtered. For more information, see the [USEU FAIRS report](#). The German terms are:

English	German term
Reared in: [name of EU member state or third country]	Aufgezogen in: [ ]
Slaughtered in: [name of EU member state or third country]	Geschlachtet in: [ ]
Reared in several non-EU countries	Aufgezogen in mehreren Nicht-EU-Ländern
Reared in several EU and non-EU countries	Aufgezogen in mehreren EU- und Nicht-EU-Ländern
Origin: [name of EU member state or third country]	Ursprung: [ ]
“Reared in: non-EU” and “Slaughtered in: [Name of the third country where the animal was slaughtered]“	„Aufgezogen außerhalb der EU“ and „Geschlachtet in [ ]“



## GMO-free labeling

In May 2008, the German government created a voluntary genetically engineered free (“Ohne Gentechnik”) labeling program. In August 2009, the Ministry for Food, Agriculture, and Consumer Protection (BMELV, now the Ministry for Food and Agriculture, BMEL) introduced a national label to help consumers better identify products and to standardize the information consumers receive. The administration of this program is largely entrusted to the “*Verband Lebensmittel ohne Gentechnik e.V.*” (non-Biotech Foods Association). For more information on the treatment of biotech foods in Germany, please see our Agricultural Biotechnology Annual report available at the [FAS GAIN Report Database](#).

## Dietetic Foods Ordinance

The German Dietetic Food Ordinance (Verordnung ueber diaetetische Lebensmittel, DiätV) defines the properties foods must have in order for the manufacturer to label them as dietetic. Foods and beverages labeled as dietetic must differ substantially from other regular foods. A simple listing of the nutrient content, bread units, and/or caloric value on the label is not sufficient to allow the use of the term “dietetic.” Health-related statements are strictly limited. Examples for such statements are:

English	German term
Dietetic food suited to treat ...	Diätetisches Lebensmittel geeignet zur Behandlung von ...
Dietetic food suitable for treatment of ... only use if under continuous medical supervision	Diätetisches Lebensmittel geeignet zur Behandlung von ... nur unter ständiger ärztlicher Kontrolle verwenden
Special diet for ... as part of a diet plan	Zur besonderen Ernährung bei ... im Rahmen eines Diätplanes

It is strongly recommended that U.S. exporters consult a German food laboratory before making any dietary claims for products to be marketed in Germany.

## Plant-based Meat and Dairy Alternatives

In July 2017, the European Court of Justice (ECJ) ruled that plant-based products cannot be labeled with dairy names such as “cheese”, “butter”, or “milk”. The ECJ based [its ruling](#) on [Regulation 2013/1308](#) setting out definitions and designations that may only be used for the marketing of dairy products. A list of exceptions for non-dairy products that may be labeled with reserved dairy names was established by [Commission Decision 2010/791](#). Most of the German-language terms allowed under Decision 2010/791 (Annex I) refer to traditional meat products where the name suggests they could be made from dairy. The following terms are allowed for plant-based dairy alternatives:

German Term	English Translation
Kokosmilch	Cocos milk
Erdnussbutter	Peanut butter
Kakaobutter	Cocoa butter
Milchmargarine	Milk margarine
Margarinestreichkäse	Margarine cheese spread

Other plant-based dairy alternatives may not use the term “milk” and in practice are often called “drink” instead; for example, for almond milk: “Mandel Drink” instead of “Mandelmilch”

### Section III. Packaging and Container Requirements

Germany applies EU-harmonized legislation to packaging and containers. For detailed information on the EU’s harmonized legislation on packaging and container regulations, please consult the [USEU FAIRS report](#).

#### Packaging Sustainability Measures

However, Germany applies additional requirements regarding packaging waste and recycling of packaging material with the aim of reducing packaging waste and increasing recycling.

Distributors of packaged consumer goods (including food) are obliged to collect the packaging from the consumer and recycle it. However, distributors may entrust third parties with the fulfilment of their obligations. Many distributors make use of this option by contracting with one of the licensed recycling companies/systems.

#### **Packaging Waste Recycling - Green Dot System**

On January 1, 2019, the new Packaging Law (*Verpackungsgesetz* or *VerpackG<sup>4</sup>*) replaced the German Packaging and Waste Avoidance Ordinance (*Verordnung ueber die Vermeidung und Verwertung von Verpackungsabfaellen*, or *VerpackV*). The law requires producers, importers, and distributors of consumer products, including food stuffs, to enter into a contract for recycling of packaging material with a licensed recycling company. Manufacturers are obliged to register with the national authority, the “*Zentrale Stelle*,” before placing packaged products on the market. The registered manufacturers will be published on the website of the *Zentrale Stelle* to ensure full transparency for all market participants and reduce free riding. In addition, all manufacturers have to report the following packaging-related data to the *Zentrale Stelle*:

- Registration number (provided by the *Zentrale Stelle*)
- Material and volume of the packaging put on market
- Name of the packaging scheme contracted by the manufacturer to fulfill its Extended Producer Responsibility
- Duration of the agreement with the recycling company/system.

<sup>4</sup> <http://www.gesetze-im-internet.de/verpackg/index.html> (German language only)

Manufacturers are defined as producers, importers, or distributors that place packaged consumer goods on the market. Depending on the distribution channel, U.S. exporters may or may not be required to contract with a packaging disposal company and register with the *Zentrale Stelle*. However, even if a U.S. company is not required to register directly, it may be required to share information about material and volume of its packaging to its customers, who then in turn provide this information in their own reporting to the *Zentrale Stelle*.

For more information about the new legislation please consult our GAIN report, “Changes to Germany’s Packaging Laws – An Exporter’s Guide” available at the [FAS GAIN Report Database](#).

Traditionally, the German industry used the “Green Dot” symbol to signal that packaging material will be recycled in a controlled system. The Green Dot is found on the packaging material of virtually all products retailed in Germany. Since January 1, 2009, the recycling law no longer requires the Green Dot be printed on product packaging to prove that the material will be recycled in a proper manner. However, if the manufacturer or the importer chooses to continue using the Green Dot symbol, it must have a valid licensing contract with *the Duales System Deutschland GmbH* (DSD) or another of the registered recycling companies below.

For further information on the Green Dot packaging material disposal and recycling program, contact your potential German importer and/or one of the following registered Green Dot recycling companies:

- Der Grüne Punkt – Duales System Deutschland GmbH, Cologne - <https://www.gruener-punkt.de/en/BellandVision GmbH, Pegnitz> - <https://www.bellandvision.de/simply-clever-licensing.htm>
- EKO-PUNKT GmbH, Luenen - [www.eko-punkt.de](http://www.eko-punkt.de)
- INTERSEROH Dienstleistungs-GmbH, Cologne - <https://www.interseroh.de/en/>
- Landbell AG, Mainz - [www.landbell.com/sales-packaging/](http://www.landbell.com/sales-packaging/)
- Noventiz Dual <https://www.noventiz.de/en/noventiz-dual/>
- Reclay VFW GmbH & Co. KG, Cologne – [www.reclay-group.com/de/en/](http://www.reclay-group.com/de/en/)
- Veolia Umweltservice Dual GmbH, Rostock - [www.veolia.de/dual](http://www.veolia.de/dual) (German language only)
- Zentek GmbH & Co. KG, Cologne – <https://www.dualessyst emzentek.de/en/>

### **Minimum Share of Recycled Plastic in Single Use Plastic Bottles for Beverages**

By January 1, 2025, single use plastic bottles for beverages that are predominantly made from polyethylenterephthalat must contain a minimum of 25% of recycled plastic. By January 1, 2030, this applies to all single use plastic bottles for beverages.<sup>5</sup>

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<sup>5</sup> Regulated in § 30a of the VerpackG [http://www.gesetze-im-internet.de/verpackg/\\_30a.html](http://www.gesetze-im-internet.de/verpackg/_30a.html) (German)

## Mandatory Deposit System for Single Use Beverage Packages

Single use beverage packages with a content volume of 0.1 to 3.0 liter are subject to the German mandatory deposit system<sup>6</sup>. The deposit (*Pfand*) is collected at the retail level. The requirement applies to domestically produced or bottled products and imported beverages.

Through 2021, containers holding the beverages listed below are excluded from the deposit system. From January 1, 2022, this exclusion no longer applies to containers made from plastic and cans<sup>7</sup>.



- Fruit and vegetable juices;
- non-carbonated fruit and vegetable nectars;
- milk and milk mix beverages containing minimum 50 percent milk;
- dietetic drinks for babies and infants;
- spirits and wine including mix drinks containing minimum 50 percent wine; and
- multi-layer carton packages and tubular polyethylene bags (since these are regarded to be the least environmentally disturbing).

The deposit symbol must appear on the product label. Detailed information about the deposit system is available through:

DPG Deutsche Pfandsystem GmbH

Luisenstr. 46

10117 Berlin, Germany

Tel.: +49 30 800 974 0

Fax: +49 30 800 974 141

E-mail: [info\(at\)dpg-pfandsystem.de](mailto:info@dpg-pfandsystem.de) Website: [www.dpg-pfandsystem.de/index.php/en/](http://www.dpg-pfandsystem.de/index.php/en/)

## Single-use Plastic Ban

Germany prohibited the use of a variety of single-use plastic products on July 3, 2021<sup>8</sup>. In the food sector this applies to:

- drinking straws
- plates and cutlery
- to-go food containers
- beverage containers made from expanded polystyrol (aka styrofoam)
- beverage cups made from expanded polystyrol (aka styrofoam)

<sup>6</sup> Regulated in § 31 of the VerpackG <http://www.gesetze-im-internet.de/verpackg/31.html> (German)

<sup>7</sup>

[https://www.bgbl.de/xaver/bgbl/start.xav?start=//\\*\[@attr\\_id=%27bgbl121s0802.pdf%27\]#\\_bgbl\\_%2F%2F\\*%5B%40attr\\_id%3D%27bgbl121s1699.pdf%27%5D\\_1637746370978](https://www.bgbl.de/xaver/bgbl/start.xav?start=//*[@attr_id=%27bgbl121s0802.pdf%27]#_bgbl_%2F%2F*%5B%40attr_id%3D%27bgbl121s1699.pdf%27%5D_1637746370978), page 1706, nr. 25 c) cc) (German)

<sup>8</sup> <https://www.gesetze-im-internet.de/ewkverbotsv/EWKVerbotsV.pdf> (German language only)

This could affect U.S. exporters of convenience products that include any of the above-mentioned products. We recommend that exporters check with their German importers to determine if their product is covered by this law.

### **Materials in Contact with Foodstuffs**

Germany adheres to the EU's regulations on requirements for all food contact materials (FCM). For details see [USEU FAIRS report](#).

Additionally, Germany has notified the EU<sup>9</sup> and WTO about proposed national legislation that would require the use of a functional barrier for packaging and FCM that were made from recycled paper. The aim is to prevent the transfer of mineral oil aromatic hydrocarbons (MOAH) from FCM into the food inside. MOAH are under scrutiny for their possible carcinogenic potential. They can get into FCM from recycled paper when the paper was printed with mineral oil-based ink. A functional barrier will not be needed if the transfer of MOAH remains below the defined detection limit. The legislative process was interrupted by the result of the September 2021 general elections, which required the formation of a new government with a different party coalition governing, including a new Minister of Food and Agriculture. The process will start up again once a new minister takes office.

## **Section IV. Food Additive Regulations**

Germany applies EU-harmonized legislation regarding food additives, including a positive list of allowed substances. For detailed information on the EU-harmonized legislation on food additive regulations, please consult the [USEU FAIRS report](#) as well as the USEU website, <http://www.usda-eu.org/trade-with-the-eu/eu-import-rules/food-additives/>.

## **Section V. Pesticides and other Contaminants**

### **Pesticides**

Tolerance levels for pesticide residues were harmonized within the EU with regulation 396/2005. An EU database on pesticide maximum residue levels (MRLs) is available at:

<https://ec.europa.eu/food/plant/pesticides/eu-pesticides-database/public/?event=homepage&language=EN>

For detailed information on EU-harmonized legislation on pesticide and contaminant regulations, please consult the [USEU FAIRS report](#) as well as the USEU website:

<https://www.usda-eu.org/eu-early-alert/pesticides/>.

The responsible agency for scientific evaluation of pesticide residues in Germany is:

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<sup>9</sup> <https://ec.europa.eu/growth/tools-databases/tris/en/index.cfm/search/?trisaction=search.detail&year=2020&num=510&mLang=en&CFID=1000950&CFTOKEN=85450186cdcc00d2-6588EB24-DB2B-191C-5FEB827450AA421F>

The stand-still period ended on February 18, 2021.

Bundesamt fuer Verbraucherschutz und Lebensmittelsicherheit (BVL)  
(Federal Office of Consumer Protection and Food Safety)

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Website: <http://www.bvl.bund.de/EN>

### Private Industry Standards for Pesticide Tolerance Levels

As a marketing tool, some retail chains in Germany require their suppliers to exceed the EU regulations and adhere to stricter maximum residue levels of 30, 50, or 70 percent of the respective EU-mandated MRL. Reports indicate that suppliers violating the contract standard are at risk of being removed from the approved supplier list of the particular retail chain.

### Contaminants

Tolerance levels for several contaminants and products were harmonized within the EU in regulation 1881/2006. Germany put in place an additional maximum tolerance for aflatoxins, ochratoxin A, nitrate, halogenated solvents, and non-dioxin-like polychlorinated biphenyls (ndl-PCB) for products not regulated in EU regulation 1881/2006.

### Additional German Maximum Level for Mycotoxins (in microgram/kg)

<b>Aflatoxins</b>	<b>B1</b>	<b>B1, B2, G1 and G2 combined</b>	<b>M</b>
Food, except <ul style="list-style-type: none"> <li>- food referred to in Section 2, point 2.1 of the Annex to Regulation (EC) No 1881/2006,</li> <li>- enzymes and enzyme preparations intended for the production of food, and</li> <li>- dietary foods for infants or young children</li> </ul>	2 <sup>1)</sup>	4 <sup>1)</sup>	-
Enzymes and enzyme preparations intended for food production	-	0.05 <sup>1)</sup>	-
Dietary foods for infants or young children, other than those referred to in Section 2, points 2.1.15, 2.1.16 and 2.1.17 of the Annex to Regulation (EC) No 1881/2006	-	0.05 <sup>2)</sup>	0.01 <sup>2)</sup>

<b>Ochratoxin A</b>	<b>µg/kg</b>
Dried fruit, except <ul style="list-style-type: none"> <li>- foodstuffs referred to in Section 2 No 2.2.3 of the Annex to Regulation (EC) No</li> </ul>	2.0 <sup>1)</sup>

1881/2006, and – dried figs	
Dried figs	8.0 <sup>1)</sup>

1) The maximum level refers to the part of the products that is intended for human consumption.

2) The maximum level refers to the product ready for consumption.

#### Additional German Maximum Level for Nitrate (in milligram/kg)

Dietary foods for infants or young children, other than those referred to in Section 1, point 1.6 of the Annex to Regulation (EC) No 1881/2006	250 <sup>1)</sup>
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1) The maximum level refers to the product ready for consumption.

#### Additional German Maximum Level for Halogenated Solvents (in milligram/kg)

	Trichlormethane	Trichlorethene	Tetrachlorethene	Sum of Trichlormethane, Trichlorethene, Tetrachlorethene
All food <sup>1)</sup>	0,1 <sup>2)</sup>	0,1 <sup>2)</sup>	0,1 <sup>2)</sup>	0,2 <sup>2)</sup>

1) Excluding all categories of olive oil as defined in Article 7 of Commission Regulation (EEC) No 2568/91 of 11 July 1991 on the characteristics of olive oil and olive-pomace oil and on the relevant methods of analysis (OJ L 248, 5.9.1991, p. 1), as last amended by Regulation (EC) No 702/2007 (OJ L 161, 22.6.2007, p. 11).

2) The maximum level refers to the total weight of the edible parts in the offered form.

**Additional German Maximum Level for non-dioxin-like polychlorinated biphenyls (ndl-PCB)**

	Maximum Level in mg/kg	
		2,4,4'-Trichlorbiphenyl (28) <sup>1)</sup> 2,2',5,5'-Tetrachlorbiphenyl (52) <sup>1)</sup> 2,2',4,5,5'-Pentachlorbiphenyl (101) <sup>1)</sup> 2,2'3,4,4',5,5'-Heptachlorbiphenyl (180) <sup>1)</sup> in each case
Meat from horse, goat, and rabbit, game birds, and furred game as well as wild boar With a fat content of up to 10%	0,008 <sup>2)</sup>	0,01 <sup>2)</sup>
Meat products other than those referred to in Section 5.1 of the Annex of the Regulation (EC) 1881/2006 on foodstuffs With a fat content of up to 10%		
Meat from game birds, and furred game as well as wild boar With a fat content larger than 10%	0,08 <sup>3)</sup>	0,1 <sup>3)</sup>
Eggs and egg products except food mentioned in section 5.9 of the Annex of the Regulation (EC) 1881/2006	0,02 <sup>4)</sup>	

1) Systematic numbering of PCB components according to the rules of the International Union of Pure and Applied Chemistry (IUPAC) [K. Ballschmiter, M. Zell, Z. Anal. Chem. (1980) 302, 20-31].

2) The maximum levels indicated refer to the total weight of the boneless food. In the case of products, the calculation shall be based on the share of meat of the total weight. The fat content used for the classification of foodstuffs shall be determined analytically; whole bodies of horses, goats, rabbits, game birds, furred game birds other than wild boar, and half-carcasses and quarters of horses shall be assumed to contain 5 % fat.

3) The maximum levels stated apply to the fat contained in the food.

4) The maximum levels indicated refer to the weight of eggs used without shell.

For further details, please see: <http://www.gesetze-im-internet.de/kmv/BJNR028700010.html>



### **Official Aflatoxin Controls on U.S. Products**

For details on aflatoxin testing and pre-export control programs, please consult the [USEU FAIRS report](#) and the USEU website:

<https://www.usda-eu.org/trade-with-the-eu/eu-import-rules/contaminants/pre-export-controls/>

### **Residues in Animals and Animal Product**

For details on the monitoring of residues in animals and animal products, please consult the [USEU FAIRS report](#) and the USEU website:

<http://www.usda-eu.org/trade-with-the-eu/eu-import-rules/certification/residue-plans/>

## **Section VI. Other Requirements, Regulations, and Registration Measures**

The German Government applies EU-harmonized legislation for other related regulations and requirements including product inspection, registration, and certification. For detailed information on certification, please consult the following websites:

- Certificates for plant products - [www.usda-eu.org/trade-with-the-eu/eu-import-rules/certification/plant-health-certification/](http://www.usda-eu.org/trade-with-the-eu/eu-import-rules/certification/plant-health-certification/)
- Certificates for products covered by veterinary certification - [www.usda-eu.org/trade-with-the-eu/eu-import-rules/certification/products-exempt-from-veterinary-certification/](http://www.usda-eu.org/trade-with-the-eu/eu-import-rules/certification/products-exempt-from-veterinary-certification/)

### **Facility registration**

In line with EU regulations, Germany requires that imports of certain animal products originate only from EU approved establishments. This pertains to red meat, meat products, farmed and wild game meat, raites, milk and milk products, seafood, bovine embryos and semen, porcine and equine semen, gelatin, animal casings, and animal by-products. The EU approves establishments to ship products of animal origin based on submissions from U.S. government agencies. A comprehensive list of U.S. approved establishments can be found at the following link on the USEU webpage <https://www.usda-eu.org/trade-with-the-eu/eu-import-rules/certification/approved-u-s-establishments/>.

### **Product Registration**

Generally, there is no EU requirement to register imported foods except for “novel foods” or those more unique, niche products that have not historically been consumed in significant quantities. Foodstuffs with particular nutritional claims must be notified to the Member States’ competent authorities where the food is introduced in the market. Exporters of milk infant formula or nutritional supplements are mandated to notify competent authorities.

The German Ordinance about Nutritional Supplements<sup>10,11</sup> requires producers and/or importers to notify nutritional supplement products they intend to put on the German market to the Federal Office of

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<sup>10</sup> <http://www.gesetze-im-internet.de/nemv/NemV.pdf>

Consumer Protection and Food Safety (BVL) at [poststelle@bvl.bund.de](mailto:poststelle@bvl.bund.de) with a copy of the intended label. If a product has already been notified in another EU member state, the name of the competent authority which was notified has to be stated.

The import of special products like blood, blood products, and material containing epizootic pathogens must be approved by the competent authority of the German Federal State to which the product is shipped.

## Section VII. Other Specific Standards

For detailed information on the EU-harmonized legislation on other specific standards, please consult [USEU FAIRS report](#). Detailed information may also be obtained at the following links:

- [GMOs](#)
- [Novel Foods](#)
- [Nanotechnology](#)
- [Fortified Foods](#)
- [Dietetic or Special Use Foods](#)
- [Food Additives](#)
- [Organic Foods](#)
- [Pet Food](#)

### **Genetically-Engineered Food and Feeds**

The relevant authority for the approval of new biotech events and for monitoring the trade of products derived from biotechnology is the Federal Office of Consumer Protection and Food Safety (BVL, contact information see appendix I). For more information specific to Germany, please see our [Agricultural Biotechnology Annual report](#).

### **Private Certification for Fresh Food**

The number of food scandals that have occurred in Europe in the late 1990s/early 2000s involving various commodities has prompted the food industry to come up with several programs to ensure the safety of the traded fresh food. While these programs are voluntary, the majority of retail chains in Germany require certification of good agricultural practices. The two most common private certification programs in Germany are *GLOBALG.A.P.* and *QS*. While *QS* is a three-tier system that involves everyone, who handles the produce from producers, to wholesalers, and the retail chains, *GLOBALG.A.P.* mainly focuses on the producer level and is often supplemented by the IFS (International Food Standard) on the wholesalers' level. A major component of both systems is the extensive documentation requirement for all stages of the production process. Both systems/standards are open to international producers provided that they comply with the system and obtain a certification. Also, a simultaneous certification for *QS* and *GLOBALG.A.P.* is possible at the producer level. For more information please visit:

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<sup>11</sup> [http://www.gesetze-im-internet.de/nemv/\\_5.html](http://www.gesetze-im-internet.de/nemv/_5.html)

GLOBALG.A.P.: [https://www.globalgap.org/uk\\_en/](https://www.globalgap.org/uk_en/)  
QS: [www.q-s.de/home\\_gb.html](http://www.q-s.de/home_gb.html)

### **Organic Foods**

The responsible German authority for organic import rules is the Federal Agency for Agriculture and Food (*Bundesanstalt fuer Landwirtschaft und Ernaehrung*, BLE). For contact details please see Appendix I.

### **Vegetarian and Vegan Foods, and Plant-Based Meat and/or Dairy Alternatives**

The Food Information to Consumers (FIC) regulation 1169/2011 requires the European Commission to set out rules for the voluntary labelling of foods as “suitable for vegetarians and vegans.” To date, the Commission has not adopted an EU-harmonized definition of the terms “vegetarian” and “vegan.” In the absence of any legal definition, Germany applies non-binding guidelines<sup>12</sup> that were developed by a commission with representatives from consumer groups, food safety authorities, industry, and research institutions.

## **Section VIII. Trademarks, Brand Names, and Intellectual Property Rights**

In Germany, the legal basis for trademarks is the *Markengesetz* (trademark law) and the *Markenverordnung* (trademark ordinance). Trademarks are granted for 10 years. Applications should be directed to the German Patent and Trademark Office (for contact details please see Appendix I).

Companies, which also export to other EU member states, may want to consider obtaining a European Community Trademark. For detailed information please consult the [USEU FAIRS report](#).

Germany is also a Member of the World Intellectual Property Organization (WIPO/OMPI) and to the Madrid Agreement on International Registration of Trademarks.

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<sup>12</sup> [https://deutsche-lebensmittelbuch-kommission.de/fileadmin/Dokumente/neufassung\\_leitsaetze\\_fuer\\_vegane\\_und\\_vegetarische\\_lebensmittel.pdf](https://deutsche-lebensmittelbuch-kommission.de/fileadmin/Dokumente/neufassung_leitsaetze_fuer_vegane_und_vegetarische_lebensmittel.pdf) (eight pages, German language only)

## Section IX. Import Procedures

As a member of the EU, Germany follows all EU directives, regulations, and obligations where available. Since the EU is a customs union, all Member States apply the same import duties on goods imported from outside the EU based on tariff classification of goods and the customs value. For details on the EU legislation, customs clearance, and import duties please refer to section IX of [USEU FAIRS report](#).

### Veterinary and Plant Inspections

Section II of the EU Official Controls Regulation (OCR - [Regulation \(EU\) 2017/625](#)) regulates the inspection of animals, animal products, plants, and plants products at the border control post of first arrival into the EU. These inspections precede the customs declaration. Operators have to notify the relevant border inspection post (BIP) about an upcoming consignment at least one workday prior to the consignment's arrival at port. The notification can only be done with original documents. Early notification can help detect issues (e.g., missing documents) before they become a problem.

### EORI Number

In most cases customs clearance will be handled by the importer. If, however, the exporting company handles the customs clearance, the company needs an Economic Operators' Registration and Identification number (EORI). Once obtained, this number is valid throughout the EU and for all future imports.

In Germany, EORI numbers can be requested<sup>13</sup> free of charge at the Federal Customs Office's subsidiary in Dresden at the following address:

Generalzolldirektion  
- Dienstort Dresden -  
Stammdatenmanagement  
Postfach 10 07 61  
01077 Dresden, Germany  
Fax: +49-351 44834-442 (additional extensions: -443, -444)  
E-Mail: [antrag.eori@zoll.de](mailto:antrag.eori@zoll.de)

Alternatively, an application can be made via the German Customs portal<sup>14</sup> for citizens and business customers after registering and creating an account at: [https://www.zoll-portal.de/bug-frontend-idpp/startseite/MID00\\_01\\_Startseite\\_BenutzerAnmelden.xhtml](https://www.zoll-portal.de/bug-frontend-idpp/startseite/MID00_01_Startseite_BenutzerAnmelden.xhtml).

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<sup>13</sup> [https://www.zoll.de/EN/Businesses/Movement-of-goods/Import/Duties-and-taxes/EORI-number/Requesting-EORI-number-amending-operator-particulars/requesting-eori-number-amending-operator-particulars\\_node.html](https://www.zoll.de/EN/Businesses/Movement-of-goods/Import/Duties-and-taxes/EORI-number/Requesting-EORI-number-amending-operator-particulars/requesting-eori-number-amending-operator-particulars_node.html)

<sup>14</sup> [https://www.zoll.de/EN/Businesses/German-Customs-portal-for-citizens-and-business-customers/german-customs-portal-for-citizens-and-business-customers\\_node.html](https://www.zoll.de/EN/Businesses/German-Customs-portal-for-citizens-and-business-customers/german-customs-portal-for-citizens-and-business-customers_node.html)

### **Import Derogation for Product Samples**

Sample shipments of food products containing meat, poultry, or cheese from plants that are not approved for export to the EU require a derogation (special import permit) from the (state) veterinary authority at the first port of entry into the European Union. For shipments to Germany, this is often Frankfurt Airport. Frankfurt Airport is located in the State of Hesse, thus, the veterinary office in the Hessian capital Wiesbaden is responsible for issuing the import permit.

Hessisches Ministerium fuer Umwelt, Klimaschutz, Landwirtschaft und Verbraucherschutz  
(Ministry of Environment, Climate Protection, Agriculture and Consumer Protection of the State of Hesse)

Mainzer Straße 80

65189 Wiesbaden, Germany

Tel.: +49 611 815 -0 (or -1437)

E-Mail: [veteinfuhr\(at\)umwelt.hessen.de](mailto:veteinfuhr(at)umwelt.hessen.de)

The request for derogation can be made informally by e-mail stating the quantity, country of origin, production plant, composition (e.g., raw or cooked meat) of the product, the intended purpose (e.g. machinery testing, trade show display, product competition), and the registration number of the recipient company. Based on this information the veterinary office will issue an import permit that specifies the veterinary certificates required in that particular case.

The import permit is in the German language and the veterinary office charges a small fee. Because of language, and time difference, it is recommended that the German recipient of the product handle the application for the import permit, wherever feasible. If the point of entry is different from Frankfurt, please contact [FAS Berlin](#) for information on the applicable veterinary office.

## Section X: Trade Facilitation

As a member of the EU, Germany follows all EU directives, regulations, and obligations where available. For details on the EU legislation and import duties please refer to the most recent [USEU FAIRS report](#).

### Advance Rulings

The customs duties that must be paid upon import of a product depend on the tariff classification applicable to the product. The Binding Tariff Information (BTI) system was introduced to ensure legal certainty for business operators when calculating import duties. All currently valid BTI decisions are accessible in the [public BTI database](#). Detailed information on the BTI system can be found at the European Commission's website: [https://ec.europa.eu/taxation\\_customs/business/calculation-customs-duties/what-is-common-customs-tariff/binding-tariff-information-bti\\_en](https://ec.europa.eu/taxation_customs/business/calculation-customs-duties/what-is-common-customs-tariff/binding-tariff-information-bti_en)

BTI for Germany can be obtained via the German Customs portal<sup>15</sup> for citizens and business customers after registering and creating an account at: [https://www.zoll-portal.de/bug-frontend-idpp/startseite/MID00\\_01\\_Startseite\\_BenutzerAnmelden.xhtml](https://www.zoll-portal.de/bug-frontend-idpp/startseite/MID00_01_Startseite_BenutzerAnmelden.xhtml).

For more information on customs procedures when importing into Germany please visit the German Customs' website at [https://www.zoll.de/EN/Businesses/Movement-of-goods/Import/import\\_node.html](https://www.zoll.de/EN/Businesses/Movement-of-goods/Import/import_node.html)

### Pre-Clearance Program

For information on pre-clearance programs accepted in the EU please refer to the [USEU FAIRS report](#).

### Electronic Certificates

For information on electronic certificates accepted in the EU please refer to the [USEU FAIRS report](#).

### Import Control Fees

Germany applies import control fees according to Annex IV of the EU Official Controls Regulation (OCR - [Regulation \(EU\) 2017/625](#)). Details can be found in the USEU FAIRS report. These fees are uniform throughout the EU.

In addition, German ports charge administration fees and fees for the use of control centers. These fees vary by port.

For fees related to mandated controls<sup>16</sup> for certain hazards (e.g., aflatoxins) please contact the respective border inspection post<sup>17</sup>.

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<sup>15</sup> [https://www.zoll.de/EN/Businesses/German-Customs-portal-for-citizens-and-business-customers/german-customs-portal-for-citizens-and-business-customers\\_node.html](https://www.zoll.de/EN/Businesses/German-Customs-portal-for-citizens-and-business-customers/german-customs-portal-for-citizens-and-business-customers_node.html)

<sup>16</sup> Operators also have to pay for the border controls performed on food and feed of non-animal origin listed in [Commission Implementing Regulation \(EU\) 2019/1793](#). This regulation mandates specific frequencies of controls for certain hazards in products depending on their origin. Several products have to be tested for aflatoxins under this regulation. In addition, fees

### **Average Release Time for Products –Common Delays**

The average release time for products depends on the port of import. The main ports in Germany are organized in an efficient way to perform customs formalities as well as the necessary veterinary and plant inspections. The most common reasons for delays in the clearance of goods are:

- Incomplete or incorrect certification
- Failure to realize that veterinary inspection (if required) has to precede customs declaration
- Delayed notification

### **Duplicative Inspections**

Inspections of imported foods are concentrated at the external borders of the European Union. Once goods have passed inspection and customs duties are paid, they can move freely throughout the EU. However, official controls remain possible at any stage of distribution within the EU.

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are also charged to operators for official controls that were not originally planned because they are necessary to follow-up non-compliance.

<sup>17</sup> [https://ec.europa.eu/food/sites/food/files/animals/docs/bcps\\_contact\\_germany.pdf](https://ec.europa.eu/food/sites/food/files/animals/docs/bcps_contact_germany.pdf)

## Appendix I: Government Regulatory Key Agency Contacts

### List of Major Regulatory Agencies

#### **Bundesministerium fuer Ernaehrung und Landwirtschaft (BMEL)**

(Federal Ministry of Food and Agriculture)

Rochusstr. 1

53123 Bonn

Germany

Tel: +49 228 99 529-0 / Fax: +49 228 99 529-4262

Website: <http://www.bmel.bund.de/EN>

#### **Bundesamt fuer Verbraucherschutz und Lebensmittelsicherheit (BVL)**

(Federal Office of Consumer Protection and Food Safety)

Mailing address for BVL Headquarter:

Bundesamt für Verbraucherschutz und Lebensmittelsicherheit

Dienstszitz Braunschweig

Postfach 15 64

38005 Braunschweig

Germany

Tel.: +49 531 21497-0 / Fax: +49 531 21497-299

Mailing address for registration and approval of biotech products and novel foods:

BVL

Dienststelle Berlin-Mitte / Mittelstraße

Abteilung 4

Mittelstr. 39-42

10117 Berlin

Germany

Tel.: +49 30 18445-6001 / Fax: +49 30 18445-6099

Mailing address for authorization of plant protection products and related issues:

BVL

Dienststelle Braunschweig (Messeweg)

Abteilung 2

Messeweg 11/12

38104 Braunschweig

Germany

Tel.: +49 531 299-3401 / Fax: +49 531 299-3002

Common e-mail and website for all BVL sites:

E-mail: [poststelle\(at\)bvl.bund.de](mailto:poststelle(at)bvl.bund.de)

Website: <https://www.bvl.bund.de/EN/>



**Bundesanstalt fuer Landwirtschaft und Ernaehrung (BLE)** (responsible for organic import rules)

(Federal Agency for Agriculture and Food)

Referat 522

Deichmannsaue 29

53179 Bonn

Germany

Tel.: +49 228 6845-0

e-mail: oekoverordnung(at)ble.de - for inquiries pertaining to organic import rules

info(at)ble.de - for all other inquiries

Website: [www.ble.de/EN/Home/home\\_node.html](http://www.ble.de/EN/Home/home_node.html)

[https://www.ble.de/EN/Topics/Agriculture/Organic-Farming/organic-farming\\_node.html](https://www.ble.de/EN/Topics/Agriculture/Organic-Farming/organic-farming_node.html)

**Deutsches Patent- und Markenamt** (German Patent and Trademark Office)

Zweibrueckenstr. 12

80331 Muenchen

Germany

Phone: +49 89 2195-1000 / Fax: +49 89 2195-2221

E-mail: info(at)dpma.de

Website: <http://www.dpma.de/english/index.html>

**List of Border Inspection Posts**

The list of German Border Inspection Posts as notified to the EU can be accessed here:

[https://ec.europa.eu/food/sites/food/files/animals/docs/bcps\\_contact\\_germany.pdf](https://ec.europa.eu/food/sites/food/files/animals/docs/bcps_contact_germany.pdf)

**World Trade Organization (WTO) Inquiry Post**

Each EU member government is responsible for the notification procedures associated with the agreement under the World Trade Organization (WTO). Examples here relate to the Sanitary and Phytosanitary (SPS) and Technical Barriers to Trade (TBT) Agreements. WTO obligations include notifying any trade significant proposals, which are not substantially the same as international standards, providing copies of the proposed regulation upon request, and allowing time for comments. The German Federal Ministry of Economics and Technology (BMWi) has mandated the German Institute for Standardization (DIN) to set up and run the German »National Enquiry Point« according to the WTO Agreement on Technical Barriers to Trade (TBT).

DIN Deutsches Institut fuer Normung e.V.

Saatwinkler Damm 42/43

13627 Berlin, Germany

Tel: +49 30 – 2601-0 / Fax: +49 30 – 2601-1231

E-mail: info(at)din.de

Website: [www.din.de/en](http://www.din.de/en)

DIN also provides information on all technical rules (including standards, technical regulations and certification systems) valid in the Federal Republic of Germany, irrespective of whether the technical rules have been issued by federal or local authorities or by non-governmental bodies.

Inquiries should be directed to:

Tel: +49-30-2601-2361

E-mail: international(at)beuth.de

## **Appendix II: Other Import Specialist Technical Contacts**

### **German Food Laboratories**

Customized lists of food labs by issue can be requested from the German Association of Independent Laboratories (VUP) via with their interactive lab finder tool or by e-mail. VUP represents the vast majority of German accredited food labs.

#### **VUP Deutscher Verband Unabhaengiger Prueflaboratorien e.V.**

Kronenstr. 71

10117 Berlin

Germany

Tel: +49-30-555 7240-0

E-Mail: office(at)vup.de

Website: [www.vup.de](http://www.vup.de)

<https://vup.de/labor-finder.html> (in German language only)

### Appendix III: List of Abbreviations and Links

BCP	Border Control Post (same as BIP = Border Inspection Post) <a href="https://ec.europa.eu/food/sites/food/files/animals/docs/bcps_contact_germany.pdf">https://ec.europa.eu/food/sites/food/files/animals/docs/bcps_contact_germany.pdf</a>
BLE	German Federal Agency for Agriculture and Food <a href="https://www.ble.de/EN/Home/home_node.html">https://www.ble.de/EN/Home/home_node.html</a>
BMEL	German Federal Ministry for Food and Agriculture <a href="http://www.bmel.de/EN">www.bmel.de/EN</a>
BTI	Binding tariff information (German translation: verbindliche Zolltarifauskunft, vZTA)
BVL	Federal Office of Consumer Protection and Food Safety <a href="https://www.bvl.bund.de/EN/">https://www.bvl.bund.de/EN/</a>
EU	European Union
FAIRS	Food and Agricultural Import Regulations and Standards report
FIC	EU Food Information to Consumers regulation 1169/2011
MRL(s)	Maximum Residue Level(s)
OCR	Official Controls Regulation <a href="https://eur-lex.europa.eu/eli/reg/2017/625/oj">Regulation 2017/625</a>
U.S.	United States (adjective)
USDA	United States Department of Agriculture

FAS report database: <https://gain.fas.usda.gov/#/search>

#### USDA FAS Contact in Berlin, Germany:

Foreign Agricultural Service  
U.S. Embassy  
Clayallee 170  
14191 Berlin  
Germany  
E-mail: [agberlin\(at\)usda.gov](mailto:agberlin(at)usda.gov)  
Tel: (+49) (30) 8305 1150  
[www.fas-europe.org](http://www.fas-europe.org)

#### Attachments:

No Attachments