

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: 12/28/2012

GAIN Report Number: RB1220

Serbia

Food and Agricultural Import Regulations and Standards - Narrative

FAIRS Country Report

Approved By:

Christine Sloop

Prepared By:

Tatjana Maslac

Report Highlights:

This report provides information on Serbian regulations and standards concerning food, agriculture, agricultural products and foreign trade. It includes information on labeling, packaging, food additives and import procedures. Important points of contact or relevant government agencies for U.S. food exporters are listed in the Appendices.

Section I. Food Laws:

AUTHOR DISCLAIMER:

This report was prepared by the Office of Agricultural Affairs of the USDA/Foreign Agricultural Service in Belgrade, Serbia for U.S. exporters of 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.**

The responsibilities for food and feed controls in Serbia are distributed between the Ministry of Agriculture, Forestry and Water Management, Ministry of Health and Ministry of Internal and External Trade and Telecommunication.

Ministry of Agriculture, Forestry and Water Management

After Serbian a new coalition Government was formed in July 2012, Serbia had another reshuffling of its Ministries. The Ministry for Trade is now separate from the Ministry of Agriculture, Forestry and Water Management (the two Ministries were combined in 2011). The Ministry of Agriculture represents the specialized body of the central public administration with governmental jurisdiction in the field of agriculture, international and domestic trade, food processing, rural development, forestry and water management.

Ministry of Health

The Ministry of Public Health is 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 food and contaminants.

Ministry of Internal and External Trade and Telecommunication

Within the Serbian Ministry of Internal and External Trade and Telecommunication, the Market Inspection is responsible for inspecting food quality at the retail level.

Serbian Agriculture and Food Laws:

Since 2009, as part of Serbia's EU integration process, it has adopted many new laws in the area of agriculture and food, mostly in accordance with the EU *Acquis Communautaire*. Over the last three years Serbia has adopted 23 new laws relating to agriculture and food.

The following laws were adopted in 2009 ("Official Gazette RS" 41/09):

Law on Food Safety

Law on Public Warehouses for Agriculture Products

Law on Plant Health

Law on Agriculture and Rural Development
Law on Livestock
Law on Pesticides
Law on Fertilizers
Law on Brandy and Other Alcoholic Drinks
Law on Animal Welfare
Law on Ethanol
Law on Wine
Law on Reproductive Material of Forest Trees
Law on Genetically Modified Organisms
Amendments to the Agriculture Law
Law on Protection of Plant Breeders' Rights/UPOV

The following laws were adopted in 2010 ("Official Gazette RS" 30/10):

Law on Forests
Law on Waters
Law on Beer
Law on Registration of Crop Varieties
Law on Organic Production
Amendments to the Veterinary Law
Law on Agriculture Extension and Expert Service

The following law was adopted in 2011("Official Gazette RS" 88/11):

Amendments on Changes to the Law on Protection of Plant Breeders' Rights

Also during 2011, the Serbian Ministry of Agriculture, Trade, Forestry and Water Management adopted around 40 sub-laws that enable implementation of the new laws adopted during 2009 and 2010.

The following laws were adopted in 2012 ("Official Gazette RS" 93/12)

Amendments on Changes to the Law on Waters
Amendments on Changes to the Law on Livestock
Amendments on Changes of the Law on Wine

The following newly adopted laws and regulations in Serbia are relevant both for locally processed and imported foods:

The Law on Food Safety ("Official Gazette RS" No.41/09) represents one of the main agricultural laws in Serbia. It governs all aspects of production, circulation, control and consumption of food, general conditions for ensuring safety of food and feed, rights and responsibilities of persons performing food and feed businesses, an early warning system, hygiene and quality of food and feed. The purpose of the law is to ensure a high level of consumer protection while facilitating the efficient functioning of the food trade. The adoption of the law was necessary to harmonize with EU regulations, in particular Directive 178/2002/EC, and comply with the Agreement on Application of Sanitary and Phytosanitary Measures of the WTO.

The main new concepts introduced by the law encompass: implementation of the traceability of food; registration of all businesses dealing with food in one unified Central Register; performance of controls in accordance with the risk assessment; establishment of the national reference laboratories; introduction of internal controls in accordance with the good manufacturing practice, good hygiene practice or HACCP depending on the type of food businesses; and, delineation of competences between the Ministry of Agriculture and the Ministry of Health that will enable the control of both quality and safety of the same food sample and consolidate the inspection of facilities. The law regulates the competency of the Ministry of Agriculture as the central authority and the Ministry of Health as the responsible authority for public health. With this law, management and organization of official controls are in place and there should not be any overlapping and unclear repartitioning of competences as in the past. The Ministry of Agriculture and Trade (through its veterinary, phytosanitary, agricultural and market inspection) is responsible for food safety and wholesomeness throughout each stage of primary production, processing, transportation, and import/export. The Ministry of Agriculture issues import approvals for foods of animal origin, veterinary drugs, seeds, planting materials and pesticides. For other products, permits are not required. Sanitary Inspection (under the Ministry of Health) is responsible for the safety of novel foods, dietetic products, baby food, diet supplements, additives and drinking water.

The Ministry of Agriculture inspects the quality of food up until the moment the food is distributed to retail shops. Visual checks for products listed in the above-mentioned laws (almost everything that is considered to be a food) and additional safety checks are done, using laboratory testing on basic ingredients. Visual checks involve product identification (origin, type, quantity), determining if labeling and packaging requirements have been met, and checking for the necessary statements containing the importer's name and address, the product's general appearance, taste, flavor, presence of residues, color, structure, checking if the transportation requirements have been met. Specific ordinances define sampling procedures.

Quality control of imported products can be done after the import procedure has been completed and prior to retail distribution on the market. Inspection can be done also after the retail distribution in the store. The quality of individual groups of products is subject to specific rulebooks. The following is a list of the rulebooks that determine quality:

Rulebook on quality of minced meat, semi-processed and processed meat products ("Official Gazette RS" No. 31/12);

Rulebook on quality of milk products and starter cultures ("Official Gazette RS" No.33/10 and No.69/10);

Rulebook on quality of raw milk ("Official Gazette RS" No.21/09)

Rulebook on quality of honey, honey products and other bee products ("Official Gazette SCG" No. 45/03);

Rulebook on quality and other requirements for beer ("Official Gazette SCG" No.39/05);

Rulebook on quality of animal feed ("Official Gazette RS" No.4/10 and 113/12);

Rulebook on quality of raw coffee, coffee products, coffee substitutes and similar products ("Official Gazette RS" No. 54/12);

Rulebook on quality of fish, crabs and shellfish ("Official Gazette SRJ" No. 6/03, SCG 56/03 and SCG 4/04);

Rulebook on quality of fruits, vegetables and mushrooms (“Official Gazette SCG” No.12/05);
Rulebook on quality of Sugar (“Official Gazette SCG” No. 4/04);
Rulebook on wine production, wine quality and geographical indications (“Official Gazette” RS No. 87/11);
Rulebook on quality of alcoholic drinks (“Official Gazette” SCG No.24/04 and RS No. 74/10);
Rulebook on quality of fruit juices, fruit concentrates, powder fruit juices, fruit nectars and other related products (“Official Gazette” RS No. 27/10, 67/10, 70/10, 44/11 and 77/11);
Rulebook on quality of non-alcoholic drinks “Official Gazette (“SCG No. 18/06);

The Law on Plant Health (“Official Gazette RS” No.41/09), governs protection and improvement of plant health, measures for protection, detection, prevention of spreading, control and eradication of harmful organisms, phytosanitary controls and requirements for production, processing, imports, storage and trade in plants, plant products, requirements for prescribed facilities, as well as conditions to perform activities in the area of protection of plant health. The law also envisages establishment of the national reference phytosanitary laboratory, and introduces controls based on the assessment of risk. The adoption of the law was necessary for the purpose of harmonization with EU regulations, in particular Directive 2000/29/EC, International Plant Protection Convention, and the Agreement on Application of Sanitary and Phytosanitary Measures of the WTO.

The Law on GMO (“Official Gazette RS” No.41/09), governs production, trade and commercial growing of GMO crops in Serbia. The Law also regulates the basic conditions for the use of GMOs in closed systems and the deliberate release into the environment. Currently the law prohibits all commercial use of GMO crops. As part of its EU and WTO accession process, Serbia would need to establish a transparent risk-based system for reviewing/approving biotech products.

The Law on Organic Production (“Official Gazette RS” 30/10) further harmonizes Serbian legislation with EU ordinances governing organic production and labeling. The Law covers production, processing, labeling, storing, transporting, and trade internally and internally of organic products (vegetable and animal products). The Law regulates production methods and organic farming practices, as well a sets the system of controlling and certifying the whole chain of organic production.

With changes and amendments to the *Veterinary Law* (“Official Gazette RS” 30/10 and 93/12), Serbia is getting closer to the EU standards and is improving the conditions for the export of animals and animal products to the EU. The amended law sets new conditions for establishing Centers for storing and distributing semen for artificial insemination, defines responsibilities for the National Reference Laboratory, establishes a system of alert in the case of contagious diseases and defines the measures that will be undertaken, sets out the system of identification and registration of animals and introduces other changes to harmonize requirements with EU rules. The *Veterinary Law* (“Official Gazette RS” 91/05) from 2005, which defines animal health and welfare protections, is still in effect in Serbia. It identifies animal diseases that are subject to the measures aimed at their prevention, detection, containment and eradication. The law deals with diseases transmittable to humans, the veterinary sanitary control and the requirements for production and circulation of animals and their products, edible animal products and animal feed, and the requirements for engagement in the practice of veterinary medicine.

The Law on Livestock (“Official Gazette RS” No.41/09and 93/12), regulates this important agribusiness sector. Law on livestock brought substantial changes in organization and production methods in the

sector by means of enabling the formation of breeders' associations and organizations with special authorizations, thus ensuring the direct influence of producers on the livestock breeding selection criteria and subsequently increased productivity of farm animals. The Ministry of Agriculture controls the activities of these associations and organizations through the Registration Body and also provides information on membership conditions to interested breeders.

The Law on Animal Welfare ("Official Gazette RS" No.41/09), regulates animal welfare, as well as the treatment of animals during killing, keeping, raising, circulating, transporting, slaughtering and experimenting. The law facilitates exports of Serbian animals and products of animal origin, by helping Serbia to harmonize its requirements with those of the EU on keeping and transporting animals. The adoption of the law brings the Serbian requirements into conformity with the rules of the OIE, EU Commission Decision 90/67, and the following EU Council recommendations Nos. 86/609, 2003/65 and 2003/584.

Section II. Labeling Requirements:

General requirements:

The Rulebook on "Declaration and Labeling of Packed Food" ("Official Gazette SCG" No. 4/04, 12/04 and 48/04) regulates labeling requirements for packed foods designated for consumer or public food consumption in Serbia. According to this regulation, a label must be present in both retail and bulk packaged foods and must indicate the following: expiration date, type and content of food additives, type and content of added vitamins, minerals, and other ingredients added to enrich the product's nutritional value. All foods are required to have the label in the Serbian language.

For each type of food product there is a specific ordinance that spells out labeling requirements. Product specifications must contain a short description of the technological process, the basic quality requirements, report any completed quality testing as well as the data regulated in the "Declaration and Labeling Packed Food" by-law. Labels on foods that have been changed nutritionally for special diets must clearly indicate "dietetic food."

The label must contain the following information:

- 1) Product name and brand name, if any
- 2) Quantity of the ingredients
- 3) Product net weight
- 4) Expiration date
- 5) Storage conditions
- 6) Lot number
- 7) Importers name and complete address, country of origin, and the country from where the food is being shipped
- 8) Usage instructions
- 9) Amount of alcohol for beverages that contains more than 1.2% v/v
- 10) Quality and class of the product, if the food is regulated by special categorization and classification rules
- 11) Other data important for consumers and in accordance with the special rules for certain kinds of

food

If the original label is in English (e.g. standard U.S. label) or any other language, the seller is obliged to prepare stick-on labels with a translation to accompany the imported products. It is the importer's obligation to place those translated labels on the product prior to retail distribution.

Bulk packaged foods designated for bulk sale or in the public facilities for food consumption, must contain the declaration with the following information: product's name and brand name if any, product net-weight (mass or volume) and expiration date. For imported food products, the declaration needs to have the importer's name and complete address, country of origin, and the country from which the food was shipped. According to this ordinance, the label must be noticeable, visible, clear and legible. The product's and the manufacturer's names must be printed in larger fonts (the size of font is not specified). Labels for margarine and similar products must include the percentage of individual components. If vitamins are added the label must indicate "enriched with vitamins." If the manufacturing and packaging companies are not the same, the label must indicate the company that did the packaging. Labels for honey must include its origin and production method (e.g. comb, liquid, strained honey). If it was imported, it must be labeled "imported honey." Labels for roasted coffee must indicate its origin and date of roasting.

Meat products must have a declaration in accordance with the Rulebook on "Declaration and Labeling of the Packed Food". In the declaration, under the name of the meat product, the product sub-group must be indicated, and for canned meat products the title must indicate the method of thermo-processing as well. Meat products must indicate, "Chilled", "Frozen", "Heat Treated", "Sliced", "Chopped" etc., and must provide instructions for use and storage if necessary.

If products were artificially colored and conserved by preservatives, this must be indicated right below the product's name, e.g. "artificially colored" or "conserved by preservative", and which chemicals were used must also be indicated. Claims such as "light" and "reduced" are permitted. However, generally labels must not contain words, pictures and drawings and health-related information that could mislead consumers regarding the product's origin, quantity and quality.

Additives must be marked on the declaration by category and name or the additive's "E" number (preservative-Sodium Benzoate or preservative E 211), except for the category of "modified starch" which has no additive denotation or "E" number. When modified starch may contain gluten, the origin of the starch has to be indicated on the declaration (wheat, barley, rye and oat). For additives belonging to the acid category and those that contain the word "acid" within the actual name, it is sufficient to denote the additive without the category.

The description of the nutritive values may contain data about the following components: starch, monounsaturated fatty acids, polyunsaturated fatty acids, cholesterol, minerals and vitamins.

Food samples shipped to Serbia do not need to be labeled. However, all the packaging of shipped sample products should be clearly marked: "Samples - not for sale."

Requirements to Nutritional Labeling:

Nutritional declarations, allowed nutritional statements and conditions for their use are regulated by clauses 29, 30, 31 and 32 of the Rulebook for “Declaration and Labeling of Packed Food” (“Official Gazette SCG”, No.4/04, 12/04 and 48/04). Nutritional declarations are mandatory when a declaration contains a nutritional statement such as low calorie, low fat, high caffeine (>150 mg/l), low sugar, enriched with vitamins. Otherwise, they are voluntary. The rulebook does not regulate the appearance of the nutritional declaration but rather its content. Thus, the format of the U.S. “nutritional facts” label is acceptable. Part of the text of the food product name may contain the following statements: “with sweetener” (if product contains one or more sweeteners are used); “with sugar and sweetener addition” (if one or more different sugars and sweeteners were added to the product); “contains phenylalanine” (if the product contain aspartame-E591); “excessive usage may cause laxative effect” (if the product contain more than 10% additional polys). These statements need to be highlighted.

Section III. Packaging and Container Regulations:

The Law on Packaging and Packaging Waste Management was adopted in 2009 (“Official Gazette RS” No.36/09). The Law brings Serbian requirements into compliance with the EU directive on packaging and waste material. The law regulates use of secondary materials; manages their collection, conditions of processing and storage, but do not regulate materials that come into contact with food. Collection and recycling of already used packaging materials is regulated by the Law on Waste Material Handling and by the Rulebook on Secondary Material Collection, Transport, Storage Conditions and Handling (“Official Gazette RS” No.98/10). Communal Waste Management, including food and beverage packaging material, is enforced by local and municipal authorities.

Packaging requirements are subject to specific ordinances for each type of food. For example, packaging material for raw coffee packed in ½ kg units must weigh less than 50 g. per square meter. Packaging requirements for fresh seafood products are very comprehensive and are regulated by the Rulebook on quality control of fish, crabs and shellfish (“Official Gazette SRJ” No.6/03, SCG 56/03 and 4/04, clause 3) and the Rulebook for “Declaration and labeling of packed food” (“Official Gazette SCG” No.4/04, 12/04, and 48/04, clause 8).

Section IV. Food Additives Regulations:

Serbian regulations of food additives are specified in the Rulebook for “Quality and conditions for use of additives in foodstuffs and other requirements for additives and their mixtures” (“Official Gazette SCG” No.56/03, 4/04, 5/04 and 16/05). According to that ordinance, additives are substances that are not foods (regardless of their nutritive value) but are added to foods during processing because of their effect on the food’s organoleptic characteristics. Substances added to enrich nutritive value and salt are not considered additives. Additives can be added to foods if approved and listed in the so-called “Positive List” provided in the above-mentioned ordinance (approximately 500 additives in total). The quantity used must be in accordance with specific regulations for each group of products. Additives must not affect/decrease a food product’s nutritive value or change significantly the taste and flavor of products, unless this is the intent. They also must not create toxins in products during the processing, storage or use. They must be identifiable, which means that their type and quantity in products can be tested, unless they were removed or destroyed during processing. Additive usage generally must be justified from a technical standpoint.

Additives are divided into 22 categories according to the “Positive List”: color, preservative, antioxidants and synergists of antioxidants, acids, pH regulators, coagulants, stabilizers, emulsifiers, emulsifying salts, substances for gel formation, humectants, substances for dough raising, hardeners,

anticoagulants, aroma enhancer, processing accessory substances against foaming, substances for glazing, substances for flour treatment, substances for volume enhancement, propellant, sweeteners, modified starch. As per clause no.14 of the same rulebook related to the additive usage in foodstuff - it is mandatory to declare “genetically modified (GMO)” if the additive is GMO or contains GMO components. As per clause no. 16, Ethylene Oxide cannot be used to sterilize additives used in food production.

According to the Rulebook on “Declaration and Labeling of Packed Food (“Official Gazette SCG” No. 4/2004, 12/2004 and 48/2004), for each of the above-mentioned groups there are specific requirements for the label that must clearly indicate the following:

- The additive’s name according to the “positive list” or mixture name, including its usage and brand name, if any;
- The manufacturer’s name and complete address;
- The date of manufacturing (day/month/year) and “best before” date;
- The product’s net-weight (mass or volume) in metric units;
- For additives, the category and name of the additive or its E number (preservative – sodium-benzoate or preservative E 211) must be included.
- Additive carriers (e.g. ethanol) must be declared.
- For additive mixtures: List additive names from the “Positive List” in order of their predominance compared to product’s net-weight. If certain additives can be used only in limited quantity, the quantity must be declared;
- Name of the country of origin-if imported;
- Printed indication that additive is GMO;

The product’s name and the manufacturer’s name must be printed in larger fonts (size not specified). Labels must indicate the company that did the packaging (name and address) if different from manufacturer. Sodium nitrite, potassium and saltpeter mixtures used for pickling may be sold but only in original packaging and must be marked as “warning – poison” and “keep in dry place.”

Section V. Pesticides and Other Contaminants:

All imported food products into Serbia must comply with domestic rules on pesticides and other contaminants. Serbia is a member of the Codex Alimentarius Commission (CODEX); thus maximum residue limits (MRLs) are generally recognized for imported foodstuffs. After adoption of Law on Plant Protection Products in 2009, in 2010 Serbia adopted a Rulebook on “Maximum Residue Limits of Pesticides” (“Official Gazette RS” No. 25/2010, that describes residue limits for pesticides and other contaminants, (e.g. hormones, antibiotics and mycotoxins) which can be found in food.

The Law on Plant Protection Products (pesticides) (“Official Gazette” No.41/09) governs control, circulation, imports and application of plant protection products in agriculture and forestry. The Law was adopted in May 2009, but the portion of the law that covers product registration (articles 11-25) has not been implemented. After January 1, 2014, these articles will go into effect. The lack of full implementation of the 2009 Law on plant protection has caused a disparity in the treatment between suppliers of generic and original products. Importers of generic products are able to register their products with only limited data regarding content of the products while importers of the original

products must supply a full dossier on the products to local authorities for product registration.

The law also envisages establishment of a national reference laboratory for residues. The law establishes a unique authority responsible for registration, placing in circulation and post-registration control of pesticides. It also requires pesticide users to be trained (educated) in the use of pesticides. This means that farmers will have to be trained in the safe use of pesticides.

The Rulebook on “Maximum allowed quantities of pesticide residues in food and feed” (“Official Gazette RS” No.25/10 and 28/11), defines the maximum permitted levels of pesticide residues in food and feed, as substances used for the protection of agricultural products against diseases and pests. Lists of food and feed, maximum allowed residue limits, and active substances per mg/kg are listed in the attachments to this Rulebook. These lists include the different pesticides, their commercial names, chemical names and maximum tolerances in milligrams per kilogram (mg/kg) by food and type of food.

Food contaminants are listed as lead, cadmium, mercury, zinc, tin, copper, arsenic, iron and other metals and nonmetals. The ordinance provides a table with maximum residue limits for 43 different foods (expressed in mg/kg). Hormones and antibiotic residues are generally not allowed in food products. Maximum residue limits of mycotoxins are also regulated for grains, flour, legumes, beans, nuts, coffee, roasted cocoa and peanuts. These lists are available from the FAS office in Belgrade (see Appendix II).

The Law on Plant Nutrition Products and Soil Enhancers (fertilizers), (“Official Gazette” 41/09) regulates classification, quality and labeling, phytosanitary control, sampling in circulation, imports, application and testing of plant nutrition products and soil enhancers. The law facilitates exports of Serbian plant nutrition products; introduces labeling in accordance with EU requirements (label EC fertilizer). The law helps harmonize Serbian requirements with EU regulations, in particular Directive 2003/2003 and 1774/2003, and the TBT Agreement of the WTO.

Serbia has a list of approved pesticides and fertilizers that can be imported and traded. These lists can be obtained from the Phytosanitary Department/Import and Registration of Pesticides at the Ministry of Agriculture (see Appendix II). The Rulebook on “Request Forms and Content for Enlisting into Register of Distributors and Importers of Plant Protection Products and Content of this Register” (“Official Gazette RS” No.5/10) regulates how distributors and importers of fertilizers can be added to the official register. Serbia also adopted the new Rulebook on “Packaging Conditions of Fertilizers” (“Official Gazette RS” No.13/10), that indicates how fertilizers should be packed, depending on whether they are in a liquid or in a solid formulation.

Section VI. Other Regulations and Requirements:

Importers of live animals and products of animal origin must request import approval from the Serbian Ministry of Agriculture (see Appendix I for contact). Serbian import requirements are in accordance with the World Animal Health Organization (OIE) requirements. Serbia is a member of the OIE since May 2003.

The Rulebook on “General and specific conditions for hygiene of food at any phase of production, processing and trade” (“Official Gazette RS” No. 72/10) went into effect on June 1, 2011. This

Rulebook regulates hygiene in all phases of food production, processing and trade. Appendix I of this Rulebook includes a list of microbiological criteria for different kinds of food products.

Certification and documentation: live animals, meat, and dairy products require veterinary certification, while seeds, fruits and vegetables require a phytosanitary certificate issued by the exporting country's relevant authorities (e.g. USDA/FSIS or USDA/APHIS). Special certification is needed for veterinary drugs, demonstrating the drugs have been approved and used in the country of origin. Information can be obtained from the Serbian Ministry of Agriculture (Appendix I).

Foods that are subject to veterinary and phytosanitary inspections can enter thru all border crossings where veterinary and phytosanitary border inspection posts exist. Importers should always inform the Ministry of Agriculture in order to send the import approvals to the relevant border inspection post at the point of entry. Inspection services are charged as per a published, official price list. Inspections will cost more if they are performed after regular working hours and/or on weekends and holidays.

On October 1, 2012, the Serbian Ministry of Agriculture adopted new guidance on the procedure for "Official sampling of food and feed of plant and mixed origin at import". The number of imported food and feed samples will be drastically reduced to approximately 150 controls per month, compared to the previous procedure which sampled every shipment (approx. 8,000-10,000 controls per month).

Imported food and feed products that will continue to be sampled at the border will be: products imported for the first time into Serbia; products that have changed their labels; products not tested in the country of origin for more than six months; or, products coming from countries which have been identified as high risk based on prior problems. According to this decree, fresh and processed fruits and vegetables, grain and milling products, raw coffee and teas will be sampled every three months regardless of the country of origin. According to the decree the importer must provide the following required import documents: an invoice, the specifications of the imported products, a customs declaration, information on the destination of the goods until the customs procedure is completed, any prior official reports regarding the same type of product, and any official results from prior sampling of the same type of product. By establishing these new procedures, Serbia is reducing costs and import processing times, as well as continuing to harmonize domestic legislation with international standards per Serbia's Food Safety Law adopted in 2009.

Foreign Trade and Customs Policies

The Law on Foreign Trade ("Official Gazette RS" No.36/09, 36/11 and 88/11) regulates foreign trade in accordance with the EU and WTO rules and regulates the work of the National Agency for Export and Import Promotion. The Law is in principle designed to promote free trade of goods and services. Per this Law, restrictions and import bans may be applied only when they are needed to protect public health or guard the domestic market against subsidized or dumped products.

The Law on Customs Tariff ("Official Gazette RS" No.62/05, 61/07, 112/07, 9/08, 10/09, 100/09 and 66/10, 95/11 and 11/12) and Decree on "Harmonization of Customs Tariff Nomenclature for 2013", was adopted in November 2012. This decree was adopted as part of the implementation of the Stabilization and Association Agreement (SAA) between Serbia and the EU in order to help align its tariff schedule by 2013 and eliminating customs duties on certain EU products by 2014. According to this Agreement, custom tariffs on most agricultural products from the EU will be reduced to zero, except for a select

group of products (i.e. certain types of meats, meat products, yoghurt, fruits and vegetables), upon which Serbia can continue to charge customs duties.

Serbia is applying the Harmonized System (HS) to its tariff schedule which provides for a common product description and coding. Customs tariffs for agricultural products range from zero to 30 percent of imported values, with additional levies and seasonal taxes being applied to some agricultural products based on unit weight. Agriculture and food production currently account for 16 percent of Serbia's GDP and 24 percent of Serbia's total exports.

The harmonization of Serbian customs tariffs was necessary to facilitate customs clearance with EU countries that are among Serbia's key trading partners and to assist with the WTO negotiation process. The Decree on "Harmonization of the Customs Tariff Nomenclature", established 9,706 tariff lines which are now harmonized with the EU's customs tariff nomenclature. Tariff lines for agriculture commodities are in chapter 1 to chapter 24.

As of October 1, 2010, Serbia's tariff rates fall into six groups: 1) the standard tariff rates, 2) the tariff rates for EU countries (according to the Stabilization and Association Agreement signed in 2008); 3) tariff rates for signatory countries of the Central European Free Trade Agreement (CEFTA) signed in 2006, which include Albania, Macedonia, Montenegro, Croatia, Moldavia, Bosnia and Herzegovina and UMNIK-Kosovo; 4) tariff rates for signatory countries of the European Free Trade Agreement (EFTA) signed in 2009 which include Iceland, Norway, Switzerland and Lichtenstein; 5) tariff rates for Russia (as per a Free Trade Agreement signed in 2000), Belorussia (as per a Free Trade Agreement signed in 2009) and Kazakhstan (as per a Free Trade Agreement signed in 2010); and, 6) tariff rates for products from Turkey (as per a Free Trade Agreement signed in 2009).

Per the Stabilization and Association Agreement (SAA) that Serbia signed with the EU in 2008, Serbia has until 2014 to bring duties down from 10.8 percent to zero for most EU agricultural products. Meanwhile, since 2000, Serbia has been enjoying customs-free regime for most of its products exported to the European Union. Approximately 44.2 percent of Serbian exports are destined for the EU market and 42.3 percent of Serbian imports come from EU countries.

Since 2006, Serbia has been a member of the Central European Free Trade Agreement (CEFTA) which includes: Albania, Macedonia, Montenegro, Croatia, Moldavia, Bosnia and Herzegovina and UMNIK-Kosovo. CEFTA countries account for 50 percent of Serbia's total agricultural exports and 21.9 percent of Serbia's total agricultural imports.

Serbia is not yet a member of the World Trade Organization (WTO) but it has been harmonizing its legislation with WTO requirements, including food safety and phytosanitary regulations, in an effort to advance the accession process. Work still needs to be done on its legislation regarding Genetically Modified Organisms to bring it into compliance with WTO and EU requirements. Serbia is already a member of the CODEX Alimentarius, the European Plant Protection Organization (EPPO), the Convention on Biodiversity (CBD), the Union of Protection of New Varieties of Plants (UPOV), the World Intellectual Property Organization (WIPO), the European Cooperative Program for Crop Genetic Resources Networks (ECP/GR); and is a signatory of the Aarhus Convention and the International Plant Protection Convention (IPPC).

Customs and Taxation

With the amended Customs Law and the Law on Customs tariffs, Serbia passed a number of implementing legislative acts. The legislation has been amended to align with the EU *Acquis* and some simplified procedures have been set up (i.e. summary declaration procedures and a simplified declaration). Serbia has adopted a new law on free trade zones, offering tax breaks and simplified procedures, while enabling foreign owned companies to establish and manage free trade zones in Serbia.

Overall, Serbia has reached a relatively good level of alignment with the EU customs *Acquis*. In particular, significant improvements have been noted in the field of control and management of preferential trade measures (by origin). This is the result not only of the existence of computerized customs procedures, but also because of intensified training of customs officers. Concerning taxation, taxes are applied at the same rates for locally produced and imported goods. As of October 1, 2012, Serbia increased the value-added tax (VAT) rate from 18 percent to 20 percent on non-essential products. The VAT on essential agricultural and food products (e.g. bread, flour, milk and dairy products, sugar, edible oil from sunflower, corn, soya, rape seed, olives, animal or plant origin fat, honey, frozen, processed, fresh fruits and vegetables, meat and meat products, fish, eggs, grains, oilseeds, sugar beet, seeds, planting material, cattle feed, pesticides and fertilizers) remained the same at 8 percent.

Section VII. Other Specific Standards:

Alcoholic beverages, wine, nonalcoholic beverages and tobacco products are subject to specific taxation rules issued by the Ministry of Finance. The Ministry of Finance issues control excise stamps, which are to be included in the packaging prior to import into Serbia. Import of alcoholic beverages, wine and nonalcoholic beverages no longer require an import permit, but they must meet the quality controls before they can be imported. In 2009, Serbia adopted the new Law on Brandy, the new Law on Wine, the new Law on Beer and the new Law on Ethanol. During 2011 and 2012, a number of rulebooks were adopted by the Ministry of Agriculture and Trade in order to support application of the following laws:

The Law on Brandy and Other Alcohol Drinks (“Official Gazette RS” No.41/09) regulates the alcoholic beverage sector in line with EU standards and regulations. There are more than 2000 registered fruit-based brandy producers in Serbia. Controlling mechanisms are prescribed for the entire process of production along the value chain, up to including mandatory labeling of all products for commercial purposes.

The Law on Wine (“Official Gazette RS” No.41/09) and the *Law on Amendments on Changes to the Law on Wine* (“Official Gazette RS” 93/12) regulate various aspects of production and sales of wine. The regulations cover winemaking practices, classification and labeling, wine-production potential, documentation of wine industry activities and the duties of the enforcement agencies/inspections.

The Law on Ethanol (“Official Gazette RS” No.41/09) regulates production, marketing, export and import of ethanol. The law introduced the EU’s standards and regulatory framework in an effort to facilitate ethanol exports to the EU and the regional market. The regulation governs quality control and was intended to facilitate usage of Serbian ethanol across various industries (food processing, alcohol beverages production, medical, pharmaceutical cosmetics etc), as well as attract new investment in ethanol production and trade. The law prescribes methods of registering production, packaging, marketing, quality controls and the responsibilities of controlling agencies/inspections. Several by-laws

are still needed to more precisely regulate the technical aspects of ethanol production, as well as trade and market conditions.

The Law on Beer (“Official Gazette RS” 30/10), represents a legal framework for regulating beer production and sales, and is intended to make Serbia’s beer industry more export competitive. The law allows only registered breweries to produce beer. Serbia’s Ministry of Agriculture, Water Management and Forestry maintains a public register of breweries, as well as data on annual production, consumption of raw materials and production of final products.

Section VIII. Copyright and/or Trademark Laws:

The Law on Special Authorization for the Efficient Protection of Intellectual Property Rights, (“Official Gazette RS” No.46/06 and 104/09) protects trademark, service marks and brand names. Trade or service marks receive protection for a 10-year term from the date of filing, with the opportunity for the term to be extended. Serbia also applies the Law on Trademarks, (“Official Gazette RS” No. 104/09) governing the manner of acquisition and the protection of rights with respect to marks used in trade of goods and/or services. The Law on Patents (“Official Gazette RS” No. 99/11) legally protects and regulates patents and rights of the inventors, while the Law on Copyrights, (“Official Gazette RS” No.104/09 and No. 99/11) regulates copyright matters. Domestic and foreign applications must be submitted to the Intellectual Property Office (see Appendix II). Serbia is a member of the World Intellectual Property Organization (WIPO) and signatory to a large number of conventions such as the Paris Convention Treaty on Patent Cooperation and the Madrid Agreement on International Registration of Marks.

As a part of its EU and WTO harmonization efforts, Serbia adopted the Law on Protection of Plant Breeder’s Rights/UPOV (“Official Gazette RS” No.41/09) and the Law on Amendments on Changes of Law on Protection of Plant Breeders’ Rights/UPOV (“Official Gazette RS” No. 88/11) that regulates protection of intellectual property rights of plant variety breeders, conditions for domestic breeders to register new plant varieties, conditions for safe circulation of foreign protected varieties in the domestic market. The law improved the availability of new domestic and foreign plant varieties, which should have a positive effect on agricultural production. Adoption of the law was necessary to harmonize Serbia’s legal environment with the Convention of the Union for Protection of New Varieties of Plants (UPOV) and represents a precondition for membership of Serbia in UPOV. Serbia is expected to become a full member of UPOV on January 5, 2013, since it adopted all the required legislation. This law is also important for harmonizing with EU legislation and with the Agreement on Trade Related Aspects of Intellectual Property Rights (TRIPS) of the WTO.

Section IX. Import Procedures:

Foreign suppliers can export food products to Serbia using a locally registered office or a local company, shipping agent or forwarding agent registered for import activities. It is common for agents to help with food import regulations. Import approvals for agriculture commodities should be obtained from the Ministry of Agriculture, Forestry and Water Management. Import approvals are required for live animals, products of animal origin with more than 2 percent of animal component, genetics, veterinary drugs, seeds and planting materials or pesticides. Prior approval is not required for other food products.

Standard documents such as a customs declaration, commercial invoice, bill of lading, and import approval (for the products mentioned above) must accompany all shipments as well as the relevant

health certificates issued by the competent authority in the country of origin (e.g. a veterinary certificate for meat and meat products, a phytosanitary certificate for fruits, vegetables, seeds, planting material etc). In addition to a document check, veterinary and phytosanitary inspections are conducted at select border crossing points. Foods of animal origin and veterinary drugs must have prior import approvals from the Veterinary Department of the Serbian Ministry of Agriculture. Forms for import notification are available online at the Ministry of Agriculture's website or can be obtained from the Ministry's Veterinary Department or from the Department for International Trade and Collaboration (please see Appendix I).

Imports of seeds and planting materials into Serbia are regulated by the Law on Seeds ("Official Gazette RS" 45/05 and 30/10), the Law on Planting Material of Fruits, Vine and Hops ("Official Gazette RS" No.18/05 and 30/10) and the Law on Protection of Plant Breeders' Rights ("Official Gazette RS" No.41/09 and No. 88/11). Seed imports currently must be accompanied by a bill of lading, phytosanitary certificate, a variety of seed certificate (OECD) and a seed quality certificate (ISTA). Imported seeds must have a declaration issued by the relevant institution in the country of origin when they enter the Serbian market.

Appendix I. Government Regulatory Agency Contacts:

1. Serbian Ministry of Agriculture, Forestry and Water Management

Nemanjina 22-26,
11000 Belgrade, Serbia
Phone: ++ 381 11 260 7960
Fax: ++ 381 11 260 7961
E-mail: info@minpolj.gov.rs
Web page: www.mpt.gov.rs

2. Serbian Ministry of Health

Nemanjina 22-26,
11000 Belgrade, Serbia
Phone: ++ 381 11 3616 596
Fax: ++ 381 11 265 6548
E-mail: kabinet@zdravlje.gov.rs
Web page: www.zdravlje.gov.rs

3. Serbian Ministry of Internal and External Trade and Telecommunication

Bulevar Mihajla Pupina 2,
11070 New Belgrade
Phone: ++ 381 11 311 3432
Fax: ++ 381 11 311 4650
E-mail: kabinet@mtt.gov.rs
Web page: www.mtt.gov.rs

4. Serbian Ministry of Environment, Mining and Spatial Planning

Nemanjina 11,
11000 Belgrade, Serbia
Phone: ++ 381 11 361 7717

Fax: ++ 381 11 361 7722

Web page: www.ekoplan.gov.rs

5. Import of live animals and products of animal origin, veterinary drugs

Serbian Ministry of Agriculture, Forestry and Water Management

Veterinary Department/International Trade and Certification

Omladinskih brigada 1,

11000 Belgrade, Serbia

Contact person: Mr. Sinisa Kotur

Phone: ++ 381 11 2602 634

Fax: ++ 381 11 2602 498

Sinisa.Kotur@minpolj.gov.rs

6. Import of seeds and planting material

Serbian Ministry of Agriculture, Forestry and Water Management

Phytosanitary Department

Omladinskih Brigada 1,

11070 New Belgrade, Serbia

Contact person: Mr. Vlade Djokovic

Phone: ++ 381 11 311 7371

E-mail: vlade.djokovic@minpolj.gov.rs

7. Import of pesticides and fertilizers

Ministry of Agriculture, Forestry and Water Management

Phytosanitary Department/Import and registration of pesticides

Omladinskih Brigada 1,

11070 New Belgrade, Serbia

Contact person: Ms. Snezana Petric-Savcic

Phone: ++ 381 11 2600 081

E-mail: snezana.savcicpetric@minpolj.gov.rs

8. GMO approvals and registrations

Serbian Ministry of Agriculture, Forestry and Water Management

1, Omladinskih Brigada St.

11070 New Belgrade, Serbia

Contact person: Mrs. Vanja Kojic

Phone: ++ 381 11 311 7591

Fax: ++ 381 11 311 7591

E-mail: Vanja.Kojic@minpolj.gov.rs

9. Approvals of plant varieties

Serbian Ministry of Agriculture, Forestry and Water Management

1, Omladinskih Brigada St.

11070 New Belgrade, Serbia

Contact person: Mr. Dragan Dedic
Phone: ++ 381 11 311 7317
E-mail: Dragan.Dedic@minpolj.gov.rs

9. Inspection on sanitary conformity

Serbian Ministry of Health

Department for Sanitary Inspection

1, Omladinskih Brigada Str.

11070 New Belgrade, Serbia

Contact person: Mr. Zoran Panajotovic

Phone: ++ 381 11 2607 874

E-mail: zoran.panajotovic@zdravlje.gov.rs

Web page: www.zdravlje.gov.rs

10. Market inspection

Serbian Ministry of Internal and External Trade and Telecommunication

Department for Market Inspection

Nemanjina 22-26

11000 Belgrade, Serbia

Contact person: Ms. Lidija Stojanovic

Phone: ++ 381 11 361 4334

E-mail: lidija.stojanovic@mtt.gov.rs

Web page: <http://razvoj.mtt.gov.rs/en/sectors-of-the-ministry/sector-for-market-inspection/>

11. Imports of Wine

Serbian Ministry of Agriculture, Forestry and Water Management

Nemanjina 22-26,

11000 Belgrade, Serbia

Contact person: Mr. Darko Jaksic

Phone: ++ 381 11 3617 595

Fax: ++ 381 11 3621 505

E-mail: djaksic@minpolj.gov.rs

12. Imports of brandy, alcohol and nonalcoholic beverages

Serbian Ministry of Agriculture, Forestry and Water Management

Nemanjina 22-26,

11000 Belgrade, Serbia

Contact persons: Ms. Kolinda Herhorovic/Mr. Milan Cupric

Phone: ++ 381 11 3617 701

E-mail: kolinda@minpolj.gov.rs

mcupric@minpolj.gov.rs

13. Directorate for National Reference Laboratories

Serbian Ministry of Agriculture, Forestry and Water Management

Batajnicket drum bb,
11080 Zemun, Serbia
Phone: ++ 381 11 377 2070
Fax: ++ 381 11 377 2025
E-mail: office-dnrl@minpolj.gov.rs
Web page: http://www.dnrl.gov.rs/index_e.html

14. Customs clearance:

Serbian Custom Administration

Bulevar Zorana Đinđića 155 a,
11070 New Belgrade, Serbia
Phone: ++ 381 11 2690 822
E-mail: pr@carina.rs
Web page: <http://www.carina.rs/en>

15. Institute for trademarks, patents and intellectual property

Intellectual Property Office

Knjeginje Ljubice 5, 11000 Belgrade
Phone: ++ 381 11 2025 800
Fax: ++ 381 11 311 2377
E-mail: zis@zis.gov.rs
Web page: www.zis.gov.rs

16. Serbian Ministry of Finance and Economy

Kneza Milosa 20,
11000 Belgrade
Phone: ++381 11 364 2600
Fax: ++ 381 11 361 8914
E-mail: informacije@mfp.gov.rs
Web page: http://mfp.gov.rs/?change_lang=en

18. Serbian Government Official

Web page: http://www.srbija.gov.rs/?change_lang=en

Appendix II. Other Import Specialist Contacts:

1. Office of Agricultural Affair (Foreign Agricultural Service)

U.S. Embassy Belgrade

Kneza Milosa 50,
11000 Belgrade, Serbia
Phone: ++381 11 306 4802
Fax: ++ 381 11 306 4922
Contact person: Agriculture Specialist, Mrs. Tatjana Maslac
E-mail: tatjana.maslac@fas.usda.gov
Web page: <http://serbia.usembassy.gov/>

2. University of Belgrade, Veterinary Faculty

Bul. JNA18,
11000 Belgrade, Serbia
Phone: ++ 381 11 361 5436
Fax: ++ 381 11 2685 936
Web page: <http://www.vet.bg.ac.rs/>

3. Institute of Meat Hygiene and Meat Technology

Kacanskog 13,
11000 Belgrade, Serbia
Phone: ++ 381 11 2650 655
Fax: ++ 381 11 2651 825
E-mail: institute@inmesbgd.com
Web page: www.inmesbgd.com

4. National Laboratory for Seed Testing

Maksima Gorkog 30,
21000 Novi Sad, Serbia
Phone: ++ 381 21 4898 100
Fax: ++ 381 21 6621 212
E-mail: institut@ifvcns.ns.ac.rs
Web page: <http://www.nsseme.com/en/>

5. Institute for Public Health “Dr. Milan Jovanovic Batut”

Dr. Subotica 5,
11000 Belgrade, Serbia
Phone: + 381 11 2684 566
Fax: +381 11 2685 735
Web page: www.batut.org.rs

6. Institute for Science Application in Agriculture

Phone: ++ 381 11 275 1622
Fax: ++381 11 275 2959
Bulevar Despota Stefana 68b,
11000 Belgrade, Serbia
E-mail: admin@psss.rs
Web page: www.psss.rs

7. Agriculture Faculty Belgrade

Nemanjina 6,
11080 Zemun, Serbia
Phone: ++ 381 11 2615 315
Fax: ++ 381 11 2193 659
Web page: <http://www.agrif.bg.ac.rs/>

8. Agriculture Faculty Novi Sad

Trg D.Obradovica 8,
21000 Novi Sad, Serbia
Phone: ++ 381 21 450 355
Fax: ++ 381 21 459 761
Web page: <http://polj.uns.ac.rs/>

9. Institute for Molecular Genetics and Genetics Engineering

Vojvode Stepe 444a
11001 Belgrade, Serbia
Phone: ++ 381 11 3975 744
Fax: ++ 381 11 3975 808
Web page: <http://www.imgge.bg.ac.rs>

10. Serbian Chamber of Commerce

Resavska 13-15
11000 Belgrade, Serbia
Phone: ++ 381 11 3241 328
Fax: ++ 381 11 3230 949
Web page: <http://www.pks.rs>

Author Defined: