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Report Highlights:

Since its European Union (EU) accession in 2004, Lithuania has consistently harmonized its domestic food and agricultural regulations with EU standards. FAS/Warsaw advises stakeholders to consult with Lithuanian importers and/or buyers to ensure current requirements are met. FAS/Warsaw also recommends that the following report be read in conjunction with the EU Food and Agricultural Import Regulations and Standards (FAIRS) report, prepared by the U.S. Mission to the EU's Office of Agricultural Affairs (OAA).

Disclaimer:

The following report was prepared by U.S. Embassy Warsaw's Office of Agricultural Affairs (OAA), which has regional responsibility for Lithuania, for exporters of U.S.-origin food and agricultural products to Lithuania. While every effort was taken during preparation, FAS/Warsaw cannot guarantee complete accuracy due to policy changes since publication, or because clear and consistent information about these policies was unavailable. FAS/Warsaw recommends that U.S. exporters verify all import requirements with their foreign customers before shipping any goods. This report also should be read in conjunction with the 2024 EU FAIRS report, prepared by the U.S. Mission to the EU's OAA, and can be found on this <u>website</u>.

FINAL IMPORT APPROVAL OF ANY PRODUCTS 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:

Lithuania follows all EU regulations and directives. FAS/Warsaw recommends that this report should be read in conjunction with the 2024 EU FAIRS report produced by the U.S. Mission to the EU in Brussels, Belgium, available on the FAS GAIN Report Database. U.S. exporters should be aware that some interpretational variations can appear between EU Member States. This report outlines specific requirements for food and agricultural product imports into Lithuania.

Section I. Food Laws:

Food Safety Legislation

Lithuania follows EU regulations governing agricultural imports, per the EU's single market principle, including <u>Regulation EC/178/2002</u>, the EU's General Food Law (GFL). United States exporters should be aware that some interpretational variations can occur between the Member States. While EU regulations generally mandate national regulatory objectives, and often within a certain time frame, Member States can determine their own national implementing regulations. The Government of Lithuania (GOL) regulates all domestic food and agricultural stakeholders and ensures their compliance with all requisite EU standards and regulations.

In June 2019, the EC also issued <u>Regulation 2019/1381</u> regarding transparency and sustainability of its risk assessment methodology. Regulation 2019/1381 aims to improve risk communication by creating a public register of private-sector research commissioned for approvals of genetically engineered (GE) products, novel foods, food and feed additives, plant protection products, and food packaging. The Regulation came into force on March 27, 2021.

The two EU regulations, which provide the basis of the EU's border control requirements for food and agriculture and apply to all Member States irrespective of national implementing regulations are:

- Regulation of the European Parliament and of the Council (EC) No 2016/2031 of 26 October 2016 on protective measures against plant pests. Current consolidated version of the Regulation can be found <u>here</u>.
- Regulation of the European Parliament and of the Council (EC) No 2017/625 of 15 March 2017 on official controls and other official activities carried out to ensure the application of food and feed law and rules on animal health and animal welfare and plant health and plant protection products. The Regulation repeals former Regulation 882/2004. The current consolidated version of the Regulation can be found here.

Regulations governing the movement of food within Lithuania and the EU can be found via the <u>Seimas</u> website.

Other Relevant Lithuanian Food Laws include:

- Law on Veterinary Activities (December 17, 1991, No I-2110 with amendments, consolidated version July 9, 2024)
- Law on Protection, Keeping and Use of Animals (October 03, 2012, No. XI-2271, as amended)
- Law on Product Safety (June 01, 1999, No. 52-1673, consolidated version No. VIII-1206: May 1, 2019)
- Law on Food, of April 04, 2000, No VIII-1608, as amended. Consolidated version, valid as of January 1, 2024, can be found <u>here</u>.
- Law on Consumer Protection (November 10, 1994, No. I-657, consolidated version: from 01/01/2016 to 29/02/2016), as last amended on June 2015 _No XII-1867.
- Law on Seed Cultivation (November 15, 2001, No. IX-602, consolidated version: December 10, 2004).
- Law on Plant Protection (October 19, 1995, No. I-1069, consolidated version: November 1, 2021),
- Law on Alcohol Control (April 18, 1995, No I-857, <u>consolidated version</u>: April 26, 2018)
- Law on Environmental Protection (January 21, 1992, No. I-2223, consolidated version November 13 December 31, 2021), as last amended on June 25, 2020 No XII-1718.

Relevant Institutions in Lithuania

The GOL regulates and enforces food and agricultural regulations via the Ministry of Agriculture (MinAg), the State Food and Veterinary Service (SFVS), the State Plant Service under the Ministry of Agriculture (SPSMoA), the Ministry of Environment (MEN), the Ministry of Health, and the Ministry of Economy (MOE). SFVS is the central competent authority with overall responsibilities in relation to food and feed safety, animal health, animal welfare, and animal breeding and is directly accountable to the GOL and the Minister of Agriculture. SFVS enforces food laws and regulations for commodities and other raw materials, processed foods, and feeds. SFVS ensures food and feed safety and free movement throughout the EU by ensuring that quality, labeling, and other requirements adhere to EU and Lithuanian regulations.

The State Plant Service under the Ministry of Agriculture (SPSMoA) is the central competent authority for plant health, authorization of plant protection products, and controls on the use and marketing of plant protection products. The last restructuring of the SPSMoA was carried out in May 2020, when the Internal Audit Division was abolished. Internal audit functions have been transferred to the Central Internal Audit Division in the Ministry of Agriculture.

The MinAg develops and enforces laws and guidelines pertaining to food quality (raw and processed), plants, and organic foods.

The MEN is the central competent authority for genetically engineered (GE) organisms.

The Ministry of Health is responsible for legislation on food contaminants, additives, supplements, products for special nutrition, irradiated, genetically engineered foodstuffs, novel food, materials, and articles intended to contact with foodstuffs, food hygiene, and food labeling.

The MOE regulates market policy in Lithuania, including implementing EU requirements.

Section II. Labeling Requirements:

Lithuanian food labeling requirements, standards, and specifications are based on EU requirements, chiefly <u>Regulation 1169/2011</u> of the European Parliament and Council regarding food information for consumers (FIC). Mandatory nutritional declarations under the FIC entered into force on December 13, 2016. In June 2018, the EC published updated <u>guidance</u> on FIC implementation.

Additional information on labeling requirements can be found on FAS USEU's website.

U.S. exporters are strongly advised to check for additional national requirements with their importers.

Compulsory Information

Article 9 of FIC Regulation 1169/2011 established the mandatory food and beverage label declarations:

- Name of the food
- List of ingredients
- Allergens listed in Annex II
- Quantity of certain ingredients or category of ingredients
- Net quantity of the product

- Date of minimum durability or "use by date."
- Any special storage conditions and/or conditions of use
- Name of business name and address of the food business operator under whose name the food is marketed. If that operator is not established in the EU, the name and address of the importer.
- Country of origin or place of provenance as per provisions under Article 26
- Instructions for use where it would be difficult to make appropriate use of the food in the absence of such instructions.
- Alcoholic strength by volume for beverages containing more than 1.2% by volume of alcohol.
- Nutrition declaration
- Minimum font size for printing label/sticker is set at 1.2 mm.

Organic Food Labeling

The regulation on organic production and labelling of organic products was adopted in 2018 and entered into force on January 1, 2022 (<u>Regulation (EU) 2018/848</u>).

Organic labeling is overseen in Lithuania by the Ekoagros Company, a parastatal company founded by the Ministry of Agriculture. Ekoagros is internationally accredited by the International Federation of Organic Agriculture Movements. Lithuania has a patented certification label for Lithuanian organic products. Lithuania follows all EU organic standards and regulations.

Country of Origin Labeling (COOL)

Country of origin labeling is mandatory for honey, fruit and vegetables, olive oil, fishery and aquaculture products, beef, pork, sheep and goat meat, and poultry. For more information on COOL requirements, please refer to the <u>FAS EU website</u>. On May 29, 2018, the EC published <u>Implementing Regulation 2018/775</u> mandating dual-origin labeling when a country of origin is given or visually implied on a product label, but the primary ingredient originates from a different country. This Regulation entered into force on April 1, 2020. Lithuania launched a national COOL scheme on milk and dairy products in September 2016.

Plant-based Meat and Dairy Alternatives

To date, there is no EU-harmonized definition of the terms "vegetarian" and "vegan" and no specific requirements for the labeling of 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 <u>Regulation 1308/2013</u>, which defines 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 <u>Commission Decision 2010/791</u>. For more information, please see FAS EU GAIN Report "<u>European</u> <u>Court Prohibits Use of Dairy Names for Non-Dairy Products</u>."

Section III. Packaging and Container Regulations:

Reducing packaging-related waste

In May 2018, the European Commission proposed new rules to target the 10 single use plastic products most often found on Europe's beaches and seas, as well as lost fishing gear. The ban of certain products could also affect food packaging. Some provisions of <u>Directive (EU) 2019/904</u> to reduce the impact of certain plastic products on the environment, such as the ban on single-use plastics, went into effect on July 3, 2021. This was the deadline for Member States to transpose the directive into national laws, regulations, and administrative provisions. Other provisions in the Directive, such as the extended producer responsibility, will take effect by the end of 2024.

Packaging Sustainability Measures

To implement the Directive 2019/904 (Single-Use Plastic (SUP) Directive) prohibiting the placing on the market of certain single-use plastic products and all aerobically degradable plastic products, the Lithuanian Ministry of Environment amended four legal acts. These were amendments to the Waste Management, Packaging and Packaging Waste Management, Environmental Protection Laws, and the Code of Administrative Offenses. The amendments were approved by the Lithuanian Parliament in September 2021.

The amendments to the Waste Management Act and the Packaging and Packaging Waste Management Act introduce a ban on the placing on the market of certain single-use plastic products. The amendments define the rights and obligations of manufacturers and importers of single-use plastic products, as well as of manufacturers and importers of fishing gear containing plastic.

Council Directive 94/62/EC outlines measures aimed at limiting packaging waste and promoting recycling, re-use, and other forms of waste recovery. On November 30, 2022, the European Commission proposed a revision to the 1994 Directive on Packaging and Packaging Waste to harmonize the increasingly fragmented packaging rules across the European Union. The proposal is currently going through the legislative process and is expected to be finalized by mid-2024.

Materials in contact with foodstuffs

Packaging and product container requirements in Lithuania adhere to EU standards and regulations, chiefly <u>Regulation (EC) 1935/2004 of October 27, 2004</u>. Regulation (EC) No. 450/2009 of 29 May 2009 also addresses materials and products which touch food. Additional information on plastic materials which touch food is described in Regulation (EU) No. 10/2011 of 14 January 2011 (OJ L12, 15.1.2011, page 1). This Regulation cites 21 permitted substances (plastic materials and articles) that may touch food. For more information on package and containers requirements please refer to the 2024 EU FAIRS Report <u>here</u>.

Section IV. Food Additives Regulations:

The EU's "Package on Food Improvement Agents" includes Regulations: (1) <u>Regulation 1331/2008</u>, amended by <u>Regulation (EU) 2019/1381</u>) on the transparency and sustainability of the EU risk assessment in the food chain, (2) Regulation (EC) 1332/2008 on food enzymes, (3) Regulation (EC) 1333/2008 on food additives, and (4) Regulation 1334/2008 on flavoring agents.

<u>Regulation (EU) 2019/1381</u> on the transparency and sustainability of the EU risk assessment in the food chain establishes an approval process for food additives, food enzymes, and food flavorings. Implementing regulations are established under Regulation 234/2011, which clarifies administrative and technical data required by the EC. Only additives included in the EU's positive list

may be used in food products marketed in the EU. Inclusion in the EU positive list is based on a risk assessment by the European Food Safety Authority (EFSA).

Approved additives are listed in Annex II to the Food Additives Regulation 1333/2008. The approved uses of additives are listed according to the food category to which they may be added. Annex I to Regulation 1333/2008 lists 26 different categories of food additives. The EU does not allow the use of chlorine, bromates, and peroxides as flour bleaching agents. Additional information on regulations pertaining to EU food additives requirements can be obtained <u>here</u>.

Section V. Pesticides and Contaminants:

Plant Protection Products

Regulation (EC) No.1107/2009 established approval requirements for plant protection product (PPPs). It entered into force in 2009 and supersedes Directive 91/414/EEC. This Regulation also established the list of approved active substances. Only PPPs containing EU-approved active substances are authorized. According to the Regulation, the EU is divided into three different zones. Lithuania is listed in Zone A "North", together with Denmark, Estonia, Latvia, Finland, and Sweden. Once a Member State approves the PPP, it can be mutually recognized and authorized within the same EU zone as set out in Annex I of the Regulation. Exporters can search for specific details on PPPs approved for use in a certain Member State in the <u>EU pesticide database</u>.

<u>Directive 2009/128</u> on the sustainable use of pesticides is also part of the so-called Pesticides Package. For more information see the European Commission website <u>here</u>.

In November 2017, Regulation (EU) 2017/2158 established benchmark levels to reduce the presence of acrylamide in food. The regulation requires that food business operators apply mandatory measures to reduce the presence of acrylamide, proportionate to the size and nature of their establishment. In November 2019, the Commission adopted <u>Recommendation 2019/1888</u> recommending that competent authorities in the Member States regularly monitor the presence of acrylamide and its levels in food, in particular in the food listed in the Annex of this Recommendation. For more information see the European Commission <u>website</u>.

Maximum Residue Levels (MRLs)

Since 2008, Member States have followed Regulation (EC) No.396/2005 on MRLs in food or feed of plant and animal origin. Pesticide MRLs for processed or composite products are based on levels in raw agricultural ingredients. See the EC's <u>website</u> for the latest updates. For a list of authorized active substances or pesticide-MRL combinations, see the European Commission's <u>online database</u>.

Import Tolerances

MRL and import tolerance is available in the <u>"Pesticide Use and Food Safety" guide</u> published by <u>Croplife Europe</u>.

Section VI. Other Requirements, Regulations, and Registration Measures:

U.S.-EU Wine Agreement: In March 2006, the United States and the EU signed the Agreement, which covers wines with an alcohol content of not less than 7 percent and not more than 22 percent. All U.S. wine exports must be accompanied by certification and analysis documentation using the format specified in Annex III (a) to the Agreement. More information on the simplified EU import certificate

form and information on U.S.-EU wine trade can be obtained from the <u>Alcohol and Tobacco Tax and</u> <u>Trade Bureau</u>. The Agreement's "Protocol on Wine Labeling" sets optional conditions for wine labels. <u>Commission Regulation 1416/2006</u> concerns the protection of U.S. names of origin in the EU.

Section VII. Other Specific Standards/Laws:

Specific standards are required when importing wine and spirits from non-EU countries. An import license, issued by <u>Lithuanian National Paying Agency</u>, must be provided for wine shipments exceeding 3,000 liters. Lithuanian customs also require non-EU countries to provide a single administrative document (SAD) along with imported food products. Specific taxation information can be found on the EC's <u>website</u>. Wines exported from the United States must also include a simplified export certificate or VII document.

Novel Foods Labeling

On January 1, 2018, the EU's <u>framework Regulation 2015/2283 on Novel Foods</u> became applicable. Regulation 2015/2283 repeals Regulations 258/97 and 1852/2001. A novel food is defined as food that has not been consumed to a significant degree in the EU before May 15, 1997, and falls within at least one of the 10 categories listed in Article 3 of the new regulation. The underlying principles underpinning novel food in the European Union are that novel foods must be:

- Safe for consumers
- Properly labeled, so as not to mislead consumers.
- If novel food is intended to replace another food, it must not differ in a way that the consumption of the novel food would be nutritionally disadvantageous for the consumer.

Novel food is subject to the general labeling requirements laid out in <u>Regulation (EC) No 1169/2011</u>. Specific additional requirements for the labeling of a novel food may also apply, if necessary, to properly inform the consumer. The label must mention the name of the food, and, where appropriate, specify the conditions of use. Any nutrition and health claim should only be made in accordance with the requirements of the <u>Health and Nutrition Claims Regulation (EC) No 1924/2006</u>.

The list of the novel foods authorized in the EU is available at the European Commission's website.

Use of GE food and ingredients are required to be labeled in concordance with Regulation (EC) No 1829/2003.

Section VIII. Geographical Indicators, Trademarks, Brand Names, and Intellectual Property Rights:

Lithuanian copyright and trademark laws are harmonized with EU requirements. Rules on the protection of trademarks in the EU are set in EU <u>Directive 2015/2436</u>. Commission Implementing <u>Regulation 2018/626</u> sets out detailed rules on application procedures. <u>Commission Delegated</u> <u>Regulation 2018/625</u> sets out procedural rules on opposition and revocation of EU trademarks.

Lithuania uses EU product of designated origin (PDO), geographic indication (GI), and traditional specialty guaranteed (TSG) protections for some products. As an example a dark and delicate rye bread, Daujėnų naminė duona PGI has been produced in the north Lithuanian village of Daujėnai for centuries.

European Union Geographical Indicators by country search list link can be found here.

Section IX. Import Procedures:

The "Union Customs Code" (UCC) established in <u>European Parliament and Council Regulation</u> 952/2013 is the framework regulation on rules and procedures for customs throughout the EU. Implementing provisions were published on December 29, 2015. <u>Commission Delegated</u> <u>Regulation 2015/2446</u> and <u>Commission Implementing Regulation 2015/2447</u> regulated certain provision of the UCC including binding tariff information and origin of goods. The Lithuanian Customs Department provides electronic information on current EU issues, trade laws, and regulations, access to administrative forms, custom consultation committees, restrictions, prohibitions, and access to tariff regulations regarding foreign trade.

The Integrated Tariff of the Republic of Lithuania (LITAR) database provides electronic access to information resources on EU tariff and Lithuanian taxes, import, and export procedures and regulations. Information found on LITAR must be cross-referenced with EC legal regulations and Lithuanian excise and VAT laws. The EU tariff and non-tariff requirements can be found online on the TARIC database. Supplemental information on free movement of goods in Lithuania can be found on the <u>europa.eu</u> website.

Section X. Trade Facilitation:

Lithuania ratified the World Trade Organization's (WTO) Trade Facilitation Agreement (TFA) in October 2015. Lithuania has been a WTO member since 2001.

In the EU, 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 <u>public BTI database</u>. The Official Controls Regulation (OCR - <u>Regulation (EU) 2017/625</u>) provides the legal basis for the recognition of official controls in the country of origin of the goods and provides the legal basis for electronic certificates, using the EU's Integrated Management System for Official Controls (IMSOC). For plant products, all EU Member States can receive U.S. e-Phytos sent via the Hub created by the International Plant Protection Convention (IPPC). For other commodities, there is no connection between IMSOC and the U.S. systems. Government agencies usually issue electronic certificates, however in absence of such a connection, paper certificates are required.

In Lithuania border inspections should be completed within 24 hours. The duration of inspection may be extended if there is a need to take and analyze samples of products from the shipment. The Ministry of Agriculture establishes the fees for border inspections of food and agricultural products.

The Lithuanian Customs Department, together with the MinAg's National Paying Agency, SFVS, the Ministry of Culture's Department of Cultural Heritage, and State Enterprise Centre of Registers implemented the <u>Electronic Customs Single Window principle</u> to provide international trade stakeholders a 'one-stop' point to handle all related documents and information. As a result, documentation flow for customs clearance in Lithuania has greatly improved. Most Lithuanian importers work with private customs clearance agents.

Lithuanian importers generally do not report to FAS/Warsaw when they encounter administrative delays at border points and ports of entry. Most problems usually concern paperwork mistakes or missing documents. One of the most common issues occurring in the customs clearance procedure is the lack of appropriate <u>HS</u> codes in presented documentation.

Appendix I. Government Regulatory Key Agency Contacts:

The Ministry of Agriculture

Gedimino av. 19 (J. Lelevelio 6) LT-01103 Vilnius, Lithuania Ph: +370 5 239 1111 E-Mail: zum@zum.lt

Fax: +370 5 239 1212 https://zum.lrv.lt/en/

State Food and Veterinary Service

Siesikų str. 19 LT-07170 Vilnius, Lithuania Ph: +370 5 242 0108 Email: info@vmvt.lt

Fax: +370 5 240 4362 https://vmvt.lrv.lt/en/

Ministry of Health

Vilnius str. 33, LT-01506 Vilnius, Lithuania Ph: +370 800 66 004; +370 5 268 5110 Email: <u>ministerija@sam.lt</u>

Fax: +370 5 266 1402 https://sam.lrv.lt/en/

Ministry of Economy and Innovation

Gedimino Ave. 38 LT-01104 Vilnius, Lithuania Ph: +370 706 64 845 Email: <u>kanc@eimin.lt</u>

Fax: +370 5 262 3974 https://eimin.lrv.lt/en/

Lithuanian Customs Department

A. Jakšto g. 1/25 LT-01105 Vilnius, Lithuania Ph: +370 5 266 5000

https://lrmuitine.lt/web/guest/apiemus/lm#en

Appendix II. Other Import Specialist Technical Contacts:

U.S. Embassy, Poland United States Department of Agriculture/ Foreign Agricultural Service Regional Office of Agricultural Affairs (Covering Poland, Lithuania, Latvia, and Estonia) Warsaw, Poland Ph: +48 22 504 2336 Email: <u>agwarsaw@state.gov</u>

Attachments:

No Attachments