

USDA Foreign Agricultural Service

GAIN Report

Global Agricultural Information Network

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Denmark

Food and Agricultural Import Regulations and Standards - Narrative

FAIRS Country Report

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Report Highlights:

This report gives an overview of food laws currently in force in Denmark. For information on the general EU level, please refer to the USEU Food and Agricultural Import Regulations and Standards Report. Sections updated: IV.

Section I. Food Laws:

Responsibility for the safety of food and agricultural products in Denmark is shared between three Danish authorities: The Danish Veterinary and Food Administration, the Danish Plant Directorate and the Danish Directorate for Fisheries. The food administration is the central supervisory authority for matters relating to food, including imports.

Denmark is a member of the European Union (EU) and Danish national food legislation is to a large extent harmonized with the EU's food legislation. In certain cases, however, there is room for national interpretation of the EU's legislation. Denmark applies national legislation on fortified food and trans fatty acids. This report provides an overview of Danish food legislation where it differs from EU legislation. For information on EU legislation, please refer to the USEU FAIRS Report.

Section II. Labeling Requirements:

Please refer to the USEU FAIRS Report.

Section III. Packaging and Container Regulations:

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

Mandatory Registration

Producers and importers of materials intended to come into contact with food shall be registered at the regional food inspection units of the Danish Veterinary and Food Administration. Appropriate in-house documentation that confirms compliance with Danish legislation is required.

Food in Ceramic Containers

Denmark applies national legislation on ceramics in contact with food: Maximum limits for lead and cadmium, including requirements for migration from the mouth rind.

Section IV. Food Additives Regulations:

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

Fortified Food

Products fortified with vitamins and minerals have to be approved by the Danish Veterinary and Food Administration before marketed in Denmark. In addition to the required pre-approval, any fortification with vitamins, minerals and other substances needs to comply with Regulation (EC) No. 1925/2006. The regulation does not specify any maximum levels for addition of vitamins, minerals and other substances to food. Until maximum amounts are specified in the EU regulation, the Danish Veterinary and Food Administration will follow the national authorization procedure.

Enzymes: All enzymes have to be approved by the Danish Veterinary and Food Administration prior to use in production of foods or as ingredients. A guideline concerning the data requested is printed as an

appendix to the food additives regulations.

Microorganisms: Bacteria, yeast and fungi cultures do no longer have to be approved by the Danish Veterinary and Food Administration prior to use in production of foods or as ingredients. Instead, the intended use of the cultures must be notified to the food administration.

Nitrite: In May 2010, the EU accepted the Danish request to extend its derogation allowing lower maximum levels for nitrate in meat products. This exception is valid for five years.

Section V. Pesticides and Other Contaminants:

Please refer to the USEU FAIRS Report.

Section VI. Other Regulations and Requirements:

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

Fat Tax

On October 1, 2011, the Danish government implemented a tax on food high in saturated fat. Products affected by the tax include meat, cheese, butter and vegetable oils. The fat tax rate is DKK 16 per kg saturated fat and applies to domestic and imported food products with a saturated fat content exceeding 2.3%. The tax is collected by the processors and importers. Although it is the importer who is responsible for paying the duty, it needs specific information from the foreign supplier in order to both calculate and pay the Danish duty.

Regarding composite foods, the importer must have a manufacturer's declaration from the supplier of the composite food to be able to draw up the dutiable amount. There are no formal criteria for the manufacturer's declaration. The essential part is that the declaration contains the information necessary for the importer to calculate the correct duty. More detailed information can be found at <http://www.skat.dk/SKAT.aspx?oId=1950194&vId=0&lang=US>

Trans Fatty Acids

Effective January 1, 2004, Denmark introduced maximum levels of trans fatty acids in food to the ultimate consumer, such as cookies, biscuits, chocolate bars and microwave popcorn. The maximum level for trans fatty acids is 2 grams per 100-gram oil/fat in all products sold to consumers. In products labeled "free of trans fatty acid" the maximum content is 1 gram per 100 gram of each single oil or single fat in the final product.

Section VII. Other Specific Standards:

A. Genetically Modified Foods (GMOs)

Please refer to the USEU FAIRS Report.

B. Novel Foods

Please refer to the USEU FAIRS Report.

C. Dietetic or Special Use Food

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

Slimming foods (VLCD and LCD diets)

Very Low Calorie Diets are subject to a national registration procedure. The regulations cover standards and requirements regarding composition, labeling and warnings.

D. Wine, Beer and Other Alcoholic Beverages

Please refer to the USEU FAIRS Report.

E. Organic Foods

Please refer to the USEU FAIRS Report. Information on organic food standards specific for Denmark is given below.

Denmark was one of the first countries in the world to introduce legislation on organic production in 1987. Since then, EU regulations on organic vegetable foods and animals have been developed and imposed. Denmark has, however, more stringent national requirements than EU legislation on, e.g., inspection, transportation and slaughter of animals. The state inspection logo, known as the Ø logo, is of great importance to the credibility of the inspection of organic foods in Denmark. The Ø logo may be used on imported products if part of the production process (e.g. packaging) or the labeling is carried out in Denmark under the control of Danish authorities. The EU organic logo may also be used on imported products, if the code number of the external control body and the place of production of the agricultural ingredients is indicated. For products produced in Denmark, the EU logo is mandatory.

F. Vertical Legislation (Breakfast Directives)

Please refer to the USEU FAIRS Report.

G. Animal Products

Please refer to the USEU FAIRS Report.

H. Frozen Foodstuffs

Please refer to the USEU FAIRS Report.

I. Ionizing Radiation

Please refer to the USEU FAIRS Report.

J. Fruits and Vegetables

Please refer to the USEU FAIRS Report.

K. Seafood

Please refer to the USEU FAIRS Report.

L. Health foods and Dietary supplements.

Vitamins and minerals

EU rules on vitamins and minerals in food supplements are partly harmonized. The list of accepted vitamins and minerals is harmonized while national maximum and minimum limits still apply.

Vitamin and mineral supplements can be classified as food supplements as well as drugs (medicine) depending on their strength. A national list of maximum value for each nutrient as dietary supplement exists. If the value exceeds the limit on the list, the product will be classified as a drug. Until detailed EC legislation is developed on this area, it is possible to get a dispensation from the Danish Authorities to market products exceeding the limits as food supplements.

Section VIII. Copyright and/or Trademark Laws:

Please refer to the USEU FAIRS Report. Information on trademarks specific for Denmark is given below.

Registration of a trademark in Denmark may be obtained through the filing of an application with the Danish Patent and Trademark Office. If the application is filed in English, it should be accompanied by a Danish version of the list of goods and services. Contact information for this office is the following:

Danish Patent and Trademark Office

Helgeshoej Alle 81

DK-2630 Taastrup

Tel: +45 4350 8000

Fax: +45 4350 8001

E-mail: pvs@dkpto.dk

Web: www.dkpto.dk

For detailed information, please visit <http://iprights.dkpto.org/trademark.aspx>.

Section IX. Import Procedures:

Please be referred to the USEU FAIRS report.

Appendix I. Government Regulatory Agency Contacts:

For U.S. exporters and Danish importers, the key authority for food legislation, as well as enforcement thereof, is generally the Danish Veterinary and Food Administration. Therefore, it is recommended that U.S. companies or their import agents primarily contact the NFA:

Mørkhøj Bygade 19
DK-2860 Søborg
Tel. +45 72 27 69 00
Fax +45 72 27 65 01
E-mail: fvst@fvst.dk

However, it should be mentioned that the Danish AgriFish Agency, a new agency under the Ministry of Food, Agriculture and Fisheries, also has responsibility for issuing regulations affecting imports. The agency is the result of a merger of the Danish Food Industry Agency, the Danish Directorate of Fisheries and the greater part of the Danish Plant Directorate.

The Danish AgriFish Agency
Nyropsgade 30
DK-1780 København V
Tel: +45 3395 8000
E-mail: mail@naturerhverv.dk

Some health foods may be classified as pharmaceutical products. The contact for such products is:

The Danish Medicines Agency
Axel Heides Gade 1
DK-2300 Copenhagen S
Tel: +45 44 88 95 95
Fax: +45 44 88 95 99
E-mail: dkma@dkma.dk

Information regarding Danish Trademark Protection can be obtained from:

Danish Patent and Trademark Office
Helgeshoej Alle 81

DK-2630 Taastrup
Tel: +45 4350 8000
Fax: +45 4350 8001
E-mail: pvs@dkpto.dk
Web: www.dkpto.dk

Appendix II. Other Import Specialist Contacts:

Danish Veterinary and Food Administration, regional offices (responsible for import control and inspection):

Danish Veterinary and Food Administration, Region West
Sønderskovvej 5
DK-8520 Lystrup
Tel: +45 72 27 50 00
Fax: +45 72 27 50 01
E-mail: region.vest@fvst.dk

Danish Veterinary and Food Administration, Region East
Søndervang 4
DK-4100 Ringsted

Bordercontrol Copenhagen
Kystvejen 16
2770 Kastrup
Tel.: +45 72 27 64 50 / + 4532 46 00 99
Fax: +45 72 27 64 51
E-mail: bipcph@fvst.dk

U.S. Embassy in Stockholm:

U.S. Embassy
Foreign Agricultural Service
Dag Hammarskjölds Väg 31
115 89 Stockholm
Tel: + 46 8 783 5470/5392
Fax: +46 8 662 8495
Email: AgStockholm@fas.usda.gov

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