Hungary

Food and Agricultural Import Regulations and Standards - Narrative

FAIRS Country Report 2017

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Report Highlights:
Hungary is a member of the European Union (EU) and 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 Hungary that cover areas that are not yet harmonized.
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DISCLAIMER: This report was prepared by the Office of Agricultural Affairs of the USDA/Foreign Agricultural Service in Budapest, Hungary 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.

Hungary as part of the European Community has implemented and follows EU directives and regulations. This report focuses on specific requirements for food and agricultural product imports into Hungary but it should be read in conjunction with the EU Food and Agricultural Import Regulations and Standards (FAIRS) report produced by the US Mission to the EU in Brussels, Belgium. Alternatively, the FAS GAIN Report Database is also available.
SECTION I. GENERAL FOOD LAWS

Hungarian food legislation generally conforms to EU regulations. Relevant national regulations are valid for both imported foods and products produced in Hungary. Besides the principle of the free movement of goods among the EU member states, there is a strong emphasis on ensuring that the final consumer receives safe food in Hungary. The path of raw materials has to be traced “from farm to fork,” which was the reason for the establishment of a unified monitoring system in Hungary. Government Resolution No. 2243/2006 decreed the establishment of a unified food safety organization to control the whole food chain, build consumer confidence and achieve a more efficient food safety authority body. The control of food chain is under the responsibility of the Ministry of Agriculture and its background institute, the National Food Chain Safety Office in Hungary.

In forming a unified food safety authority, there were growing needs for the revision of national laws regulating food chain control. Therefore, Act XLVI of 2008 (in Hungarian) on food chain and its control and several other implementing regulations were put into force. The act aims to protect consumer health and interests, provide guarantees of safe and quality food production and trade, and reduce risks of food origin by enhancing traceability and transparency in the sector. The governing system of public functions is also set forth in the act.

A number of regulations of the European Community (EC) and the European Economic Community (EEC) do not require harmonization into national laws. Those regulations are directly applied in the EU Member States.
SECTION I. FOOD ADDITIVE REGULATIONS

Regarding food additives, Hungary applies EU-harmonized legislation. For detailed information, please consult the EU 28 FAIRS Report as well as the FAS/USEU website on additives.

National legislation is applied only to those additives that are not harmonized at EU level. For example, the Decree No. 71 of 2013 (XI. 20) (in Hungarian) of the Ministry of Human Resources set the highest permitted amount of trans-fats in food products, the conditions of inspection and distribution of trans fat containing foodstuffs, as well as rules for tracking the population's trans-fat consumption.

SECTION III. PESTICIDES AND OTHER CONTAMINANTS

Pesticides
Maximum residue levels (MRLs) of pesticides in food of plant or animal origin are determined at EU level. The relevant national ordinance is harmonized under EC rules. An EU database on pesticides MRLs is available at the EC website. For more detailed information on EU-harmonized legislation, please consult the EU 28 FAIRS Report as well as the FAS/USEU website on pesticides.

For application of an import tolerance for a not yet regulated substance in Hungary, please contact the National Food Chain Safety Office:

National Food Chain Safety Office
Directorate of Plant Protection, Soil Conservation and Agri-environment,
Budaörsi út 141-145
1118 Budapest, Hungary
Tel.: +36 (1) 309 1000
E-mail: nti@nebih.gov.hu

Legislation on pesticide residues:
- Decree No. 66 of 2010 (V. 12.) of the Ministry of Agriculture and Rural Development (in Hungarian) on maximum residue levels of pesticides in or on food and feed of plant and animal origin and relating to their official control.

Mycotoxins and heavy metals
Maximum levels of mycotoxins and heavy metals as contaminants are established in the Commission Regulation No. 1881/2006.

Microbiological contamination
- Decree No. 4 of 1998 (XI. 11) of the Ministry of Health (in Hungarian) on the permissible level of microbiological contamination in food.
- Inspection of foodstuffs, food additives and food ingredients; equipment and packaging material; and on persons dealing with, handling or processing foodstuffs. Decree No. 66 of 2006 (IX. 15.) of the Ministry of Agriculture and Rural Development (in Hungarian) on certain hygienic rules applicable to foodstuffs of animal origin.

Other undesirable substances of content
- **Decree No. 49 of 2014 (IV. 29.)** of the Ministry of Agriculture and Rural Development (in Hungarian) concerning limit values of contaminants and harmful substances of natural origin in food, and regarding requirements for food contact substances and objects.
- **Decree No. 10 of 2002 (I. 23.)** of the Ministry of Agriculture and Rural Development (in Hungarian) on monitoring investigation for control of harmful to health residues in foodstuffs of animal origin.
- **Decree No. 24 of 2004 (III. 2.)** of the Ministry of Agriculture and Rural Development (in Hungarian) on prohibition of use of hormones, thyreostatic agents and beta-agonists in livestock production.

**SECTION IV. PACKAGING AND CONTAINER REGULATIONS**

Hungary applies EU-harmonized legislation on packaging and food containers. For detailed information, please consult the EU 28 FAIRS Report.

*Hungarian legislation on packaging and container requirements is as follows:*
- **Act CLXXXV of 2012** (in Hungarian) on waste. The purpose of this act is the protection of the environment and human health, the mitigation of environmental impact, the efficient management of natural resources.
- **Government Decree No. 442 of 2012 (XII. 29.)** (in Hungarian) on packaging and packaging waste management activities. It applies to packaging and packaging waste of goods distributed in Hungary and to their collection. **Joint decree No. 13 of 2008 (VIII. 8.)** (in Hungarian) of the Ministry of National Development and Economy, and the Ministry of Agriculture and Rural Development establishing rules for nominal quantity of pre-packaged products and methods for their control.
- **Decree No. 72 of 2013 (VIII. 27.)** (in Hungarian) of the Ministry of Rural Development concerning the list of waste.
- **Provision No. 1–2–78/142** (in Hungarian) of the Codex Alimentarius Hungaricus relating to materials and articles which contain vinyl chloride monomer and are intended to come into contact with foodstuffs, published in the Annex 23 of the Decree No. 152 of 2009 /XI. 12./ of the Ministry of Agriculture and Rural Development on binding provisions of the Codex Alimentarius Hungaricus.
- **Provision No. 1–2–84/500** (in Hungarian) of the Codex Alimentarius Hungaricus relating to ceramic articles intended to come into contact with foodstuffs, published in the Annex 24 of the Decree No. 152 of 2009 /XI. 12./ of the Ministry of Agriculture and Rural Development on binding provisions of the Codex Alimentarius Hungaricus.
- **Provision No. 1–2–2007/42** (in Hungarian) of the Codex Alimentarius Hungaricus relating to materials and articles made of regenerated cellulose film intended to come into contact with foodstuffs, published in the Annex 25 of the Decree No. 152 of 2009 /XI. 12./ of the Ministry of Agriculture and Rural Development on binding provisions of the Codex Alimentarius Hungaricus.
• Provision No. 1–2–82/711 (in Hungarian) of the Codex Alimentarius Hungaricus relating to the basic rules necessary for testing migration of constituents of plastic materials and articles intended to come into contact with foodstuffs, published in the Annex 26 of the Decree No. 152 of 2009 /XI. 12./ of the Ministry of Agriculture and Rural Development on binding provisions of the Codex Alimentarius Hungaricus.

SECTION V. LABELING REQUIREMENTS

The EU law on food information to consumers (Regulation No. 1169/2011) entered into force on December 13, 2014. The regulation mandates the declaration of certain product information for all pre-packaged food and drinks marketed in the EU. For detailed information on EU-harmonized labelling legislation, please consult the EU 28 FAIRS Report as well as the FAS/USEU and the EC website on labelling.

On packaging of food to be placed on the market, labelling must appear in Hungarian, in an easily legible, understandable and clear manner. Imported packaged food may contain a foreign language label, but a stick-on label in Hungarian must be put on the top of the original one to meet Hungarian labelling requirements. The additional labelling must be made (by the producer, exporter, importer or the distributor) before the product gets to buyers. The labelling and the presentation of food must not mislead the consumer. These rules and the relevant provisions must be applied to all kinds of foodstuffs destined for the final consumer.

The following information must be on the label:

- Name under which the product is sold
- List of ingredients (including food additives)
- Quantity or volume (percentage) of certain ingredients or categories
- Alcohol content by volume
- Clearly indicated lists of allergens
- Net weight or quantity in metric units
- Date of minimum durability
- Recommended conditions of storage
- Instructions for use
- Name and address of manufacturer or distributor
- Country or place of origin
- Genetically engineered (GE) product content (above 0.9%)
Other Specific Labeling requirement(s)

**Labelling for organic products**
According to the Decree No. 34 of 2013 (V. 14.) of the Ministry of Rural Development (in Hungarian) concerning the procedure of certification, production, marketing, labelling and control of agricultural products and foodstuffs deriving from organic farming, the label of organic products must contain the name and references of the certifying organization (e.g. identification number). Labelling must be in Hungarian.

**Labelling for food containing or deriving from genetically engineered organisms**
A number of GE plant varieties are approved for industrial food use and as feed in the EU, and consequently, in Hungary. Hungary follows the EU’s labeling standards. If GE content above 0.9 percent, it must be indicated on labels. If products derive from animals fed on GE feed, it is not required to be indicated.

Since there are no uniform rules and regulation on labeling of GE-free food and feed within the EU, Hungary developed its own system. The Decree No. 61/2016 (IX. 15) (in Hungarian) of the Ministry of Agriculture on labeling GE-free products came into force on September 20, 2016. This legislation provides special labeling of GE-free food and feed and processed products, as well as meat, fish, eggs and milk from livestock fed on certified GE-free feed. The application of the “GMO-free” labeling is voluntary. Producers and traders of food labeled as being from GE-free production are obliged to ensure the traceability of raw materials used to make the product.

The “GMO-free” labeling cannot give the impression to customers that the product has special sensory and nutritional features and its effect on environment and health is better than the similar products. In addition, products that have no licensed GE version in the market cannot be labelled “GMO-free”.

**Nutrition/Medical/Health Claims**
Nutrition value labelling is mandatory for all pre-packaged food and drink products marketed in the EU. For detailed information on the EU-harmonized labelling legislation, please consult the EU 28 FAIRS Report as well as the FAS/USEU and the EC website on nutrition and health claims.

The relevant Hungarian legislation on labelling requirements is as follows:
- **Decree No. 36 of 2014 (XII. 17.)** of the Ministry of Agriculture (in Hungarian) concerning information related to food. It must be applied to packaged food intended to final consumption. Special provisions address labeling of food containing allergens and intolerance substances. Lot identification is also ruled by this decree.
- **Decree No. 74 of 2012 (VII. 25.)** of the Ministry of Rural Development (in Hungarian) on the use of certain voluntary distinctive signs on food such as “Hungarian product”, “national product”.
- **Joint Decree No. 33 of 2010 (V. 13.)** of the Ministry of Health, and the Ministry of Agriculture and Rural Development (in Hungarian) on certain rules related to nutrition and health claims on foods.
- **Government Decree No. 158 of 2009 (VII. 30.)** (in Hungarian) regarding the procedure for the protection of geographical indications of agricultural products, foodstuffs and spirit drinks, as well as the inspection of these products.
• Joint Decree No. 83 of 2005 (IX. 17.) of the Ministry of Agriculture and Rural Development, the Ministry of Health, Social and Family Affairs, and the Ministry of Economy and Transport (in Hungarian) on marking eggs sold at local public markets.
• Decree No. 16 of 2004 (IV.27.) of the Ministry of Justice (in Hungarian) on detailed formal requirements of trademark applications, and applications for the protection of geographical indications.
• Act XI of 1997 (in Hungarian) on the protection of trademarks and geographical indications.

SECTION VI. OTHER SPECIFIC STANDARDS

Food safety measures

Dietetic foods
• Decree No. 27 of 2004 (IV. 24) of the Ministry of Health, Social and Family Affairs (in Hungarian) on foods with reduced nutritive value for losing body weight.
• Decree No. 36 of 2004 (IV. 26) of the Ministry of Health, Social and Family Affairs (in Hungarian) on foods with special nutrition values.
• Decree No. 37 of 2004, (IV. 26.) of the Ministry of Health, Social and Family Affairs (in Hungarian) on food supplements.
• Decree No. 20 of 2008 (V. 14.) of the Ministry of Health (in Hungarian) on infant milk and follow-on formulas.
• Decree No. 35 of 2004 (IV. 26.) of the Ministry of Health, Social and Family Affairs (in Hungarian) on processed cereal based infant and baby foods.
• Decree No. 24 of 2003 (V. 9.) of the Ministry of Health, Social and Family Affairs (in Hungarian) on nutritional formulas for specific medical purposes.
• Decree No. 55 of 2011 (IX. 20.) of the Ministry of Human Resources (in Hungarian) on certain aspects of addition vitamins, minerals and certain other substances to foodstuffs.

Wine
If there are no other rules based on international treaties, wine imports must be qualified by the national wine authority:

National Food Chain Safety Office
Directorate of Wine Products and Alcoholic Beverages
Budaörsi út 141-145
1118 Budapest, Hungary
Tel.: +36 1 346 0930
E-mail: bor@nebih.gov.hu

Sampling laboratory:
The wine importer has to apply for qualification for each shipment and pass the qualification report (certification) to the distributor or retailer of wine. The qualification can be substituted by a qualification from accredited certifiers of the region of production if the lists of accredited quality certifiers were mutually recognized and published by the parties of a relevant international treaty. A copy of the (foreign) qualification report has to be sent to the wine authority by the importer within eight days after the shipment entered Hungary. Quality and volume report of import wines may substitute the Certificate of Origin. Bottled wines of foreign origin must be sold in their original container and with the original label.

National legislation related to wine production and trade:
- **Act No XVIII of 2004** (in Hungarian) on Viticulture and Wine Industry. This act regulates the planting, cultivation and felling of grapevine, the production, distribution and inventory of wine products, as well as the administrative duties and competencies related to viticulture and wine making. It contains detailed rules regarding the certificate of grape and wine origin, as well as the external trade. The act lays down food hygiene and sanitary rules and regulates data reporting as well.
- **Act No. CCXIX of 2012** (in Hungarian) on wine growers' associations. The purpose of the act is to protect the interests of national viticulture, improve wine quality and marketability, develop quality and origin protection, and establish self-governing organizations.

Catering
- **Decree No. 62 of 2011 (VI. 30.)** of the Ministry of Rural Development (in Hungarian) on food safety rules of production and marketing of goods in the catering industry. It applies to commercial and public catering including free tastings and catering linked to promotional activities. The decree regulates food storage, hygiene and labelling, and lays down rules for freezing and ice cream production as well.
- **Decree No. 37 of 2014. (IV. 30.)** of the Ministry of Human Capacities (in Hungarian) on nutrition and health regulations for public catering.

Gene technology activities
- **Hungary’s Basic Law** (in Hungarian). The new Hungarian Constitution entered into force on January 1, 2012 and declared the need for Hungary’s GE-free agriculture: “Constitution, Chapter ‘Freedom and Responsibility’ Article XX (1) All have the right to physical and spiritual health. (2) Hungary promotes the realization of the rights as stated in paragraph (1) by operating an agriculture free of genetically modified organisms, by providing access to healthy food and drinking water, by organizing labor safety and health care, by subsidizing sports and regular physical training and by ensuring protection of the environment.”
- **Act No. LIII of 1996** on nature conservation. It was the first law in Hungary to include provisions on GE organisms. The law declared that creation of such organisms, conducting of experiments with them, their cultivation and importing to or exporting from the country may only occur according to certain conditions.
• **Act No. XXVII of 1998** on biotechnology activities. The legislative goal was to prevent the unregulated entry of GE plant varieties into production in Hungary. The act gave expanded powers to environmental, agricultural and industrial biotechnology authorities and mandated GE variety owners to cooperate with them.

• **Decree No. 48/2004. (IV. 21.)** of the Ministry of Agriculture and Rural Development (in Hungarian) concerning the production and marketing of seeds of agricultural crop species.


• **Joint Decree No. 111/2003. (XI. 5.)** of the Ministry of Agriculture and Rural Development, the Ministry of Economy and Transport, the Ministry of Health, Social and Family Affairs and the Ministry of Environment and Water (in Hungarian) on activities that must be considered as gene technological activity as well as on authorities which are entitled to supervise the gene technological activity.

• **Joint Decree No. 31 of 2006 (IV. 29.)** of the Ministry of Agriculture and Rural Development, the Ministry of Economy and Transport, and the Ministry of Finance (in Hungarian) on the import and distribution of certain genetically modified feeds.

• **Decree No. 86/2006. (XII. 23.)** of the Ministry of Agriculture and Rural Development (in Hungarian) on coexistence measures on the cultivation of genetically modified, conventional and organic plants.

### SECTION VII. FACILITY AND PRODUCT REGISTRATION REQUIREMENTS

Regarding facility or product registration, Hungary applies EU-harmonized legislation. In compliance with EU regulations, product registration is required only for novel foods in Hungary. There is no national registration requirement for imported products. Importers are responsible for the safety of commodities. Food inspection authorities control food importers and imported products by the same routine as they do with domestic manufacturers and distributors.

A wide range of foodstuffs (including meat and meat products, milk and dairy products, fish and fishery products, eggs and egg products, and animal by-products etc.) can enter the EU market only from EU approved U.S. establishments. Their lists can be found on the [FAS/USEU website](http://www.fas.usda.gov/usa-eu).

National legislation related to facility and product registration requirements is as follows:

- **Act CLXIV of 2005** on trade (in Hungarian).
- **Government Decree No. 210 of 2009 (IX. 29.)** (in Hungarian) on conditions for trading activities.
- **Act XCV of 2009** (in Hungarian) on the prohibition of unfair distribution practices against suppliers of agricultural and food products.
- **Government Decree No. 55 of 2009 (III. 13.)** (in Hungarian) on fairs, markets and shopping centers.
- **Act No. LXXVI of 2009** (in Hungarian) on general rules of starting and conducting service activity.
- **Decree No. 57 of 2010 (V. 7.)** of the Ministry of Rural Development (in Hungarian) on placing foodstuffs on the market and the authorization and notification of food production.
SECTION VIII. OTHER CERTIFICATION AND TESTING REQUIREMENTS

Beside the relevant EU legislation, there are no specific standards for import products in Hungary. There is no regular and mandated product testing of imports beyond the animal and plant health issues, the buyer’s quality control, and the annual food safety monitoring program at wholesalers and retailers.

Animal Health and Plant Health Certificates are specific documentation. For detailed information on certification, please see the following websites:

Imported products must meet member state requirements and must be accompanied by proper certification at the port of arrival. In general, health certificates are required for all imported products of animal origin. Phytosanitary certificates are needed for all plant products that could introduce pests into the EU. Certificates must be in Hungarian. In Hungary, food safety is a top priority and it is key responsibility of the Ministry of Agriculture and its background institute, the National Food Chain Safety Office.

Enforcement and control regulations for food products are as follows:

- **Government Decree No. 186 of 2009 (IX. 10.)** (in Hungarian) on payable fines in the case of failure to report notifiable services and on general appointment of authorities overseeing services.
- **Decree No. 3 of 2010 (VII. 5.)** of the Ministry of Rural Development (in Hungarian) on data reporting and traceability relating to food production and sale.
- **Decree No. 66 of 2010 (V. 12.)** of the Ministry of Agriculture and Rural Development (in Hungarian) on maximum residue levels of pesticides in or on food and feed of plant and animal origin, and relating to their official control.
- **Decree No. 141 of 2011 (XII. 23.)** of the Ministry of Rural Development (in Hungarian) concerning the increased level of official control on imports of certain food and feed of non-animal origin.
- **Government Decree No. 158 of 2009 (VII. 30.)** (in Hungarian) on procedure for the protection of geographical indications of agricultural products, foodstuffs and spirits as well as the inspection of these products.

**SECTION IX. IMPORT PROCEDURES**

Hungary is a landlocked country. Directly imported volumes of U.S. processed foods are usually low. A great part of import shipments is through middlemen in Germany, the Netherlands or other receiving ports in the EU. For detailed information on the EU import legislation, please consult the EU 28 FAIRS Report, as well as the FAS/USEU and the EC websites on import conditions.

EU administration requires the member states to designate certain border checkpoints for imports where shipments of specific products coming from non-EU countries can be handled. In the course of these procedures, export certificates must be submitted in the official language of Hungary, which is Hungarian.

The Hungarian Trade Licensing Office issues import licenses for agricultural products, in accordance with the EU legislation. Usually the importer (possibly the exporter) applies to the authority filling out the prescribed form with all relevant details.

For non-harmonized exports of live animals and animal products to Hungary, application must be submitted to the Animal Health and Animal Welfare Directorate of the National Food Chain Safety Office:

National Food Chain Safety Office
Animal Health and Animal Welfare Directorate
Keleti K. utca 24
1024 Budapest, Hungary
Tel: +36 (1) 336 9000
E-mail: aai@nebih.gov.hu

Import goods are subjects to Value Added Tax, which is handled by the importer or the distributor. Certain imports of commodities (e.g. alcoholic beverages) may require special licensing and procedures and may be subjects to excise tax, too.

SECTION X. COPYRIGHT AND/OR TRADEMARK LAWS

Hungary has a complete codification covering the protection of industrial property, copyright and author’s right (Act No. XXXIII of 1995 on invention protection by patents, in Hungarian). Regarding industrial properties, the law regulates patents, trademarks, utility models and industrial designs, and deals with trade secrets and the good commercial practice. Trademarks and brand names are legally protected in Hungary. The country is an active a member of the World Intellectual Property Organization.

Companies interested in the registration of trademarks or brand names have to apply to the Hungarian Intellectual Property Office, where information folders and application forms are available:

Hungarian Intellectual Property Office
Garibaldi utca 2
1054 Budapest, Hungary
Tel.: +36 1 312 4400
E-mail: hipo@hipo.gov.hu

Those companies that also export to other EU member states may want to consider obtaining European Community Trademarks. For detailed information please consult the EU 28 FAIRS Report.

APPENDIX I. GOVERNMENT REGULATORY AGENCY CONTACTS

Ministry of Agriculture
Department of International Relations
Address: Kossuth Lajos tér 11, 1055 Budapest, Hungary
Tel: +36 (1) 7951126
E-mail: zsolt.belanszky@fm.gov.hu

Ministry of Agriculture
Department of Food Chain Control
Address: Kossuth Lajos tér 11, 1055 Budapest, Hungary
Tel: +36 (1) 795 3762
E-mail: effo@fm.gov.hu
National Food Chain Safety Office
Animal Health and Animal Welfare Directorate
Address: Keleti K. utca 24, 1024 Budapest, Hungary
Tel: +36 (1) 336 9000
E-mail: aai@nebih.gov.hu

National Food Chain Safety Office
Directorate of Plant Protection, Soil Conservation and Agri-environment
Address: Budaörsi út 141-145, 1118 Budapest, Hungary
Tel.: +36 (1) 309 1000
E-mail: nti@nebih.gov.hu

Hungarian Trade Licensing Office
Address: Németvölgyi út 37-39, 1124 Budapest, Hungary
Tel: +36 (1) 458 5514
E-mail: keo@bfkh.gov.hu

National Public Health and Medical Officer Service
Address: Albert Flórián út 2-6, 1097 Budapest, Hungary
Tel.: +36 1 476 1100
E-mail: tisztiifoorvos@oth.antsz.hu

APPENDIX II. OTHER IMPORT SPECIALIST TECHNICAL CONTACTS

Hungarian Intellectual Property Office
Address: Garibaldi utca 2, 1054 Budapest, Hungary
Tel.: +36 1 312 4400
E-mail: hipo@hipo.gov.hu

National Food Chain Safety Office
Directorate of Wine Products and Alcoholic Beverages
Address: Budaörsi út 141-145, 1118 Budapest, Hungary
Tel.: +36 1 346 0930
E-mail: bor@nebih.gov.hu

Biokontroll Hungária Inspection and Certification Nonprofit Ltd. (approved certifier of organic products)
Address: Oroszvég lejtő 16, 1112 Budapest, Hungary
Tel: +36 1 336 1166; +36 1 336 1122
Email: info@biokontroll.hu