



Compliance with buyer requirements for Kenyan orthodox tea

Buyer requirements are all the requirements you can expect from your potential buyers. They can be divided into two groups: legislation and additional, non-legal requirements. When exporting orthodox tea, it is important to comply with legislation on Maximum Residue Levels.

Legal requirements

Legal requirements are the minimum requirements which must be met by products marketed in the EU. Products which fail to meet these requirements are not allowed on the EU market. EU legislation sets the basis for legal requirements in the EU, but there may be some differences in the implementations into national legislation in the member states. This information is provided in Table 1. For information on other relevant national legislation, check the related documents on <http://www.cbi.eu/marketinfo>.

Special attention should be paid to legislation regarding Maximum Residue Levels for pesticides (see table 1). MRLs are a frequent bottleneck faced by many exporters of orthodox tea. In the case that your tea does not comply with European legislation, it is not allowed to enter the EU market. Specific MRLs for tea can be found on this EU database: http://ec.europa.eu/sanco_pesticides/public/index.cfm.

In order to prevent exceeding the MRLs for pesticides, you can implement measures to reduce the use of pesticides, such as Integrated Pest Management.

Table 1: Overview of legal EU requirements for orthodox tea

Legislation	Source	Brief description	More information	Member state implementation
General food law	Regulation (EC) 178/2002	Food safety is the key issue in EU food legislation. The General Food Law is the framework regulation in EU food safety legislation. The legislation also introduces requirements on traceability which are also important for orthodox tea.	EU legislation: General food law	See link EU legislation
Maximum Residue Levels (MRLs) of pesticides in food	Regulation (EC) 396/2005 Regulation (EC) 178/2006 Regulation (EC) 149/2008	EU legislation has been laid down to regulate the presence of pesticide residues (MRLs) in food products, including orthodox tea.	EU legislation: Maximum Residue Levels (MRLs) of pesticides in food	NA
Contaminants in food	Regulation (EC) 1881/2006	The EU food safety policy has set maximum levels for certain contaminants in specified products or product groups.	EU legislation: Contaminants in food	NA
Food contact materials	Regulation (EC) 1935/2004 Directive 84/500/EEC Directive 2007/42/EEC	The European Union has laid down rules for materials and articles coming into contact with food (including for example packaging) in order to prevent any unacceptable	EU legislation: Food contact materials	See link EU legislation

	Directive 2002/72 EC Regulation (EC) 282/2008 Regulation (EC) 372/2007 Directive 78/142/EEC Directive 93/11/EEC Regulation (EC) 1895/2005 Directive 2008/39/EC	change in the composition of the foodstuffs and to protect human health.		
Food control	Regulation (EC) 882/2004 Regulation (EC) 669/2009	All food products entering the EU are subject to official controls to check whether they are in compliance with the relevant food legislation. Some specific products are subject to an increased level of control.	EU legislation: Food control	NA
Food labelling	Directive 2000/13/EC Directive 90/496/EC Regulation 1924/2006/EC Directive 2005/26/EC Directive 2007/68/EC	This document provides an overview of the legislation on general food labelling requirements applicable to all foodstuffs. In addition, it outlines requirements related to nutrition and allergens labelling.	EU legislation: Food labelling	See link EU legislation
Hygiene of food (HACCP)	Regulation (EC) 852/2004	The EU legislation on Hygiene of food (HACCP) is legally binding for food processors, and is recommended for farmers (primary production).	EU legislation: Hygiene of food (HACCP)	NA
Microbiological contamination of food	Regulation (EC) 2073/2005	The EU has set microbiological criteria for food borne micro-organisms, their toxins and metabolites.	EU legislation: Microbiological contamination of food	NA
Organic production and labelling	Regulation (EC) 834/2007 Regulation (EC) 889/2008 Regulation (EC) 1235/2008	The EU has established requirements on the production and labelling requirements with which an organic product of agricultural origin must comply, in order to be marketed in the EU as "organic".	EU legislation: Organic production and labelling	NA

To find the latest updates on legislation, tariffs and export documents required for shipment to the EU, please go to the EU Export Helpdesk:
<http://exporthelp.europa.eu/>.

Please also refer to the [Compendium of Guidelines for Tea](#) by the [European Tea Committee](#) (ETC), which provides you with a useful and thorough overview of the requirements for different categories of tea on the European market.

Non-legal requirements

Additional, non-legal requirements reach beyond legislation, as buyers can go further in their requirements than legislation.

Processing requirements

Buyers of orthodox tea demand a very consistent quality in order to satisfy their customers. Buyers particularly indicated that Kenyan tea producers should focus on producing a high-quality and clean tea. This means that a tea should be processed quickly after plucking in order to prevent degradation of quality. During our interviews, many buyers also indicated that the presence of fibres (resulting from tree stems) still is an issue for some tea Kenyan tea producers. This can be solved during the plucking of the leaves and by better fibre extraction during grading or by having the right colour sorting machines in place to exclude fibres from the end-product. Other important issues during the processing are the fermentation and drying processes, which determine the

typical aroma and colour of the tea. Proper sorting machines, which clearly separate the different grades, are essential.

Storage, packaging and transport

Orthodox tea is odour-sensitive and must not be stored together with odoriferous products, as it can absorb any foreign odour. Impairment of odour has an impact on the flavour and taste, making the orthodox tea undrinkable. Tea experts are able to establish whether the tea have been stowed together with such products. In the case of odour-tainted tea, your tea might still be sellable for subsequent blending with cheap grades and for industrial purposes. When using plywood chests, please be aware of lumber which has suffered fungal attack. There is a risk that the tea will absorb the mouldy odour. Other causes for odour tainting can be the use of pesticides or in intermediate warehousing.

Orthodox tea is usually packaged in airtight polypropylene or jute sacks lined with polyethylene or aluminium foil, or multiwall paper sacks lined with aluminium foil (figure 1) . The pallet or container for transportation must be loaded efficiently, which implies that your stacked chests or sacks match sea freight and EU pallet sizes: <http://en.wikipedia.org/wiki/Pallet#Dimensions>.

Figure 1: Examples of bulk packaging for orthodox tea

Polypropylene or jute sacks



Multiwall paper sacks



Source: LBK packaging, 2013; KETEPa, 2013

Besides correct packaging, buyers also indicated that constant supplies of orthodox teas need to be secured and supplies should be constantly available. Especially the latter is of concern to many retailers of orthodox tea. Currently, many retailers neutralise these risks by purchasing their supplies via tea brokers. In addition, if retailers would import directly from Kenya, they would have to purchase orthodox tea in larger quantities.

Quality safety

Kenyan tea exporters should comply with a food safety management system, for example ISO 22000, which includes hazard analysis and critical control points (HACCP) principles. Most supermarkets require compliance with a food safety management system by their suppliers. Since most tea is sold through supermarkets, these retailers are very powerful in the industry in determining price levels and global food safety standards. For more guidance on HACCP for tea packed at origin:

http://www.etc-online.org/docs/HACCP_GUIDANCE_NOTES_September_2012.pdf

Some countries in Europe also have (additional) standards for food safety management systems. Suppliers to the UK often use the British Retail Consortium (BRC) Global Standards as a certification programme. Suppliers to Germany, France, and Italy should comply with the International Food Standard (IFS) which have been developed by the members of the retail federations of these countries.

Certification

Whereas UTZ and Rainforest Alliance are of significant importance for exporting to the (West-)European market for CTC tea, this is less relevant for orthodox produced tea. Other additional requirements, such as environmental requirements and social (labour) requirements, may be of more importance. In the case of Kenyan orthodox tea, these requirements include organic and Fair Trade certifications. EU buyers indicated that organic certification in particular would raise the trust in the product and would make Kenyan orthodox tea more competitive with other exporting countries in the region. Understanding the applicable certification schemes is a crucial step towards accessing the EU market. For further information, please consult the following websites:

- EU Organic Farming - <http://ec.europa.eu/agriculture/organic>
- Fairtrade Labelling Organisations International (FLO) - <http://www.fairtrade.net>



This survey was compiled for CBI by ProFound – Advisers In Development
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