



# Compliance with buyer requirements for Kenyan tea packed at origin

Buyer requirements are all the requirements you can expect from your potential buyers. These requirements can be divided into two groups: legislation and additional, non-legal requirements. For tea packed at origin, important buyer requirements are the use of proper machinery, implementation of industry standards and independent testing facilities.

## 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>.

The table below presents an overview of legal requirements applicable to tea. For tea packed at origin, the legislation on food contact materials, food labelling and MRLs are the most important.

**Table 1: Overview of legal EU requirements for tea, including information on how member states have implemented the requirements**

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.	<a href="#">EU legislation: General food law</a>	See link EU legislation
Food contact materials	Regulation (EC) 1935/2004 Directive 84/500/EEC Directive 2007/42/EEC 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	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 change in the composition of the foodstuffs and to protect human health.	<a href="#">EU legislation: Food contact materials</a>	See link EU legislation
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.	<a href="#">EU legislation: Food labelling</a>	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).	<a href="#">EU legislation: Hygiene of food (HACCP)</a>	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.	<a href="#">EU legislation: Contaminants in food</a>	NA
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.	<a href="#">EU legislation: Food control</a>	NA
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.	<a href="#">EU legislation: Maximum Residue Levels (MRLs) of pesticides in food</a>	NA
Microbiological contamination of food	Regulation (EC) 2073/2005	The EU has set microbiological criteria for food borne micro-organisms, their toxins and metabolites.	<a href="#">EU legislation: Microbiological contamination of food</a>	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".	<a href="#">EU legislation: Organic production and labelling</a>	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

Tea in itself is a relatively easy ingredient, however, EU legislation for food products is very strict. In order to pack at origin, significant investments are needed in machinery, setting industry standards (e.g. BRC - <http://www.brcglobalstandards.com>, IFS - <http://www.ifs-certification.com>, or ISO 22000 - <http://www.iso.org>), and independent empirical testing. In order for these investments to be worthwhile, relatively large volumes are required for packing at origin.

## Quality of packing

In terms of packing requirements, it is important that packing facilities can match the quality standards needed to sell the products on the global market. The EU/EFTA for example has several strict packing, food and safety requirements. Multiple industry sources indicated that they do not have enough confidence in the quality of packing in the tea-producing countries. This is mainly due to the quality of the packing machines, which is lower compared to the machines used at packing facilities in Europe. Furthermore, it has proven to be difficult for Kenyan tea packers to make packaging that matches the quality demanded for the European market.

Some specific quality conditions, which have been named by industry sources as important for packing at origin are:

- specific density conditions for tea bags,
- hygienic quality,
- MRLs of pesticides,
- specific information on blends and flavours
- tea bag paper quality.

In terms of specific food safety management systems, tea packers should comply with the ISO 22000 standard or another GFSI recognized scheme -

<http://www.mygfsi.com>. This global standard includes Hazard analysis and critical control points (HACCP) principles. Most supermarkets require their suppliers to comply with the ISO 22000 standard 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](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.

### **Flexibility and control of packing**

Buyers of tea, especially the larger brands, prefer to maintain control over the packing of tea and their stock in order to guarantee the quality of the end-product. Therefore, most buyers prefer to use packing facilities close to the end-market. As part of a buyer's focus on control, tea processors want to be in charge of the composition of these blends to ensure that the taste and quality is constant. Buyers from the Middle East, for example, prefer to blend imported teas themselves with teas from other regions. Therefore, they want to import tea in bulk (without consumer packaging). European buyers generally want to have the flexibility to switch sources. Moreover, they prefer to have direct access to their stock, which gives them the opportunity to respond quickly to problems that might arise in the process of packing.

Tea packers in Kenya can assure international buyers that the quality of packing is sufficient by acquiring accreditation for the food safety management systems described above. Next to this, Kenyan tea exporters should always comply with the expectations of buyers in terms of packaging. Consult your buyer about your packing options and take them along in the final choices for packing before you start the production process. If you cannot commit to the requirements of a buyer, communicate this beforehand in order to prevent non-conformances. As buyers often want to check the quality of packaging beforehand, Kenyan tea packers should always have samples available and have an accurate estimate of the delivery time and order sizes to which they can commit themselves.

Keep in mind that, in anticipation of logistical problems, international buyers prefer to have larger stocks when they buy tea packed at origin. European buyers in particular indicated that a guaranteed stability of supply is necessary before they are willing to switch to packed at origin.

### **Packaging for transportation**

Tea bags per carton commonly differ between 20, 25, 50 and 100. Kenyan exporters should always make clear arrangements with their buyer about the amount of teabags per carton before completing the order.

Before transportation, tea packed at origin is packed in cardboard boxes (see Figure 2), on pallets and wrapped in plastic. The pallet or container for transport must be loaded efficiently, which implies that your stacked boxes match sea freight and EU pallet sizes:

<http://en.wikipedia.org/wiki/Pallet#Dimensions>.

Further information on packaging can be found at the website of ITC on export packaging: <http://www.intracen.org/exporters/packaging>.

**Figure 2: Example of packaging for tea packed at origin**



*Source: Tewari Warehousing, 2013*

## Certification

UTZ and Rainforest Alliance are of significant importance for exporting to the (West-) European market for CTC tea. Other additional demands, such as environmental requirements and social (labour) requirements, are also a viable option for tea packed at origin. In the case of Kenyan tea packed at origin, 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 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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