NOTIFICATION

The following notification is being circulated in accordance with Article 10.6

|  |  |
| --- | --- |
| **1.** | **Notifying Member:** Switzerland  **If applicable, name of local government involved (Article 3.2 and 7.2):** |
| **2.** | **Agency responsible:** Federal Food Safety and Veterinary Office  **Name and address (including telephone and fax numbers, email and website addresses, if available) of agency or authority designated to handle comments regarding the notification shall be indicated if different from above:**  State Secretariat for Economic Affairs SECO Holzikofenweg 36, 3003 Bern [tbt@seco.admin.ch](mailto:tbt@seco.admin.ch), [www.seco.admin.ch](http://www.seco.admin.ch) |
| **3.** | **Notified under Article 2.9.2 [****],** **2.10.1 [****X],** **5.6.2 [****],** **5.7.1 [****],** **other****:** |
| **4.** | **Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable):** All foodstuffs on the swiss market. |
| **5.** | **Title, number of pages and language(s) of the notified document:** Revision of the Ordinance on Foodstuffs and Utility Articles (2 page(s), in German; 2 page(s), in French; 2 page(s), in Italian) |
| **6.** | **Description of content:** Due to the COVID-19 pandemic certain food ingredients and packaging material may be in short supply. To provide food manufacturers more flexibility and to avoid reduced availability of foodstuffs for consumers, the labelling requirements for food products are relaxed for a time limited period of six months. The derogation will allow food producers to source alternative ingredients or packaging materials to substitute ingredients or materials in short supply without having to amend the packaging information.  For the derogation to apply, the following conditions have to be met:  First, the manufacturer has to demonstrate that the supply shortage is a direct consequence of the COVID-19 pandemic;  Second, the alternative ingredients used have no bearing on the relevant health information provided on the packaging (e.g. ingredients that are allergen or may cause undesired reactions); and  Third, foodstuff produced according to this derogation has to be labelled with a red round sticker followed by an internet address where consumers can obtain information about the ingredients and packaging materials used, and how these may differ from the information contained on the packaging. |
| **7.** | **Objective and rationale, including the nature of urgent problems where applicable:** The changes are aimed at ensuring the availability of foodstuffs whilst ensuring human health and avoid misleading consumers.  Consumer information, labelling; Protection of human health or safety |
| **8.** | **Relevant documents:**  Ordinance on Foodstuffs and Utility articles:   * German: <https://www.admin.ch/opc/de/classified-compilation/20143388/index.html> * French: <https://www.admin.ch/opc/fr/classified-compilation/20143388/index.html> * Italian: <https://www.admin.ch/opc/it/classified-compilation/20143388/index.html> |
| **9.** | **Proposed date of adoption:** 16 April 2020; Due to its urgency the modification was adopted on 16 April 2020.  **Proposed date of entry into force:** 16 April 2020; Due to its urgency the modification entered into force on 16 April 2020. |
| **10.** | **Final date for comments:** Not applicable |
| **11.** | **Texts available from: National enquiry point [****X]** **or address, telephone and fax numbers and email and website addresses, if available, of other body:**  Secretariat for Economic Affairs SECO Holzikofenweg 36, 3003 Bern Switzerland [tbt@seco.admin.ch](mailto:tbt@seco.admin.ch)  <https://members.wto.org/crnattachments/2020/TBT/CHE/20_2903_00_f.pdf>  <https://members.wto.org/crnattachments/2020/TBT/CHE/20_2903_00_x1.pdf>  <https://members.wto.org/crnattachments/2020/TBT/CHE/20_2903_00_x2.pdf> |