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## **Austria**

### **Food and Agricultural Import Regulations and Standards - Narrative**

### **FAIRS Country Report**

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**Report Highlights:**

This report outlines specific requirements for food and agricultural products imports into Austria. Austria as a member of the European Union follows the EU directives and regulations. It is recommended that this report be read in conjunction with the EU Food and Agricultural Import Regulations and Standards.

Last updated Dec 2014.

### **Disclaimer**

This report was prepared by the Office of Agricultural Affairs of the USDA/Foreign Agricultural Service in **Vienna, Austria** 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.

This report outlines specific requirements for food and agricultural products imports into Austria. Austria as a member of the European Union follows the EU directives and regulations. It is therefore recommended that this report is read in conjunction with the Food and Agricultural Import Regulations and Standards (FAIRS) report produced by the US Mission to the EU in Brussels, Belgium, available at: [EU FAIRS Country Report 2013](#). Alternatively you can search the [FAS GAIN Report Database](#).

## Table of Contents

I	<b><u>GENERAL FOOD LAWS</u></b>
	<u>Food Law</u>
	<u>Relevant Austrian ordinances and EC/EEC regulations</u>
	<u>Austrian regulations on various food and beverage products (updated list according to the 2006 Food Safety and Consumer Protection Law)</u>
	<u>EC regulations on various food and beverage products, which are directly incorporated into national law (Annex to 2006 Food Safety and Consumer Protection Law)</u>
	<u>Regulations on drinking water</u>
	<u>Regulations on dietetic foods</u>
	<u>Wine legislation</u>
	<u>Hygiene regulations</u>
	<u>Austrian Food Codex</u>
II	<b><u>FOOD ADDITIVE REGULATIONS</u></b>
III	<b><u>PESTICIDE AND OTHER CONTAMINANTS</u></b>
	<u>Pesticides</u>
	<u>Heavy Metals and Mycotoxines</u>
	<u>Medical Residues</u>
	<u>Extraction Solvents</u>
	<u>Ionizing Irradiation</u>
	<u>Other undesirable substances of content</u>
IV	<b><u>PACKAGING AND CONTAINER REQUIREMENTS</u></b>
V	<b><u>LABELING REQUIREMENTS</u></b>
	A. <u>General Requirements</u>
	B. <u>Requirements for Other Specific Labeling Requirements</u>
	<u>Medical/Health/Nutrition Claims</u>
	<u>Labeling for Organic Products</u>
	<u>Labeling for Food Additives</u>
	<u>Labeling for Food containing or deriving from Genetically Modified Organisms (GMO's)</u>
VI	<b><u>OTHER SPECIFIC STANDARDS</u></b>
VII	<b><u>FACILITY AND PRODUCT REGISTRATION REQUIREMENTS</u></b>
VIII	<b><u>OTHER CERTIFICATION AND TESTING REQUIREMENT</u></b>
	<u>Enforcement and control regulations for food products</u>
	<u>Other specific regulations</u>
IX	<b><u>IMPORT PROCEDURES</u></b>
X	<b><u>COPYRIGHT AND / OR TRADEMARK LAWS</u></b>
	<b><u>APPENDIX I. GOVERNMENT REGULATORY KEY AGENCY CONTACTS</u></b>
	<b><u>APPENDIX II. OTHER IMPORT SPECIALIST CONTACTS</u></b>

## I. GENERAL FOOD LAWS

Austrian food legislation consists of the [2006 Food Safety and Consumer Protection Law](#), ordinances to this law, and the Austrian Food Codex ([Codex Alimentarius Austriacus](#)). Austrian food legislation generally conforms to EU regulations.

Austrian food regulations are valid for products produced in Austria and imported foods. However, Austria is obliged to allow entry of products permitted into other countries of the European Economic Area (EEA) ("Cassis de Dijon"). Imports from third countries must comply with national legislation if no EU law exists.

### **Food Law**

Austrian food laws and regulations follow European legislation to the extent that EU laws have been harmonized. On January 20, 2006, the Austrian Government issued a new Federal Law on Safety Requirements and other Requirements for Food, Objects of Utility and Cosmetics in Order to Protect Consumers (Food Safety and Consumer Protection Law Fed Gaz I 13/2006). The law governs food safety regulations throughout the entire food chain starting at the primary production site and ending at the consumer. Requirements are laid down for food products, water for human consumption, objects of utility, and cosmetics. The regulation applies to all production-, processing- and distribution-stages. The law is based on several EU regulations ([EC 852/2004](#), [EC 853/2004](#), [EC 854/2004](#), [EC 882/2004](#), [EC 178/2002](#)). Since the introduction of the law it has been updated through several amendments (Federal Gazette / Fed Gaz I [151/2005](#), [136/2006](#), [24/2007](#), [112/2007](#), [121/2008](#), [52/2009](#) [95/2010](#)).

This regulation replaces much the former Austrian [1975 Food Law](#) (Fed Gaz 86/1975) and the [1982 Veterinary Inspection Law](#) (Fed Gaz 522/1982). The aim of the law is to harmonize Austrian law with new, on-going EU food regulations. In the past, food, meat, and hygiene regulations were covered by separate regulations. Unlike the old bills, the Food Safety and Consumer Protection Law covers all kinds of food products during all stages including veterinary inspection, hygiene regulations, as well as monitoring.

One of the key elements of the Austrian Food Safety and Consumer Protection Law is the increased responsibility on producing companies to ensure food safety. Part of this responsibility comes in the form of close cooperation with regulatory authorities. The immediate initiation of countermeasures in case of deficiencies is another essential concept in the law.

In general the Austrian food law is primarily intended to protect the health of consumers and to provide for good nutrition of the population. In addition, economic interests are considered whenever possible. However, in case of conflicting interests, consumer protection has priority.

According to the food law, food products, which are determined to be hazardous to human health, falsified, or declared wrongly, may not be distributed. Health and nutrition related claims on the label have to follow the requirements laid down in [EC 1924/2006](#). Disease related claims (i.e., cures a disease) and the use of unapproved food additives are not permitted.

In addition, the food law deals with animals intended for human consumption (it is forbidden to administer hormones, hormone inhibitors, or antibiotics to improve the shelf life of meat; and antibiotics and hormones to prevent diseases, or improve the growth of animals) and includes special requirements for plants intended for the production of foods (pesticide residues, etc.).

The chapter on dietetics (e.g., weight loss products, low sugar diabetic foods, etc.) states that such products may not be placed on the market without being registered with the Health Ministry.

Although food safety and quality are the prime concern of the Austrian food legislation, its jurisdictional scope extends to a variety of non-food items. They include cosmetics, kitchen utensils and appliances, wrapping and packaging materials for foods, additives and cosmetics, as well as cleaning and cleansing agents, disinfectants, air purifiers, preservatives and pesticides to the extent these items may be brought in contact with foods, food additives or cosmetics.

Basically, imported food products have the same status as domestically produced products with respect to the provisions of the [2006 Food Safety and Consumer Protection Law](#). However, subject to certain conditions, health authorities may decree by ordinance that the importation of specific items coming under the jurisdiction of this law is permissible only if these items are attested to be “unobjectionable” by one of the federal institutes for food examination. Based on (satisfactory) sample inspection findings, the institute will certify the commodity or commodities involved to be in conformity with the provisions to be spelled out in that ordinance. Product clearance may also be made contingent on the results of an inspection by an Austrian expert of the foreign manufacturing (or shipping) enterprise supplying the products in question.

A number of EC (European Community) and EEC (European Economic Community) regulations do not require a conversion to national law. Those regulations are directly incorporated in Austrian law as such. A list of those regulations can be found in the [annex to the 2006 Food Safety and Consumer Protection Law](#).

In the ordinances to the 2006 Food Safety and Consumer Protection Law specifics, the definitions, labeling requirements, technical terms, hygiene requirements, thresholds, treatment requirements, and other details can be found.

EU level regulation [EC 178/2002](#) of the European Parliament and of the Council of 28 January 2002, lay down the general principles and requirements of food law, establishing the European Food Safety Authority and specify procedures in matters of food safety.

Note: Austrian food legislation is only available in German language.  
Austrian food legislation is cited with first publication number and year, amendments are not explicit mentioned but the links lead to the current valid versions including amendments.

## Relevant Austrian Ordinances

### Austrian regulations on various food and beverage products (updated list according to the 2006 Food Safety and Consumer Protection Law):

- [Ordinance on margarine products and mixed fat products](#) (Fed Gaz 378/1993)
- [Ordinance on deep frozen food](#) (Fed Gaz 201/1994)
- [Ordinance on the assessment of the maximum content on Eruca acid – Eruca acid ordinance](#) (Fed Gaz 468/1994)
- [Ordinance on various sugars – sugar ordinance](#) (Fed Gaz II 472/2003)
- [Ordinance on cocoa and chocolate products – chocolate ordinance](#) (Fed Gaz II 628/2003)
- [Ordinance on honey – honey ordinance](#) (Fed Gaz II 40/2004)

- [Ordinance on jams, jelly, marmalade, and chestnut cream – jam ordinance](#) (Fed Gaz 367/2004)
- [Ordinance on casein and caseinate for human consumption](#) (Fed Gaz 548/1996)
- [Ordinance on fruit juices and some other similar products – fruit juice ordinance](#) (Fed Gaz II 83/2004)
- [Ordinance on some particular kinds of concentrated milk and dry milk](#) (Fed Gaz II 45/2004)
- [Ordinance on coffee- and chicory extracts](#) (Fed Gaz II 391/2000)
- [Ordinance on food supplements – food supplements ordinance](#) (Fed Gaz II 88/2004)
- [Ordinance on the content of trans – fatty acids in food – trans-fat ordinance](#) (Fed Gaz II 267/2009)

**EC regulations on various food and beverage products, which are directly incorporated into national law (Annex to 2006 Food Safety and Consumer Protection Law) – for most recent EU FAIRS report please search the [FAS GAIN Report Database](#).**

#### **Regulations on drinking water:**

- [Ordinance on natural mineral waters and spring waters – mineral water and spring water ordinance](#) (Fed Gaz II 309/1999)
- [Ordinance on the quality of water for human consumption – drinking water ordinance](#) (Fed Gaz II 304/2001)

#### **Regulations on dietetic foods:**

- [Ordinance on energy restricted diet food for weight reduction](#) (Fed Gaz II 112/1998)
- [Ordinance on grain preparations and transition food for nursing babies and young infants](#) (Fed Gaz II 133/1998)
- [Ordinance on dietetic food for particular medical purposes](#) (Fed Gaz II 416/2000)
- [Ordinance on dietary supplements for special nutritional purposes and general labeling requirements for dietetic food products – diet frame ordinance](#) (Fed Gaz II 162/2006)
- [Ordinance on infant formulae and follow-on formulae](#) (Fed Gaz 68/2008)

## Wine legislation

Wine is regulated in a special Austrian [Wine Law 2009 – Federal Law on the Marketing of Wine and Fruit Wine](#) (Fed Gaz I 111/2009).

The Austrian wine legislation is based on European wine legislation. Austria, however, has maintained some individuality. The Austrian wine law 2009, including related ordinances basically transposes EU food relevant regulations of the Common Market Order (CMO) of wine. It includes some additional stricter requirements for “Land- and Qualitaetswein”. Controlled origin, capped yields, quality designations and official quality controls are the pillars of Austrian wine law. Three general quality designations are recognized: Tafelwein (table wine), Qualitaetswein (quality wine), and Prädikatswein (premium wine). The categories are determined by the sugar content of the grape must, expressed according to the Klosterneuburger Mostwaage (KMW) system.

The [Wine Labeling Ordinance](#) (Fed Gaz 111/2011) implements and amends the labeling requirements of the EU common market order for wine and the Austrian wine law in the version 2010. Important labeling elements are origin, varietal, vintage, quality designation, alcohol content, residual sugar, official control number, producer, and bottler.

## Hygiene regulations

The 2006 Food Safety and Consumer Protection Law covers generally hygiene regulations for all food products, including meat.

Additional ordinances deal with hygiene issues.

- [Ordinance on the adjustment of particular food hygiene regulations](#) (Food hygiene adjustment ordinance Fed Gaz II 91/2006).
- [Ordinance on hygiene requirements for the food retail](#) (Food retail ordinance Fed Gaz II 92/2006, 65/2007 and 213/2008)
- [Ordinance on raw milk and cream](#) (Fed Gaz II 106/2006)
- [Ordinance on direct marketing of food](#) (Fed Gaz II 108/2006 and 3/2007)
- [Ordinance on the registration and certification of food establishments](#) according to food hygiene regulations (Fed Gaz 231/2009)

## Austrian Food Codex

The [Austrian Food Codex](#) (Codex Alimentarius Austriacus) includes guidelines on definitions, composition, tests, evaluations, and directives on the distribution of products governed by the food law. It is mainly a basis for determining incorrect labeling. These guidelines are elaborated by the Codex Commission, which is installed by the Austrian Food Law. The Codex is regarded as an “objective expert opinion” but is not a law in the strict sense. It consists of numerous chapters covering different food products and food processing practices.

## II FOOD ADDITIVE REGULATIONS

The use of food additives is regulated by EU directives and an Austrian regulation.

The use of all additives has to comply with the following regulations:

- For EU regulations search the [FAS GAIN Report Database](#) for the most recent EU FAIRS Report.
- Austria has implemented a flavor regulation ([Fed Gaz 42/1998](#)). This regulation defines and lists various flavors with maximum permitted contents in various food products.
- Ordinance on sweeteners added to food and food supplements (Fed Gaz [547/1996](#))
- Ordinance on colorings added to food (Fed Gaz [541/1996](#))
- Ordinance on food additives other than colorings and sweeteners (Fed Gaz II [383/1998](#), II 132/2000, II 315/2000, II 193/2001, II 14/2003, II 265/2004, 364/2005)
- Ordinance on the analytical methods for the control of purity criteria on particular additives – additives analysis ordinance (Fed Gaz [466/1994](#))
- Ordinance on edible caseine and edible caseinate (Fed Gaz [548/1996](#))
- Ordinance on substances which may be added to dietetic food products and general labeling requirements for dietetic food (Fed Gaz [162/2006](#))

## III. PESTICIDE AND OTHER CONTAMINANTS

### *a) Pesticides*

- Ordinance on the maximum residues of pesticides in foods that derive from plants or animals (Fed Gaz II [441/2002](#), II [552/2003](#), II [434/2004](#), II [166/2005](#), II [130/2006](#)) regulates the maximum content of certain plant residues in foodstuffs. In the ordinance the chemical substances are alphabetically listed with the corresponding maximum content in certain foods. These regulations are enforced by the market office of the municipality of Vienna and by the offices of the provincial governments (see appendix II). The pesticide residue lists are positive. If a substance is not listed or if a food product is not listed then there is a zero tolerance.

### *b) Heavy Metals and Mycotoxines*

- For EU regulations search the [FAS GAIN Report Database](#) for the most recent EU FAIRS Report.
- Mycotoxin ordinance (Fed Gaz [251/1986](#)) includes maximum contents of certain mycotoxines in various food products.

### *c) Medical Residues*

- Residues of medicine in foods are regulated by the Austrian ordinance (Fed Gaz [542/1988](#)) and by the EU regulation [EC 2377/90](#). In case the Austrian regulation conflicts with the EU regulation, the EU regulation takes precedence.



- For EU regulations search the [FAS GAIN Report Database](#) for the most recent EU FAIRS Report.

#### **d) Extraction Solvents**

- Ordinance on the use of extraction solvents in food processing – Extraction Solvent Ordinance (Fed Gaz [642/1995](#), II [465/1998](#)).

#### **e) Ionizing Irradiation**

- Ordinance on the treatment of food products with ionizing irradiation (Fed Gaz II [327/2000](#))

#### **f) Other undesirable substances of content**

According to the pesticide law of 1997 (Fed Gaz [60/1997](#)), all pesticides have to be registered. The registration office is as follows. Information on approved pesticides can be obtained at the following registration office:

Federal Office for Food Safety  
 Spargelfeldstr. 191  
 A-1220 Wien, Austria  
 Phone: + 43 (5) 0555 - 33400  
 Fax: + 43 (5) 0555 – 33404

A list of approved pesticides can be found at following webpage:

[Approved Pesticides in Austria](#)

## **IV PACKAGING AND CONTAINER REQUIREMENTS**

1. There are no special packaging requirements or container size requirements. Due to the rising number of single households there is higher demand for smaller containers.

2. Companies or persons putting packaging material on the market are obliged to collect the used packaging. If this is not possible because they cannot afford to operate a collection system locally (which is usually the case), they can join a collection system. The only collecting organization for household packaging material is ARA (Altstoff Recyclisierung Austria i.e. Old Material Recycling Austria) that handles the disposal of packaging material. Companies making use of ARA's service pay a "license fee". Usually, packaging material eligible for ARA disposal has a sign (dot with two arrows). However, the sign on the packaging material is not a pre-condition for collection by ARA. Thus, also products imported in original foreign packages can be collected if the importer pays the fees for the disposal service. Companies not participating in ARA's service are periodically checked by the Ministry for Social Security and Generations on how they handle their packaging material recycling or disposal.

- The end packaging regulation of the Federal Ministry of Economic Affairs ([Fed Gaz 867/1993](#) amended by [32/1995](#)) regulates the volumes indicated on the label, acceptable tolerances and test procedures for bottles and other packaging.

- Ordinance 90/128/EC (Kunststoffverordnung, [Fed Gaz 775/1994](#)) requires that the content of monomeric vinyl-chloride in plastic wrappings must not exceed 1ppm. PVC wrappings are forbidden for fats and fat-containing products such as milk products.
- Ordinance on objects of utility made of plastics, which are intended for usage with food and food additives – plastics ordinance ([Fed Gaz II 476/2003](#))
- Packaging regulation ([Fed Gaz 645/1992](#) amended by [334/1995](#) and Fed Gaz [646/1992](#) amended by [335/1995](#)) regulates collection and recycling/disposal of packaging material.

## V LABELING REQUIREMENTS

### A. General Requirements

- The [food labeling ordinance](#) (Fed Gaz 72/1993) and amendments regulate labeling requirements for packaged food products. The ordinance also incorporates [Directive 2000/13/EC](#).
- General rules for labeling food products for sale to consumers can be found in the EU FAIRS Report - please search the [FAS GAIN Report Database](#) for the most recent issue.
- In 2011, the EU revised its food labeling provision with the regulation [1169/2011 EC](#). The new EU labeling requirements will apply from December 13, 2014 except for the mandatory nutrition declaration which will apply from December 13, 2016. Until then Austrian legislation is valid. The regulation will be directly incorporated into Austrian law. Most important amendments the regulation includes are mandatory nutrition labeling of energy value, fat, saturated fats, carbohydrates, sugar, protein, and salt. Furthermore the highlighting of allergens; the mandatory origin labeling for fresh meat of swine, sheep, goat, and poultry; minimum requirements for font size; and the labeling of food imitation products.

#### 1. The following information must be on the label:

- 1) Name under which the product is sold.
- 2) Ingredients (including food additives), in descending order according to weight (as recorded at the time of manufacture.)
- 3) Allergens listed in annex [IIIa to Directive 200/13/EC](#)
- 4) Certain ingredients may be labeled as category rather than the specific name (see [Directive 200/13/EC](#))
- 5) The quantity of certain ingredients or categories (QUID) (For mor details search the [FAS GAIN Report Database](#) for the most recent EU FAIRS Report.)
- 6) Net weight or quantity in metric units. For liquids: liter, centiliter, or milliliter. For solids: kilogram or gram.
- 7) Date of minimum durability. For highly perishable goods (due to microbiological activity), “use by” and date. Date must be given as day/month/year or: “best before” and date in terms of day and month for foods expected to keep for three months or less, or: “best before end” and date in terms of month and year only for foods expected to keep for more than three months but not longer than 18 months, or “best before end” and date in terms of either month and year or year only for foods expected to keep for more than 18 months.
- 8) Any special storage conditions or conditions of use.
- 9) The name or business name and address of the manufacturer or packer, or of the seller established within the community.

- 10) Place of origin (and particulars, if needed, to clarify to the consumer the true origin of the foodstuffs.)
- 11) Instructions for use. Applicable when it would be impossible to use the product appropriately in the absence of such instructions.
- 12) Strength of alcohol by volume, with respect to beverages containing more than 1.2% alcohol by volume.
- 13) Lot marking, as determined in each case by the producer, manufacturer, or packer, or by the first seller established within the community. Unless clearly noticeable from other indications on the label, this marking must be preceded by the letter "L".
- 14) Treatments undergone, with specific indications for irradiated foods and deep-frozen foods.

## **2. Labeling has to be in German.**

- 3. Food products can enter the country with standard U.S. labels or unlabeled.
- 4. Stick on-labels meeting local requirements are permitted.
- 5. Imports can enter the country with foreign labels or without labels. However, before distribution products must be labeled according to the labeling regulation.
- 6. A food sample does not have to be labeled. However, if samples are distributed, they must be labeled.
- 7. Austrian authorities do not grant exceptions to their labeling regulations.

On July 1, 1998, Austria implemented a [regulation concerning the labeling of beef](#) (Fed Gaz 80/1998). The regulation is based on EU regulation 820/97 where labeling details are laid down.

## **B. Requirements for Other specific Requirements**

### **Medical/Health/Nutrition Claims**

For EU regulations search the [FAS GAIN Report Database](#) for the most recent EU FAIRS Report. (EU wide conditions for the use of nutrition claims)

On December 2014, the EU's "Food Information to Consumers" Regulation [1169/2011](#) which includes a new format for allergen labeling becomes applicable. Detailed information can be found at the recent EU FAIRS reports in the [FAS GAIN Report Database](#).

## Labeling for Organic Products

Labeling must be in German. The following statements are permitted:

"From Organic Agriculture" ("Aus biologischer Landwirtschaft")

"From Organic - Biological Agriculture" ("Aus organisch - biologischer Landwirtschaft")

"From Biological - Dynamic Agriculture" ("Aus biologisch - dynamischer Landwirtschaft")

"From Ecological Agriculture" ("Aus oekologischer Landwirtschaft")

## Labeling for Food Additives

Ordinance on the labeling of food additives and other products for consumption – additive labeling ordinance lays down specific requirements for the labeling of food additives ([Fed Gaz 476/1994](#)).

## Labeling for Food containing or deriving from Genetically Modified Organisms (GMO's)

The EU traceability and labeling regulations require the traceability of GMOs throughout the food chain from farm to table and provide consumers and farmers with information by labeling all food and feed consisting of, containing, or produced from a GMO regardless on the presence or absence of "detectable DNA and/or protein. This impacts ingredients like refined sugars and oils from GM grains and plants that must now be labeled. Labeling is based on genetic origin. Also labeling of animal feed to indicate GM components is mandatory.

- Ordinance on the Austrian implementation of Regulation (EC) No 1830/2003 ([Fed Gaz II 373/2004](#))
- For EU regulations see [EU-27 FAIRS](#) Report

## VI OTHER SPECIFIC STANDARDS

1. Consumer packaging or municipal waste disposal, see section III, item 2.
2. Only metric weights and measures are accepted.
3. Fortification of foods with vitamins and minerals is permitted. In this case labeling has to be carried out according to the nutrition ordinance (Fed Gaz [896/1995](#)). In addition to the vitamin and/or mineral content in absolute figures, the content in percentage of the recommended daily dosage (indicated in the ordinance) has to be indicated on the label.
5. Some dietetic or special use foods have to be registered at the Ministry of Health before distribution. All ingredients, including minerals and vitamins have to be labeled.
6. Food sanitation: Austrians prefer foods preserved by heat and not by chemical means. However, certain chemical preservatives are permitted in certain processed foods. For details on chemical preservatives search the [FAS GAIN Report Database](#) for the most recent EU FAIRS Report.
7. Marine Products: According to an ordinance of the Agricultural Ministry from January 5, 1995, the most recent version of EU regulations must be applied for freshness and size classes of seafood.
8. Animal quarantine: For live animal imports, the official veterinarian recognizes a barn/stable which allows the separation of imported animals from other animals. Such an establishment can be the barn/stable of the importer or any private plant if it has the necessary conditions and is accepted by the

official veterinarian. There are no established governmental quarantine facilities for imported animals. The imported animal is observed during a period of at least 3 weeks. If suspicions arise (blood tests), the observation time can be extended.

9. Wine is regulated by the wine legislation (see Food Laws, item d) and the Austrian Food Codex. Beer and other alcoholic drinks are covered by the Austrian Food Codex only.

10. Organic products: In February 2012, the United States and the EU agreed to a new historic partnership on organic trade. The US-EU Organic Equivalency Arrangement” which entered into force on June 1, 2012, ensures that both parties operate in conformity with each other’s respective organic programs. All products traded under the Arrangement must be accompanied by an organic import certificate issued by a USDA-AMS accredited certifying agent.

In addition to organic certificates, shipments of organic products have to be accompanied by the normal phytosanitary or veterinary certificates. Organic products are subject to the normal customs tariff.

11. Product samples intended for importers are subject to import duty. Theoretically mail order shipments can be made if they comply with Austrian food regulation and other import requirements. If offers in catalogues do not comply with food regulations, they are in violation of the food law.

12. Genetically modified (GM) food. Theoretically EU regulations (for EU regulations search the [FAS GAIN Report Database](#) for the most recent EU FAIRS Report.) on food deriving from biotech crops apply but food which has to be labeled as “GM” do not sell in Austria.

## **VII FACILITY AND PRODUCT REGISTRATION REQUIREMENTS**

Exports of red meat, meat products, farmed and wild game meat, ratites, milk and milk products, seafood, bovine embryos and semen, porcine and equine semen, gelatin, animal casings and animal by-products to the EU from the U.S. may originate only from EU approved U.S. establishments. A comprehensive list of U.S. approved establishments can be found at the following link to the [USDA webpage](#).

Generally, there is no EU requirement to register imported foods except for novel foods. Foodstuffs with particular nutritional uses have to be notified at the the Member States’ competent authorities where the food is introduced in the market. Exporters of milk infant formula or nutritional supplements are mandated to notify competent authorities.

The import of special products like blood, blood products, and material containing epizootic pathogens must be approved by the Federal Ministry of Health. Usually the importer (or possibly an exporter) applies to the Ministry with all relevant details. There is no set form for this kind of application.

## **VIII OTHER CERTIFICATION AND TESTING REQUIREMENTS**

Foods are not automatically inspected at the point of entry. However, food inspectors of the municipality of Vienna and the offices of the provincial governments (see appendix II) may draw samples at the point of entry and at the wholesale and retail level at any time. Samples are than brought to official testing institutes (see Appendix I, item d).

1. Registration is only required for particular dietetic foods. This includes first baby food, food for premature babies, gluten-free food for people suffering from celiac disease and food for people with phenylketonuria. Registration of such products is carried out at the Federal Ministry of Health.
2. Testing of dietetic food is carried out at the Austrian Agency for Health and Food Safety.
3. In general, samples that are sent by express mail or parcel post to testing institutes are not subject to import regulations. However, samples intended for food fairs have to comply with food regulations. These samples are not subject to import duty if they are packed, labeled as samples, completely consumed at the fair and the quantity corresponds to the event (not a large volume for a small fair). Fair samples of tobacco/products and alcoholic drinks are subject to the normal import duty.
4. At the retail and wholesale level food storage and foods are inspected on a random sample basis or if an event requires it (e.g. the dioxin affair).
5. Certification and documentation: The importation of livestock, meat, and dairy products require veterinary certification according to EU regulation. These certificates have to be attested by APHIS and FSIS respectively. Live animal imports require an import license of the Austrian veterinary service at the Ministry of Health.

Imports of seafood products also require a certification according to EU regulation. The certificate form for live fish and fish products, and for live crustacean, crustacean products, and shellfish products is the same. Only live shellfish have a separate certificate form.

Fruit and vegetables require a phytosanitary certificate issued by APHIS.

For detailed information search the [FAS GAIN Report Database](#) for the most recent EU FAIRS Report.

#### ***a) Enforcement and control regulations for food products***

- Ordinance on the training of the supervisory body (Fed Gaz [397/1983](#))
- Ordinance on monitoring and control of deep frozen food products (Fed Gaz [581/1996](#))
- Ordinance on the training of food experts (Fed Gaz [161/1997](#))
- Ordinance on sampling procedures and analytical methods for the official monitoring of particular products in order to prove the maximum content of contaminants (Fed Gaz II [422/2003](#), II [433/2004](#), II [57/2006](#))
- Ordinance on control measures regarding particular substances and their residues in food products deriving from animals (Fed Gaz II [191/2003](#))
- Ordinance on control measures regarding particular substances and their residues in live animals and food products deriving from animals (Fed Gaz II [110/2006](#))
- Ordinance on the regional scope of the Austrian Agency for Health and Food Safety (Fed Gaz II [209/2006](#))

#### ***b) Other specific regulations***

For EU regulations search the [FAS GAIN Report Database](#) for the most recent EU FAIRS Report.

## IX IMPORT PROCEDURES

1. Customs matters are regulated by EU legislation – for details search the [FAS GAIN Report Database](#) for the most recent EU FAIRS Report..

2. Incoming goods go either to the customs storage (small) or to a freight forwarder's facility at transport or airports. Storing and removal from storage is carried out under the terminals supervision of a customs officer who compares the documents with the commodities. Later, the invoice for import duty is issued. Food inspectors at the port of entry storage do not routinely check packaged foods. However, the customs officer may take samples to double check for ingredients (sugar, milk powder, alcohol) responsible for correct assessment of customs duty.

Fresh/frozen food goes into deep freeze/cold storage facilities which are checked by the customs office and an official veterinarian who checks documents at the time of placement into storage and removal.

If direct imports of meat are made from third countries into the EU, the border veterinarian checks meat, collects the accompanying veterinary documents and issues new veterinary documents, the so called "Annex B". Meat can move freely within the EU with the new documents. Most U.S. products coming into Austria go through the Netherlands or Germany where the border clearance is made. Thus, on the way to Austria, no additional controls are carried out.

Alcoholic beverages require an import license from the Finance Ministry.

3. Veterinary and customs import documents must be in German. However, if a customs officer or border veterinarian can read another language, he can accept it. Veterinary certificates are usually bilingual. There is no appeal of decisions by the customs office or the veterinary service.

If an importer objects to the quality of the product, the case can be brought to the arbitration center at the following address:

International Arbitration Center  
of the Austrian Federal Economic Chamber  
Wiedner Hauptstr. 63  
A-1045 Wien  
Phone: +43 (5) 90900-0  
Fax: + 43 (1) 502 06 216

## X COPYRIGHT AND / OR TRADEMARK LAWS

1. Trademarks and brand names are legally protected in Austria.

2. Companies interested in the registration of trademarks or brand names have to apply at the patent office where information folders and application forms are available. The address of the patent office is as follows:

Patentamt  
Internationale Markenregistrierung  
(international trademark/brand name registration)

Österreichisches Patentamt  
 Dresdner Straße 87  
 A-1200 Wien  
 Phone: + 43 (1) 534 24 - 288  
 Fax: + 43 (1) 534 24 - 535

## **APPENDIX I. GOVERNMENT REGULATORY KEY AGENCY CONTACTS**

- a. Bundesministerium fuer Wirtschaft und Arbeit  
 (Federal Ministry of Economy, Family and Youth)  
 Abteilung C2  
 (Division C2)  
 Stubenring 1  
 A-1011 Wien  
 Phone: +43 (1) 71100 - 5766  
 Fax: + 43 (1) 715 96 51
  
- b. Bundesministerium fuer Land- und Forstwirtschaft, Umwelt und Wasserwirtschaft  
 (Federal Ministry of Agriculture and Forestry, Environment and Water Management)  
 Abteilung III/2  
 (Division III/2)  
 Stubenring 1  
 A-1011 Wien  
 Phone: + 43 (1) 71100 - 2759  
 Fax: + 43 (1) 71100 - 2937
  
- c. Bundesministerium fuer Gesundheit  
 (Federal Ministry of Health)  
 Bereich B  
 (Division B)  
 Radetzkystrasse 2  
 A-1030 Wien  
 Phone: +43 (1) 71100 – 4824  
 Fax: +43 (1) 710 41 51
  
- d. Agrarmarkt Austria (AMA)  
 (Agricultural Market Austria)  
 Dresdnerstr. 70  
 A-1200 Wien

The AMA is responsible for import and export licenses of food products:

### General:

Phone: +43 (1) 33 151 – 227  
 Fax: +43 (1) 33 151 – 4469  
 email: lizenzen@ama.gv.at

- e. Official label clearance and product testing is carried out at the following institutions:



Federal Office for Food Safety  
Spargelfeldstr. 191  
A-1220 Wien, Austria  
Phone: + 43 (5) 0555 - 3500  
Fax: + 43 (5) 0555-25802

Bundesanstalt fuer Lebensmitteluntersuchung und -Forschung  
Kinderspitalg. 15  
A-1090 Wien, Austria  
Phone: + 43 (1) 404 91 - 0  
Fax: + 43 (1) 404 91 - 540  
Bundesanstalt fuer Lebensmitteluntersuchung  
Burgerstr. 47  
A-4020 Linz, Austria  
Phone: + 43 (732) 77 90 71  
Fax: + 43 (732) 77 90 71 - 15

Bundesanstalt fuer Lebensmitteluntersuchung  
Innsbrucker Bundesstrasse 47  
A-5020 Salzburg, Austria  
Phone: + 43 (662) 83 33 57 - 0  
Fax: + 43 (662) 83 33 57 - 100

Bundesanstalt fuer Lebensmitteluntersuchung  
Beethovenstr. 8  
A-8010 Graz, Austria  
Phone: + 43 (316) 32 75 88 - 0  
Fax: + 43 (316) 32 75 88 396

Bundesanstalt fuer Lebensmitteluntersuchung  
Technikerstr. 70  
A-6020 Innsbruck, Austria  
Phone: + 43 (512) 22 440 - 0  
Fax: + 43 (512) 22 440 - 15

## **APPENDIX II. OTHER IMPORT SPECIALIST CONTACTS**

Each province has its own control organizations who may inspect food products. The addresses of the head offices of Austria's Federal Provinces regarding food inspection are as follows:

Amt der Kaerntner Landesregierung  
Lebensmittelinspektion  
Arnulfpl. 2  
9021 Klagenfurt, Austria  
Phone: + 43 (463) 536 - 0  
Fax: + 43 (463) 536 - 31 220

Amt der Burgenlaendischen Landesregierung  
Gesundheitswesen - Lebensmittelaufsicht

Landhaus  
Europaplatz 1  
7000 Eisenstadt, Austria  
Phone: + 43 (2682) 600 - 682  
Fax: + 43 (2682) 600 - 2055

Amt der O.O. Landesregierung  
Lebensmittelaufsicht  
Harrachstr. 20  
4010 Linz, Austria  
Phone: + 43 (732) 7720 - 4271  
Fax: + 43 (732) 7720 - 4259

Amt der N.O. Landesregierung  
Nahrungsmittelkontrolle  
Landhausplatz 1  
A- 3109 St. Poelten, Austria  
Phone: + 43 (2742) 200 - 0  
Fax: + 43 (2742) 200 - 2060

Amt der Stmk Landesregierung  
Gesundheitswesen  
Trautmannsdorffgasse 2  
8010 Graz, Austria  
Phone: + 43 (316) 877 - 0  
Fax: + 43 (316) 3373

Amt der Tiroler Landesregierung  
Abteilung Vc, Nahrungsmittelkontrolle  
Neues Landhaus  
Eduard Wallnhoeferplatz 1  
6010 Innsbruck, Austria  
Phone: + 43 (512) 508 - 2669  
Fax: + 43 (512) 508 - 2665

Amt der Landesregierung Salzburg  
Referat 9/03  
Nontaler Hauptstrasse 55  
5010 Salzburg, Austria  
Phone: + 43 (662) 80 42 - 2200  
Fax: + 43 (662) 80 42 - 32 66

Amt der Vorarlberger Landesregierung  
Nahrungsmittelkontrolle  
Landhaus  
6900 Bregenz, Austria  
Phone: + 43 (5574) 511 - 0  
Fax: + 43 (5574) 511 - 80

Amt der Landesregierung Wien  
MA 59  
Am Modenpark 1-2

1030 Wien, Austria

Phone: + 43(1) 711 16 - 0

Fax: + 43(1) 711 16 - 99 87 918

Other Food Testing Institute:

Lebensmittelversuchsanstalt

Blaasstr. 29

A-1190 Wien, Austria

Phone: + 43 (1) 36 88 555

Fax: + 43 (1) 36 88 555 - 29

Food Testing Institute of the Municipality of Vienna:

Lebensmitteluntersuchungsanstalt der Stadt Wien

Hennebergg. 3

A-1030 Wien, Austria

Phone: + 43 (1) 79514 - 0

Fax: + 43 (1) 79514 - 9

EC directives in English can be obtained at the following webpage:

<http://eur-lex.europa.eu/en/index.htm>

Austrian regulations can be obtained at the following webpage (Austrian regulations are only available in German language)

<http://www.ris.bka.gv.at/Bund/>