

Decree No. 2-13-711 of Jounada I 13, 1436 (March 4, 2015) relating to the quality and health safety of marketed tea.

(OG. No 6348 of 02/04/2015, page 1137).

THE HEAD OF GOVERNMENT,

Having regard to Law No. 28-07 relating to the safety of food products, promulgated by Dahir No. 1-10-08 of Safar 26, 1431 (February 11, 2010), in particular its articles 5 and 8;

Having regard to Law No. 13-83 relating to the repression of fraud on goods, promulgated by Dahir No. 1.83.108 of Moharrem 9, 1405 (October 5, 1984), in particular its article 16 ;

Having regard to Decree No. 2-10-473 of Chaoual 7, 1432 (September 6, 2011) taken for the application of certain provisions of Law No. 28-07 relating to the safety of food products, in particular its articles 4.5 ,48, 53 and 75,

Considering the Decree No 2-12-389 of Jounada II 11, 1434 (April 22, 2013) fixing the conditions and the methods of labeling of food products , in particular its articles 6, 7, 10 and 11;

After deliberation of the government council at its meeting of Rabii II 22, 1436 (February 12, 2015),

DECREES:

FIRST ARTICLE. - In accordance with the provisions of Articles 5 and 8 of the Law No. 28-07 relating to the safety of food products, this decree shall set the conditions to ensure the quality and safety of marketed tea.

ARTICLE 2. - For the purposes of this decree, the following terms shall mean :

- 1) Green tea:** The product obtained exclusively from the tender leaves, the ends of young stems, the buds or shoots of varieties of the species *Camellia sinensis* (*Linnaeus*) *O. Kuntze*, in a good state of preservation, suitably prepared, dried and not having undergone any retrenchment of their useful principles;
- 2) Black tea:** The product obtained exclusively from the tender shoots of varieties of the species *Camellia sinensis* (*Linnaeus*) *O. Kuntze*, by fermentation, aeration and drying of the leaves;
- 3) Tea flower:** The product obtained from flower buds harvested from shrubs of the genus "Thea";
- 4) Decaffeinated tea:** Tea whose caffeine content has been reduced to a level not exceeding 0.1% caffeine;
- 5) Tea extract or soluble tea:** The product obtained by extracting tea using water and, after filtration, drying this extract. The tea extract or soluble tea must not contain less than 95% dry matter and the dry matter must have a caffeine content between 3% and 8%;

- 6) Flavored tea, flavored decaffeinated tea, flavored tea extract or flavored soluble tea:** The products defined in 1) to 5) above to which flavorings have been added;
- 7) Fake tea:** The assembly, regardless of the means or material used, of debris, broken pieces or particles from the products defined above or any other product evoking the appearance and/or taste of tea.

ARTICLE 3. - During the visual inspection, the tea, throughout the stages of its marketing, shall be clean and free of dirt and foreign matter. When examined by sensory analysis, it shall have the characteristics, appearance, color and taste of tea. It shall not be partially or completely exhausted.

The tea shall meet the chemical characteristics set by order of the government authority in charge of agriculture. Its content of contaminants and residues of phytosanitary products shall comply with the provisions of the regulations in force on the subject.

Flavored tea, flavored decaffeinated tea, flavored tea extract or flavored soluble tea shall not contain:

- a)** flavorings other than flavoring preparations or natural flavoring substances or nature-identical flavoring substances;
- b)** aromas that evoke the taste of tea, other than those coming from tea.

ARTICLE 4. - Tea shall be wrapped or packaged in closed, clean and dry containers. It shall meet the specifications and requirements as set by the provisions of article 53 of Decree No 2-10-473 referred to above, in particular with regard to its wrapping and packaging.

ARTICLE 5. - The labeling of tea, at all stages of its marketing, shall comply with the provisions of Decree No. 2-12-389 referred to above.

In the case of flavored tea, flavored decaffeinated tea, flavored tea extract or flavored soluble tea, the sales denomination shall be supplemented by an indication of the nature of the added flavoring or flavorings.

When the country of origin of the tea differs from that of the place of its provenance, mention thereof shall be made on the labeling, and, in the case of prepackaged tea, this mention shall appear on the label in the same field of vision as the other mandatory information provided for in article 11 of the aforementioned Decree No. 2-12-389, using the same typeface.

ARTICLE 6. - In the event of the sale of mixtures of teas of different origins and if one of these origins is indicated in the sales name or by any other mention on the label of the said mixture, this origin shall be followed by a mention of the origin of the other constituents of this mixture as well as their proportions. These indications shall appear on the label in characters of the same size and appearance.

ARTICLE 7. - Establishments and enterprises for the production, processing, transformation, packaging, transport, distribution, storage or preservation of tea shall have to be authorized by the competent sanitary entity in accordance with the provisions of Decree No. 2-10-473 mentioned above.

The operators of these establishments or companies shall ensure the traceability of their products in accordance with the provisions of article 75 of the said decree.

ARTICLE 8. - Tea importers shall ensure that the tea they import meets the requirements

laid down in article 48 of the Decree No. 2-10-473 referred to above.

ARTICLE 9. – Shall not be considered as lawful operations or processing within the meaning of article 16 of the aforementioned Law No. 13-83, the following operations or processing:

- 1) The sale of bulk tea;
- 2) The preparation of tablets with tea screening residues;
- 3) The addition of fake tea;
- 4) Coloring of green teas and polishing with gypsum or talc.

ARTICLE 10. – Shall be repealed the provisions of title III of the Order of Chaabane 14, 1370 (May 21, 1951) regulating the trade of coffee, chicory and tea, as amended and supplemented.

As from the date of publication of this decree in the Official Gazette, the provisions of Title IV of the Order of Chaabane 14, 1370 (May 21, 1951), mentioned above shall no longer apply to tea, which shall be subject to a labeling established in accordance with the provisions of article 5 of this decree.

ART. 11. - The Minister of Agriculture and Maritime Fisheries and the Minister of Industry, Trade, Investment and the Digital Economy shall be responsible, each in his scope of competence, for the implementation of this decree which shall be published in the Official Gazette.

Done in Rabat, Jounada I 13, 1436 (March 4, 2015)

The Head of Government, ABDEL-ILAH BENKIRAN

FOR COUNTERSIGNATURE:

The Minister of Agriculture and Maritime Fisheries, AZIZ AKHANNOUCH

The Minister of Industry, Trade, Investment and the Digital Economy, MOUALY HAFID EL ALAMY