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**Minister for Agriculture Decree No 8/2020 of 25 March 2020**

**amending Minister for Agriculture and Rural Development Decree No 152/2009 of 12 November 2009 on the mandatory requirements of the Codex Alimentarius Hungaricus**

Pursuant to the authorisation granted under § 76(2)(5) of Act XLVI of 2008 on the food chain and its official supervision and acting within the scope of my duties as defined in § 79(3) of Government Decree No 94/2018 of 22 May 2018 on the duties and powers of Government members, I hereby decree the following:

**§ 1** The following point *(e)* shall be added to § 1(3) of Minister for Agriculture and Rural Development Decree No 152/2009 of 12 November 2009 on the mandatory requirements of the Codex Alimentarius Hungaricus (hereinafter: the ‘Decree’):

*[The mandatory requirements of Chapter I of the Codex Alimentarius Hungaricus containing national product descriptions are laid down in the following Annex to this Decree:]*

‘*e)* Annex 41 regarding smoked ground paprika.’

**§ 2** The following paragraph (16) is added to § 2 of the Decree:

‘(16) Products not complying with the provisions of Annex 41 established by Minister for Agriculture Decree No 8/2020 of 25 March 2020 amending Minister for Agriculture and Rural Development Decree No 152/2009 of 12 November 2009 on the mandatory requirements of the Codex Alimentarius Hungaricus (hereinafter: ‘Amended Decree 6’) can be produced for two years following the entry into force of Amended Decree 6 and may be distributed until their date of minimum durability.’

**§ 3** The following § 6 is added to the Decree:

‘§ 6 The requirement for the prior notification of the draft Annex 41 of this Decree, as stipulated under Articles 5–7 of Directive (EU) 2015/1535 of the European Parliament and of the Council of 9 September 2015 laying down a procedure for the provision of information in the field of technical regulations and of rules on Information Society services, has been complied with.’

**§ 4** Annex 41 as described in Annex 1 is added to the Decree.

**§ 5** This decree shall enter into force on the third day following its publication.

**§ 6** The requirement for the prior notification of this draft decree, as stipulated in Articles 5–7 of Directive (EU) 2015/1535 of the European Parliament and of the Council of 9 September 2015 laying down a procedure for the provision of information in the field of technical regulations and of rules on Information Society services, has been complied with.

*Annex 1 to Minister for Agriculture Decree No 8/2020 of 25 March 2020*

‘*Annex 41 to Minister for Agriculture and Rural Development Decree No 152/2009 of 12 November 2009*

***Regulation No 1-3/18-1 of the Codex Alimentarius Hungaricus on smoked ground paprika***

PART A

*GENERAL PROVISIONS*

**I.**

1. Based on § 66(1) of Act XLVI of 2008 on the food chain and its official supervision, this regulation defines the requirements of products produced by the smoking and grinding of the ripe, dried fruit of Capsicum annuum L. var. longum DC plants belonging to the family of nightshades (Solanaceae).

2. The standard does not apply to ground paprika with a protected designation of origin pursuant to Regulation (EU) No 1151/2012 of the European Parliament and of the Council of 21 November 2012 on quality schemes for agricultural products and foodstuffs.

3. The term ‘smoked ground paprika’ defined in the regulation may only be applied if the product meets the requirements set forth in the regulation.

4. The quality characteristics defined in the regulation had been established using the inspection methods under part C of the regulation, therefore, upon verification of the quality characteristics, the inspection methods defined therein or equivalent thereto should be applied.

5. Products that are produced or placed on the market in any Member State of the European Union or in Turkey, or produced in an EFTA State party to the Agreement on the European Economic Area, in accordance with applicable national legislation, need not comply with the technical provisions defined in this regulation if the provisions governing consumer protection offer a level of protection equivalent to those laid down in this regulation.

**II.**

For the purposes of this regulation:

1. *Skin:* the pericarp of the fruit of the pepper containing pigment.

2. *Stem:* a green formation resulting from the fusion of the pedicle and the sepals.

3. *Smoking:* an operation aimed at lending a smoked taste and colour to the product and establishing the character of the product using smoke. Smoking is achieved by the imperfect, direct burning of hardwood. Smoking can be carried out in the following manners:

3.1. *cold smoke smoking:* smoking done at temperatures not exceeding 40 °C; depending on its duration, it can be:

3.1.1. traditional long cold smoking, in the course of which the product is smoked periodically with dilute, lighter smoke for a longer period,

3.1.2. short cold smoking, in the course of which the product – to achieve proper reddening – is smoked over the course of a few days with dense, cold smoke;

3.2. *hot smoking:* smoking done at temperatures ranging from 40 to 60 °C.

4. *Pepper:* Capsicum annuum L. var. longum DC plants, fresh or dried, belonging to the family of nightshades (Solanaceae).

5. *Aroma:* the aroma, olfactory harmony and spicing of the prepared sample detectable via smell.

6. *Taste:* the flavour, spiciness, gustatory harmony and pungency that can be determined by tasting the sample orally.

7. *External appearance:* the sum of all visual (visible) properties, particularly the fineness and uniformity of grinding.

8. *Mosaicity:* the presence of highly distinct pieces of fruit parts (skin, seed, stem) on the smoothed surface visible to the naked eye.

9. *Total capsaicin content:* the sum of capsaicin and dihydrocapsaicin content.

10. *Colour:* the perception of the colour of the prepared sample by the evaluator, complemented by an examination of the hue and clarity in natural diffused light or equivalent artificial light.

11. *Growing region:* the country where the peppers the ground paprika is made of were produced.

PART B

SMOKED GROUND PAPRIKA

1. Definition of product

Smoked ground paprika is a product produced by smoking and grinding the ripe, dried fruit of pepper.

2. Ingredient that may be used

2.1. Only pepper fruit may be used for the production of ground paprika: the skin, ovary, veins, seeds located within the fruit and other parts of the fruit to varying degrees, such as sepals and pedicles.

2.2. No food additives, smoke aroma or other ingredient may be added.

3. Quality characteristics

3.1. Physical and chemical properties

|  |  |  |
| --- | --- | --- |
|  | A | B |
| 1. | Physical and chemical properties | Quality requirements |
| 2. | Natural colouring matter content, in ASTA colour units | 100 |
| 3. | Moisture content | 11 % (m/m) maximum |
| 4. | Total ash on dry basis | 8% (m/m) maximum |
| 5. | Acid-insoluble ash on dry basis | 0.7% (m/m) maximum |
| 6. | Non-volatile ether extract on dry basis | 16% (m/m) maximum |
| 7. | Grinding fineness, proportion passing through a ø 0.500 (mm) sieve | 100% |

3.2. Classification of ground paprika based on pungency

|  |  |  |
| --- | --- | --- |
|  | A | B |
| 1. | Degree of pungency | Total capsaicin content (mg/kg) |
| 2. | Non-pungent (sweet) | under 30 |
| 3. | Slightly pungent | 30-200 |
| 4. | Pungent | 201-500 |
| 5. | Highly pungent | over 500 |

3.3. Organoleptic properties

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
|  | A | B | C | D | E |
| 1. |  | External appearance | Colour | Aroma | Taste |
| 2. | Acceptable characteristics | Homogeneous, finely grounded or non-discrete, slightly mosaic in its colouring. | Solid red, dark red, brick red or blood red. | Characteristic, clear, intense, spicy with a touch of caramel.  Slightly bitter, slightly acerbic with at least a slight smoky aroma. Free of all foreign smells. | Characteristic, aromatic, clear, intense, harmonic, slightly sweet with a touch of caramel.  Slightly stale, slightly bitter, slightly acerbic. Has at least a slight smoky taste. Free of all foreign taste.  Clearly matches the pungency classification shown on the packaging. |
| 3. | Non-acceptable characteristics | Inhomogeneous grinding. Mosaicity with discrete colouring. Rough grinding, distinct, non-crushable, lumpy grains, large fibrous portion.  Foreign material visible to the naked eye. | Yellow or brown tint, or red turning to black. Yellow or brown. Uneven colouring.  Faded light colour or brownish, burnt colour. | Uncharacteristic, strongly acerbic, slightly fermented, smoky aroma too strong or not detectable at all. Stale, bitter, sour, mouldy, musty, rancid, burnt or other aroma foreign to the product or repugnant in its effect. | Uncharacteristic, stale, grassy, slightly sour, bitter, rancid, mouldy, musty, burnt.  The smoky taste is too strongly present or not present at all.  Foreign taste uncharacteristic of the product. Does not meet the pungency classification shown on the packaging. |

4. Packaging and storage

4.1. The smoked ground paprika must be packaged in light-protective, impermeable packaging that does not absorb fat and sealed in such a way that the seal must be visibly breached for its authenticity to be compromised.

4.2. Smoked ground paprika must be kept in a dry, cool, well-ventilated space away from sunlight, insects and rodents.

5. Designation

5.1. Description

5.1.1. The description shall contain:

5.1.1.1. the term ‘smoked ground paprika’ or another term communicating the same meaning to the consumer (e.g. ground smoked paprika);

5.1.1.2. a reference to the pungency of the product using the term ‘non-pungent’ or ‘sweet’, ‘slightly pungent’,

‘pungent’ or ‘strongly pungent’.

5.1.2. It is not allowed to use the name of a Hungarian geographical unit in the description or brand name of the product if

5.1.2.1. the ground product was not made exclusively of peppers grown in Hungary or

5.1.2.2. ground paprika originating from outside of Hungary had been mixed into it.

5.2. Pungency designation

Additionally to the requirement set forth in 5.1.1.2., the packaging of the product must feature a pictogram referring to its pungency and all capsaicin content in mg/kg.

5.3. Designation of growing region

5.3.1. The packaging of the smoked ground paprika must feature the growing region.

5.3.1.1. If the (ground) paprika originates from multiple regions, the regions must be specified in descending order of the quantity of (ground) paprika, with an indication of the quantity of (ground) paprika originating from those regions as a percentage of the total mass, [for example Hungary (70 %), Spain (20 %), China (10 %)].

5.3.1.2. If the pepper used for the ground paprika comes from a single region, the description of the product may refer to the country where the peppers were grown, (for example Smoked ground paprika, Growing region: Spain).

5.3.2. The growing region must be featured in the main field of vision with a font size that is at least 50 % of the largest font used on the packaging and which may not be smaller than the font size defined for mandatory particulars in Article 13(2) and (3) of Regulation (EU) No 1169/2011 of the European Parliament and of the Council of 25 October 2011 on the provision of food information to consumers, amending Regulations (EC) No 1924/2006 and (EC) No 1925/2006 of the European Parliament and of the Council, and repealing Commission Directive 87/250/EEC, Council Directive 90/496/EEC, Commission Directive 1999/10/EC, Directive 2000/13/EC of the European Parliament and of the Council, Commission Directives 2002/67/EC and 2008/5/EC and Commission Regulation (EC) No 608/2004.

PART C

METHODOLOGY

In verifying the quality characteristics defined in Part B, the following – or equivalent – methods must be used.

|  |  |  |
| --- | --- | --- |
|  | A | B |
| 1. | Physical and chemical properties | Inspection method number |
| 2. | Natural colouring matter content, in ASTA colour units | MSZ EN ISO 7541 |
| 3. | Moisture content | MSZ EN ISO 7540  (According to annex) |
| 4. | Total ash on dry basis | MSZ ISO 928 |
| 5. | Acid-insoluble ash on dry basis | MSZ ISO 930 |
| 6. | Non-volatile ether extract on dry basis | MSZ ISO 1108 |
| 7. | Grinding fineness, proportion passing through a ø 0.500 (mm) sieve | MSZ ISO 3588 |
| 8. | Total capsaicin content (the sum of capsaicin and dihydrocapsaicin content) | MSZ 9681-4 |
| 9. | Organoleptic properties | MSZ 9681-2 |
| ’ | | |