Draft

DECREE

of ……..……..2025

on requirements for starch, legumes, oilseeds and their products

The Ministry of Agriculture lays down the following pursuant to § 18(1)(a), (b), (g) and (h) of Act No 110/1997 on foodstuffs and tobacco products and on amendments to certain related acts, as amended by Act No 119/2000, Act No 306/2000, Act No 146/2002, Act No 131/2003, Act No 274/2003, Act No 316/2004, Act No 120/2008, Act No 139/2014 and Act No 180/2016 (hereinafter the 'Act'):

§ 1
Subject matter

This Decree regulates, in relation to directly applicable European Union regulations[1)]

a) the method of providing information on starch, legumes, oilseeds, and their products;

b) the types of starch, legumes, oilseeds and their products, broken down into groups and subgroups;

c) for each type of starch, legumes, oilseeds and their products, quality requirements relating to the name and permissible negative weight deviations of a package and

d) minimum technological requirements for starch, legumes, oilseeds and their products.

[1)][1)] Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety, as amended.
Regulation (EC) No 852/2004 of the European Parliament and of the Council of 29 April 2004 on the hygiene of foodstuffs, as amended.
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, as amended.
Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007, as amended.

§ 2

Definitions of certain terms

(1) For the purposes of this Decree, the following definitions apply:

a) starch means powder obtained by isolation from starchy raw materials of vegetable origin, possibly subsequently modified by physical means or by enzymes;

b) maltodextrin means starch modified by enzymatic hydrolysis of starch;

c) starch product means starch with the addition of other substances, intended for food preparation;

d) powdered pudding means a starch product with a starch component of at least 60 %, with the addition of other substances, intended for food preparation;

e) dextrose equivalent (DE) means the content of reducing sugars in dry matter as a percentage, expressed as glucose, which specifies the degree of hydrolysis of starch;

f) legumes mean the dried, cleaned, and sorted grains of leguminous plants;

g) pre-cooked legumes means legumes that have been technologically modified to reduce their cooking time;

h) whole hulled legumes means whole technologically processed grains without outer skin and split technologically processed grains without outer skin with separate cotyledons;

i) legume flour means hulled legumes ground into a homogeneous powder, possibly sorted by particle size, debittered in the case of soya flour;

j) legume flakes means cross-cut and pressed grains of legumes, in the case of soya, cross-cut, pressed and debittered;

k) legume fibre concentrate means a homogeneous powder obtained by grinding and sieving legumes and the outer husks of legumes;

l) sprouted legumes means legumes technologically modified by germination to increase nutritional values and digestibility;

m) protein hydrolysate from legumes means legumes technologically modified in such a way that, via hydrolysis of proteins, a mixture of different peptides and amino acids or a mixture of amino acids is created;

n) legume protein isolate means the powder obtained by hydrolysis during the breakdown of proteins contained in legumes;

o) soy product means a foodstuff made from heat-treated soybeans, soy flour, or soy protein;

p) soy flour means hulled soybeans ground into a homogeneous powder or sorted by particle size;

q) soy extrudate means a product obtained by extrusion from soy flour, grits, soy concentrates or isolates;

r) liquid soya protein hydrolysate means a soya product of soya beans or parts thereof obtained by acidic hydrolysis, which breaks down proteins and polysaccharides into a mixture of amino acids and other simpler substances;

s) tofu means soy product obtained by protein precipitation;

t) sufu means a fermented soy product from tofu fermented with the mould *Actinomucor elegans, Mucor spp.* and *Rhizopus spp.,*

u) tempeh means heat-treated fermented soya, other legumes, cereals or a combination thereof;

v) natto means a soybean product fermented with *Bacillus subtilis*;

w) soy sauce means a sauce made by fermentation of soybeans or a mixture of soybeans and wheat or made from soy protein hydrolysate;

x) miso means a fermented paste from legumes or from a mixture of legumes and cereals;

y) okara means soybean pulp produced as a by-product of processing of soybean;

z) hummus means a spread made from a predominant proportion of chickpeas and from sesame paste.

(2) For the purposes of this Decree, the following definitions shall also apply:

a) oilseeds means dry, cleaned and sorted oilseeds, whether hulled or unhulled;

b) opium alkaloid content means the sum of opium alkaloids of morphine and 0.2 times of codeine;

c) sesame paste means a paste made from crushed, hulled or unhulled sesame seeds;

d) oilseed flour means a product obtained by milling and sifting oilseeds and the outer husks;

e) oilseed fibre means a homogeneous powder obtained by grinding non-defatted oilseeds.

§ 3

Starch and starch products

(1) The classification of starch and starch products into types, groups, and subgroups is set out in Annex 1 to this Decree.

(2) In addition to the information provided in the FIC Regulation[2)], in the Act and in the legislation governing certain methods of food labelling[3)] the following shall be stated for starch and starch products in the case of

a) starch, the name of the type and group;

b) a starch product, the group name, and

c) maltodextrin, also the dextrose equivalent.

(3) The physical, chemical and sensory requirements for the quality of starch and starch products are set out in Annex 2 to this Decree.

(4) The average quantity of consumer packaging of starch/native starch, enzyme-modified starch/maltodextrin, and physically modified starch is the weight of the consumer packaging of starch/native starch, enzyme-modified starch/maltodextrin, and physically modified starch without packaging, taking into account the negative weight deviation of the packaging according to Annex 3 to this Decree.

Legumes and legume products

§ 4

(1) The classification of legumes and legume products into types, groups, and subgroups is set out in Annex 4 to this Decree.

(2) In addition to the information provided in the FIC Regulation, in the Act and in the legislation governing certain methods of food labelling the following is stated for legumes and legume products:

a) the name of the group and subgroup;

b) for milled legume products, the name of the group and the botanical species; and

c) for soya products, the name of the group and subgroup.

(3) The sensory and physical requirements for the quality of legumes are set out in Annex 5 to this Decree.

(4) The average quantity of consumer packaging of leguminous vegetables is the weight of consumer packaging of leguminous vegetables without packaging, taking into account the permissible negative weight deviation referred to in Annex 6 to this Decree.

§ 5

(1) Legumes must not have foreign odours, be acidic, rancid or bitter, or have any other foreign impurity. Legumes shall not contain harmful organic impurities, organic impurities of non-vegetable origin, and inorganic impurities of non-mineral origin. The individual grains or parts thereof must not have signs of mould, be mouldy, rotten, damp, or burnt. Mixing grains of one type of legume of different colours, varieties, and harvest years is

2) [2)] Regulation (EU) No 1169/2011 of the European Parliament and of the Council, as amended.

3) [3)] Decree No 417/2016 on certain methods of labelling foodstuffs.

not permitted. Appearance, colour, smell, and taste must, except where deviations are allowed, correspond to the group for leguminous vegetables and to the subgroup for technologically modified leguminous vegetables or their grains.

(2) Legumes must not contain live pests at any stage of development. In 1 kg of legumes, a maximum of 3 loose dead pests are permitted. As a percentage by weight, leguminous vegetables may contain no more than 15% of half-grains or grains with broken hulls and 5% of grains slightly soiled with earth.

(3) Pre-cooked legumes must not contain live or dead pests at any stage of development, nor grains contaminated with soil. They may contain wrinkled, cracked grains with separated cotyledons and, after cooking according to the instructions, individual firmer or overcooked grains.

(4) Hulled legumes must not contain live or dead pests at any stage of development. They may contain at most 2 % by weight of unhulled grains. In addition, whole peeled legumes may contain at most 20% by weight of grains with separated cotyledons.

(5) Milled legume products must correspond to the colour, aroma, and taste characteristics of the basic raw material. They must not have foreign odours or other foreign flavours. They must not contain live or dead pests at any stage of development. In the production of soya products, the use of pomace after obtaining oil is not allowed.

(6) The quality requirements for soya products are set out in Annex 7 to this Decree.

Oilseeds and oilseed products

§ 6

(1) The classification of oilseeds and oilseed products into types, groups, and subgroups is set out in Annex 8 to this Decree.

(2) In addition to the information specified in the Regulation on the provision of food information to consumers, in the Act and in the legislation governing certain types of food labelling for oilseeds and oilseed products, the name of the group and subgroup shall be provided. In the case of oilseeds, information shall also be given as to whether the seeds are hulled or unhulled.

(3) Oilseed products shall be labelled with the botanical species of the oilseed.

(4) Sesame paste can be referred to as tahini or tahina.

(5) The physical and chemical requirements for the quality of oilseeds are set out in Annex 9 to this Decree.

(6) The average quantity of consumer packages of oilseeds is the weight of consumer packages of oilseeds, taking into account the negative weight deviation of the packages listed in Annex 10 to this Decree.

§ 7

(1) The appearance, colour, smell and taste of the oilseeds must correspond to the

type declared, and the seeds must not exhibit any extraneous odour, acidity, rancidity, bitterness, or any other extraneous flavour. Oilseeds must also not contain live or dead pests at any stage of development, inorganic impurities, seeds that appear mouldy or are mouldy, or seeds that are rotten, damp or burnt with changed hull colour, and must not contain seeds with a completely broken brown to dark core.

(2) Chemical preservation of oilseeds is not permitted.

(3) Only seed of the opium poppy *Papaver somniferum L.* of the oily type, originating from varieties containing not more than 0.8% opium alkaloids in the dry matter of the poppy capsule, and with an opium alkaloid content on the surface of the poppy seed not exceeding 20 mg/kg, may be used for the production of foodstuffs or for placing on the market. Poppy seeds intended for the final consumer must comply with the requirements of the Regulation on maximum levels for certain contaminants in food regarding their content of opium alkaloids[4)].

(4) Oilseeds are stored at a temperature of up to 20 °C and a relative humidity of at most 70%.

§ 8
Technical regulation

This Decree was notified in accordance with 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.

§ 9
Transitional provisions

(1) Starch, starch products, legumes, legume products, oilseeds and oilseed products may be produced, labelled and marketed in accordance with the Decree of the Ministry of Agriculture No 329/1997 implementing § 18(a), (b), (e), (f), (g) and (h) of Act No 110/1997 on foodstuffs and tobacco products and amending certain related acts, for starch and starch products, legumes and oilseeds, as amended prior to the effective date of this Decree, until 1 July 2026.

(2) Starch, starch products, legumes, legume products, oilseeds, and oilseed products placed on the market or labelled prior to the effective date of this Decree in accordance with the requirements of Decree No 329/1997 of the Ministry of Agriculture, as amended prior to the effective date of this Decree, may be sold until stocks are exhausted.

§ 10
Repealing provisions

The following are repealed:

1. Decree of the Ministry of Agriculture No 329/1997 implementing § 18(a), (b), (e), (f), (g) and (h) of Act No. 110/1997 on foodstuffs and tobacco products and amending certain related acts, for starch and starch products, legumes, and oilseeds.

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4) 4) Commission Regulation (EU) 2023/915 on maximum levels for certain contaminants in food and repealing Regulation (EC) No 1881/2006, as amended.

2. Decree of the Ministry of Agriculture No. 418/2000 amending Decree of the Ministry of Agriculture No 329/1997 implementing § 18(a), (d), (h), (i), (j) and (k) of Act No 110/1997 on foodstuffs and tobacco products and amending certain related acts, for starch and starch products, legumes and oilseeds.

3. Decree No 399/2013 amending Decree of the Ministry of Agriculture No 329/1997 implementing § 18(a), (d), (h), (i), (j) and (k) of Act No. 110/1997 on foodstuffs and tobacco products and amending certain related acts, for starch and starch products, legumes and oilseeds, as amended by Decree No 418/2000

§ 11
Effective date

This Decree takes effect on 1 July 2025.

Minister of Agriculture:

Classification of starch and starch products into types, groups, and subgroups

Species	Group	Subgroup
Starch/native starch	potato	-
	corn	-
	wheat	gluten-free with very low gluten content
	other	
Starch modified physically	-	-
Starch modified by enzymes/maltodextrin		
Starch product	powdered pudding	gluten-free with very low gluten content

Note:
For wheat starch, other starches, and starch products that have been modified to reduce gluten content, the name of the subgroups ‘gluten-free’ and ‘very low gluten content’ may be provided in accordance with the requirements of Commission Implementing Regulation (EU) No 828/2014 of 30 July 2014 on requirements for the provision of information to consumers on the absence or reduction of gluten in food.

Annex 2 to Decree No .../2025

Physical, chemical and sensory requirements for the quality of starch and starch products

Table 1
Physical and chemical requirements for starch/native starch

Indicator	Potato starch	Wheat starch	Corn starch
Dry matter content in %	at least 79.0	at least 86.0	at least 86.0
Total ash content in dry matter %	at most 0.5	at most 0.4	at most 0.5
Content of N-substances in dry matter %	at most 0.15	at most 0.55	at most 1.0
Number of stipes visible to the naked eye per 1 dm^2	at most 200	-	-

Table 2
Sensory requirements for starch/native starch

Indicator	Potato starch	Wheat starch	Corn starch
Appearance	very fine loose powder without undesirable admixtures		
Colour	white	greyish white	yellowish white

Explanatory note:
Undesirable admixtures are physical impurities, dust, sand, soil, stones, and glass or metal particles.

Table 3
Physical and chemical requirements for powdered pudding

Product	Dry matter content in % at least	Ash content in dry matter in % at most	Content of starch component in % at least
Powdered pudding for cooking	82.0	4.0	65.0
Cold pudding powder	88.0	6.0	60.0

Table 4
Physical and chemical requirements for enzyme-modified/maltodextrin starch and physically modified starch

Product	Dry matter content in % at least	Ash content in dry matter in % at most	Dextrose equivalent (DE) % at most
Starch modified by enzymes/maltodextrin	89.0	1.0	20.0
Physically modified starch	79.0	1.0	-

Table 5
Sensory requirements for enzyme-modified starch/maltodextrin, physically modified starch, and powdered pudding

Indicator	Starch modified by enzymes/maltodextrin	Physically modified starch	Powdered pudding
Appearance	powder without undesirable admixtures	powder without undesirable admixtures	loose powder without undesirable admixtures, with admixtures forming crumbling lumps with fine particles of the additives used; after culinary preparation according to instructions, the pudding is flexible, non-sticky, or only partially sticky
Colour	greyish or yellowish white	greyish or yellowish white	-

Explanatory note:
Undesirable admixtures are physical impurities, dust, sand, soil, stones, and glass or metal particles.

Tolerable negative weight tolerances for packages of starch/native starch, enzyme-modified starch/maltodextrin, and physically modified starch

package weight in g	maximum permissible negative weight deviation from the weight declared on the packaging in %
up to 100	5.0
over 100 to 250	3.0
over 250 to 500	2.0
over 500 to 1 000	1.5
above 1000	1.0

Annex 4 to Decree No .../2025**.**

Classification of legumes and their products into types, groups and subgroups

Species	Group	Subgroup
Legume	yellow peas	pre-cooked whole hulled hulled split sprouted
	green peas	
	large lentils	
	small lentils	
	white beans	
	coloured beans	
	chick peas	
	fava beans	
	lupin bean	
	soya	
Legume product	hummus	-
Milled legume product	flour	-
	flakes	-
	fibre concentrate	-
Soya product	soya drink	-
	fermented soya product	-
	tofu	-
	soyannaise	-
	tempeh	-
	natto	-
	soya sauce	fermented from soya hydrolysate
	miso	-
	sufu	-
	okara	-
	soya extrudate	-
	soya protein hydrolysate	-
	protein isolate from legumes	-
	soya lecithin	-

Sensory and physical requirements for legume quality

Table 1
Sensory and physical requirements for legumes

Group or subgroup	Colour		Drop through a sieve		Moisture content % at most
	of individual grains	weight of grains of a different colour at most	with circular holes with diameter in mm	% weight	
Yellow peas	brownish yellow, orange, yellow	5% of green peas	4.5	at most 4.0	16.0
Green peas	light green, olive, green	5% of yellow peas	4.5	at most 4.0	16.0
White beans	white	6% coloured	3.5	at most 4.0	16.0
Coloured beans	uniform by variety	6% other colour	3.5	at most 4.0	16.0
Soya	uniform by variety	-	3.5	at most 4.0	13.0
Chick peas	-	-	5.0	at most 4.0	14.0
Fava beans	-	-	6.0	at most 4.0	16.0
Large lentils	uniform by variety	-	6.0	at most 20.0	15.0
			2.5	at most 4.0	
Small lentils	uniform by variety	-	6.0	more than 20.0	15.0
			2.5	at most 4.0	
Pre-cooked legumes	uniform by raw material	10% other colour	1.0	at most 0.5	10.0
Whole hulled legumes	uniform by raw material	10% other colour	1.0	at most 0.5	15.0
Hulled split legumes	uniform by raw material	10% other colour	1.0	at most 0.5	15.0
Sprouted legumes	uniform by raw material	10% other colour	-	-	16.0

Table 2
Quality requirements for legumes

Quality indicator	Unprocessed legumes	Legumes pre-cooked	Legumes hulled
Impurities % by weight at most	in total 1.0, of which: mineral 0.5	organic 0.5 mineral 0.5	in total 1.0, of which: mineral 0.2
Seriously damaged grains or their declared parts in total,	6.0	-	1.0
% by weight at most	lentils: 0.1	-	-
of which: pest-infested grains	other: 0.5	-	-
Slightly damaged grains or their declared parts in total, % by weight at most	12.0	-	20.0
of which: a) damaged by pests	3.0	-	3.0
b) fragments	3.0	3.0	3.0
Cooking performance under specified conditions and within the prescribed time, % quantity at least	90	-	-

Explanatory notes:

Mineral impurities are soil, sand, dust or stones.

Organic impurities are stalks, leaves, husks, all foreign grains and seeds or parts thereof.

Seriously damaged grains are legume grains damaged by disease, self-heating, or drying, with an apparently altered skin colour and simultaneously a broken core; in the case of hulled legumes, only with an apparently altered cotyledon colour. This also includes grains with obvious signs of germination and grains containing pests – whole grains containing dead weevils *(Bruchidae)* at any stage of development.

Slightly damaged grains are grains with an apparently changed skin colour and an intact core, grains of legumes with significantly wrinkled skin and a wrinkled core, underdeveloped grains, mechanically damaged grains if the damage does not exceed a quarter of the core and the cotyledons are not separated, grains damaged by pests, and grain fragments or their declared parts smaller than half of the declared whole.

Annex 6 to Decree No .../2025

Tolerable negative weight deviations for legume packaging

Type	Package weight	Permissible negative weight deviation
Legumes, legume products, soya product	up to 250 g	4.0%
	251–500 g	2.0%
	501–2000 g	1.0%
	over 2000 g	0.5%

Quality requirements for soya products

Soya product	Protein content in % at least	Fat in dry matter in % by weight at most	Dry matter in % by weight at least
Soya drink	1.8	30.0	4.0
Soya drink powder	20.0	30.0	90.0
Fermented soya product	2.5	50.0	8.0
Tofu	4.5	40.0	10.0
Soyannaise	1.0	-	-
Tempeh	10.0	50.0	27.0
Miso	9.0	-	-
Soya sauce	2.0	-	-
Natto	15.0	-	-
Liquid soya protein hydrolysate	8.0	-	-

Classification of oilseeds and products thereof into types, groups and subgroups

Species	Group	Subgroup
Oilseed	poppy	blue white coloured: grey, orange, ochre, pink
	sunflower	-
	pumpkin	-
	sesame	white black
	flax	brown yellow
	mustard	white black
Oilseed products	flour	defatted non-defatted
	fibre	-

Physical and chemical requirements for the quality of oilseeds

Table 1
Physical and chemical requirements for seed of the oil-type poppy (*Papaver somniferum L.)*

Seed colour	blue	at most 0.2% by weight of white poppy seeds
	white or a mixture of colours	more than 0.2% by weight of white poppy seeds
Moisture content	Grade 1	at most 8.0% by weight
	Grade 2	at most 10.0% by weight
Uncoloured seeds dark to black		at most 5.0% by weight
Total admixtures and impurities		at most 8.0% by weight
of which:		
a) immature rusty-coloured seeds		at most 5.0% by weight
b) damaged seeds		at most 3.0% by weight
c) impurities	total Grade 1	at most 0.2% by weight
	total Grade 2	at most 1.0% by weight
d) black henbane seeds (*Hyoscyamus niger L.)*		at most 0.00% by weight
e) amaranth and goosefoot seeds		at most 0.2% by weight
f) inorganic impurities		at most 0.0% by weight
g) arsenic content		at most 0.1 mg/kg
h) mercury content		at most 0.012 mg/kg
i) lead content		at most 1.0 mg/kg

Explanatory notes:

Admixtures are oilseeds that are physically damaged, seed fragments, immature and underdeveloped seeds, seeds with obvious signs of germination, and seeds that are damp or burnt with a changed skin colour but an intact core.

Impurities are oilseeds that are damp or burnt, seeds with discoloured skin and a partially broken brownish kernel, seeds without kernels, seeds of other plants, and capsules, heads, skins, stems, leaves, or parts thereof.

Inorganic impurities are dust, sand, soil, stones, glass or metal particles.

Table 2
Physical and chemical requirements for other oilseeds

Seed	Moisture in % at most	Admixtures in % at most	Impurities in % at most
sunflower (*Helianthus annuus L.)*	8.0	4.0	1.0
pumpkin *(Cucurbita*)	10.0	4.0	1.0
sesame (*Sesamum indicum L.)*	10.0	4.0	1.0
flax (*Linum usitatissimum L*.)	9.0	2.0	1.0
mustard (*Sinapis alba L., Brassica nigra L., Brassica juncca L.)*	10.0	3.0	0.5
safflower *(Carthamus tinctorius L.)*	10.0	4.0	1.0

Explanatory notes:

Admixtures are oilseeds that are physically damaged, seed fragments, immature and underdeveloped seeds, seeds with obvious signs of germination, and seeds that are damp or burnt with a changed skin colour but an intact core.

Impurities are oilseeds that are damp or burnt, seeds with discoloured skin and a partially broken brownish kernel, seeds without kernels, seeds of other plants, and capsules, heads, skins, stems, leaves, or parts thereof.

Tolerable negative weight deviations for packaged oilseeds

Type	Package weight	Permissible negative weight deviation
Oilseeds	up to 50 g	5.0%
	51–200 g	3.0%
	201 – 500 g	2.0%
	over 500 g	1.0%