



Minutes
Meeting of the Expert Group on Official Controls (E00911)
Implementation of the new Regulation
10 March 2017, 10H00 – 16H30

Chair: European Commission (COM), DG SANTE (Unit G3 Official controls and eradication of diseases in animals)

Members: Member States (MS)

Observers: Norway, Switzerland, the EU network of the Heads of Food Agencies.

	Topic	Documents
	<p>Introduction</p> <p>Ladislav Miko, Deputy Director General for Food Safety, DG SANTE, thanked all participants to be present and underlined the importance of the Official Controls Regulation ('OCR'). He also mentioned the anniversary of the General Food Law, the significant outcomes reached and the relevant role played by official controls in that respect. Mr Miko recalled that the new OCR is part of the legislative package covering also the Animal Health Regulation and Plant Health Regulation. Mr Miko indicated that much work is still to be done on delegated and implementing acts to be adopted. He stressed that this is in the interest of both the Commission and of the MS that this work is carried out swiftly and efficiently. Thus it needs to be properly planned and progress needs to be monitored regularly. He concluded by highlighting the intensive and stimulating work ahead.</p>	
	<p>Adoption of the agenda</p> <p>Andrea Gavinelli (Head of Unit SANTE G.3) presented the detailed agenda distributed to participants. The agenda was adopted without changes.</p>	Agenda
1.	<p>Enacting terms of the new Official Control Regulation</p> <p>Andrea Gavinelli explained the structure of the new OCR and its general principles, horizontal requirements, specific rules and procedural and transitional provisions. He recalled the objectives of simplification, harmonisation, efficiency and transparency. The risk based approach is applicable to the entire scope. Some aspects of the OCR were explained in more detail, such as animal welfare, fight against fraud, delegation of control tasks, entry into the Union of animals and goods. Controls are to be performed regularly, on a risk basis and generally without prior notice. He pointed out the new IT system (IMSOC - information management system for official controls). It was stressed that it is for the Member States to provide adequate financial resources as indicated by the Official Control Regulation. The Commission has no power to regulate any further on this matter. He indicated responsibility within DG SANTE and the transitional provisions.</p> <p>He stressed the importance of the role of Member States' experts for the development of all these themes. The Expert Group on Official Controls (E00911) will be axis for MS consultations.</p>	Presentation
2.	<p>Preliminary plan of the implementation of the empowerments laid down in the regulation: priorities and timelines for tertiary legislation</p> <p>Gudrun Gallhoff (Deputy Head of Unit SANTE G.3) presented the Preliminary plan of the implementation of the empowerments laid down in the regulation, and the priorities and timelines for tertiary legislation (delegated and implementing acts, DA/IA). The rationale for the prioritisation of empowerments provided in the Official Control Regulation was presented. She explained the criteria for prioritisation: legal obligations and need to fill gaps opened through the repeal of provisions by the new OCR. The details of the tasks have to be identified. Better regulation implications (need for roadmaps and impact assessments) have to be considered.</p> <p>To match tasks and resources over time, synergies need to be sought so that similar issues could be grouped. It was reiterated that delegated and implementing act could not be bundled for legal procedural reasons.</p>	Presentation, overview of the entry into application

	<p>Time and resources available were considered. An attempt to avoid duplication of expert groups was made. For some tasks with deadlines (e.g. EU reference laboratories on plant health and animal welfare centres) discussions are underway in specialised expert groups.</p> <p>On request, it was explained that the set-up of European Union reference centres for the authenticity and integrity was not a legal obligation ("may provision"). It was moreover not contained in the Commission initial proposal and it has budget implications. On prioritisation of the fight against fraud, it was recalled that Article 9 OCR called on MS to perform official controls taking, amongst others, into account any information indicating the likelihood that consumers might be misled.</p> <p>The information management system for official controls (IMSOC) is a legal obligation ("shall provision") and the different electronic-systems (aligning Europhyt, RASFF and Traces) must be operational by 14.12.2019 (application date of Article 134).</p> <p>It was observed that the new legislation concerned different national services (animal, food and plant sectors) and different DGs (DG SANTE, DG AGRI) of the Commission. It was explained that the objective of the revision, i.e. to rationalise and modernise legislation on controls along the agri-food chain, was to foster collaboration of different sectors and to seek synergies.</p>	
<p>3.</p>	<p>3. Consultation planning</p> <p>Christian Juliusson (SANTE G.3) explained the consultation planning. The respective adoption procedures relevant for implementing and delegated acts were briefly explained. The key role of Expert Group on Official Controls (E00911) was clarified. Its relationship to other specialised expert groups was explained. Sector specific discussion will take place in the specialised groups (e.g. discussion on organic and quality products would logically take place in the respective expert group chaired by DG AGRI). Information exchange with Heads of Food Agencies, Chief Veterinary Officers, Chief Plant Health Officers and stakeholders was foreseen.</p> <p>Member States asked for the key consultations dates for to be provided as soon as possible, for their own internal planning.</p> <p>The representative of the Heads of Food Agencies expressed readiness to actively contribute to a timely and successful adoption of the delegated and implementing Acts.</p>	<p>Presentation</p>
<p>4.</p>	<p>4. Initiatives started under current Official Control Regulation (882/2004/EC)</p> <p>Katherine Quinteros (SANTE G.3) gave an overview on the objectives of coordinated control programmes under the new OCR before presenting the results from the Joint Research Centre's (JRC) scientific support to the EU Coordinated Control Plan to establish the prevalence of fraudulent practices in the marketing of honey:</p> <p>http://ec.europa.eu/food/sites/food/files/safety/docs/oc_control-progs_honey_jrc-tech-report_2016.pdf.</p> <p>The sampling strategy and the scientific method were introduced but the main focus was on the JRC's recommendations for a bio-bank and EU database, both of which would require large investments. Member States were asked to provide feedback to four questions by 10 May 2017. A presentation would be provided to the industry at DG AGRI's civil dialogue group meeting for animal products on 31 May. Based on the feedback received, SANTE would decide on the next steps.</p> <p>Several Member States expressed interest in a bio-bank and others commented on the difficulty in analysing honey and problems with the origin labelling rules.</p> <p>Georg Schreiber (SANTE G.3) presented the OCR provisions on e-commerce of food chain products, namely Article 36 and 138 (2i), and explained the SANTE actions which are already in place and planned in 2017. The BTSF normal and advanced level courses on online investigations are running also in 2017 and will be possibly extended further. A Commission Recommendation is drafted for a coordinated control plan on food supplements and novel foods marketed via Internet and will later be presented to the Standing Committee for Plants, Animals, Food and Feed (PAFF). SANTE/F is doing fact-finding missions on e-commerce control in 7 MS and will summarise the finding incl. best practices in a report which then will be discussed with MS in a workshop by the end of 2017. Contact points for MS authorities have been established for all major e-platforms (eBay, amazon, alibaba). Currently SANTE tries to discuss mutual assistance agreements with US and China as many offers addressed to EU consumers originate from these countries.</p>	<p>Presentation</p>

5.	<p>Supporting the implementation of official controls: the work of the Multi Annual National Control Plan and National Audit System Networks</p> <p>Maura Waters (Deputy Head of Unit "Internal Control and Services" SANTE F6) recalled the relevant provisions in Regulation 882/2004 on official controls, and especially Article 4(6), on audits to be performed on competent authorities and on the achievement of the objectives of the Regulation itself, explained the network activities carried out by the Multi-annual National Control Plan (MANCP) and National Audit System (NAS) groups. These groups take part in several activities as to sharing of best practices (e.g. on coordination of official controls), preparation of executive summaries for annual reports, guidance on practical aspects (risk-based planning, verification of effectiveness), working methods.</p> <p>Ms Waters also mentioned the need to review the mandate of the MANCP and NAS networks under the OCR to cover revised/new guidelines and to provide expertise for the purposes of the Implementing Act for the Annual Report template. A number of Member States spoke in favour of continuing to use the Networks to support the implementation of the OCR.</p> <p>Some Member States intervened noticing the difficulties that still exist on the planning of official controls and on the drafting of reports, by asking clarifications on the several specific plans (e.g. on plant health sector, on veterinary sector) and by indicating possible room of improvements (especially to avoid duplication of data, e.g. between the future IMSOC and MANCP).</p>	Presentation
	<p>Conclusions</p> <p>Mr Gavinelli underlined the intensive work ahead and the need for planning, co-ordination and monitoring progress. Intensive consultation also with stakeholders is important. Expressing his hope to continue to work in an effective and coordinated way he proposed a next Meeting of the Expert Group on Official control to be held in the autumn of 2017.</p>	