



Some interfaces between animal health requirements and Official Controls Regulation

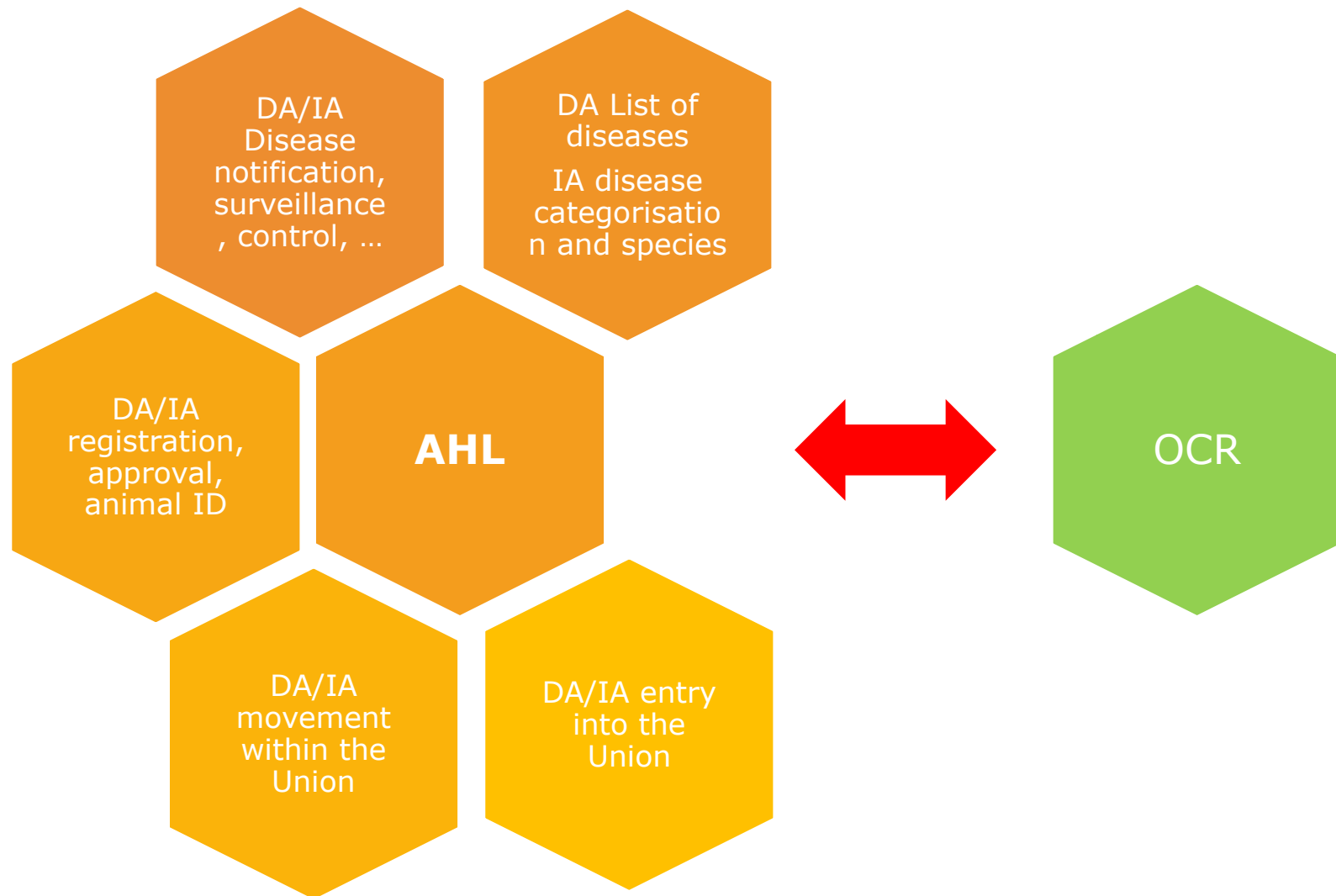
Better Training for Safer Food: New legislation on Animal Health

Brussels, 2021

DG SANTE

Unit G2 – Animal Health

AHL and OCR (Official Controls Regulation)



- Delegation of tasks to natural and legal persons
- Veterinary checks intra EU and borders
- Laboratories (including EURLs and NRLs)
- Sampling and diagnostic methods (“cascade”)
- IMSOC, TRACES
- Etc...

Regulation (EU) 2017/625 – OCR

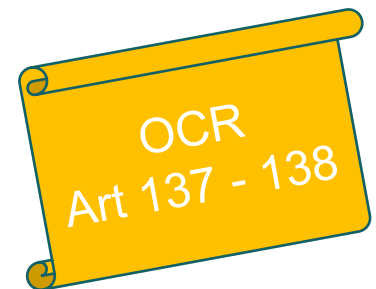
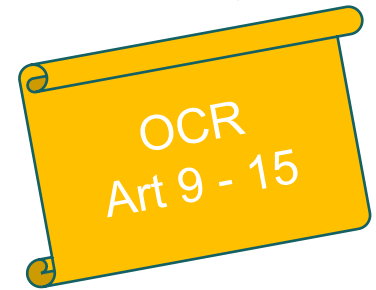
- Article 1(2): „official controls ... for the **verification of compliance with...**”
- Article 1(2)(d): animal health requirements
- Article 1(5): „...shall also apply to other official activities...”
- Official controls to verify
 - Compliance by the operators with animal health requirements
 - Animals or goods meet the animal health requirements
- Other official activities:
 - **anything else** done by competent authorities, e.g. surveillance, disease control, eradication etc.
 - **Special:** granting approvals (e.g. of establishments)

Some differences between OCs and OOAs

Official controls	Other official activities
General obligations	General obligations
Right of appeal	-
Transparency	-
Written records	-
Delegation	Delegation
Access to premises	Access to premises
Second expert opinion	-
Mandatory fees or charges	-
MANCP, annual reports	-
Penalties	-
Accreditation	
Visits, sampling, analysis, diagnosis etc.	

General rules on official controls and enforcement action

- Perform them regularly, on a **risk basis** and with **appropriate frequency**
- **Special**: controls for the issuance of official certificates
 - AHL: Article 149 + details in Delegated Regulations
- Operators, processes and activities subject to official controls, transparency, written records, methods and technics etc.
- Actions in cases of non-compliance

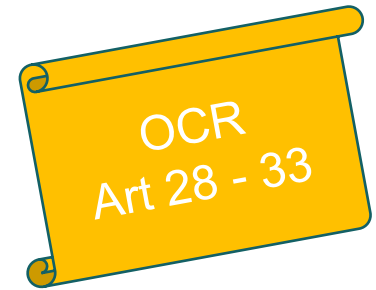


Additional specific rules on official controls

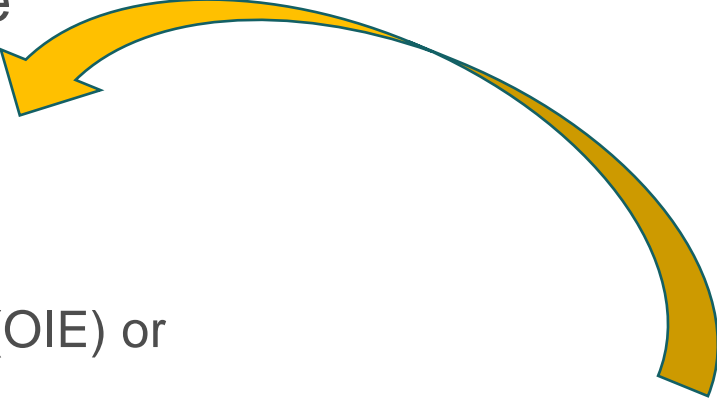
- On animals, products of animal origin and germinal products (Art 20)
- Empowerment for a delegated act
 - On **specific official controls** (e.g. in approved establishments)
 - On **specific follow-up measures** (e.g. to slaughter animals)
- Empowerment for an implementing act on **uniform minimum frequencies**
 - In approved establishments
 - For animal identification and registration checks

Delegation of tasks

- Both official controls and other official activities can be delegated
 - To delegated bodies
 - To **natural persons**
- Accreditation:
 - Natural persons do not need to be accredited
 - For surveillance, delegated bodies do not need to be accredited
- Obligations of CAs:
 - audits or inspections of delegated bodies or natural persons

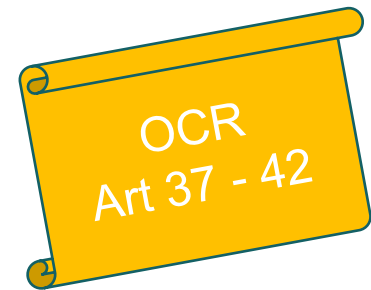


Cascade of methods for sampling, analyses, tests and diagnosis

- Comply with Union rules establishing those
 - Delegated Regulation (EU) 2020/689
 - In the absence of the above:
 - Internationally recognised rules or protocols (OIE) or
 - EURLs. **BUT** Art 6 of Regulation (EU) 2020/689 prioritises websites of EURLs
 - In the absence of the above:
 - Nationally recognised rules or NRLs
 - In the absence of the above:
 - Official labs
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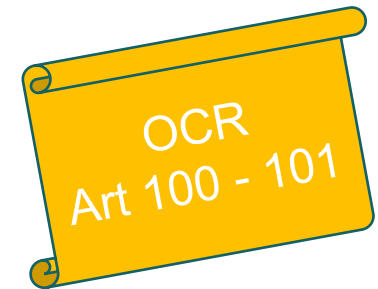
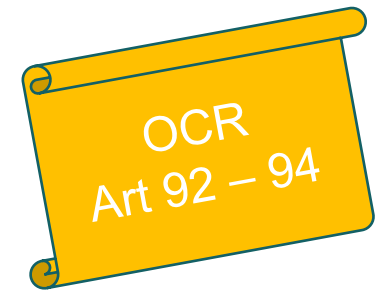
Official labs

- CAs may designate as official labs, official labs of other Member States
 - CA must perform their audits and inspections
- Accreditation:
 - „flexible manner”: national accreditation body
 - derogation for surveillance if...
 - temporary derogations if...
- **Special**: where no official laboratory is designated in the Union (Art 37(6))



EURLs and NRLs

- **EURLs:** for quality, uniformity and reliability of:
 - methods of analysis, tests or diagnosis employed by the official laboratories
 - the results of those analysis , tests or diagnosis
- Designation is limited in time or reviewed regularly
- Accreditation: no derogation is possible
- **NRLs:** Member States shall designate NRL(s) for each EURL
 - In another Member State too
 - One lab can be NRL for more Member State
 - NRLs are to collaborate with the EURL
- Accreditation: temporary derogation is possible



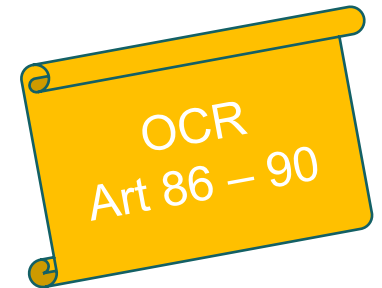
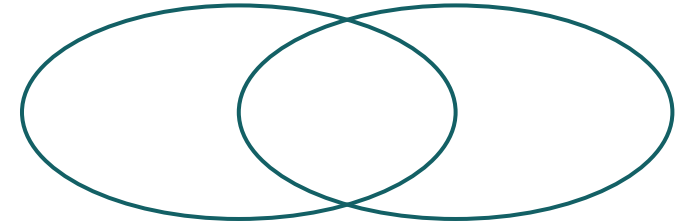
Entry controls

- *(Animal health requirements:*
 - *Regulation (EU) 2020/692*
 - *National rules in accordance with AHL*
 - *Implementing Regulation (EU) 2021/404 on list of third countries*
- Control procedures: in and under OCR, baseline: at a border control post (BCP) + CHED
- **Exemptions** from BCP controls (Delegated Regulation (EU) 2019/2122)
 - personal imports (passengers' luggages or sent): no more specific annual reporting
 - pets,
 - authorisations by competent authorities: for low risk animals (non-vertebrates), samples
- **Monitoring** of arrival at the place of destination (Delegated Regulation (EU) 2019/1666)
 - For slaughterhouse, quarantine, confined establishment, pursuant to DR (EU) 2020/692
- **Return of consignments refused entry into third countries** (Delegated Regulation (EU) 2019/2074)
 - From Directive 97/78/EC: CDR (EU) 2020/692 (AH requirements) + CDR 2019/2074 (public health requirements and control procedures)



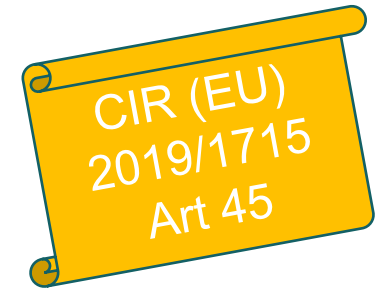
Official certification

- Designate certifying officers
- Certifying officers (OCR) + official veterinarians (AHL)
- Grounds on which to certify
- Model official certificates and more:
 - 3 Implementing Regulations:
 - (EU) 2020/2235 (FOOD),
 - (EU) 2020/2236 (AQUA),
 - (EU) 2021/403 (TERRE)
 - On dual legal basis of AHL and OCR



Certification in TRACES system

- Intra-EU certification will be via new TRACES-NT
- Transitional provisions for intra-EU certificates until mid-October
- List of establishments
 - Recent amendment to include establishments under AHL
 - MS will need to add and validate establishments
- Training for the Member States on new TRACES-NT is ongoing
 - One on basics has been completed
 - Others to come
 - Info material sent to CVOs



Various other links

- Legal basis for **emergency measures**:
 - from the 4 Directives on checks, to AHL
- Contribution to animal health **surveillance**:
 - Art 7 of Regulation (EU) 2020/689: data from official controls
- MANCP and annual **reports** (vs. notification and annual reporting under AHL: CIR 2020/2002)
 - CIR (EU) 2019/723 + Commission Recommendation
 - Change for reporting on ID and R controls: from specific reports to general report

Summary

- Need to know both:
 - AHL + OCR (incl. their delegated and implementing acts)
- Differences:
 - between official controls and other official activities
- Rights and obligations:
 - but also flexibilities for competent authorities

Thank you



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