



Official Controls Regulation:

A new framework for better and integrated controls for animals, food and feed in the EU

Meeting with stakeholders on delegated and implemented acts related to entry into the Union

05/12/2018

DG SANTE - Unit G3
Official Controls and
eradication of diseases in animals



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Key principles of the new regulation

**broader
scope**

**risk-based
approach**

transparency

**alignment
(simplification)**

efficiency



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Structure of Regulation 2017/625 (OCR)

General Principles **Articles 1 – 15**

Subject matter, scope & definitions, Competent Authorities general requirements

Sector Specific Requirements **Articles 16 – 27**

e.g. Products of animal origin, residues, animal welfare, plant health, GMOs, plant protection products, organic production, new risks

Art. 28–33 Delegation of tasks	Art. 34–42 Sampling, analyses, tests + Diagnoses	Art. 43– 76 IMPORT CONTROLS	Art. 77-91 Financing OC + official certification	Art. 92-101 EURLs EURCs	Art. 102– 108 Administrative Assistance + Cooperation
Art. 109- 115 Planning + Reporting	Art. 116– 124 Commission Controls	Art. 125– 129 Conditions for entry into the EU	Art. 130 Training (BTSF)	Art. 131– 136 IMSOC	Art. 137– 141 Enforce- ment

Common Provisions - **Articles 142 – 167**

3



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<i>Unit in charge</i>	<i>Topics</i>									
	Certification for ship suppliers	List of animals and goods, with CN codes	Additional categories (composite products, hay and straw)	Animals and goods exempted from BCP controls	Training of BCP staff	CHED as an accompanying document	Transit, transhipment and onward transportation	Derogation from rules on documentary checks for plants in transit or transhipment	Details of checks performed at BCPs	Controls performed elsewhere than BCPs; controls by customs
G.3	Frequency of identity and physical checks at BCPs	Prior notification	Listing of BCPs	Derogation from certain BCP requirements	BCP facilities	Intensified controls	Specific official controls and measures in cases of non-compliance	Monitoring of consignments from BCP to destination	Cases and conditions where competent authorities may request prior notification by operators	



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Unit in charge*	Topics				
D.2	Temporary measures on entry into the Union of certain goods				
E.2	Control programmes and reports on VMP	Measures in case of non-compliances related to VMPs		Import conditions for third countries for controls of VMP and pesticides residues and contaminants	
E.4	National control programs on pesticide residues				
F.6	Establishing standard model forms for the submission of the annual report on the operation of their multi-annual national control plan by MS		Establishing the (multi-)annual programme of controls carried out by Commission experts in the MS		
G.1	Minimum frequencies for plant health controls	Establishment of EURL		Designation of the 5 EURLs	
G.2	Specific animal health controls		Designation of an EU Reference Centre For Animal Welfare		
G.4	Meat inspection	Meat inspection practice	Model certificates for entry into the Union	Conditions to be respected by certain food entering the Union	Laying down lists of third countries allowed to enter products of animal origin on the Union market
G.5	Administrative Assistance and Cooperation	Rules for rapid exchange of information (AAC)	The functioning of the IMSOC	Exchange of information between authorities	Format of the CHED

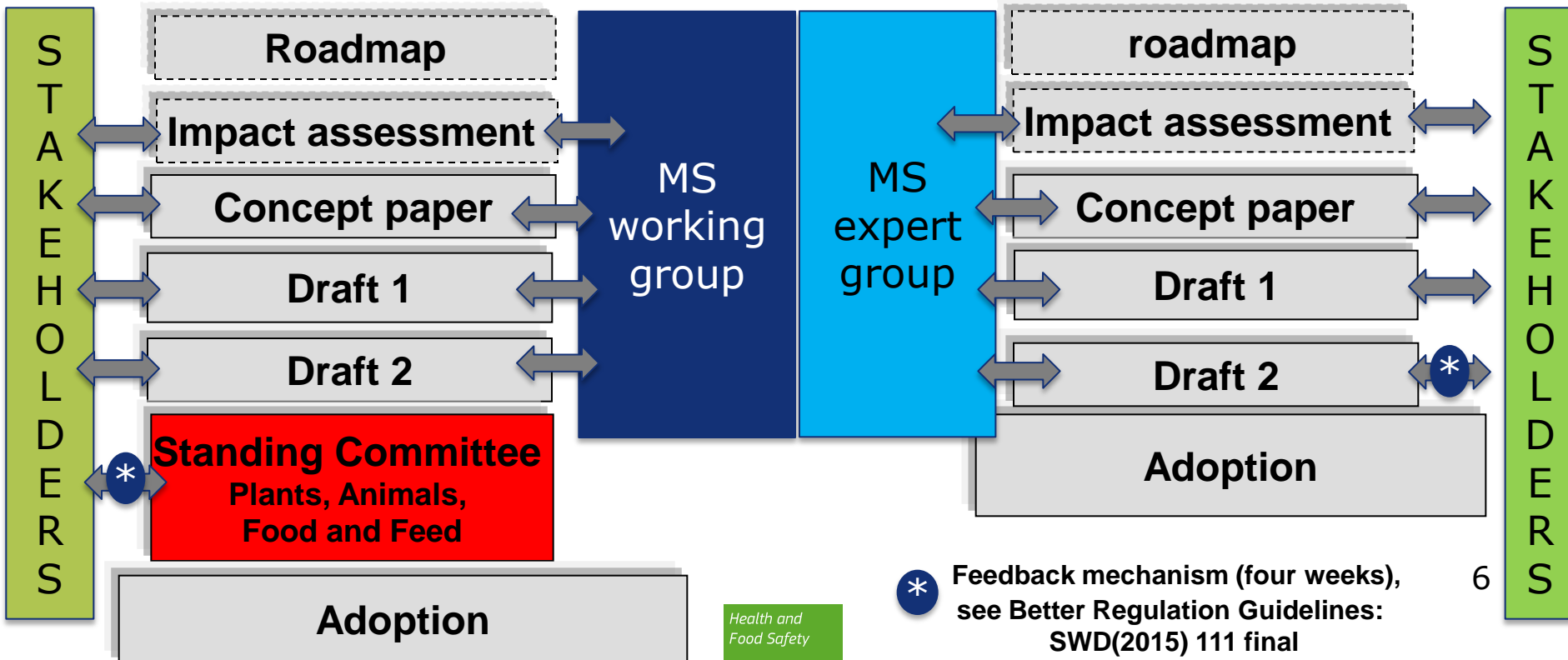


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Standard decision making process

Implementing Act (IA)

Delegated Act (DA)





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Empowerments

(Main target date: 14/12/2019)



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Follow-up on the items addressed in the previous meeting on 10 Oct 2018 (I)

Acts presented in previous meeting	Main objectives	Developments from previous meeting
Article 47(2)(a) List of animals and goods, with CN codes	Identify animals and goods subject to systematic border controls	TAXUD revision of CN codes assessed No changes as regards the contents of the act
Article 47(3) Composite products, hay and straw	Subjects composite products, hay and straw to systematic border controls	Public feedback mechanism ended, one comment (ABPs) SPS notification 12/10/2018-
Article 49(5) Training of BCP staff	Develop and arrange training courses for the staff performing physical checks.	Revision of the requirements concerning the subject matter of the training courses
Article 52 Details of BCP checks	Lay down detailed rules on the operations to be carried out during and after checks	In final stage of discussion with MS experts



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Follow-up on the items addressed in the previous meeting 10 Oct 2018 (II)

Acts presented in previous meeting	Main objectives	Developments from previous meeting
Article 51(1) Transit, transshipment and onward transportation	<ul style="list-style-type: none">• Time limits and arrangements for controls at BCPs• Rules applicable for transit of certain categories of goods and animals• Conditions for authorization of onward transportation	<p><u>Onward transportation:</u> The scope extended for plants, plant products and other objects under art. 47.1(e) and food and feed of non-animal origin under art. 47.1(f)</p> <p><u>Transit controls:</u> Decision not to use empowerment for food and feed of non-animal origin under (d), (e) and (f) of art.47.1</p>
Article 53(1)(a) Controls elsewhere than in BCPs	Lay down conditions for identity & physical at control points	The scope extended for plants, plant products and other objects under art. 47.1(e) and food and feed of non-animal origin under art. 47.1(f)
Article 54(3) Frequencies of physical and identity checks at BCPs	Establish risk based frequency for identity and physical checks, of certain categories of goods and animals	Discussions with MS on initial draft planned at the WG meeting of 5th December



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Follow-up on the items addressed in the previous meeting 10 Oct 2018 (III)

Acts presented in previous meeting	Main objectives	Developments from previous meeting
<p>Article 58(b) Minimum time requirements for prior notification</p>	<p>Establish minimum time requirements for prior notification before the physical arrival of consignments</p>	<p>"Technical vote" in PAFF planned for 11 December 2018 Public feedback mechanism (+ SPS notification) to be launched</p>
<p>Article 62(3), 64(2) and 64(5) BCP designation - certain derogations</p>	<p>Conditions applying for:</p> <ul style="list-style-type: none"> • Re-designation of the BCP • Geographical Constraints 	<p>COM considering comments after ISC</p>
<p>Article 64(4) and 60(2) BCP facilities and listing requirements</p>	<p>Establish detailed rules on minimum facilities, BCP Listing Requirements and Inspection Centres Requirements</p>	<p>COM considering comments after ISC</p>

Follow-up on the items addressed in the previous meeting 10 Oct 2018 (IV)

Acts presented in previous meeting	Main objectives	Developments from previous meeting
<p>Article 48 Derogations from BCP controls</p>	<p>Identify the categories of animals and goods which are exempted from BCP controls</p>	<p><u>Trade samples/exhibitions:</u> no provision under DA Art.48, but it will be covered by another IA <u>Scientific purposes:</u> exemption for invertebrates, plants and animal-by-products <u>Other categories:</u> personal luggage, small consignments, pets, EU-fish, Greek & French territories, goods for crew consumption: maintain current regime</p>
<p>Article 77(1) Specific border controls</p>	<p>Establish the controls that shall apply for the categories of animals and goods which are exempted from BCP controls</p>	<p><u>WPM & Re-entry into the Union:</u> Discussion with MS finalized <u>Fishery products, unskinned wild game:</u> maintain current regime <u>Art.48 draft and Art.77(1)(abk) draft:</u> bundled in a single act that will be presented to MS on 06/12</p>



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Article 77(2)

Monitoring Transport and arrival of consignments

Article 77(2) Monitoring Transport and arrival of consignments (I)

- Monitoring from BCP of arrival to the establishment at the destination of live animals and goods in cases and time limits provided for the Union legislation
- Information from BCP to CA at destination
- Information from operator responsible for establishment to CA at destination within one day after arrival of the consignment

Article 77(2) Monitoring Transport and arrival of consignments (II)

- CA at destination shall notify the BCP of arrival within 3 days after arrival of the consignment and to carry out regular checks
- In cases when no confirmation is received within time limits CAs shall investigate to determine the actual destination of the consignment and take appropriate enforcement action if necessary



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Article 77(3)(a) Official Certificate for ship supply

Article 77(3)(a) Official Certificate for ship supply

- Empowerment used to establish model of official certificate for delivery of goods to vessels leaving the Union and intended for ship supply in line with the requirements established under Article 77(1)(c)
- Possibility to issue certificate and confirm arrival of consignment on paper or electronically in IMSOC
- One official certificate for ship supply may be issued for a goods originating from different consignments of origin



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Article 50(4)

CHED accompanying consignments to the place of destination

Article 50(4)

CHED accompanying consignments to the place of destination

Scope and objective:

- Establish the cases and conditions under which the CHED shall accompany consignments of animals and goods to their destination;
- Categories of animals and goods concerned: animals and goods referred to in Article 47(1) of OCR Regulation, which are intended for placing on the market;
- Consignments in transit = act under Article 51.1;
- The operator responsible for a consignment shall ensure that a copy of the CHED either on paper or in electronic form, accompanies the consignment to the place of destination and until it is released for free circulation.

Article 50(4)

CHED accompanying consignments to the place of destination

Split of consignments at the BCP of first arrival:

- The operator responsible for the consignment shall:
 - declare the BCP of first arrival as the place of destination of the whole consignment in a first CHED
 - Request for splitting of the consignment and declare the places of destination of the different parts of the consignment in subsequent CHEDs
- The competent authority at the BCP of first arrival shall finalize the subsequent CHEDs and the operator shall ensure that a copy of the subsequent CHED will accompany each part of the consignment to the respective place of destination;
- Where part of a consignment is non-compliant, similar rules shall apply.

Article 50(4)

CHED accompanying consignments to the place of destination

Consignments split after leaving the BCP of first arrival:

- A copy of the CHED shall accompany each part of the consignment until it is released for free circulation;
- For each part of the consignment being released for free circulation, the operator shall present the copy of the CHED to the customs authorities to be communicated to the IMSOC(for quantity management).



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Article 65(6)

Intensified official controls

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Intensified official controls

Scope, objective and definition:

- Lay down rules for the performance of coordinated intensified controls
- These are completed by the competent authorities at the BCP's in cases of suspected fraudulent or deceptive practices by an operator, or in the case of serious or repeated infringements
- Categories of goods concerned (goods referred to in Article 47(1) (b) of OCR Regulation):
 - Products of animal origin
 - Germinal products
 - Animal by-products
 - (Composite products and hay and straw)

Article 65(6)

Intensified official controls

Notification on performance of intensified official controls:

- The COM shall assess whether the performance of coordinated intensified official controls are required or not, after the receipt of a notification from the competent authorities of a MS
- Where intensified official controls are required, the COM shall indicate through the IMSOC:
 - the origin and category of goods
 - the type of infringement for which the intensified official controls must apply
 - the conclusion of the controls to the competent authorities of MS and third countries

Article 65(6)

Intensified official controls

Coordinated intensified official controls (I):

- Carried out by the competent authorities at the BCP, on each consignment coming from the same origin, containing the same category of goods and targeting the same type of infringement
- The performance of the controls shall apply until:
 - a favourable outcome is achieved for at least 10 consignments
 - the total weight of controlled consignments reaches at least 10 times the weight of the consignment to which the notification refers

Article 65(6)

Intensified official controls

Coordinated intensified official controls (II):

- For every infringement revealed, the calculation of consignments in the IMSOC will be reset to zero
- Only when the conditions in terms of number and weight of controlled consignments are met the intensified controls shall be ended
- Possible to derogate from this rule, only when the COM concludes that the notified infringement proves to be unfounded and the controls may be ended before these conditions are met



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Article 65(6)

Intensified official controls

Imposed Checks:

- Extended intensified official controls which apply when during the performance of intensified controls three consignments reveal the same type of infringement
- The COM notifies the third country about the unfavourable results and requests to trace back same origin consignments and to adopt an action plan
- In the case of favourable results and a satisfactory action plan by the third country concerned, the imposed checks can be concluded
- The COM may take further action if the authorities of the third country do not take appropriate action or if the authorities of MS continue to notify unfavourable results

Article 65(6)

Intensified official controls

Costs & Exemptions:

- The coordinated intensified official controls and imposed checks shall be performed at the expense of the operator responsible for the consignment
- COM may allow that certain consignments will be exempted from the coordinated intensified official controls



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See SANTE website for more information:

The screenshot shows the European Commission website interface. At the top, there is a navigation bar with 'FOOD' highlighted. Below this, a breadcrumb trail reads 'European Commission > Food Safety > Food > Official controls and enforcement'. A secondary navigation bar includes 'HEALTH', 'FOOD', 'ANIMALS', 'PLANTS', and 'AMR'. The main content area is titled 'Official controls and enforcement' and contains several sections: 'OFFICIAL CONTROLS AND ENFORCEMENT' with sub-sections for 'Legislation on official controls', 'Import controls', 'EU Co-ordinated Control Programmes', and 'Expert Groups and Working Groups'; 'ALL TOPICS' with a paragraph on EU Member States' responsibilities; and 'QUICK LINKS' with links to 'Rapid Alert for Food and Feed (RASFF)', 'Health and food audits and analysis', and 'European Food Safety Authority (EFSA)'. On the right side, there are sections for 'RELATED LINKS' (including 'DG Health and Food Safety (audits and analysis directorate)', 'TRADE Control and Expert System (TRACES)', and 'Rapid Alert System for Food and Feed (RASFF)') and 'RELATED DOCUMENTS' (including 'Regulation (EU) 2017/625' and 'Regulation (EC) N° 887/2004').

http://ec.europa.eu/food/safety/official_controls_en



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Have your say: Give feedback on draft acts



English

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Have your say

Contribute to EU policy and law-making by giving your feedback on Commission initiatives as they take shape. You can also make suggestions on simplifying and improving existing laws. Subscribe to receive notifications on topics or initiatives of interest to you.

PAGE CONTENTS

Give feedback on Commission initiatives

Initial ideas – Roadmaps and inception impact assessments

Gathering evidence – Public consultations

Legislative proposals – Providing input before the law becomes final

Give feedback on Commission initiatives

As part of its [better regulation agenda](#), the Commission is listening more closely to the views of citizens and stakeholders. The aim is to make evidence-based proposals of EU policies and laws that address their needs. In this space you can share your views on Commission initiatives at key stages of the policy and [law-making cycle](#).

[Watch a short video explaining how it works in practice](#)

[Search all initiatives >](#)

Contribute to EU policy and law-making by giving your feedback on Commission draft delegated and implementing acts.

<https://ec.europa.eu/info/law/better-regulation/have-your-say>

Stakeholders' feedback procedures

- Stakeholders are invited to provide feedback along the policy cycle.
- Structured feedback can be received for draft DA and IA, during a period of 4 weeks, usually:
 - once informal discussions with MS of a DA are concluded, or
 - after the vote of an IA in the standing committee (PAFF).
- Comments received will be analyzed by the Commission services before the act is finally adopted.



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THANK YOU!