



# Update on OCR a new harmonised framework for official controls

Official Controls Regulation (EU) 2017/625

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**Plenary meeting of the Advisory Group on the Food Chain and Animal and Plant Health  
21<sup>st</sup> November 2019 – Brussels**



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# Reminder : the EU legal framework



## LEGISLATION ON FOOD HYGIENE for Food Business Operators

- Main regulations : General Food Law (GLF Reg 178/2002)  
General rules for food hygiene (Reg 852/2004, Reg 853/2004)



## LEGISLATION ON OFFICIAL CONTROLS for Competent Authorities

- Main regulation : General rules for officials controls on food, feed, animal health and welfare (Reg 882/2004)

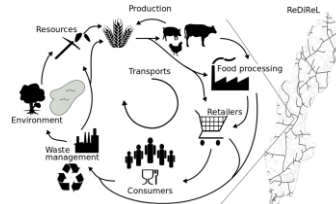
Commission report (July 2009) to the European Parliament and the Council reviewing the experience gained from the application of Regulation 882/2004 showed that adjustments of Regulation 882/2004 were necessary in a number of areas aiming to:

Simplify the legal framework

Clarify some aspects

Consolidate the integrated approach

Expand its field of application



=> **OCR**



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# The Official Controls Regulation: a new harmonised legal framework for official controls with high standard

replacing Regulation (EC) No 882/2004

15 March 2017: European Parliament adoption

7 April 2017: Official publication



**14 December 2019:** Main date of application



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# OCR Requirements are for Members States and for European control authorities

10 EU acts will be repealed

14/12/2019



## OCR

**Official Controls Regulation N° 2017/625**  
*on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products*

A single, harmonised, simplified and broadened legislative framework, **but**  
**OCR largely reiterates existing rules**

**Scope : 10 sectors** : food, feed, animal health, animal welfare, **GMOs**, plant health, **plant protections products** animal by-products, organic products, protected products/labels

General rules for OFFICIAL CONTROLS on Food, Feed, Animal health and welfare  
Rgt 882/2004

Specific rules for OFFICIAL CONTROLS on Food of animal origin  
Rgt 854/2004

+ 15 EU acts will be modified



# Objectives of the OCR

- Inclusive approach: contribute to high level of food and feed safety, animal and plant health, and animal welfare
- Ensure smooth functioning of the internal market
- Continuation of safe and rule-based international trade;
- Contribute to fight against food fraud

## State of Play

- The new Official Controls Regulation will replace existing rules as of 14 December 2019
- Main delegated and implementing acts are being finalized to complement the Regulation
- Series of trainings organized for Member States to ensure proper implementation



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## ***Main principles maintained for official controls under the OCR***

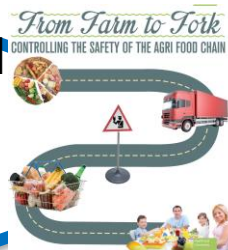
A harmonised  
legal  
framework  
with high  
standards

A risk-based  
approach and  
science-based risk  
management

Trained and  
impartial  
official staff

Shared  
responsibilities

Controls all  
along the  
agri-food  
chain



Measures  
taken in case  
of non  
compliance,  
penalties

Fees  
covering  
costs of OC,  
administrative  
burden  
minimised

Imports fulfill  
the same high  
standards as  
products from  
the EU itself

Coordination\*  
, assistance,  
RASFF,

Records and  
transparency

\*Digitalization:  
increased use of  
IMSOC for recording  
control results and as  
basis for risk



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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

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

## Common Provisions - **Articles 142 – 167**

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# State of play

list of adopted/published  
Delegated acts and Implementing  
acts under the OCR

# Empowerments

*EMPOWERMENTS are given to the Commission to ensure the implementation of the Regulation through...*

Implemented Acts (IA):  
**HOW?**  
(Uniform conditions for implementation)



Delegated Acts (DA):  
**WHAT?**  
(Supplement or amend non-essential elements)

## Most of DA and IA will apply from 14 December 2019

Some DA/IA under the OCR:

- **are currently published**
- **are very close to be finalized** with the objective to be published by 14 Dec 2019.
- **will be drafted later** with the objective to be published by 21 April 2021 (date of application of the Animal Health Law)

# Acts concerning EU Reference Centers and Laboratories

Act n°	Main objectives	OCR empowerment
<p><b>Del. Reg. (EU) 2018/631</b> published in OJEU on 25/4/2018 entry into force 15/5/2018</p>	<p>Establishment of EU laboratories in plant health sector as regards certain quarantine pests (insects/mites; nematodes; bacteria; fungi/oomycetes; viruses/ viroids/phytoplasmas)</p>	<p>Article 92(4)</p>
<p><b>Impl. Reg. (EU) 2019/530</b> published in OJEU on 29/3/2019 entry into force 18/4/2019</p>	<p>Designation of 5 EU laboratories for certain quarantine pests: insects/mites; nematodes; bacteria; fungi/oomycetes; viruses/ viroids/phytoplasmas</p>	<p>Article 93(1)</p>
<p><b>Impl. Reg. (EU) 2018/329</b> published in OJEU on 6/3/2018 Date of application 29/4/2018</p>	<p>Designation of a first EU Reference Centre for Animal Welfare responsible for supporting horizontal activities of the Commission and of the Member States in the area of welfare requirements for animal (dedicated to the welfare of pigs)</p>	<p>Article 95(1)</p>
<p><b>Impl. Reg. (EU) 2019/1685</b> published in OJEU on 9/10/2019 Date of application 1/1/2020</p>	<p>Designation of a second EU Reference Centre dedicated to the welfare of poultry and other small farmed animals</p>	<p>Article 95(1)</p>



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# Published delegated acts

date of application 14 December 2019\*

Delegated act n°	Main objectives	OCR empowerment
<b>Del. Reg. (EU) 2019/478</b> published in OJEU on 25/3/2019	Subjects composite products, hay and straw to systematic border controls	Article 47 (3)
<b>Del. Reg. (EU) 2019/625</b> published in OJEU on 17/5/2019 *Import requirements for composite products will apply from 21/4/2021	Requirements for the entry into the Union of certain animals and goods intended for human consumption + lists of third countries authorised to export to the EU	Article 126
<b>Del. Reg. (EU) 2019/624</b> published in OJEU on 17/5/2019	Rules on official controls on the production of meat and for production of live bivalve molluscs	Article 18
<b>Del. Reg. (EU) 2019/1012</b> published in OJEU on 21/6/2019	Conditions applying for: Re-designation of the BCP Geographical Constraints	Article 62(3), 64 (2) and 64 (5)
<b>Del. Reg. (EU) 2019/1081</b> published in OJEU on 26/6/2019	Develop and arrange training courses for the staff performing physical checks at BCPs	Article 49 (5)
<b>Del. Reg. (EU) 2019/1602</b> published in OJEU on 30/9/2019	How and when the CHED should accompany consignments to their place of destination	Article 50(4)
<b>Del. Reg. (EU) 2019/1666</b> published in OJEU on 4/10/2019	Monitoring of arrival of consignments at the place of destination(products of animal origin, animal by-products)	Article 77(2) 12



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## Published implemented acts

date of application 14 December 2019

Implementing act n°	Main objectives	OCR empowerment
<b>Impl. Reg. (EU) 2019/66</b> published in OJEU on 17/1/2019	Uniform arrangements for the performance of plant health checks	Article 22
<b>Impl. Reg (EU) 2019/627</b> published in OJEU on 17/5/2019	Rules on official controls on the production of meat and for production of live bivalve molluscs	Article 18
<b>Impl. Reg. (EU) 2019/1014</b> published in OJEU on 21/6/2019	Established detailed rules on minimum BCP facilities + listing requirements	Article 64(4) and 60 (2)
<b>Impl. Reg. (EU) 2019/1013</b> published in OJEU on 21/6/2019	Established the minimum time requirements for prior notification before the physical arrival of consignments	Article 58(b)
<b>Impl. Reg. (EU) 2019/723</b> published in OJEU on 13/5/2019	Standard model form for MS annual reports	Article 114



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# Published implemented acts

date of application 14 December 2019\*

Implementing act n°	Main objectives	OCR empowerment
<p><b>Impl. Reg. (EU) 2019/626</b> published in OJEU on 17/5/2019 <i>*Transitional measures providing derogations concerning public health requirements for the entry into the Union of consignments of casings - extended until 20 April 2021</i></p>	<p>Requirements for the entry into the Union of certain animals and goods intended for human consumption + lists of third countries authorised to export to the EU</p>	<p>Article 127</p>
<p><b>Impl. Reg. (EU) 2019/1715</b> published in OJEU on 14/10/2019 <i>*Apply from 14 December 2019, except for Section 2 of Chapter 3 (ADIS network), which shall apply from 21/4/2021</i></p>	<p>The functionalities of IMSOC, including the exchange of information between authorities and the format of the CHED</p>	<p>Article 134 (etc.)</p>
<p><b>Impl. Reg. (EU) 2019/1793</b> published in OJEU on 29/10/2019</p>	<p>List of goods (feed and food of non-animal origin) from certain third countries subject to a temporary increase of official controls at BCPs. Consolidate existing emergency measures establishing special import conditions for feed and food of non-animal origin from certain third countries. Establish rules on the frequency of identity and physical checks, including laboratory tests.</p>	<p>Article 47.2b (+Article 53 GFL)</p>
<p><b>Impl. Reg. (EU) 2019/1873</b> published in OJEU on 8/11/2019</p>	<p>Rules for the performance of coordinated intensified controls by the competent authorities at BCPs in cases of suspected fraudulent or deceptive practices by an operator, or in the case of serious or repeated infringements</p>	<p>Article 65.6</p>



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## Delegated acts in preparation

State of play	Main objectives	OCR empowerment
<b>Adopted by COM on 10/10/2019</b>	Transit, transhipment and onward transportation Time limits and arrangements for controls at BCPs	Article 51(1)
<b>Adopted by COM on 10/10/2019</b>	Establish specific official controls for wood packaging material	Article 77 (1)(d)
<b>Adopted by COM on 23/9/2019</b>	Establish specific official controls for animals and goods returning to the Union after refusal by third country	Article 77(1)(h)
<b>Adopted by COM on 10/10/2019</b>	Identify the categories of animals and goods which are exempted from BCP controls Set the conditions under which these derogation apply	Article 48 (b-f)
<b>Adopted by COM on 10/10/2019</b>	Establish the specific controls that shall apply for the categories of animals and goods which are exempted from usual controls at BCPs	Articles 77(1)(a)(b)(k) and 48 (h)
<b>Adopted by COM on 10/10/2019</b>	Conditions for identify and physical checks at control points Documentary checks at distance from BCP	Article 53(1)(a)(e)



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## Implemented acts in preparation

State of play	Main objectives	OCR empowerment
<b>Voted in PAFF on 24/10/2019</b> Preparation of COM adoption	Detailed rules on the operations to be carried out during and after BCP checks	Article 52
<b>Voted in PAFF on 24/09/2019</b> Adopted on 18/11/2019	Identify animals and goods subject to systematic border controls with CN codes	Article 47 (2)(a)
<b>Voted in PAFF on 25/10/2019</b> Preparation of COM adoption	Rules for the uniform application of the appropriate frequency rate of identity and physical checks on consignments of animals and goods intended for release for free circulation	Article 54.3
<b>Voted in PAFF on 24/9/2019</b> Under procedure for adoption by COM	Model official certificate for ship supply and NATO/US military bases	Article 77(3) and 90(a)





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# OCR versus Reg 2018/848 on organic production and products

Date of application of Reg 2018/848 repealing Reg 834/2007: 1st January 2021

# Organics & OCR

- Scope of OCR (Art 1.2i): *"This regulation lays down rules for organic production and labelling of organic products"*
- Subject matter of Reg2018/848 (Art 1) : *« This Regulation establishes the principles of organic production and lays down the rules concerning organic production, related certification and the use of indications referring to organic production in labelling and advertising, as well as rules on controls additional to those laid down in Regulation (EU) 2017/625.»*

 Rules on Official Controls set out in Regulation 2018/848 **apply in addition to** (and not instead of) the OCR.

## Coordination AGRI - SANTE

- Art 29.8 2018/848 vs Art 24.4.c 2017/625



IA on details and format of  
info on non authorised  
products\substances to  
Commission and Member  
States



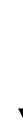
IA on info and reporting of  
non authorised plant  
protection products to  
Commission and Member  
States

# Coordination AGRI - SANTE

- Art 34.9.c 2018/848 vs Art 85.2 2017/625



IA on procedures &  
arrangements on  
publication of fees



Each CA shall make  
available to the public the  
fees  
-NO EMPOWERMENT-

# Coordination AGRI - SANTE

- Art 36.4. (b) and (c) 2018/848

IA on rules concerning:  
(b) The documents and record-keeping systems (...)  
(c) The exchange of information between operators and the competent authorities, control authorities or control bodies and between MS and Commission

# Coordination AGRI - SANTE

- Art 38.8.a.i & ii  
2018/848



DA on additional rules on  
official controls and on  
action to be taken by the  
CA

vs

- Art 14.b.iv & e  
2017/625



Methods and techniques for  
official controls  
-NO EMPOWERMENT-

# Coordination AGRI - SANTE

- Art 38.9.a) 2018/848 vs Art 9.4 2017/625



IA on minimum % of official controls of operators to be carried out without prior notice

Risk based approach

# Coordination AGRI - SANTE

- Art 39.2 (b) 2018/848

IA to provide details and specifications regarding the declarations and other communications that are necessary for official controls



# Coordination AGRI - SANTE

- Art 40.11 2018/848 vs Art 29 2017/625



DA on conditions for the  
delegation of official control  
tasks

Conditions for delegating  
certain official control tasks  
-NO EMPOWERMENT-

# Coordination AGRI - SANTE

- Art 43.7 2018/848 vs Art 25(c) 2017/625

IA on information to be provided by bodies in charge of the official controls, recipients and procedures

IA on rules on uniform arrangements among others, on exchange of info in cases of non-compliance

# OCR Conference

The Commission is marking the application of the OCR by organising a conference in Brussels **on 13<sup>th</sup> of December** called "*Smarter rules for safer food and plant health*"

# Conference “Smarter rules for safer food and plant health”

organised by DG SANTE in Brussels on **13 December 2019**



The main objective is to present and discuss the new rules in Regulation (EU) 2017/625 on official controls along the agri-food chain and Regulation (EU) 2016/2031 on protective measures against pests of plants, which both become applicable on 14 December 2019.

The new legislation will also make enforcement more efficient by the introduction of a new computerised system (IMSOC), which integrates existing computerised systems, including the RASFF system which this year celebrates 40 years of existence.



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**It is now possible to register to the OCR conference via the dedicated website:**

[https://scic.ec.europa.eu/ew/register/dgscic/Smarter rules\\_for safer food and plant health 13 Dec 2019/e/lk/g/10870/k/](https://scic.ec.europa.eu/ew/register/dgscic/Smarter_rules_for_safer_food_and_plant_health_13_Dec_2019/e/lk/g/10870/k/)



## Conclusion

- new harmonised comprehensive framework for the performance of official controls by the Commission and by Member States' competent authorities to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products;
- inclusive approach maintaining a high level of food and feed safety, animal and plant health, and animal welfare;
- continuation of safe and rule-based international trade;
- OCR largely reiterates existing rules;
- the OCR will replace existing rules as of 14 December 2019;
- main delegated and implementing acts are finalized to complement the OCR;
- Conference “*Smarter rules for safer food and plant health*” in Brussels on 13th of December 2019.



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# Questions and discussion

