



EUROPEAN COMMISSION  
DIRECTORATE GENERAL FOR HEALTH AND FOOD SAFETY

Crisis preparedness in food, animals and plants  
Unit G.4 Official controls

<b>Minutes</b> <b>Expert Group on Veterinary Import Controls Legislation</b> Tuesday, 25 October 2022, 09h30 – 13h00 Skype for business Chair: Bruno Saimour, Unit G4		
<b>1</b>	<b>Introduction</b>	<ul style="list-style-type: none"> <li>- COM will do its best to ensure that the next meeting, in the spring of 2023, is held face-to-face in Brussels.</li> </ul>
<b>2</b>	<b>IOC issues</b>	<ul style="list-style-type: none"> <li>- COM provided an update to MSs on the IOC requests made via TRACES NT. MSs were reminded of correct procedures when making an IOC request. In particular, no new request should be made for consignments already under IOC. BTSF sessions represent a good opportunity for training.</li> <li>- COM reminded MSs that the <a href="#">operational guidance for application of Regulation (EU) 2019/1873</a> has been published on DG SANTE website.</li> <li>- MSs were informed about the draft regulation amending the application of RPA (reference point for action) for semicarbazide (SEM) in certain processed products, which was recently consulted upon in the Expert Group on Residues of Veterinary Medicines. It would exempt findings of semicarbazide in gelatine, whey and milk protein concentrate, caseinates and milk powder (excluding infant formula) if there is only semicarbazide found. If other nitrofurans metabolite would be found in the same product, then an RPA also for semicarbazide would apply.</li> </ul>
<b>3</b>	<b>Frequency of physical checks in TRACES</b>	<ul style="list-style-type: none"> <li>- COM informed MSs of the development of a calculation tool within Qlikview in TRACES NT for the determination and modification of frequency rates for physical checks, for the purpose of applying Art. 5(3) of Regulation (EU) 2019/2129 (which requires to increase the frequency rate of physical checks on the basis of data/information in IMSOC for specific goods from a specific third country depending on the level of non-compliance).</li> <li>- COM is also reflecting on ways for communicating changes in the required frequency rates of physical checks to stakeholders and competent authorities.</li> </ul>
<b>4</b>	<b>EU-UK relations</b>	<ul style="list-style-type: none"> <li>- COM reminded the MSs that it is regularly exchanging with UK and NI at technical level and, for the purpose of a harmonised approach on official controls at EU borders, Q&amp;A documents are circulated to the UK, to the MS and to stakeholders (last document No 24).</li> <li>- COM also reminded the MSs that candidates for the NILT (Northern Ireland Liaison Team) are invited to express their interest to draw up a reserve list for future vacancy campaigns.</li> <li>- COM shared figures based on data retrieved from TRACES showing % of rejection of consignments of products of animal origin, frequency rate for physical checks and for laboratory testing, applied at BCPs of MSs and EFTA states for consignments imported from Great Britain compared to all third countries.</li> </ul>

5	<b>Transit to NATO bases</b>	<ul style="list-style-type: none"> <li>- COM took stock of the current discussions with the US Command of NATO concerning the certification issues on products of animal origin transiting to military bases. COM is considering a solution for the transit certification of composite products that could be proposed soon to the consultation of MSs.</li> <li>- Meanwhile, the current flexibility should remain until further notice, provided that transit consignments can be properly channelled from the BCP of entry to the military base of destination.</li> </ul>
6	<b>Animal by-products</b>  a. <b>used cooking oil</b>  b. <b>triangular trade</b>	<ul style="list-style-type: none"> <li>- Used cooking oil: EE supported by several MSs asked for clarification on requirements for imports of used cooking oil (UCO) intended for production of biofuels. COM explained that imports of UCO are currently subject to national rules. It is up to the operator to declare a consignment of UCO as a consignment subject to the ABP legislation or legislation on waste. However, when an operator decides to opt for the waste legislation, the decision is irreversible and side - products derived from biofuels production (e.g.: glycerine) cannot later enter into the manufacturing chain of ABPs.</li> <li>- Triangular trade: COM took note of comments concerning triangular trade of ABPs, in particular for products of EU origin, with storage/splitting in TCs, that return to MSs. This practice is currently not possible. COM is assessing the situation in light of the discussions that took place during the WG meeting on ABPs on 11/10/2022.</li> </ul>
7	<b>Composite products</b>  a. <b>noodles with cheese bag</b>  b. <b>oranges coated with gelatine</b>	<ul style="list-style-type: none"> <li>- As a follow-up to a specific question raised by DK, COM clarified that noodle products consisting in noodles and seasoning with powdered dairy products in separate bags cannot be considered as a composite product since the noodles and the seasoning are separated. The separate bag of powdered dairy products must be considered as a dairy product. DK asked for common line around the EU taking into account that similar products are entering as composite products, and for a more risk and scientific-based approach. It should be noted that those products, when imported in separate bags, are required to be accompanied by a dairy products certificate; however, in the case that noodles and seasoning are mixed together, they should be considered as composite products, in that case only a private attestation is required.</li> <li>- As a follow-up to a specific question raised by ES, COM explained that oranges coated with gelatine must be considered as a composite product from a legal point of view. Therefore, the gelatine must respect EU rules, including the TSE Regulation if the gelatine derives from ruminant bones (Regulation (EC) No 999/2001 article 16 and Annex IX, Chapter C thereof). Consequently, should the gelatine used on the oranges be derived from ruminant bones, the oranges should be accompanied by an import certificate Model GEL (Chapter 41 of Regulation (EU) 2020/2235).</li> <li>- COM indicated that a revision of the guidelines for composite products is foreseen, and new examples of composite products will be added.</li> </ul>
8	<b>Pets as cargo</b>	<ul style="list-style-type: none"> <li>- As a follow-up to a specific question raised by ES on the possible use of TRACES for non-commercial movements of pet animals from non-EU countries, traveling with their owners as cargo, COM recalled the current legal framework (Regulation (EU) 576/2013) applying to the control of such movements, and highlighted its specificity. COM concluded that TRACES is not intended to record non-commercial movements of pets.</li> </ul>

<p style="text-align: center;"><b>9</b></p>	<p style="text-align: center;"><b>Certification on production areas of molluscs</b></p>	<ul style="list-style-type: none"> <li>- COM reminded MSs that BCPs should not request further separate attestations or documentation from third countries to evidence the classification of their production areas for live bivalve molluscs. The health certificate for the entry into the Union of live bivalve molluscs, echinoderms, tunicates, marine gastropods and products of animal origin from these animals intended for human consumption as laid out in Commission Implementing Regulation 2021/1471 is sufficient as the classification of the production areas at the time of harvest, be it A, B or C, is embedded in Part II 1(j) of the public health guarantees.</li> <li>- MSs were also reminded that it is no longer necessary for third countries to include the classification of production areas (A, B or C) in TRACES NT and that the corresponding remarks ZA, ZB and ZC were removed from the production areas lists.</li> </ul>
<p style="text-align: center;"><b>10</b></p>	<p style="text-align: center;"><b>Bumble bees at chilled temperature</b></p>	<ul style="list-style-type: none"> <li>- ES raised an issue as regards the detention at chilled temperature of dormant bumble bees, as their BCP for live animals are not equipped for cold storage.</li> </ul>
<p style="text-align: center;"><b>11</b></p>	<p style="text-align: center;"><b>AOB</b></p>	<p>(IT) Imports of consignments of meat from BR Italy requested that the current safeguard measures on meat and meat products from Brazil be reviewed.</p> <p>(BE) Movement of falcons used for falconry to the UK with their falconers and return to MSs. Question supported by DE, FR and ES. After assessment by G2 experts, the classification to determine the import requirements is as follows:</p> <ul style="list-style-type: none"> <li>• If the falcons are intended for shows, races, exhibitions, competitions, breeding or selling (cf. Art. 4(10) of Reg. 2016/429), they must be considered as captive birds according to Art. 53-61 of Reg. 2020/692.</li> <li>• If they are more than 5, they must also be considered as captive birds.</li> <li>• If they are less than 5 and have no contact with other birds, they can be considered as pet birds according to Reg. 2021/1933 and 2021/1938.</li> </ul> <p>(DE) Derogations of Art. 3 of Del. Reg. 2019/2074 (OCR/public health) applied to goods in relation to accompanying documents (official certificate and declaration), and channelling, not foreseen in Art. 180 and 181 of Reg. 2020/692 (animal health). COM clarified that export certificates for goods with animal health requirements are always required, and for this reason, there is no derogation in Reg. 2020/692 allowing not to have any certificate/declaration accompanying the consignments. On the other hand, it is possible to export without certificate certain goods with only public health requirements, such as fishery products exported to US. For this reason, such derogations were included.</p>