



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR HEALTH AND FOOD SAFETY

Food chain: stakeholder and international relations
Multilateral international relations

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NOTE FOR THE FILE

Subject: Summary Report of the Expert Group meeting on veterinary import controls
3 June 2019

Participants:

- Representatives from the Member States (MS) except Cyprus, France, Greece, Hungary and Malta.
- Representatives from Norway and Switzerland.
- European Commission (DG SANTE): B. Saimour (D2, chairman), J. Maciulyte (D2), F. De Dobbelaere (F4), C. Laso Sanz (D3), M. Klemencic (G2), E. Marin (G5) and I. Mulica (DG TAXUD).

COM welcomed MS to the meeting, presented the agenda, as enclosed, and added some other points raised by MS for discussion in the relevant chapters.

1. OFFICIAL CONTROLS REGULATION (OCR)

- **Re-designation of BCPs (Article 61)**

COM clarified that border inspection posts (BIPs) which are currently listed in Decision 2009/821/EC will be automatically re-designated as border control posts (BCPs) in TRACES NT with the same approved categories. However, MS will have to indicate themselves the additional specifications of Field 7 (cf. Annex II to Commission Implementing Regulation XXX/2019 on minimum requirements for BCPs).

In the case where MS would identify a need to suspend or withdraw BIPs, they should notify COM as soon as possible, and preferably until 3 months before the application date of the OCR, i.e. no later than 14 September 2019.

2. EVALUATION OF LAYOUTS FOR THE NEW OR MODIFIED BIP FACILITIES

COM explained that MS will keep notifying COM of any changes in the infrastructure or operation of the BCPs and inspection centres. The necessary information must include the layouts (including description of rooms/areas), the clarification on movements of staff and animals/goods, the written procedures and arrangements in place.

Even though MS must designate the BCPs when they are constructed and operational in accordance with Art 59 of OCR, COM will continue the current practice on providing advice to MS on the layouts of BCPs at the planning stage.

COM drew the attention of MS that the new provisions of Commission Implementing Regulation XXX/2019 (on minimum requirements for BCPs) clarify that storage facilities for bulk products (incl. liquid oils) must be separate between human consumption and non-human consumption. Currently, few BIPs are listed with the specific footnote indicating that they receive liquid fats and oils in bulk. For the other ones, the general approval for all categories means that they might also receive liquid oils, even if there is no available information on the relevant equipment and storage facilities for liquid oils. Therefore, when the new OCR will apply, COM invite MS to clarify in the additional specifications of Field 7 if the BCPs can receive bulk liquid oils or not.

3. UPDATE OF THE LIST OF BIPs

COM invited MS to present urgently comments and suggestions to the last draft amendment of Annex to Decision 2009/821/EC that will be presented for MS opinion and vote at the PAFF Committee in July 2019.

4. EU CUSTOMS SINGLE WINDOW - CERTEX (PRESENTATION OF DG TAXUD)

COM delivered a presentation on the EU Customs Single Window: Certificates Exchange project (EU CSW-CERTEX). This is an effort of COM to facilitate and improve the cooperation between the Customs and the other border authorities, by providing a non-paper environment of data exchange for the different certificates that need to be presented to Customs before release goods for free circulation. The first pilot project called EU Single Window started with the Common Veterinary Entry Document (CVED) for animals and products of animal origin, as well as Common Entry Document (CED) by customs IT systems in some MS. Other certificates, such as Certificate of organic inspection (COI), Forest Law Enforcement, Governance and Trade (FLEGT) and others are being added to the project. The project started in five MS in 2015, and it is expected to be expanded to more than twenty MS in 2019-2020. EU CSW-CERTEX for CHED certificates should be operational and used by customs throughout the Union before 1st March 2023.

5. FOOD FRAUD POLICY

COM delivered a comprehensive presentation on the notifications with suspicion of fraud received via the Administrative Assistance and Cooperation (ACC) system. COM highlighted the cases of illegal treatment on tuna, low quality of honey as well as fraudulent practices in the marketing of herbs and spices.

6. REQUIREMENTS FOR COMPLETING BOX I.7 OF IMPORT CERTIFICATES, IN CASE OF TRIANGULAR TRADE WITH THIRD COUNTRIES

COM explained that this question repeatedly arises for fishery products imported from different third countries. COM advised to follow the guidance initially agreed where the country of origin and the place of origin should indicate the certifying country. This trick is necessary as the current

model of import certificate is not suitable for triangular trade. For instance, where the products produced in COUNTRY 1 are sent to COUNTRY 2 for storage and further distribution to the European Union: box I.7 must indicate the certifying COUNTRY 2, box I.11 must indicate the place of dispatch located in COUNTRY 2, and box I.28 must indicate the establishment of origin located in COUNTRY 1.

As from 14 December 2019, the new model certificates referred to in Regulation (EU) 2019/628 will properly reflect the "real" country and establishment of origin, the certifying country and the place of dispatch.

7. TRANSFER OF FISH AND FISHERY PRODUCTS BETWEEN VESSELS FLYING A FLAG OF THE MEMBER STATES

Regulation (EU) 2017/1973 established the official controls and the model health certificate for fishery products caught by vessels flying the flag of a Member State and introduced into the Union after being transferred in third countries.

Some MS asked clarification on the conditions applying to fishery products which are transferred in high sea or seaport waters, without landing in third countries. COM recalled that, in such cases, a third country certificate is not required. If the second vessel flies the flag of a third country, the standard import rules apply:

- Border controls must be carried out in an approved BIP at the first point of entry in the Union;
- The second vessel must be listed if it is a factory, freezer or reefer vessel;
- A standard import certificate is required if it is factory vessel;
- A captain declaration is required if it is a freezer or reefer vessel.

8. LISTING OF FISHING VESSELS. RECONCILIATION OF INFORMATION USING CATCH CERTIFICATES

COM reminded the MS that the catch certificate cannot be systematically requested at every veterinary border check in BIPs. Catch certificates are covered by the IUU regulation established in Council Regulation (EC) No 1005/2008 and, consequently, they are systematically checked by the authority which is competent for the IUU regulation in each Member State. According to our current SPS legislation, only the health certificate can be systematically required. It is only in case of suspicion, according to Article 20 of Directive 97/78/EC, that the BIPs may request all necessary information, including catch certificates, in order to verify the existence of an infringement.

9. BRAZIL – THE STATE OF PLAY

The number of non-satisfactory consignments of poultry meat checked at the EU borders has decreased (from 10% in June 2017 to 4% in May 2019).

COM informed that the competent authorities of Brazil requested, where possible, to indicate in the RASFF notification the reference number of the batches rejected for *Salmonella*. This information is needed in order to ensure traceability in their investigations and further measures.

10. INDIA- THE STATE OF PLAY

COM informed that, following the audit on residue controls in India carried out in 2018, the Indian authorities were requested additional clarification and guarantees concerning actions taken in order to address all shortcomings found during the audit. Pending their answer, there is no reason to review the current safeguard measure applied for aquaculture products imported from India. The applications for listing new establishments processing aquaculture products will be considered only after the receipt of satisfactory guarantees.

11. AOB

a) Import conditions of certain animal by-products (gelatine as feed additive)

COM explained that the health certificate to import gelatine as feed material should also be used for gelatine as feed additive. It was clarified that gelatine not intended for human consumption may be imported into the EU only from the third countries listed in the appropriate lists following the type of gelatine (i.e. meat origin – third countries listed in part 1 of Annex II to Regulation (EC) No 206/2010 or fish origin – third countries listed in Decision 2006/766/EC) as laid down in point 5 of Table 1 of Section 1 of Chapter I of Annex XIV to Regulation (EC) No 142/2011.

b) Certificates for import of animal by-products from USA including the requirements on BSE

COM drew the MS attention to Regulation (EU) 2019/319 amending a number of certificates set out in Regulation (EC) No 142/2011 as regards TSE guarantees. The new models of certificates are valid as from 20 March 2019 but a transitional period applies till 30 September 2019 if the certificates were signed before 31 July 2019. The US competent authorities requested clarification in order to ensure uninterrupted trade. COM clarified that TSE guarantees are required for dairy products, while BSE guarantees are required for other products.

c) Import of “Century old eggs”

COM reminded that egg products are defined as processed products resulting of the processing of eggs in point 7.3 of Annex I to Regulation (EC) No 853/2004. Breaking eggs is not mandatory for considering the definition as egg products. Thus, “century old eggs” are considered as egg products and they must be subject to the import conditions of egg products (listed country, listed establishment, model certificate).

(signed)
D2 – Import Sector

Encl.: Agenda

Cc: Experts in 28 MS, Norway, Iceland, Switzerland, Faroe Islands + ESA
M. Hudson, S. Juelicher, B. Van Goethem, P. Colombo, B. Gautrais, A. Gavinelli, K. Van Dyck,
E. Zamorra Escribano, E. Thevenard, P. Loopuyt, D. Lange, S. Goux, J. McEvoy.

**EXPERT GROUP ON VETERINARY IMPORT CONTROLS LEGISLATION
“VETERINARY CHECKS”**

3 June 2019

– AGENDA –

- 1) Official Controls Regulation (EU) No 2017/625:
 - Re-designation of BCPs (Article 61).
- 2) Evaluation of layouts for the new or modified BIP facilities.
- 3) Update of the list of BIPs.
- 4) CERTEX (presentation of DG TAXUD).
- 5) Food fraud policy.
- 6) Requirements for filling in box 1.7 of the official certificates in case of triangular trade with the third countries.
- 7) Transfer of fish and fishery products between vessels flying a flag of the Member States.
- 8) Listing of fishing vessels. Reconciliation of information using catch certificates.
- 9) Brazil – the state of play.
- 10) India – the state of play.
- 11) AOB:
 - a. Import conditions of certain animal by-products (gelatine as feed additive);
 - b. Certificates for import of animal by-products from USA including the requirements on BSE.