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Directorate G - Veterinary and International Affairs
Unit G6 - Multilateral International relations

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NOTE FOR THE FILE

Subject: **Minutes of the Working Group on Veterinary Checks – 17 October 2011**

Present: **All Member States except Belgium, Lithuania and Portugal, plus Norway and Iceland (Switzerland did not attend). Commission Personnel (COM): DG SANCO: Patricia Langhammer (G6), Michael Glavin (G6), Catherine Iffenecker (G6), Matjaz Klemencic (G2), Wolf Maier (G7), Francesca Volpi (E5), Joseph Vitasek and Ana Ramirez Vela (F5), ESA: Janne Britt Krakhellen.**

Introduction

After the distribution of the Agenda, SE, DE and NL requested to add points A, B and E to I under the section Miscellaneous and COM added points C, D, J and K. No other points were added during the Working Group.

AGENDA

1. REVIEW OF REGULATION (EC) NO 882/2004 AND OF THE VETERINARY CONTROL LEGISLATION (E5/G6)
2. ARTICLE 24 OF DIRECTIVE 97/78/EC - RE-ENFORCED CHECKS – Draft Guidance Document Rev 6 (MG/PL)
3. TRACES ISSUES (KK)
4. UPDATE OF THE BIP LIST (PL)
5. AMENDMENT OF DECISION 2007/275/EC – Positive list
6. GENERAL REPORT FROM THE FVO, ON ISSUES IDENTIFIED DURING THE MISSIONS (ARV)

7. MISCELLANEOUS (PL/MG)
   - A) Import conditions for live insects and insect products (SE)
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1. REVIEW OF REGULATION (EC) NO 882/2004 AND OF THE BORDER VETERINARY CONTROL LEGISLATION (E5/G6)

COM said that following the last update in the July Working Group, there had been a period of reflection to consider the internal comments and those from Member States on the problems identified concerning the review of Regulation (EC) No 882/2004 and the possible solutions for a more holistic approach to import controls.

On recent developments, COM reported that import controls had been discussed at the last meeting of the Heads of Agencies held in the Netherlands in July 2011. This had resulted in the establishment of a Working Group (members are NL, UK, SE, FR BE, DK and HU) tasked with continuing the discussion on this topic. The NL had prepared the terms of reference and a roadmap consisting of

1) a debate in Member States at national level with all authorities concerned by the review of border controls on food, feed and live animals,

2) a two-day meeting hosted by DG SANCO in Brussels on 22 and 23 November (various COM services have been invited to attend as observers) and

3) the conclusions of this meeting would be reported back to the next Heads of Agencies meeting to be held in Poland on 7 and 8 December.

COM reported that they are preparing the Impact Assessment Report on the review of Regulation (EC) No 882/2004; the final report from the external contractor in relation to inspection fees has just been received. To finalise the Impact Assessment Report and to submit it to the Impact Assessment Board in December 2011, several Interservice Steering Group meetings will be held this autumn, the next one on 18 October. No separate Impact Assessment Report will be necessary for the review of the veterinary control legislation, as the changes made will not be that substantial and all will be included in the current report. COM will identify the simplification and efficiency gains which will come from the proposed implementing and delegated legislation.

NL said that they are working on their own discussion paper, expected to be circulated to Member States in November, including veterinary products, live animals and plants, and asked the Commission when they could expect to see a draft of the proposed text of the recast of Regulation (EC) No 882/2004 to which they could react.

COM replied that discussions are still ongoing on the 3 pillars (official controls on animals and their products, on products of non-animal origin and on seeds, plants and plant products) and views are still being collected and evaluated in order to draft proposals. COM explained that such a Regulation falls under the ordinary legislative procedure (previous co-decision procedure) and that Member States will see the proposed text once it is adopted by the Commission (Collège) and sent to the Council and the European Parliament, which is expected by the 3rd quarter of 2012; it is at this stage that Member States will have the opportunity to discuss the legislative proposal within the Council.

NL asked if any progress was made with the smaller task force groups covering specific border veterinary import issues for which Member States had indicated their interests to be represented.

COM explained that the task force meetings on specific issues would start in 2012 when it would be clear that all relevant empowerment provisions would be included in the Official Controls Regulation. In addition, it should be clarified by then, which specific issues these task forces could consider for detailed implementing or delegated acts. The current priority was to ensure all the necessary empowerment provisions are included in the basic act.

2. ARTICLE 24 OF DIRECTIVE 97/78/EC - RE-ENFORCED CHECKS

Following the discussion during the last Working Group, the TRACES team started work on the test environment in TRACES, to ensure the system can cater for what has been agreed in the Draft Guidance Revision 6.

COM made a presentation with some screenshots of the Re-enforced check programme in TRACES, which MS greatly appreciated because it made the system much clearer. MS asked for copies of the presentation. COM explained that in relation to the slide showing the laboratory tests imposed, this would be amended to reflect that re-enforced checks may also be applicable for physical checks which do not consist of laboratory analysis. There would also be access to overview information on the re-enforced check programmes to economic operators but this would be more limited in scope and was in the process of being developed. On next steps, this would involve a move from the internal test version into the public test environment, which means a new TRACES version 5.30 containing the re-enforced check module for test purposes will be released to MS. Each MS and each BIP will have access and will be able to participate in the testing stage of the re-enforced check module. DE asked if the BIPs will be able to exchange messages, it was explained that during the test period there will be no e-mail-notifications issued to the individual BIPs so this would not be required. All the details will be described in the relevant release notes to that version and the User Guidelines as to how to test the module will be included in the release.

COM asked MS to make use of the test facility as much as possible. The aim is to receive MS feedback for possible amendments or questions or improvements within 2 - 3 weeks. This would mean that at the end of the year, TRACES could go online with the re-enforced check programme and could be used in real time for all consignments arriving. Updated user guidelines will then be prepared for the Rasff and re-enforced checks in TRACES.

COM stressed the importance to use the test facility and to provide COM with as much feedback as possible by the middle of November. After revision, if necessary, of the Draft Guidance Revision 6, COM's intention is to present this document for information to the last SCFCAH of the year (6 December), before launching the real-time re-enforced check version in TRACES.

Following MS questions, COM clarified that there are 2 different periods: one "test the module" phase, which will last in total 4 - 6 weeks. There is no more need for some MS to be included in a "pilot project"; as all MS have the possibility to participate in the test. For the second period, the real-time re-enforced check version will be launched and should be used by everybody. Any experiences and feed back collected during the first year might lead to amendments of the re-enforced programme in TRACES and the Guidance document.

DK asked to include Illegal Unregulated Unreported (IUU) fishery activities in the fraud section of the document and COM asked for further information in writing. To initiate re-enforced checks based on IUU issues could create legal problems as not all BIPs have the mandate to carry out IUU based controls, but COM agreed to reflect on it.

3. TRACES ISSUES

COM informed MS that on the establishment lists in TRACES, there is now a warning message in case of self-suspension of establishments by a third country and in case of emergency measures in place, e.g. Decision 2008/866/EC: suspension of imports of certain bivalve molluscs (they have to be eviscerated or undergone a heat treatment) intended for human consumption from Peru. The warning text appears under the title of the list and the word "WARNING" appears in large diagonal letters on the page. This is to ease the work of the inspectors in the BIPs and to make them aware of any suspension of establishments in good time.

NL asked if the Decision number of the relevant safeguard measure could be included in the establishment list. COM agreed to clarify this although they felt this shuld be possible.

4. UPDATE OF THE BIP LIST

The last update of the Annexes to Decision 2009/821/EC was voted in SCFCAH on 08.09.2011 and is currently under the Commission's adoption procedure. Commission Implementing Decision 2011/707/EU was published on 28.10.2011 in OJ L 281 on page 29.

To date new requests for changes in the Annexes to that Decision have been provided only from NL. COM said that if no further requests were received within the two weeks following the WG, and if there is nothing urgent, no new amendment will be prepared before the end of the year.

COM reminded MS of the need to use the template to assist in transferring correctly any changes to the list of BIPs and of the e-mail addresses, to which any requests can be submitted:

sanco-consult-G6@ec.europa.eu or sanco-G6-imports@ec.europa.eu


Microsoft Word Document

5. AMENDMENT OF DECISION 2007/275/EC – POSITIVE LIST

COM explained that in the SCFCAH on 08.09.2011, they had presented a draft proposal of the list of animals and products of animal origin laid down in Annex I to Commission Decision 2007/275/EC (SANCO 12095/2001), which have to be presented for veterinary checks at approved border inspection posts upon their introduction into the territory of the Union. This had followed two MS requests in the July SCFCAH to update this list to take account in particular of developments in Union legislation regarding animal by-products as provided for in Regulation (EC) No 1069/2009. It also included several HS codes which had been added to several health certificates and thus were not in the positive list. In addition, the list should be updated to reflect properly the annual updates of the Customs Combined Nomenclature (CN) as provided for in Council Regulation (EEC) No 2658/87. Therefore the reference for the update was the new CN 2012 with the aim that the amendment to the positive list should be applicable from the same date as the CN 2012.

COM said that the changes in Annex I to Decision 2007/275/EC concerned mainly adapting changed CN codes, clarifying certain CN-codes, updating legal and explanatory references in column 3 and adapting the CN code list to those included in TRACES. This should help BIPs and customs staff to decide which animals and products of animal origin have to be checked at the BIPs approved under Council Directives 91/496/EEC and 97/78/EC. Following comments from AT, BE, FI, ES, PL, SE, UK and CH after the SCFCAH, the document was changed accordingly and MS were informed as to why several changes proposed by them could not be accepted.

COM subsequently presented Revision 2, which also contained changes requested by the Legal Service of the Commission, to SCFCAH for vote on 4th October where all MS agreed with the proposal.

Two MS (AT and UK) asked further clarification, in particular on the definition of the endpoint for certain animal by-products to be presented for veterinary checks. These were provided by the Commission and agreed.

6. GENERAL REPORT FROM THE FVO, ON ISSUES IDENTIFIED DURING MISSIONS TO AUDIT BORDER VETERINARY CONTROLS (ARV)

COM made a presentation detailing the issues of concern identified during FVO audits in Member State BIPs in the last few months.

CY was concerned when the person responsible for the load makes changes in the first part of the CVED 2 or 3 times; then the date of the CVED also changes. COM replied

that the BIP should know, when the first version of the CVED had been received and if it was in time.

The presentation raised a discussion on "sanctions" to apply to operators in case of late pre-notification. COM replied that a BIP is supposed to have a system for sanctions in place or to find other solutions to deal with delayed pre-notifications.

NL welcomed the presentation which should be done 2-3 times per year as the FVO should not only audit the Member States but also advise COM. NL is currently looking at fines but are not clear about the legal basis. There could be other ways to sanction delayed pre-notifications, e.g. no reduced physical check for the relevant consignment or full veterinary checks for transits or transhipments. They asked how other MS addressed this issue.

COM/FVO replied that sanctions are not requested perse but appropriate actions have to be taken (e.g. warning letters) to correct the shortcomings. It would also depend on the history of the relevant operator and if the relevant action taken does not lead to improvements, MS should find other solutions because late pre-notification is an infringement. The legislation does not prescribe everything but if non-compliances are identified, MS have to initiate corrective actions.

DE concluded that many points described in the presentations are not new, e.g. manifests, co-operation with competent authorities, and suggested that the requirements concerning these issues would be not clear enough in Regulation (EC) No 882/2004 and Directive 97/78/EC, and would need to be addressed within the review of the import control legislation.

COM agreed and explained as the review of Regulation (EC) No 882/2004 will be more general to ensure a harmonised application to all sectors, such details would have to be detailed in delegated/implementing acts. It was vital however that enabling provisions for all of the detailed requirements were included in the Review of 882/2004 and that MS should look to this initially to ensure that detailed rules could subsequently be drawn up. COM invited MS to reflect on these details for delegated and implementing acts for next WG on border veterinary controls.

7. MISCELLANEOUS/ DIVERS /VERSCHIEDENES (PL/MG)

A) Import conditions for live insects and insect products (SE)

Consignments of live insects (0106 49 00) and of dead insects or insect eggs for human consumption (0410), dead insects not for human consumption (0511 or 2309) to be imported into the Union need to be checked in a BIP.

Depending on the purpose of the insects, e.g. insects in petfood, the import conditions are harmonised in Regulation (EU) No 142/2011. For live insects and insects imported for other purposes, the import conditions are not harmonised and it is up to the MS to decide for national import conditions and the relevant BIP has to check that the relevant consignment is not intended for another MS.

COM had asked MS for their national import conditions and LT had replied that they do not have national rules for live insects. They had several consignments under the Animal by-products Regulations and the relevant health certificate laid down in Chapter 3 (B) was requested.

IT considers imports of live insects regulated by Directive 92/65/EC and as category "O". According to their national rules, they ask for a health certificate issued by the competent authority of the third country. Depending on the final use, the import is not always authorised and depending on the species (with our without transmissible diseases), they ask for the establishment authorised by the third country. COM asked if IT has a list of authorised third countries and IT answered that they had none and they decide on a case by case basis.

AT's national rules do not require a certificate; they ask the owner for confirmation of the origin. During the checks, the BIP can take further action, if there are risks for public/animal health.

In FR, checks are made in BIPs listed and no health certificates are requested as it would be difficult to find a veterinarian in the relevant third country to issue certification. They would see more risks in the plant sector as plant diseases could be introduced into the Union by insects.

UK applies the same rules as FR and requests commercial documents with information on the consignee and consignor. Like for FR, the insects of concern are the ones transmitting plant diseases.

COM concluded that veterinary checks in BIPs are applicable and SE was content with the information provided as they deal with insect only on an intra-EU trade basis.

DE asked if dead insects as foodstuff would be regulated as novel food and COM replied no and that national requirements would be applicable for importing insects as food. They would however look to this question further with colleagues responsible for this dossier in the Commission.

B) ABP Regulation: clarification of establishment lists (MK)

On request of one MS, COM clarified that since the enforcement of the Animal by-product Regulations (EC) No 1069/2009 and (EU) No 142/2011, the TSE/BSE attestation as set out in Section A of Chapter D of Annex IX to Regulation (EC) No 999/2001 is included in the relevant health certificate and no separate attestation needs to be requested by the BIPs. The TSE/BSE attestation is not necessary for category 3 material and derived products such as fresh and treated hides and skins, gelatine from hides and skins, fat derivatives and collagen – relevant health certificates referring to the TSE/BSE attestation will be changed accordingly.

COM explained Annex 2 to the Technical Specification document and clarified that for example crushed horns and hooves are not a final product and therefore need to be categorised in section III of the document. COM informed that the next ABP Working group will be held on 25 October 2011, where the Technical Specification document will be opened for discussion.

DE suggested publishing the Technical Specification on the page of the establishment lists and COM agreed to consider this suggestion.

FR asked how to fill in box 28 of the health certificate for the import of commercial samples, as the number of the establishment received the consignment should be recorded there. COM replied that Member States have different understandings, therefore this would need to be discussed in the above Working Group and the relevant certificate would need to be changed accordingly.

DE raised the problem of the difference of checks for food for exhibitions. COM clarified that for display items, susceptible to be eaten during public events, Art. 16(e) of Directive 97/78/EC is applicable. However, for any food for display only, which is not for human consumption according to the decision taken by the operator, Regulation (EU) No 142/2011 is applicable. Such downgrading of food to an ABP is irreversible as provided for by Article 2 of Regulation (EC) No 1069/2009. Such items should be accompanied by a commercial document and, after the event, they should be transmitted to the next event or sent back to the third country of origin or destroyed. However, in both cases, the products should come from approved third countries (for food requested by Directive 2002/99/EC, for display items as in Row 14 of Table 2 of Section 1 of Chapter II of Annex XIV to Regulation (EU) 142/2011). While the food for the exhibition does not need to be presented to a BIP, the samples for display need to be checked in a BIP.

Research and diagnostic samples must be accompanied by commercial documents and do not need to come from listed establishments, they need to be presented to BIPs as provided for in Article 27 (2) of Regulation (EU) No 142/2011, although no veterinary checks are necessary. Trade samples need a health certificate (Chapter 8 of Annex XV to Regulation (EU) No 142/2011) and need to be presented to the BIP for veterinary checks.

COM explained that, during FVO missions, difficulties with filling in the certificate for game trophies were found in cases of hides and bones, horns and hooves and that a solution for this will be discussed during the next ABP Working Group.

C) Establishment lists and the remark Aq

COM provided clarification on establishments, which produce **aquaculture products** (i.e. fishery products of farmed origin – such as fin fish and crustaceans) and are identified by the addition of an 'Aq' remark. The export of aquaculture products into the EU can only come from an establishment with this remark. In order for a country to be approved for the export of aquaculture products to the EU, it must have an approved residue monitoring plan (RMP) which provides guarantees equivalent to Council Directive 96/23/EC. Third countries with approved RMPs are listed in the Annex to Commission Decision 2011/163/EU. The RMP should cover farmed finfish and, if applicable, farmed crustaceans. Bivalve molluscs, although farmed, are not required to be included in the RMP (Annex IV, Chapter 3 to Directive 96/23/EC). Therefore, the 'Aq' remark in the table does not apply to them.. This procedure is in line with the general framework laid down in Arts. 12, 13 and 15 of Regulation (EC) No 854/2004.

The amended answer has been published on the following website:
http://ec.europa.eu/food/animal/bips/faq_en.htm

D) Situation of consignments from Iceland from 01.11.2011

COM explained that in accordance with the EEA Agreement, Iceland has to implement Regulation (EC) No 882/2004 and the 'Hygiene Package' as of 1st November 2011. In principle, from this date, all products of animal origin from Iceland should be treated in the same way as such products from Norway and no veterinary checks at BIPs would be necessary (as it is the case already for fishery products from Iceland).

However, there is currently no clear confirmation on the transposition and implementing status of the 'Hygiene Package' in Iceland. Therefore, COM is not yet in the position to advise MS that border veterinary checks on products of animal origin from Iceland will not be necessary anymore by 1st of November. COM therefore proposes MS to continue with the current practise: no veterinary checks for fishery products, all other veterinary consignments from Iceland should be checked at BIPs until MS receive further information from the COM.

After discussion, MS suggested, and COM agreed, to send a letter to Iceland (with copy to CVOs – sent on 28 October, as attached) informing them of the current position in relation to veterinary checks on products of animal origin coming from Iceland. Further advice to MS can be provided after the Icelandic reaction to that letter. ESA referred to problems with the legal bases from 1st November onwards and COM will look into it.


1209068 meat products from Iceland

E) Transhipment monitoring plan (Art. 3 of Decision 2011/215/EU) (NL)

COM explained that monitoring plans needed to be suitable for the specific port for which the derogation from 7 to 14 days is requested. Each port has its own communication arrangements in relation to arriving and departing consignments and the

monitoring plan needs to take these into consideration. The Italian example of a monitoring plan was presented in SCFCAH on 04.10.2011 and it is published on the relevant SANCO website:
http://ec.europa.eu/food/committees/regulatory/scfcah/controls_imports/index_en.htm

NL explained that the Italian monitoring plan is very good, but also complicated and too burdensome for them to replicate. NL hopes that transhipments will be included in Regulation (EC) No 882/2004 during the review and that more possibilities and less bottle necks will be provided to MS in this area. They explained that according to their industry most third country transhipments stay on their vessels. COM reminded that Decision 2011/215/EU is only applicable if containers are unloaded on Union territory, if they do not leave the transport vessel, no veterinary certificates are required to be checked. The monitoring plans have to been drawn up by each MS's competent authority, together with the relevant port authorities, as they have to refer to the individual situation in a special port, before they can be submitted to COM/SCFCAH.

F) Actions taken by MS in case of lack of pre-notification (NL)

As delayed notification is a recurrent finding in FVO reports, it is repeatedly discussed in the BTSF courses for BIPs that enforcement of correct implementation of pre-notification is necessary (see point 6). COM asked MS, what actions they take to enforce notification?
NL complained that there is no harmonisation in the application for sanctions throughout the Member States and they fear that if they start to issue fines not done elsewhere, then business would move to other MS.
CY stated that initiating court procedures would not be feasible but while a full physical check would be feasible in ports, this would not be the case for consignments transported by plane.
DK applies national rules, they issue warning letters and if there is no improvement, escalated sanctions are foreseen.
FR is working on introducing financial penalties and national rules should be adopted in 2012. They are doubtful for harmonised penalties as different risks should be addressed with different penal sanctions, e.g. fraud and introduction of a health risk are serious issues.
SE applies a financial penalty (€40) for live animals and feed; as they noted that the relevant operators then comply with the requirements, they consider this amount as sufficient.
DE applies a fine system in all federal Länder. They state that it is not always clear who is to blame for late pre-notification and then it becomes difficult to impose a penalty. They normally start with a warning addressed to the customs agent but in practise it should go to the terminal operator who receives all information on arriving consignments. COM reminded that there is an obligation in place in the Modernised Customs Code for the importer/shipper to provide information on arriving consignments; so there might be a need to review communication obligations in the ports.
ES have implemented penalties, e.g. they make 100 % physical checks in case of late notification. They see problems arising in the case of transhipments, if a consignment at an airport is longer blocked than 12/48 as there is no importer involved and the right person to be addressed has to be found.

According to a judgment in NL concerning the DE comment on "who is to blame in case of delays", NL believes that the person responsible for the cargo is to be held responsible.

COM concluded that the most important issue is to identify the person responsible at thed time of identifying the problem and then to act accordingly. BIPs should be vigilant and they could best decide, what "hurts" the importer/person responsible for the load and how to manage the relationships. It is important that corrective action is taken in order to achieve improvements in relation to pre-notification.

G) E-certificate for re-imported products (NL)

NL informed that for their exports of agricultural products to China since 01.01.2011 no paper certificate is used anymore, but an electronic-certificate and the system was working well. Problems occur when a consignment is rejected by the third country and re-imported into the EU but not through a NL BIP, as in future there will be no paper certificate or copy available.

COM clarified that current EU legislation does not provide for electronic certification and according to the discussion concerning the review of Regulation (EC) No 882 this might also be applicable for exports. However, COM will try to address this within the review and relevant details maybe be reflected in an implementing act.

No other MS had yet initiated such a project. UK answered that, in such a case, if NL would accept to re-import such a consignment, it would be redirected to a Dutch BIP. AT added that the entry BIP should liaise with the competent authority of origin of the consignment because they should be in possession of a copy of the certificate.

COM concluded in referring to co-operation between competent authorities as provided for in Article 4 of Regulation (EC) No 882/2004 and the introduction of liaison bodies as provided for in Article 35 and 36 of the same Regulation, that the entry BIP would need to initiate the contact to get access to the relevant certification. COM explained that a list of "liaison bodies" should be created and made available on the internet.

H) Import of snails and snail products (NL)

COM introduced the point and said that **live snails**, independent if for human consumption or not, fall under Article 4 of Directive 92/65/EC. No EU rules have been laid down and national conditions are therefore applicable. In general, the animals have to be accompanied by self-certification issued by the operator stating that the animals in question do not at the time of dispatch show any obvious signs of disease and that the premises of origin is not subject to any animal health restriction.

For **chilled, frozen and processed snails and snail products** a health certificate is laid down in Appendix I to Annex VI part B to Regulation (EC) No 2074/2005 as amended by Regulation (EC) No 1664/2006. A third country list as laid down in part VI of the Annex to Decision 2003/812/EC and in part I of the Annex to Decision 2006/766/EC is applicable, however, there are no EU approved establishments listed and therefore bilateral establishment lists are applicable and the consignments are restricted to the relevant national market.

FR explained that for the import of live snails no particular provisions are laid down. There is no animal health risk, no certification is required, but consignments have to pass through the BIPs for registration of the movement. Currently there are no lists of registered establishments of origin, except for IT.

ES clarified that they ask for a health certificate but they do not have a specific model laid down. They also do not have a list of registered establishments of origin. DE informed that they have a certificate laid down, based on general requirements set out in Regulation (EC) No 178/2002 and the HACCP principles according to Regulation (EC) No 852/2004, but they do not have lists of registered establishments. UK informed that live snails intended for human consumption would be checked in the facilities of the product BIPs.

I) Import of feathers from China (ES)

Regulation (EU) No 142/2011 allows import of feathers if they have been treated according to the Regulation. To demonstrate this treatment a commercial document is requested, but operators sometimes present an official certificate. It seems that operators give an extra guarantee, which is basically acceptable; however, it has happened to ES that the certificates in some cases **were false**. COM reminded MS of the need to be informed if there is fraud, in particular if no Rasff is issued as it does not concern food-related fraud; but COM would like to take up such cases with the relevant third country of origin.

J) New name of Working Group and website publication (MG/PL)

COM informed MS that details on the aims and tasks of the Working Group for veterinary checks are published on the following website: http://ec.europa.eu/food/animal/bips/expert_group_en.htm

The name of the Working Group is "Expert group on Veterinary import controls legislation" and the aims are as follows;

- Advise the Commission on issues relating to veterinary import controls legislation, their implementation and development
- Exchange information, experience and good practice on veterinary import controls covered by EU legislation.

The tasks of the group are:

- Assist the Commission in defining policy and preparing draft legislative proposals;
- Give expert views to the Commission on all aspects of veterinary import controls legislation and guidance in developing a harmonised approach for both Member states and Stakeholders.

K) French presentation on the rules applicable to veterinary checks to be carried out on live animals and products of animal origin entering certain French overseas departments from third countries (FR)

FR explained that due to the distance of certain French overseas departments, prices for products from French mainland are high and these departments would prefer imports from their neighbouring countries because these products would be less expensive.
Unfortunately, following an FVO mission in 2006, it has been impossible to approve entry points in Guadeloupe and Martinique as BIPs. In addition, a new bridge will be finalised from Brazil to French Guiana, which will be opened at the beginning of 2012. To solve these problems, FR decided that products of animal origin and certain live animals would be imported under the same rules as if they would be imported in the French mainland. The only derogation from EU requirements would be the facilities of the veterinary entry points and in French Guiana a derogation concerning the documentary check in St. George at the border and the physical checks inlands in Cayenne. All animal products introduced in these three overseas departments would have to be consumed locally and will not be delivered to the Union market. As such, there is no real animal or public health risk for the Union, as currently the only goods moving to the EU are bananas. In addition the border from Brazil to French Guiana is currently hermetically sealed and there are no trade flows to French Guiana, which applies the same sanitary level as in FR mainland.

COM had distributed a working document, in which the entry points and procedure to be applied are defined and no further questions or comments were raised.

G6 – Import Controls

Encl: List of distributed documents

Cc: Experts in 27 MS, Norway, Iceland, Switzerland, Faroe Islands + ESA, B. Van Goethem, E. Poudelet, M. Scannell, B. Gautrais, M. Valletta, T. Gumbel, C. Garau, L. Terzi, A. Laddomada, K. Van Dyck, E. Strickland, J. Vitasek, G. Gallhoff, D. Carton, K. Kroon, P. Bernorio, W. Demel, M. Klemencic, L. Kuster, B. Logar, S. Cabot, J. Baele, L. Johanson, F. Volpi, S. Curzon, C. Bennett, A. Ramirez Vela, R. Matejcik, M. Dodic, I. El Busto Saenz, M. Cronin, A. Berends, K. Kadner, M. Wils, G. Jennes, D. Kjolsen, Unit G6.