



**Minutes from the Expert Sub-Group meeting with Member States
"Official Controls on animals and goods (including plants) entering the EU:
Delegated acts under Regulation EU 2017/625"**

Tuesday 10 July 2018, 09H30 – 12H00

Chair: Christian Juliusson, European Commission (COM)

Members: EU Member States (MS)

Observers: Switzerland

	TOPIC	BACKGROUND
	The Commission opened the meeting by presenting the developments since the last Sub-Group meeting on 20 June 2018.	
1	<p>Use of the CHED accompanying consignments to destinations: empowerment of article 50.4</p> <p>The Commission presented a draft act, which was generally well received.</p> <p>The discussion that followed mostly revolved around plants and the potential role and relevance of the plant health passport in this respect. Questions were also raised on IMSOC.</p> <p>The Commission clarified that plant and plant products fall within the scope of the Official Controls Regulation (OCR), that the CHED serves a different purpose than the plant health passport and that the original format of the CHED will be electronic in the future.</p>	Draft document shared with Member States ahead of the meeting
2	<p>Rules for specific official controls and for measures to be taken in cases of entry animals and goods following a refusal of entry by a third country: empowerments of article 77.1(h)</p> <p>The Commission presented a draft delegated act with some amendments based on MS comments received before the meeting. The discussions focused mainly on some technical aspects for entry of consignments of Union origin rejected to enter a third country. In particular, the discussions focussed on the issue about whether the empowerment of the Article 77.1(h) also covers the consignments which were refused for commercial reasons.</p> <p>The Commission provided clarification. It was concluded that there was a need to further develop the draft delegated act and to further clarify the scope of the empowerment. The Commission asked for additional comments from MS by 17 August.</p>	Draft document shared with Member States ahead of the meeting
	<p>Conclusion, end of the meeting</p> <p>The Commission requested written comments from the Member States on the matters addressed at the meeting to be submitted by 17 August 2018.</p>	



Minutes from the Working Group meeting with Member States

**"Official Controls on animals and goods (including plants) entering the EU:
Implementing acts under Regulation EU 2017/625"**

Tuesday 10 July 2018, 13H30 – 18H00

Chair: Christian Juliusson, European Commission (COM)

Members: EU Member States (MS)

Observers: Switzerland

	TOPIC	BACKGROUND
	The Commission opened the meeting by presenting the developments since the last Working Group meeting on 20 June 2018.	
1	<p>Operations to be carried out <i>during</i> and <i>after</i> documentary, identity and physical checks: empowerment of article 52</p> <p>The Commission presented a revised draft implementing act, taking into account the MS comments received before the meeting.</p> <p>The discussions focused on some technical aspects for documentary checks and identity checks. Member States expressed their views about physical checks, in particular as regards plants and plant products.</p> <p>The Commission provide clarifications and informed that Annex III of the draft regarding the performance of physical checks for plants and plant products will be developed in a special working group established by DG SANTE Unit G1. Its first meeting will take place on 5th September 2018.</p>	Draft document shared with Member States ahead of the meeting
2	<p>Frequency rates for physical and identity checks at BCPs: empowerment of article 54.3</p> <p>The Commission gave an update on the feedback received from Member States in relation to the discussion paper for the frequency rates for identity and physical checks at BCPs, previously circulated and presented at the working group meeting of 20th June 2018.</p> <p>In particular, the Commission pointed out that a small number of Member States had provided that feedback and that, within those Member States that replied, a few had only indicated their preference as regards the method to calculate the frequency rates (i.e. relating to the consignment or to the</p>	Draft document shared with Member States ahead of the meeting

	<p>category of goods). The Commission solicited the remaining Member States to send their written comments in order to have a more comprehensive understanding of their views.</p> <p>The Commission provided some clarification on the methods to calculate frequencies and how that calculation would be processed in IMSOC. In relation to the option of methods to calculate the frequency rates, the Commission agreed to circulate to Member States a brief paper to outline the pros and cons of both methods and examples about how to calculate frequencies.</p>	
3	<p>Intensified controls (+ isolation & quarantine): empowerment of articles 65.6, 66.2 and 70</p> <p>Since requirements as regards arrangements to comply with biosecurity standards and to avoid cross-contamination are already in place, and that additional minimum requirements for BCP's infrastructure and facilities will be established, Member States considered that there is currently no need to make use of the empowerment in Article 66(2) of the OCR.</p> <p>With one exception, Member States did not currently see a need for using the empowerment in Article 70 either, since no major inconsistencies had been identified as regards the decisions and measures taken by the Member States in cases of non-compliance. It was therefore agreed that those two empowerment should not be used for the time being.</p> <p>As regards Article 65(6) and the implementing act on intensified controls, Member States were informed that the discussion will resume at a later stage in the near future.</p>	<p>Draft document shared with Member States ahead of the meeting</p>
4	<p>Border Control Posts (BCPs) facilities: empowerment of article 64.4 Listing of BCPs: empowerment of article 60.2</p> <p>There was a detailed discussion of the draft working paper in order to address any outstanding issue.</p> <p>The Commission provided some clarification in relation to the wording of certain articles. In particular, discussions focussed on separation requirements at BCPs where certain Member States highlighted the need to enable the continuation of current practices.</p> <p>It was concluded that the draft working paper had progressed enough for discussion in the PAFF committee.</p>	<p>Draft document shared with Member States ahead of the meeting</p>
6	<p>Prior notification empowerment of article 58b</p> <p>While the majority of Member States clearly supported the proposal made by the Commission (one working day as a general minimum requirement, and the possibility to request notification four hours before arrival of consignments transported by air) some requests for further flexibility were made by a number of Member States. In particular, it was suggested that the</p>	<p>Draft document shared with Member States ahead of the meeting</p>

	<p>four-hour rule should be extended to other means of transport.</p> <p>The Commission agreed to take this into consideration and to come back at the next meeting, on 10 September 2018, with a final proposal.</p>	
	<p>Conclusion, end of the meeting</p> <p>The Commission asked the Member States to send any written comments on the matters addressed at the meeting by 17 August 2018.</p>	