



eCommerce control of food - OCR provisions and SANTE action plan

**Meeting between the EU Member States and the
European Commission
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NEW: Official Control Regulation

Article 36 on online sampling

1. In the case of animals and goods offered for sale by means of distance communication, samples ordered from operators by the competent authorities without identifying themselves may be used for the purposes of an official control.

Article 138 (2) on measures

Where the non-compliance is established, the competent authorities shall

(i) order the cessation for an appropriate period of time of all or part of the activities of the concerned operator and, where relevant, of the Internet sites it operates or employs;

Better Training for Safer Food (BTSF)

- **Training for control staff on e-commerce of food**
 - Since 2014
 - All Member States and EFTA
 - 200 participants trained (until 10/2016)
- **Advanced training for control staff on e-commerce of food**
 - Since 2016
 - All Member States and EFTA
 - Requirement for participation: expertise in online investigations
 - 30 participants trained

WG on the Strengthening of the Enforcement of EU Agri-Food Legislation on Internet Sales of Food

- Questionnaire to get insight in the level of official e-commerce control and the difficulties of enforcement
- First meeting of e-commerce network in May 2016
- Webinars of small wg to elaborate proposals
- Second meeting in December 2016

SANTE actions in 2017

- Adjustment of RASFF and AAC formats to the needs of eCommerce control
- Establish contact points with eCommerce platforms (e.g. eBay, amazon, alibaba)
- Establish cooperation agreements with third countries
- Fact-finding missions in 7 Member States
- Report on e-commerce control
- Workshop with MS on findings and best practices

SANTE actions in 2017

- Proposal for a Commission Recommendation for a Coordinated Control Action based on Art. 53 of Regulation (EC) No 882/2004
 - Food supplements
 - Non-authorised novel foods
 - Specific control and notification periods
 - Use of RASFF and AAC for notification of non-compliances
 - Maximum number of websites to be notified
 - Publication of results

Conclusions

- **EU legislation is harmonised, complete and ready for Digital Single Market**
- **Enforcement at different levels in the MS**
- **SANTE's actions designed to get all MS on board in the enforcement of EU Agri-Food Legislation on Internet Sales of Food**