

Official Controls Regulation (OCR) (EU) 2017/625

Feed and food of non-animal origin subject to temporary controls at BCPs

Ad-hoc meeting of the Advisory group on the food chain and animal and plant health

11/10/2018

DG SANTE - Unit D2

Multilateral international relations

Any views expressed in this document are the preliminary views of the Commission services and may not in any circumstances be regarded as stating an official position of the Commission.

Health and Food Safety



A modernised system for border controls

A common, risk based framework for border controls on all animals and goods entering the EU

Border Control Posts (BCPs)

replace

- Border Inspection Posts (BIPs)
- Designated Points of Entry (DPEs)





Minimum requirements for

facilities - equipment - staff

Data transmitted through **IMSOC** = integration of existing computerised systems

(including TRACES, RASFF, Europhyt)





Draft Implementing Regulation on temporary measures governing the import of certain feed and food of non-animal origin from certain third countries

Legal basis

Article 47(2) (b) OCR

List of goods subject to temporary increase of controls at entry into the Union

Article 53 (1) (b) Regulation 178/2002

Emergency measures (special import conditions) for certain feed and food of non-animal origin from certain third countries

Article 54 (4) (a) and (b) OCR

Rules on the frequency of identity and physical checks fog such feed and food

Health and Food Safety



Draft Implementing Regulation on temporary measures governing the import of certain feed and food of non-animal origin from certain third countries Objectives

Consolidation

Regulation 669/2009 + Emergency measures

Simplification

- Frequency of checks
- Common rules and single model of health certificate

Food Safety

Reporting of MS through IMSOC

Continued relevance: biannual review



Section 1: Common provisions

- Scope exclusion of consignments of noncommercial nature
- Review of Annexes at least biannualy
- Frequency of checks
- 100% documentary checks (Article 54 (1) OCR)
- Identity and physical checks rules laid down in this IA pursuant to Article 54 (4) (a) and (b) OCR
- Rules concerning sampling and analysis



Section 2: list of goods subject to a temporary increase of controls + CN CODES (Article 47 (2) (b) OCR)

Based on current rules laid down in Commission Regulation 669/2009 with certain new requirements

Scope:

- goods listed in Annex I (goods other than feed and food of non-animal origin could be listed)
- only feed and food of non-animal origin intended for import (exclusion of FNAO in transit)





Section 3 – special conditions governing the import of certain FNOA from certain TCs (Article 53 (1) (b) GFL) – Emergency measures

Based on current rules laid down in Regulations (EC) No 884/2014, (EC) No 885/2014, (EC) No 2015/175 and (EC) No 2017/186

- Consignments must be accompanied by results of analysis and health certificates issued by the third country
- Possibility for the third country to issue health certificate in IMSOC or another electronic system



Legal framework for FNAO subject to checks at BCPs (1)

| Prior notification | by completing and submitting CHED in IMSOC prior to physical arrival (Art. 56 OCR) Language of the CHED – rules in IA pursuant to Article 58 (a) OCR based on existing rules Minimum time requirements in Implementing Act pursuant to Art. 58 (b) OCR: "one working day" flexibility: 4 hours in case of "logistical constraints" |
|--|--|
| Onward transportation | cases and conditions in Delegated Act pursuant to Article 51 (1) (a) OCR |
| Identity and physical checks at control points other than border control posts | cases and conditions in Delegated Act pursuant to Article 53 (1) (a) OCR |
| | |



Legal framework for FNAO subject to checks at BCPs (2)

Transhipped consignments => timel limits and arrangements for checks

(entering by sea or air transport, moved from a vessel or aircraft and transported to another vessel or aircraft in the same port or airport in preparation of onward travel)

rules in Delegated Act pursuant to Article 51 (b) and (c) OCR

- Checks at the BCP of final destination, but:
- Documentary checks may be performed at BCP of transhipment on a risk basis where the transhipment period is longer than 90 days

Consignments in transit



FNOA in transit will not subject to mandatory checks at BCP



Legal framework for FNAO subject to checks at BCPs (4)

Details of documentary, identity and physical checks

in Implementing Act pursuant to Article 52 OCR based on requirements in current legislation

Documentary checks

100% (Article 54 (1) OCR)

Frequency of identity and physical checks



rules laid down in Implementing Act pursuant to Article 54 (4) (a) and (b) OCR



Legal framework for FNAO subject to checks at BCPs (5)

Cases where CHED must accompany the consignment to the place of final destination

a copy of the CHED (in paper or electronic format) =>
Delegated Act pursuant to Article 50 (4) OCR

Release for free circulation

Article 57 (2) OCR => customs shall only allow the release for free circulation upon presentation of a duly finalised CHED



Legal framework for FNAO subject to checks at BCPs (6)

Splitting of consignments

Article 50 (3) OCR=> splitting is allowed only after finalisation of the CHED

If the consignement is split, the CA at BCP must issue an authenticated paper or electronic copies of official certificates and of the CHED (Article 50 (2) OCR)

Measures in case of Non -compliance

Article 66 OCR

- -destruction
- -re-dispatch
- Special treatment



See SANTE website for more information:

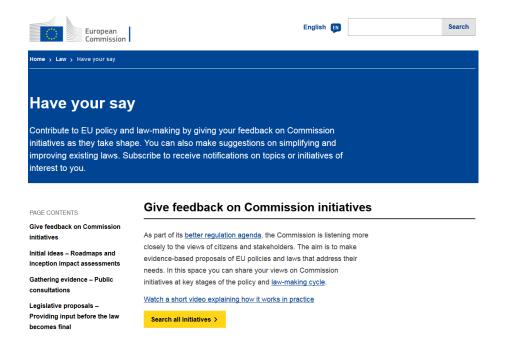


http://ec.europa.eu/food/safety/official_controls_en





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