



**MINUTES of the EXPERT SUB-GROUP MEETING of MEMBER STATES**  
**"Official Controls on animals and goods (including plants) entering the EU:**  
**Delegated acts under Regulation EU 2017/625"**

Brussels, 20 June 2018, 09.30- 18.00

**Chair:** Andrea Gavinelli Head of Unit, European Commission (COM),

**Members:** EU Member States (MS)

**Observers:** Norway.

|   | <b>TOPIC</b>   | <b>BACKGROUND</b>   |
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|   | The COM updated on the progress of different files and timelines on delegated acts on imports. The work plan for 2018 – 2019 focusses notably on delegated acts, due to Parliament recess starting in March 2019. The COM anticipated the risk of very little (or none) adjustment period for Member States to adapt to the requirements laid down in the delegated acts which will be adopted at the end of 2019.   | Ppt on-line   |
| 1 | <b>Specific rules for controls at BCPs (onward transportation, transit and transshipment): empowerment of article 51</b><br><br>Commission provided feedback to the MS on their comments, in particular on the policy of transshipment and transit controls. The following policy issues have been clarified for example, harmonisation of time limits for all transhipped goods, approach to checks of plant consignments in transit and transshipment.   | Written comments from Member States received ahead of the meeting |
| 2 | <b>Use of the CHED accompanying consignments to destinations: empowerment of article 50.4</b><br><br>The Commission presented an annotated agenda, in which an initial approach was described as to how and when the CHED should accompany consignments to their destination. To a large extent, the discussion that followed revolved around plant health related matters, for instance as regards the potential role of the plant health passport in ensuring traceability.<br><br>Member States were invited to submit written comments by 4 July 2018. |   |
| 3 | <b>Rules for specific official controls and for measures to be taken and on measures in case of non-compliance: empowerments of article 77.1d (<u>wood packaging material</u>)</b><br><br>The Commission presented a draft delegated act. The discussion focussed mainly technical issues. The next step is to integrate upcoming MS comments, expected by 04 July. The revised draft delegated act will be represented on 11 September to MS.   | Draft document shared with Member States ahead of the meeting     |
| 4 | <b>Rules for specific official controls and for measures to be taken in cases of re-import animals and goods following a refusal of entry by a third country: empowerments of article 77.1(h) (<u>re-import</u>)</b><br><br>The Commission presented a draft delegated act. The discussions focused on conditions and animal health requirements for reimport of animals. The issue concerning relevant  | Draft document shared with Member States ahead of the             |

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|          | documents, in [particular for plants and plant products, time frame and guaranties required from third country competent authorities was raised by the Member States. The next step is to integrate upcoming MS comments, expected by 04 July. The agenda item will be discussed in technical meeting on 10 July and represented on 11 September June to MS   | meeting |
| <b>5</b> | <p><b>Exemptions of composite products from BCP controls: empowerment of article 48</b></p> <p>The Commission informed Member States that the Commission intend to propose that the transitional rules laid down in Regulation (EU) 2017/185, currently in force until 31 December 2020, should be prolonged in order to coincide with the entry of application of the new Animal Health Regulation (2016/429). As a consequence, the current public health conditions for composite products would apply until 21 April 2021, including the current list of exempted products in Decision 2007/275. This current list is suggested to be the basis for the new list of exempted composite products, to be laid down based on Article 48 of the Official Controls Regulation, which will apply from 21 April 2021.</p> <p>In addition, the Commission clarified that being exempted from border controls, under Article 48, does not mean being exempted from import conditions (i.e. an attestation should accompany the exempted composite products until their placing on the market).</p> <p>Member States, who were invited to submit written comments on this approach by 4 July 2018, will have an opportunity to discuss the list of exemptions at the hygiene expert group meeting on 6 July 2018.</p> |         |

**WORKING GROUP MEETING of MEMBER STATES**  
**"Official Controls on animals and goods (including plants) entering the EU:**  
**Implementing acts under Regulation EU 2017/625"**

|          | <b>TOPIC</b>   | <b>BACKGROUND</b>  |
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| <b>1</b> | <p><b>Border Control Posts (BCPs) facilities: empowerment of Art. 64.4</b></p> <p><b>Listing of BCPs: empowerment of Art. 60.2</b></p> <p>In connection to the above discussion, the Commission updated the Member States on the latest developments as regards the empowerment in Article 58b. In light of the written comments submitted by Member States, and renewed discussions within the Commission's services, it has emerged that the preferred way to proceed is to ensure the Member States' flexibility by using this empowerment accordingly.</p> <p>A draft article was presented, in which "one working day" for prior notification should be the main rule, while four hours could be accepted as a deadline for transports by air. A number of Member States immediately supported this approach, while other wanted to reflect further.</p> <p>Member States were encouraged to clearly indicate in writing, by 4 July 2018, whether</p> | <p>Draft document shared with Member States ahead of the meeting</p> |

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|          | they could support this article or, if not, provide detailed requested for further derogations from the main rule.  |   |
| <b>2</b> | <p><b>Operations to be carried out <i>during</i> and <i>after</i> documentary, identity and physical checks: empowerment of article 52</b></p> <p>The Commission presented a draft implementing act. The discussions focused on some technical aspects for documentary controls and Identity checks. Member States express comments concerning implementation of the physical checks in particular concerning physical checks on plants and plant products. The next step is to integrate upcoming MS comments, expected by 04 July. The agenda item will be discussed in technical meeting on 10 July and represented on 11 September June to MS.</p>  | Non-paper shared with Member States ahead of the meeting        |
| <b>3</b> | <p><b>Frequency rates for physical and identity checks at BCPs empowerment of article 54.3</b></p>  | Draft paper shared with Member States ahead of the meeting      |
| <b>4</b> | <p><b>Intensified controls (+ isolation &amp; quarantine) empowerment of articles 65.6, 66.2 and 70</b></p> <p>The Commission presented a discussion paper, in which the draft approach as regards coordinated intensified border controls was presented. The paper also contained some questions to Member States concerning the empowerments on isolation and quarantine and consistency in decision making. The approach as regards intensified controls was well received. In the short discussion that followed, on Member State suggested that a proper and harmonised exchange of information as regards intensified controls should be ensured, primarily through the IMSOC. Another Member State indicated a need for proper quarantine facilities for plants and plant products.</p> <p>Member States were invited to submit written comments by 4 July 2018.</p> | Discussion paper shared with Member States ahead of the meeting |
|          | <p><b>Conclusions, end of the meeting</b></p> <p>The chair concluded by requesting comments to the documents distributed by 4 July.</p>   |   |