



EU legislative framework on food import management and border control system

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EU Imports: Food and Feed Products

- *The EU is the largest importer of food and feed in the world*
- *It is a single market*
- *Intra-Union trade is only possible where there is:*
 - *a high level of safety,*
 - *uniformly applied,*
 - *to both food & feed produced in the EU and food & feed imports*

EU Imports: Food and Feed Products

- ***Legislative framework in place for production of food and feed, including import requirements and controls***
- ***General principles to carry out official controls are set out in Regulation (EC) No 882/2004***
- ***Supported by:***
 - **Public Health - Hygiene rules – Regulations 852/853/854/2004**
 - **Animal health rules - Directive 2002/99/EC**
 - **Plant health rules – Council Directive 2000/29/EC**



EU Imports: Food and Feed Products

- **Public and animal health import conditions and health certificates are also set down in individual EU product legislation**
- **Products of animal origin - detailed border import control requirements are in Council Directive 97/78/EC**
- **Food and feed of non-animal origin - detailed border import control requirements are in Regulation 669/2009, effective since January 2010**
- **So, what does the EU import and how/what controls carried out?**



Border Controls: Border Inspection Posts (BIPs)/Designated Points of Entry (DPEs)

What are BIPs/DPEs?

Entry points into the EU for imports of POAO (BIPs) or FNAO (DPEs)

All consignments of POAO must go to EU BIPs

Certain food of non-animal origin -subject to controls- go to DPEs



Border Controls: Border Inspection Posts (BIPs)/Designated Points of Entry (DPEs)

Requirements with respect to location, facilities, personnel and their ability to check accompanying documentation

BIPs must be approved and undergo regular audit's by the Commission's Inspection Service, the Food and Veterinary Office (FVO) in Ireland. They are listed in legislation

DPEs are designated and controlled by MSs and are notified to the European Commission who makes the lists available as they are notified.

No legal requirement to list DPEs



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Border Controls: Border Inspection Posts (BIPs)/Designated Points of Entry (DPEs)

27 Member States : 285 BIPs
EFTA (Norway and Iceland): 27 BIPs

Switzerland has an Agreement with the EU and has 2 BIPs

Faroës has an agreement with EU has 1 BIP

Approx 250 DPEs – Member States notify them to the European Commission



Border Controls: Border Inspection Posts (BIPs)/Designated Points of Entry (DPEs)

What controls are carried out at BIPs/DPEs?

Risk based controls

High Risk products such as products of animal origin and certain food and feed of non-animal origin must be checked at BIPs/DPEs

Other types of food products, certain foods of non-animal origin, may be deemed as low risk and only subject to controls at destination

Border Controls: Checks on POAO and FNAO

Checks	POAO	FNAO
Documentary	All	All
Identity	All	Specified rate
Physical	Specified rate reduced or re-enforced	Specified rate



Border Controls: Products of Animal Origin (POAO)

All products of animal origin are subject to controls at BIPs in accordance with Council Directive 97/78/EC

Import requirements include:

- ✓ **Authorised country**
- ✓ **Authorised establishment**
- ✓ **Accompanying certification**
- ✓ **Approved Residue Plan**

Border Controls: Products of Animal Origin Doc, ID and Physical Checks

Documentary	Identity	Physical (incl. Lab sampling)
<ul style="list-style-type: none">▪ Original document▪ Approved country / establishment▪ Correctly attested according to model EU certificates▪ In required language of the Member State of entry▪ Correctly signed and stamped▪ CVED presented prior to arrival of the consignment	<ul style="list-style-type: none">▪ Health mark▪ Approved country▪ Approved establishment▪ Packaging and labelling	<ul style="list-style-type: none">▪ Organoleptic (smell/taste)▪ Visual▪ Microbiological▪ Chemical▪ Environmental contamination▪ Residues and Heavy metals▪ Other checks

Border Controls: POAO Import Health Certificates

- Model health certificates are produced on the basis of EU import conditions agreed by Member States
- All model health certificates are provided for in EU legislation and are the only certificates accepted
- Each consignment must be accompanied by a health certificate
- All certificates must be the same as the models provided in the Trade Control Expert System (TRACES) which allows for full traceability of consignments

Border Controls: Products of Animal Origin

Physical Checks

Physical Checks, as part of the EU monitoring programme, are carried out on the basis of risk

Physical Checks may also be carried out as part of a re-enforced checks programme or where a suspect consignment is concerned

Safeguard measures or emergency measures may also take the form of a physical check at EU borders

Border Controls: Food and feed of non-animal origin (FNAO)

Certain food and feed of non-animal origin from certain countries are subject to controls at DPEs in accordance with Regulation 669/2009

Import requirements include:

- ✓ **Product description, CN Code, Country of Origin**
- ✓ **The perceived hazard and frequency of control is assessed on the basis of unfavourable/favourable checks/laboratory results**
- ✓ **Compliance in non-EU countries is assessed via FVO audits**

Border Controls: Food & Feed of non-Animal Origin Doc, ID and Physical Checks

Documentary	Identity	Physical (incl. Lab sampling)
<ul style="list-style-type: none">■ Commercial document■ Written in one of the required languages of the Member State as set down in EU law■ CED Presented prior to arrival of the consignment on EU territory	<ul style="list-style-type: none">■ Country■ Hazard■ Packaging and labelling	<ul style="list-style-type: none">■ Organoleptic■ Visual■ Microbiological■ Chemical■ Environmental contamination■ Residues and Heavy metals■ Other checks

Objectives of the review of Regulation 882/2004 adopted on 6 May 2013 by the Commission

Objectives

- **Simplify and clarify** the legal framework applicable to official control activities
- **Consolidate** the integrated approach across the **agri-food chain** in its widest meaning
- Ensure that MS **appropriately resource** control authorities through fees charged on operators

Main changes

- Broadened scope
 - Extended to plant health, plant reproductive material, animal by products, plant protection products
 - **Risk based** official controls on **whole agri-food chain**
- Empowerments to lay down sector-specific official control rules
- Common rules for all controls carried out on animals and goods entering the Union

Main changes

- Extension of mandatory fees to most official controls
 - Transparent cost based fees
 - Exemption of microbusinesses
- Enforced and clarified administrative assistance and cooperation between MS in case of cross border non compliances
- New integrated information management system
 - To exchange all information, data and documents on official controls
 - Between CAs, Commission, operators

OCs on animals and goods entering the Union (1)

- Common set of rules for all controls on animals and goods (subject or not to specific controls at borders) entering the Union
- Risk based controls more broadly used
- List of categories of animals and goods subject to controls at Border Control Posts (BCPs) + empowerments to:
 - Establish detailed lists (CN codes)
 - Exempt specific animals and goods (e.g. commercial samples, pet animals)

OCs on animals and goods entering the Union (2)

- Border control posts (BCP)
 - BIPs, DPEs, points of entry become BCPs
 - Minimum requirements (common + sector specific by implementing acts)
 - Designation by MS (FVO visit in some cases)+ MS list
 - Withdrawal and suspension of the designation (clearer rules)

OCs on animals and goods entering the Union (3)

- **Common Health Entry Document (CHED)**

Used:

By operators for mandatory prior notification of arrival

By CAs to record controls and decisions

By customs

For all animals and goods subject to controls at BCPs

- **Duly completed CHED for customs procedures**
- **Full electronic use**

OCs on animals and goods entering the Union (4)

- Common set of rules for animals and goods subject to controls at BCPs

Documentary and identity checks (all consignments)

Risk based physical checks

Empowerment for establishment of reduced frequencies for identity checks

Checks **at the BCP where the good is first presented**
(empowerment for establishment of exemptions)

OCs on animals and goods entering the Union (5)

- Actions in case of:
 - Suspicion of non-compliance
 - Non-compliance
- Cooperation:
 - With other authorities (including customs) and operators
 - To ensure access to relevant information and timely exchange (complete identification of consignments, decisions taken by authorities, etc.)