

Ministry of Agriculture

Import Food Regulations and Control in Hungary

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HUNGARY

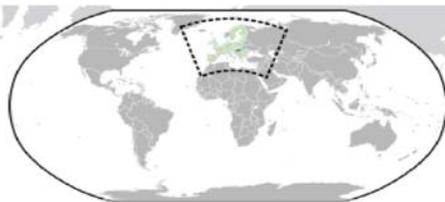
29 September 2016



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HUNGARY



Hungary is a landlocked country in Central Europe

Population: 9,877,365 (2014 estimate)
(in Budapest: 1 757 618)

Currency: Hungarian forint

Area: 93,030 km²

Calling code: +36



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Counties of Hungary (19)



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Hungary - Data on Agriculture

Territory: 93 036 sqm, from which

- pasture 9%
- arable 52%
- forest 21%
- other cultivated area 10%
- area out of cultivation 8%

Livestock (given in thousand):

- sheep: 1095
- bovine: 698
- swine: 3032
- chicken: 33006



Epidemiological situation of Hungary

- BSE negligible risk status - OIE, EU (2014)
 - Bovine tuberculosis- 2003/467/EC (2014)
 - Brucella melitensis - 93/52/EC (2004)
 - Peste des petits Ruminants (historical freedom) - OIE (2014)
 - Classical swine fever-2013/764/EU
 - Aujeszky disease - 2008/185/EC (2015/398/EC)
 - Avian influenza - OIE 2015 June
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Accession to the European Union

- Member of the European Union since 1st of May 2004.
- All the EU veterinary and food safety legislation has been adopted
- Active participation in the preparation and the update of the relevant legislation





The organization of the EU and the legislative process



Main EU Institutions

- **European Council** (decision making body)
 - **European Parliament** (decision making body)
 - **European Commission** (initiation and implementation)
 - **Committee of Regions** (advisory body)
 - **Economic and Social Committee** (advisory body)
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EU legislative acts

Compulsory legal acts

- Treaties
- Regulations
- Directives
- Decisions



Non-compulsory legal acts:

- Recommendations
- Opinions

Other:

guidelines



Lisbon and Delegated Acts - Article 290 TFEU

- legislators are granting extra powers (to amend basic acts) to the Commission for the sake of speed and efficiency
- they get extra control in return
- the Commission is granted the power to supplement or amend the non-essential elements of the basic act.





Lisbon and Implementing Acts - Article 291 TFEU

- The Commission (and the Council in specific circumstances) is granted the power to implement the legislative act (by a particular legal act) - „Comitology”
 - the Commission implements the fine details of the EU acts concerned vary in terms of frequency (many need to be performed regularly, e.g. to quickly respond to changes in a specific market) and political/economic/financial importance (**decisions on epidemiological situation!**)
 - Before implementation COM must consult a **committee where every EU country is represented.**
 - The committee provides an **opinion**, these opinions can be more or less binding on the Commission, depending on the particular procedure specified in the legal act being implemented
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Comitology procedures

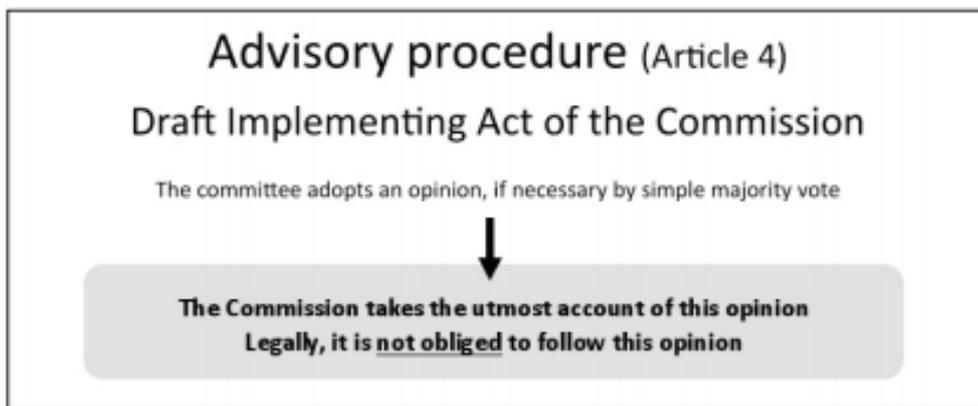
Regulation (EU) No 182/2011 of the European Parliament and of the Council laying down the rules and general principles concerning mechanisms for control by member States of the Commission's exercise of implementing powers

- Advisory procedure
 - Examination procedure
 - Regulatory procedure with scrutiny (PRAC)
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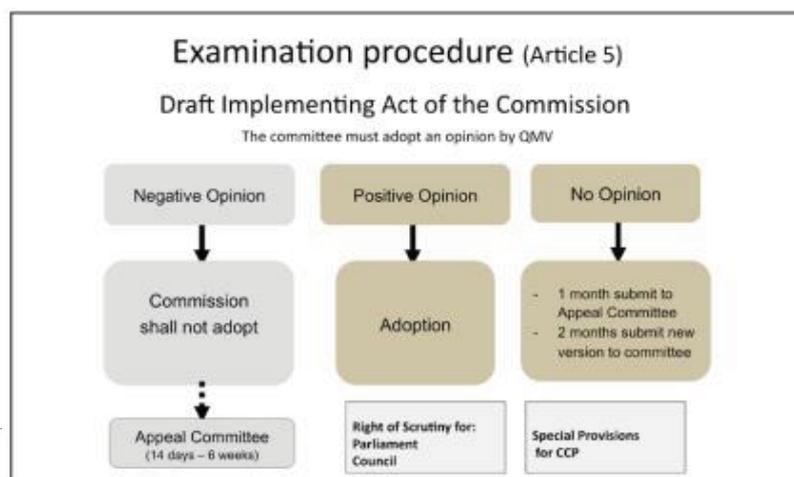
Advisory procedure

- As a general rule, apply for the adoption of all implementing measures not covered by examination procedure.
- It may also apply (in duly justified cases) for the adoption of implementing measures which are normally covered by examination procedure.



Examination procedure

- Applies, in particular, for the adoption of implementing acts of general scope; programmes with substantial implication, common agricultural and common fisheries policies, environment, security and **safety or protection of the health or safety of humans, animals or plants**, common commercial policy, taxation





Qualified majority

Two criteria:

- 55% of the Member States (in practice 16) are in favour
- Member States in favour represent at least 65% of the population of the EU

Blocking minority: at least 4 member states representing at least 35% of the population of the EU



Adoption of implementing acts in exceptional cases

- By way of derogation the Commission may adopt a draft implementing act where it needs to be adopted without delay in order to avoid creating a significant disruption of the markets in the area of agriculture or a risk for the financial interest of the Union within the meaning of Article 325 TFEU.
- It shall remain in force for a period not exceeding 6 months unless the basic act provides otherwise
- At the latest 14 days after its adoption, the Commission shall submit the act to the relevant committee in order to obtain its opinion.
- **Animal health:** e.g.: decisions due to an outbreak (restrictions)



Comitology in the veterinary and food safety area

- Standing Committee on Plants, Animals, Food and Feed
- Consists of the representatives of the 28 Member States
- chaired by the Commission (DG SANTE)
- Decision making
 - voting by qualified majority
- Observers and experts can be invited



Standing Committee on Plants, Animals, Food and Feed

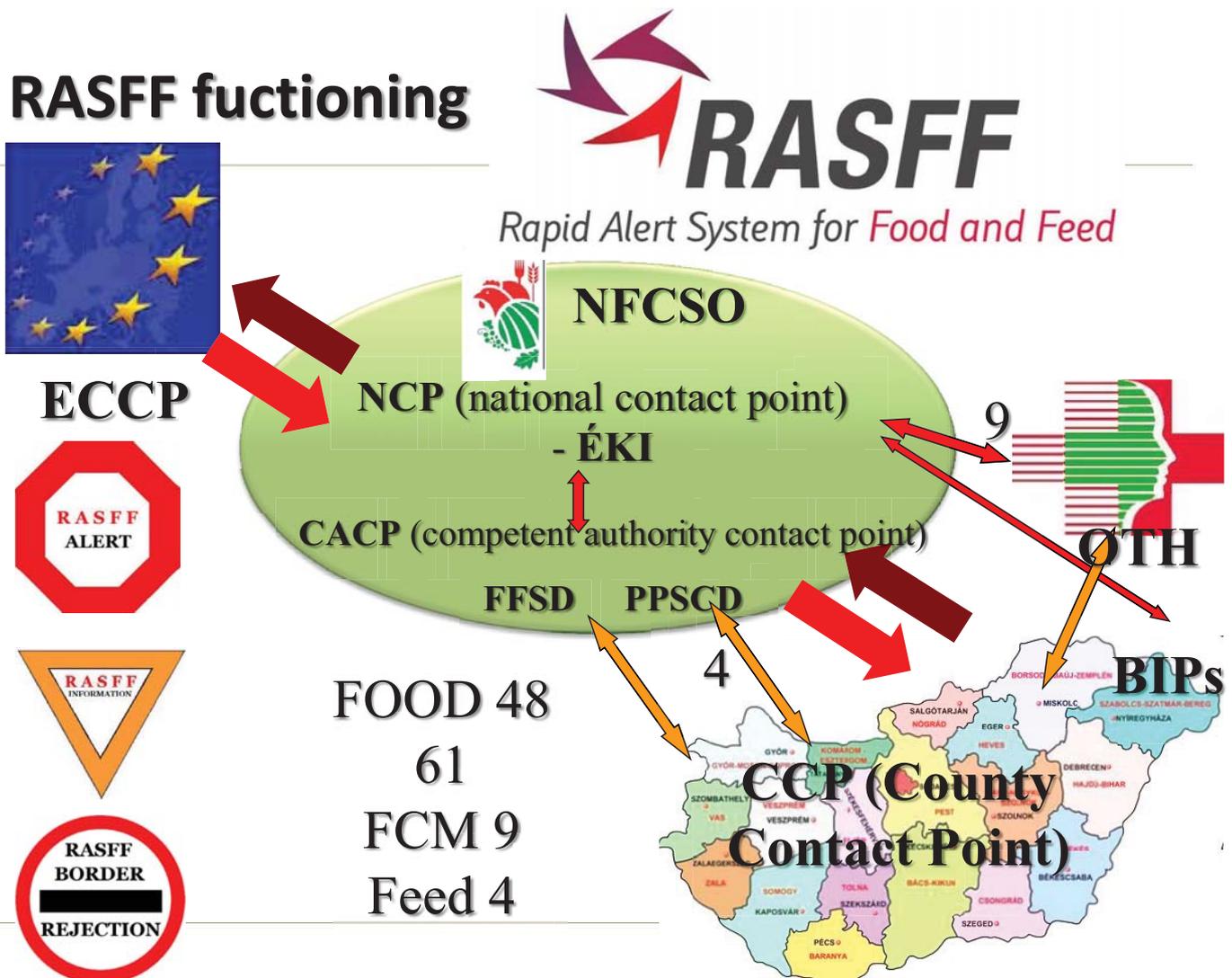
- Competency: **the whole food chain**
- Sections:
 - General Food Law
 - Biological Safety of the Food Chain
 - Toxicological Safety of the Food Chain
 - Controls and Import Conditions
 - Animal Nutrition
 - Animal Health and Animal Welfare
 - Genetically Modified Food and Feed and Environmental Risk
 - Phyto-pharmaceuticals
 - Plant Health
 - Propagating Material of Ornamental Plants
 - Propagating Material and Plants of Fruit Genera and Species
 - Seeds and Propagating Material for Agriculture and Horticulture
 - Forest Reproductive Material
 - Vine



EU veterinary and food safety legislation

- Single internal market - free movement of goods
- Harmonised rules for veterinary and food safety checks within the EU
- Systematic veterinary and food safety control of imported animals and products at the EU borders
- Harmonised import conditions
- Export not harmonised on EU level
- Special EU wide IT Systems (RASFF, TRACES)
- Agreements with non-EU countries

RASFF functioning





The EU Animal Health Law

- Regulation (EU) 2016/429 on transmissible animal diseases (Animal Health Law)
 - a part of a package of measures proposed by the Commission to enforce the animal health and safety standards for the whole food chain
 - a key output of the Animal Health Strategy „Prevention is better than Cure”



Benefits of the new Animal Health Law

- The huge number of legal acts are streamlined into a single law
 - Easier to focus on key priorities: preventing and eradicating disease
 - Responsibilities are clarified for farmers, vets and others dealing with animals
 - Greater use of new technologies for animal health activity (surveillance of pathogens, electronic identification and registration of animals)
 - Better early detection & control of animal diseases, including emerging diseases linked to climate change
 - More flexibility to adjust rules to local circumstances
 - Better legal basis for monitoring animal pathogens resistant to antimicrobial agents
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The structure of the food chain control authority in Hungary



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Single authority is responsible for – among others:

- Soil conservation



- Plant health and plant protection

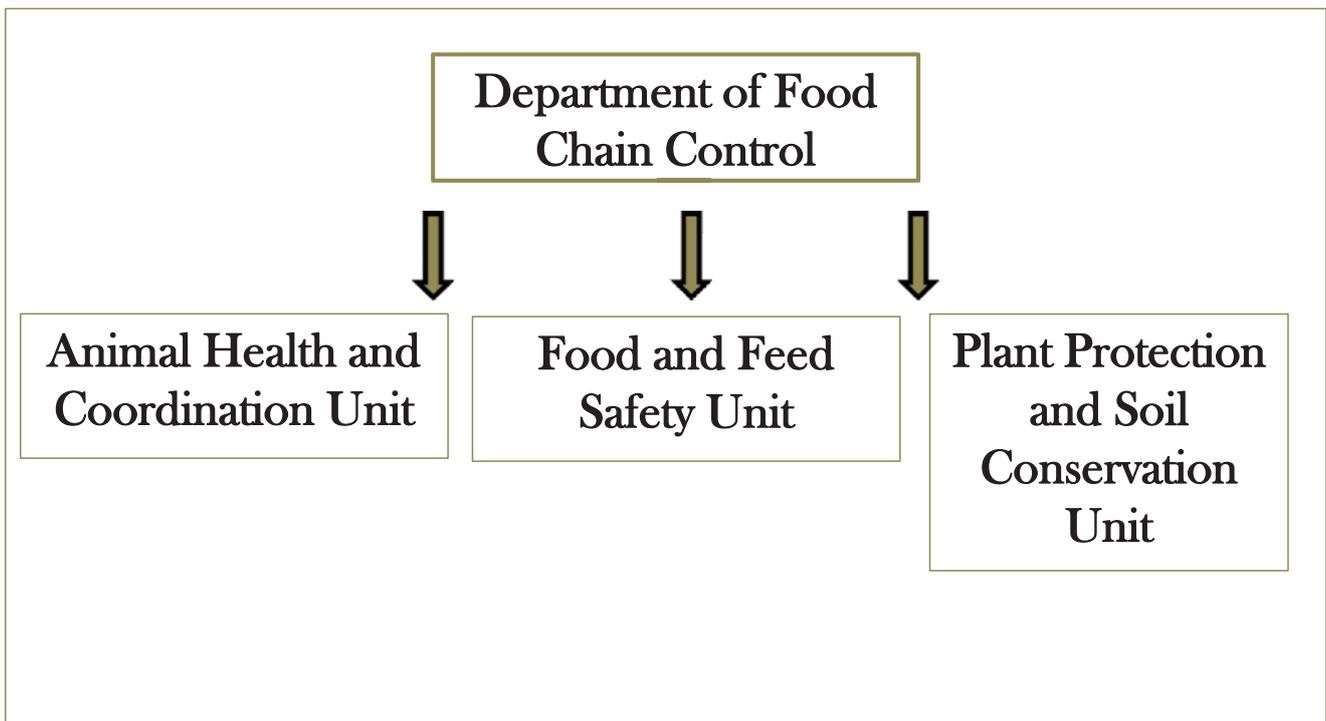
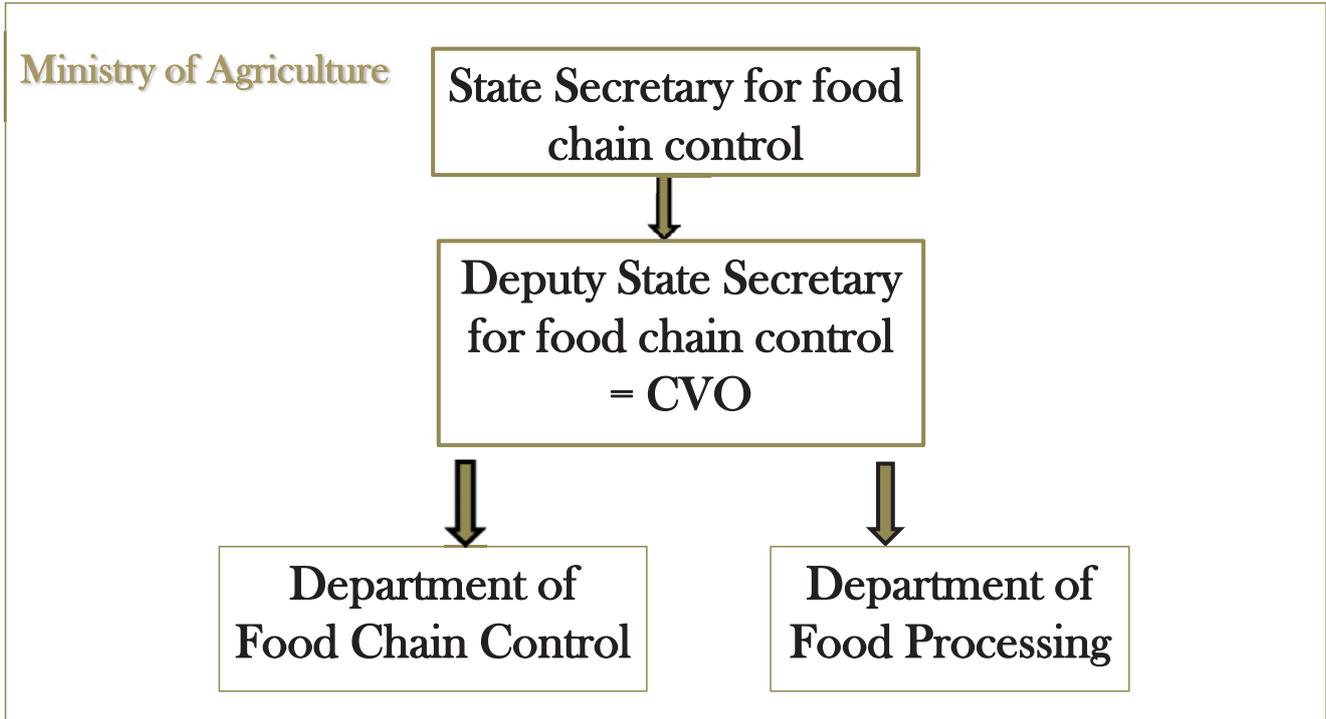


- Animal health and welfare (incl. BIP, animal ID, VMP)



- Food and feed safety (incl. GMO)







The Agriculture Minister is directing

- National Food Chain Safety Office (NFCSO)

- 22/2012 Gov. Decree

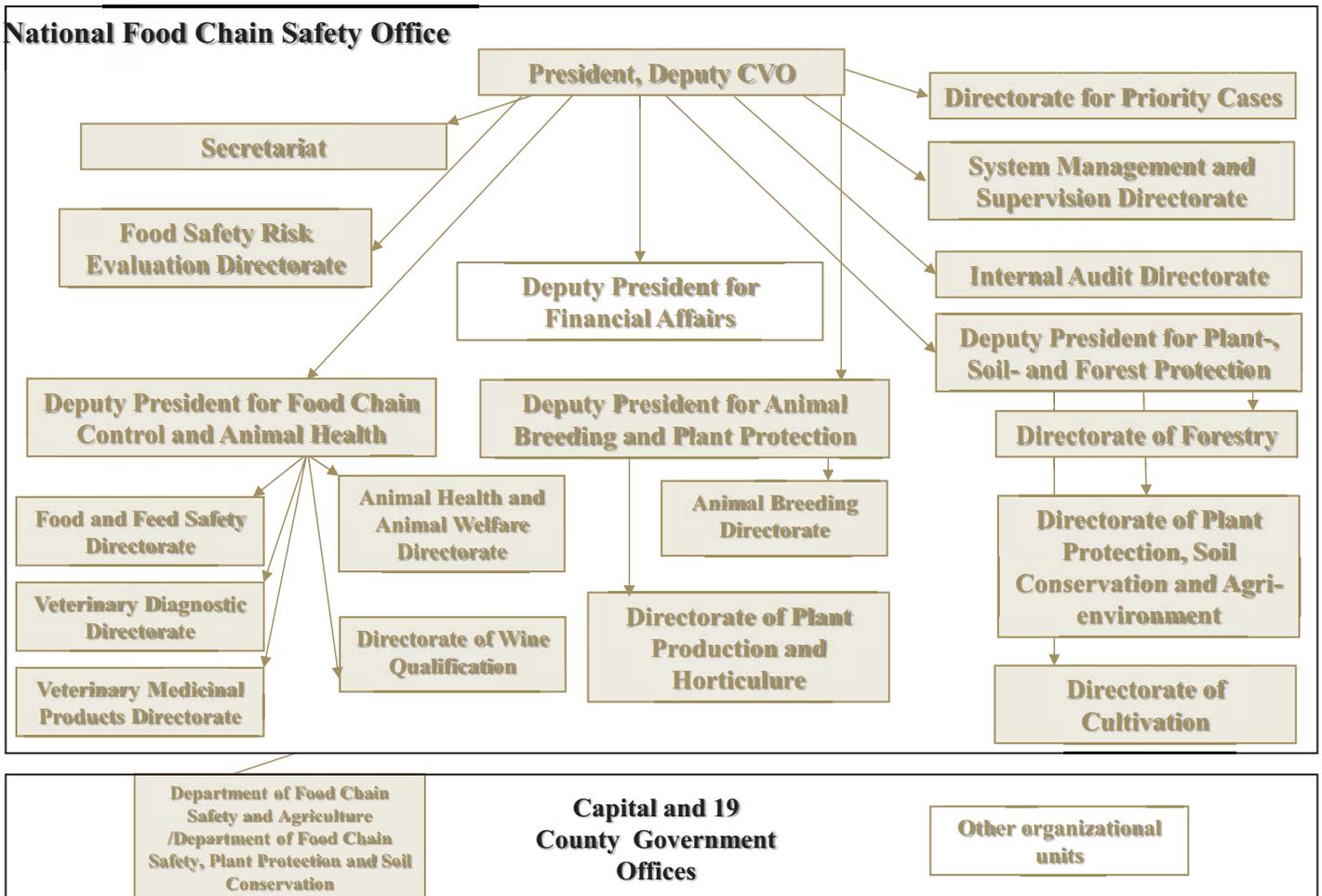
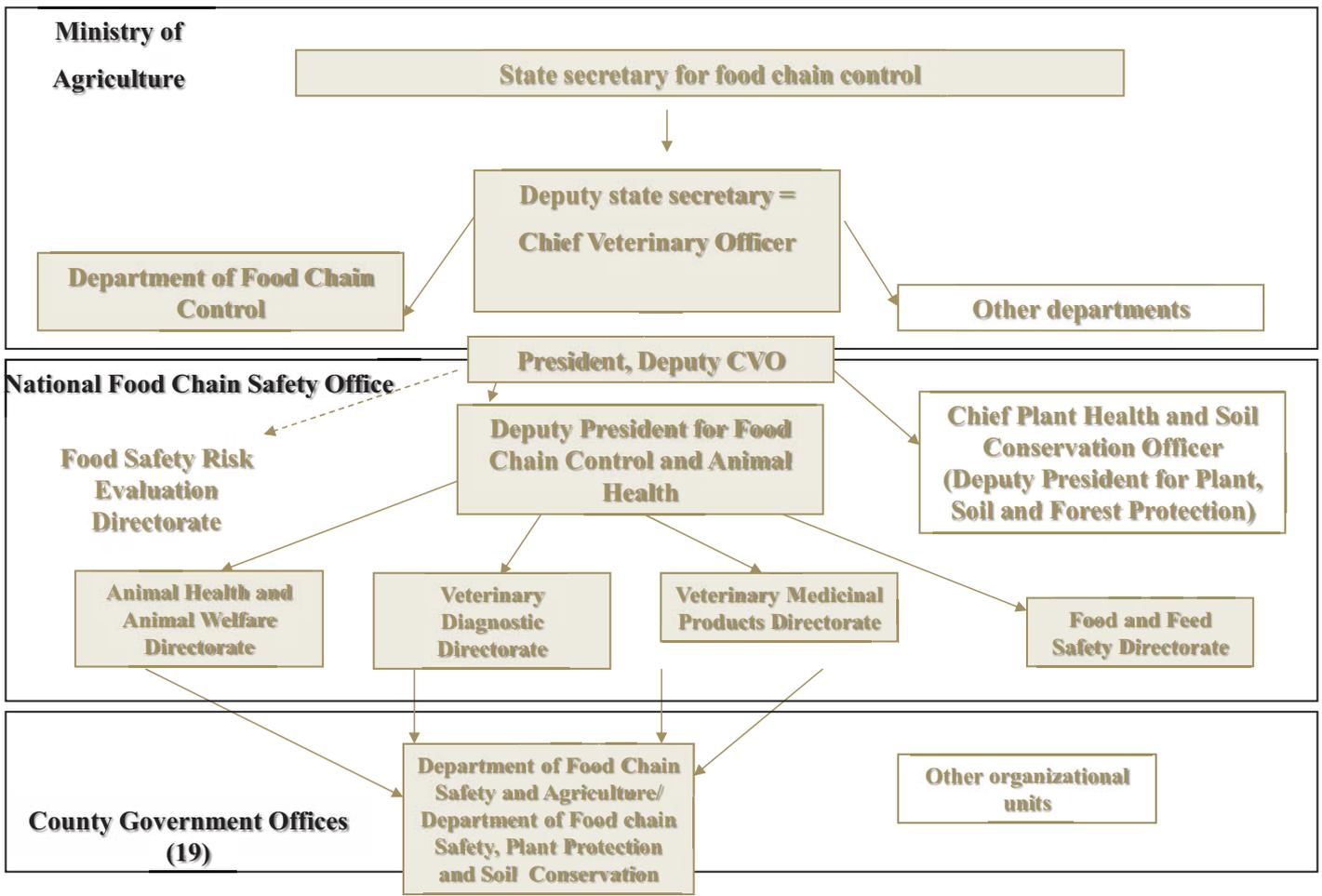
Instead of Central Agricultural Office as of 15 March 2012

The former Hungarian Food Safety Office continue work as Food Safety Risk Evaluation Directorate within the NFCSO



County Government Offices, administrative district offices

- As of 1 January 2011, regional administrative bodies have been integrated into county government offices.
 - (Administrative) districts and district offices were created as units of the government offices from 1. January 2013.
 - From 2013 district animal health and food control offices act as administrative units within the district offices
 - From 1 April 2015, the structure of county government offices changed again
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Structure of Food Chain Control

Central level	MA (Professional direction)		Prime Minister's Office (Public Administration)	
	CVO, Deputy State Secretary		State Secretary for Regional Administration	
	Legislation	Law enforcer	Legislation	Law enforcer
	Department of Food Chain Control	NFCSO	Department for Official Procedure Regulation	National Administration and Justice Office
Regional administration		NFCSO DPC		County Governmental Representative
		County Governmental Office DFCSAH		
Local administration		District Office, District Chief Veterinarian		District Office Director
		Official veterinarian		Government window - public administration customer office



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Thank you for your attention!

