



# **The Official Controls Regulation (2017/625)**

## **Import and export of animals and goods**

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# Replacing Regulation 882/2004

15 June 2016: Political agreement

19 December 2016: Council common position

15 March 2017: European Parliament adoption

**7 April 2017:**

Official Journal  
of the European Union





# Entry into force and application

Entry into force:

**27 April 2017**

Main date of application:

**14 December 2019**

(In some cases: 27 April 2018,  
27 April 2022 or 14 December 2022)

# Key principles

Simplification

Harmonisation

Efficiency

Transparency

The risk based approach is maintained



## Scope of the OCR (Art. 1.2)

Food and  
food  
safety

Feed and  
feed  
safety

GMOs

Animal  
health

Animal  
welfare

Animal  
by-  
products

Plant  
health

Plant  
protection  
products

Organic  
production

PDOs,  
PGIs,  
TSGs



# Structure of the Regulation

## General Principles **Articles 1 – 15**

Subject matter, scope & definitions, Competent Authorities general requirements

## Sector Specific Requirements **Articles 16 – 27**

e.g. products of animal origin, residues, animal welfare, plant health, GMOs, plant protection products, organic production, PDO/PGI/TSGs, new risks

<b>Art. 28–33</b> Delegation of tasks	<b>Art. 34–42</b> Sampling, analyses, tests & Diagnoses	<b>Art. 43– 76</b> IMPORT CONTROLS	<b>Art. 77-91</b> financing OC & official certification	<b>Article 92–101</b> EURLs & EURCs	<b>Art. 102–108</b> Administrative Assistance & Cooperation
<b>Art. 109 - 115</b> Planning + Reporting	<b>Art. 116 – 124</b> Commission Controls	<b>Art. 125 – 129</b> Conditions for entry into the EU	<b>Art. 130</b> Training (BTSF)	<b>Art. 131 – 136</b> IMSOC	<b>Art. 137 – 141</b> Enforcement

## Common Provisions - **Articles 142 – 167**

## Official Controls - General rules

identified risks associated with

- ❑ *risk basis*
- ❑ *all operators regularly*
- ❑ *appropriate frequency*

**past record** (results of official controls reliability and results of own controls)

- any **information** indicating non-compliance
- **food:** likelihood that consumers misled on
  - nature
  - identity
  - properties
  - composition
  - quantity
  - durability
  - country of origin/place of provenance
  - method of manufacture/production

- ☞ **animals and goods**
- ☞ **activities under the control of operators**
- ☞ **location activities/operations of operators**
- ☞ **use of products/processes/materials/substances** ⇔ **influence**
  - ☞ **food safety**
  - ☞ **integrity + wholesomeness**
  - ☞ **feed safety**
  - ☞ **animal health**
  - ☞ **animal welfare**
  - ☞ **plant health**
  - ☞ **environment** ⇔ **GMOs/PPPs**



# Fraud

## SCOPE

if Competent Authorities detect fraud  
=> control rules = applicable on marketing standards of agricultural products

## RISK-BASED CONTROL

Competent Authorities to consider if consumers misled on:

- properties
- quality
- composition
- origin indications

## PENALTIES

- reflect operator's
  - economic advantage
  - turnover
- protect whistle-blowers

## REFERENCE CENTRE FOR AUTHENTICITY AND INTEGRITY

- specialised knowledge
- detection methods
- vulnerability identification

## ADMINISTRATIVE ASSISTANCE + COOPERATION

- Member States to facilitate exchange of information between Competent Authorities + judicial authorities
- IT system



# Obligations

## authorities

- ✓ **official controls + activities (Art. 5)**
  - ✓ **Effectiveness**
  - ✓ **impartiality**
  - ✓ **quality**
- ✓ **documented procedures for official controls**
- ✓ **written records of every control (Art. 13)**

## operators (Art.15)

- ✓ **Provide information**
  - ✓ **name**
  - ✓ **legal form**
  - ✓ **activities**
- ✓ **access to computers + premises**
- ✓ **Assist + cooperate with competent authorities**

# 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) will replace the different Border Inspection Posts (BIPs) and Designated Points of Entry (DPEs)

Minimum requirements for facilities, equipment and staff qualifications will apply throughout all BCPs.

A single standard document (CHED) will be used by operators for the prior notification of consignments

Transmitted to the BCP through IMSOC which will allow for the integration of existing computerised systems (including Europhyt)



# Entry in Union

importer



## MS

## BCP

checks

- documents
- identity
- physical
- animal welfare

### Categories subject to border controls

- animals
- products (animal origin, germinal products, animal by-products)
- plants, plant products
- +
  - TCs requiring temporary increase (non-compliance)
  - emergency measure
- [Art. 53 178/2002](#)
- special import conditions

*initiate operator*

*complete competent authority*

## CHED



**Common Health Entry Document**  
single standard document

in IMSOC

MS controls determine:

- place (options provided)
- frequency
  - based on risk
  - likelihood
  - Compliance records
- QS + auto control measures



## Examples of legislation to be replaced by the DA

- Several articles of Dir. 97/78 and Dir. 91/496 (transit, transshipment, reimport etc.)
- Parts of Reg. 1069/2009 and 142/2011 (samples etc.)
- Reg. 576/2013 (pet animals)
- Dec. 2000/208, 2000/571 and 2011/215 (transit, transshipment, storage of non-conforming consignments, ship supply)
- Article 8 of Reg. 669/2009 (onward transportation)
- Parts of Reg. 136/2004 and Reg. 282/2004 (use of the CVED)
- Parts of Reg. 853/2004 and Reg. 854/2004 (derogations for fresh fish)
- Dir. 2000/29 (organisms harmful to plants)
- Reg. 206/2009 (personal luggage and postal consignments)
- Dec. 94/641 (Greek islands)
- Reg. 2012/44 (French DOM BIPs)
- Annex V of Croatia's Accession Treaty, Reg. 1069/2009 and 142/2011

# Border control procedures (IA)

*Provide stakeholders with a coherent set of rules in a single document, following the different procedural steps of entry into the Union*

Prior notification, exchange of information, model of the CHED

Presentation of consignments to the BCP

Operations to be carried out in BCP during and after controls

Risk based frequencies for identity and physical checks

Structural requirements for BCPs

Co-operation and exchange of information

Format, abbreviations etc. for listing BCPs

# Specific control rules (Article 77.1)

Fresh  
fishery  
products,  
directly  
landed

Unskinned,  
furred wild  
game

Vessels  
leaving the  
EU (ship  
supply)

Wood  
packaging  
material

Feed  
accom-  
panying  
animals

Distance  
sales

Plant  
products, on  
account of  
subsequent  
destination

Refusal of  
entry by  
3rd  
country  
(re-  
import)

Goods  
entering in  
bulk  
(plants)

"Neum  
Corridor"  
(HR-B&H-  
HR)

Animals and  
goods exempted  
in accordance  
with Art 48

## Animals and goods that may be exempted from controls at BCPs (**Article 48**)

Trade samples and display items

Scientific purposes

Consumed by crew and passengers

Personal luggage and for personal use

Small consignments sent to natural persons

Pet animals (non-commercial movement)

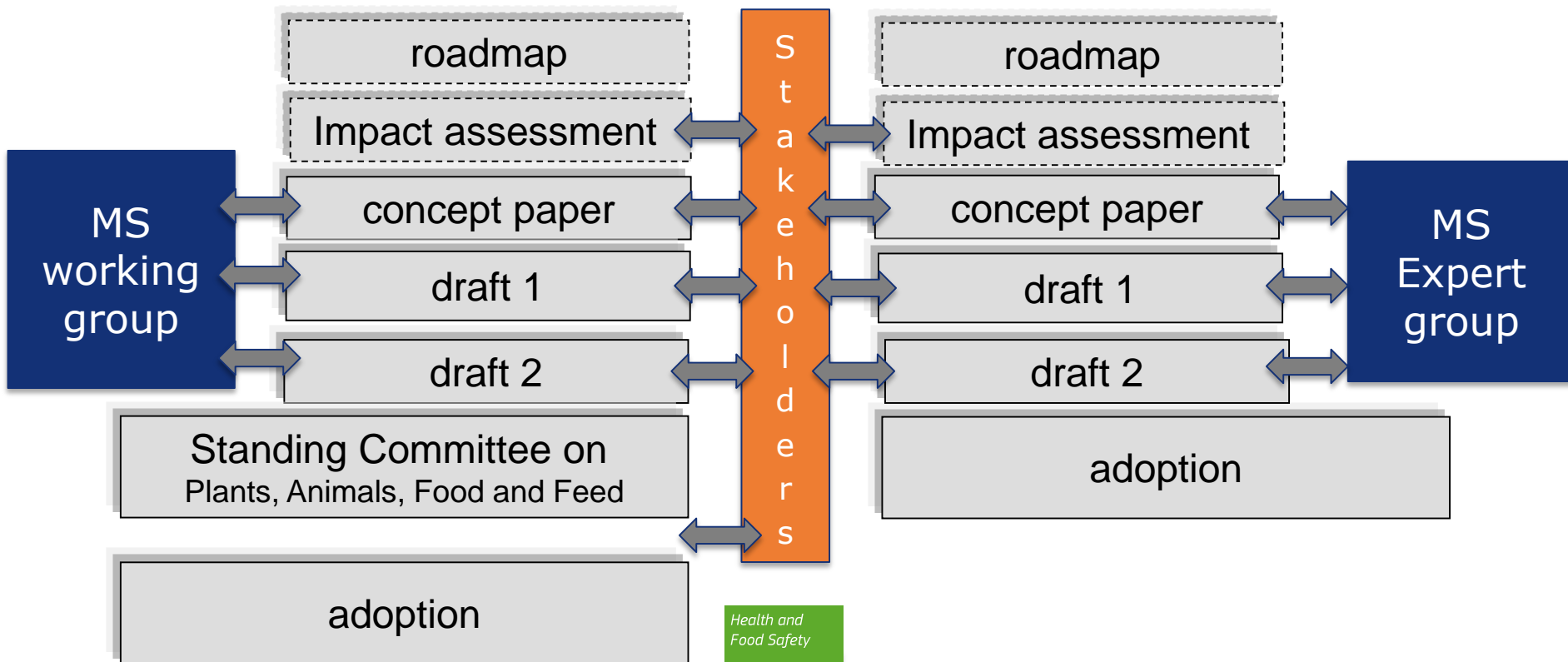
Specific treatment, not exceed quantities

Low risk or no specific risk (e.g. remote Greek islands)

# Process + stakeholder involvement (2)

Implementing Act

Delegated Act





# Official controls and export

**Reg. 882/2004:** *"Official controls shall be applied, with the same care, to exports outside the Community..."*  
(Art. 3.4)

**Reg. 2017/625 (14/12/2019-):**  
*"...apply to official controls performed for (...) animals and goods (...) to be exported from the Union"* (Art. 9.6)

Official controls carried out regularly, on a risk basis and with appropriate frequency

In case of non-compliance:  
Restrict or prohibit the export of animals and food/goods

# Clarity on official certification

The rules on official certification apply to *"official certificates which are necessary for the purposes of exporting consignments of animals and goods to third countries"* (Article 86)

Certifying officers shall be impartial and free from any conflict of interest and have received appropriate training

Signed by certifying officer + issued on grounds of direct knowledge and facts and data relevant for the certification

Commission is empowered to establish e.g. technical arrangements to ensure the issuance of accurate and reliable official certificates, and prevent risk of fraud

The competent authorities shall take all appropriate measures to prevent the issuance of false or misleading official certificates or the abuse of official certificates

Appropriate measures to be taken in the case of false or misleading official certificates or in the case of abuse of official certificates, e.g. the temporary suspension of the certifying officer from its duties

**No empowerments!**

# Financing

⇒ **Adequate resources for all types of controls!**

**Mandatory fees:**

- Slaughterhouses
- Cutting plants
- Milk products
- **Fishery products**

- BCPs**
- Animals
  - Products of animal origin, germ. prod, ABP
  - Plant + plant protection prod.
  - Request of operators
  - Follow-up non-compliance safeguard measures

Fees in Annex

Flat rate

Actual costs

- Cost elements:**
- Staff salary
  - Facilities + equipment
  - Consumables
  - Services of delegated bodies
  - Continuous training
  - Travel
  - Sampling + testing

**TRANSPARENCY:**

Make public e.g. the method and data used to establish fees, and the amount charged to each category of operators; stakeholders to be consulted on the general methods of calculation

**Optional fees: to cover costs**

**(No fees = covered by states' general expenses/budget/tax)**



# Further information

## DG SANTE website:

[http://ec.europa.eu/food/safety/official\\_controls/review/index\\_en.htm](http://ec.europa.eu/food/safety/official_controls/review/index_en.htm)