



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR HEALTH AND FOOD SAFETY

Food chain: stakeholder and international relations
Multilateral international relations

Brussels,
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NOTE FOR THE FILE

Subject: Summary Report of the Expert Group meeting on veterinary import controls
20 November 2017

Participants:

- Representatives from all Member States except Cyprus, Greece, Luxembourg, Malta and Romania.
- Representatives from Norway and Switzerland,
- European Commission (DG SANTE): B. Saimour (D2, chairman), J. Maciulyte (D2), D. Lacinski (D2), A. Eftimie (D2), C. Juliusson (G3), D. Howe (G3), L. Rantamaki (F4).

Introduction:

COM welcomed MS to the meeting and presented Jolita Maciulyte, newcomer in the import sector of D2.

COM presented the agenda, as enclosed, and added some other points raised by MS for discussion in the relevant chapters.

1. OFFICIAL CONTROLS REGULATION

COM explained that documents and presentations given during this expert working group on veterinary import controls were already discussed in the expert group on official control regulation (OCR) which took place in Brussels on 27 October 2017. Even though discussion on OCR related issues will continue to be discussed through the expert group on OCR on 15 December 2017, it was decided to have an additional discussion on veterinary points in this group.

a) Positive list (art. 47(2)(a))

COM presented a "non-paper" document establishing the list of animals, products of animal origin and animal by-products which should be subject to the border control posts (BCP) controls. It was underlined that this list is updated taking into consideration the last changes of the Taric code. In addition, COM explained that composite products and hay and straw, which are not products of animal origin, are excluded from the draft list so far, according to Article 47(2)(a) and Article 47(3) OCR. COM acknowledged receipt of MS comments to the document and will provide an updated document for the next meeting on OCR.

b) Distant BCPs (art. 64(2)) and partial withdrawal (art. 62(3))

COM presented a "non-paper" document on derogations for distant border control posts (BCPs) and for partial withdrawal and re-designation of BCPs. DE, NL, FR, IE provided comments. COM informed that the comments received from MS are under consideration and it will be presented again to the next OCR group meeting on 15 December.

c) Re-enforced checks (REC)

COM presented the summary of the discussions that took place in the BTSF training on re-enforced checks and enhanced controls organised in Grange, in October 2017. During that training COM obtained information that MS in general are satisfied with the Guidance document on re-enforced checks prepared by COM in 2012. Therefore, it was considered that most of the rules in the Guidance should be reflected in an implementing act under Article 65 of OCR, to be further developed during the course of 2018:

- All MS support the concept of 3 series of 10 consecutive consignments.
- REC should not be extended to regions, fishing areas or countries, considering that safeguard measures represent the best option in such cases.
- Most of the MS support the principle of the weight limit of 10%.
- Most of the MS support the current process where COM validates any new REC measures and any request of exemption.

d) CVED and import certificates

COM clarified that the drafts concerning the CVED and the import certificates have been put aside. They will be integrated in the implementing acts derived from OCR (art. 58 and 90), for which the discussions with the MS will start by the end of 2018.

e) Composite products

COM outlined the project on the future official controls of composite products at BCPs in the scope of Article 47.3 OCR. COM proposed the following approach to the MS:

- Composite products containing meat and composite products which are not shelf-stable would need an official certificate and standard BCP checks.
- Shelf-stable composite products would be subject to a declaration from operators (traceability information) and to simplified BCP checks (documentary check automated in Traces and very low frequency of identity and physical checks). In order to avoid a huge increase of border controls, this requirement would be compensated by an exemption list.

COM explained that the list of composite products, which are exempted from BIP controls, is currently laid down in Annex II to Commission Decision 2007/275/EC. Therefore, the MS are invited to reflect on the possible extension of that exemption list, based on risk assessment. The point will be discussed during the expert group meeting on official controls on 15 December 2017.

2. SITUATION IN BRAZIL

COM commented that a number of Brazilian establishments are under re-enforced checks regime. Some of them have been under imposing checks for a long time and are still dispatching non-compliant consignments. Therefore, COM requested the Brazilian authorities to provide additional information in relation to the measures applied in each establishment under re-enforced checks. In addition, COM is analysing the legal possibilities in order to delist those establishments pending the outcomes of the Brazilian action plans.

COM recalled the issue concerning the methods of analysis mentioned in the additional attestations accompanying the consignments of poultry meat, poultry meat preparations and poultry meat products coming from Brazil. The Brazilian attestations indicate other methods of analysis than those referred to in Regulation (EC) No 2073/2005 (i.e. AOAC 2013.1, AOAC 2011.03, AOAC 2013.09, AOAC 2016.01, AFNOR BIO, etc.). In that respect, COM has requested the Brazilian authorities to provide additional information to demonstrate that those methods could be used as alternative methods according to Article 5.5 of Regulation (EC) No 2073/2005. Meanwhile, in order to avoid any undue disruption at the EU borders, it is recommended to continue accepting the additional attestations which indicate other methods of analysis than those referred to in Regulation (EC) No 2073/2005.

3. RE-ENFORCED CHECKS

COM presented the overall annual statistics (data) corresponding to:

- Launch of new RECs by COM and MS (104 RECs in 2017 (81.3% of total) started at the request of MSs and 24 (18.8% of total) by COM).
- Overview of the requests sent by the MSs to COM to exclude consignments from the re-enforced controls (663 cases in 2016).
- Breakout of categories of commodities for which most often the requests for exclusion from re-enforced checks by MS were submitted (cooked molluscs for norovirus, poultry meat and Salmonella, surimi and allergen particulars).
- Detailed requests for exclusions (year-quarter-month) for the commodities originating from Brazil.

4. FACT-FINDINGS MISSIONS ON ASF

COM (Directorate F) gave a summary presentation on the fact-finding missions on African Swine Fever (ASF) carried out in August 2017 in eight MS bordering Russian Federation, Belorussia and Ukraine. The amounts of prohibited meat and milk products seized or surrendered voluntarily by travellers show that the controls are necessary. The controls on cleaning and disinfection of livestock vehicles remain an area of concern. During fact-finding missions, MS visited suggested several changes to the current legislation regarding the controls on ASF. Certain MS invited COM to consider new rules for cleaning and disinfection of livestock trucks. COM informed that legislation on the controls of ASF would be discussed in the respective working groups on the implementation of the new Animal Health Law.

5. NATO BASES

COM informed the MS about the recent meeting with NATO representatives who requested the possibility, for one NATO user (so-called exit BIP in TRACES), to supervise several NATO bases. As a result, the user's geographical address might no longer match the delivery address of consignments. COM clarified that this option is technically possible in TRACES. Nevertheless, before implementing that new procedure, it would be necessary to train again the NATO users and to obtain satisfactory results concerning the controls performed under the current procedure.

In response to the comment of several MS, COM undertook to check that the list of NATO bases in Annex II to Guidance on consignments in transit and transshipment matches the list in TRACES.

In reply to IT about the possibility to reduce the number of CVEDs for NATO consignments, it was explained that CN code 9930 (mixed consignments) is irrelevant in that case. DG TAXUD clarified that CN 9930 is limited to the statistical use of specific goods delivered to vessels, aircrafts and offshore installations.

6. AOB

a) Crocodile meat from Zimbabwe

COM informed that Directorate F carried out an audit in Zimbabwe in May 2017 to evaluate the control of residues and contaminants in live animals and animal products. As part of the evaluation, it was concluded that Zimbabwe fails to effectively implement the residue monitoring plan required by EU legislation, including the sector of crocodile meat production. Therefore, there are no reliable guarantees on the residue status of any product of animal origin eligible for export to the EU and COM thought that the information could be interesting for the MS importing crocodile meat under their national rules.

b) Update of BIP list

COM informed that the last update to the BIP list has been presented to MS for comments. The document will be sent for inter-service consultation and afterwards, presented to the Standing Committee on Plants, Animals, Food and Feed. COM reminded the MS to provide any new request by sending the relevant template to the e-mail address sante-d2-imports@ec.europa.eu.

c) TSE attestation for casings

COM explained that the new TSE attestation referred to in Regulation (EU) No 2016/1396 has been integrated in all concerned model certificates, except casings. As there is currently no possibilities to amend Decision 2003/779/EC, the only way was to directly copy and paste the wording of Regulation (EU) No 2016/1396 in the TRACES certificate. Unfortunately, the literal wording of the legal act may appear unclear in the certificate¹.

¹ For instance, the wording "*shall be subject to the presentation of an animal health certificate attesting that*" refers actually to the certificate itself and should be read as "*shall be subject to the following conditions*".

COM recalled that Regulation (EC) No 999/2001 is the legal basis allowing MS to request the TSE attestation which can be incorporated in or presented as a separate attachment to the model health certificate for casings.

d) Fish oil capsules in personal luggage

COM acknowledged that fish oil capsules can be brought into the EU in personal luggage following the requirements for fishery products in accordance with Regulation 206/2009. The good cooperation with Customs authorities should ensure that consignments of fish oil capsules are brought in quantities compatible for personal consumption and not to avoid BIP controls.

(signed)
D2 – Import Sector



Agenda Expert
Group 20-11-17.docx

Encl.: Agenda

Cc: Experts in 28 MS, Norway, Iceland, Switzerland, Faroe Islands + ESA
M. Scannell, S. Juelicher, B. Van Goethem, P. Colombo, B. Gautrais, A. Gavinelli, K. Van Dyck,
E. Zamorra Escribano, E. Thevenard, P. Loopuyt, D. Lange, S. Goux, K. Elliott, J. McEvoy, G.
Gallhoff, K. De Smet, P. Caricato, C. Laso Sanz, P. Bernorio, A.-E. Fuessel, M. Klemencic,
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**EXPERT GROUP ON VETERINARY IMPORT CONTROLS
LEGISLATION
“VETERINARY CHECKS”
20 November 2017**

– AGENDA –

- 1) Official Controls Regulation
 - a. Positive list (art. 47(2)(a))
 - b. Distant BCPs (art. 64(2)) and partial withdrawal (art. 62(3))
 - c. Re-enforced checks
 - d. CHED and import certificates
 - e. Composite products
- 2) Situation in Brazil
- 3) Re-enforced checks
- 4) Fact-findings missions on ASF
- 5) NATO bases
- 6) AOB
 - a) Crocodile meat from Zimbabwe
 - b) Update of BIP list
 - c) TSE attestation for casings
 - d) Fish oil capsules in personal luggage