

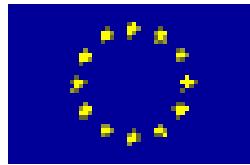
The EU System

Legislation concerning importation from
3rd countries of live animals & animal
products

A import conditions

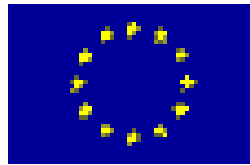
B import procedures

NGB D3 SANCO



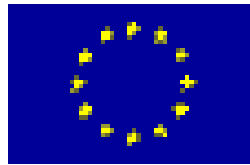
A Import conditions

- ❑ List of approved 3rd countries
Satisfactory Competent Authority & Animal Health & Public Health Status
(includes possible regions)
- ❑ List of 3rd countries with approved residue plans
- ❑ Harmonised certification
Animal Health & Public Health
- ❑ List of approved establishments



B Import procedures

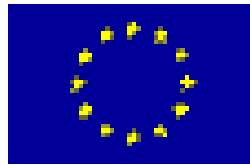
- Primary legislation
 - Live animals Directive 91/496/EC
 - Animal products Directive 97/78/EC
 - Financing official controls Directive 85/73 (being replaced)
- Linked to Intra Community Trade
 - Live animals Directive 90/425
 - Products Directive 89/662



Strategy for EU controls

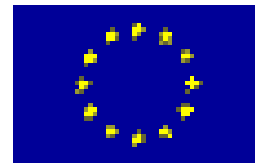
- Principle: All controls at external border

- Controls in border inspection posts
 - Under responsibility of official veterinarian
 - Close liaison with Customs Services
 - Certificates CVED issued
 - Subsequent Free movement in the EU



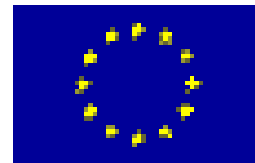
Live animals

- Primary Legislation - Directive 91/496
- Secondary Legislation - Commission Decision 97/794 Ex-sampling procedures
- Commission Regulation 282/2004 (as amended by Commission Regulation 585/2004) introducing the CVED for the declaration and veterinary checks on animals
- + Welfare of animals in transit
 - Directives 91/628/EEC as amended ; and from 05/01/2007 Council Regulation (EC) No 1/2005



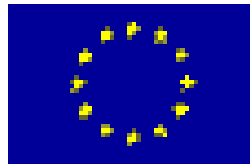
Animo -Traces

- Basic principle in legislation: Article 20 Directive 90/425
- ANIMO system
 - Commission Decisions 91/398 ; 92/486 set up animo system
- TRACES = ANIMO + SHIFT from 1/1/2005
 - Commission Decision 2004/292 Traces introduced for EU movements from 1/4/04
 - Internal movements: live animals (some products)
 - Third country imports: live animals + all products



Traces to be used at the BIPs

- from 1/1/2005 for all live animals imported from 3rd countries
- + for some products (special conditions, transshipment, transit, etc)
- from 1/1/2006 for all products from 3rd countries



Animal products

Directive 97/78

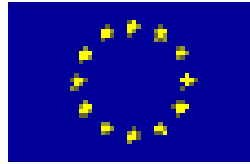
□ Procedures:

- Commission Regulation 136/2004 CVED + checking details
- Commission Regulation 745/2004 rules on personal imports
- Commission Decision 94/360 reduced frequency physical checks
- Commission Decision 2000/25 transshipment
- Commission Decision 2000/208 transit by road
- Commission Decision 2000/ 581 checks in approved warehouses
- Commission Decision 2000/349 list of products to be examined under veterinary checks

□ Facilities

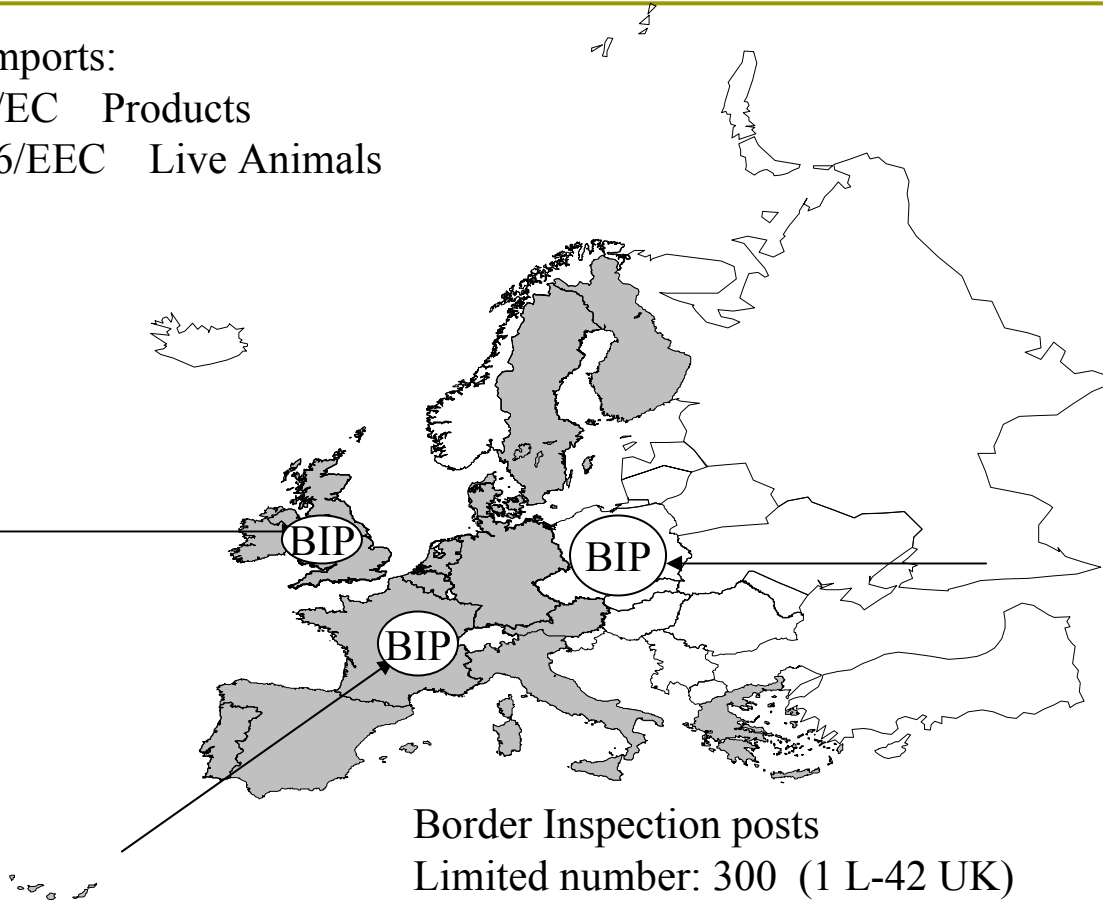
- Commission Decision 2001/812 FVO

Border Inspection Posts

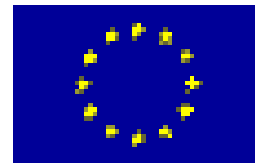


Third country Imports:
Directive 97/78/EC Products
Directive 91/496/EEC Live Animals

300



Border Inspection posts
Limited number: 300 (1 L-42 UK)
Approval the Commission: Facilities
Equipment
Procedures



Internal Controls European Community

Directive 90/425/EEC Live Animals
Directive 89/662/EEC Products

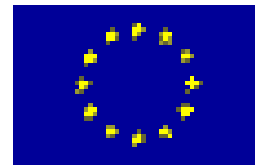
Free movement of products
No internal border controls

Border Inspection Posts onwards:
CVED Document



Import Procedures – Live Animals

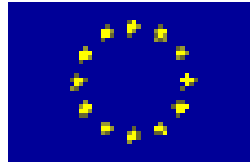
Directive 91/496



- ARTICLES
- 1 Principles
- 2 Definitions
- 3 General requirements (24 hours notice)
- 4 Checks Doc , ID and physical
 - (also transshipment EC-EC)
- 5 Prohibitions Reasons to refuse
- 6 Facility provisions (now outdated)
- 7 Procedures for harmonised species
- 8 Procedures for non harmonised species
- 9 Transit Rules

Import Procedures – Live Animals

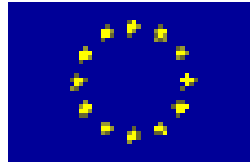
Directive 91/496 Articles



- 10 Rules regarding Quarantine
- 11 Additional checks as necessary
- 12 Rejection procedures
- 13 Commission competence – new Rules
- 14 Special rules – non marked animals
- 15 Basis for Fees
- 16 Allowance for equivalency agreements
- 17 Appeals
- 18 Special rules AUT and FIN - outdated

Import Procedures – Live Animals

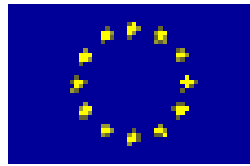
Directive 91/496 Articles



- 18 Commission to make safeguards
- 19-21 Inspection, Complaints, Training
- 22-31 Administrative procedures
- Annex A Approval requirements for BIPs
- Annex B Approval requirements for Quarantine premises
- Main Rule of application
 - Com Dec 97/794 Conduct of physical checks

Import Procedures -Animal Products

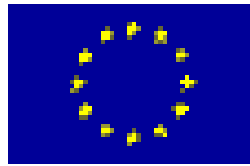
Directive 97/78/EC



- 1 Principles – incl. the territory in Annex I
- 2 Definitions : amendment by 882/2004
- 3 Essential requirements for checks
- 4 All goods to be checked : Doc, ID and physical checks : OVS in charge
- 5 The Certificate CVED
- 6 Requirements for BIPs (Listing)
- 7 Basic Checks procedures (Customs involvement)

Import Procedures -Animal Products

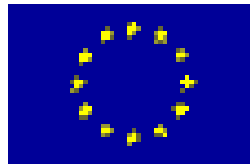
Directive 97/78/EC



- 8 Channelling arrangements
- 9 Transshipment (CD 2000/25/EC)
- 10 Basis for reduced frequency of checks
 - CD 1994/360/EC
- 11 Transit rules (CD 2000/208/EC)
- 12 Customs warehouses, Free zones Free warehouses : Rules (CD 2001/581)
- 13 Ship's Chandlers Rules
 - (CD 2000/581/EC)

Import Procedures -Animal Products

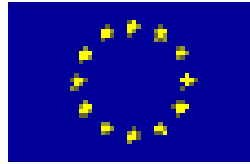
Directive 97/78/EC



- 14 Special customs rules
- 15 Returned consignments
- 16 Exceptions : personal imports and samples for labs etc
 - See Com Regulation 745/2004 personal imports
- 17 Rejection procedures
- 18 special rules GR and FR
- 19 Plant products - Hay and Straw

Import Procedures -Animal Products

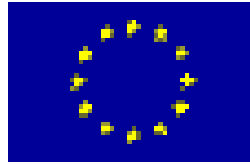
Directive 97/78/EC



- 20 Additional checks if OVS decides
- 21 Special rules – AUT, FIN: outdated
- 22 Safeguard Measures
- 23 Com Inspections
- 24 Reinforced checks (10 Consignments)
- 25-36 Administrative measures incl. training
- Annex 1 Territories !!

Import Procedures -Animal Products

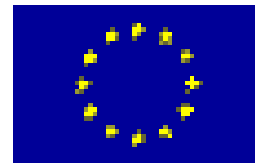
Directive 97/78/EC



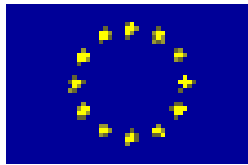
- Annex II Approved requirements for BIPs
 - CD 2001/512
- Annex III Physical checks

Financing Official Controls

Imports

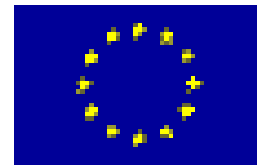


- ❑ Council Directive 85/73 (as amended by Council Directive 96/43) Superseded by Regulation (EC)No 882/2004
- ❑ For products Annex V Chapters 1-IV
- ❑ For live animals Annex V Chapter V
- ❑ Specific fees – certain commodities
- ❑ Other fees – based upon costs as covered by the principles in the Directive
- ❑ Equivalence agreements can affect fees

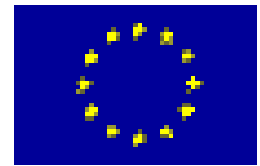


Modifications from 1/1/2006

- Live animals – no change – Directive 91/496
- Products: Food & Feed Regulation 882/2004
- Some changes introduced to 97/78 by OFFC Regulation



Regulation 882/2004 on Official Feed and Food Controls (OFFFC)

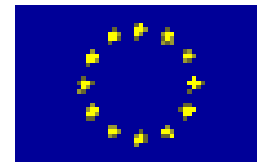


OFFFC

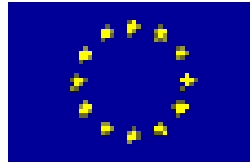
Covers all controls of all feed and food

- Produced and marketed in the EU
- Imported into the EU

Will improve harmonisation of the control systems between the member states, with improved transparency

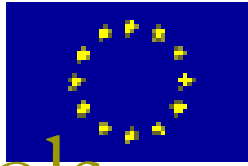


- No fundamental effect on veterinary checks
- Controls on
 - food of non-animal origin
 - feed for animals
- on basis of multi-annual National Plan
- taking into account the risks



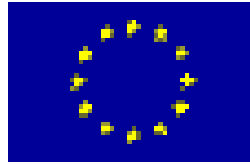
Imports generally

- Non-veterinary products covered
- Controls at appropriate place
- Including:
 - entry point
 - warehouse
 - premises importing consignment
 - point of release for free circulation



Products covered – border controls

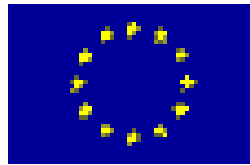
- List of high risk products to be drawn up
 - Community responsibility
- Safeguard measures
- Decisions passed on an ad hoc basis as required



Checks to be carried out

□ Article 16.1

- Documentary (systematic)
- Identity (random)
- Physical (frequency varies) based on :
 - Risks associated with different food and feed
 - history of compliance for the product for 3rd country, establishment, and operator
 - Controls that operator has carried out
 - Guarantees that the CA of 3rd country gives

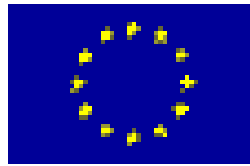


Facilities for OFFFC

- Member State to ensure Physical checks
 - Made at appropriate place
 - Samples taken adapted to risk management
 - F&F handled hygienically

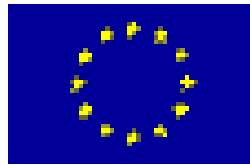
Samples handled to guarantee legal and analytical validity

Methodology is adequate to achieve the limits set in EU legislation



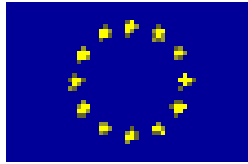
Member States

- ❑ Must designate points of entry
- ❑ With access to appropriate control facilities
- ❑ Prior notification by operators of arrival necessary
- ❑ Must inform the Commission of their actions
- ❑ Measures to avoid disruption to trade



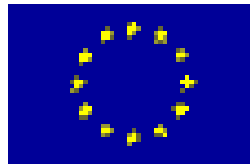
Suspicion or Rejection

- Suspicion – detention under CA control
 - Additional checks
- Rejection
 - Destruction
 - Special treatment
 - Re-dispatch
 - Competent Authority (CA) of 3rd countries of origin to be modified or CA of 3rd countries of destination
 - Use for other purposes than intended initially



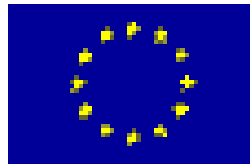
Training

- Article 51: Training courses for operatives from both M/S and 3rd countries
 - Community Food and Feed Law and animal health and animal welfare rules
 - Control techniques
 - Controls on imported goods
 - Production, processing and marketing methods



Position from 1/1/2007 Fees

- Principles in OFFC Articles 27,28 apply
 - Fees to cover costs of controls
 - Minimum levels set in Annex V
 - Shall not be higher than the costs of CA
 - **Salary levels of staff in controls**
 - **Costs of staff : facilities, tools , equipment, training, travel and associated costs**
 - **Laboratory analysis and sampling costs**
 - Fee levels to be reviewed every two years



OFFFC Fees

- Principles in Articles 27,28 apply
 - Specific fees/charges laid down in Annex V
 - Activities covered by Directives 97/78/EC and 91/496/EC
 - Chapter I – meat
 - Chapter II – fishery products
 - Chapter III – other products
 - Chapter IV – transit
 - Chapter V – Live animals
 - Review fee levels every two years