

EU ASIA COOPERATION

on (PHYTO-) SANITARY (SPS) and FOOD SAFETY REGULATION Project funded by European Commission



Seminar on Imports of Plant and Plant Products into Thailand

The new of EU Official Controls Regulation and TRACES NT, e-Certification and the IPPC e-PHYTO

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Project managed by

Service for Foreign Policy Instruments (FPI) European Commission EEAS Building, 9A Rond-Point Schuman, 1040 Brussels, Belgium https://ec.europa.eu/fpi/home_en Bangkok, Thailand 24-25 March 2021



What is the applicable legislation ?



Regulation 178/2002

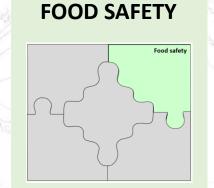
RASER

- Responsibilities
- Traceability
- Import regime
- Emergency measures - RASFF

Regulation 2019/1381

- More transparency
- Access to studies
- Risk communication

Applicable on 27 March 2021



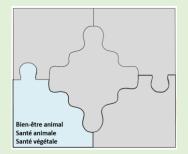
Regulation 396/2005 - Pesticides MRL Regulation 315/93

- Contaminants

Regulation 2073/2205

 Microbiological criteria



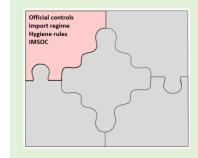


Directive 94/3 - Harmful organisms (Notifications) - EUROPHYT

Regulation 2016/2031 + Implementing Regulations - New Plant Health Law

Applicable since 14 December 2019

CONTROLS



Regulation 852/2004 - Food hygiene

Regulation 2017/625 + Implementing Regulations - Official Controls - Import regime

Applicable since 14 December 2019



Regulation (EU) 2017/625

Harmonised approach across the food supply chain

Risk-based approach to controls

Efficient performance of controls

Transparency of control results

Food and Food Safety	Feed and Feed Safety	GMOs
Animal Health	Animal By-Products	Animal Welfare
Plant Health	Plant Protection Products	Organics



Regulation (EU) 2017/625

Harmonised approach across the food supply chain

Risk-based approach to controls

Efficient performance of controls

Transparency of control results

Controls must be performed:

- "regularly,
- on a risk basis and
- with appropriate frequency"

Taking into account:

Own controls Private quality schemes

Operators' past records



Regulation (EU) 2017/625

Harmonised approach across the food supply chain

Risk-based approach to controls

Efficient performance of controls

Transparency of control results

Official controls shall be carried out in a manner that the administrative burden and operational disruption for operators are kept to the minimum necessary



European Commission

TRACES NT >

Regulation (EU) 2017/625

Harmonised approach across the food supply chain

> Risk-based approach to controls

Efficient performance of controls

Transparency of control results

	TRACES						
	TRAde Control and	Expert System					
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Regulation (EU) 2017/625

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, new risks

Art. 28–33 Delegation of tasks	Art. 34–42 Sampling, analyses, tests + Diagnoses	Art. 43– 76 IMPORT CONTROLS	Art. 77-91 Financing OC + official certification	Art. 92-101 EURLs EURCs	Art. 102–108 Administrative Assistance + Cooperation
Art. 109-115 Planning + Reporting	Art. 116–124 Commission Controls	Art. 125-129 CONDITIONS FOR ENTRY	Art. 130 Training (BTSF)	Art. 131–136 IMSOC	Art. 137– 141 Enforcement

Common Provisions - Articles 142 – 167





CONDITIONS FOR ENTRY To be met prior to dispatch

CONTROLS AT ENTRY Carried out at arrival in the EU



Conditions for placing food on the market in the EU

Regulation 178/2002 – Article 11

Food imported into the EU for placing on the market within the EU shall comply with:

> either the relevant requirements of EU food law,

In practice : > or conditions recognised by the EU to be at least equivalent.

Exception : Organic production (2022)



V

**** * * ***

OPEN

SYSTEM

PLANT ANIMAL FOOD **Conditions for Entry PRODUCTS** HEALTH SAFETY Has the import **country** have to be authorized YES NO NO to export to the EU? Do establishments have to be authorized YES NO NO (listed) to export to the EU? Is a **health certificate** necessary for entry in YES the EU?

Animal Products

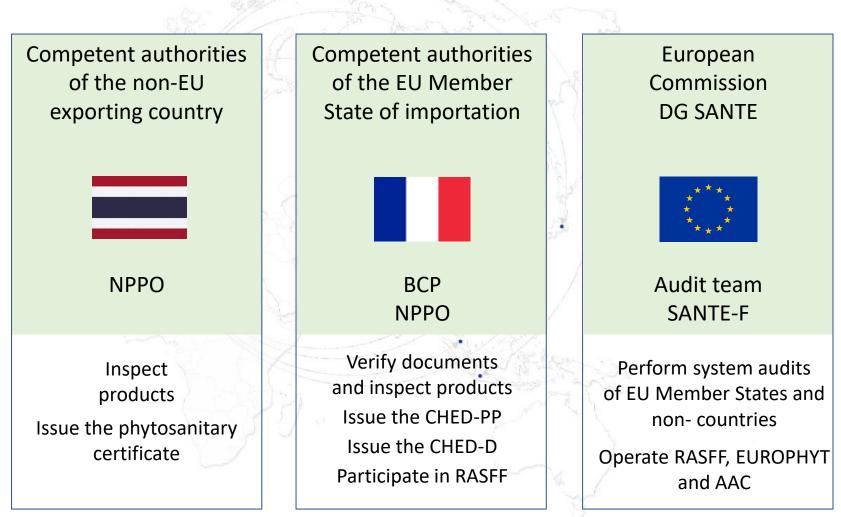
⁶ Except for: bananas, coconut, dates, durian and pineapple.

Plant Products

** Except in cases of emergency measures.



Who controls ?





What controls ?





Documentary controls

Objective : Verify that the required documents (Health Certificate, bill of lading, etc.) are present. **Frequency** : always (for each consignment)

Identity controls

Objective: Verify that the content and labelling of the consignment tally with the documents presented

Frequency : > Systematic for plant health

Random for food safety (except in case of increased controls)



Physical controls

Objective : Verify that the imported goods are meeting the applicable requirements of the EU food legislation **Frequency** : Systematic for plant health

Random for food safety (except in case of increased controls)

Plant health

Food safety



Increased Controls

Food safety

Regulation EU 2019/1793 Annex I Increased controls

29.10.2019 IN Official Journal of the European Usion
COMMISSION INFLMENTING REGULATION (EU) 2019(179)
of 2.2 October 2019
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Having regard to Regulation (EC) No 178/2002 of the European Parliament and of the Council of 25 january 2002 Jaying down the general principles and requirements of food law, establishing the European Food Safety Authority and Jaying down proceedures in matters of food safety (7), and in particular Article 53(1)(b) thereof,

Wherea

- (1) Regulation (EU) 2017/625 integrates into a single legislative framework the rules applicable to official contro on animals and goods metring the Union in order to verify compliance with Union agri-food chain legislation For that purpose, it repeats and replaces Regulations (EC) No 52/2004 of the European Patlianent and of th Council (?) and other Union acts governing official controls in specific areas.
- (2) Pursuant to Regulation (EU) 2017/625, certain categories of animals and goods from certain third countries are always to be presented as howder countrol posts for difficul countrols to be performed prior to their entry into the Union. In addition, Article 47(1)(2) and [ev] Regularization (EU) 2017/515 Tangians that good stability to measure requiring a temporary increase of official countrols or emergency measures respectively, should be subject to offical countrols to border countrol posts their entry into the Union.
- (1) In that regard, pursuant to Regulation (EE), 2017;812;453;estiming peed from centain that's constructs chandles built peed to responsive protected of difficult and the source of the construction and the source of the construction and the source of the transformed on the tra

- The temporary increases are laid down in Annex I of Regulation EU 2019/1793 and they concern:
 - the identity checks, and
 - the physical checks.



- A **temporary increase** of **import controls** may be necessary:
 - due to a known or emerging risk (e.g. high number of RASFF alerts),
 - or because there is evidence of widespread serious non-compliance with the EU agri-food chain legislation (e.g. as highlighted in an audit report from DG SANTE-F)

concerning certain goods, from certain non-EU countries, and in relation to a specific risk (hazard).



Increased Controls



Regulation EU 2019/1793 Annex I Increased controls

29.10.2019	EN	Official Journal of the European Union	L 277/8
	c	COMMISSION IMPLEMENTING REGULATION (EU) 2019/1793	
		of 22 October 2019	
	Union of certain g (EC) No 178/2002	increase of official controls and emergency measures governing the entry in goods from certain third countries implementing Regulations (EU) 2017/6 t of the European Parliament and of the Council and repealing Comm 6 669/2009, (EU) No 884/2014, (EU) 2015/173, (EU) 2017/186 and (EU) 2018	25 and nission
		(Text with EEA relevance)	
THE EU	ROPEAN COMMISSIO	N,	
Having	regard to the Treaty	y on the Functioning of the European Union,	
official health No 39 (EU) 2 No 10 repeali cil Dir Decisio	controls and other and welfare, plant 6/2005, (EC) No 10 016/2031 of the E 99/2009 and Coun ng Regulations (EC) ectives 89/608/EEC, no 92/438/EEC (O	on (BU) 2017/625 of the European Parliament and of the Council of 15 M efficial strutture performer to manues the applications of food and feed incr so- glessing and the structure of the structure of the structure of the structure of the structure of the Council Council Regulation (ED No 112, 102, 102, 102, 102, 102, 102, 102, 102,	des on animal 19/2001, (EC) 2016/429 and 005 and (EC) 1/120/EC, and council, Coun- and Council
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		ion (BD 2017/625 certain categories of animals and goods from certain third	

- totatin to degunitati (EV) 2017 [05:5] cettati uniquiri so a initiati and good intent cettati nuo contine ate any solo be presentati al border control posts for official controls to be presentati inte entry into the atom in addition, Article 471[10] and (e) of Regunition (EU) 2017[263 stipulate that goods subject to measures quiring a temporary increase of official controls or emergency measures respectively, should be subject to offi-i control at border control posts at their entry into the Union.
- In the regard pursuant to Regulation ID, 2017/15.5, certain geode from central field countrie should be ad-ter to a temportry more of difield countries bedree coursely perior than excess writes the dimension has decided. By means of implementing acts, that these countries are average to a taborne or energing in the beams drive in relevance of winders and more noncompliance with the Usion applied of land lightime. To that effect, the Countries to should exclude the I's of static goods, indicating the relevant for a relevant first and static that is an essentiar to relevant performance of the presentation.

Food and feed of non-animal origin from certain third countries subject to a temporary increase of official controls at border control posts and control points

ANNEX I

Food and feed (intended use)	CN code (¹)	TARIC sub- division	Country of origin	Hazard	Frequency of physical and identity checks (%)
 Peppers (other than sweet (<i>Capsicum</i> spp.) (Food — fresh, chilled or frozen) 	—ex 0709 60 99 ; ex 0710 80 59	20 20	(TH)	Pesticide residues (³) (¹⁴)	10



Emergency measures

Food safety

Regulation EU 2019/1793 Annex II

Increased controls

- 28.10.2019 The Official journal of the European Union 1.277/84 COMMISSION DAPTLEMENTING REGULTATION (EU) 2019/17/93 of 22 Crosber 2019 on the transportary increase of official controls and energency mesores governing the entry into the table of energine the control in and energency mesores governing the entry into the Regulations (EC) No 669/2009, EUX NO 6584/2014, EUX 2015/17.5, EUX 2017/18/e and (EUX 2018), Regulations (EC) No 669/2009, EUX NO 6584/2014, EUX 2015/17.5, EUX 2017/18/e and (EUX 2018), (Fext with EEA reference) THE ELENGENCE COMMISSION

Having regard to Regulation (EC) No 175/2002 of the European Parliament and of the Council of 28 January 2002 Jaying down the general principles and requirements of food Jaw, establishing the European Food Safery Authority and Jaying down procedures in mattern of food Safery (7), and in particular Article 33(1)(b) thereof,

Wherea

- (1) Regulation (EU) 2017/625 integrates into a tagle legislative framework the rules applicable to official controls on animula and goods entering the Union in order to verify compliance with Union agri-food chain legislation. For that purpose, it repeals are replaces Regulation (EON 86 52)2004 of the European Parliament and of the Council (i) and other Union acts governing official controls in specific areas.
- (2) Pursuant to Regulation (UU) 2017/625, certain categories of animals and goods from certain third countries are always to be presented as border control posts for efficial countrol to be performed prior to their entry into the Union. In addition, Article 47/1102 and 64 of Regulator (UU) 2017/857 simplication Regular to measure requiring a temporary increase of efficial countrol or emergency measures respectively, should be subject to effical countrol to border count oports in their entry into the Union.
- (1) In their speed, pursuant to Sequération 153, 2017)(57, speeda peed from central shade cuantrier chosed by subpret to a tempory increme of officiation relation by booter controls in above center than the Communition should be able to the second strengthenergy and the communities of the second strengthenergy and because there is relationed of without second strengthenergy with the Usion system of emerging rule are because there is relationed of without second strengthenergy with the Usion system of the Usion system of the Neuroscitative COS in all down in Anzest 1 to Communition Regulation EEO, No 2458(127 ep downsider, the limit and optimate their an ancerative of inset and providences in the regard.

ANNEX II

Food and feed from certain third countries subject to special conditions for the entry into the Union due to contamination risk by mycotoxins, including aflatoxins, pesticide residues, pentachlorophenol and dioxins and microbiological contamination

1. Food and feed of non-animal origin referred to in Article 1(1)(b)(i)

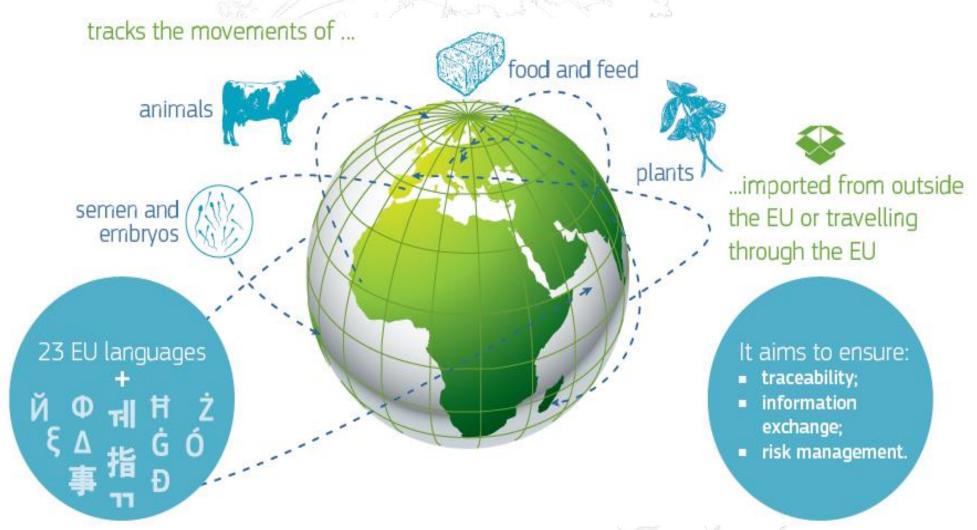
Food and feed (intended use)	CN code (¹)	TARIC sub-division	Country of origin	Hazard	Frequency of physical and identity checks (%)
- Pitahaya (dragon fruit) (Food — fresh or chilled)	— ex 0810 90 20	10	Vietnam (VN)	Pesticide residues (³) (º)	10

Each consignment of the food must be,

- identified with an identification code,
- accompanied by the results of sampling and analyses performed by the relevant competent authorities,
- accompanied by an official certificate (FFNAO in IMPORT module).

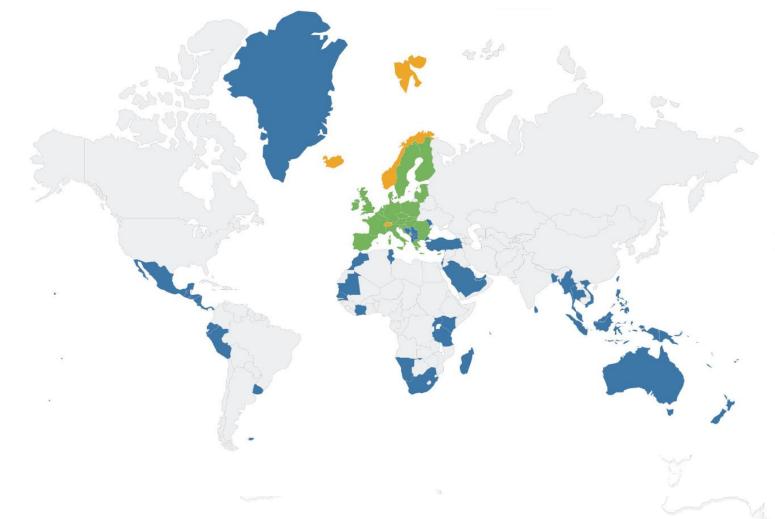


TRACES: What is it?





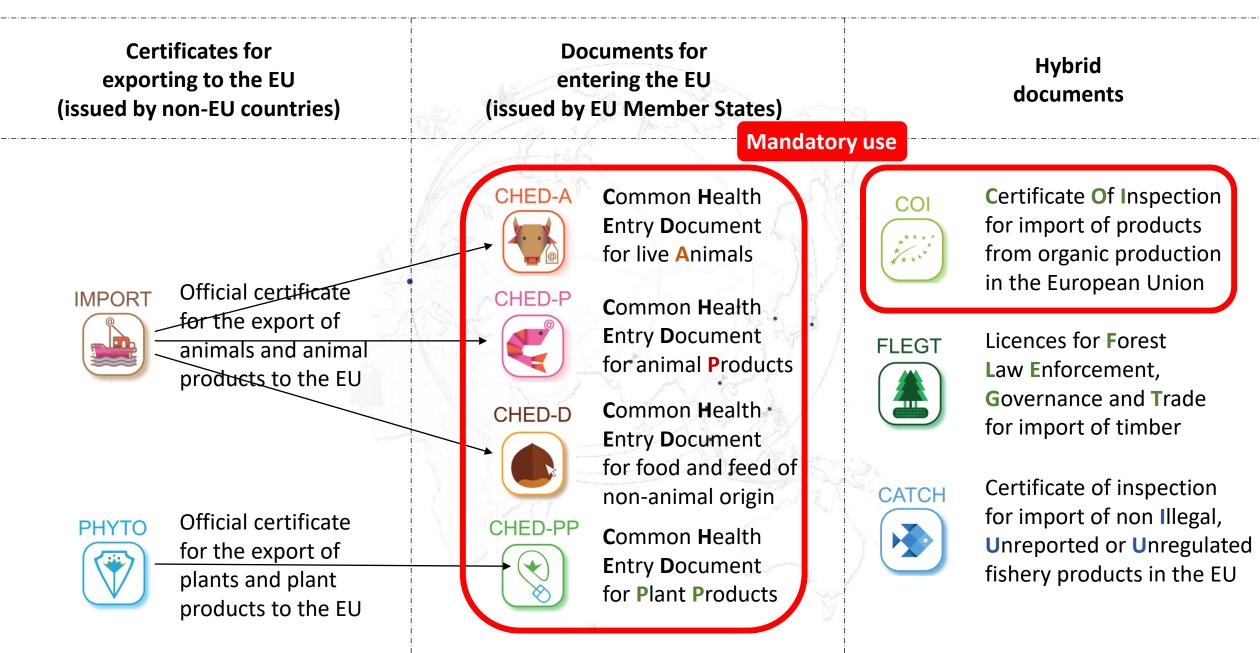
TRACES: Worldwide presence



91 countries and overseas territories worldwide use TRACES:

- 27 EU countries + UK
- 4 EFTA countries
- 59 non-EU countries

TRACES : products

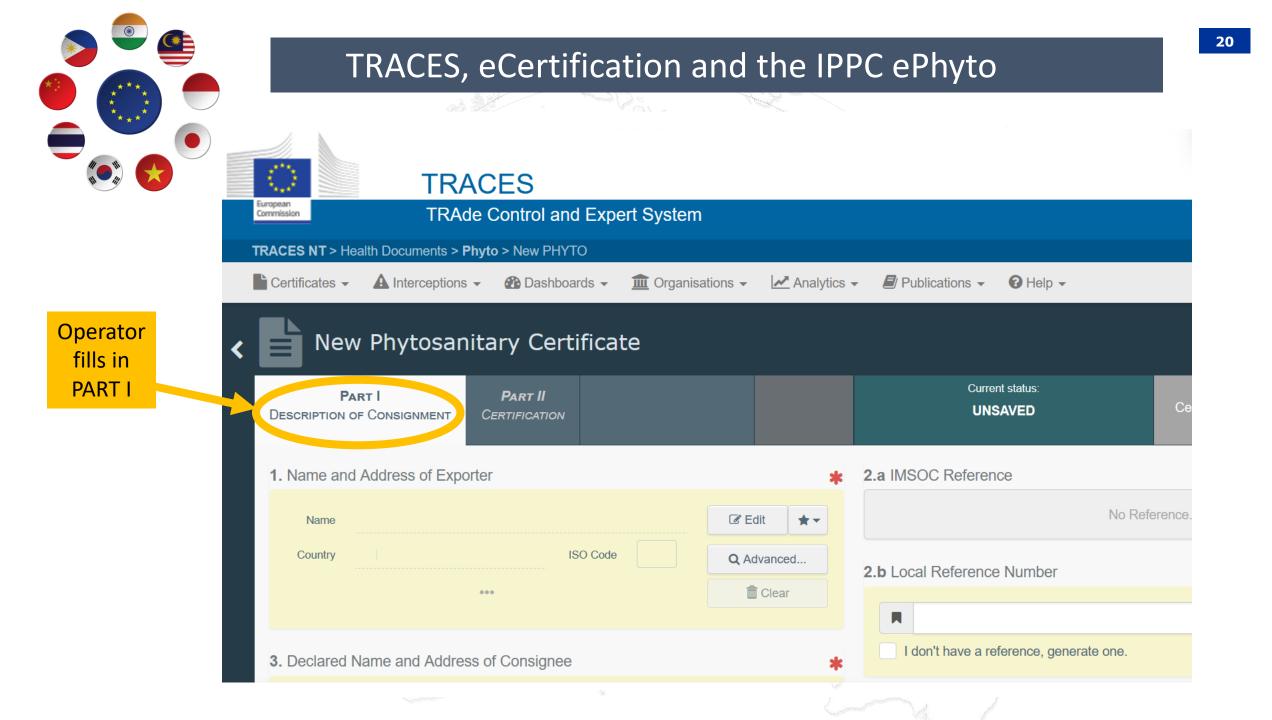


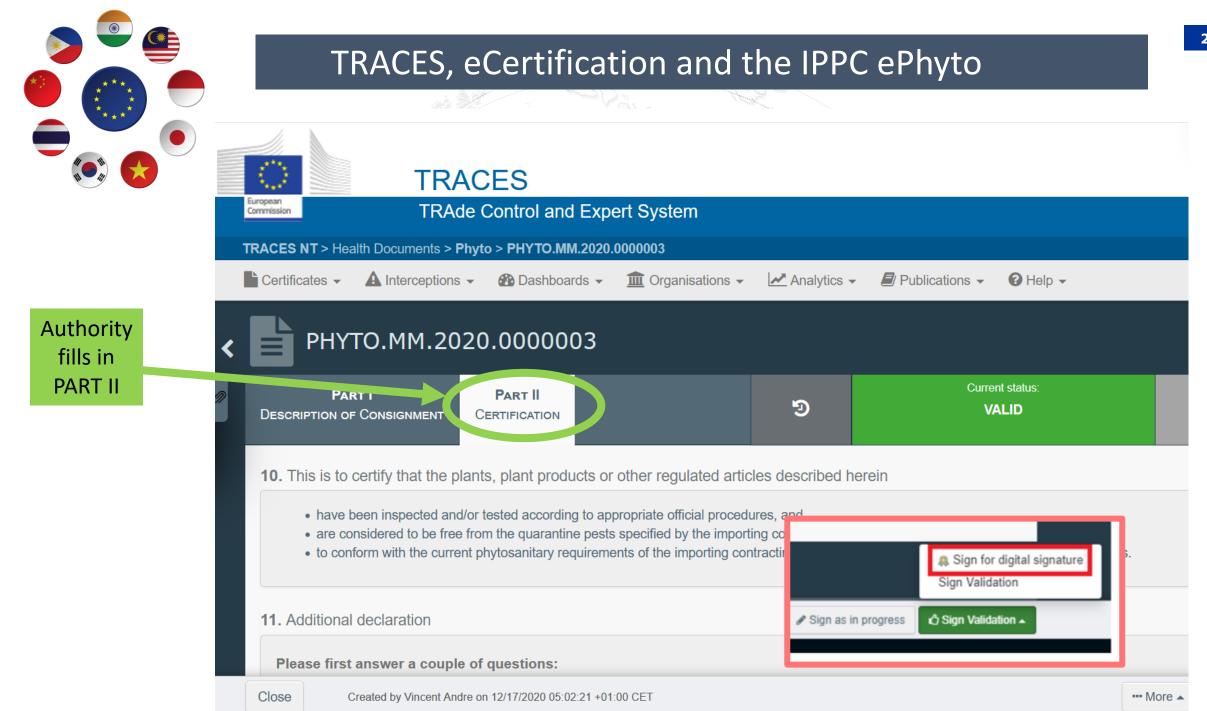


TRACES: Characteristics

WEB BASED	CENTRALIZED		PUBLIC-PRIVATE COLLABORATION	2	REDUCTION OF THE ADMINISTRATIVE WORK LOAD
Everything is accessible through the Internet. No software installation needed	Development and maintenance by DG SANTE		It allows the public and private sector to exchange and produce official documents.		All actors in a single system, with an easy to use interface and a guided process
L.	Printer P.S.				
INTEROPERATIVITY	MULTILINGUAL	S	ADVANCED STATISTICS		LEGALITY
Exchanges with other systems (customs, RASFF, EUROPHYT,	23 EU languages + other non- Community		Provides consolidated statistical information in real time using		Gives access to the latest legally valid document model

19







TRACES and the IPPC ePhyto Hub

- TRACES connection to the IPPC ePhyto Hub was established on 12 May 2020, allowing the exchange of data between TRACES and non-EU countries through the Hub.
- * 10 non-EU countries are actively sending ePhytos to TRACES so far:

Argentina – USA – Morocco – Costa Rica – Chile

Mexico – Fiji – Samoa – Jamaica - Uganda

- Data exchange not yet activated (USA, Argentina, Morocco and New Zealand are the most advanced).
- TRACES can also receive ePhytos issued through a Generic ePhyto National System (GeNS).

	TRACES, eCertification	n and the IPP	CePhyto
	TRACES and the	IPPC ePhy	to Hub
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European Commission	TRAde Control and Expert System		
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Advantages of TRACES using a national system or a GeNS and the IPPC ePhyto Hub

In TRACES, phytosanitary requirements are always updated and will appear automatically according to the selected products

More efficient entry procedures (CHED-PP), easier imports into the EU Possibility to know in real time if a shipment has been rejected and the reasons for the rejection

The electronic signature improves the reliability of the certificates The entire system, including the electronic signature, is FREE



Use both your National System or GeNS and TRACES !

Get access to EUROPHYT interceptions concerning exports from your country

TRACES NT > Health Documents > ePHYTO > Search									
Cer	rtificates 👻	▲ Interceptions -	▲ Interceptions - ① ① ① ② ② ③ ③		- 🖹 Reference				
	Searc	Plant interceptions Interception notification consignments of plants		tific	ates				
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Use both your National System or GeNS and TRACES !

Get access to the CHED-PP concerning exports from your country

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				Transport name:					



COMMISSION IMPLEMENTING REGULATION (EU) 2020/466

of 30 March 2020

on temporary measures to contain risks to human, animal and plant health and animal welfare during certain serious disruptions of Member States' control systems due to coronavirus disease (COVID-19)

'Article 4

1. Official controls and other official activities on official certificates and official attestations may exceptionally be performed:

(a) on a copy of the original of such certificates or attestations, that is made available electronically, provided the person responsible for presenting the official certificate or official attestation presents to the competent authority a statement affirming that the original of the official certificate or official attestation will be submitted as soon as technically feasible; or

(b) on electronic data from such certificates or attestations, where such data has been produced and submitted by the competent authority in TRACES.

2. When performing official controls and other official activities referred to in paragraph 1 of this Article, the competent authority shall take into account the risk of non-compliance of animals and goods concerned and operators' past record as regards the outcome of official controls performed on them and their compliance with the rules referred to in Article 1(2) of Regulation (EU) 2017/625.';

(*) as modified by Commission Implementing Regulation (EU) 2020/714 of 28 May 2020



EU ASIA COOPERATION

on (PHYTO-) SANITARY (SPS) and FOOD SAFETY REGULATION

Thank you!

Project funded by European Commission



Project managed by:

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