

Official controls on the import of products of non-animal origin

Overview of legislative framework under Regulation (EU) 2017/625

Summary

[Council Regulation \(EU\) 2017/625](#) on official controls and other official activities as amended by [Commission Delegated Regulation \(EU\) 2019/478](#) and [Commission Delegated Regulation \(EU\) 2019/2127](#) set down the general provisions for official controls on animals and goods entering the Union. These provisions are supplemented by a series of Implementing and Delegated Regulations. These provisions are also supplemented by more specific legislation where increased controls, emergency measures and suspension from entry into the EU are required to manage the risks posed.

A summary of the legislative framework for official controls on products of non-animal origin (PONA) is outlined below.

All PONA are subject to routine import control in accordance with Regulation (EU) 2017/625, Title II Chapter V Sections I. PONA subject to mandatory import controls fall under Article 47(1) (d), (e) and (f) and are subject to temporary increased controls, emergency measures or suspension of entry into the EU, Title II Chapter V Section II and relevant Implementing and Delegated Regulations as outlined below. Action in the event of suspicion of non-compliance and non-compliance of animals and goods entering the Union are set out in Title II Chapter V Section III of Regulation (EU) 2017/625. [Commission Implementing Regulation \(EU\) 2019/1793](#) as amended by [Commission Implementing Regulation \(EU\) 2020/625](#), [Commission Implementing Regulation \(EU\) 2020/1540](#) and [Commission Implementing Regulation \(EU\) 2021/608](#) lays down in:

- (a) [Annex I the list of food of non-animal origin from certain third countries subject to a temporary increase of official controls at their entry into the EU falling within the CN Codes and TARIC classifications laid down in that Annex, in accordance with Article 47\(2\)\(b\) of Regulation \(EU\) 2017/625;](#)
- (b) [Annex II the special conditions governing the entry into the EU of the certain categories of food due to the risk of contamination by mycotoxins, including aflatoxins, pesticide residues, pentachlorophenol and dioxins and microbiological contamination](#)
- (c) [Annex IIa Food from certain third countries subject to suspension of entry into the Union referred to in Article 11a](#)

There are six other emergency measures in place for products of non-animal origin. See full list below.

Regulation (EU) 2017/625: Official controls on animals and goods entering the Union

Title II Chapter V – Official controls on animals and goods entering the Union

Articles 43-47

Section I: Animals and goods other than those subject to official controls at border control posts under Section II – Routine controls on all products

Section II: Official controls at border control posts on animals and goods – Mandatory on certain categories of animals and goods

Section III: Action in the event of suspicion of non-compliance and of non-compliances of animals and goods entering the Union

Section IV: Approval of pre-export controls performed by third countries

Section V: Co-operation between authorities in relation to consignments from third countries

Section VI: Specific measures

Title VI Chapter II – Conditions for the entry into the Union of animals and goods

Articles 126-129

Implementing and Delegated Regulations

The following Implementing and Delegated Regulations apply to the import of PONA0 and must be read in conjunction with Regulation (EU) 2017/625.

1. [Commission Implementing Regulation \(EU\) 2019/1793](#) as amended by [Commission Implementing Regulation \(EU\) 2020/625](#), [Commission Implementing Regulation \(EU\) 2020/1540](#), [Commission Implementing Regulation \(EU\) 2021/608](#), [Commission Implementing Regulation \(EU\) 2021/1900](#), [Commission Implementing Regulation 2021/2246](#) and [Commission Implementing Regulation \(EU\) 2022/913](#) - Temporary increased controls and emergency measures on certain goods from certain third countries
 - Frequency of identity and physical checks
 - Model certificate
 - Replacement certificates
 - Methods of sampling and analysis
 - Exemptions – See [Commission Implementing Regulation \(EU\) 2022/913](#)

The national legislation for the import of products of non-animal origin

- **HSE controls**
[S.I. No 575 of 2020](#) as amended by [S.I. No. 244 of 2021](#); [S.I. No. 638 of 2021](#); [S.I. No 9 of 2022](#) and [S.I. No 328 of 2022](#)
- **DAFM controls**
[S.I. No 9 of 2020](#) as amended by [S.I. No 237 of 2020](#); [S.I. No 664 of 2020](#); and [S.I. No 241 of 2022](#)

2. [Commission Implementing Regulation \(EU\) 2019/1014](#) - Minimum requirements for border control posts, including inspection centres, and for the format, categories and abbreviations to use for listing border control posts and control points
 - Minimum requirements for infrastructure, equipment and documentation at Border Control Posts (BCPs) and Control Points (CPs)
 - Format, categories, abbreviations and other information for listing BCPs and CPs
 - Re-designation of BCPs and CPs
3. [Commission Implementing Regulation \(EU\) 2019/1013](#) - Prior notification of certain categories of animals and goods entering the Union
 - Notice to the Competent Authority (CA) at the BCP of first arrival into the EU
 - At least 24 hours before the expected arrival of the consignment
 - Derogation where logistical constraints prevent compliance with time limit. CAs may apply a period of prior notification of at least 4 hours
4. [Commission Delegated Regulation \(EU\) 2019/1602](#) - Common Health Entry Document accompanying consignments of animals and goods to their destination
 - Requirements for Common Health Entry Document (CHED)
5. [Commission Implementing Regulation \(EU\) 2019/1715](#) - Information Management System for Official Controls and its system components ('the IMSOC Regulation') as amended by [Commission Implementing Regulation \(EU\) 2021/547](#)
 - TRACES one of the components of IMSOC
 - Specific rules for each component (TRACES; iRASFF incorporating AAC; ADIS and EUROPHYT)
 - CHED D for PONA0 – model in Annex
 - Rules for the computerised handling and exchange of information, data and documents in IMSOC
 - Notification of CAs by completion of Part 1 CHED in TRACES
 - Up to date list of control units to be kept by each TRACES network, list of BCPs and CPs and list of establishments
6. [Commission Delegated Regulation \(EU\) 2019/2124](#) – Official controls on consignments of animals and goods in transit, transshipment and onward transportation as amended by [Commission Delegated Regulation \(EU\) 2020/2190](#)
 - Rules on transit, transshipment and
 - Conditions for onward transportation
7. [Commission Implementing Regulation \(EU\) 2019/2130](#) - Operations to be carried out during and after documentary checks, identity checks and physical checks on animals and goods subject to official controls at border control posts
 - Detailed rules for documentary, identity and physical checks
 - Operations to be carried out during and after documentary, identity and physical checks

8. [Commission Delegated Regulation \(EU\) 2019/2123](#) – Rules for the cases where and the conditions under which identity checks and physical checks on certain goods may be performed at control points and documentary checks may be performed at distance from border control posts
 - Conditions under which CAs may perform identity and physical checks at a CP other than a BCP
 - Must be performed in accordance with Commission Implementing Regulation (EU) 2019/2130

9. [Commission Delegated Regulation \(EU\) 2019/1012](#) - Derogating from the rules on the designation of control points and from the minimum requirements for border control posts
 - Derogations for re-designation of BCO /CP where designation is withdrawn and other than where it is withdrawn
 - BCPs at a distance from the point of entry into the EU due to geographical constraints

10. [Commission Implementing Regulation \(EU\) 2020/2235](#) – laying down the application of Regulations (EU) 2016/429 and (EU) 2017/625 of the European Parliament and of the Council as regards model animal health certificates, model official certificates and model animal health/official certificates, for the entry into the Union and movements within the Union of consignments of certain categories of animals and goods, official certification regarding such certificates.
 - Repeals Regulation (EC) No 599/2004, Implementing Regulations (EU) No 636/2014 and (EU) 2019/628, Directive 98/68/EC and Decisions 2000/572/EC, 2003/779/EC and 2007/240/ECAmended by
 - [Commission Implementing Regulation \(EU\) 2021/617](#) of 14 April 2021 amending Implementing Regulations (EU) 2020/2235 and (EU) 2020/2236 as regards model animal health certificates and animal health/official certificates for the entry into the Union of certain aquatic animals and products of animal origin and

 - [Commission Implementing Regulation \(EU\) 2021/619](#) of 15 April 2021 amending Implementing Regulations (EU) 2020/2235, (EU) 2020/2236 and (EU) 2021/403 as regards transitional provisions for the use of animal health certificates, animal health/official certificates and official certificates

 - Model certificates for all animals and goods (other than those covered by Commission Implementing Regulation (EU) 2019/1793
 - Model certificates for sprouts and seeds intended for the production of sprouts: Part XV of Annex III
 - Requirements for model certificates not submitted in IMSOC
 - Requirements for model certificates submitted in IMSOC
 - Replacement certificates

11. [Commission Delegated Regulation \(EU\) 2019/625](#) supplementing Regulation (EU) 2017/625 of the European Parliament and of the Council with regard to requirements for the entry into the Union of consignments of certain animals and goods intended for human consumption as amended by [Commission Delegated Regulation \(EU\) 2021/573](#)
- Requirements for entry into the Union of certain animals and goods
 - Requirements for sprouts and seeds intended for the production of sprouts
 - CN codes for sprouts and seeds intended for the production of sprouts
 - Additional requirements for the official certificates, official attestations and private attestations that must accompany certain animals and goods into the Union

Temporary increased controls, emergency measures and suspension of entry into the Union

<p style="text-align: center; color: red;">Temporary increased controls, emergency measures and suspension from entry into the EU</p> <p>Mycotoxins, pesticide residues, microbiological contamination, viruses, chemical contamination, other contamination e.g. unauthorised dyes, additives etc</p> <p>Suspension of entry into the EU of foodstuffs consisting of dried beans from Nigeria (Food and feed – varies by product)</p>	<p>Commission Implementing Regulation (EU) 2019/1793 as amended by Commission Implementing Regulation (EU) 2020/625, Commission Implementing Regulation (EU) 2020/1540 and Commission Implementing Regulation (EU) 2021/608</p> <p>European Union (Temporary Increase of Official Controls and Emergency Measures on Imports of Food and Feed of Non-animal Origin) Regulations 2020 [S.I. No 9 of 2020] and European Union (Temporary Increase of Official Controls and Emergency Measures on Imports of Food and Feed of Non-animal Origin) Regulations 2020 [S.I. No 237 of 2020] – DAFM Feed and Pesticides Control</p>
<p style="text-align: center; color: red;">Emergency measure Polycarbonate infant feeding bottles</p> <p>Prohibition on infant feeding bottles containing Bisphenol A Declaration of compliance to certify the infant feeding bottle does not contain Bisphenol A (Food contact material)</p>	<p>Commission Implementing Regulation (EU) No 321/2011 amending Regulation (EU) No 10/2011</p> <p>European Communities (Plastics and other materials) (Contact with food) Regulations 2017 [S.I. No. 49 of 2017] as amended</p>
<p style="text-align: center; color: red;">Emergency measure GM rice from China</p> <p>(Food and feed)</p>	<p>Commission Implementing Decision 2011/884/EU as amended by Commission Implementing Decision 2013/287/EU</p>

	European Union (Emergency measures regarding the unauthorised genetically modified rice in rice products for food use originating in or consigned from China) Regulations 2015 [S.I. No 138 of 2015]
Emergency measure Food and feed from Japan post Fukushima (Food and feed)	Commission Implementing Regulation (EU) 2021/1533 imposing special conditions governing the import of feed and food originating in or dispatched from Japan following the accident at the Fukushima nuclear power station and repealing Implementing Regulation (EU) 2016/6
Polyamide and melamine kitchenware from China (Food)	Commission Regulation (EU) No 284/2011 European Communities (Plastics and other materials) (Contact with food) Regulations 2017 [S.I. No 49 of 2017]
Sprouts and seeds for sprouting from third countries (Food)	Commission Implementing Regulation (EU) 2020/2235 and Commission Implementing Regulation (EU) 2019/625 and Commission Delegated Regulation (EU) 2019/625 Commission Implementing Regulation (EU) No 208/2013 European Communities (General Food Law) (Amendment) Regulations 2013 [S.I. No. 383 of 2013] - DoH – to give further effect to Commission Implementing Regulation (EU) No 208/2013 European Union (Food and Feed Hygiene) Regulations 2020 [S.I. No. 22 of 2020] – DAFM – to give further effect to Commission Implementing Regulation (EU) No 208/2013 , Commission Implementing Regulation (EU) 2019/628 and Commission Implementing Regulation (EU) 2019/625
Food and feed from certain countries post Chernobyl (Food and feed)	Commission Implementing Regulation (EU) 2020/1158

Other measures

Pre-export checks on almonds from the USA and wheat and wheat flour from Canada
(Food and feed)

[Commission Implementing Regulation \(EU\) No 2015/949](#) as amended by [Commission Implementing Regulation \(EU\) No 2017/1269](#)