

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

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

[Council Regulation \(EU\) 2017/625](#) on official controls as amended by [Commission Delegated Regulation \(EU\) 2019/478](#) and [Commission Delegated Regulation \(EU\) 2019/2127](#) applies from 14<sup>th</sup> December 2019 along with a series of supplementing implementing and delegated Regulations. It replaces Regulation (EC) No 882/2004 which set down the general provisions for import controls on products of non-animal origin (PONAO). These provisions in turn were supplemented by more specific legislation where increased controls, emergency measures and suspension from entry into the EU were required to manage the risks posed. Seven of these Regulations are now obsolete.

A summary of the new legislative framework for official controls on PONAO is outlined below. The FSAI Guidance on Import Controls on Products of Non-animal Origin (last updated August 2019) is withdrawn. A revised version will be published shortly.

All PONAO are subject to routine import control in accordance with Title II Chapter V Sections I. PONAO 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. Temporary increased controls and six of the emergency measures have been incorporated into [Commission Implementing Regulation \(EU\) 2019/1793](#) as amended by [Commission Implementing Regulation \(EU\) 2020/625](#) and [Commission Implementing Regulation \(EU\) 2020/1540](#). 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](#) and [Commission Implementing Regulation \(EU\) 2020/1540](#) - Temporary increased controls and emergency measures on certain goods from certain third countries
  - Repeals and partly replaces Regulation (EU) No 669/2009 (increased controls); Regulation (EU) No 884/2014 (aflatoxins); Regulation (EU) No 2015/175 (guar gum from India); Regulation (EU) No 2017/186 (microbiological contamination) and Regulation (EU) No 2018/1660 (pesticide residues). Commission Decision 2014/88/EC as amended (betel leaves from Bangladesh) and Regulation (EU) 2015/943 as amended (dried beans from Nigeria) suspending entry into the EU have been repealed and these products are now suspended by inclusion in Annex IIa of Regulation (EU) 2019/1793
  - Listing of commodities subject to increased controls, the emergency measures and suspension of entry into the EU listed above into a single text
  - Frequency of identity and physical checks
  - Model certificate
  - Replacement certificates
  - Methods of sampling and analysis
  - Exemptions – See [Commission Implementing Regulation \(EU\) 2020/625](#)
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
    - o Re-designation of Designated Points of Entry, Designated Points of Import and Designated First Points of Introduction.
      - Health Service Executive DPEs, DPIs and DFPIs at Dublin Seaport and Dublin Airport re-designated as BCPs
      - Department of Agriculture, Food and the Marine Pesticide Control Division DPEs at Dublin Seaport and Dublin Airport re-designated as BCPs

- Department of Agriculture, Food and the Marine Feed Division DPE and DPI at Dublin Seaport have been re-designated as a BCP
  - Listing of BCPs in the required format has been published separately
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 one working day 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')
    - 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
    - Rules on transit
    - Transshipment
    - 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 \(EU\) 2019/628](#) concerning model official certificates for certain animals and goods and amending Regulation (EU) 2016/759 as regards these model 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
  - Regulation (EU) No 211/2013 is repealed
  
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
  - 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="color: red;"><b>Temporary increased controls, emergency measures and suspension from entry into the EU</b></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 betel leaves from Bangladesh and dried beans from Nigeria (Food and feed – varies by product)</p>	<p><a href="#">Commission Implementing Regulation (EU) 2019/1793</a> as amended by <a href="#">Commission Implementing Regulation (EU) 2020/625</a> and <a href="#">Commission Implementing Regulation (EU) 2020/1540</a></p> <p>Repeals and partly replaces:</p> <ul style="list-style-type: none"> <li>• Regulation (EU) No 669/2009 (increased controls)</li> <li>• Regulation (EU) No 884/2014 (aflatoxins); Regulation (EU) No 2015/175 (guar gum from India); Regulation (EU) No 2017/186 (microbiological contamination) and Regulation (EU) No 2018/1660 (pesticide residues)</li> <li>• Commission Decision 2014/88/EC as amended (betel leaves from Bangladesh) and Regulation (EU) 2015/943 as amended (dried beans from Nigeria) suspending entry into the EU have been repealed and these products are now suspended by inclusion in Annex IIa of Regulation (EU) 2019/1793</li> </ul> <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="color: red;"><b>Emergency measure</b> <b>Polycarbonate infant feeding bottles</b></p> <p>Prohibition on infant feeding bottles containing Bisphenol A</p> <p>Declaration of compliance to certify the infant feeding bottle does not contain Bisphenol A (Food contact material)</p>	<p><a href="#">Commission Implementing Regulation (EU) No 321/2011</a> amending <a href="#">Regulation (EU) No 10/2011</a></p> <p>European Communities (Plastics and other materials) (Contact with food) Regulations 2017 [S.I. No. 49 of 2017]</p>
<p style="color: red;"><b>Emergency measure</b> <b>GM rice from China</b></p> <p>(Food and feed)</p>	<p><a href="#">Commission Implementing Decision 2011/884/EU</a> as amended by <a href="#">Commission Implementing Decision 2013/287/EU</a></p> <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]</p>

<p><b>Emergency measure</b>  <b>Food and feed from Japan post Fukushima</b>  (Food and feed)</p>	<p><a href="#">Commission Implementing Regulation (EU) No 2016/6</a> as amended by <a href="#">Commission Implementing Regulation (EU) No 2017/2058</a> and <a href="#">Commission Implementing Regulation (EU) 2019/1787</a></p>
<p><b>Polyamide and melamine kitchenware from China</b>  (Food)</p>	<p><a href="#">Commission Regulation (EU) No 284/2011</a>  European Communities (Plastics and other materials) (Contact with food) Regulations 2017 [S.I. No 49 of 2017]</p>
<p><b>Sprouts and seeds for sprouting from third countries</b>  (Food)</p>	<p><a href="#">Commission Implementing Regulation (EU) 2019/628</a> and <a href="#">Commission Implementing Regulation (EU) 2019/625</a>  <a href="#">Commission Implementing Regulation (EU) No 208/2013</a>  European Communities (General Food Law) (Amendment) Regulations 2013 [S.I. No. 383 of 2013] - DoH – to give further effect to <a href="#">Commission Implementing Regulation (EU) No 208/2013</a>  European Union (Food and Feed Hygiene) Regulations 2020 [S.I. No. 22 of 2020] – DAFM – to give further effect to <a href="#">Commission Implementing Regulation (EU) No 208/2013</a>, <a href="#">Commission Implementing Regulation (EU) 2019/628</a> and <a href="#">Commission Implementing Regulation (EU) 2019/625</a></p>
<p><b>Food and feed from certain countries post Chernobyl</b>  (Food and feed)</p>	<p><a href="#">Commission Implementing Regulation (EU) 2020/1158</a></p>

<p style="text-align: center;"><b>Other measures</b></p>	
<p><b>Pre-export checks on almonds from the USA and wheat and wheat flour from Canada</b>  (Food and feed)</p>	<p><a href="#">Commission Implementing Regulation (EU) No 2015/949</a> as amended by <a href="#">Commission Implementing Regulation (EU) No 2017/1269</a></p>