



LE GOUVERNEMENT  
DU GRAND-DUCHÉ DE LUXEMBOURG  
Ministère de l'Agriculture,  
de l'Alimentation et de la Viticulture

Administration luxembourgeoise vétérinaire  
et alimentaire



## Exploring import regulations for food, feed and animals

Import service at the Border Control Post  
of ALVA

Dr Malou Grasges  
Logistics Information Day  
06 of May 2024

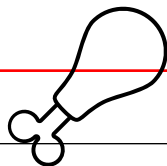
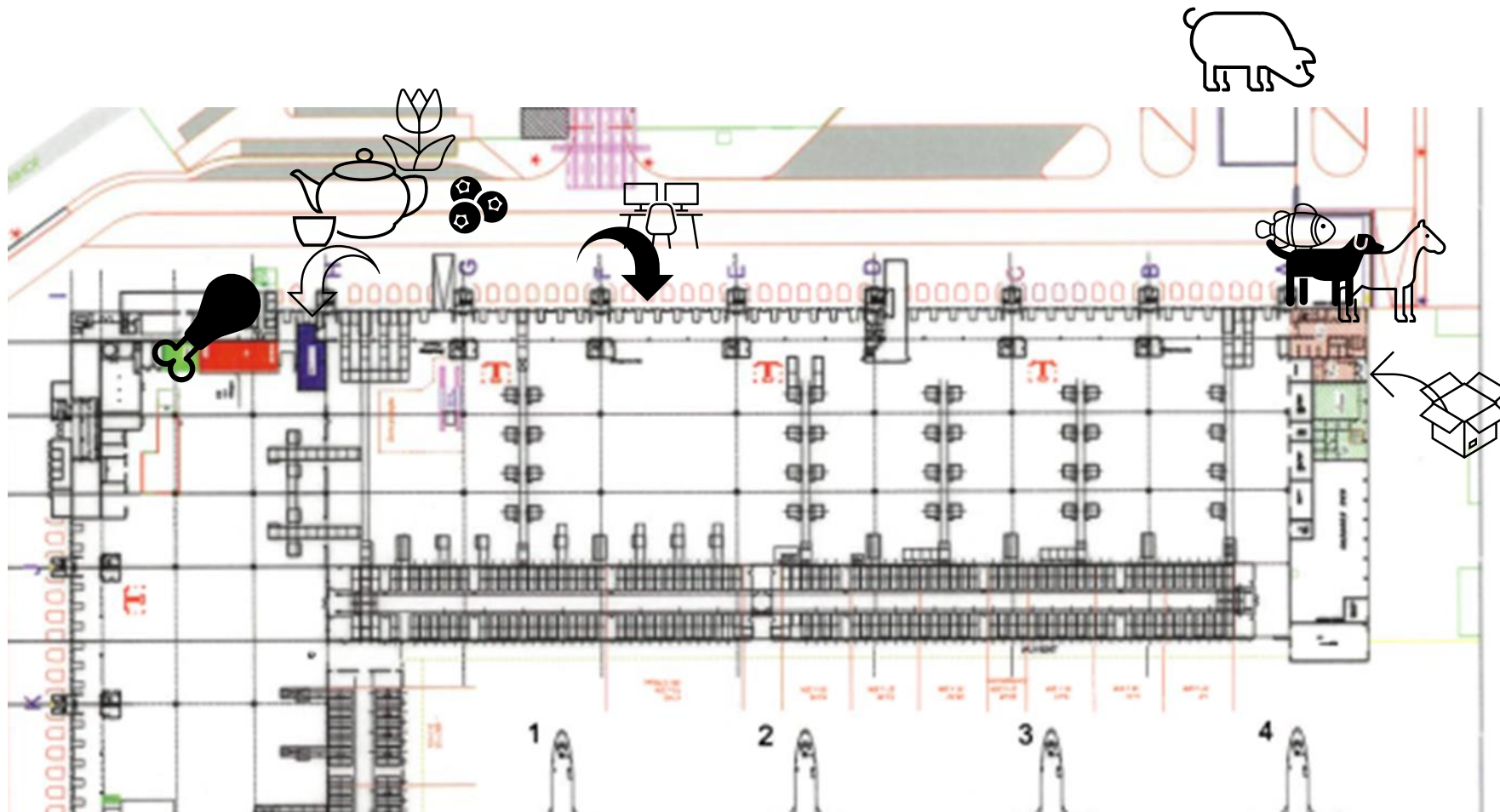


- Sanitary control post approved by EU Commission for controls on consignments entering the Union from third countries
  - animals
  - plants and plant products
  - food and feed of animal and plant origin
  - animal products outside the food and feed chain
  - food contact materials
- Always situated on an outside border of the Union
  - at Cargo Center east of Luxembourg airport
- Controls mainly on import, but also on export for some consignments



## Approved by EU for controls on

- Live animals categories
  - E - equids
  - U - ungulates
  - O – other animals
- Animal products for human consumption, at ambient temperature, refrigerated and frozen
- Non human consumption products at ambient temperature
- Plants for planting
- Plant products PP
- Wood packaging material
- Other objects
- Food and feed of non-animal origin, at ambient temperature, refrigerated and frozen
- Food contact materials FCM
- Organics control





- Since 2022, permanent service during office hours for all controls
- Put together from Vet team, ASTA team and Sécualim team
- 2 veterinarians and 3 control agents for plants, PP, FCM and food and feed of non-animal origin
- Cooperation with ASTA for organics controls
- Office open from 8:00am to 6:00pm on weekdays
- Service possible from 6:00am to 10:00pm on weekdays
- On weekends, duty service together with agents from ASTA for the plant part and from ALVA for the veterinary part limited to controls on perishables and live animals
- Office F-1042



- Control is based on risk assessment
- Same conditions for products entering than for those produced in the Union
- Control at the first point of entry to avoid introducing diseases or pests not existing or eradicated from the Union
- « Harmonised » products or animals: covered by EU legislation fixing the import conditions
- « non-harmonised » consignments: controls done on national legislation, needs bi-lateral agreements or import permit from the importing country
- The same conditions of control at every BCP in the Union
- Every consignment entering the Union or transiting through the Union, submitted to sanitary or phytosanitary control has to be presented at a BCP by the responsible of the load
  - For introduction into the Union animal health/plant health and public health are checked
  - For transit only animal health/plant health requirements are checked
  - For transshipment: products are controlled if they stay more than 3 days, live animals are controlled at arrival
- Controls are valid throughout the EU



- Every consignment has to be announced at least 24h before arrival
- Description of consignment via CN - codes
- Consignment has to be stored in BCP premises
- Control is done in 3 parts:
  - Documentary control
  - Identity control
  - Physical control, eventually with sample taking for laboratory testing
  - Animal welfare control
- Results of control are notified in a CHED – common health entry document, either accepting or refusing the consignment
  - If accepted -> customs procedure may be launched
  - If refused -> either re-dispatched to origin or third country destination
    - > transformation
    - > destruction
- CHED is validated in the TRACES-NT system, which allows real time information of COMM and the other Member States



- Regulation (EU) **2016/429** of the European Parliament and of the Council of 9 March 2016 on transmissible animal diseases and amending and repealing certain acts in the area of animal health (**'Animal Health Law'**)
- Regulation (EU) **2016/2031** of the European Parliament and of the Council of 26 October 2016 on **protective measures against pests of plants**, amending Regulations (EU) No 228/2013, (EU) No 652/2014 and (EU) No 1143/2014 of the European Parliament and of the Council and repealing Council Directives 69/464/EEC, 74/647/EEC, 93/85/EEC, 98/57/EC, 2000/29/EC, 2006/91/EC and 2007/33/EC
- Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety
- Regulation (EU) **2017/625** of the European Parliament and of the Council of 15 March 2017 **on official controls and other official activities** performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products, amending Regulations (EC) No 999/2001, (EC) No 396/2005, (EC) No 1069/2009, (EC) No 1107/2009, (EU) No 1151/2012, (EU) No 652/2014, (EU) 2016/429 and (EU) 2016/2031 of the European Parliament and of the Council, Council Regulations (EC) No 1/2005 and (EC) No 1099/2009 and Council Directives 98/58/EC, 1999/74/EC, 2007/43/EC, 2008/119/EC and 2008/120/EC, and repealing Regulations (EC) No 854/2004 and (EC) No 882/2004 of the European Parliament and of the Council, Council Directives 89/608/EEC, 89/662/EEC, 90/425/EEC, 91/496/EEC, 96/23/EC, 96/93/EC and 97/78/EC and Council Decision 92/438/EEC (**Official Controls Regulation**)



- But also, together with ASTA:
- Regulation (EU) 2018/848 of the European Parliament and of the Council of 30 May 2018 on organic production and labelling of organic products and repealing Council Regulation (EC) No 834/2007
- Commission Delegated Regulation (EU) [2021/2306](#) of 21 October 2021 supplementing Regulation (EU) 2018/848 of the European Parliament and of the Council with [rules on the official controls](#) in respect of [consignments of organic products and in-conversion products intended for import into the Union](#) and on the certificate of inspection
- On the Vet side:
- Regulation (EC) No 1069/2009 of the European Parliament and of the Council of 21 October 2009 laying down health rules as regards animal by-products and derived products not intended for human consumption and repealing Regulation (EC) No 1774/2002 (Animal by-products Regulation)
- Commission Regulation (EU) No [142/2011](#) of 25 February 2011 [implementing](#) Regulation (EC) No 1069/2009 of the European Parliament and of the Council laying down [health rules](#) as regards [animal by-products and derived products not intended for human consumption](#) and implementing Council Directive 97/78/EC as regards certain samples and items exempt from veterinary checks at the border under that Directive



- On the vet side:
- Council Regulation (EC) No 1/2005 of 22 December 2004 on the protection of animals during transport and related operations and amending Directives 64/432/EEC and 93/119/EC and Regulation (EC) No 1255/97
- Regulation (EU) No 576/2013 of the European Parliament and of the Council of 12 June 2013 on the non-commercial movement of pet animals and repealing Regulation (EC) No 998/2003
- Council Regulation (EC) No 1005/2008 of 29 September 2008 establishing a Community system to prevent, deter and eliminate illegal, unreported and unregulated fishing, amending Regulations (EEC) No 2847/93, (EC) No 1936/2001 and (EC) No 601/2004 and repealing Regulations (EC) No 1093/94 and (EC) No 1447/1999

- Every country wanting to import animals or animal products has to be approved by the EU for the type of animal or product concerned
- COMMISSION IMPLEMENTING REGULATION (EU) 2021/404 of 24 March 2021  
laying down the **lists of third countries, territories or zones thereof from which the entry into the Union of animals, germinal products and products of animal origin is permitted** in accordance with Regulation (EU) 2016/429 of the European Parliament and of the Council  
<https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32021R0404&qid=1714751345397>
- Conditions to be respected and certified
- COMMISSION DELEGATED REGULATION (EU) 2020/692 of 30 January 2020  
supplementing Regulation (EU) 2016/429 of the European Parliament and of the Council as regards **rules for entry into the Union**, and the **movement and handling after entry** of consignments of certain animals, germinal products and products of animal origin  
<https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32020R0692&qid=1714751412262>



- Commission Implementing Regulation (EU) 2018/2019 of 18 December 2018 establishing a **provisional list of high risk plants, plant products or other objects**, within the meaning of Article 42 of Regulation (EU) 2016/2031 and a **list of plants for which phytosanitary certificates are not required** for introduction into the Union, within the meaning of Article 73 of that Regulation  
<https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:02018R2019-20231214&qid=1714752434028>
- Commission Implementing Regulation (EU) 2020/1213 of 21 August 2020 concerning the **phytosanitary measures for the introduction into the Union** of certain plants, plant products and other objects which have been removed from the Annex to Implementing Regulation (EU) 2018/2019  
<https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:02020R1213-20231214&qid=1714752798514>
- Commission Implementing Regulation (EU) 2019/2072 of 28 November 2019 establishing **uniform conditions** for the implementation of Regulation (EU) 2016/2031 of the European Parliament and the Council, as regards **protective measures against pests of plants**, and repealing Commission Regulation (EC) No 690/2008 and amending Commission Implementing Regulation (EU) 2018/2019  
<https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:02019R2072-20231009&qid=1714752960238>



- Base of all food safety regulation
- « Hygiene package » : Regulation (EU) 852/2004 for all food producing establishments and Regulation (EU) 853/2004 for food of animal origin
  - ➔ sets the characteristics a product has to respect, if conditions laid down, the entering products have to comply also
- Lays down the need for official control in Regulation (EU)882/2004, which has been replaced by the OCR (2017/625)



## ○ Food and feed of non-animal origin:

- routine control of 1% of the entries
- Emergency measures and temporary increase of control if hygiene problems. Product and country based
- Commission Implementing Regulation (EU) **2019/1793** of 22 October 2019

on the **temporary increase of official controls and emergency measures governing the entry into the Union of certain goods from certain third countries** implementing Regulations (EU) 2017/625 and (EC) No 178/2002 of the European Parliament and of the Council and repealing Commission Regulations (EC) No 669/2009, (EU) No 884/2014, (EU) 2015/175, (EU) 2017/186 and (EU) 2018/1660

<https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:02019R1793-20240206&qid=1714750873544>

## ○ Food of animal origin:

- Third country has to be listed to be able to import and the establishments in the third country have to be listed
- COMMISSION IMPLEMENTING REGULATION (EU) **2021/405** of 24 March 2021

laying down the **lists of third countries or regions thereof authorised for the entry into the Union of certain animals and goods intended for human consumption** in accordance with Regulation (EU) 2017/625 of the European Parliament and of the Council



## **Article 1**      **Subject matter and scope**

1. This Regulation lays down rules for:

- (a) the **performance of official controls** and other official activities by the competent authorities of the Member States;
- (b) the **financing** of official controls;
- (c) the administrative **assistance and cooperation between Member States** in view of the correct application of the rules referred to in paragraph 2;
- (d) the performance of **controls** by the Commission **in Member States and in third countries**;
- (e) the adoption of **conditions to be fulfilled with respect to animals and goods entering the Union from a third country**;
- (f) the establishment of **a computerised information system** to manage information and data in relation to official controls.



2. This Regulation shall **apply to the official controls performed** for the verification of compliance with the rules, whether established at Union level or by the Member States, **to apply Union legislation**, in the areas of:
- (a) **food and food safety**, integrity and wholesomeness at any stage of production, processing and distribution of food, including rules aimed at ensuring fair practices in trade and protecting consumer interests and information, and **the manufacture and use of materials and articles intended to come into contact with food**;
  - (b) deliberate release into the environment of **Genetically Modified Organisms (GMOs)** for the purpose of food and feed production;
  - (c) **feed and feed safety** at any stage of production, processing and distribution of feed and the use of feed, including rules aimed at ensuring **fair practices in trade and protecting consumer health**, interests and information;
  - (d) **animal health requirements**;
  - (e) **prevention and minimisation of risks** to human and animal health **arising from animal by-products and derived products**;
  - (f) **welfare requirements for animals**;
  - (g) **protective measures against pests of plants**;
  - (h) requirements for the **placing on the market** and use of **plant protection products** and the **sustainable use of pesticides**, with the exception of pesticides application equipment;
  - (i) **organic production** and labelling of organic products;
  - (j) use and labelling of protected designations of origin, protected geographical indications and traditional specialities guaranteed.





- *Title II : Official Controls and other official activities in Member States*
  - *CHAPTER V : Official controls on animals and goods entering the Union*
  - Defines the animals and goods to be controlled and the exemptions
  - Defines the control procedure and the frequency
  - Defines the minimum requirements and designation procedure of a BCP
  - Introduces the use of the CHED
  - Lists actions to be taken in case of non-compliance or at risk of non-compliance
  - Approval of pre-export controls
  - Cooperation between authorities in relation to consignments entering the Union from third countries



- *Title VI : Union Activities*
  - *Chapter II : **Conditions for the entry into the Union of animals and goods***
  - *Information on third countries' control systems*
  - *Need for third country lists for certain animals and products*
  - *Possibility of equivalence of measures of a third country*



- OCR leads to 131 implementing regulations and decisions and to 42 delegated regulations and decisions
- The most important on import:
  - Regulation (EU) 2019/1013: on **obligation of pre-notification**
  - Regulation (EU) 2019/2122: control of personal luggage, postal parcels and research samples
  - Regulation (EU) 2019/2124: controls on onward transportation, transit and transshipment
  - Regulation (EU) 2019/2125: specific controls on wood packaging material
  - Regulation (EU) 2019/2129: **frequencies of identity and physical checks on animals and certain products**
  - Regulation (EU) 2019/66: official controls on plants and plant products to verify compliance with Union protection measures against pests
  - Regulation (EU) 2019/2235: model health certificates for products (entry and intra-trade)
  - Regulation (EU) 2019/2236: model health certificates for aquatic animals and fishery products
  - ...



- Regulation (EU)2021/632: list of animals and animal products to be presented for control  
<https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:02021R0632-20220818&qid=1714761810246>
- Regulation (EU)2021/630: list of products exempted from control
- Regulation (EU)2022/2292: entry conditions for food producing animals and certain food products
- Regulation (EU)2022/2389: frequency rates for identity and physical checks on plants and plant products
- Regulation (EU)2021/406: model health certificates for animals
- ... and many more

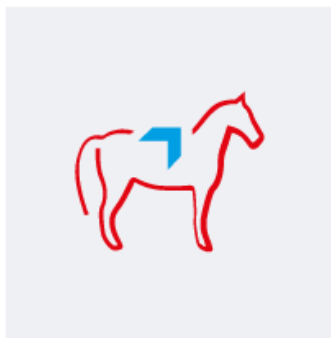


- EU gives a lot of information on their websites:
- [https://food.ec.europa.eu/horizontal-topics/international-affairs/eu-entry-conditions\\_en](https://food.ec.europa.eu/horizontal-topics/international-affairs/eu-entry-conditions_en)
- [https://food.ec.europa.eu/animals/movement-pets\\_en](https://food.ec.europa.eu/animals/movement-pets_en)
- EU legislation:
- <https://eur-lex.europa.eu/homepage.html>

## Traces-NT

- <https://webgate.ec.europa.eu/tracesnt/index>

## ANIMALS



Live animals and animal products are subject to **veterinary controls** at **import** when entering the European Union, during **intra-Community movements** and at **export**.

The transport of **protected fauna species** requires specific authorizations.

The entry of animals and animal products in Europe through Luxembourg territory goes through the **border inspection post**.

Specific rules apply to **animal feed**.

To get help following the procedures necessary for a specific flow, use the procedures guide.

