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

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The Committee on the Environment, Public Health and Food Safety adopted the report by Mario PIRILLO (EPP, IT) on the proposal for a regulation of the European Parliament and of the Council 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, plant reproductive material, plant protection products.

The Committee on Agriculture and Rural Development, exercising its prerogatives as an associated committee in accordance with Rule 50 of the Rules of Procedure, was also consulted for an opinion on the report.

The committee recommended that Parliament's position in first reading following the ordinary legislative procedure should amend the Commission proposal as follows:

Purpose and scope: it was stipulated that the Regulation should apply to the official controls performed for the verification of compliance with rules governing **food, food safety, food quality and food wholesomeness,** rules governing the **deliberate release into the environment of GMOs**, as well as rules aimed at guaranteeing fair practices in trade and protecting **consumer health, interests and information**.

The text should also apply to rules: (i) aiming at preventing and minimising antimicrobial resistance in animals and humans, as well as in the environment; (ii) laying down requirements on monitoring certain substances and residues thereof in live animals and animal products. However, the Regulation shall apply to official controls on protected designations of origin and protected geographical indications for wine. On the other hand, it should not apply to manufacture of veterinary medicine.

Official controls must verify that the procedures applicable to **organic products** have been respected.

Competent authorities: competent authorities should be responsible not just for organising official controls but **also for carrying them out**, as well as carrying out other official activities, such as issuing certificates and attestations, appointing laboratories, exchanging information in the interest of cooperation between authorities, and taking decisions on measures to remedy breaches of the Regulation.

The official certification or attestation procedure should remain a matter **solely** for the official authority.

Independence: the competent authorities shall have arrangements in place to ensure the impartiality, independence, quality, consistency and unity of purposes of official controls and other official activities at all levels; they should be in no way connected to or dependent of the operators that they control.

Staff performing official controls and other official activities shall be officials employed by the competent authorities or by an independent public body delegated by the competent authority to perform official controls or other official activities who are **free from conflict of interests** and not directly nor indirectly employed by the operator on which it is performing control activities.

The independence of the delegating authority in relation to operators has been strengthened in the text.

Official auxiliaries: this means a person qualified to act in such a capacity, appointed by the competent authority and working under the authority and responsibility of an official veterinarian.

The competent authority may appoint as official auxiliaries **only persons** who have undergone training and passed a test in accordance with the requirements set out in a new Annex IIIa of the regulation.

General rules applicable to official controls: competent authorities shall perform official controls on all undertakings regularly, on a risk basis and with appropriate frequency, taking account of:

- the use of products, processes, materials, feed additives or substances that may influence food safety and wholesomeness, feed safety, animal health or animal welfare;

- **the potential for consumers to be misled** as to the nature, quality or substance of a product and /or the potential for consumers to incur financial loss as a result of receiving misleading information from the operator.

The following should also be taken into account: i) consumer expectations regarding nature, quality and composition of foods and goods; ii) private quality assurance schemes put in place by operators, which are certified and audited by independent and recognised certification bodies.

To increase the effectiveness of the controls, **Member States shall require that any animals or goods from other Member States be reported.**

The Commission shall be empowered to adopt delegated acts in order to establish a **uniform minimum frequency** for carrying out the controls

Reducing the administrative burden: Members stated that any additional inconvenience to operators occasioned by controls should be kept to a minimum. In order to reduce the administrative burdens on operators, where possible, the competent authorities should take a coordinated approach to controls. Furthermore, it was enough that the outcome of official controls performed at a border control post be recorded in the Common Health Entry Document.

Products of animal origin intended for human consumption: official controls should relate to the following, (a) the design and maintenance of premises and equipment; (b) personal hygiene; (c) HACCP-based procedures (d) own-controls procedures; (e) verification of compliance by the staff with applicable requirements; (f) verification of the operator's records and of documents accompanying food, feed and any substance or material entering and leaving the establishment; (g) consideration of any evidence of the presence of fraudulent practices.

At least one official veterinarian shall be present during both the ante-mortem and post-mortem inspection. Similarly, an official veterinarian or an official auxiliary shall be present, with a frequency appropriate to achieving the objectives of this Regulation, in cutting plants when meat is being worked on.

Official controls in relation to animals shall include: (i) the verification of measures for protection against biological and chemical hazards to human and animal health; (ii) the verification of animal welfare measures; (iii) the verification of disease control or eradication measures.

Fees: Members considered that the **exemption of micro-enterprises** were too broad and would lead to an average of 80-90% of enterprises working in the agri-food chain being exempted from payment.

The **costs of training control staff should be excluded** from the calculation of fees or contributions to costs, as should the cost of facilities and equipment, including maintenance and insurance costs.Moreover, the fees or contributions to costs collected by the competent authority should fully cover the costs of the controls.

European reference centres: in order, to limit the number of new cases of food fraud as much as possible, the committee proposed that the Commission should, through implementing acts, establish European reference centres **for the authenticity and integrity of the agri-food chain.** These centres should possess a high level of scientific and technical expertise. The tasks and responsibilities of the centres were set out in the report.

Support for developing countries: with a view to ensuring that developing countries can comply with the provisions of the Regulation, measures may be take, to support the following activities: (i) compliance with the conditions governing the entry into the Union of animals and goods; (ii) drafting of guidelines on the organisation of official controls on products to be exported to the Union; (iii) sending of European Union or Member State experts to developing countries to assist with the organisation of official controls;

Reporting of breaches: Members suggested that competent authorities put in place effective and reliable mechanisms to encourage reporting of potential or actual breaches of the Regulation and of national provisions related to the Regulation to competent authorities.