

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) (Text with EEA relevance)

TITLE I

SUBJECT MATTER, SCOPE AND DEFINITIONS

Article 3

Definitions

For the purposes of this Regulation, the following definitions apply:

- (1) ‘food law’ means food law as defined in point (1) of Article 3 of Regulation (EC) No 178/2002;
- (2) ‘feed law’ means the laws, regulations and administrative provisions governing feed in general and feed safety in particular, ^{F1}... at any stage of production, processing and distribution or use of feed;
- (2A) [^{F2}‘the appropriate authority’ means, subject to point (2B)—
 - (a) in relation to England, the Secretary of State;
 - (b) in relation to Wales, the Welsh Ministers;
 - (c) in relation to Scotland, the Scottish Ministers;
- (2B) The appropriate authority is the Secretary of State—
 - (a) in relation to any functions exercisable in relation to a matter which is outside devolved competence; or
 - (b) in any other case, if consent is given—
 - (i) in the case of functions conferred, or any provision in regulations applying, in relation to Wales, by the Welsh Ministers;
 - (ii) in the case of functions conferred, or any provision in regulations applying, in relation to Scotland, by the Scottish Ministers;
- (2C) For the purposes of point (2B)(a), a provision is “outside devolved competence”—

Changes to legislation: There are currently no known outstanding effects for the Regulation (EU) 2017/625 of the European Parliament and of the Council, Article 3. (See end of Document for details)

- (a) in relation to Wales, if it would not be within the legislative competence of the Senedd Cymru if it were contained in an Act of the Senedd Cymru (assuming, in the case of provision that could only be made with the consent of a Minister of the Crown within the meaning of the Ministers of the Crown Act 1975, that such consent were given);
 - (b) in relation to Scotland, if it would not be within the legislative competence of the Scottish Parliament if it were contained in an Act of that Parliament.
- (2D) ‘third country’ means any country or territory outside the British Islands;]
- (3) ‘^{F3}the competent authority]’ means:
- (a) ^{F4}the appropriate authority or, as the case may be, the authority designated under or for the purposes of Article 4;]
 - (b) ^{F5}...
 - (c) where appropriate, the corresponding authorities of a third country ^{F6}, of Northern Ireland or of any of the Crown Dependencies];
- (3A) ^{F7}‘Crown Dependency’ means the Bailiwick of Jersey, the Bailiwick of Guernsey or the Isle of Man;]
- (4) ‘organic control authority’ means a public administrative organisation for organic production and labelling of organic products of ^{F8}Great Britain] to which the competent authorities have conferred, in whole or in part, their competences in relation to the application of Council Regulation (EC) No 834/2007⁽¹⁾, including, where appropriate, the corresponding authority of a third country ^{F9}, of Northern Ireland or of any of the Crown Dependencies] or operating in a third country ^{F10}, in Northern Ireland or in any of the Crown Dependencies];
- (5) ‘delegated body’ means a separate legal person to which the competent authorities have delegated certain official control tasks or certain tasks related to other official activities;
- (6) ‘control verification procedures’ means the arrangements put in place and actions performed by the competent authorities for the purpose of ensuring that official controls and other official activities are consistent and effective;
- (7) ‘control system’ means a system comprising the competent authorities and the resources, structures, arrangements and procedures set up ^{F11}... to ensure that official controls are performed in accordance with this Regulation and with the rules referred to in Articles 18 to 27;
- (8) ‘control plan’ means a description established by the competent authorities containing information on the structure and organisation of the official control system, and of its operation and the detailed planning of official controls to be performed, over a period of time, in each of the areas governed by the rules referred to in Article 1(2);
- (9) ‘animals’ means animals as defined in point (1) of Article 4 of Regulation (EU) 2016/429;
- (10) ‘animal disease’ means disease as defined in point (16) of Article 4 of Regulation (EU) 2016/429;

- (11) ‘goods’ means all that is subject to one or more of the rules referred to in Article 1(2), excluding animals;
- (12) ‘food’ means food as defined in Article 2 of Regulation (EC) No 178/2002;
- (13) ‘feed’ means feed as defined in point (4) of Article 3 of Regulation (EC) No 178/2002;
- (14) ‘animal by-products’ means animal by-products as defined in point (1) of Article 3 of Regulation (EC) No 1069/2009;
- (15) ‘derived products’ means derived products as defined in point (2) of Article 3 of Regulation (EC) No 1069/2009;
- (16) ‘plants’ means plants as defined in point (1) of Article 2 of Regulation (EU) 2016/2031;
- (17) ‘pests of plants’ means pests as defined in Article 1(1) of Regulation (EU) 2016/2031;
- (18) ‘plant protection products’ means plant protection products as referred to in Article 2(1) of Regulation (EC) No 1107/2009;
- (19) ‘products of animal origin’ means products of animal origin as defined in point 8.1 of Annex I to Regulation (EC) No 853/2004 of the European Parliament and of the Council⁽²⁾;
- (20) ‘germinal products’ means germinal products as defined in point (28) of Article 4 of Regulation (EU) 2016/429;
- (21) ‘plant products’ means plant products as defined in point (2) of Article 2 of Regulation (EU) 2016/2031;
- (22) ‘other objects’ means other objects as defined in point (5) of Article 2 of Regulation (EU) 2016/2031;
- (23) ‘hazard’ means any agent or condition with the potential to have an adverse effect on human, animal or plant health, animal welfare or the environment;
- (24) ‘risk’ means a function of the probability of an adverse effect on human, animal or plant health, animal welfare or the environment and of the severity of that effect, consequential to a hazard;
- (25) ‘official certification’ means the procedure by which assurance concerning compliance with one or more requirements laid down in the rules referred to in Article 1(2) is provided by the competent authorities;
- (26) ‘certifying officer’ means:
 - (a) any official of the competent authorities authorised to sign official certificates by such authorities; or
 - (b) any other natural person who is authorised by the competent authorities to sign official certificates in accordance with the rules referred to in Article 1(2);
- (27) ‘official certificate’ means a paper or electronic document signed by the certifying officer and providing assurance concerning compliance with one or more requirements laid down in the rules referred to in Article 1(2);

Changes to legislation: There are currently no known outstanding effects for the Regulation (EU) 2017/625 of the European Parliament and of the Council, Article 3. (See end of Document for details)

- (28) ‘official attestation’ means any label, mark or other form of attestation issued by the operators under the supervision, through dedicated official controls, of the competent authorities or by the competent authorities themselves, and providing assurance concerning compliance with one or more requirements laid down in this Regulation or in the rules referred to in Article 1(2);
- (29) ‘operator’ means any natural or legal person subject to one or more of the obligations provided for in the rules referred to in Article 1(2);
- (30) ‘audit’ means a systematic and independent examination to determine whether activities and the related results of such activities comply with planned arrangements and whether these arrangements are applied effectively and are suitable to achieve the objectives;
- (31) ‘rating’ means a classification of operators based on an assessment of their conformity with rating criteria;
- (32) ‘official veterinarian’ means a veterinarian appointed by a competent authority, either as staff or otherwise, and appropriately qualified to perform official controls and other official activities in accordance with this Regulation and the relevant rules referred to in Article 1(2);
- (33) ‘official plant health officer’ means a natural person appointed by a competent authority, either as staff or otherwise, and appropriately trained to perform official controls and other official activities in accordance with this Regulation and the relevant rules referred to in point (g) of Article 1(2);
- (34) ‘specified risk material’ means specified risk material as defined in point (g) of Article 3(1) of Regulation (EC) No 999/2001;
- (35) ‘long journey’ means a long journey as defined in point (m) of Article 2 of Regulation (EC) No 1/2005;
- (36) ‘pesticide application equipment’ [^{F12}means any apparatus specifically intended for the application of pesticides, including accessories that are essential for the effective operation of such equipment, such as nozzles, manometers, filters, strainers and cleaning devices for tanks];
- (37) ‘consignment’ means a number of animals or quantity of goods covered by the same official certificate, official attestation or any other document, conveyed by the same means of transport and coming from the same territory or third country, and, except for goods subject to the rules referred to in point (g) of Article 1(2), being of the same type, class or description;
- (38) ‘border control post’ means a place, and the facilities belonging to it, designated by [^{F13}the competent authority] for the performance of the official controls provided for in Article 47(1);
- (39) ‘exit point’ means a border control post or any other place designated by [^{F14}the competent authority] where animals, falling within the scope of Regulation (EC) No 1/2005, leave the customs territory of [^{F15}British Islands];
- (40) [^{F16}‘entering Great Britain’ or ‘entry into Great Britain’ means the action of bringing animals and goods into Great Britain from a third country;]
- (40A) [^{F17}‘first arrival’ means the point of first arrival in Great Britain from a third country;]

Changes to legislation: There are currently no known outstanding effects for the Regulation (EU) 2017/625 of the European Parliament and of the Council, Article 3. (See end of Document for details)

- (41) ‘documentary check’ means the examination of the official certificates, official attestations and other documents including documents of a commercial nature, which are required to accompany the consignment as provided for by the rules referred to in Article 1(2), by Article 56(1) or by implementing acts adopted in accordance with Articles 77(3), 126(3), 128(1) and 129(1) [F18, which take effect as retained direct EU legislation, or, as the case may be, by regulations made under those Articles.]
- (42) ‘identity check’ means a visual inspection to verify that the content and the labelling of a consignment, including the marks on animals, seals and means of transport, correspond to the information provided in the official certificates, official attestations and other documents accompanying it;
- (43) ‘physical check’ means a check on animals or goods and, as appropriate, checks on packaging, the means of transport, labelling and temperature, the sampling for analysis, testing or diagnosis and any other check necessary to verify compliance with the rules referred to in Article 1(2);
- (44) ‘transit’ means movement from one third country to another third country passing under customs supervision through [F19 one part of the British Islands, or from one part of the British Islands to another part, having passed through the territory of a third country;]
- (45) ‘supervision by the customs authorities’ means customs supervision as defined in point (27) of Article 5 of Regulation (EU) No 952/2013 of the European Parliament and of the Council⁽³⁾;
- (46) ‘control by the customs authorities’ means customs controls as defined in point (3) of Article 5 of Regulation (EU) No 952/2013;
- (47) ‘official detention’ means the procedure by which the competent authorities ensure that animals and goods subject to official controls are not moved or tampered with pending a decision on their destination; it includes storage by operators in accordance with the instructions and under the control of the competent authorities;
- (48) ‘journey log’ means the document set out in points 1 to 5 of Annex II to Regulation (EC) No 1/2005;
- (49) ‘official auxiliary’ means a representative of the competent authorities trained in accordance with the requirements established under Article 18 and employed to perform certain official control tasks or certain tasks related to other official activities;
- (50) ‘meat and edible meat offal’ means, for the purpose of point (a) of Article 49(2) of this Regulation, the products listed in sub-Chapters 0201 to 0208 of Chapter 2 of Section I of Part II of Annex I to Council Regulation (EEC) No 2658/87⁽⁴⁾;
- (51) ‘health mark’ means a mark applied after the official controls referred to in points (a) and (c) of Article 18(2) have been performed and which attests that the meat is fit for human consumption.

Textual Amendments

- F1** Words in Art. 3(2) omitted (31.12.2020) by virtue of [The Official Controls \(Animals, Feed and Food, Plant Health etc.\) \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1481\)](#), regs. 1, **3(2)(a)** (with reg. 46)
- F2** Art. 3(2A)-(2D) inserted (31.12.2020) by [The Official Controls \(Animals, Feed and Food, Plant Health etc.\) \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1481\)](#), regs. 1, **3(2)(b)** (with reg. 46)

Changes to legislation: There are currently no known outstanding effects for the Regulation (EU) 2017/625 of the European Parliament and of the Council, Article 3. (See end of Document for details)

- F3** Words in Art. 3(3) substituted (31.12.2020) by The Official Controls (Animals, Feed and Food, Plant Health etc.) (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1481), regs. 1, **3(2)(c)(i)** (with reg. 46)
- F4** Art. 3(3)(a) substituted (13.12.2022) by The Animals and Animal Health, Feed and Food, Plants and Plant Health (Amendment) Regulations 2022 (S.I. 2022/1315), regs. 1(1), **4(a)**
- F5** Art. 3(3)(b) omitted (13.12.2022) by virtue of The Animals and Animal Health, Feed and Food, Plants and Plant Health (Amendment) Regulations 2022 (S.I. 2022/1315), regs. 1(1), **4(b)**
- F6** Words in Art. 3(3)(c) inserted (31.12.2020) by The Official Controls (Animals, Feed and Food, Plant Health etc.) (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1481), regs. 1, **3(2)(c)(iii)** (with reg. 46)
- F7** Art. 3(3A) inserted (31.12.2020) by The Official Controls (Animals, Feed and Food, Plant Health etc.) (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1481), regs. 1, **3(2)(d)** (with reg. 46)
- F8** Words in Art. 3(4) substituted (31.12.2020) by The Official Controls (Animals, Feed and Food, Plant Health etc.) (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1481), regs. 1, **3(2)(e)(i)** (with reg. 46)
- F9** Words in Art. 3(4) inserted (31.12.2020) by The Official Controls (Animals, Feed and Food, Plant Health etc.) (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1481), regs. 1, **3(2)(e)(ii)(aa)** (with reg. 46)
- F10** Words in Art. 3(4) inserted (31.12.2020) by The Official Controls (Animals, Feed and Food, Plant Health etc.) (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1481), regs. 1, **3(2)(e)(ii)(bb)** (with reg. 46)
- F11** Words in Art. 3(7) omitted (31.12.2020) by virtue of The Official Controls (Animals, Feed and Food, Plant Health etc.) (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1481), regs. 1, **3(2)(f)** (with reg. 46)
- F12** Words in Art. 3(36) substituted (31.12.2020) by The Official Controls (Animals, Feed and Food, Plant Health etc.) (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1481), regs. 1, **3(2)(g)** (with reg. 46)
- F13** Words in Art. 3(38) substituted (31.12.2020) by The Official Controls (Animals, Feed and Food, Plant Health etc.) (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1481), regs. 1, **3(2)(h)** (with reg. 46)
- F14** Words in Art. 3(39) substituted (31.12.2020) by The Official Controls (Animals, Feed and Food, Plant Health etc.) (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1481), regs. 1, **3(2)(i)(aa)** (with reg. 46)
- F15** Words in Art. 3(39) substituted (31.12.2020) by The Official Controls (Animals, Feed and Food, Plant Health etc.) (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1481), regs. 1, **3(2)(i)(bb)** (with reg. 46)
- F16** Art. 3(40) substituted (31.12.2020) by The Official Controls (Animals, Feed and Food, Plant Health etc.) (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1481), regs. 1, **3(2)(j)** (with reg. 46)
- F17** Art. 3(40A) inserted (31.12.2020) by The Official Controls (Animals, Feed and Food, Plant Health etc.) (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1481), regs. 1, **3(2)(k)** (with reg. 46)
- F18** Words in Art. 3(41) inserted (31.12.2020) by The Official Controls (Animals, Feed and Food, Plant Health etc.) (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1481), regs. 1, **3(2)(l)** (with reg. 46)
- F19** Words in Art. 3(44) substituted (31.12.2020) by The Official Controls (Animals, Feed and Food, Plant Health etc.) (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1481), regs. 1, **3(2)(m)** (with reg. 46)

Changes to legislation: There are currently no known outstanding effects for the Regulation (EU) 2017/625 of the European Parliament and of the Council, Article 3. (See end of Document for details)

- (1) Council Regulation (EC) No 834/2007 of 28 June 2007 on organic production and labelling of organic products and repealing Regulation (EEC) No 2092/91 ([OJ L 189, 20.7.2007, p. 1](#)).
- (2) Regulation (EC) No 853/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific hygiene rules for food of animal origin ([OJ L 139, 30.4.2004, p. 55](#)).
- (3) Regulation (EU) No 952/2013 of the European Parliament and of the Council of 9 October 2013 laying down the Union Customs Code ([OJ L 269, 10.10.2013, p. 1](#)).
- (4) Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff ([OJ L 256, 7.9.1987, p. 1](#)).

Changes to legislation:

There are currently no known outstanding effects for the Regulation (EU) 2017/625 of the European Parliament and of the Council, Article 3.