

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 II

OFFICIAL CONTROLS AND OTHER OFFICIAL ACTIVITIES ^{F1}...

CHAPTER V

Official controls on animals and goods entering [^{F1}Great Britain]

Section III

Action in the event of suspicion of Non-compliance and of Non-compliance of animals and goods entering [^{F1}Great Britain]

Article 65

Suspicion of non-compliance and intensified official controls

1 In the event of suspicion of non-compliance of consignments of the categories of animals and goods referred to in Articles 44(1) and 47(1) with the rules referred to in Article 1(2), the competent authorities shall perform official controls in order to confirm or to eliminate that suspicion.

2 Consignments of animals and goods which are not declared by operators to consist of the categories of animals and goods referred to in Article 47(1), shall be subject to official controls by the competent authorities where there is reason to believe that such categories of animals or goods are present in the consignment.

3 The competent authorities shall place the consignments referred to in paragraphs 1 and 2 under official detention pending the outcome of the official controls provided for in those paragraphs.

Where appropriate, those consignments shall be isolated or quarantined and animals shall be sheltered, fed, watered and as necessary treated, pending the outcome of the official controls.

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4 Where the competent authorities have reasons to suspect fraudulent or deceptive practices by an operator responsible for the consignment or the official controls give grounds to believe that the rules referred to in Article 1(2) have been seriously or repeatedly infringed, they shall, where appropriate, and in addition to the measures provided for in Article 66(3), intensify as appropriate official controls on consignments with the same origin or use.

5 The competent authorities shall notify the [^{F2}other competent authorities of the constituent territories of the British Islands, through the appropriate computerised information management system,] of their decision to perform intensified official controls, as provided for in paragraph 4 of this Article, indicating the reasons for their decision.

6 The [^{F3}appropriate authority may make regulations laying] down rules on the procedures for the coordinated performance by competent authorities of the intensified official controls referred to in paragraphs 4 and 5 of this Article. ^{F4}...

Textual Amendments

- F2** Words in Art. 65(5) 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, **12(2)(a)** (with reg. 46)
- F3** Words in Art. 65(6) 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, **12(2)(b)(i)** (with reg. 46)
- F4** Words in Art. 65(6) 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, **12(2)(b)(ii)** (with reg. 46)

Article 66

Measures to be taken in cases of non-compliant consignments entering [^{F5}Great Britain]

1 The competent authorities shall place under official detention any consignment of animals or goods entering [^{F6}Great Britain] which does not comply with the rules referred to in Article 1(2) and shall refuse its entry into [^{F6}Great Britain].

The competent authorities shall isolate or quarantine, as appropriate, any such consignment and the animals belonging to it shall be kept, cared for or treated under appropriate conditions pending any further decision. If possible, the competent authorities shall also take into account the interest of providing special care in respect of certain types of goods.

2 The [^{F7}appropriate authority may make regulations laying] down rules on the practical arrangements for the isolation and quarantine provided for in the second subparagraph of paragraph 1 of this Article. ^{F8}...

3 The competent authority shall, as regards the consignment referred to in paragraph 1 order, without delay, the operator responsible for the consignment to:

- a destroy the consignment;
- b re-dispatch the consignment outside [^{F9}Great Britain] in accordance with Article 72(1) and (2); or
- c subject the consignment to special treatment in accordance with Article 71(1) and (2) or to any other measure necessary to ensure compliance with the rules referred to in

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Article 1(2), and, where appropriate, allocate the consignment for purposes other than those for which it was originally intended.

Any action referred to in points (a), (b) and (c) of the first subparagraph shall be performed in compliance with the rules referred to in Article 1(2), including in particular, as regards consignments of live animals, those intended to spare animals any avoidable pain, distress or suffering.

When the consignment consists of plants, plant products or other objects, points (a), (b) and (c) of the first subparagraph shall be applied either to the consignment or to lots thereof.

Before ordering the operator to take action in accordance with (a), (b) and (c) of the first subparagraph, the competent authority shall hear the operator concerned, unless immediate action is necessary in order to respond to a risk to human, animal or plant health, animal welfare or, as regards the GMOs and plant protection products, also to the environment.

4 Where the competent authority orders the operator to take one or more of the actions laid down in point (a), (b) or (c) of the first subparagraph of paragraph 3, that competent authority may exceptionally authorise the action to be taken in respect of a part of the consignment only, provided that the partial destruction, re-dispatch, special treatment, or other measure:

- a is such as to ensure compliance;
- b does not pose a risk to human, animal or plant health or to animal welfare or, as regards GMOs and plant protection products, also to the environment; and
- c does not disrupt official control operations.

5 The competent authorities shall immediately notify any decision to refuse entry of a consignment as provided for in paragraph 1 of this Article, and any order issued in accordance with paragraphs 3 and 6 of this Article and with Article 67 to:

- ^{F10}a
- b the competent authorities of the other [^{F11}constituent territories of the British Islands];
- c the customs authorities;
- d the competent authorities of the third country of origin; and
- e the operator responsible for the consignment.

That notification shall be performed via the [^{F12}appropriate computerised information management system].

6 If a consignment of the categories of animals or goods referred to in Article 47(1) is not presented for the official controls referred to therein, or is not presented in accordance with the requirements laid down in Articles 50(1) and (3), 56(1), (3) and (4), or with the rules adopted under Article 48, Article 49(4), Article 51, Article 53(1) and Article 58, the competent authorities shall order that such consignment be retained or recalled, and placed under official detention without delay.

Paragraphs 1, 3 and 5 of this Article shall apply to such consignments.

7 The measures referred to in this Article shall be applied at the expense of the operator responsible for the consignment.

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

Textual Amendments

- F5** Words in Art. 66 heading 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, **12(3)** (with reg. 46)
- F6** Words in Art. 66(1) 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, **12(4)(a)** (with reg. 46)
- F7** Words in Art. 66(2) 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, **12(4)(b)(i)** (with reg. 46)
- F8** Words in Art. 66(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, **12(4)(b)(ii)** (with reg. 46)
- F9** Words in Art. 66(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, **12(4)(a)** (with reg. 46)
- F10** Art. 66(5)(a) 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, **12(4)(c)(i)** (with reg. 46)
- F11** Words in Art. 66(5)(b) 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, **12(4)(c)(ii)** (with reg. 46)
- F12** Words in Art. 66(5)(b) 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, **12(4)(c)(iii)** (with reg. 46)

Article 67

Measures to be taken on animals or goods entering [F13 Great Britain] from third countries presenting a risk

Where official controls indicate that a consignment of animals or goods presents a risk to human, animal or plant health, animal welfare or, as regards GMOs and plant protection products, also to the environment, such consignment shall be isolated or quarantined and the animals belonging to it shall be kept, cared for or treated under appropriate conditions pending any further decision.

The competent authorities shall retain the consignment concerned under official detention and shall, without delay, order the operator responsible for that consignment to:

- (a) destroy the consignment in compliance with the rules referred to in Article 1(2), taking all the measures necessary to protect human, animal or plant health, animal welfare or the environment, and as regards live animals including in particular the rules on the sparing of any avoidable pain, distress or suffering; or
- (b) subject the consignment to special treatment in accordance with Article 71(1) and (2).

The measures referred to in this Article shall be applied at the expense of the operator responsible for the consignment.

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

Textual Amendments

- F13** Words in Art. 67 heading 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, **12(5)** (with reg. 46)

Article 68

Follow-up of decisions taken in relation to non-compliant consignments entering [^{F14}Great Britain] from third countries

- 1 The competent authorities shall:
 - a invalidate the official certificates and as appropriate other relevant documents accompanying consignments which have been subject to measures pursuant to Article 66(3) and (6) and Article 67; and
 - b cooperate in accordance with Articles 102 to [^{F15}107] to take any further measures necessary to ensure that it is not possible to reintroduce consignments into [^{F16}the British Islands] which have been refused entry in accordance with Article 66(1).
- 2 The competent authorities in the [^{F17}constituent territory of Great Britain] where the official controls were performed shall supervise the application of the measures ordered in accordance with Article 66(3) and (6) and Article 67 to ensure that the consignment does not give rise to adverse effects on human, animal or plant health, animal welfare, or the environment, during or pending the application of those measures.

Where appropriate, such application shall be completed under the supervision of the competent authorities of another [^{F18}constituent territory of the British Islands].

Textual Amendments

- F14** Words in Art. 68 heading 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, **12(5)** (with reg. 46)
- F15** Word in Art. 68(1)(b) 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, **12(6)(a)(i)** (with reg. 46)
- F16** Words in Art. 68(1)(b) 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, **12(6)(a)(ii)** (with reg. 46)
- F17** Words in Art. 68(2) 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, **12(6)(b)(i)** (with reg. 46)
- F18** Words in Art. 68(2) 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, **12(6)(b)(ii)** (with reg. 46)

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Article 69

Failure by the operator to apply the measures ordered by the competent authorities

1 The operator responsible for the consignment shall carry out all the measures ordered by the competent authorities in accordance with Article 66(3) and (6) and Article 67 without delay and, at the latest, within 60 days from the day on which the competent authorities notified the operator concerned of their decision in accordance with Article 66(5). The competent authorities may specify a shorter period than the period of 60 days.

2 If, after the expiry of the period referred to in paragraph 1, no action has been taken by the operator concerned, the competent authorities shall order:

- a that the consignment be destroyed or subject to any other appropriate measure;
- b in the cases referred to in Article 67, that the consignment be destroyed in suitable facilities located as close as possible to the border control post, taking all measures necessary to protect human, animal or plant health, animal welfare or the environment.

3 The competent authorities may extend the period referred to in paragraphs 1 and 2 of this Article for the time necessary to obtain the results of the second expert opinion referred to in Article 35, provided that this is without adverse effects to human, animal and plant health, animal welfare or, as regards GMOs and plant protection products, also to the environment.

4 The measures referred to in this Article shall be applied at the expense of the operator responsible for the consignment.

Article 70

Consistency of application of Articles 66, 67 and 68

The [^{F19}appropriate authority may make regulations laying] down rules to ensure consistency across all border control posts referred to in Article 59(1), and control points referred to in point (a) of Article 53(1), of decisions and measures taken and orders issued by the competent authorities in accordance with Articles 66, 67 and 68 which are to be followed by the competent authorities when responding to common or recurring situations of non-compliance or risk. ^{F20} ...

Textual Amendments

- F19** Words in Art. 70 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, **12(7)(a)** (with reg. 46)
- F20** Words in Art. 70 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, **12(7)(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, Section III. (See end of Document for details)

Article 71

Special treatment of consignments

1 The special treatment of consignments provided for in point (c) of Article 66(3) and point (b) of Article 67 may, as appropriate, include:

- a treatment or processing, including decontamination, where appropriate, but excluding dilution, so that the consignment complies with the requirements of the rules referred to in Article 1(2), or with the requirements of a third country of re-dispatch; or
- b treatment in any other manner suitable for safe animal or human consumption or for purposes other than animal or human consumption.

2 The special treatment provided for in paragraph 1 shall:

- a be carried out effectively and ensure the elimination of any risk to human, animal or plant health, animal welfare or, as regards GMOs and plant protection products, also to the environment;
- b be documented and carried out under the control of the competent authorities or, where appropriate, under the control of the competent authorities of another [F21 constituent territory of the British Islands] by mutual agreement; and
- c comply with the requirements laid down in the rules referred to in Article 1(2).

3 The [F22 appropriate authority may make regulations] to supplement this Regulation concerning the requirements and the conditions in accordance with which the special treatment provided for in paragraph 1 of this Article is to take place.

F23
...

Textual Amendments

- F21** Words in Art. 71(2)(b) 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, **12(8)(a)** (with reg. 46)
- F22** Words in Art. 71(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, **12(8)(b)(i)** (with reg. 46)
- F23** Words in Art. 71(3) 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, **12(8)(b)(ii)** (with reg. 46)

Article 72

Re-dispatch of consignments

1 The competent authorities shall allow the re-dispatch of consignments subject to compliance with the following conditions:

- a the destination has been agreed with the operator responsible for the consignment;
- b the operator responsible for the consignment has informed the competent authorities [F24 concerned] in writing that the competent authorities of the third country of origin or, if different, the third country of destination have been informed of the reasons and

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- circumstances for the refusal of the entry into [^{F25}Great Britain] of the consignment of animals or goods concerned;
- c where the third country of destination is not the third country of origin, the operator has obtained the agreement of the competent authorities of that third country of destination and those competent authorities have notified the competent authorities [^{F24}concerned] that they are prepared to accept the consignment; and
 - d in the case of consignments of animals, the re-dispatch is in compliance with animal welfare requirements.
- 2 The conditions set out in points (b) and (c) of paragraph 1 of this Article shall not apply to consignments of the categories of goods referred to in point (c) of Article 47(1).

Textual Amendments

- F24** Word in [Art. 72](#) 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, **12(9)(a)** (with reg. 46)
- F25** Words in [Art. 72\(1\)\(b\)](#) 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, **12(9)(b)** (with reg. 46)

Textual Amendments

- F1** Words in [Title 2 Ch. 5 s. 3](#) title 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, **12(1)** (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, Section III.