

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 VI

### [<sup>F1</sup>ACTIVITIES IN RELATION TO CONTROLS]

#### CHAPTER I

#### *[<sup>F1</sup>Controls in third countries]*

#### <sup>F2</sup>Article 116

#### **Commission controls in Member States**

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#### **Textual Amendments**

**F2** Arts. 116-119 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, **21(3)** (with reg. 46)

#### <sup>F2</sup>Article 117

#### **Reports by the Commission on controls in Member States**

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#### **Textual Amendments**

**F2** Arts. 116-119 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, **21(3)** (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, CHAPTER 1. (See end of Document for details)

## <sup>F2</sup>Article 118

### Programme of the Commission controls in Member States

#### Textual Amendments

- F2** Arts. 116-119 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, **21(3)** (with reg. 46)

## <sup>F2</sup>Article 119

### Obligations of the Member States as regards Commission controls

#### Textual Amendments

- F2** Arts. 116-119 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, **21(3)** (with reg. 46)

## Article 120

### <sup>F3</sup>... Controls in third countries

1 [<sup>F4</sup>Experts appointed by the competent authorities] may perform controls in third countries in order to:

- a verify the compliance or equivalence of third-country legislation and systems, including official certification and the issuance of official certificates, official labels, official marks and other official attestations, with the requirements laid down in the rules referred to in Article 1(2);
- b verify the capacity of the third country control system to ensure that consignments of animals and goods exported to [<sup>F5</sup>Great Britain] comply with relevant requirements established by the rules referred to in Article 1(2) or with requirements recognised to be at least equivalent thereto;
- c collect information and data to elucidate the causes of recurring or emerging problems in relation to exports of animals and goods from a third country.

2 The controls provided for in paragraph 1 shall have particular regard to:

- a the legislation of the third country;
- b the organisation of the third country's competent authorities, their powers and independence, the supervision to which they are subject and the authority they have to enforce the applicable legislation effectively;
- c the training of staff of the competent authority of the third country in the performance of official controls;
- d the resources including analytical, testing and diagnostic facilities available to competent authorities;

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- e the existence and operation of documented control procedures and control systems based on priorities;
- f where applicable, the situation regarding animal health, animal welfare, zoonoses and plant health, and procedures for notifying the [<sup>F6</sup>competent authorities in Great Britain] and relevant international bodies of outbreaks of animal diseases and pests of plants;
- g the extent and operation of controls performed by the competent authority of the third country on animals, plants and their products arriving from other third countries; and
- h the assurances which the third country can give regarding compliance with, or equivalence to, the requirements laid down in the rules referred to in Article 1(2).

3 In order to facilitate the efficiency and effectiveness of the controls provided for in paragraph 1, the [<sup>F7</sup>appropriate authority] may, prior to performing such controls, request that the third country concerned provide:

- a the necessary information referred to in Article 125(1); and
- b where appropriate and necessary, the written records on the controls its competent authorities perform.

<sup>F8</sup>4

#### Textual Amendments

- F3** Word in Art. 120 heading 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, **21(4)** (with reg. 46)
- F4** Words in Art. 120(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, **21(5)(a)(i)** (with reg. 46)
- F5** Words in Art. 120(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, **21(5)(a)(ii)** (with reg. 46)
- F6** Words in Art. 120(2)(f) 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, **21(5)(b)** (with reg. 46)
- F7** Words in Art. 120(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, **21(5)(c)** (with reg. 46)
- F8** Art. 120(4) 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, **21(5)(d)** (with reg. 46)

#### Article 121

#### Frequency of <sup>F9</sup>... controls in third countries

The frequency of <sup>F10</sup>... controls in third countries referred to in Article 120 shall be determined on the basis of the following criteria:

- (a) a risk assessment of the animals and goods exported to [<sup>F11</sup>Great Britain] from the third country concerned;
- (b) the rules referred to in Article 1(2);

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- (c) the volume and nature of animals and goods entering [<sup>F11</sup>Great Britain] from the third country concerned;
- (d) the outcome of controls already performed by the [<sup>F12</sup>experts appointed by the competent authority] or by other inspection bodies;
- (e) the outcome of official controls on animals and goods entering [<sup>F11</sup>Great Britain] from the third country concerned and of any other official controls that competent authorities [<sup>F13</sup>in Great Britain] have performed;
- (f) information received from the EFSA or similar bodies;
- (g) information received from internationally recognised bodies such as:
  - (i) the World Health Organization;
  - (ii) the Codex Alimentarius Commission;
  - (iii) the World Organization for Animal Health (OIE);
  - (iv) European and Mediterranean Plant Protection Organization and any other regional plant protection organisations established under the International Plant Protection Convention (IPPC);
  - (v) the secretariat of the IPPC;
  - (vi) Organisation for Economic Co-operation and Development;
  - (vii) United Nations Economic Commission for Europe;
  - (viii) the secretariat of the Cartagena Protocol on Biosafety to the Convention on Biological Biodiversity;
- (h) evidence of emerging disease situations or other circumstances that might result in animals and goods entering [<sup>F11</sup>Great Britain] from a third country presenting health or environmental risks or a risk of fraudulent or deceptive practices;
- (i) the need to investigate or respond to emergency situations in individual third countries.

#### Textual Amendments

- F9** Word in Art. 121 heading 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, **21(6)** (with reg. 46)
- F10** Word in Art. 121 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, **21(7)(a)** (with reg. 46)
- F11** Words in Art. 121 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, **21(7)(b)** (with reg. 46)
- F12** Words in Art. 121(d) 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, **21(7)(c)** (with reg. 46)
- F13** Words in Art. 121(e) 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, **21(7)(d)** (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, CHAPTER I. (See end of Document for details)

## Article 122

### Reports by the <sup>F14</sup>competent authority] on controls in third countries

The <sup>F15</sup>competent authority] shall report on the findings of each control performed in accordance with Articles 120 and 121. Its report shall, where appropriate, contain recommendations.

The <sup>F15</sup>competent authority] shall make its reports publicly available.

#### Textual Amendments

- F14** Words in Art. 122 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, **21(8)** (with reg. 46)
- F15** Words in Art. 122 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, **21(9)** (with reg. 46)

## Article 123

### Programme of <sup>F16</sup>... controls in third countries

The <sup>F17</sup>competent authority] shall communicate its programme of controls in third countries to <sup>F18</sup>other competent authorities in Great Britain] in advance and shall report on the results. The <sup>F17</sup>competent authority] may amend that programme to take account of developments in the areas governed by the rules referred to in Article 1(2). Any such amendment shall be communicated to the <sup>F18</sup>other competent authorities in Great Britain] in advance.

#### Textual Amendments

- F16** Words in Art. 123 heading 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, **21(10)** (with reg. 46)
- F17** Words in Art. 123 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, **21(11)(a)** (with reg. 46)
- F18** Words in Art. 123 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, **21(11)(b)** (with reg. 46)

## <sup>F19</sup>Article 124

### Third-country controls in Member States

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

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**Textual Amendments**

- F19** Art. 124 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, **21(12)** (with reg. 46)

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**Textual Amendments**

- F1** Title 6 Ch. 1 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, **21(2)** (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, CHAPTER I.