Importing into the EU - Council Regulation (EEC) No 1991/2006

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IMPORTS before 1.1.2007

All imports are based on an assessment of equivalency with EU Regulation 2092/91. There are two options:

1.) Third Country List
2.) Member State Authorizations

IMPORTS after 1.1.2007

Imports either have to meet EU Regulation 2092/91 (compliance) or have to meet equivalent standards to the EU Regulation. There are following options:

1.) Compliance
   a.) control body list for compliance (not yet published, implementation procedures still need to be elaborated)
2.) Equivalence
   a) Third Country List
   b) Control Body List (not yet published, implementation procedures still need to be elaborated)
   c) Member State Authorizations

EU Regulation 834/2007:

- Direct access: compliance

  32.1 Compliance
  - a. product complies with Titles II, III and IV of 834/2007
  - b. operators have submitted activity to inspection body/authority listed on new list (see 32.2)
  - c. operators able to provide documentary evidence

  32.2 Controls on compliance in third countries
  - List of bodies/authorities by Commission
  - Bodies ISO 65 accredited
  - Bodies/authorities to send information
  - Assessment reports by accreditation bodies or authorities
  - Supervision by Commission and Member States

- Equivalence

  Definition

  Different systems or measures, capable of meeting the same objectives and principles by applying rules which ensure the same level of assurance of conformity.

Reference

EC rules. Assessment shall take into account Codex Alimentarius Guidelines CAC/GL 32

33.1 General conditions equivalence

a. equivalent production standards

b. equivalent control arrangements

c. controls

- by control system and control body on third country list – 33.2
- by body on control body list – 33.3

d. product comes with certificate from bodies in c. (as in 1788/2001)

33.2 List of third countries for equivalence

(As previously in 11.1),

- Examination documented request third country
- On-the-spot expert examination possible
- Annual report
- Commission and Member State supervision

33.3 List of control bodies for equivalence

For products other than art. 32 or 33.2

- Examination documented request control body
- Regular on-the-spot evaluation
- Provide assessment reports
- On-the-spot examination possible
- Supervision by Commission and Member States based on assessment reports

Implementing rules for articles 32 and 33

- First working document (16.11.2007)
- Discussion with Member States and Stakeholders
- Content:
  - Simple provisions
  - Lists (3)
  - Model import certificate (from reg.1788)

Elements considered

- Reference to standards needed in all cases
- Assessment reports have to include equivalence judgement
- Making updated list of operators available on the internet

Key issues to be decided

- Transition: MS authorisations until x months after first list is published. Goal is smooth transition.
- Timing and priorization
- Co-operation with Member States
- Guidance documents/procedures
- Complaints mechanism?

Next steps

1. Legal proposal for implementing rules
2. Discussion COM, MS, stakeholders
3. Decision SCOF, publication
4. Applications of CBs
5. Assessment of applications
   *** MS authorisations continue ***
6. Publication of list
   *** MS authorisations phase out ***

F.A.Q.

1. Can CBs already introduce applications?
   -> it is recommended to wait until implementation rules are approved.
2. What will happen to the list of third countries?
   -> Will be taken over. The EU expects the list to be extended soon.
3. How long will it take before the first list is published?
4. Is compliance better than equivalence?
   No
5. Why is there no transaction certificate for compliant imports?
   Documentary evidence is requested, as for operators in EU.