COUNCIL OF
THE EUROPEAN UNION

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Council Conclusions on safety of imported agricultural and agri-food products and compliance with Community rules

2917th AGRICULTURE and FISHERIES Council meeting
Brussels, 18 and 19 December 2008

The Council adopted the following conclusions:

"THE COUNCIL,

RECALLING THAT

(1) The EU is the world's largest food importer ; the growth of global trade in food, feed, animals and plants increases the probability of the emergence and spread of risk factors and diseases, which are sometimes discovered after the event, as recent crises have shown.

(2) The European system for controlling import-related risk is in compliance with the World Trade Organisation Agreement on the Application of Sanitary and Phytosanitary Measures (SPS Agreement).

(3) Food, feed, animals and plants imported into the EU from third countries must be just as safe as Community products.

(4) This system is based on the responsibility of operators along the food chain and on rules for import controls, which contribute to a high level of health protection for consumers, animals and plants (including protection from invasive alien species).

P R E S S

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(5) Effective control systems in Member States are a key element. It is important to ensure effective sanitary and phytosanitary controls at agreed points of Community entry at the EU's external borders, or at places of destination where applicable and useful.

(6) Food and Veterinary Office inspections in Member States and in third countries play an essential role in the system.

(7) The system works satisfactorily on the whole, but has to be regularly adapted in order to maintain a high level of protection for the sake of European citizens.

(8) A memorandum entitled "Food, feed, animal and plant imports: safety and compliance with Community rules" was submitted to the Council of Ministers (Agriculture) on 23 June 2008.

(9) The European Economic and Social Committee's exploratory opinion on the safety of agricultural and food imports was adopted on 22 October 2008.

(10) The conclusions of the Council relating to the evaluation of the current Community plant health regime and to a proposal for a Community plant health strategy were adopted on 21 November 2008.

1. IS PLEASED to note the Commission initiatives designed to improve the Community system of import controls, such as:

1.1. the revision of Community legislation on the organisation of veterinary checks on products of animal origin (Directive 97/78/EC) and live animals (Directive 91/496/EC) entering the Community;

1.2. the plans, based on Regulation No 882/2004/EC, to tighten up health checks on imports of certain foodstuffs of plant origin, on the basis of new or known risks;

1.3. the Commission communication on the EU animal health strategy (2007-2013), which emphasizes the importance of ensuring border biosecurity;

1.4. carrying out, and increasing resources for, the Better Training for Safer Food programme, which provides technical assistance for those responsible for compliance checks along the entire import chain, in particular in developing countries which export to the EU;

1.5. the increasing number of FVO inspections in third countries and in Member States concerning sanitary and phytosanitary safety of imports and concerning controls performed at authorised Community points of entry;

1.6. the development of software and harmonised databases (RASFF, TRACES and EUROPHYT applications) in order to target sanitary and phytosanitary controls and to ease the management of non-conformities taking into account existing and functioning systems in the sectors concerned.

2. STRESSES that it is important :

concerning analysis of import-related sanitary and phytosanitary risks :

2.1. for import controls policy to be based on risk analysis covering the entire import cycle, in order to adopt measures which are proportionate to the risks and to optimise allocation of the human and financial resources necessary for controls;

2.2. to that end, with the support of the European Food Safety Authority (EFSA) in the framework set by the Community legislation, taking into account the work of the relevant international bodies, to build up, where appropriate, scientific methodologies for risk assessments;

2.3. for risk managers where possible to define, if necessary, with input from risk assessors, the levels of sanitary and phytosanitary protection judged appropriate in the EU, and to ensure that third countries are made aware of them;

2.4. when planning Food and Veterinary Office (FVO) inspection visits to third countries and Member States, to take full account of the findings of risk assessments and any non-compliance found during import controls;

concerning harmonisation of procedures and coordination between inspection services:

2.5. to continue to ensure that import control procedures are commonly accepted and effective and to encourage coordinated Community-level cooperation between the various points of entry into the EU, in order to ensure that imported food, feed, animals and plants provide equivalent level of protection wherever they enter the EU;

2.6. to continue to improve information technology (IT) systems and make procedures secure (in particular electronic certification, e.g. UNCEFACT) and to develop the RASFF, TRACES and EUROPHYT applications in order to create tools to assist decision-making by the services responsible for organising and carrying out import controls;

2.7. to coordinate closely, inter alia by sharing information between the Member States' various services involved in controls and sanitary risk assessments relating to humans, animals, plants and foodstuffs entering Community territory;

Concerning information and communication :

2.8. to ensure appropriate traceability within the Community throughout the whole food chain, including for imported food, feed, animals and plants, as an essential component of risk management;

2.9. to have operational warning systems linking Member States and the Commission, allowing them to react and communicate swiftly in the event of health threats entering the EU;

2.10. to draw international travellers' attention to the health risks of bringing in food, feed, animals and plants from third countries, by regularly organising information campaigns in the Member States.

3. DRAWS ATTENTION

to the need for the Commission's impact analysis to describe and take into account the economic impact of Community rules and the risks and opportunities presented where EU and international standards differ.

4. INVITES the Commission :

4.1. within the relevant existing legal frameworks, to actively pursue the ongoing regulatory initiatives to improve import controls;

4.2. in addition, in the light of the above considerations from 1.1 to 2.10, to submit to the Council and the Parliament by the end of 2010 a report on the effectiveness and consistency of sanitary and phytosanitary controls on imports of food, feed, animals and plants, with a view to continuing a well-functioning Community framework on imports, along with proposals, if appropriate;

4.3. in compliance with the SPS Agreement, to continue to promote European standards and regulatory criteria within international standardisation organisations (e.g. OIE, IPPC, EPPO, Codex alimentarius) in the fields of animal health, plant health and food safety, and in negotiations for bilateral agreements with third countries;

4.4. to strengthen policy on international cooperation with exporting third countries and, together with the Member States, to continue to support capacity building in third countries and other initiatives such as “better training for safer food”, in order to make it easier for them to meet European standards and to support the establishment of sanitary and phytosanitary surveillance networks for improving knowledge of epidemiological situations, taking into account existing structures;

4.5. to work for the development of harmonised tools for contributing to the risk assessments referred to in point 2.2. and, at European level, organizing systems to monitor emerging risks in Member States and third countries, taking into account existing risk assessment standards in the sectors concerned;

4.6. to continue to work with Member States to ensure effective assessment of risks resulting from illegal imports, encouraging cooperation between the relevant authorities both within and between Member States to apply measures to detect and discourage smuggling;

4.7. to begin considering appropriate mechanisms for consumer information that would provide much greater transparency on the methods and conditions of production and characteristics of products, in accordance with international trade rules;

4.8. to explore what impacts any differences in standards between EU producers and key international trading partners actually have on Community trade, and to analyse, as a basis for further discussion, how international and bilateral trade rules can better interact with EU societal concerns and legitimate factors."