

## IMPORTS OF FOOD OF NON-ANIMAL AND COMPOSITE ORIGIN

### Contents

Introduction .....	2
Food hygiene requirements .....	2
Other health requirements.....	2
Plant health requirements.....	3
Import procedures related to food hygiene.....	3
Import procedures related to plant health.....	4
Food of non-animal origin subject to in increased level of controls.....	4
IMPORT REQUIREMENTS FOR COMPOSITE PRODUCTS.....	6
Introduction .....	6
Basic food hygiene requirements.....	6
Other health requirements.....	7
Animal health requirements.....	7
Plant health requirements.....	8
When veterinary checks are not necessary.....	8
When veterinary checks are necessary .....	9
Other composite products and foodstuffs.....	9

## Introduction

### What is food of non-animal origin?

Food of non-animal origin includes items such as fruits, vegetables, cereals, tubers, drinks, (apart from drinks prepared from products of animal origin such as milk and certain milk based drinks), food of mineral origin (such as salt),spices, condiments etc.

## Food hygiene requirements

The relevant requirements with regard to the hygiene of food of non animal origin are contained in Articles 3 to 6 of Regulation (EC) No 852/2004, which means that the following rules need to be respected by food business operators in third countries:

- A general obligation on the operator to monitor the food safety of products and processes under his responsibility (Article 3 of Regulation (EC) No852/2004)(see standards),
- General hygiene provisions for primary production (Article 4.1 of, and Part A of Annex I to Regulation (EC) No 852/2004),
- Detailed requirements after primary production (Article 4.2 of and Annex II to Regulation (EC) No 852/2004),
- For certain products, microbiological requirements (Article 4.3 of Regulation (EC) No 852/2004)(see standards) and Commission Regulation (EC) No 2073/2005,(see standards)Procedures based on the HACCP principles (Article 5 of Regulation (EC) No852/2004),Registration of establishments (Article 6 of Regulation (EC) No 852/2004).

## Other health requirements

- Under relevant requirements of EU food law, a number of rules apply that complement or are in addition to food hygiene. These include in particular and where appropriate requirements concerning:
  - o Contaminants,
  - o Maximum residue levels for pesticides,
  - o The use of food additives,
  - o Materials and articles in contact with foodstuffs,
  - o Food irradiation,
  - o Novel foods,
  - o Radioactivity.
- Product specific requirements also exist concerning:

- o Quick frozen foodstuffs,
- o Foodstuffs for particular nutritional purposes,
- o Genetically modified organisms (GMOs).

For more information, see:

[http://europa.eu.int/comm/food/index\\_en.htm](http://europa.eu.int/comm/food/index_en.htm)

### Plant health requirements

Before they can be introduced into the Community, certain plants, plant products or other objects must comply with phytosanitary requirements. See also under point 6.5.

For more information, see:

<http://europa.eu.int/comm/food/plant>

### Import procedures related to food hygiene

When importing food of non-animal origin, **it is incumbent upon the importer to ensure compliance with the relevant requirements of food law or with conditions recognized equivalent thereto by the Community.**

- Food of non-animal origin may be submitted to controls in accordance with a control plan drawn up in the light of potential risks (see Article 15, paragraph 1 of Regulation (EC) No 882/2004). Such controls must take place in accordance with national law in the different Member States. This may be at the point of entry, the point of release for free circulation, the importer's premises, retail outlets etc.

*Apart from food hygiene, these import controls may also cover other food safety issues such as: additives, materials in contact with food, contaminants etc.* Certain food commodities of non-animal origin need to be presented at a designated point for being submitted to checks. **See Annex III. [ANNEX III non animal origin.pdf](#)**

- **Generally, food of non-animal origin:**

- o Can enter the EU without certification by the competent authorities of the third country of dispatch, and
- o Is not subjected to a pre-notification procedure on arrival.

### Import procedures related to plant health

Certain plants and plant products (listed in Part B of Annex V to Directive 2000/29/EC) must be accompanied by a phytosanitary certificate, issued by the National Plant Protection Organization of the exporting country. Upon entry into the Community, the phytosanitary certificate may be replaced by a plant passport (for those imported plants, plant products or other objects which are also listed in Part A of Annex V).

These plants and plant products are subjected to compulsory plant health, identity and documentary checks with a view to ensuring compliance with the EC's general and specific import requirements, before being released for circulation within the Community. Such checks could take place at specified entry points situated at the outer border of the Community or in the case of identity and plant health checks also at places of destination inside the Community when meeting special conditions. The importers of such goods should be registered by the responsible official authorities of the Member State. Airport authorities, harbor authorities or either importers or operators, as arranged by them, shall give as soon as they are aware of the imminent arrival of consignments of relevant plants or plant products advance notice to the customs office of the point of entry and to the responsible official authorities. Member States may also apply this latter provision to cases of land transport, in particular where the arrival is expected outside the normal working hours of the relevant official bodies.

For more information, see: <http://europa.eu.int/comm/food/plant>

### Food of non-animal origin subject to in increased level of controls

In accordance with Article 15, paragraph 5 of Regulation (EC) No 882/2004, the Commission may establish a list of food of non-animal origin (including composite products) that, on the basis of known or emerging risks, should be subjected to an increased level of official controls upon introduction into the EU. For such food, the following would apply:

- Particular points of entry shall be designated, (DPEs)
- Food business operators shall give prior notification of the arrival of the Commission has not yet established a list of such food. In the meanwhile, the safeguard measures establishing an increased level of control with regard to certain food commodities remain in place. ***Annex III gives an overview of the***

***Safeguard measures currently maintained .[ANNEX III non animal origin.pdf](#)***

A list of the 'high-risk' products, country of origin and the frequency of checks can be found at Annex I of [Commission Regulation \(EC\) 669/2009](#), as amended by [Commission Regulation \(EU\) 1277/2011](#).

**Importers and feed and food business operators must pre-notify DPEs at least one working day before the physical arrival of the consignment.** Article 5 of Regulation 669/2009 requires Member States to maintain and make publicly available an up-to-date list of the DPEs for each of the 'high-risk' products of non-animal origin listed in Annex I of Regulation 669/2009 (as amended).

Specific Food standards

User-friendly fact sheets which summarize EU legislation are available in the **Summaries of EU legislation** website ([http://europa.eu/legislation\\_summaries/index\\_en.htm](http://europa.eu/legislation_summaries/index_en.htm)):

- [Cocoa and chocolate products](#)
- [Sugars](#)
- [Fruit juices and certain similar products](#)
- [Fruit jams, jellies and marmalades and sweetened chestnut purée](#)
- [Natural mineral waters](#)
- [Caffeine and quinine](#)
- [Coffee and chicory extracts](#)
- [Spreadable fats](#)
- [Alcoholic beverages](#)
- [Spirit drinks](#)
- [Aromatized wines, aromatized wine-based drinks and aromatized wine-product cocktails](#)
- [Novel foods and novel foods ingredients](#)
- [Food supplements](#)
- [Vitamins and minerals](#)
- [Food enzymes](#)
- [Foods and food ingredients treated with ionizing radiation](#)
- [Quick frozen foodstuffs](#)

## IMPORT REQUIREMENTS FOR COMPOSITE PRODUCTS

### Introduction

A composite product is defined in European Union (EU) legislation as a foodstuff intended for human consumption that contains both processed products of animal origin and products of plant origin. It also includes foodstuffs where the processing of the primary product is an essential part of producing the final product.

### Basic food hygiene requirements

The relevant requirements with regard to the hygiene of composite products are contained in Articles 3 to 6 of Regulation (EC) No 852/2004, which means that the following rules need to be respected by food business operators in third countries:

- A general obligation on the operator to monitor the food safety of products and processes under his responsibility (Article 3),
- General hygiene provisions for primary production (Article 4.1 of, and Part A of Annex I to, Regulation (EC) No 852/2004),
- Detailed requirements after primary production (Article 4.2 of an Annex II to Regulation (EC) No 852/2004),
- For certain products, microbiological requirements (Article 4.3 of Regulation (EC) No 852/2004) and Commission Regulation (EC) No 2073/2005),
- Procedures based on the HACCP principles (Article 5 of Regulation (EC) No 852/2004),
- Registration of establishments (Article 6 of Regulation (EC) No 852/2004).

The approval of establishments is in principle necessary only for foods of animal origin.

### 8.2. Other food hygiene requirements:

In accordance with Article 6, paragraph 4 of Regulation (EC) No 853/2004, food business operators established in the Community and importing food containing both products of plant origin and

processed products of animal origin must ensure that the processed components of animal origin contained in such food satisfy the requirements for products of animal origin, i.e.

- the components comes from a third country that appears on a Community list, and satisfy the product specific requirements applicable upon import in the Community,
- The establishment (or the production area for mollusks and the like) from which the components of animal origin used for producing the composite product have been dispatched, obtained or prepared, appears on a list from which imports are permitted,
- The importing food business operator must be able to demonstrate that the above is respected (using documentation or otherwise).

*The Commission is reviewing this question in order to develop a risk based approach. Pending the establishment of a risk based list of composite products that are to be subject to the above requirements, a transitional measure will allow current practices to continue.*

#### Other health requirements

- Under EU food law, a number of requirements may apply where appropriate that complement or are in addition to food hygiene. These include in particular requirements concerning:
  - o Contaminants,
  - o The use of food additives,
  - o Materials and articles in contact with foodstuffs,
  - o Food irradiation,
  - o Radioactivity.
- Product specific requirements also exist concerning:
  - o Quick frozen foodstuffs,
  - o Foodstuffs for particular nutritional purposes,
  - o Genetically modified organisms (GMOs).

#### Animal health requirements

In addition, composite products may need a check at a border inspection post in order to verify compliance with animal health requirements. See Commission decision 2007/275/ec [..Comm decision 2007-275-ec list anim & prod for veterinay check.pdf](#)

For more information, see: [http://europa.eu.int/comm/food/animal/animalproducts/index\\_en.htm](http://europa.eu.int/comm/food/animal/animalproducts/index_en.htm)

### Plant health requirements

Composite products are rather unlikely to be subject to plant health requirements. Indeed, for the purpose of the plant health acquis, plants shall be considered to mean living plants and specified living parts thereof, including seeds, while plant products are products of plant origin, unprocessed or having undergone simple preparation, in so far as these are not plants.

If composite products fall within the definition of plants or plants products, the provisions as laid out in 6.5 (import procedures related to plant health for food of non-animal origin) apply.

For more information, see: <http://europa.eu.int/comm/food/plant>

The Commission Decision 2007/275/EC sets out import conditions for importing products of animal origin that are subject to veterinary checks at Border Inspection Post (BIPs), including certain composite products from non-EU countries, and those composite products that are not subject to veterinary checks. Conditions are set hereafter:

### When veterinary checks are not necessary

A composite product that contains less than half its substance of processed product of animal origin other than processed meat product, and meets the following requirements of Article 6 of Decision 2007/275/EC.

- shelf-stable at ambient temperature or has clearly undergone in its manufacture a complete cooking or heat treatment process throughout their substance so that any raw product is denatured
- clearly identified for human consumption
- securely packaged or sealed in clean containers
- accompanied by a commercial document and labeled in an official EU language so that document and label together give information on the nature, quantity and number of packages of the composite product, the country of origin, the manufacturer and the ingredients will not need to be imported through a BIP as no veterinary checks will be necessary.

However, if the composite product contains a milk product, then the milk must only come from an approved country as listed in Annex I of Commission Decision 2004/438/EC, as amended by Commission Decision 2006/295/EC. Both decisions can be found at the links below.

### When veterinary checks are necessary

Where a composite product arrives from a non-EU country and contains any amount of processed meat products, or half or more than half its substance of a processed product of animal origin, then this product must be imported through a BIP and is subject to veterinary checks.

Where a composite product which does not meet the requirements of Article 6 of Decision 2007/275/EC arrives from a non-EU country then this product must be imported through a BIP and is subject to veterinary checks. This applies even if it contains no processed meat product, and less than half of its substance is a processed product of animal origin.

### Other composite products and foodstuffs

Annex II of Decision 2007/275/EC lists some composite products and foodstuffs which are not subject to veterinary checks and these are:

- biscuits
- bread
- cakes
- chocolate
- confectionery (including sweets)
- unfilled gelatin capsules
- food supplements packaged for the final consumer, containing small amounts of animal product, and those including glucosamine, chondroitin or chitosan
- Meat extracts and meat concentrates.
- Olives stuffed with fish.
- pasta and noodles not mixed or filled with meat product
- Soup stocks and flavorings packaged for the final consumer, containing meat extracts, meat concentrates, animal fats, or fish oils, powders or extracts.

Food business operators are reminded that it is their responsibility to ensure any foodstuffs they want to import comply with EU and national rules in place to protect public and animal health. Importers should satisfy themselves that any composite products coming to the UK comply with the import conditions as above and as set out in Decision 2007/275/EC.

[http://ec.europa.eu/food/food/chemicalsafety/contaminants/aflatoxins\\_en.htm](http://ec.europa.eu/food/food/chemicalsafety/contaminants/aflatoxins_en.htm)