
CELCAA CORE MESSAGES ON OFFICIAL FOOD AND FEED CONTROLS

Introduction

CELCAA is the voice of the European traders in agricultural and food commodities to the European Institutions, media and stakeholders. Cereals, oilseeds, animal feed, oils and fats, olive oil, agro-supply, meat and meat products, dairy products, wine, eggs, eggs products and poultry, raw tobacco, essential oils and spices are covered by our umbrella.

Towards a European consolidation of official controls

CELCAA welcomes the proposal from the European Commission aiming at strengthening the official controls on food and feed. Official controls contribute to the high level of food safety in the EU, to consumer trust and to the good functioning of the internal market. The proposal aims at strengthening these principles, and goes into the right direction in terms of consolidating the current legislation.

However CELCAA would like to draw the attention of European decision-makers on the following points:

Risk-based approach for import controls (Art. 8; Art. 47)

- ✓ CELCAA strongly supports the risk-based approach and welcomes the proposal to strengthen it in the Commission proposal. CELCAA however calls for its full implementation by competent authorities when programming controls. The frequency of the physical and identity checks should also take due consideration of the risk-based principle, and hence should depend on the past experience with the given product and country of origin.

Controls by independent private bodies (Art. 25) and own controls

- ✓ CELCAA supports the importance of independence of controls ; however the mandate for controls given to public body can be too restrictive in certain cases, where in some Member States official controls are performed by a third independent party which can be both public and private. CELCAA strongly calls for competent body to have appropriate means to carry out controls.
- ✓ CELCAA welcomes the vote of ENVI Committee considering operators' private quality schemes: the trade has indeed invested heavily in quality assurance systems and regular own controls, which should be taken due consideration by competent authorities when elaborating controls programmes.

Principle of equivalence of SPS requirements between the EU and third countries

- ✓ Equivalence of sanitary and phytosanitary requirements between trading countries is one of the milestone principles recognized internationally (ref. WTO, GATT). In line with this international principle, the EU legislation rightly provides a series of requirements designed to ensure that imported products meet standards at least equivalent to those required for production in, and trade between, Member States.



- ✓ It is, therefore, of upmost importance that also the EU system of official controls remains fully embedded to this principle. Without this principle, the import of much needed agri-food products to the EU will risk a serious failure and thus the security of supply in the EU.

Trade in bulk

- ✓ The specific nature of trading in bulk commodities needs to be taken into account. Therefore, it is of upmost importance to provide its operators with specific rules appropriate with the specificities and flexibilities required in the operations of collection, storage, trading and transport of bulk agricultural commodities. Future delegated acts on this point should be drafted in close collaboration with representation of traders in bulk.

Common Health Entry Document (Art. 54)

- ✓ Traders should be thoroughly consulted on the draft design of the Common Health Entry Document, so as to avoid duplication with other requirements.

Official certificates for exports (Art. 89.a).

- ✓ The use of model official certificates should be optional; in instances where an existing certificate has already been agreed bilaterally between a Member State and a third country or where a specific format is required by the third country, it may be more appropriate to use this particular certificate.

Right to second opinion (Art. 34)

- ✓ The right of the operator to apply for a second expert opinion is of adamant importance for the agricultural sector. CELCAA therefore would like to see in the legislation a specific timeframe to have results from second sample which is imperative to business and to avoid trade stoppages at ports.

Transparency and Information Management System (Chapter II. Art. 10; Art. 14)

- ✓ CELCAA strongly opposes the publication of individual control results and the use of rating schemes (naming and shaming). Information identifying individual operators should only be published when there is an overriding public interest, i.e. a serious risk to human health. In any case, operators should be given the opportunity to defend themselves and their comments should be published together with the control results.
- ✓ Similarly, CELCAA does not support the provision to grant a legal basis to allow Member States to publish ratings of individual operators.
- ✓ Publication of multi-annual national control plans should be drafted in consultation with traders.
- ✓ CELCAA is concerned about the provision of access to information. Access to the business operators' computerised information management system would need to take account of the data privacy and protection and should be done only to the extent that food safety risk is justified. The access by competent authorities to operators' documents and information management systems needs to be restricted to those ones required to verify compliance with food and feed law requirements.
- ✓ Data protection issue should be reinforced.

Financing of official controls & principle of costs sharing (Chapter VI)

- ✓ Food safety is a common public good. CELCAA therefore believes that official controls from public authorities should be financed through public budget.



- ✓ EU law recognises that the responsibilities in ensuring the food and feed safety of the goods have to be shared between competent authorities and the business operators. As part of this shared responsibility, business operators, in their daily operations, have already in place quality and control management system. Competent authorities, therefore, need to remain in charge of the funding of the official control system as part of this shared responsibility.
- ✓ In case fees were to be made mandatory, CELCAA strongly opposes any derogation, including the proposed Commission derogation for micro-enterprises.

CELCAA is the EU umbrella association representing EU organisations covering the trade in cereals, grains, oil, animal feed, agro-supply, wine, meat and meat products, dairy and dairy products, eggs, poultry and game, tobacco, spices and general produces. Members include COCERAL, UECEBV, EUCOLAIT, CEEV, EUWP, GAFTA EU, FETRATAB, CIBC. CELCAA's main objectives are to facilitate understanding of European decision-makers and stakeholders on the role played by the European traders in agri-food products; to act as a platform of dialogue and communication with the European Institutions and to encourage public and general interests in agri-trade issues.