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**Briefing session n° 11: Meeting food safety standards:
Implications for ACP agricultural exports**

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EU principles, legislation and procedures for import of food from Third Countries

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Executive Summary

EU SPS requirements are respecting the SPS agreement principles, meaning that they are either based on international standards setting bodies' recommendations or codes when they exist or they respond to the EU expected level of protection of the consumer health that is based on scientific assessments. In addition the precautionary principle could apply when serious scientific uncertainties exist.

Same level of protection of consumer health is required both for food produced in the EU and imported into the EU. The new food hygiene legislation (2002/2004) clearly includes the notion of equivalence, based on the relevant SPS agreement principle, meaning that the same level of protection can be achieved, especially in Third Countries by different means than those required by the EU legislation, once this equivalence has been recognised by the importing country i.e. the EU, on basis of the exporting country information and guarantees.

One of the main EU food safety principles is that the entire food production chain must be under control regarding general hygiene rules and specific relevant hazards, first by the Food Business Operator and secondly by the Competent Authority which has to ensure that food safety requirements are adequately implemented, properly controlled and enforced. This principle also applies to third countries aiming to export to the EU, meaning that the recognition of the Competent Authority (CA) performance in delivering official controls on food is the corner stone of the EU system.

Regarding Food of Animal Origin (FAO), due to the risks of introduction of some contagious animal diseases via such products, import requirements can encompass animal health guarantees on top of food safety guarantees.

In addition, risks of exposure of the consumer to food contaminated either by environmental contaminants or pesticides or residues of veterinary drugs are more and more worrying and thus a residue monitoring plan for veterinary drugs is required from TC regarding the food of animal origin exported to the EU. Pesticides and environmental contaminant monitoring programme could be required by the legislation as much as relevant for a said commodity.

This implies that for FAO, a third country must be listed on the list of third countries authorised to export to the EU, listed as well on the "residue monitoring programme" list, and that the CA must send to the EU the list of establishments/vessels providing guarantees at least equivalent to those required by the EU legislation. A specific certificate accompanying the consignment is required, encompassing all legal requirements and signed by the CA. In general a third country can only be listed further to a Food and Veterinary Office (FVO) inspection mission report with favourable outcomes.

Finally, each consignment covered by an export health certificate is controlled in Border Inspection Posts by officials from Member States. A documentary, identity and physical check is carried out.

In order to develop a better knowledge of the EU animal health and food safety requirements, including chemical contamination aspects, a programme of training of TC officials (Better Training for Safer Food) is now in place. It also aimed to a mutual understanding of the specific situations of third countries, especially developing countries (e.g. BTFS Africa). FVO inspections, BTFS programmes and Technical Assistance provided by various services in the Commission aim to support TC to achieve the EU food safety level required and to give as much as possible a practical meaning to the notion of equivalence between food safety standards and CA control performance.