

DECEMBER 2007 UPDATE ON EU REGULATION 882/2004 ON OFFICIAL CONTROLS – IMPLEMENTING RULES FOR IMPORT CONTROLS FOR 'HIGH RISK' FEED AND FOOD OF NON-ANIMAL ORIGIN

Further views from stakeholders are requested by 16 January 2008 and should be sent to:

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Introduction

1. The last update on the above implementing rules was issued on 9 October 2007. Although there have been no further EU-level meetings to discuss these, the Commission has now issued a revised text of the Commission Regulation (which includes a draft list of 'high-risk' non-POAO), and your views and comments on this are welcome.

2. The Commission has asked for written comments on the text by 7 January, and following that, there will be a Working Group meeting in Brussels on 18 January. Given this, comments are requested **by Wednesday 16 January 2008 at the latest** - contact details are given above.

Commission text

3. A copy of the latest Commission text is enclosed at Appendix 1. Please note that the draft may not necessarily represent the views of the Commission and the document that is presented for formal adoption may differ.

4. In our view, the text does not represent fully the outcome of the EU-level discussions that have taken place to date. There are a number of key issues which were unresolved at Working Party level and which we believe require further consideration before presentation to SCoFCAH. These are set out below and we would particularly value your views on these points. Your comments on any other aspect of the draft are also welcome.

Main issues

Approval of designated points at which checks should be undertaken

5. The UK has highlighted the need for transparency concerning the responsibilities of Member States as regards approving the designated points at which checks should be undertaken – Designated Points of First Arrival (DPFA) and Designated Points of Import (DPI). This includes the requirements that must be met before approval may be given, the measures that should be applied in the case of poorly performing DPFAs/DPIs, and the requirements for keeping lists of designated points. We have proposed that a separate Article be included in the draft Regulation to reflect this and that further detail is required in Annex III - see Appendix 2 (points 1 and 2). The new text does not yet reflect our proposals but we would welcome your comments on what we have suggested.

Official controls at DPFAs and DPIs – Articles 6 and 7

6. We have been concerned that these Articles do not provide sufficient transparency for importers and the competent authorities regarding the procedures for undertaking official controls that will apply at DPFAs and DPIs. In particular, we do not believe that there is a clear enough distinction between the procedures that apply where a DPFA carries out only documentary checks and those that apply where the DPFA is also a DPI. The UK proposal to achieve this is at [Appendix 2](#) (point 3), and again, we would welcome your comments on what we have put forward or alternative suggestions for ensuring the necessary transparency.

Fees – Article 8

7. The Commission's preferred approach is to establish a system of minimum fees (as is the case for products of animal origin) but which allows the competent authorities to set the fee at a level above this and up to full costs. However, the Commission has indicated that it will adopt the Regulation without agreeing what level the minimum fee should be set at. We believe that to do so would create an unworkable system and that, at least for now, fees should be set at the level of the costs to the competent authority for carrying out the controls (and calculated on the basis of the criteria set out in Annex VI of Regulation 882/2004). Your views on this point would be appreciated.

Criteria for listing and delisting products – Articles 10 and 11

8. The UK (and other Member States) has highlighted the importance of ensuring that the implementing rules do not disrupt or create unnecessary barriers to trade. In this respect, we have been pressing for clear and robust criteria to be established for adding and removing products from the list. The draft Regulation does now identify a number of criteria and your views on the Commission's proposals are welcome.

List of 'high-risk' products – Annex I

9. This latest version of the Commission text now includes a list of 'high-risk' products which will be subject to the measures in the Regulation and specifies the frequency of physical checks to be carried out. We must emphasise that this is, at this stage, a draft only and there will be close scrutiny of the products on the list to ensure that their inclusion is justifiable. Any comments on the list are welcome. Industry and enforcement stakeholders are invited, in particular, to comment on the costs and other impacts associated with undertaking the increased controls on these products that will be necessary.

Further information

10. We will keep you informed of further developments but, in the meantime, please get in touch with Rufina Acheampong (contact details given above) or with Catriona Stewart on 020 7276 8498 (email: catriona.stewart@foodstandards.gsi.gov.uk) if you wish to discuss any of the above issues.

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2007/02697

Note from Food Standards Agency

Please note that this draft may not necessarily represent the views of the Commission and the document that is presented to SCoFAH for formal adoption may differ.

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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 6.12.2007
Rev.11

Draft

COMMISSION REGULATION (EC) No .../..

on an increased level of official controls at the designated point of first arrival or at the designated point of import into the Community of feed and food of non animal origin due to known or emerging risk as foreseen in Art. 15.5 of Regulation 882/2004

(Text with EEA relevance)

Draft

COMMISSION REGULATION (EC) No .../..

on an increased level of official controls at the designated point of first arrival or at the designated point of import into the Community of feed and food of non animal origin due to known or emerging risk as foreseen in Art. 15.5 of Regulation 882/2004

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Regulation (EC) No 882/2004 of the European Parliament and of the Council of 29 April 2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules¹, and in particular Article 15 (5) thereof,

Whereas:

- (1) Regulation (EC) No 882/2004 of the European Parliament and of the Council of 29 April 2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules establishes at Community level a harmonised framework of general rules for the organisation of official controls.
- (2) For some feed- and foodstuffs of non animal origin from certain third countries an increased level of official controls on basis of known or emerging risk is appropriate.
- (3) Article 17 (1) of Regulation (EC) No 882/2004 requires feed and food business operators responsible for consignments to give prior notification of the arrival and nature of feed and food. A specific form of the prior notification should be laid down for imports of feed and food covered by this Regulation in order to ensure a uniform approach.
- (4) *[Risk evaluation for hazards` reason for listing e.g.: The Scientific Committee for Food has noted that aflatoxin B1 is a potent genotoxic carcinogen and, even at extremely low levels, contributes to the risk of liver cancer. Commission Regulation (EC) No 466/2001 of 8 March 2001 setting maximum levels for certain contaminants in foodstuffs² lays down maximum levels for certain contaminants and in particular aflatoxins that are permitted in foodstuffs. Those limits for aflatoxins have been regularly exceeded in certain foodstuffs from certain third countries. Such*

¹ OJ L 165, 30.4.2005, p. 1. Corrigendum published in the OJ L 191, 28.5.2004.

² OJ L 77, 16.3.2001, p. 1. Regulation as last amended by Regulation (EC) No 1822/2005 (OJ L 293, 9.11.2005, p. 11).

contamination constitutes a serious threat to public health within the Community and it is therefore appropriate to adopt special conditions at Community level].

- (5) In the interests of public health, Member States should keep the Commission informed of all positive findings in the official controls carried out in respect of consignments of feeding- and foodstuffs covered by this Regulation. Such information should be given via the Rapid Alert System for Food and Feed established by Regulation (EC) No 178/2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety.
- (6) The operation of this Regulation should be kept under review on the basis of the guarantees provided by the competent authorities of the concerned third countries and of the results of the official controls carried out by Member States in order to assess whether the special conditions provide a sufficient level of protection of public health within the Community and whether they are still needed.
- (7) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health.

HAS ADOPTED THIS REGULATION:

Article 1
Scope

This Regulation shall apply to official controls at the designated point of first arrival (DPFA) or at the designated point of import (DPI) into the Community of feed and food of non-animal origin specified in Annex I on the basis of a known or emerging risk as foreseen in Article 15(5) of Regulation (EC) No 882/2004 of the European Parliament and of the Council.

It is without prejudice to the special conditions on the import of feed and food laid down in the safeguard measures according to Article 53 (1) (b) (ii) of Regulation (EC) No 178/2002.

Article 2
Definitions

1. For the purposes of this Regulation, the definitions laid down in Articles 2 and 3 of Regulation (EC) No 178/2002 and in Article 2 of Regulation (EC) No 882/2004 shall apply.
2. The following definitions shall also apply:
 - (a) ‘Designated points of first arrival (DPFA)’ means the point where feed and food of non-animal origin specified in Annex I and being imported into the Community shall first be presented for official control. At the DPFA at least documentary checks must take place. Where identity and physical checks are also carried out at the DPFA, then it shall be considered as a designated point of import (DPI).

- (b) ‘Designated points of import (DPI)’ means the points through which the feed and food referred to in the scope of this Regulation shall be imported into the Community.
- (c) ‘Common Entry Document (CED)’ means the official document used by the feed or food business operator or his representative for the prior notification of the arrival of feed and food specified in Annex I at the DPFA, and by the competent authority at the DPFA and the DPI for confirming completion of official controls.
- (d) ‘Consignment’ means a quantity of products of the same class or description, covered by the same certificate or other document(s) conveyed by the same means of transport and coming from the same third country or part of such country.

Article 3
Prior notification

1. Before the physical arrival of consignments of feed and food specified in Annex I, the feed or food business operator responsible for the consignment or his representative shall provide the competent authority at the DPFA with prior notification, using the Common Entry Document at Annex II of this Regulation.
2. The feed or food business operator responsible for the consignment or his representative shall complete Part I of the Common Entry Document and transmit the original of the Document to the competent authority at the DPFA.
3. The Common Entry Document shall be drawn up at least in the official language or languages of the Member State where the DPFA is located and those of the DPI if this one is located in a different Member State. However, a Member State may consent to the use of an official Community language other than its own.

Article 4

The Competent Authorities of Member States shall provide a list for DPFAs, and DPIS at the moment of the enter into force of this Regulation. The Commission Services shall provide for a link from their homepage to the national lists.

Article 5

Member States shall organize physical checks in such a way that it is not possible for an importer to predict whether any particular consignment will be subjected to a physical check.

Article 6

Official controls at the Designated Point of First Arrival (DPFA)

- 1 The competent authorities in the Member State shall carry out all the necessary controls on all consignments of feed- and food referred to in the scope of this Regulation at the DPFA. However, on request of the feed and food business operator responsible for the consignment, and only if the competent authorities authorise, the identity and physical checks can be carried out at the DPI. In this case, feed and food business operator shall inform DPI before of the arrival of the consignment
- 2 In case at the DPFA only documentary check has been carried out, the original form of the CED, with the controls carried out, should accompany the goods to the DPI. One copy of the CED shall remain at the DPFA. The consignment remains under the control of customs authorities or competent authorities, as appropriate, until the identity and physical checks established by the competent authorities at the DPI have been carried out.
- 3 After the necessary controls at the DPFA, the original of the CED, duly endorsed by the competent authorities, shall be presented for the customs clearance, and one copy will be destined to the importer.
- 4 If at the DPFA all the necessary controls have been completed, the procedures below under the heading '*Official controls at the Designated Point of Import (DPI)*' apply
- 5 If the feed and food business operator responsible for the consignment requests the competent authorities of the DPFA to authorise the splitting of the consignment, all the necessary controls must be carried out at that point. Authenticated copy (ies) of the CED shall accompany each part of the split consignment.
- 6 The results of the checks have to be laid down in part II of the CED and have to be introduced through TRACES system or an electronic data transmission system. The official of the competent authority shall print out, stamp and sign the original document and produce copies as needed. The original of the document shall accompany the consignment to the DPI. One copy of the CED shall remain at the DPFA.

Article 7

Official controls at the Designated Point of Import (DPI)

1. Feed- and food as referred to in Annex I may be released for free circulation in the Community only through a DPI. If all the necessary checks are completed at the DPFA it is considered as a DPI and the procedures under this heading apply.
2. At the DPI the competent authority shall carry out identity and physical checks of products referred to in Annex I at the frequency laid down therein.

3. The competent authorities in each Member State shall ensure that the DPI on their territory complies at least with the requirements laid down in Annex III.
4. The responsible feed and food business operator must make available sufficient human resources and logistics to unload the consignment, thus enabling necessary controls to take place.
5. In the case of special transport and/or specific packaging forms, the responsible feed and food business operator must make available to the competent authority storing facilities and the appropriate sampling equipment insofar as the sampling cannot be representatively performed with the usual sampling equipment.
6. The results of the analysis and the decision on the consignment have to be laid down in part II of the CED through TRACES system or an electronic data transmission system.
7. The official of the competent authority shall stamp and sign the document and produce copies.
8. The original of the document shall be forwarded to the feed and food business operator responsible for the consignment at the DPI.
9. Release for free circulation of relevant goods is subject to the presentation to the customs authorities of a CED duly endorsed by a control authority designated pursuant to point 5 of section 'Official controls at the Designated Point of First Arrival (DPFA)'. Customs authorities can release the goods for free circulation only after all the controls foreseen have been carried out satisfactory and when the Competent Authorities accepted for free circulation.

Article 8

Fees

1. Member States shall ensure the collection of fees or charges to cover the costs occasioned by official controls of feed and food listed in Annex I.
2. All costs resulting from the official controls at the DPFA and DPI shall be paid by the feed- and food business operator responsible for the consignment or its representative.
3. The calculation of the costs shall use the criteria laid down in Annex VI of Regulation No 882/2004. The fees shall not be lower than the minimum rate specified in Annex IV of this Regulation and not higher than the costs borne by the responsible competent authority.

Article 9
Reporting to the Commission and review

1. Member States shall submit to the Commission a report of all analytical results of official controls on consignments of feed and food as referred to in this Regulation on a three-month basis.
2. The list of feed and food as referred in Annex I shall be reviewed on the basis of the reports provided for in point 1 and on the basis of the results of the sampling and analysis carried out by Member States in order to assess whether the conditions set out in this Regulation provide a sufficient level of protection of public health within the Community and whether they are still necessary

Article 10

Criteria in order to listing products

In order to introduce feed or food in the list referred to in Annex I, at least the following criteria should be taken into account:

1. Notifications received from the Rapid Alert System for Food and Feed (RASFF)
2. Reports received from the Food and Veterinary Office (FVO)
3. Quantity of products introduced into the European Community
4. Reports received from third countries
5. Communication between Member States, European Commission and European Food Safety Authority (EFSA)
6. Scientific assessment ,where appropriate
7. Any other relevant information

The Commission may recommend the introduction of feed or food in the list referred to in Annex I, in accordance with the procedures referred to in Article 62(1) of Regulation (EC) No 882/2004 of the European Parliament and of the Council.

Article 11

Criteria in order to delisting products

In order to delisting feed or food introduced in the list referred to in Annex I, at least the following criteria should be taken into account:

1. Absence or significant decrease of notifications from the Rapid Alert System for Food and Feed (RASFF)

2. Reports received from the Food and Veterinary Office (FVO)
3. Reports from third countries
4. Scientific assessment, where appropriate
5. Any other relevant information

The Commission may recommend the delisting of feed or food in the list referred to in Annex I, in accordance with the procedures referred to in Article 62(1) of Regulation (EC) No 882/2004 of the European Parliament and of the Council.

Article 12

Elements foreseen in the Prior Notification shall be completed and issued through TRACES system or an electronic data transmission system. Member States shall introduce the data solely through TRACES system starting from 1 January 2011.

Article 13

Applicability

This Regulation shall enter into force on the [...] day following that of its publication in the *Official Journal of the European Union*.

Member States shall adopt and publish the necessary measures to comply with this Regulation. They shall forthwith inform the Commission thereof.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, [...]

For the Commission
Markos KYPRIANOU
Member of the Commission

ANNEX I

FEED AND FOOD OF NON-ANIMAL ORIGIN WITH KNOWN OR EMERGING RISK

Note from Food Standards Agency

Please note that this Annex was updated by the Commission following circulation of the original text of Rev 11 of the draft Regulation.

Please also note that this is, at this stage a draft and may change following scrutiny by the Member States.

<i>Feed-/ foodstuff</i>	<i>CN code</i>	<i>Country of origin</i>	<i>Hazard</i>	<i>Frequency of physical checks (%)</i>
Groundnuts (peanuts) and derived products	1202 10 90; 1202 20 00; 2008 11 94; 2008 11 98; 2008 11 92; 2008 11 96;	Argentina	Aflatoxins	10
Groundnuts (peanuts) and derived products ³	1202 10 90; 1202 20 00; 2008 11 94; 2008 11 98; 2008 11 92; 2008 11 96;	Brazil	Aflatoxins	50
Zinc sulphate Manganese oxide intended for food and feed	2833 29 20; 2820	China	Cadmium and lead	100
Groundnuts (peanuts) and derived products, in particular peanut butter	1202 10 90; 1202 20 00; 2008 11 94; 2008 11 98; 2008 11 92; 2008 11 96; 2008 11 10	Ghana	Aflatoxins	100
Spices ⁴	0904 11; 0904 20; 0908 10; 0908 20; 0910 10; 0910 30;	India	Aflatoxins	50
Groundnuts (peanuts) and derived products	1202 10 90; 1202 20 00; 2008 11 94; 2008 11 98;	India	Aflatoxins	10

³ With the entry into application of this Regulation, Commission Decision 2007/759/EC of 19 November 2007 amending Decision 2006/504/EC as regards frequency of controls on peanuts and derived products originating in or consigned from Brazil due to contamination risks of these products by aflatoxins (OJ L305, 23.11.2007, p. 56) will be repealed.

⁴ *Capsicum spp* (dried fruits thereof, whole or ground, including chillies, chilli powder, cayenne and paprika)
Piper spp (fruits thereof, including white and black pepper)

Myristica fragrans (nutmeg)
Zingiber officinale (ginger)
Curcuma longa (turmeric)

<i>Feed-/foodstuff</i>	<i>CN code</i>	<i>Country of origin</i>	<i>Hazard</i>	<i>Frequency of physical checks (%)</i>
	2008 11 92; 2008 11 96;			
Melon seeds and derived products ⁵	1207 91;	Nigeria	Aflatoxins	50
Dried vine fruit	0806 20;	Uzbekistan	Ochratoxin A	50
Hazelnuts and derived products	0802 21 00; 0802 22 00; 2007 99 98; 2008 19; 1106 3090;	Azerbaijan	Aflatoxins	20
Sunflower seeds	1206 00 91;	Egypt	Aflatoxins	50
Chilli, chilli products curcuma and palm oil ^{6,7}	0904 20 90; 0910 50; 0910 30; 1511 10 90;	All Third countries	Sudan dyes ⁸	25
Vegetables, fresh, chilled or frozen - beans - aubergines - Brassica vegetables .	 0708 20; 0709 30; 0704;	Thailand	Organo-phosphorus pesticide residues	50

⁵ The maximum levels established for aflatoxins in groundnuts and derived products in Regulation (EC) 1881/2006 are the reference points for action

⁶ For the purpose of the application of this Regulation

- 'chilli' means fruits of the genus *Capsicum*, dried and crushed or ground within CN Code 0904 20 90, in whatever form, intended for human consumption and

- 'chilli products' means curry powder within CN Code 0910 50, in whatever form, intended for human consumption and

- 'curcuma', means curcuma dried and crushed or ground within CN Code 0910 30, in whatever form, intended for human consumption and

- 'palm oil', means palm oil within CN Code 1511 10 90, intended for direct human consumption.

⁷ With the entry into application of this Regulation, Commission Decision 2005/402/EC of 23 May 2005 on emergency measures regarding chilli, chilli products and palm oil (OJ L135, 28.5..2005, p. 34) will be repealed

⁸ "Sudan dyes" refer to following chemical substances: Sudan I (CAS Number 842-07-9), Sudan II (CAS Number 3118-97-6), Sudan III (CAS Number 85-86-9),Scarlet Red or Sudan IV (CAS Number 85-83-6).

<i>Feed-/foodstuff</i>	<i>CN code</i>	<i>Country of origin</i>	<i>Hazard</i>	<i>Frequency of physical checks (%)</i>
Groundnuts (peanuts) and derived products	1202 10 90; 1202 20 00; 2008 11 94; 2008 11 98; 2008 11 92; 2008 11 96;	Vietnam	Aflatoxins	10
Dried vine fruit	0806 20;	Afghanistan	Ochratoxin A	10
Basmati rice	1006 20 17 13; 1006 20 98 13;	India and Pakistan	Aflatoxins	20

ANNEX II

Common Entry Document (CED)

Note from Food Standards Agency

It is understood that the Commission is preparing a revised Common Entry Document and will issue this for comment when it is ready.

ANNEX III

MINIMAL REQUIREMENTS TO BE ENSURED AT THE DPI

The competent authorities in each Member State shall ensure that the DPI comply with following requirements:

1. The presence of trained staff to perform official controls on consignments of feed- and foodstuffs;
2. The availability of detailed instructions regarding sampling and the sending of the samples to the laboratory;
3. The availability of storage rooms, including cold stores if the nature of goods requires controlled temperature, warehouses to store detained consignments of feed and food in good conditions during the period of detention awaiting the results of the analyses;
4. The availability of unloading equipment and appropriate sampling equipment
5. Possibility to perform the unloading and the sampling in a sheltered place, where appropriate; it must be possible to place the consignment under the official control of the competent authority from the DPFA onwards in cases where the consignment has to be transported in order to perform the sampling.

ANNEX IV

MINIMUM RATES FOR FEES

Kind of control	Net weight of consignment		
	< 1 t	1 – 30 t	> 30 t
Documentary			
Identity/physical check (Sampling and analysis)			

APPENDIX 2

1. UK proposal for new Article on approval of designated points at which checks should be carried out

Article [..] Approval of DPFA and DPI

1. Member States shall approve DPFA and DPI for the purposes of carrying out the official controls set out in this Regulation.
2. Member States shall only approve applications from the commercial owner or operator of the facilities, as appropriate, to operate as a DPFA where the minimum requirements set down in Part 1 of Annex III are met and maintained.
3. Member States shall only approve applications from the commercial owner or operator of the facilities, as appropriate, to operate as a DPI where the minimum requirements set down in Part 2 of Annex III are met and maintained.
4. Member States shall maintain up-to-date lists of the DPFA and DPI in their territory and make them available to other Member States, and to the public. The Commission shall provide a link from their homepage to the national lists.
5. Member States shall ensure that DPFA and DPI are inspected or audited regularly to ensure that the requirements set down in Annex III to this Regulation are maintained.
6. Where, as a result of an inspection referred to in paragraph 5, a Member State finds that a DPFA or DPI fails to meet the minimum requirements set down in Annex III to this Regulation, it shall:
 - (a) in the case of minor non-compliance with the minimum requirements, specify the improvements to be made and stipulate a period of no longer than 3 months for the completion of the specified improvements;
 - (b) in the case of a major non-compliance with the minimum requirements, or a failure to make the improvements in accordance with paragraph (a), suspend or revoke the approval.

2. UK proposal for amending Annex III of Draft Commission regulation

ANNEX III

Minimum requirements for approval to operate as a designated point of first arrival or designated point of import

Part I - Minimum requirements for approval to operate as a DPFA

1. A sufficient number of suitably qualified and experienced staff to perform the documentary checks on consignments of the food and feed referred to in Annex I.
2. The availability of office facilities for the competent authority to undertake the necessary documentary checks which are accessible at all times required by the competent authority.

Part II - Minimum requirements for approval to operate as a DPI

1. A sufficient number of suitably qualified and experienced staff to perform the official controls on consignments of the food and feed specified in Annex I.

2. The availability of office facilities for the competent authority to use which accessible at all times required by the competent authority.
3. The availability of detailed instructions regarding sampling and the sending of the samples to laboratories, and access to adequate official control laboratory capacity.
4. The availability of toilets, and hand washing facilities for the use of the all personnel working in the DPI.
5. An area for unloading which shall be enclosed or covered by a roof (except in the case of consignments of loose bulk animal feed not fit for human consumption or bulk liquids, oils and fats, which are transported in tank containers or enclosed in ships or boats).
6. The availability of unloading equipment.
7. An inspection area or room. For products transported under temperature control, the inspection areas shall be capable of being operated as a temperature controlled environment. The inspection areas or rooms must have:
 - (a) a table with smooth washable surfaces that are easy to clean and disinfect;
 - (b) hot and cold water supply drawn from potable water sources;
 - (c) clean walls and ceiling with smooth washable surfaces, which together with the floors, should be easy to clean and disinfect;
 - (d) adequate drainage;
 - (e) adequate natural or artificial lighting;
 - (f) equipment or access to equipment for weighing parts of consignments that are subject to controls;
 - (g) equipment needed to open, examine and take samples from the type of consignments presented for examination at the DPI;
 - (h) facilities for the temporary storage of samples under temperature control, pending their dispatch to the laboratory;
 - (i) cleansing and disinfection equipment; and,
 - (j) as appropriate, equipment to maintain the temperature at the appropriate level in controlled environment rooms.
8. Procedures to ensure maintenance of hygienic conditions and prevention of contamination, including cross contamination, during the handling and official controls carried out at the DPI.
9. Appropriate storage rooms, container stacks or storage areas.

3. UK proposals for Articles 6 and 7 on controls at DPFAs and DPis

Article 6

Official controls at the Designated Point of First Arrival (DPFA)

1. Where the DPFA is also a DPI, the procedures set out in Article 7 shall apply.
2. Where the DPFA is not also a DPI, the procedure set out in paragraphs 3 to 11 of this Article shall apply.
3. The competent authority shall carry out documentary checks of all consignments of feed and food of non-animal origin specified in Annex I.
4. After completion of documentary checks, the competent authority shall complete Part II of the CED, and the responsible official shall stamp and sign the original of the CED.
5. Where the results of the documentary checks are satisfactory, the procedure set out in paragraphs 6 to 9 shall apply.
6. The competent authority, after having heard from the feed or food business operator responsible for the consignment or his representative, shall identify a DPI within the same Member State at which identity and physical checks shall be carried out, and shall provide prior notification to the competent authority at the DPI of the arrival of the consignment.
7. The original of the CED shall accompany the consignment on its onward transport to the DPI, and the competent authority at the DPFA shall make and retain a copy.
8. Consignments shall not be cleared for release for free circulation and shall remain under official control of the customs services or of the competent authorities until identity and physical checks, as appropriate, have been carried out by the competent authority at the DPI.
9. Consignments shall not be split until all the necessary official controls have been completed at the DPI and the consignment has been cleared as suitable for release for free circulation.
10. Where the results of documentary checks are not satisfactory, consignments may not be imported or enter the Community for onward transport to a DPI. The responsible official of the competent authority shall, where appropriate, complete Part III of the CED, and action shall be taken in accordance with Articles 19 to 21 of Regulation (EC) No 882/2004.
11. The competent authorities shall immediately notify the Commission through the Rapid Alert System for Feed and Food, as foreseen in Article 50 of Regulation (EC) 178/2002, any information relating to the existence of a serious direct or indirect risk to human or animal health detected during the official controls carried out at the DPI.

Article 7

Official controls at the Designated Point of Import (DPI)

1. Feed and food of non-animal origin specified in Annex I shall be cleared for release for free circulation only through a DPI.
2. Where the DPI is also a DPFA, the competent authority at the DPI shall carry out documentary checks of all consignments of feed and food of non-animal origin specified in Annex I.
3. The competent authority at the DPI shall carry out identity and physical checks, as appropriate, of feed and food specified in Annex I at the frequency laid down therein.

4. The competent authority shall place the consignment concerned under official detention until all official controls have been completed and, where appropriate, the results of physical checks have been obtained. The official controls, including any laboratory analysis, shall be undertaken without undue delay.
5. The feed or food business operator responsible for the consignment or his representative shall make available sufficient human resources and logistics, storage facilities, and facilities to unload the consignment, thus enabling the necessary official controls to take place.
6. In the case of special transport and/or specific packaging forms, the feed and food business operator responsible for the consignment or his representative shall make available to the competent authority the appropriate sampling equipment insofar as the sampling cannot be representatively performed with standard sampling equipment.
7. After completion of documentary, identity and physical checks, as appropriate, the competent authority shall complete Part II of the CED and the responsible official shall stamp and sign the original of the CED.
8. Where the results of official controls are satisfactory, the procedures set out in paragraphs 9 and 10 shall apply.
9. The responsible official of the competent authority shall notify the customs services that the consignment has been cleared as suitable for release for free circulation.
10. The competent authority shall transmit a copy of the CED to the feed or food business operator responsible for the consignment or his representative, and shall make and retain a copy of the CED.
11. After customs clearance, the original of the CED shall accompany the consignment to the first establishment of destination. Where consignments are split, authenticated copies shall accompany each part of the consignment.
12. In the case of non-compliance, consignments may not be cleared for release for free circulation. The responsible official of the competent authority shall, where appropriate, complete Part III of the CED, and action shall be taken in accordance with Articles 19 to 21 of Regulation (EC) No 882/2004.
13. The competent authorities shall immediately notify the Commission through the Rapid Alert System for Feed and Food, as foreseen in Article 50 of Regulation (EC) 178/2002, any information relating to the existence of a serious direct or indirect risk to human or animal health detected during the official controls carried out at the DPI.