



# Part two



1. The official controls referred to in Article 15(1) shall include at least a systematic documentary check, a random identity check and, as appropriate, a physical check.

# How? D, I and P check

## Documentary check

Examination of documents that accompany the consignment, commercial documents and documents required under feed/food law



## Identity check

Visual inspection, ensure that accompanying certificates/ other documents tally with the labelling & content of the consignment



## Physical check

Check on the feed or food itself to verify compliance with feed or food law (on the means of transport, packaging, labelling & temperature, sampling for analysis and laboratory testing and any other check necessary)





# D check 669

- Are all incoming consignments declared? (CED)
- Check using custom declaration
- Check using commercial invoices.
- Check using ???



# D check 1152

- Are all incoming consignments declared? (CED)
- Is there a certificate ?
- Check using custom declaration
- Check using commercial invoices.
- Check using ???



# Non conformity

Article 18, 19 and article 54.3 of the 882/2004



# Identity check





# Identity check

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5.3 Summary sheet

**SUMMARY SHEET**

Booking number : Date :

Product : Country :  
Custom declaration number / Goods of origin :  
Number of goods : Packages : Quantity : Unit :

Marking numbers on the product :  
Monthly statement :  
Customs office :  
Contact Person : Phone : Fax :

**Person declaring the goods** **Consignee**

Name :  
Address :  
Phone :  
Fax :  
Contact Person :  
Inspection date :  
Site inspection :  
Name : Phone :  
Address : Fax :  
Postal Code : Contact :  
Place :  
Inspector(s) : Date :  
Lot number : A / B / C / D : Time :  
Inspection : YES / NO : Sample :  
3 days : YES / NO : to :  
Customs present : YES / NO :  
No measures : Written : Official : Rejected without : Seized :  
Taken : warning : Report : measures taken :



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# Non conformity

Article 18, 19 and article 54.3 of the 882/2004





# physical check





# physical check





# Non conformity

Article 18, 19 and article 54.3 of the 882/2004



# EUROPEAN LEGISLATION on IMPORT CONTROLS

Non-compliance  
Collection fees-charges

Hans Jeuring / Sjaak Blaak







# This presentation

- Non compliancy
- Collection of fees and charges





# Corrective measures: options

Products from 3rd countries

Article 18, 19, 20, 21

Of

EU Regulation 882/ 2004



# Legislation in case of non compliance

•882/2004/EC

- Article 18 Official detention until results official controls
- Article 19 Official detention
- Article 20 Special treatment
- Article 21 Re-dispatch of consignments
- Article 22 Costs





# Corrective measures

## 3rd countries!!!

### Article 18 Action in case of suspicion

In case of suspicion of non-compliance or if there is doubt as to the identity or the actual destination of the consignment, or as to the correspondence between the consignment and the certified guarantees, the competent authority shall carry out official controls in order to confirm or to eliminate the suspicion or doubt. The competent authority shall place the consignment concerned under official detention until it obtains the results of such official controls.

### Important article 54.3

In case of non-compliance

- a. Written notification of the decision concerning the action to be taken.  
Together with the reasons for the decision  
  
and
- b. Information on rights of appeal against such decisions and on the applicable procedure and time limits.





# Article 54 .3 882/2004

Important information:

- In accordance with Article 18 of Regulation (EC) Nr. 882/2004.
- The details of the party:

Size:

Origin:

Specialties:

Container No:

All costs resulting from this measure are in accordance with Article 22 of Regulation (EC) Nr. 882/2004 entirely borne by the business operator or his representative.

A business operator may appeal against the decision of detention, within six weeks of the date, a reasoned appeal to the Minister of Health, Welfare and Sport.

Ministry of Health, Welfare and Sport  
Central Department of Legislation and Legal Affairs  
PO Box 20350, 2500 EJ Den Haag



# Corrective measures

## *Article 19*

Action following official controls on feed and food from  
third countries

## *Article 20*

**Special treatment**

## *Article 21*

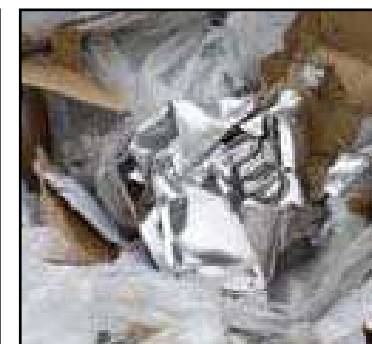
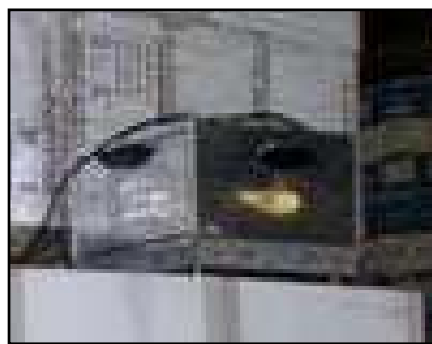
**Re-dispatch of consignments**



# Corrective measures

Depending on how severe the non-compliance is: Goods...

- can be modified
- can be used for another purpose
- can be returned
- have to be destroyed (most serious case of non-compliance!)



VWA Zwijndrecht, Import control



# This presentation

- Non compliancy
- Collection of fees and charges





# FEES

## Article 22

- All costs for the activity of article 18,19,20 and 21 are for the business operator.
- Member states are free to decree the level of costs.



# This presentation

- Non compliancy
- Collection of fees and charges





# Important recent changes

View them

401/2006 → 178/2010

1831/2003 → 1831/2003



# Thank you for your attention!

