EU sets conditions for notification of additional goods prior to arrival

Published by AGRINFO on 01 May 2024; Revised 25 Sep 2024

EU allows Member States to request advance notification of arrival for certain goods before entry

Commission Delegated Regulation (EU) 2024/2104 of 27 June 2024 supplementing Regulation (EU) 2017/625 of the European Parliament and of the Council as regards the cases where and the conditions under which competent authorities may request operators to notify the arrival of certain goods entering the Union

Update

This Regulation clarifies the conditions under which EU Member State authorities may request non-EU operators or importers to give advance notification ("pre-notification") of the arrival of certain goods at EU border control posts. This relates to animal and plant products that are not already subject to advance notification under the Official Controls Regulation (2017/625, Arts. 47 and 48), and may include food and feed of non-animal origin as well as food contact materials, feed additives, or plant protection products. The information required must be provided by the operator through TRACES.

Impacted products

Food and feed of non-animal origin, food contact materials, feed additives, plant protection products

What is changing?

The Official Controls Regulation (2017/625, Arts. 47) requires advance notification of arrival for certain specified animal and plant products which **must** be controlled at border control points. These controls always include documentary checks and may also include identity and physical checks (depending on an assessment of their risk to health and the environment).

In addition, EU Member States may undertake controls at the border control post of other products for which such controls are not mandatory (Art.44).

This Regulation clarifies the conditions under which EU Member State authorities may request non-EU operators to give advance notification ("pre-notification") of the arrival of these *other*

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targeted products at EU border control posts. These include food and feed of non-animal origin as well as food contact materials, feed additives, or plant protection products, under certain conditions. A request for advance notification can be made when a risk is identified to: (1) human health; (2) animal health; (3) plant health; (4) animal welfare; or (5) the environment (in the case of pesticides or genetically modified organisms, GMOs). The history of compliance with the official controls of these goods must be taken into account.

The Regulation describes the information that operators must include in the notification, which must be done via the EU's Trade Control and Expert System (TRACES) for each consignment.

Why?

Receiving advance information about certain consignments enables competent authorities of EU Member States to organise checks efficiently.

Timeline

The possibility to request advance notifications applies from **3 March 2025**.

What are the major implications for exporting countries?

The new rules have no implications for non-EU exporters of food that already requires notification. However, the new rules may affect exports of feed and food of non-animal origin (and not covered by Art. 47 of the Official Controls Regulation) – including additives, substances with an impact on the characteristics of food and feed, or materials intended to enter into contact with food that will be checked at a border control post.

Background

The Official Controls Regulation (2017/625) establishes rules for official controls of both goods produced within the EU, and products exported to the EU.

Article 45(4) allows the European Commission to adopt additional rules permitting competent authorities to request that operators provide notification of the arrival of certain goods entering the EU (in addition to the goods for which the notification is required under Art. 47).

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Resources

Official Controls Regulation 2017/625

Sources

Regulation (EU) 2024/2104 as regards the cases where and the conditions under which competent authorities may request operators to notify the arrival of certain goods entering the Union

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