

The Official Controls Regulation (EU) 2017/625 of the European Parliament and the Council (OCR) – Official Certification



28 November 2019



Please note:

In the presentation the following abbreviations will be used:

OC(s) - Official Control(s)

CA(s) – Competent Authorities

MS(s) – Member State(s)

OCR – Official Controls Regulation

OV(s) – Official Veterinarian(s)

NC – non-compliance

“Official certification” (Reg. EU 2017/625 - art. 3.25)

*“The **procedure** by which **assurance concerning compliance** with one or more requirements laid down in the rules referred to in Article 1(2) is provided by the competent authorities”
[substantially identical to the one in Reg (EC) n. 882/04]*



Official certification shall result in the issuance of:

- official certificates or



- official attestations [in the cases provided for in the rules referred to in Article 1(2)].

Reg (EU) 2017/625 (art. 2.1)

Official certification is **part of Official Controls:**

“activities performed by the CAs, or by the delegated bodies or the natural persons ..., in order to verify:

....

that animals or goods meet the requirements laid down in the rules referred to in Article 1(2), including for the issuance of an official certificate or official attestation”

clarification



Notably

Official controls performed with a view of an official certificate or attestation issuance shall be carried out **irrespective of the level of risk** or the likelihood of non-compliance

*(The **frequency of OCs should be established** by the CAs having regard to the need **to adjust the control effort to the risk** and to the level of compliance expected in the different situations,*

*In some cases, however, and in view of the issuance of an official certificate or attestation which is a pre-requisite for the placing on the market or for the movements of animals or goods, Union agri-food chain legislation requires that official controls be performed irrespective of the level of risk or the likelihood of non-compliance. In such cases, **the frequency of the official controls is dictated by the certification or attestation needs** – 32° Whereas)*



Delegation of certain tasks (art. 86.2)



CAs, in respect of the relevant requirements about the delegation of official tasks, **may delegate certain OCs related to**

- the issuance of official certificates or
- official attestations, or
- the official supervision on operators issuing an official attestation (when required by the Regulation)

Signature and issuance of official certificates cannot be delegated (art. 88.1)

“Official certificate”

*“a paper or electronic **document** signed by the certifying officer and **providing assurance concerning compliance** with one or more requirements laid down in the rules referred to in Article 1(2)”*

**New
definitions**

17.5.2019 EN Official Journal of the European Union L 131/189

ANNEX IV

MODEL OFFICIAL CERTIFICATES IN THE CASE OF ANTE-MORTEM INSPECTION AT THE HOLDING OF PROVENANCE

Part I: MODEL OFFICIAL CERTIFICATE FOR LIVE ANIMALS

OFFICIAL CERTIFICATE

for live animals transported to the slaughterhouse in the case of ante-mortem inspection at the holding of provenance in accordance with Article 5(2)(f) of Commission Delegated Regulation (EU) 2019/624 (*)

Name of the official veterinarian:

No:

1. Identification of the animals

Species:

Number of animals:

Identification marking:

2. Provenance of the animals

Address of holding of provenance:

Identification of house (*):

3. Destination of the animals

The animals will be transported to the following slaughterhouse:

by the following means of transport:

4. Other relevant information

.....

5. Declaration

I, the undersigned, declare that:

- the animals described above were examined before slaughter at the above-mentioned holding at (time) on (date) and were found to be fit for slaughter,
- the following observations on the health and welfare of animals were made:
- the records and documentation concerning these animals satisfied the legal requirements and do not prohibit the slaughter of the animals,
- I verified the food chain information

Done at: (Place)

..... (Date)

Stamp

..... (Signature of official veterinarian)

..... (Official stamp)

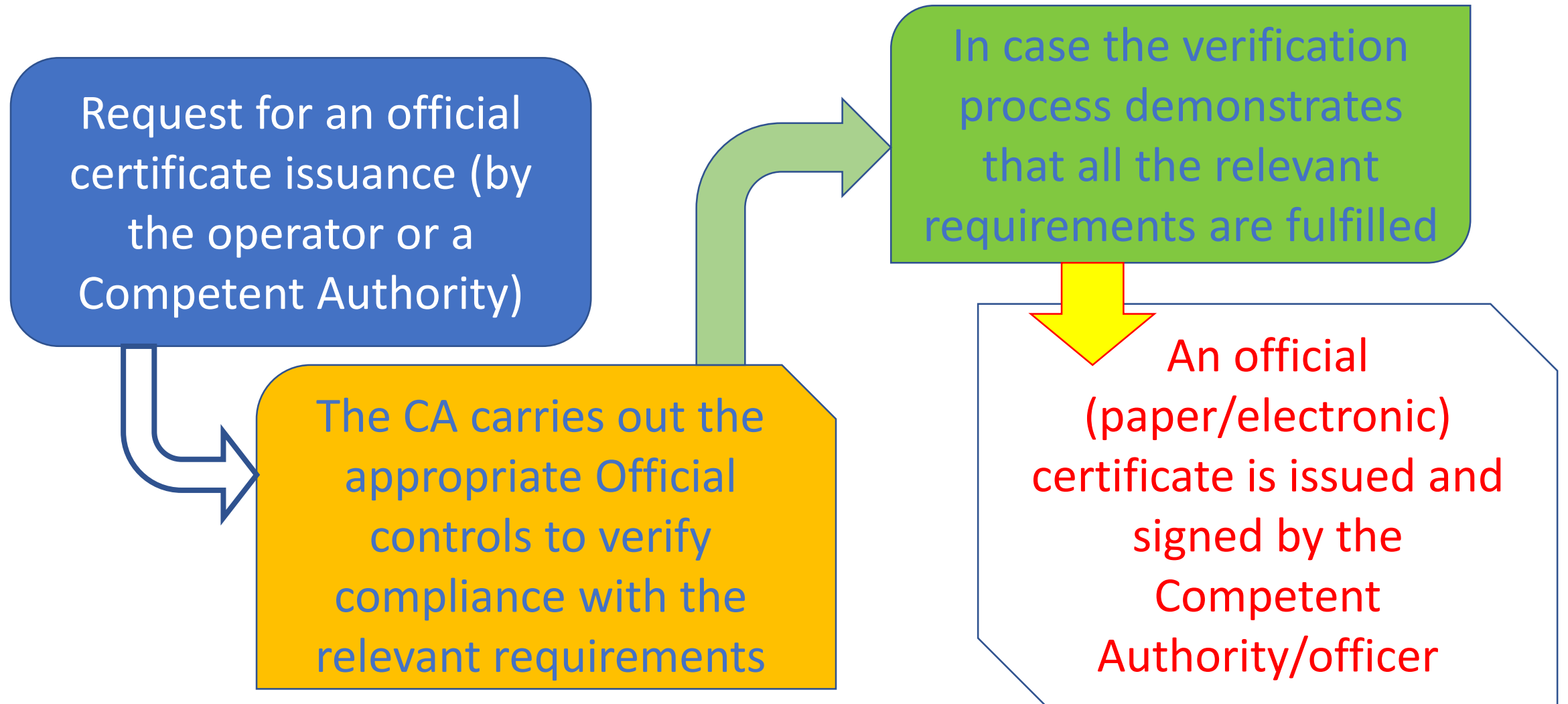
(*) Commission Delegated Regulation (EU) 2019/624 of 8 February 2019 concerning specific rules for the performance of official controls on the production of meat and for production and relaying areas of live bivalve molluscs in accordance with Regulation (EU) 2017/625 of the European Parliament and of the Council (OJ L 131, 17.5.2019, p. 1).

“Official Attestation”

“any label, mark or other form of attestation issued by the operators under the supervision, through dedicated official controls, of the competent authorities or by the competent authorities themselves, and providing assurance concerning compliance with one or more requirements laid down in this Regulation or in the rules referred to in Article 1(2)”



The Official certification process



Scope

Council **Directive 96/93/EC** of 17 December 1996 on the certification of animals and animal products is **repealed**,
but...

...General **principles and requirements** concerning official certification and official attestation are extended to certification of **any kind of goods and animals** to which the rules referred to in Article 1(2) of Regulation (EU) n. 2017/625 apply

Certifying officer



Shall be:

- designated by CAs
- impartial, free from any conflict of interest,
- trained on the rules with which compliance is to be certified and on the technical assessment of compliance with those rules as well as with the relevant rules on certification



[**Problem**: sometime rules with which compliance is to be certified are difficult even to find out (e.g. third Countries legal requirements)]

General principles – ground for certification


Certifying officer shall certify **only data**

- of which they have **personal knowledge** obtained through an official control or
- **another official certificate** issued by the CAs



Export and pre-export certificates



Numero 22/No 22/Форма № 22					
1. Descrizione della partita/Shipment description / Описание		1.5 Certificato n./ Certificate № / Сертификат №			
1.1 Nome ed indirizzo dello speditore/Name and address of consignor: / Название и адрес грузоотправителя:		 <p>Certificato veterinario per l'esportazione di carni e preparazioni a base di carni crude ottenute da bovini dalla UE verso l'Unione Doganale Veterinary certificate for meat and raw meat preparations derived from cattle, exported from the EU to the Customs Union / Ветеринарный сертификат на экспортируемые из Европейского союза в Таможенный союз мясо, сырые мясопродукты и субпродукты полученные при убойе и переработке</p>			
1.2 Nome ed indirizzo del destinatario/ Name and address of consignee: / Название и адрес грузополучателя:					
4. Dichiarazione di idoneità al consumo umano/ Statement on suitability for human consumption /Свидетельство о пригодности товара к пище людям Il sottoscritto veterinario pubblico/ufficiale certifica che:/ I, the undersigned State/official veterinarian, certify that: / Я, нижеподписавшийся государственный/официальный ветеринарный врач, настоящим удостоверяю следующее: Il presente certificato si basa sui certificati di pre-esportazione sotto elencati (si veda la lista allegata nel caso siano più di due) ⁽¹⁾ The certificate is based on the following pre-export certificates (see attached list in case more than two) ⁽¹⁾ / Сертификат выдан на основе следующих до-экспортных сертификатов (при наличии более двух до-экспортных сертификатов прилагается список) ⁽¹⁾ :					
Data/Date /Дата	Numero/Number/Номер	Paese di origine/ Country of origin / Страна происхождения	Territorio amministrativo/ Administrative territory/ Административная территория	Numero di riconoscimento dello stabilimento/ Approval number of the establishment/ Регистрационный номер предприятия	Nome e quantità (peso netto) delle merci /Name and quantity (net weight) of goods/ Вид и количество (вес нетто) товара

These principles shall apply to official certificates which are **requested** from the CA of a MS of dispatch by the CA of a MS of destination **in respect of consignments** of animals and goods which are **to be exported** to third countries. (art. 87(b))

General principles – ground for certification

Whenever rules referred to in Article 1(2) do not forbid it, certifying officer shall certify data

- **ascertained by another person** so **authorized** by the CA and acting under its control, provided that the certifying officer can **verify the accuracy** of the data, or

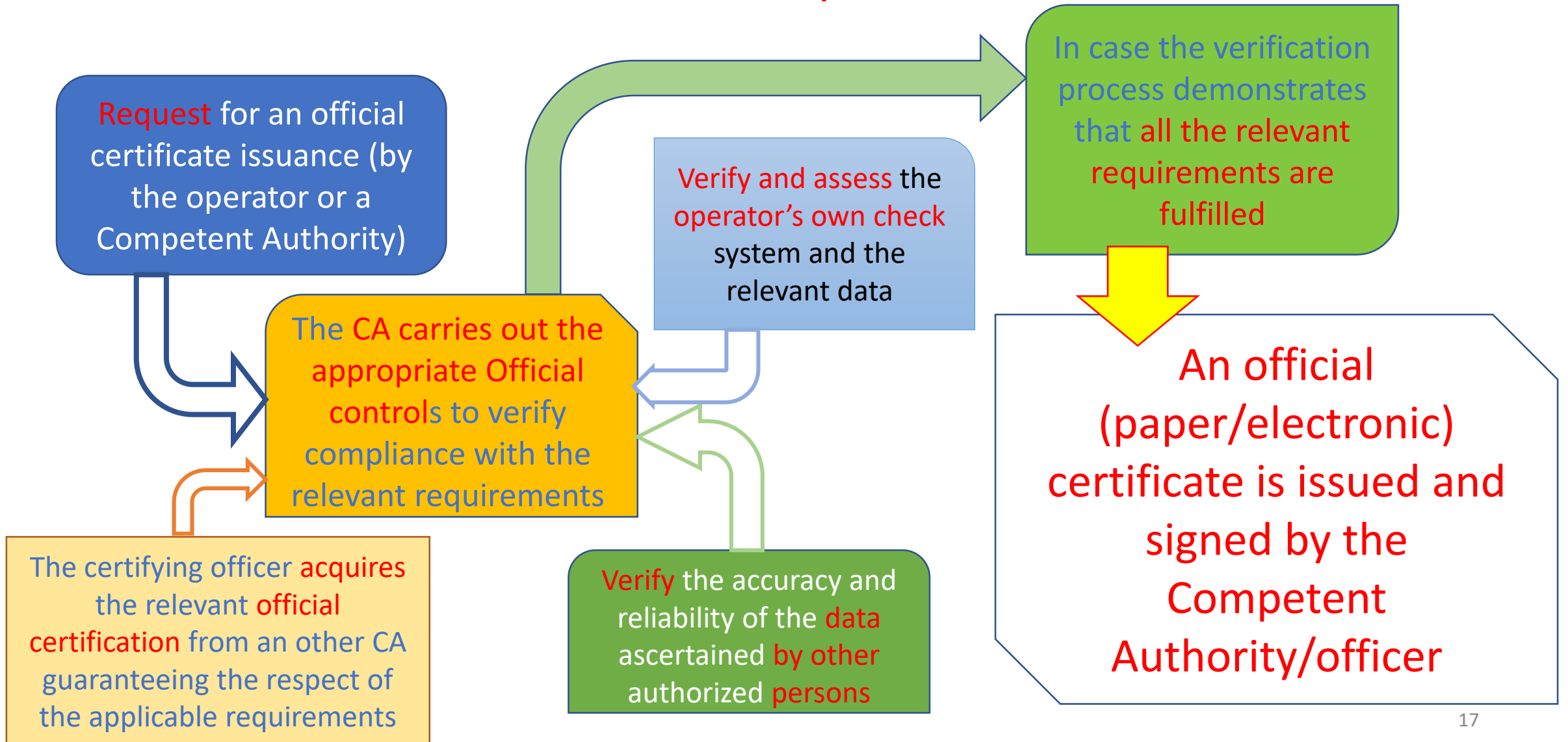


General principles – ground for certification

- obtained from **the operators' own control systems**, verified in the framework of regular OCs, that the certifying officer consider to be **a sound basis** demonstrating that the conditions for issuing the official certificate are met



The Official certification process



Reliability of official certificates (art. 89)

Official certificates shall

- Be clearly and **uniquely identified** [by mean of a unique code]

MODEL OFFICIAL CERTIFICATES FOR THE ENTRY INTO THE UNION OF ANIMALS, PRODUCTS OF ANIMAL ORIGIN, COMPOSITE PRODUCTS, GERMINAL PRODUCTS AND ANIMAL BY-PRODUCTS

COUNTRY		Official certificate to the EU	
of dispatched consignment	I.1. Consignor/Exporter Name	I.2. Certificate reference No	I.2.a IMSOC reference No
	Address Tel. No	I.3. Central Competent Authority	
		I.4. Local Competent Authority	
		I.5. Consignee/Importer Name Address Postal code	
			I.6. Operator responsible for the consignment Name Address Postal code

Reliability of official certificates

- Be **complete** in any part [they will not be signed if blank or incomplete]
- Be easily and **clearly understandable** by the certifying officer and the third party to which the certificate is addressed [they will be drawn up in one or more **languages** understood by the certifying officer and, where relevant, in one of the official languages of the (Member) State of destination]



ITALIAN REPUBLIC - Ministry of Health
REPUBBLICA ITALIANA - Ministero della Salute
意大利共和国-卫生部

Region
Regione
地区

Veterinary Service LHU
Servizio Veterinario AUSL
地方卫生局兽医站

OFFICIAL VETERINARY CERTIFICATE FOR MEAT AND ITS PRODUCTS TO
BE EXPORTED TO THE PEOPLE'S REPUBLIC OF CHINA
CERTIFICATO UFFICIALE VETERINARIO PER LE CARNI E SUOI DERIVATI DESTINATI
ALL'ESPORTAZIONE NELLA REPUBBLICA POPOLARE CINESE
向中华人民共和国出口肉类产品卫生证书

Certificate number/Certificato n./ 编号: [] [] [] [] [] [] [] [] [] [] [] []

<i>Street</i> / Via / 街道	<i>City</i> / Città / 城市	<i>Country</i> / Paese / 国家	<i>Date</i> / Data / 日期
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Nome del prodotto 产品名称	Tipo di prodotto 产品种类	Specie animale utilizzata 来源动物种类	Tipo di imballaggio 包装方式
<i>Number of pieces or packages</i> Numero di pezzi o contenitori 件数或包装数	<i>Net weight Kg</i> Peso netto Kg 净重 (千克)	<i>Gross weight Kg</i> Peso lordo Kg 毛重 (千克)	<i>Date(s) of production</i> Data di lavorazione 生产日期
<i>Shelf life</i> Data di scadenza 保质期	<i>Batch number</i> Lotto nr. 生产批次号	<i>Storage temperature</i> Temperatura di stoccaggio 储存温度 (°C)	<i>Transportation temperature</i> Temperatura durante trasporto 运输温度 (°C)
<i>Identification marks on product</i> Marchio di identificazione sui prodotti 产品标识	<i>Container number</i> Numero del container 集装箱号	*** <i>Seal number</i> Numero di sigillo 铅封号	

Reliability of official certificates

- be **authentic** and accurate;
- Ensure the **link between the certificate and**
 - the **certifying officer**,
 - the issuing **CA**/the issuing **Authority**
 - the **date of issue**,
 - the **issuing authority** and
 - the **consignment, lot or individual animal or good** to which the certificate refers

Implementing Reg. (EU) 2019/628

concerning **model official certificates** for certain animals and goods lays down:

- Requirements for model **official certificates not submitted in IMSOC** (art. 3)
- Requirements for model **official certificates submitted in IMSOC** and (art. 4)
- Rules for **replacement certificates** (art. 5)

Official certificates not submitted in IMSOC

Different
colour for
the
signature
and the
official
stamp
from the
printing
colour

a single sheet of paper

or

several indivisible sheets of paper
constituting an integral whole

or

a sequence of numbered pages, each
bearing the unique code identifying the
certificate, the signature of the certifying
officer and the official stamp

The certificate
shall be issued
before the
consignment to
which it relates
leaves the control
of the CAs issuing
the certificate

official certificates submitted in IMSOC

The model official certificates for the entry into the Union of animals and goods originating from third countries or regions thereof shall be based on the model official certificate laid down in Annex I to Reg 628



the model of official certificates shall include the specific health guarantees and the information which are required by Union legislation for the entry into the Union.



The official certificate shall be submitted in IMSOC before the consignment to which it relates leaves the control of the CAs of the third country issuing the certificate

Replacement certificates

Issued by CAs following administrative errors in the initial certificate or where the initial certificate has been damaged or lost

It shall not modify information in the initial certificate concerning the identification, traceability and health guarantees of consignments and shall:

make clear reference to the unique code and the date of issue identifying the initial certificate, and clearly state that it replaces the initial certificate

have a new certificate number different to that of the initial certificate

be presented in its original to the CAs, except in the case of electronic replacement certificates submitted in IMSOC

Electronic certificates and use of electronic signatures

The Commission is empowered, by means of implementing acts, to lay down rules for the issuance of **electronic certificates** and for the use of **electronic signatures** (art. 90)

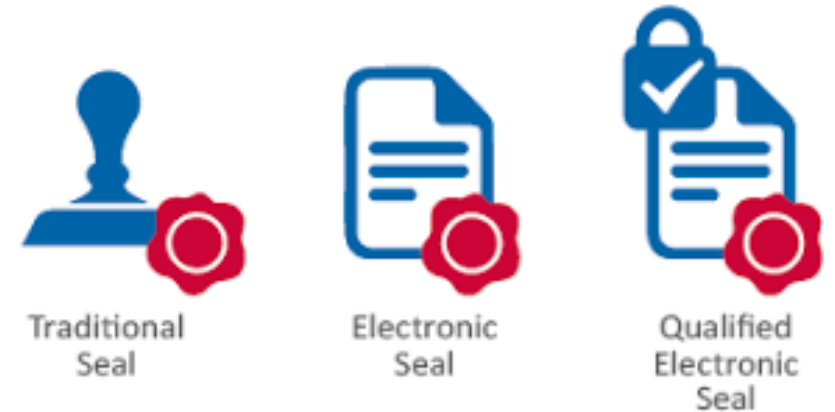
The Commission implementing **Reg. (EU) 2019/1715** lays down the requirements for the issuance of **electronic official certificates** for consignments of **animals and goods entering the Union** (art. 39)



Import electronic certificates

Shall be issued in:

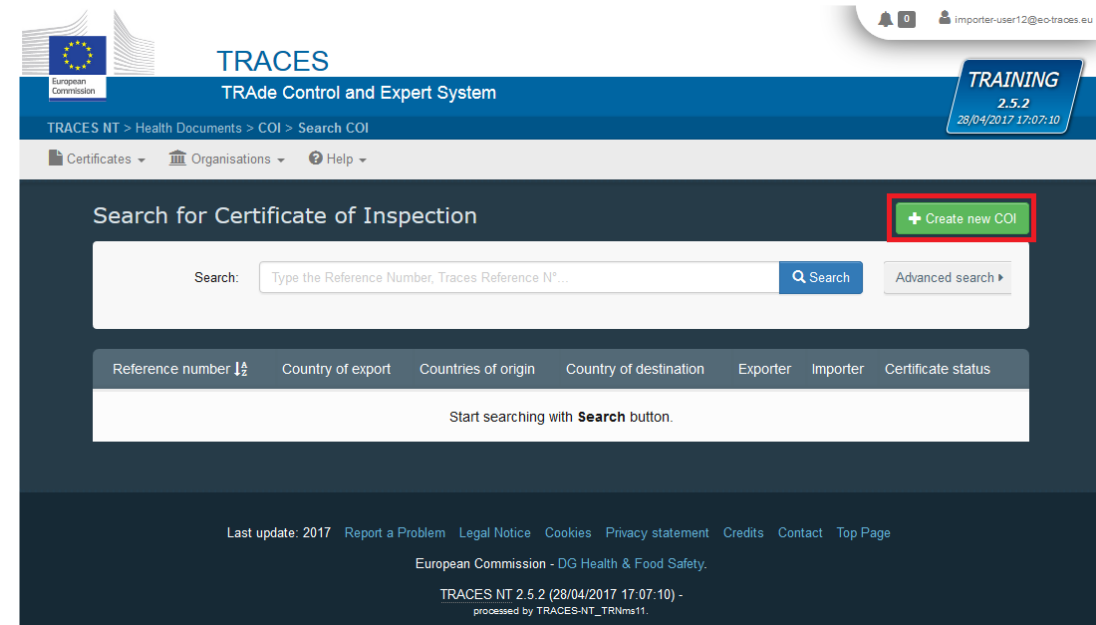
- **TRACES** or
- a MS's **national system** capable of exchanging data with TRACES or
- a **third country** or an international organization's electronic certification **system capable** of exchanging data with TRACES or with a MS's national system
- shall be signed with an **advanced** or **qualified electronic signature**;
- shall bear the **advanced** or **qualified electronic seal** of the issuing CA or of its legal representative;
- shall use a **qualified electronic time stamp**.



Export of animals and goods - Electronic certificates and use of electronic signatures

Electronic certificate are already part of the agreement with several third Countries.

Electronic signature should be as well part of the agreement with the concerned third Country when it is part of the Official Certification



Official attestation



- **General principles** are the same as per official certification
- In case official attestations are **issued by an operators**, the CAs shall **supervise** their issuance.
- CAs shall perform **OCs to verify** that the operators issuing the attestations comply with the conditions laid down in the relevant rules and that the attestation is issued based on relevant, correct and verifiable facts and data

Official certification vs. Official attestation

Official certification	Official attestation
Certifying officers shall be impartial, free from any conflict of interest and appropriately trained	Staff performing OCs to supervise the issuance of official attestations or the staff involved in the issuance of those official attestations shall be impartial, free from any conflict of interest and appropriately trained
<p>Official certificates shall be signed based on:</p> <ul style="list-style-type: none">• direct knowledge by the certifying officer of up-to-date facts and data• facts and data ascertained by another person authorised for that purpose by, and acting under the control of, the CAs, provided that the certifying officer can verify the accuracy of such facts and data• facts and data obtained from the operators' own control systems, complemented and confirmed by results from regular OCs	<p>CAs shall perform regular OCs to verify that:</p> <ul style="list-style-type: none">• the operators issuing the attestations comply with the conditions laid down in the relevant rules• the attestation is issued based on relevant, correct and verifiable facts and data

Official certificate vs. Official attestation

requisite	Official certificate	Official attestation
bear a unique code	X	O
Are signed only if complete in all parts	X	O
Are written in one or more of the languages understood by the person in charge with its issuance and, where relevant, in one of the languages of the (Member) State of destination	X	X
Are authentic and accurate	X	X
Permit the identification of the person who signed them and the date of issue	X	O
Permit to link the document to the issuing authority and the consignment , lot or individual animal or good covered by the document	X	X ⁽¹⁾ /O

⁽¹⁾ where they relate to a consignment or a lot

Preventive measures

The competent authorities shall take all appropriate **measures to prevent** the issuance of **false or misleading official certificates** or the abuse of official certificates (art. 89.2)



Enforcement measures (art. 138.5)

The CAs, in the case of **issuance of false or misleading official certificates** or in the case of **abuse of official certificates**, shall take appropriate measures, including:

- (a) the **temporary suspension** of the certifying officer from its duties;
- (b) the **withdrawal of the authorisation** to sign official certificates;
- (c) **any other measure** to prevent a reoccurrence



Conclusions

- **Official certification**, meaning the procedure by which assurance concerning compliance with one or more legal requirements is provided by the CAs, is **part of OCs**
- In addition to “**official certificate**”, issued by the CAs, “**official attestation**” may be issued by the operators under the supervision of the CAs or by the CAs themselves
- **Requisites and criteria** for the issuance of official certificates and official attestations are established as well as
- **CAs’ responsibilities** in preventing the issuance of false or misleading certificates

**Thank you
for listening**



Thank you for your
attention