Importing into the EU - Council Regulation (EEC) No 1991/2006

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IMPORTS before 1.1.2007

All imports are based on an assessment of equivalency with EU Regulation 2092/91. There are two options:

1.) Third Country List
2.) Member State Authorizations

IMPORTS after 1.1.2007

Imports either have to meet EU Regulation 2092/91 (compliancy) or have to meet equivalent standards to the EU Regulation. There are following options:

1.) Compliance
    a.) control body list for compliance (not yet published, implementation procedures still need to be elaborated)
2.) Equivalence
    a) Third Country List
    b) Control Body List (not yet published, implementation procedures still need to be elaborated)
    c) Member State Authorizations

EU Regulation 94/92 (Third Country List) and 1788/2001 (certificate of inspection for imports) remain in place and are linked to the new version of article 11.

EU Regulation 2092/91, Article 11:

- Direct access: compliance

  11.1 Compliance
  - a. product complies with articles 5 and 6 of 2092/91 (production rules)
  - b. operators have submitted activity to inspection body/authority listed on new list (see 11.2)
  - c. operators able to provide documentary evidence

  11.2 Controls on compliance in third countries
  - List of bodies/authorities by Commission
  - Bodies ISO 65 accredited
  - Bodies/authorities to send information
  - Assessment reports by accreditation bodies or authorities
  - Supervision by Commission and Member States

- Equivalence

11.3 General conditions equivalence

a. equivalent production standards

b. equivalent control arrangements

c. controls

- by control system and control body on third country list – 11.4
- by body on control body list – 11.5

d. product comes with certificate from bodies in c. (as in 1788/2001)

11.4 List of third countries

(As previously in 11.1), implementing rule (new 94/92)

- Examination documented request third country
- On-the-spot expert examination possible
- Annual report
- Commission and Member State supervision

11.5 List of control bodies

New (but elements from 11.6 of 2092/91)

Implementing rule: “second chapter to new 94/92”

- Examination documented request control body
- Regular on-the-spot evaluation
- On-the-spot examination possible
- Supervision by Commission and Member States based on assessment reports
- SCOF decision

11.6 Transition: prolongation of MS authorisations

- Prolongation of existing system of MS authorisations (article 11.6 of 2092/91) until 12 months after publication of first list of control bodies (new 11.5)
- New: authorisation by Member State were the importer has notified his activity.

11.7 Legal basis for implementing Commission rules

- a. For listing third countries and control bodies : “new 94/92”
- b. For documentary evidence for compliant products (11.1.c

Equivalence

- Definition

Capability to meet the same objectives and principles by applying rules which ensure the same level of assurance of conformity.

- Reference

Rules equivalent to EC rules. Assessment shall take into account Codex Alimentarius Guidelines CAC/GL 32