

COMMISSION DECISION of 17 April 2007 concerning lists of composite products to be subject to controls at border control posts (notified under document number C(2007) 1547) (Text with EEA relevance) (2007/275/EC)

[^{F1}COMMISSION DECISION

of 17 April 2007

concerning lists of composite products to be
subject to controls at border control posts]

(notified under document number C(2007) 1547)

(Text with EEA relevance)

(2007/275/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/496/EEC of 15 July 1991 laying down the principles governing the organisation of veterinary checks on animals entering the Community from third countries and amending Directives 89/662/EEC, 90/425/EEC and 90/675/EEC⁽¹⁾, and in particular Article 4(5) thereof,

Having regard to Council Directive 97/78/EC of 18 December 1997 laying down the principles governing the organisation of veterinary checks on products entering the Community from third countries⁽²⁾, and in particular Article 3(5) thereof,

Having regard to Council Directive 2002/99/EC of 16 December 2002 laying down the animal health rules governing the production, processing, distribution and introduction of products of animal origin for human consumption⁽³⁾, and in particular Article 8(5) thereof,

Whereas:

- (1) Directive 91/496/EEC provides for veterinary checks in respect of animals from third countries entering the Community to be carried out by the Member States in accordance with that Directive.
- (2) Directive 97/78/EC provides for veterinary checks on certain products of animal origin and certain plant products introduced into the Community from third countries.
- (3) Commission Decision 2002/349/EC of 26 April 2002 laying down the list of products to be examined at border inspection posts under Council Directive 97/78/EC⁽⁴⁾ provides that the products of animal origin listed in that Decision are to be subject to veterinary checks at border inspection posts in accordance with Directive 97/78/EC.
- (4) As veterinary checks at border inspections posts are carried out in close cooperation with customs officials, it is appropriate to use a list of products that refer to the Combined Nomenclature (CN) provided for in Council Regulation (EEC) No 2658/87

Changes to legislation: There are currently no known outstanding effects for the COMMISSION DECISION of 17 April 2007 concerning lists of composite products to be subject to controls at border control posts (notified under document number C(2007) 1547) (Text with EEA relevance) (2007/275/EC). (See end of Document for details)

of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff⁽⁵⁾ as a first basis for selection of consignments. The lists of products in Decision 2002/349/EC should therefore be replaced by the list in Annex I to this Decision.

- (5) In the interests of rationality of Community legislation, it is appropriate that the list in Annex I to this Decision also covers animals entering the Community from third countries.
- (6) In order to facilitate controls by the competent authorities at border inspection posts, the list in Annex I to this Decision should provide as precise a description as possible of the animals and products to be subjected to veterinary checks under Directive 97/78/EC. In addition, for certain CN codes, this Decision only provides for a small part of the products falling under the relevant Chapter or heading to be subjected to veterinary checks. In such cases, Column 3 of Annex I to this Decision, should refer to the applicable CN code and give details of the products which should be subject to those veterinary checks.
- (7) Decision 2002/349/EC provides that composite food products containing only a limited percentage of products of animal origin are to continue to be subject to national rules.
- (8) However, in order to avoid differences in interpretation between Member States, leading to distortions in trade and to potential animal health risks, rules should now be laid down at Community level concerning the composite products that may be exempted from veterinary checks under Directive 97/78/EC.
- (9) Regulation (EC) No 853/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific hygiene rules for food of animal origin⁽⁶⁾ contains definitions of certain products. In the interests of consistency of Community legislation, it is appropriate to have regard to those definitions in this Decision.
- (10) There are differences in the animal health risk associated with imports of different types of animal products into the Community. Accordingly, this Decision should provide that all composite products containing meat products should be subject to veterinary checks, while different criteria should be applied to composite products containing other animal products based upon the need to have harmonised rules at Community level.
- (11) Certain composite products receive treatment during manufacture which reduces the potential animal health risk present in such products. The appearance, shelf stability, and physical characteristics should therefore be used as recognisable distinguishing features for competent authorities that have to make a decision on the necessity of subjecting composite products to veterinary checks.
- (12) In the interests of consistency of veterinary checks at border inspection posts on composite products being introduced into the Community, it is appropriate to establish also a list of certain foodstuffs and composite products that may be exempted from the veterinary checks provided for in Directive 97/78/EC.
- (13) In the interests of coherence of Community legislation, it is appropriate to repeal Decision 2002/349/EC and replace it by this Decision.

Changes to legislation: There are currently no known outstanding effects for the COMMISSION DECISION of 17 April 2007 concerning lists of composite products to be subject to controls at border control posts (notified under document number C(2007) 1547) (Text with EEA relevance) (2007/275/EC). (See end of Document for details)

- (14) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS DECISION:

Textual Amendments

- F1** Substituted by Commission Implementing Regulation (EU) 2019/2007 of 18 November 2019 laying down rules for the application of Regulation (EU) 2017/625 of the European Parliament and of the Council as regards the lists of animals, products of animal origin, germinal products, animal by-products and derived products and hay and straw subject to official controls at border control posts and amending Decision 2007/275/EC (Text with EEA relevance).

^{F1} Article 1

Subject matter

This Decision lays down rules regarding the composite products to be subjected to official controls at border control posts upon entry into [^{F2}Great Britain].]

Textual Amendments

- F1** Substituted by Commission Implementing Regulation (EU) 2019/2007 of 18 November 2019 laying down rules for the application of Regulation (EU) 2017/625 of the European Parliament and of the Council as regards the lists of animals, products of animal origin, germinal products, animal by-products and derived products and hay and straw subject to official controls at border control posts and amending Decision 2007/275/EC (Text with EEA relevance).
- F2** Words in Art. 1 substituted (31.12.2020) by The Import of, and Trade in, Animals and Animal Products (Miscellaneous Amendments) (EU Exit) Regulations 2020 (S.I. 2020/1462), regs. 1(3), **49(2)** (with regs. 69-71)

Article 2

Definitions

For the purposes of this Decision, the following definitions shall apply:

- a composite product: a foodstuff intended for human consumption that contains both processed products of animal origin and products of plant origin and includes those where the processing of primary product is an integral part of the production of the final product;
 - b meat products: products as defined in point 7.1 of Annex I to Regulation (EC) No 853/2004;
 - c processed products: the processed products listed under point 7 of Annex 1 to Regulation (EC) No 853/2004;
 - d dairy products: products as defined in point 7.2 of Annex I to Regulation (EC) No 853/2004.
- ^{F3}e “appropriate authority” means the Secretary of State (in relation to England), the Welsh Ministers (in relation to Wales) and the Scottish Ministers (in relation to

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Scotland); but the “appropriate authority” is the Secretary of State if consent is given by:

- i in relation to Wales, the Welsh Ministers;
- i in relation to Scotland, the Scottish Ministers.]

Textual Amendments

- F3** Art. 2(e) inserted (31.12.2020) by [The Import of, and Trade in, Animals and Animal Products \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1462\)](#), regs. 1(3), **49(3)** (with regs. 69-71)

^{F4} Article 3

Official controls of composite products

- 1 The Secretary of State must publish a list setting out composite products which—
 - a must be submitted to official controls at border control posts in Great Britain in accordance with Regulation (EU) 2017/625;
 - b are exempt from official controls at border control posts.
- 2 For the purposes of paragraph 1(a), the list must include the three columns specified in Annex I.
3. For the purposes of paragraph 1(b), the list must include the two columns specified in Annex II.
4. The Secretary of State may amend a list published under paragraph 1 from time to time, and where the appropriate authority requests that the Secretary of State amend the list the Secretary of State must have regard to that request.
5. The Secretary of State must obtain the consent of the other appropriate authorities before publishing or amending a list under paragraph 1.]

Textual Amendments

- F4** Art. 3 substituted (31.12.2020) by [The Import of, and Trade in, Animals and Animal Products \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1462\)](#), regs. 1(3), **49(4)** (with regs. 69-71)

Article 4

[^{F1}Composite products subject to official controls]

[^{F1}The following composite products shall be subject to official controls:]

- (a) Composite products containing processed meat product.
- (b) Composite products containing half or more of their substance of any one processed product of animal origin other than processed meat product.

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- (c) Composite products containing no processed meat product and less than half of their substance of processed milk product where the final products do not meet the requirements of Article 6.

Textual Amendments

- F1** Substituted by Commission Implementing Regulation (EU) 2019/2007 of 18 November 2019 laying down rules for the application of Regulation (EU) 2017/625 of the European Parliament and of the Council as regards the lists of animals, products of animal origin, germinal products, animal by-products and derived products and hay and straw subject to official controls at border control posts and amending Decision 2007/275/EC (Text with EEA relevance).

^{F5}Article 5

[^{F5}Certification to accompany composite products subject to veterinary checks]

Textual Amendments

- F5** Deleted by Commission Regulation (EU) No 28/2012 of 11 January 2012 laying down requirements for the certification for imports into and transit through the Union of certain composite products and amending Decision 2007/275/EC and Regulation (EC) No 1162/2009 (Text with EEA relevance).

^{F1}Article 6

Derogation for certain composite products

1 By way of derogation from Article 3, the following composite products, not containing any meat products, shall not be subject to official controls:

- a composite products containing less than half of their substance of any other processed product provided such products are:
 - (i) shelf-stable at ambient temperature or have clearly undergone in their manufacture a complete cooking or heat treatment process throughout their substance, so that any raw product is denatured;
 - (ii) clearly identified as intended for human consumption;
 - (iii) securely packaged or sealed in clean containers;
 - (iv) accompanied by a commercial document and labelled in [^{F6}English (whether or not it also appears in any other language)], so that that document and labelling together give information on the nature, quantity and number of packages of the composite products, the country of origin, the manufacturer, and the ingredient;
- b composite products listed in [^{F7}accordance with Article 3(1)(b)].

2 However, any milk product included in any composite products shall only be derived from countries listed in Annex I to Commission Regulation (EU) No 605/2010 ⁽⁷⁾, and treated as indicated in that Annex.]

Changes to legislation: There are currently no known outstanding effects for the COMMISSION DECISION of 17 April 2007 concerning lists of composite products to be subject to controls at border control posts (notified under document number C(2007) 1547) (Text with EEA relevance) (2007/275/EC). (See end of Document for details)

Textual Amendments

- F1** Substituted by Commission Implementing Regulation (EU) 2019/2007 of 18 November 2019 laying down rules for the application of Regulation (EU) 2017/625 of the European Parliament and of the Council as regards the lists of animals, products of animal origin, germinal products, animal by-products and derived products and hay and straw subject to official controls at border control posts and amending Decision 2007/275/EC (Text with EEA relevance).
- F6** Words in Art. 6(1)(a)(iv) substituted (31.12.2020) by The Import of, and Trade in, Animals and Animal Products (Miscellaneous Amendments) (EU Exit) Regulations 2020 (S.I. 2020/1462), regs. 1(3), **49(5)(a)** (with regs. 69-71)
- F7** Words in Art. 6(1)(b) substituted (31.12.2020) by The Import of, and Trade in, Animals and Animal Products (Miscellaneous Amendments) (EU Exit) Regulations 2020 (S.I. 2020/1462), regs. 1(3), **49(5)(b)** (with regs. 69-71)

Article 7

Repeal

Decision 2002/349/EC is repealed.

Article 8

Applicability

This Decision shall apply from one month after the date of publication in the *Official Journal of the European Union*.

^{F8} Article 9

Addresses

Textual Amendments

- F8** Art. 9 omitted (31.12.2020) by virtue of The Import of, and Trade in, Animals and Animal Products (Miscellaneous Amendments) (EU Exit) Regulations 2020 (S.I. 2020/1462), regs. 1(3), **49(6)** (with regs. 69-71)

Changes to legislation: There are currently no known outstanding effects for the COMMISSION DECISION of 17 April 2007 concerning lists of composite products to be subject to controls at border control posts (notified under document number C(2007) 1547) (Text with EEA relevance) (2007/275/EC). (See end of Document for details)

[^{F9}ANNEX I

[^{F1}LIST OF COMPOSITE PRODUCTS SUBJECT TO OFFICIAL CONTROLS AS REFERRED TO IN ARTICLE 3]

[^{F1}This list sets out composite products according to the goods nomenclature
in use in [^{F10}Great Britain] to determine the selection of consignments
that must be submitted to official controls at a border control post.]

Textual Amendments

- F9** Substituted by Commission Implementing Decision of 21 December 2011 amending Annex I to Decision 2007/275/EC concerning the lists of animals and products to be subject to controls at border inspection posts under Council Directives 91/496/EEC and 97/78/EC (notified under document C(2011) 9517) (Text with EEA relevance) (2012/31/EU).
- F10** Words in Annex 1 substituted (31.12.2020) by The Import of, and Trade in, Animals and Animal Products (Miscellaneous Amendments) (EU Exit) Regulations 2020 (S.I. 2020/1462), regs. 1(3), 49(7)(a) (with regs. 69-71)

^{F11} ...

^{F11} 1.

.....

^{F11} 2.

.....

^{F11} 3.

.....

^{F12} 4. **Column (1) — CN code**

This column indicates the CN code. The CN, established by Regulation (EEC) No 2658/87, is based on the international Harmonised Commodity Description and Coding System (HS) drawn up by the Customs Cooperation Council, now the World Customs Organisation (WCO), adopted by the International Convention, concluded in Brussels on 14 June 1983 and approved on behalf of the European Economic Community by Council Decision 87/369/EEC ⁽⁸⁾ ('the HS Convention'). The CN reproduces the headings and subheadings of the HS to six digits, with only the seventh and eighth figures creating further subheadings which are specific to it.

^{F12} ...

Textual Amendments

- F12** Words in Annex 1 omitted (31.12.2020) by virtue of The Import of, and Trade in, Animals and Animal Products (Miscellaneous Amendments) (EU Exit) Regulations 2020 (S.I. 2020/1462), regs. 1(3), 49(7)(c) (with regs. 69-71)

^{F13} 5. **Column (2) — Description**

The description of the goods ^{F13} ...

Changes to legislation: There are currently no known outstanding effects for the COMMISSION DECISION of 17 April 2007 concerning lists of composite products to be subject to controls at border control posts (notified under document number C(2007) 1547) (Text with EEA relevance) (2007/275/EC). (See end of Document for details)

Textual Amendments

F13 Words in [Annex 1](#) omitted (31.12.2020) by virtue of [The Import of, and Trade in, Animals and Animal Products \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1462\)](#), regs. 1(3), **49(7)(d)** (with regs. 69-71)

^{F14}^{F16} **Column (3) — Qualification and explanation**

This column gives details of the products covered. ^{F14} ...]]

Textual Amendments

F14 Words in [Annex 1](#) omitted (31.12.2020) by virtue of [The Import of, and Trade in, Animals and Animal Products \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1462\)](#), regs. 1(3), **49(7)(e)** (with regs. 69-71)

^{F15}TABLE

^{F16}ANNEX II

^{F1}List of composite products not subject to official controls as referred to in point (b) of Article 6(1)]

Textual Amendments

F16 Substituted by [Commission Implementing Decision \(EU\) 2016/1196 of 20 July 2016 amending the Annexes to Decision 2007/275/EC concerning the lists of animals and products to be subject to controls at border inspection posts under Council Directives 91/496/EEC and 97/78/EC \(notified under document C\(2016\) 4494\) \(Text with EEA relevance\).](#)

^{F1}This list sets out composite products according to the goods nomenclature in use in ^{F17}Great Britain] that do not need to be submitted to official controls at a border control post.]

Textual Amendments

F17 Words in [Annex 2](#) substituted (31.12.2020) by [The Import of, and Trade in, Animals and Animal Products \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1462\)](#), regs. 1(3), **49(8)(a)** (with regs. 69-71)

^{F18} ...

Textual Amendments

F18 Words in [Annex 2](#) omitted (31.12.2020) by virtue of [The Import of, and Trade in, Animals and Animal Products \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1462\)](#), regs. 1(3), **49(8)(b)** (with regs. 69-71)

Changes to legislation: There are currently no known outstanding effects for the COMMISSION DECISION of 17 April 2007 concerning lists of composite products to be subject to controls at border control posts (notified under document number C(2007) 1547) (Text with EEA relevance) (2007/275/EC). (See end of Document for details)

Column (1) — CN code

This column indicates the CN code. The CN, established by Regulation (EEC) No 2658/87, is based on the international Harmonised Commodity Description and Coding System (HS) drawn up by the Customs Cooperation Council, now the World Customs Organisation (WCO), adopted by the International Convention, concluded in Brussels on 14 June 1983 and approved on behalf of the European Economic Community by Decision 87/369/EEC (‘ the HS Convention ’). The CN reproduces the headings and subheadings of the HS to six digits, with only the seventh and eighth figures creating further subheadings which are specific to it.

[^{F1}Where a four digit code is used: unless otherwise specified, all composite products prefixed with or covered by these four digits are not required to be submitted to official controls at a border control post.]

Where only certain specified products under any four, six or eight digit code contain animal products and no specific subdivision under this code exists in the CN, the code is marked **ex** (for example, **ex 2001 90 65** : veterinary checks not required for the products outlined in Column (2)).

^{F19F20}[^{F1}Column (2) — Explanation

This column gives details of the composite products covered by the derogation from official controls at border control posts. When necessary, official staff at border control posts must assess the ingredients of a composite product and specify, if the animal product contained in the composite product is sufficiently processed so as to not require the official checks provided for in [^{F19}relevant national] legislation.]

^{F20}.....]

Changes to legislation: There are currently no known outstanding effects for the COMMISSION DECISION of 17 April 2007 concerning lists of composite products to be subject to controls at border control posts (notified under document number C(2007) 1547) (Text with EEA relevance) (2007/275/EC). (See end of Document for details)

- (1) [OJ L 268, 24.9.1991, p. 56](#). Directive as last amended by Directive 2006/104/EC ([OJ L 363, 20.12.2006, p. 352](#)).
- (2) [OJ L 24, 30.1.1998, p. 9](#). Directive as last amended by Directive 2006/104/EC.
- (3) [OJ L 18, 23.1.2003, p. 11](#).
- (4) [OJ L 121, 8.5.2002, p. 6](#).
- (5) [OJ L 256, 7.9.1987, p. 1](#). Regulation as last amended by Regulation (EC) No 301/2007 ([OJ L 81, 22.3.2007, p. 11](#)).
- (6) [OJ L 139, 30.4.2004, p. 55](#), corrected by [OJ L 226, 25.6.2004, p. 22](#). Regulation as last amended by Council Regulation (EC) No 1791/2006 ([OJ L 363, 20.12.2006, p. 1](#)).
- (7) [^{F1}Commission Regulation (EU) No 605/2010 of 2 July 2010 laying down animal and public health and veterinary certification conditions for the introduction into the European Union of raw milk, dairy products, colostrum and colostrum-based products intended for human consumption ([OJ L 175, 10.7.2010, p. 1](#)).]
- (8) [^{F9}[OJ L 198, 20.7.1987, p. 1](#).]

Textual Amendments

- F1** Substituted by [Commission Implementing Regulation \(EU\) 2019/2007 of 18 November 2019 laying down rules for the application of Regulation \(EU\) 2017/625 of the European Parliament and of the Council as regards the lists of animals, products of animal origin, germinal products, animal by-products and derived products and hay and straw subject to official controls at border control posts and amending Decision 2007/275/EC \(Text with EEA relevance\)](#).
- F9** Substituted by [Commission Implementing Decision of 21 December 2011 amending Annex I to Decision 2007/275/EC concerning the lists of animals and products to be subject to controls at border inspection posts under Council Directives 91/496/EEC and 97/78/EC \(notified under document C\(2011\) 9517\) \(Text with EEA relevance\) \(2012/31/EU\)](#).

Changes to legislation:

There are currently no known outstanding effects for the COMMISSION DECISION of 17 April 2007 concerning lists of composite products to be subject to controls at border control posts (notified under document number C(2007) 1547) (Text with EEA relevance) (2007/275/EC).