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GAIN Report

Global Agricultural Information Network

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Increased Certification for Highly Processed Products

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Report Highlights:

The European Commission is putting in place additional updates and guidance to its food hygiene legislation which will increase the number of highly-processed products of animal origin that require certification and must undergo veterinary inspection upon entry in the European Union (EU).

Executive Summary:

The EU will introduce and/or harmonize veterinary inspection at its borders for highly-processed products, such as chondroitin sulphate, hyaluronic acid, hydrolyzed cartilage products, chitosan, glucosamine, rennet, isinglass and amino acids, as well as for food supplements with more than 20 percent of animal origin content, unfilled gelatin capsules, and soup stocks. As of yet there is no system in place to provide certificates in accordance to the EU model for many of these products, most of which can currently be admitted into some EU countries without certification/inspection. This report describes the current legislation and the pending changes proposed by the new draft implementing decision.

General Information:

Products covered by Veterinary Certification/Inspection: Current Legislation

The current legislation, [Commission Decision 2007/275/EC](#), includes a list of animals and animal products that are subject to veterinary checks. Products subject to veterinary checks must typically be accompanied by a veterinary certificate issued by the competent authority in the United States. Products that are not subject to a veterinary check do not require veterinary certification.

This decision also provides clarification on which composite products are subject to veterinary checks. Composite products are defined as foodstuffs intended for human consumption that contain both processed products of animal origin and product of plant origin. Composite products containing a processed meat product are all subject to a veterinary check. Products with more than 50 percent of dairy, egg, or fish ingredients also require a certificate. The Commission addressed a wide range of implementation questions related to the import and transit of composite products in its [Illustrative Guidance](#) on the import and transit conditions for composite products.

Annex II to Decision 2007/275/EC lists certain composite products that are not subject to veterinary checks, provided they are shelf stable and properly packaged and labeled. Unfilled gelatin capsules, cakes, meat extracts and other shelf stable products are on this list, as shown in the list below:

- Biscuits
- Bread
- Cakes
- Chocolate
- Confectionery (including sweets)
- Unfilled gelatin capsules
- Food supplements packaged for the final consumer, containing small amounts of animal product, and those including glucosamine, chondroitin, or chitosan.
- Meat extracts and meat concentrates.
- Olives stuffed with fish.
- Pasta and noodles not mixed or filled with meat product.
- Soup stocks and flavorings packaged for the final consumer, containing meat extracts, meat concentrates, animal fats, or fish oils, powders or extracts.

Products covered by Veterinary Certification/Inspection: Future Legislation

However, a new draft implementing decision to amend the Annexes to Decision 2007/275/EC is currently going through the EU legislative process and would change the list of products subject to border controls. This draft (attached) updates both the positive and negative list of products covered/not covered by veterinary certification and inspection to take into account some changes made to the customs nomenclature. It also includes some clarifications requested by Member States' veterinary and customs authorities and changes to the EU animal by-products legislation. These changes are intended to ensure more harmonized import controls at the border.

The draft Decision adds products to the positive list such as empty gelatin capsules as well as a series of highly-refined products for human consumption including chondroitin sulphate, hyaluronic acid, hydrolyzed cartilage products, chitosan, glucosamine, rennet, isinglass and amino acids. The full list of amendments to the current list of products that will be subject to veterinary certification/inspection is available in the attached document (Draft List Update).

The negative list included in the new ANNEX II of the draft Decision includes foodstuffs that are not subject to veterinary checks and is much more explicit on the products that are excluded from veterinary certification/inspection. The list no longer includes unfilled gelatin capsules, meat extracts and meat concentrates and most soup stock. The annex also clarifies which food supplements are excluded from certification/inspection requirements: only those food supplements packaged for the final consumer, containing small amounts (less than 20 percent) of processed animal products, including glucosamine, chondroitin or chitosan, are excluded from certification/inspection requirements.

Composite products that would not require veterinary inspection at EU borders

CN Codes*	Explanations
(1)	(2)
1704, 1806 20, 1806 31, 1806 32, 1806 90 11, 1806 90 19, 1806 90 31, 1806 90 39, 1806 90 50	Confectionery (including sweets) and chocolate, containing less than 50 % of processed dairy and egg products and treated as provided for in Article 6(1)(a) of this Decision.
1902 19, 1902 30, 1902 40	Pasta and noodles not mixed or filled with processed meat product; containing less than 50% of processed dairy and egg products and treated as provided for in Article 6(1)(a) of this Decision
1905 10, 1905 20, 1905 31, 1905 32, 1905 40,	Bread, cakes, biscuits, waffles and wafers, rusks, toasted bread and similar toasted products; containing less than 50% of processed dairy and egg products and treated as provided for in Article 6(1)(a) of this Decision. 1905 90 covers only dry and brittle products

1905 40 10, 1905 90 10, 1905 90 20, 1905 90 30, 1905 90 45, 1905 90 55, 1905 90 60, Ex 1905 90 90;	
Ex 2001 90 65, Ex 2005 70 00 Ex 1604	Olives stuffed with less than 20% fish Olives stuffed with more than 20% fish
Ex 2104 10 and Ex 2104 20	Soup stocks and flavorings packaged for the final consumer, containing less than 50% of fish oils, fish powders or fish extracts and treated as provided for in Article 6(1)(a) of this Decision.
Ex 2106 10, Ex 2106 90	Food supplements packaged for the final consumer, containing small amounts (less than 20%) of processed animal products, including glucosamine, chondroitin or chitosan.

***Explanatory notes on CN codes:** The CN code, established by Regulation (EEC) No 2658/87, is based on the international Harmonized Commodity Description and Coding System (HS) drawn up by the Customs Cooperation Council, now the World Customs Organization (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 ('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. Where a four digit code is used: unless otherwise specified, all composite products and foodstuffs prefixed with or covered by these four digits are not required to be submitted to veterinary checks at a border inspection 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)).

New Certificates Required for Highly Processed Products

There is not yet a specific certificate for a series of highly-processed animal origin products (intended for human consumption) that will require veterinary certification/inspection in the future. These products include chondroitin sulphate, hyaluronic acid, hydrolyzed cartilage products, chitosan, glucosamine, rennet, isinglass and amino acids. The publication of the new certificates reflecting the legislative changes of [Commission Regulation \(EU\) 2016/355](#) of 11 March 2016 is expected in the coming weeks.

Changes to Gelatin/Collagen Certificates

This regulation also will also result in a number of changes to the existing gelatin/collagen certificates, which will be published together with the new certificates for highly processed products.

Please contact USEU/FAS at AgUSEUBrussels@fas.usda.gov for the latest update on the new certificates.