Annex 21

CHAPTER 5.6.

**measures and procedures applicable ~~in~~to the importation of commodities**

Article 5.6.1.

**Purpose and scope**

This chapter provides general principles for measures and procedures that are applicable to ~~in~~ the importation of *commodities* to prevent the spread of pathogenic agents through *international trade* of *commodities*, without creating unjustified trade restrictions, covering from ~~the time of~~ arrival at the *point of entry* ~~border of~~in the *importing country* until clearance of *commodities*.

For the purposes of this chapter, *‘*operator*’* meansany natural or legal entity or person responsible for transit of *commodities* subject to the provisions of this chapter.

This chapter provides *importing countries* with recommendations on measures and procedures, and the roles and responsibilities of their *Veterinary Authority* and other relevant *Competent Authorities*~~,~~ and of operators, ~~any natural or legal entity or person responsible for import of~~ *~~commodities~~* ~~subject to the provisions of this chapter business operators(hereafter ‘operator’),~~ in addition to responsibilities that are described in Article 5.1.2. This chapter provides guidance to ensure the quality and implementation~~performance~~ of official controls for importation. This chapter not only covers legal importation, but also provides general recommendations for illegal or informal entry of commodities.

~~The~~ *~~animal health status~~* ~~of the~~ *~~importing country~~* ~~or~~ *~~zone~~* ~~is not affected by the presence of disease or infection in imported animals in a~~ *~~quarantine centre~~* ~~or at a~~ *~~border inspection post~~*~~.~~

Article 5.6.2.

**General considerations**

The *Veterinary Authority* or other relevant *Competent Authorities* of the *importing country* should ensure that the *importing country* requirements, which may be included in ~~ing~~ *international veterinary certificates*, ~~and~~ as well as up-to-date information relevant to the import procedures, including a list of the *border inspection posts* designated for the import and transit of those *commodities,* are made available to operators and to the *exporting countries*.

The *Veterinary Authority* or other relevant *Competent Authorities* ~~of the~~ *~~importing country~~*should be responsible for the ~~performance~~ implementation of official controls in accordance with *veterinary legislation* to ensure that ~~imported~~ *commodities* can be safely imported. They should also ensure *animal welfare* is maintained in accordance with Section 7. ~~Its~~ The~~ir~~ legal mandate and responsibilities of the *Veterinary Authority* and other relevant *Competent Authorities*~~,~~ ~~as described in Articles 3.4.5. and 3.4.13.,~~ should include the ~~import~~ official controls ~~activities~~ at any step and the possibility to request from the operator~~importer~~ any necessary information. Where appropriate, the *Veterinary Authority* or other relevant *Competent Authorities* may delegate certain tasks ~~in accordance with point 2 of Article 3.4.5~~. Adequate human, technical, physical and financial resources should be available in the *importing country* for the *Veterinary Services* to effectively implement~~perform~~ official controls ~~inspection~~ in accordance with the quality principles ~~described~~ in ~~Article~~ Chapter 3.2~~.2~~.

An *importing country* may require adequate advance notice or approval regarding the date of entry of *commodities* into its territory ~~of~~ *~~commodities~~*, stating the type of *commodity*, species, quantity, means of transport and the *border inspection post* to be used.

~~The~~ *~~Veterinary Authority~~* ~~or other~~ *~~Competent Authorities~~* ~~when relevant, should perform o~~Official inspections should be implemented, with appropriate frequency, ~~in accordance with Article 3.2.12. regularly,~~ based on ~~a~~ risk ~~basis and with appropriate frequency~~ to ensure compliance with the *importing country* requirements. By way of derogation, the *Veterinary Authority* or other relevant *Competent Authorities* may exempt from the inspection~~,~~ *safe commodities* or *commodities* posing a negligible risk and for which inspection is not considered necessary.

*Biosecurity* should be applied to prevent transmission of pathogenic agents from *commodities* throughout the import process.

An *importing country* may prohibit the ~~introduction~~ entry into its territory of a consignment of *commodities* not complying with the *importing country* requirements.

Operators~~Importers~~ should be aware of the *importing country* requirements and import procedure before the importation and inform~~announce~~, in advance, to the *Veterinary Authority* or other relevant *Competent Authorities* the arrival of consignments at the *border inspection post*, in accordance with *importing country* requirements. Operators~~Importers~~ should ensure that *commodities* are presented for official controls ~~inspection~~ at the *border inspection post*, together with the original ~~official~~ *international veterinary certificates* or documents, or digital equivalents, which are required to accompany the consignments.

In case of *animals*, operators~~importers~~ should ensure that *animal welfare* is maintained throughout the ~~whole~~ import process ~~of importation,~~ in accordance with ~~Chapters 7.1., 7.2., 7.3. and 7.4.~~Section 7 as relevant.

The *Veterinary Authority* ~~of the~~ *~~importing country~~*should carry out collaborative activities with other relevant *Competent* *Authorities*, customs, other authorities and operators, and with *Veterinary Authorities* in other countries, to control the risk posed by the illegal cross-border movement of *commodities*, i.e. international movement of *commodities* done in a way to expressly and intentionally avoid official controls.

Article 5.6.3.

**General principles applicable to procedures for ~~import~~ official controls for importation**

*Veterinary Authority* or other relevant *Competent Authorities* should ~~take~~ control ~~of~~ the imported *commodities* to ~~decide~~ determine whether ~~or not~~ the consignment complies with the *importing country* requirements.

~~Import~~ Official controls should be ~~performed~~ implemented at an appropriate place which might include a *border inspection post*, a point of entry, *quarantine centre*, the place of destination, or premises of the operator responsible for the consignment. The consignment should remain under the control of the *Veterinary Authority* or other relevant *Competent Authorities* untilformal clearance.

In case of emergency, ships and aircraft~~s~~ may be granted access to a port or airport ~~which~~ that are not their intended destination. In those cases, they should be subjected to the animal health and *animal welfare* measures which the *Veterinary Authority* or other relevant *Competent Authorities* may consider necessary based on the potential risk.

1. Official inspection

Where official inspections of *commodities* are ~~performed~~ implemented, they should always include a documentary check and, depending on the risk to human health, ~~and~~ animal health ~~and~~ or *animal welfare,* should also include identity checks and physical inspection~~checks~~*.* When the *Veterinary ~~Authority~~* ~~or other~~ *~~Competent Authorities~~Services* need~~s~~ ~~to have~~ full access to the consignment for the purpose of identity checks or physical inspection, consignments should be partially or fully unloaded from the means of transport.

1. Documentary check

A documentary check should be implement~~perform~~ed on all consignments presented for official controls ~~inspection~~ to ensure that they meet the *importing country* requirements.

A ~~D~~documentary check should include examination of the *international veterinary certificate*, and possibly of laboratory reports or other documents, including those of a commercial nature, which are required to accompany the consignment.

When implementing~~performing~~ a documentary check, the *Veterinary ~~Authority~~* ~~or other~~ *~~Competent Authorities~~Services* should inspect the required documents, in original or their digital equivalents as agreed between the *importing* and *exporting country*, to ensure that:

1. the *international veterinary certificate* has been issued by the *Official Veterinarian* of the *exporting country*; complies with relevant principles set out in Article 5.2.3. and corresponds as relevant to the model ~~established~~ established by the *importing country* or agreed between the *exporting* and ~~by~~ the *importing country* for that *commodity* and intended use~~, based on Chapters 5.10. to 5.13.~~; and
2. the information contained in the checked documents complies with the *importing* *country* requirements.
3. Identity check

An i~~I~~dentity check should be implement~~perform~~ed upon arrival of the consignment at the point of inspection, as a visual inspection to verify that the content and the labelling of a consignment, including the identification of *commodities*, seals and means of transport, correspond to the information declared in the *international veterinary certificate* and accompanying documents.

The frequency of identity checks, the quantity of *commodities* to be inspected as well as the criteria for ~~sampling~~ selection for checking should be determined by the *Veterinary Authority* or other relevant *Competent Authorities* ~~of the~~ *~~importing country~~*based on *risk assessment*.

1. Physical inspection

To verify compliance with importing country requirements and physical integrity, ~~P~~physical inspection should include, as appropriate:

i) clinical examination of ~~an~~ *animals* for evidence of ~~transmissible~~ diseases and *animal welfare* issues

~~i~~i)~~ii) and~~ physical checks of *animal products* and *germinal products*,

iii)~~iii) and, as appropriate,~~ checks on packaging and labelling,

iv) checks on the means of transport~~, labelling~~ and temperature records,

v)~~v) the~~ sampling for analysis, testing or diagnosis, and

vi) any other checks required by the *Veterinary* *Authority* or other relevant *Competent* *Authorities* to verify compliance with the *importing country* requirements.

The frequency of physical inspection, the quantity of *commodities* to be inspected as well as the criteria for ~~sampling~~ selection for physical inspection should be determined by the *Veterinary Authority* or other relevant *Competent Authorities* ~~of the~~ *~~importing country~~*based on *risk assessment*, and considering the following:~~.~~

i) For a~~A~~nimals

The *~~Veterinary Authority~~* ~~or other~~ *~~Competent Authorities~~* ~~of the~~ *~~importing country~~* ~~should determine the~~ number of *animals* to be clinically examined should be determined in accordance with the overall number of *animals* in the consignment and the declared purpose of the *animals*;~~, which~~ it may be increased if the physical checks carried out have not been satisfactory.

In some cases, such as ~~F~~for *animals* ~~that are not required to be identified individually and animals~~ considered to be dangerous, clinical examination ~~should~~ could consist of observation of the state of health and behaviour of the entire group or of a representative number of *animals*.

If the clinical examination reveals an anomaly, a more thorough clinical examination may be carried out, including sampling and testing, where appropriate.

ii) ~~Germinal~~ For germinal products

~~The~~ *~~Veterinary Authority~~* ~~or other~~ *~~Competent Authorities~~* ~~should carry out~~ Physical checks of the consignment should be carried out to verify the compliance of labelling and the transport conditions with *importing country* requirements~~,~~ including, when relevant, temperature records ~~when relevant~~ and the integrity of the seals, packaging material and cryogenic tanks.

~~The~~ *~~Veterinary Authority~~* ~~or other~~ *~~Competent Authorities~~* ~~of the~~ *~~importing country~~* ~~should determine the number of items to be checked, which may be increased if the checks carried out have not been satisfactory.~~

~~The~~ *~~Veterinary Authority~~* ~~or other~~ *~~Competent Authorities~~* ~~may carry out physical checks to verify that the labelling complies with~~ *~~importing country~~* ~~requirements.~~

Physical inspection may include laboratory testing of the *germinal products*.

If the physical checks reveal an anomaly, a more thorough inspection may be carried out.

iii) For ~~A~~animal products

~~The~~ *~~Veterinary Authority~~* ~~or other~~ *~~Competent Authorities~~* ~~should carry out p~~Physical checks of the consignment should be carried out to verify the compliance of labelling and the transport conditions with *importing country* requirements, including temperature records when relevant and the integrity of the packaging material and seals.

~~The~~ *~~Veterinary Authority~~* ~~or other~~ *~~Competent Authorities~~* ~~may carry out physical checks to verify that the labelling complies with~~ *~~importing country~~* ~~requirements.~~

Physical inspection may include sensory examination and laboratory testing of the *animal products*.

If the physical checks reveal an anomaly, a more thorough inspection may be carried out.

1. Sampling and testing

Sampling and testing of imported *commodities* ~~with a view~~ to check~~ing~~ compliance with the ~~health~~ *importing country* requirements ~~laid down in the~~ *~~international veterinary certificate~~*~~,~~ may be implement~~perform~~ed following a risk-based sampling plan or upon suspicion of non-compliance resulting from the documentary, identity or physical checks of *commodities,* without creating unjustified barriers to trade. Testing should be implement~~perform~~ed in a~~n~~ *~~approved~~* *laboratory*.

The *Veterinary Authority* or other relevant *Competent Authorities* may develop a risk-based sampling plan for imported consignments, that should specify the percentage of consignments to be sampled, taking into account the *animal health status* of the *importing* and *exporting country*, the species concerned, the nature and declared purpose of the *commodities*, the number of incoming consignments and the results of previous sampling.

Where no immediate danger to animal health or public health is suspected from *commodities* sampled in accordance with a sampling plan, a consignment may be released before the results of laboratory tests are available. A traceability system should be in place to recall commodities if needed.

1. Sanitary measures at import

To meet the *importing country* requirements, in addition to the *sanitary measures* implemented in the *exporting countries*, the *Veterinary Authority* or other relevant *Competent Authorities* ~~of~~ *~~importing country~~*may require *sanitary measures* to be implemented at importation before release of the *commodities* from official controls. Measures may include *disinfection* of and ~~disinsection~~ elimination of arthropod *vectors* from~~of~~ *~~vehicles~~*~~/~~*~~vessels~~means of tranport* and *containers* used in the transportation and *unloading* of *commodities*, in accordance with Chapter 4.14.

In the case of *animals*, measures may include *vaccination*, treatment or isolation. In the case of other *commodities*, measures may include a holding period or the application of physical or chemical treatment.

1. Release of consignments

Based on the implement~~perform~~ed ~~import~~ official controls, the *Veterinary Authority* or other relevant *Competent Authorities* ~~of~~ *~~importing countries~~*should decide whether the consignment complies with the *importing country* requirements.

When the decision is made that the consignment complies with the *importing country* requirements and has been cleared for release, the *Veterinary Authority* or other relevant *Competent Authorities* should notify the operator~~importer~~ and the information should be made available to the customs authorities.

Article 5.6.4.

**Further action for non-compliant commodities**

*Commodities* identified as non-compliant based on the implement~~perform~~ed ~~import~~ official controls should not be released by the *Veterinary Authority* or other relevant *Competent Authorities* and should be ~~isolated~~ detained under appropriate conditions including isolation for *animals*, pending further decision ~~by the~~ *~~Competent Authority~~*.

Depending on the type of *commodity* and the *risk* the *commodity* represents to human health and animal health, and the environment, or for~~due to~~ *animal welfare* reasons, the *Veterinary Authority* or other relevant *Competent Authorities*~~,~~ should identify the options for the disposition of the *commodities* and notify the operator~~importer~~. Disposition of *commodities* may include:

a) ~~re-dispatching~~ re-shipping the *commodity* back to the *exporting country* or another country, with the agreement, where appropriate, of the receiving *Competent Authority*;

b) subjecting the *commodity* to treatment or to other risk mitigation measures necessary to allow importation;

c) *killing* and disposal of *animals*, or destruction of other *commodities*.

Any action applied to consignments of *animals* should comply with ~~Chapters 7.1. and 7.6.~~the relevant provisions of Section 7.

The *Veterinary Authority* or other relevant *Competent Authorities* of the *importing country* should notify any decision and reasons to refuse entry of a *commodity* to the customs authorities and are encouraged to communicate it to the *Veterinary Authority* of the *exporting country*. Where appropriate, the *Veterinary Authority* of the *exporting country* should be given the opportunity to explain the situation in an attempt to have the consignment released.

Following decisions taken in relation to non-compliant *commodities*, the *Veterinary Authority* or other relevant *Competent Authorities* should supervise the effective disposition of the *commodities* and apply measures to prevent the introduction into the country of *commodities* which have been refused import, and the reuse of the *international veterinary certificate* that accompanied the consignment.

The *Veterinary Authority* or other relevant *Competent Authority* of the *importing country* should inform the *exporting country* of any case of a *listed disease* or disease referred to in the *importing country requirements* in a consignment of *animals*.

Article 5.6.5.

**~~Emergencyp~~Planning for unexpected events**

~~The~~ *~~Veterinary Authority~~* ~~or other~~ *~~Competent Authorities~~* ~~of the~~ *~~importing country~~* ~~should develop a plan to address the occurrence, within the~~ *~~exporting country~~* ~~after the~~ *~~commodities~~* ~~have been exported or within the~~ *~~transit country~~* ~~after the~~ *~~commodities~~* ~~have transited, of a~~ *~~listed disease~~* ~~or a disease referred to in the~~ *~~importing country~~* ~~requirements which may have impacted the status of the exported~~ *~~commodities~~*~~.~~

~~The~~ *~~Veterinary Authority~~* ~~or other~~ *~~Competent Authorities~~* ~~may also develop a plan to address the occurrence of a~~ *~~listed disease,~~* ~~or a disease referred to in the~~ *~~importing country~~* ~~requirements, within the~~ *~~importing country~~* ~~before the animals have been released.~~

The *Veterinary Authority* or other relevant *Competent Authorities* should ensure that the operator~~importer~~ develops a plan to address unexpected events ~~emergencies~~ which may impact the compliance~~status of the~~ *~~commodities~~* with *importing country* requirements~~being imported, and non-compliant~~ *~~commodities~~* ~~described in Article 5.6.4~~. The ~~emergency~~ plan may be generic, or specific to each consignment, and should focus on preventing the introduction to the *importing country* of a *listed disease* or a disease referred to in the *importing country* requirements*,* and on *animal welfare* recommendations in ~~accordance with~~ Section 7~~Chapters 7.2., 7.3. and 7.4~~. The ~~emergency~~ plan should identify responsibility and include procedures for actions taken for non-compliant *commodities* described in Article 5.6.4.

Article 5.6.6.

**General recommendations applicable to ~~vehicles/vessels~~means of transport and containers that transported infected animals**

*~~Vehicles~~*~~/~~*~~vessels~~Means of transport* and *containers* that transported *animals* found to be infected with a pathogenic agent of a *listed disease* or a disease referred to in the *importing country* requirements should be considered ~~as~~ contaminated, and the *Veterinary Authority* or other relevant *Competent Authorities* should apply the following measures as appropriate to the risk:

a) treatment or safe disposal of the litter, forage and any other potentially contaminated material,byits removal from the *~~vehicles~~*~~/~~*~~vessels~~means of transport* and *containers* for immediate transportation to an establishment assigned in advance, where the animal health measures required by the *importing country* should be strictly applied;

b) *disinfection* of all parts of the *~~vehicles/vessels~~means of transport* and *containers* which were used in the transport, feeding, watering, moving and *unloading* of the *animals,* as well as all baggage of travelling attendants, in accordance with Chapter 4.14.;

c) ~~disinsection~~ elimination of arthropod *vectors* from *~~of~~ ~~vehicles/vessels~~means of transport* and *containers* in case of *vector* disease.

Article 5.6.7.

**General principles applicable to disposal of international catering waste**

International catering waste that may contain or may have been in contact with animal products is considered a high-risk ~~category of~~ product and should therefore be subject to strict controls to minimise the risk of introduction of pathogenic agents.

The *Veterinary Authority* or other relevant *Competent Authorities* should ensure that ~~all~~ high risk international catering waste entering the country from the international means of transport is handled, collected and disposed of in a way to minimise the risk of introduction of pathogenic agents.

Article 5.6.8.

**General recommendations on measures to address identified illegal movement of commodities at border inspection posts**

To control the *risks* posed by illegal cross-border movement at *border inspection posts*, the *Veterinary Authority* or other relevant law enforcement *Competent Authorities* should coordinate and cooperate closely with the customs authority to ensure that the official controls ~~inspection of~~ for *commodities* entering the country are~~is~~ implement~~perform~~ed in accordance with the rules of this chapter and national legislation, including when fraud is suspected.

For that purpose, the *Veterinary Authority* or other relevant *Competent Authorities* should ensure the timely exchange with the customs and other relevant law enforcement authority, including via electronic means, of information and decisions made relevant to the organisation and conduct of their respective activities for *commodities* entering the country. The *Veterinary Authority* or other relevant *Competent Authorities* should collaborate with the customs and other relevant law enforcement authority to ensure immediate notification to the *Veterinary Authority* or other relevant *Competent Authorities* if~~of circumstances where a declaration is submitted to the customs authority for~~ a consignment of those categories of *commodities* that should be subject to official ~~inspection~~ control but with no evidence of an official ~~inspection~~ control having been conducted.

The *Veterinary Authority* or other relevant *Competent Authorities*, in collaboration with the customs and other relevant law enforcement authorities, should have practical arrangements in place to ensure ~~the~~ implementation of the measures described in Article 5.6.4. in case of detection of illegal cross-border movement of *commodities* at a *border inspection post*.

Article 5.6.9.

**General recommendations on measures to address identified informal or illegal movement of commodities outside border inspection posts**

To control the *risks* posed by the illegal cross-border movement of *commodities* outside of *border inspection posts*, the *Veterinary Authority* or other relevant *Competent Authorities* should:

1) coordinate with border authorities (police, customs, transport, immigration) to provide technical support for identification of illegal cross border movement of *commodities*;

2) develop and implement practical mechanisms to address informal or illegal cross border movement of *commodities* ~~and implementation thereof~~ in close collaboration with border authorities.

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