

Commission Implementing Regulation (EU) 2017/2298 of 12 December 2017 amending Regulation (EC) No 669/2009 implementing Regulation (EC) No 882/2004 of the European Parliament and of the Council as regards the increased level of official controls on imports of certain feed and food of non-animal origin (Text with EEA relevance)

Article 1

Regulation (EC) No 669/2009 is amended as follows:

- (1) In Article 9, paragraph 2 is replaced by the following:
 2. By way of derogation from Article 8(1), under exceptional circumstances, the Commission may provide in respect of a product listed in Annex I, that identity and physical checks on consignments of such products can be carried out by the competent authority of the place of destination as indicated in the CED, if appropriate at the premises of the feed and food business operator if the conditions laid down in paragraph 1 (b) and (c) are satisfied, provided that the following conditions are met:
 - a the highly perishable nature of the product or the specific characteristics of the packaging are such that the performance of sampling operations at the DPE would inevitably result in a serious risk to food safety or in the product being damaged to an unacceptable extent;
 - b appropriate cooperation arrangements are put in place by the competent authorities at the DPE and the competent authorities performing the physical checks to ensure that:
 - (i) the consignment cannot be tampered with in any manner throughout all checks;
 - (ii) the reporting requirements laid down in Article 15 are fully met.
- (2) Annex I to Regulation (EC) No 669/2009 is replaced by the text set out in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the third day following that of its publication in the *Official Journal of the European Union*.

It shall apply from 1 January 2018.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 12 December 2017.

For the Commission

The President

Jean-Claude JUNCKER

Changes to legislation:

Commission Implementing Regulation (EU) 2017/2298 is up to date with all changes known to be in force on or before 10 December 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- Regulation implicit repeal by [EUR 2019/1793](#) Regulation