

Regulation (EU) 2017/625 of the European Parliament and of the Council of 15 March 2017 on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products, amending Regulations (EC) No 999/2001, (EC) No 396/2005, (EC) No 1069/2009, (EC) No 1107/2009, (EU) No 1151/2012, (EU) No 652/2014, (EU) 2016/429 and (EU) 2016/2031 of the European Parliament and of the Council, Council Regulations (EC) No 1/2005 and (EC) No 1099/2009 and Council Directives 98/58/EC, 1999/74/EC, 2007/43/EC, 2008/119/EC and 2008/120/EC, and repealing Regulations (EC) No 854/2004 and (EC) No 882/2004 of the European Parliament and of the Council, Council Directives 89/608/EEC, 89/662/EEC, 90/425/EEC, 91/496/EEC, 96/23/EC, 96/93/EC and 97/78/EC and Council Decision 92/438/EEC (Official Controls Regulation) (Text with EEA relevance)

## TITLE II

### **<sup>F1</sup>OFFICIAL CONTROLS AND OTHER OFFICIAL ACTIVITIES ...**

#### *CHAPTER II*

#### ***Official controls***

#### *Section II*

#### ***Additional requirements for official controls and other official activities in certain areas***

#### *Article 16*

#### **Additional requirements**

- 1 In the areas governed by the rules provided for in this Section, those rules shall apply in addition to the other rules set out in this Regulation.
- 2 When [<sup>F1</sup>making regulations provided for in this Section, the appropriate authority] shall take into account the following:
  - a the experience gained by competent authorities and food and feed business operators when applying the procedures referred to in Article 5 of Regulation (EC) No 852/2004 of the European Parliament and of the Council<sup>(1)</sup> and Article 6 of Regulation (EC) No 1831/2003 of the European Parliament and of the Council<sup>(2)</sup>;
  - b scientific and technological developments;
  - c consumer expectations with regard to food composition and changes in patterns of consumption of food;
  - d risks to human and animal health and plant health associated with animals and goods; and
  - e information on possible intentional violations perpetrated through fraudulent or deceptive practices.

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**Changes to legislation:** There are currently no known outstanding effects for the Regulation (EU) 2017/625 of the European Parliament and of the Council, Article 16. (See end of Document for details)

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3 When [<sup>F2</sup>making regulations] provided for in this Section, and insofar as this does not prevent the achievement of the objectives pursued by the rules referred to in Article 1(2), the [<sup>F3</sup>appropriate authority] shall also take into account the following:

- a the need to facilitate the application of the [<sup>F4</sup>regulations], taking into account the nature and the size of small businesses;
- b the need to enable the continued use of traditional methods at any stage of production, processing or distribution of food, and the production of traditional foods; and
- c the needs of operators situated in regions that are subject to specific geographical constraints.

#### Textual Amendments

- F1** Words in Art. 16(2) substituted (31.12.2020) by [The Official Controls \(Animals, Feed and Food, Plant Health etc.\) \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1481\)](#), regs. 1, **6(1)(a)** (with reg. 46)
- F2** Words in Art. 16(3) substituted (31.12.2020) by [The Official Controls \(Animals, Feed and Food, Plant Health etc.\) \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1481\)](#), regs. 1, **6(1)(b)(i)(aa)** (with reg. 46)
- F3** Words in Art. 16(3) substituted (31.12.2020) by [The Official Controls \(Animals, Feed and Food, Plant Health etc.\) \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1481\)](#), regs. 1, **6(1)(b)(i)(bb)** (with reg. 46)
- F4** Word in Art. 16(3)(a) substituted (31.12.2020) by [The Official Controls \(Animals, Feed and Food, Plant Health etc.\) \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1481\)](#), regs. 1, **6(1)(b)(ii)** (with reg. 46)

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**Changes to legislation:** *There are currently no known outstanding effects for the Regulation (EU) 2017/625 of the European Parliament and of the Council, Article 16. (See end of Document for details)*

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- (1) Regulation (EC) No 852/2004 of the European Parliament and of the Council of 29 April 2004 on the hygiene of foodstuffs ([OJ L 139, 30.4.2004, p. 1](#)).
- (2) Regulation (EC) No 1831/2003 of the European Parliament and of the Council of 22 September 2003 laying down requirements for feed hygiene ([OJ L 35, 8.2.2005, p. 1](#)).

**Changes to legislation:**

There are currently no known outstanding effects for the Regulation (EU) 2017/625 of the European Parliament and of the Council, Article 16.