

Commission Implementing Regulation (EU) 2019/1715 of 30
September 2019 laying down rules for the functioning of the
information management system for official controls and its system
components ('the IMSOC Regulation') (Text with EEA relevance)

CHAPTER 3

Components, networks and contact points

SECTION 1

iRASFF

Article 12

Liaison bodies responsible for the exchange of certain types of information

Member States shall indicate which of the liaison bodies designated in accordance with Article 103(1) of Regulation (EU) 2017/625 are responsible for exchanging information on food fraud notifications.

Article 13

Single contact point

- 1 The single contact point in each Member State shall be responsible for:
 - a setting up effective arrangements for the smooth exchange of relevant information with all relevant competent authorities within its jurisdiction, allowing the immediate transmission of notifications, requests or responses to the competent authorities for appropriate action, and maintaining the notifications, requests or responses in good order;
 - b determining its roles and responsibilities and those of the relevant competent authorities within its jurisdiction as regards preparing and transmitting notifications, requests and responses, and assessing and distributing notifications, requests and responses from other members of the alert and cooperation network.
- 2 Member States may include their food fraud network contact point in their single contact point.
- 3 Communication within the RASFF network shall take place through the single contact point.

Article 14

Duties of the members of the alert and cooperation network

- 1 Members of the alert and cooperation network shall ensure the efficient functioning of their networks within their jurisdiction.

2 Each designated alert and cooperation network contact point shall communicate to the Commission contact point detailed information regarding the persons operating it and their contact details. For that purpose, it shall use the contact point information template provided by the Commission.

3 RASFF network contact points shall ensure that an on-duty officer is available for emergency communications on a 24/7 basis.

Article 15

Information exchanged in iRASFF

1 Information exchanges between alert and cooperation network contact points for the purposes of Article 50 of Regulation (EC) No 178/2002 and Title IV of Regulation (EU) 2017/625 shall be made in iRASFF only and in the form of notifications, requests and responses.

2 The alert and cooperation network contact points shall complete the relevant fields of a notification to enable clear identification of the product, risk(s), instances of non-compliance and suspected fraud concerned, provide traceability information where possible and identify contact points responsible for any follow-up to a notification or response to a request.

3 Notifications may be transmitted in the form of original or follow-up notifications.

4 Requests and responses shall indicate the alert and cooperation network contact point(s) to which the request or response is addressed.

Article 16

Non-compliance notifications

1 Alert and cooperation network contact points shall exchange without undue delay non-compliance notifications including at least the following:

- a the name of the competent authority dealing with the notification, if different from the contact point;
- b a description of the possible non-compliance;
- c the identification, where possible, of the operators associated with the possible non-compliance;
- d details of the animals or goods involved;
- e any information concerning suspected risks;
- f an indication as to whether the notification relates to a possible instance of non-compliance perpetrated through fraudulent practices.

2 The Commission contact point shall verify each non-compliance notification after it has been exchanged, without undue delay.

Article 17

Alert notifications

1 RASFF network contact points shall submit alert notifications to the Commission contact point without undue delay and in any event within 48 hours of the risk being reported to them.

2 Alert notifications shall include all available information required by Article 16(1) and any information on the risk and the product from which it derives. However, the fact that not all relevant information has been collected shall not unduly delay transmission of alert notifications.

3 The Commission contact point shall verify alert notifications and transmit them to the alert and cooperation network contact points within 24 hours of receiving them.

4 Outside Commission office hours, RASFF network contact points shall announce the transmission of an alert notification or follow-up to an alert notification by telephone call to the emergency phone number of the Commission contact point and specify which RASFF network member's countries are concerned. The Commission contact point shall inform the RASFF network contact points concerned by a telephone call to their emergency phone numbers.

Article 18

Information notifications

1 RASFF network contact points shall submit information notifications to the Commission contact point without undue delay.

2 Information notifications shall include all available information required by Article 16(1) and any information on the risk and the product from which it derives.

3 The Commission contact point shall verify information notifications and transmit them to the alert and cooperation network contact points without undue delay on receiving them.

Article 19

News notifications

1 Alert and cooperation network contact points may submit news notifications to the Commission contact point.

2 News notifications shall include all the information required by Article 16(1), where available.

3 The Commission contact point shall verify news notifications and transmit them to the alert and cooperation network contact points without undue delay on receiving them.

Article 20

Border rejection notifications

1 RASFF network contact points shall transmit border rejection notifications to the alert and cooperation network contact points without undue delay.

2 Border rejection notifications shall include all information required by Article 16(1) and any information on the risk and the product from which it derives.

3 The information referred to in paragraph 2 shall be transmitted through TRACES to all border control posts.

4 The Commission contact point shall verify each border rejection notification after it has been transmitted.

Article 21

Food fraud notifications

1 Food fraud network contact points shall exchange food fraud notifications including at least the following:

- a all the information required by Article 16(1);
- b a description of the suspected fraudulent practice;
- c the identification, where possible, of the operators involved;
- d information as to whether there are ongoing police or judicial investigations into the suspected fraudulent practice;
- e information on any instruction from the police or judiciary authority as soon as it is available and can be disclosed.

2 Food fraud network contact points shall communicate any information concerning health risks to their RASFF network contact point without undue delay.

3 The Commission contact point shall verify each food fraud notification after it has been exchanged, without undue delay.

Article 22

Follow-up notifications

1 Where an alert and cooperation network member has additional information relating to an original notification, the contact point(s) concerned shall immediately transmit a follow-up notification to that network.

2 Where a contact point referred to in paragraph 1 has requested follow-up information relating to an original notification, the alert and cooperation network shall be provided with such information to the extent possible and without undue delay.

3 Where a RASFF network member takes action on receipt of an original notification in accordance with Article 50(5) of Regulation (EC) No 178/2002, its contact point shall immediately transmit a detailed follow-up notification to the alert and cooperation network.

4 Where the action referred to in paragraph 3 consists of detaining a product and returning to a dispatcher in the country of another RASFF network member:

- a the network member taking the action shall provide relevant information about the returned product in a follow-up notification, unless that information was already included in full in the original notification;
- b the other network member shall provide information in a follow-up notification on the action taken on the returned product.

5 By way of derogation from paragraph 1, where a follow-up notification changes the classification of an original notification to an alert or an information notification, the alert and cooperation network member shall submit it to the Commission contact point for verification and transmission to the alert and cooperation network contact points within the delays laid down in Article 17 or Article 18.

Article 23

Access to iRASFF notifications

1 All alert and cooperation network members shall have access to alert, information, news or border rejection notifications.

2 Without prejudice to the Commissions' right of access pursuant to Article 8(2), only the notifying, notified and requested alert and cooperation network members shall have access to non-compliance notifications. However, other network members shall have access to the information referred to in points (a), (b) and (e) of Article 16(1).

3 Without prejudice to the Commissions' right of access pursuant to Article 8(2), only the notifying, notified and requested contact points of the food fraud network shall have access to food fraud notifications.

Article 24

Verification and publication of notifications

1 The Commission contact point's verification of notifications shall cover:

- a the completeness and legibility of the notification;
- b the correctness of the legal basis supporting the notification; however an incorrect legal basis shall not prevent transmission of the notification if a risk has been identified;
- c whether the notification falls within the scope of the RASFF network;
- d whether the essential information in the notification is provided in a language that the alert and cooperation network contact point will easily understand;
- e compliance with this Regulation;
- f possible recurrences of the same operator and/or hazard and/or country of origin.

2 By way of derogation from paragraph 1, verification of non-compliance, food fraud and border rejection notifications shall cover points (b), (c) and (e) of that paragraph.

3 Once the Commission contact point has verified a notification in accordance with paragraph 1 or 2, it may publish a summary of alert, information, border rejection and non-compliance notifications, with information on the classification and status of the notification, the product and risk(s) identified, the country of origin, the countries in which the product was distributed, the notifying network member, the basis for the notification and the measures taken.

4 The Commission shall publish an annual report on the notifications transmitted in iRASFF.

Article 25

Notification withdrawal and amendments

1 Where the action to be taken appears to be based on unfounded information or the notification was transmitted erroneously, any alert and cooperation network contact point may ask:

- a a notifying contact point to withdraw a non-compliance, food fraud or follow-up notification;

- b the Commission contact point, with the agreement from the notifying contact point, to withdraw an alert, information, border rejection or news notification.
- 2 Any alert and cooperation network contact point may request amendments to a notification with the agreement of the notifying contact point.
- 3 A follow-up notification shall not be considered an amendment to a notification and may therefore be transmitted without the agreement of any other network member, unless such follow-up notification changes the classification of the notification.

Article 26

Closure of a notification and storage period of personal data

- 1 A notification is automatically closed in iRASFF if:
- a no follow-up requests are pending; or
 - b all requests have received a response; or
 - c no response to the last request is provided within 6 months of its transmission.
- 2 Personal data from closed notifications shall be stored for no longer than 10 years.

Article 27

Exchange of information with third countries

- 1 Where an alert, information or border rejection notification concerns a product originating in or distributed to a third country that does not have access to iRASFF or TRACES, the Commission shall inform that third country without undue delay.
- 2 Where a non-compliance or food fraud notification concerns a product originating in or distributed to a third country that does not have access to iRASFF or TRACES, the Commission may inform that third country.

Article 28

Contingency arrangements for iRASFF

- 1 Where iRASFF is unavailable:
- a the RASFF network contact points shall announce the transmission of an email concerning an alert notification or follow-up to an alert notification by a telephone call to the emergency phone number of the Commission contact point. The Commission contact point shall inform the RASFF network contact points required to follow-up by a telephone call to their emergency phone numbers;
 - b the AAC network contact points shall exchange information via email;
 - c the food fraud network contact points shall exchange information on food fraud notifications via email;
 - d the exchanges referred to in points (b) and (c) shall not trigger the request and response mechanism.
- 2 Once iRASFF becomes available again, the alert and cooperation network contact points shall insert in it the information exchanged outside the system.

SECTION 2

ADIS

Article 29

ADIS network

1 Each ADIS network member may designate more than one contact point for the submission in ADIS of

- a notifications of outbreaks pursuant to Article 19 of Regulation (EU) 2016/429;
- b reports as provided for in Article 20 of Regulation (EU) 2016/429.

2 Each ADIS network contact point shall maintain and keep up to date in ADIS the list of notification and reporting regions established by its Member State for the purpose of the notification and reporting provided for in Article 19 and Article 20 of Regulation (EU) 2016/429.

SECTION 3

EUROPHYT

Article 30

EUROPHYT network

Each EUROPHYT network member shall designate:

- (a) a contact point responsible for submitting EUROPHYT outbreak notifications to the EUROPHYT outbreak network;
- (b) a contact point responsible for:
 - (i) supervising the submission of EUROPHYT interception notifications to the EUROPHYT interception network, in accordance with Article 33, for consignments of plants, plant products and other objects entering the Union;
 - (ii) submitting EUROPHYT interception notifications to the relevant third countries and international organisations, for consignments of plants, plant products and other objects entering the Union;
 - (iii) submitting EUROPHYT interception notifications to the EUROPHYT interception network, for consignments of plants, plant products and other objects traded in the Union.

Article 31

Access to EUROPHYT outbreak and interception notifications

Without prejudice to the Commissions' right of access pursuant to Article 8(2), only the EUROPHYT network concerned shall have access to EUROPHYT outbreak or interception notifications.

Article 32

Submission of EUROPHYT outbreak notifications to the EUROPHYT outbreak network

1 EUROPHYT network contact points shall submit in EUROPHYT an outbreak notification containing at least the information indicated in points 1.1, 1.3, 2.1, 2.2, 3.1, 4.1, 5.1, 5.2, 6.4 and 8 of Annex I to this Regulation no later than eight working days after the date of the official confirmation by the responsible official body of the presence of a pest as referred to in points (a) and (b) of the first paragraph of Article 11, Article 29(1), Article 30(1) and Article 33(1) of Regulation (EU) 2016/2031.

2 Where the presence of a pest is officially confirmed pursuant to paragraph 1, the notification shall also contain the information indicated in point 5.6 of Annex I.

3 The network contact points shall submit in EUROPHYT a notification containing the information indicated in points 1.2, 3.2, 4.2, 4.3, 4.4, 5.3 to 5.6, 6.1, 6.2, 6.3, 6.5, 6.6, 6.7, 7.1 to 7.6, 9 and 10 of Annex I no later than thirty days after the relevant date referred to in paragraph 1.

4 EUROPHYT network contact points shall update the notifications referred to in paragraphs 1 and 3 as soon as they have verified any relevant new information that has been made available to them or the competent authority has taken new measures.

Article 33

Use of TRACES for the submission of EUROPHYT interception notifications to the EUROPHYT interception network

1 The official plant health officer taking the decision on consignments of plants, plant products and other objects entering the Union in accordance with point (b) of Article 55(2) of Regulation (EU) 2017/625 shall submit EUROPHYT interception notifications on those consignments in TRACES within two working days of their interception.

2 The notifications referred to in paragraph 1 shall include the following information:

- a the information to be recorded in the CHED referred to in point (c) of Article 40(1);
- b additional information on the measures taken on the consignment;
- c information on the quarantine imposed;
- d any further information on the interception where available.

3 EUROPHYT network contact points shall submit EUROPHYT interception notifications on consignments of plants, plant products and other objects traded in the Union in TRACES within two working days of their interception. Those notifications shall include the information referred to in paragraph 2.

Article 34

Storage period of personal data for EUROPHYT outbreak notifications

EUROPHYT shall store personal data from EUROPHYT outbreak notifications for no more than 10 years.

SECTION 4

TRACES

Article 35

TRACES network

1 Without prejudice to Article 4(2), each TRACES network member shall designate one or more contact points for the functionalities provided for in point (d) of Article 132 and in Article 133 of Regulation (EU) 2017/625 or in other Union legislation referring to TRACES.

2 Contact points designated for the submission of EUROPHYT interception notifications shall also be considered contact points for that functionality in TRACES.

Article 36

Access to data, information and documents in TRACES

1 Each operator shall have access to the data, information or documents it handles, produces or transmits in TRACES.

2 Each competent authority shall have access to data, information or documents handled, produced or transmitted under its area of responsibility in TRACES, whether by its own staff or by the operators it manages in TRACES.

3 Where more than one competent authority handle, produce or transmit data, information or documents in TRACES, they shall have access to all such data, information and documents.

4 Without prejudice to the Commissions' right of access pursuant to Article 8(2), entities that have not contributed to the handling, production or transmission of data, information or documents in TRACES, or are not involved in the placing on the market or the movement concerned, shall not have access to such data, information or documents.

5 By way of derogation from paragraph 4 of this Article, competent authorities shall have access to data, information and documents concerning a decision to refuse entry of a consignment or an order to take an action, recorded in TRACES in accordance with Article 66(5) of Regulation (EU) 2017/625.

Article 37

Exchanges between TRACES and other electronic systems

1 Data exchanges between TRACES and other electronic systems, including the Member States' national systems, shall be synchronous, reciprocal and based on UN/CEFACT, IPPC and OIE standards.

2 Data exchanges between TRACES and the Member States' national systems shall make use of reference data provided in TRACES.

Article 38

Cooperation between authorities in Member States in relation to consignments entering the Union

1 For the purpose of the cooperation provided for in Article 75(1) of Regulation (EU) 2017/625, the Member States' customs authorities shall have access to data, information and documents relating to animals and goods entering the Union from third countries and to decisions taken on the basis of official controls carried out in accordance with Chapter V of Title II of that Regulation, through:

- a TRACES or their Member States' national systems; or
- b the EU Single Window environment for customs based on the electronic customs systems referred to in Decision No 70/2008/EC and interconnected with TRACES.

2 Where the access referred to in paragraph 1 is not available, Member States shall ensure without undue delay that their customs and competent authorities reciprocally exchange in a timely manner, the relevant data, information and documents.

Article 39

Issuance of electronic official certificates and use of electronic signatures

1 Electronic official certificates for consignments of animals and goods entering the Union shall meet all of the following requirements:

- a they shall be issued in one of the following systems:
 - (i) TRACES;
 - (ii) a Member State's national system;
 - (iii) a third country or an international organisation's electronic certification system that is capable of exchanging data with TRACES;
 - (iv) a third country or an international organisation's electronic certification system that is capable of exchanging data with a Member State's national system;
- b they shall be signed by an authorised officer with an advanced or qualified electronic signature;
- c they shall bear the advanced or qualified electronic seal of the issuing competent authority, or the advanced or qualified electronic signature of its legal representative;
- d they shall use a qualified electronic time stamp.

2 Where electronic official certificates are issued in accordance with point (a)(iii) or (iv) of paragraph 1, TRACES or the Member State's national system shall acknowledge the exchange of data through the advanced or qualified electronic seal of the issuing third country's competent authority, or the advanced or qualified electronic signature of its legal representative.

In such cases, the signature of the authorised officer referred to in point (b) of paragraph 1 is not required.

3 The Commission shall be notified in advance of the issuance of electronic official certificates in accordance with point (a)(iv) of paragraph 1.

4 The competent authority shall accept electronic phytosanitary certificates, as required for the introduction of plants, plant products and other objects into the Union territory in accordance with Section 1 of Chapter VI of Regulation (EU) 2016/2031, only where they are issued in accordance with point (a)(i) or (iii) of paragraph 1 of this Article.

Article 40

Format of the CHED and instructions for its presentation and use

1 The CHED shall contain entries for the information set out in Part 1 of Annex II to this Regulation and be used by the operator and the competent authorities in accordance with Article 56(3) of Regulation (EU) 2017/625 in one of the following formats, depending on the category of the consignment established in Article 47(1) of that Regulation:

- a a CHED-A drawn up in accordance with the template in Section A of Part 2 of Annex II to this Regulation, for consignments of animals that are:
 - (i) referred to in point (a) of Article 47(1) of Regulation (EU) 2017/625; or
 - (ii) subject at their entry into the Union to measures provided for in points (e) or (f) of Article 47(1) of Regulation (EU) 2017/625;
- b a CHED-P drawn up in accordance with the template in Section B of Part 2 of Annex II to this Regulation, for consignments of products that are:
 - (i) referred to in point (b) of Article 47(1) of Regulation (EU) 2017/625; or
 - (ii) subject at their entry into the Union to measures provided for in points (d), (e) or (f) of Article 47(1) of Regulation (EU) 2017/625;
- c a CHED-PP drawn up in accordance with the template in Section C of Part 2 of Annex II to this Regulation, for consignments of:
 - (i) plants, plant products and other objects referred to in point (c) of Article 47(1) of Regulation (EU) 2017/625; or
 - (ii) plants, plant products and other objects subject at their entry into the Union to one of the measures or conditions provided for in points (d), (e) or (f) of Article 47(1) of Regulation (EU) 2017/625; or
 - (iii) specific plants, plant products and other objects of a particular origin or provenance for which a minimum level of official controls is necessary to respond to recognised uniform hazards and risks to plant health as provided for in Implementing Regulation (EU) 2019/66;
- d a CHED-D drawn up in accordance with the template in Section D of Part 2 of Annex II to this Regulation, for consignments of feed and food of non-animal origin subject at their entry into the Union to any of the measures or conditions provided for in points (d), (e) or (f) of Article 47(1) of Regulation (EU) 2017/625.

2 The CHED referred to in paragraph 1 shall be:

- a drawn up in at least one of the official languages of the Member State of entry;
- b duly completed in at least one of the official languages of the Member State of entry in accordance with the explanatory notes provided for in Part 1 of Annex II to this Regulation, by:

- (i) the operator responsible for the consignment, as regards the information on the details of the consignment, as described in Part I of the templates in Sections A to D of Part 2 of that Annex;
- (ii) the competent authority at a border control post or control point, as regards the information on the decision taken on the consignment, as described in Part II of the templates in Sections A to D of Part 2 of that Annex;
- (iii) the competent authority at the border control post of exit or final destination, or by the local competent authority, as regards the information on the follow-up measures taken on the consignment after a decision has been taken, as described in Part III of the templates in Sections A to D of Part 2 of that Annex.

3 By way of derogation from paragraph 2(a), a Member State may consent to a CHED being drawn up in an official EU language other than that of the Member State of entry.

Article 41

Use of an electronic CHED

1 An operator's or a competent authority's use of a CHED in an electronic format shall be by means of one of the following systems:

- a TRACES, provided that the CHED meets all of the following requirements:
 - (i) it is signed by the operator responsible for the consignment with his/her electronic signature;
 - (ii) it is signed by the certifying officer at border control posts or control points with his/her advanced or qualified electronic signature;
 - (iii) it bears the advanced or qualified electronic seal of the issuing competent authority;
 - (iv) it is sealed by TRACES with an advanced or qualified electronic seal;
- b the national system of a Member State, provided that the CHED meets all of the following requirements:
 - (i) it is signed by the operator responsible for the consignment with his/her electronic signature;
 - (ii) it is signed by the certifying officer at border control posts or control points with his/her advanced or qualified electronic signature;
 - (iii) it bears the advanced or qualified electronic seal of the issuing competent authority;
 - (iv) it is transmitted to TRACES at the latest at the time when the decision is taken on the basis of the official controls and the transmission is sealed by the advanced or qualified electronic seal of the issuing competent authority;

2 TRACES shall acknowledge the transmission referred to in point (b)(iv) of paragraph 1 with its advanced or qualified electronic seal.

3 The required steps referred to in paragraphs 1 and 2 shall each be timestamped with a qualified electronic time stamp.

Article 42

Periods of storage of electronic certificates and CHEDs and personal data therefrom

1. For the purpose of maintaining the integrity of certificates and CHEDs issued in accordance with Article 39 and Article 41 respectively, relevant data concerning electronic signatures, electronic seals, timestamps and electronic exchanges shall be stored by TRACES and the Member States' national systems for at least 3 years.
2. Personal data from the certificates and CHEDs referred to in paragraph 1 shall be stored by TRACES and the Member States' national systems for no more than 10 years.
3. Personal data from EUROPHYT interception notifications referred to in Article 33(2) shall be stored by TRACES for no more than 10 years.

Article 43

List of control units

Each TRACES network contact point shall maintain and keep up to date in TRACES the list of control units that its Member State has designated for the purposes of TRACES.

Article 44

List of border control posts and control points

- 1 Each TRACES network contact point shall maintain and keep up to date in TRACES the list of border control posts and control points that its Member State has designated in accordance with Article 59(1) and Article 53(2), respectively, of Regulation (EU) 2017/625 for the purpose of performing official controls on one or more of the categories of animals and goods referred to in Article 47(1) of that Regulation.
- 2 The contact point referred to in paragraph 1 of this Article shall insert in TRACES information regarding each designated border control post and control point using
 - a the format set out in Annex I to Commission Implementing Regulation (EU) 2019/1014⁽¹⁾ to provide the information referred to in Article 60(1) of Regulation (EU) 2017/625;
 - b the abbreviations and specifications set out in Annex II to that Implementing Regulation.

Article 45

List of establishments

- 1 Each TRACES network contact point shall maintain and keep up to date in TRACES the following lists of establishments:
 - a food business establishments that its Member State has approved in accordance with Article 6(3) of Regulation (EC) No 852/2004;

- b establishments, plants and operators handling animal by-products or derived products that its Member State has approved or registered in accordance with Article 47 of Regulation (EC) No 1069/2009.

2 The contact point referred to in paragraph 1 shall insert in TRACES information regarding each establishment referred to in that paragraph using the technical specifications for the format of lists of establishments provided by the Commission.

3 The Commission shall assist the Member States in making the lists referred to in paragraph 1 available to the public through its internet page or TRACES.

Article 46

Contingency arrangements for TRACES and Member States' national systems in the event of unplanned or planned unavailability

1 TRACES network contact points shall maintain a public repository on the internet containing a fillable template of all documents that may be issued in TRACES or in the Member State's national system in accordance with this Regulation.

2 Where a Member State's national system, TRACES or one of their functionalities is unavailable for more than an hour, their users may use a fillable printed or electronic template, as referred to in paragraph 1, to record and exchange information.

3 Once the systems or functionalities referred to in paragraph 2 become available again, their users shall use the information recorded in accordance with paragraph 2 to produce electronically the documents required under this Regulation.

4 Where TRACES, a Member State's national system or one of their functionalities is unavailable, Member States may temporarily produce and electronically exchange all necessary documents in the available system and obligations regarding TRACES functionalities shall not apply. The Commission and the owners of the national systems shall perform an ad hoc bulk exchange of those documents as soon as availability is restored.

5 Documents produced in accordance with paragraphs 2 and 4 shall bear the text 'produced during contingency'.

6 The Commission shall inform users through TRACES two weeks in advance of any planned unavailability, how long it will last and the reason for it.

- (1) Commission Implementing Regulation (EU) 2019/1014 of 12 June 2019 to lay down detailed rules on minimum requirements for border control posts, including inspection centres, and for the format, categories and abbreviations to use for listing border control posts and control points ([OJ L 165, 21.6.2019, p. 10](#)).