III

(Other acts)

EUROPEAN ECONOMIC AREA

EFTA SURVEILLANCE AUTHORITY DELEGATED DECISION No 271/21/COL

of 3 December 2021

establishing a multiannual programme of controls for the period 2022-2026 to be carried out in Iceland and Norway to verify application of EEA legislation in the food and veterinary area [2022/293]

THE EFTA SURVEILLANCE AUTHORITY,

Having regard to the Agreement between the EFTA States on the Establishment of a Surveillance Authority and a Court of Justice, and in particular Protocol 1 thereto,

Having regard to the act referred to at Point 11b in Part 1.1 of Chapter I and Point 31q of Chapter II of Annex I and Point 164 of Chapter XII of Annex II to the EEA Agreement, 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) [1] ('Regulation (EU) 2017/625'), and in particular Article 118(1) thereof,

as amended and as adapted to the EEA Agreement by Protocol 1 thereto and the sectoral adaptations referred to in Annexes I and II thereto,

Whereas:

The responsibility to enforce EEA legislation in the food and veterinary area lies with the EEA States whose competent authorities monitor and verify, through the organisation of official controls, that relevant EEA requirements are effectively complied with and enforced.

It follows from Article 116 of Regulation (EU) 2017/625 that EFTA Surveillance Authority ('Authority') experts shall carry out controls, including audits, in Iceland and Norway to verify the application of EEA legislation. These Authority controls are to be performed in the areas of food and feed, animal health and animal welfare, animal by-products and derived products, plant protection products, organic production and the functioning of national control systems and competent authorities which operate them.

It follows from Article 118(1) of Regulation (EU) 2017/625 that the Authority is to establish a control programme for the controls to be performed by its experts in Iceland and Norway as provided for in Article 116(1) of that regulation.

[1] Incorporated into the EEA Agreement by Decision of the EEA Joint Committee No 210/2019 of 27 September 2019.

This multiannual programme of controls is set out for certain priority areas for the period 2022-2026. The criteria used for prioritisation include, inter alia, identified risks and emerging topics (for example animal diseases or food or feed crises), the relevance of a sector in Iceland and Norway, past performance of Iceland and Norway in the relevant area and information from relevant sources, including the priorities set by the European Commission in its control programme. ([2])

HAS ADOPTED THIS DECISION:

1. The multiannual programme of controls for the period 2022-2026 to be carried out by Authority experts in Iceland and Norway as provided for in Article 116(1) of Regulation (EU) 2017/625 is set out in the Annex to this Decision.

2. This Decision is addressed to Iceland and Norway.

3. This Decision shall enter into force on the day of its signature.

4. This Decision shall be authentic in the English language.

Done at Brussels, 3. December 2021.

For the EFTA Surveillance Authority, acting under Delegation Decision No 130/20/COL,

Högni S. KRISTJÁNSSON
Responsible College Member

Melpo-Menie JOSÉPHIDÈS
Countersigning as Director,
Legal and Executive Affairs

([2]) Commission Implementing Decision (EU) 2020/1550 of 23 October 2020 establishing the multiannual programme of controls for the period 2021-2025 to be carried out by Commission experts in the Member States to verify the application of Union agri-food chain legislation (OJ L 354, 26.10.2020, p. 9).

ANNEX

This Annex sets out the multiannual programme of controls for the period 2022-2026 to be carried out by Authority experts in Iceland and Norway in areas covered by Regulation (EU) 2017/625.

The multiannual programme of controls covers areas referred to in Article 1(2) of Regulation (EU) 2017/625 as well as other areas provided for in that Regulation, such as fraud and import controls.

The Authority has identified certain priority areas within the areas of food and feed, animal health and animal welfare, animal by-products and derived products, organic production, fraud and import controls, and the functioning of national control systems and competent authorities.

The Authority controls shall cover identified priority areas in Iceland and Norway. The specific issues covered by individual controls shall be adapted to the situation in each of the States and for Iceland, be subject to exceptions applicable concerning legislation in the areas of animal health and welfare.

Authority experts shall carry out controls, including on-the-spot verifications, audits, and desk-based analyses in accordance with Article 116 of Regulation (EU) 2017/625.

The Authority controls are performed to achieve a high level of coverage in areas that the Authority has identified as priority and, which require scrutiny as to the level of implementation and effectiveness of official control systems and enforcement measures.

Part A of the Annex lists the relevant areas of controls along with the objectives for the Authority controls for the period 2022-2026. In Part B of the Annex the priority areas under each control area are identified.

Part A – Areas of controls and objectives of the Authority controls

1. **Food and food safety**

   To verify compliance with the applicable EEA food and food safety legislation governing the production and placing on the market of food of animal and non-animal origin (covering also traceability and labelling, microbiological safety and foodborne zoonoses), residues and contaminants, food information to consumers and the use of nutrition and health claims, materials and articles in contact with food and the implementation of official controls thereon.

2. **Feed and feed safety**

   To verify compliance with the applicable EEA legislation governing feed safety (including feed hygiene, approval and registration of establishments, contaminants, traceability and labelling of feed), medicated feed, marketing and use of feed and the implementation of official controls thereon.

3. **Animal by-products and derived products**

   To verify compliance with the applicable EEA legislation governing animal by-products and derived products and the implementation of official controls thereon.

4. **Animal health**

   To verify compliance with the applicable EEA legislation governing animal health, focussing on animal health management, programs to achieve disease free status and maintenance of such status, control of major active animal diseases and preparedness to cope with multiple outbreaks of epizootic diseases, and the implementation of official controls thereon.

5. **Animal welfare**

   To verify compliance with the applicable EEA legislation governing animal welfare for production animals on farm, during transport and at slaughter, depopulation and emergency killing, and the implementation of official controls thereon.

6. **Organic production**

To verify compliance with the applicable EEA legislation governing the production and labelling of organic products and the implementation of official controls thereon.

7. **Entry into the EEA of goods and animals from third countries**

To verify compliance with the applicable EEA legislation governing official controls on animals and goods entering Iceland and Norway from third countries, including compliance with requirements for border control posts and general and specific EEA requirements applicable to the relevant animals and goods. There will be a special focus on rules established by Regulation (EU) 2017/625 and related delegated and implementing acts.

8. **General and horizontal aspects**

To verify compliance with the applicable EEA legislation governing the identification and follow up of fraudulent or deceptive practices in areas covered by Regulation (EU) 2017/625 and official controls thereon. To verify that Iceland and Norway take appropriate follow-up measures to remedy any specific or systemic shortcomings identified through Authority controls. To verify arrangements in place for verification of effectiveness of official controls.

PART B – Priority areas

	Priority Area	**2022 – 2026**	
Food and food safety	Food of animal origin	Safety of meat of mammals and birds and products thereof, milk and products thereof, fishery products and production hygiene of live bivalve molluscs	
	Food of non-animal origin	Safety of fruits and vegetables, herbs, spices and sprouts, including contaminants	
	Residues and contaminants	Residues of veterinary medicinal products, pesticides and environmental contaminants	
	Food information to consumers and the use of nutrition and health claims	Food information to consumers and the use of nutrition and health claims	
	Materials and articles in contact with food		Materials and articles in direct or indirect contact with food
Feed and feed safety	General feed safety	Feed safety at all stages, including primary production, approval and registration of establishments, feed hygiene, traceability, labelling and contaminants	
	Medicated feed		Production, distribution and use of medicated feed
	Marketing and use of feed		Placing on the market and use of feed, including labelling and information to the users, packaging and presentation
Animal by-products	Animal by-products and derived products	Animal by-products and derived products	
Animal health	Aquatic animal health	Animal health management including programmes to achieve disease free status and maintenance of such status, and active epizootic diseases (e.g. avian influenza)	
	Terrestrial animal health		
	Preparedness and prevention	Contingency planning	
Animal Welfare	On farm	Swine, laying hens, broilers, small ruminants and cattle	
	Transport		
	At killing		Slaughter, emergency killing and killing for the purpose of depopulation

Organic production	Organic production	Organic production
Entry into the EEA of goods and animals from third countries	Compliance of border control posts	Compliance of re-designated and new border control posts and inspection centres
	Official controls on animals and goods	Official controls on live animals and products of non-animal and animal origin from third countries
General and horizontal aspects	Follow up of recommendations	Follow up of sectoral recommendations and general review
	Fraud	Arrangements in place to fight fraudulent or deceptive practices
	Verification of effectiveness of official controls	Arrangements in place to verify effectiveness of the official controls