

THE FOOD ACT

I. GENERAL PROVISIONS

Article 1

This Act shall regulate:

- general principles and requirements relating to the hygiene and safety of food and feed,
- the obligations of food business operators and feed business operators regarding the hygiene and safety of food, including feed,
- general requirements relating to food quality,
- general requirements for obtaining the registration of geographical indications and designation of origin for the food and the traditional reputation of the food,
- general requirements relating to the declaration and labelling of food and feed,
- general requirements for placing food and feed on the market,
- general requirements for placing novel foods on the market,
- general requirements for placing on the market food and feed which contains genetically modified organisms or consists of them,
- the system of official control of food and feed,
- the system of authorised testing laboratories and reference laboratories,
- crisis and emergency management,
- foundation of the Croatian Food Agency,
- authority and responsibilities of the competent authorities regarding food and feed produced in the Republic of Croatia or imported and placed on the market of the Republic of Croatia.

Article 2

This Act shall apply to all stages of production, processing, storage and distribution of food and feed, except for primary production, preparation, handling and storage of food in households intended for private domestic use and consumption and feeding of household animals which are not intended for sale on the market.

Definition of food

Article 3

1) For the purposes of this Act, "food" shall mean any substance or product, processed, partially processed or unprocessed, intended for human consumption or which can be expected to be consumed by humans.

2) The term "food" shall also include drink, chewing gum, food additives and any other substance that is intentionally incorporated into food during its production, preparation or treatment.

3) The term "food" shall also include water, namely:

- water used for public supply of the population as potable water,
- water used and/or incorporated into food during its production, preparation or treatment,
- water packed in original packaging as table water, mineral water and source water.

4) The term "food" shall not include:

- feed,
- live animals, except if they are prepared for placement on the market as food,
- plants before harvesting, picking, or collecting of fruits,
- medicines and medicinal products defined by a specific regulation,
- cosmetics defined by a specific regulation,
- tobacco and tobacco products defined by a specific regulation,
- narcotics or psychotropic substances within the meaning of the United Nations Single Convention on Narcotic Drugs, 1961, and the United Nations Convention on Psychotropic Substances, 1971,
- residues and contaminants, as well as natural ingredients of plant and animal origin that are harmful to human health.

Other Definitions

Article 4

For the purposes of this Act, certain terms shall have the following meaning:

1. "food regulations" – shall be this Act, implementing regulations adopted on the basis of this Act and other special regulations (Acts and the pursuant regulations) relating to food, particularly the hygiene and safety of food, including all stages of production, processing and distribution of food and feed for food-producing animals or animals used for food production,
2. "food business" – shall mean any undertaking, whether for profit or not and whether public or private, carrying out within the scope of its operations any or all jobs related to any stage of production, processing, storage, transport or distribution of food,
3. "food business operator" – shall mean the natural or legal person, registered for performing certain activities relating to food business, responsible for ensuring that the requirements of food regulations are met within the food business under his control,
4. "feed" – shall mean any substance or product, including feed additives, processed, partially processed or unprocessed, intended for feeding of food producing animals, or animals used for food production,
5. "feed business" – shall mean any undertaking, whether for profit or not and whether public or private, carrying out within the scope of its operations any or all jobs related to any stage of production, processing, storage, transport or distribution of feed, including production, processing or storing feed intended for feeding animals on a private holding,
6. "feed business operator" – shall mean the natural or legal person, registered for performing certain activities relating to feed business, responsible for ensuring that the requirements of food regulations are met within the feed business under his control,
7. "competent authorities" – shall mean risk managing bodies, namely the Croatian Food Agency, Ministry of Agriculture and Forestry and Ministry of Health,
8. "retail" – shall mean handling and/or processing of food and/or its processing and/or preparation and storage at the point of sale or delivery to the final consumer, and includes catering operations, institutional catering, (hospitals, nursery schools, schools, homes for senior citizens and alike), factory canteens, catering establishments like restaurants and other food service operations, stationary or movable food kiosks, food preparation, sale and catering outlets outside of the premises or location destined for food business, shops and wholesale outlets,
9. "placing on the market" – shall mean holding of food or feed for the purpose of sale, including offering for sale, selling or any other form of transfer, whether free of charge or not, distribution and other forms of transfer, on the territory of the Republic of Croatia,

10. "risk" – shall mean the probability and severity of adverse effect of hazards to human health,
11. "risk analysis" – shall mean a process consisting of three interconnected components; risk assessment, risk management and risk communication,
12. "risk assessment" – shall mean a scientifically based process consisting of four stages; hazard identification, hazard characterisation, exposure assessment and risk characterisation,
13. "risk management" – shall mean a process by which different possibilities of acting of the competent authorities, relating to risk are compared, in cooperation with interested parties, taking into account risk assessment and other relevant factors, and, if necessary, the procedure of selecting appropriate prevention and control measures,
14. "risk communication" – shall mean an interactive exchange of information and opinions during the whole process of risk analysis, as regards hazards and risks, risk-related factors and risk perceptions, among risk assessors, competent authorities, consumers, food and feed producers, academic community and other interested parties, including the explanation of findings during risk assessment and the basis for making decisions during risk management,
15. "hazard" – shall mean a biological, chemical or physical agent in the food and feed or condition of food and feed, with the potential to cause adverse effects to human health,
16. "traceability" – shall mean the ability to trace and follow a food, feed, food producing animal or animal used for food production, raw material or substance intended to be, or expected to be incorporated into a food or feed, through all stages of production, processing and distribution,
17. "stage of production, processing and distribution" – shall mean any stage, including import, primary production, processing, storage, transport, selling or supply of final consumer with food, and, where related to it, import, production, manufacturing, storage, transport, distribution, selling of feed and supply with feed,
18. "primary production" – shall mean the production and rearing or growing of primary agricultural products in crop farming, agriculture stock raising or fish farming (pisciculture), including harvesting and picking of fruits, milking and raising animals prior to slaughter, hunting and fishing and collecting self-grown fruits and plants (wild products),
19. "consumer" – shall mean a physical person buying food for fulfilling its own needs, and not using it in any stage of food business,
20. "official control" – shall mean control of hygiene, safety and quality of food and feed in order to establish whether the provisions of food regulations are met,
21. "food safety" – shall mean the assurance that food will not cause adverse effects to human health if it is prepared and consumed taking into account its intended use,
22. "food hygiene" – shall mean measures and conditions necessary for hazard control and assurance of fitness of food for human consumption, in accordance with its intended use,
23. "feed safety" – shall mean harmlessness of feed for animals to animal health, and indirectly to the health of humans who consume products produced from those animals, with regard to the presence of certain biological, chemical or physical substances in feed,
24. "contaminant" (or "harmful substance") – shall mean a biological, chemical and physical substance harmful to human health, which is not added to food on purpose, and the presence thereof in the food is the consequence of procedures during production (including the procedures carried out during the cultivation of crops and animals and application of veterinary medicines), processing, preparation, treatment, packaging, transport or storage of that foodstuff, or the consequence of environmental pollution,

25. "residue" ("remaining substance") - shall mean the remnant of biological or chemical substances that are permitted for using in certain quantities and certain stages of primary production of food, as well as the remnants of their metabolites and products of their decomposing; residues do not include food additives,
26. " food additive" - shall mean every substance which is normally not consumed, nor is it a typical ingredient of food, not regarding its nutritional value, and which is added intentionally due to technological and sensory characteristics of food in the technological procedure of production, during preparation, treatment, processing, moulding, packaging, transport and storing,
27. "feed additive" – shall mean any substance which, incorporated into feed, may affect the characteristics of feed or production of food-producing animals or animals used for the production of food intended for human consumption,
28. "food quality" – shall mean the aggregate characteristics of food that bear on its ability to satisfy the needs of the final consumer,
29. "declaration" (or "labelling") – shall mean placement of written indications (any words), particulars, registered trad mark, brand name, pictorial matters or symbols relating to food or feed, which are placed on the packaging, label or tag or on a conspicuous place for the consumer of unpackaged food,
30. "objects that come into direct contact with food" – are dishes, accessories, equipment, devices and packaging used in food business,
31. "novel foods" – shall mean the food and food ingredient that so far haven't been considerably used for human consumption in the Republic of Croatia,
32. "genetically modified organism" – shall mean the organism, except for human beings, whose genetic material was intentionally changed in a way that can not be achieved by natural propagation and/or natural recombining,
33. "food for special dietary needs" (ili "or dietary foodstuff") – shall mean the food fo special composition or special way of production, different from usual food due to its nutritional characteristics, which may be intended for consumption of infants and small children, people with the disturbances of digestive process or metabolism, and persons who are in special physiological states, for whom it is necessary to achieve special effects by a controlled intake of certain alimentary ingredients.

II. GENERAL PRINCIPLES

1. Principles of the Risk Analysis

The Risk Analysis

Article 5

1) In order to achieve the main objective, which is the high level of protection of human life and health, the measures which are implemented pursuant to food regulations shall be based on risk assessment, except if it is not suitable due to circumstances or the nature of the measure.

2) Risk assessment shall be based on the available scientific evidence and undertaken in an independent, objective and transparent manner.

3) Risk assessment shall be conducted by the Croatian Food Agency.

The Risk Communication

Article 6

The Risk communication shall be conducted by the Croatian Food Agency in order to provide:

- The Ministry of Agriculture and Forestry and the Ministry of Health, respectively,
- Food and feed business operators,
- Consumers, and
- Other competent institutions and interested parties,

With timely, reliable, objective and understandable information about the food and feed related hazards and risks, respectively.

Risk Management

Article 7

1) Risk management shall ensure that the preventive and control measures, taken with the objective of reducing, eliminating or preventing risks to human health connected with food consumption, be based on the results of risk assessment and efficient, impartial and adequate.

2) Risk management shall be performed by the competent authorities.

2. The Precautionary Principle

Article 8

1) In special circumstances, where following an assessment of all available information, the possibility of harmful effect of a food on human health is indentified, but scientific uncertainty persists the competent authorities may take provisional measures of risk management, much-needed for ensuring the highest possible level of human health protection to until further scientifically founded information necessary for the overall assesment of the risk is acquired.

2) The measures taken pursuant to the paragraph 1 of this article must be adequate and not restrict trade more than is necessary to achieve high level of human health protection, taking in to account their technical and economical feasibility and the established state of the facts.

3) The measures must be reconsidered within a reasonable period of time, depending on the nature of the identified risk for human health and life, and the type of scientific information needed to clarify the scientific uncertainty, and to conduct the overall risk assessment.

3. The Principle of Transparency

Article 9

1) Croatian Food Agency, directly or through authorised representatives of consumers or other interested groups, during preparation, evaluation and revision of the risk management measures, must carry out open and transparent public consultation, except whent the urgency does not permit it.

2) If there is a justified doubt that food or feed could represent a risk for human or animal health, depending upon the nature, seriousness and extent of that risk, the Croatian Food Agency shall take measures for informing the public about the nature of the health risk.

3) In the case of the paragraph 2 of this Article, it is necessary to, as much as possible, to identify food or feed, risk it represents, and the measures taken or which shall be taken in order to prevent, reduce or eliminate that risk.

4. The Protection of the Consumers' Interests

Article 10

- 1) The interest of the consumers must be protected as much as possible,
- 2) The food regulations shall be directed towards the consumer protection and provide the basis for providing complete information about foodstuffs to be consumed by the consumers, and offer them in that way the choice of food.
- 3) It is contrary to the interest of the consumers:
 - Production and placing on the market of unsafe food and the food unfit for the market,
 - Fraud or intentional deceptive practices in food business,
 - Adulteration of food by replacing or leaving out of the basic ingredients which are connected with the certain type of characteristic of food,
 - Misleading the consumer by providing incorrect information on the declaration,
 - Carrying out or using the procedures (advertising and alike) that can mislead the consumer.

III. FOOD SAFETY

1. Food Safety Requirements

Article 11

- 1) Food shall be considered safe if it cannot cause adverse effects to human health, if it is produced, prepared and consumed according to its intended use.
- 2) Food shall not be placed on the market if it is unsafe.
- 3) The food shall be considered unsafe if it is:
 - Harmful to human health
 - Unfit for human consumption

Article 12

- 1) In determining whether any food is unsafe, the following shall be taken into account:
 - The conditions at every stage of production, processing and distribution of food, and the conditions of preserving and holding the food until selling it to the final consumer, as well as conditions of preparation and consummation of food according to its intended use,
 - Information provided to the final consumer, including information on the declaration and the information which is generally available to the final consumer, relating to the avoidance of specific adverse effects to human health of a certain food or food category.
- 2) In determining whether any food is harmful to human health, the following shall be taken into account:
 - Possible direct or indirect, short-term or long-term adverse effects of that food on the health of the person that consumes it and the effects upon future generations,
 - Possible cumulative toxic effect,

- Particular health sensitivity of a specific category of consumers, where the food is intended for that category of consumers.

3) In determining whether any food is unfit for human consumption, it should be taken into account whether this food is unacceptable for its intended use because of its contamination, whether by extraneous matter or otherwise, due to putrefaction, decaying or decomposition.

4) When the food, which is established to be unsafe, is a part of a batch, lot or consignment of food of the same category and description, all food in that batch, lot or consignment is considered to be unsafe, except if, having performed laboratory analysis and/or superanalysis, the opposite is established.

Article 13

1) A food shall be considered harmful to human health if:

- it contains microorganisms or tissue parasites harmful for human health, bacterial toxins, micotoxines, histamine and histamine-like substances and other microorganisms or tissue parasites in larger quantities than permitted,
- contains natural toxins or other natural toxic substances in larger quantities than permitted,
- contains residues of pesticides, veterinary medicines, metals and metalloids and other substances harmful for human health in larger quantities than permitted,
- contains food additives which may not be used in a certain type of food, or if the quantity of the food additives present in the food is larger than permitted,
- contains radionuclides in over the laid down limit, or if it is polluted by radiation over the permitted limit,
- the packaging contains microorganisms or other substances that may have influence on the increasing of the contents of substances which are harmful to human health in food.
- it is derived from dead animals or animals for which the slaughterhouse treatment is not permitted, from any reason.

2) A food shall be considered unfit for human consumption if:

- the sensory characteristics of the food are so changed due to physical, chemical, microbiological or other processes, that the food is not fit for human consumption,
- contains substances or raw materials which are not toxicologically evaluated, verified and safe for human use,
- contains mechanical impurities and admixtures which may be harmful for human health,
- the packaging is so harmed that microbiological and chemical changes of foodstuffs are possible beyond the permitted limits.

Article 14

The restrictive measures for placing the food on the market and the request for withdrawing the food from the market, if there are reasons for doubt that the food is unsafe, shall be adopted by the Minister of Agriculture and Forestry and the Minister of Health, respectively, according to food types, pursuant to the list of supervising contained in the Annex of this Act, which is its integral part.

Article 15

1) The food durability date thereof has expired, if determined to be safe by laboratory examination, and with the permission issued by the Ministry of Agriculture and Forestry and the Ministry of Health, depending on their respective competences, may in the timeframe determined by the permission:

- be reused in food production,
- sold, or
- donated.

2) The food from the paragraph 1 of this Article intended for donation or selling must have a special note on a conspicuous place, that it is a food the durability date thereof has expired, but which is still safe.

3) The way of submitting the request and the conditions for the permission set out in the paragraph 1 of this Article shall be laid down by the Minister of Health in accordance with the Minister of Agriculture and Forestry.

2. Implementing Regulations Relating to Food Safety and Hygiene

Article 16

1) The Minister of Health, in accordance with the Minister of Agriculture and Forestry shall adopt the regulations:

- by which certain types and quantities of toxins, microorganisms, ions of heavy metals and non-metals, residues of pesticides, veterinary medicines, radionuclides and other substances harmful to human health, like toxicologically evaluated food additives, substances that influence on the nutritional value of the food intended for special nutritional needs may be permitted or forbidden
- concerning the sanitary safety of the objects that come to the direct contact with food,
- concerning the treatment and removal of the food that does not meet the laid down requirements of safety,
- concerning the implementation of food monitoring with the objective of determining the level of nutrients, contaminants, additives and other food ingredients, and whose objective is to determine the intake in the organism of certain ingredients or substances and the assessment of the danger for the health of the population,
- concerning the way of sampling depending on the methods for performing the food analysis.

2) The Minister of Health with the previously obtained opinion of the Minister of Agriculture and Forestry shall adopt the regulations:

- Concerning the safety of the potable water, table water, mineral and source water and the water for the production of the food intended for placing on the market,
- Concerning the sanitary and hygienic conditions which must be met by the persons coming into the direct contact with food, as well as about the requirements for work clothes and the clothes necessary for the protection of the safety of the food,
- Concerning the restriction or prohibition of certain conditions of placing the food intended for human consumption on the market, except for the food of predominantly animal origin,
- Concerning the restriction or prohibition of use of certain raw materials, except the raw materials of predominantly animal origin, its nature, subsequent treatment or other characteristics.

3) The Minister of Agriculture and Forestry, in accordance with the Minister of Health adopts the regulations concerning the implementation of any procedure in the production and preparation of food that may affect the hygiene and safety.

4) The Minister of Agriculture and Forestry, pursuant to the previously obtained opinion of the Minister of Health adopts the regulations;

- Concerning the restriction or prohibition of certain conditions of placing the food of predominantly animal origin intended for human consumption on the market,

- Concerning the restriction or prohibition of use of certain raw materials of predominantly animal origin in the production of food, which originate from specific sources, be it regarding the type of the animal, place of origin, its nature, posterior treatment or other characteristics.

5) The regulations set out in this Article and the regulations set out in the Article 26, paragraph 1, 2, 4 and 5, Article 29 (6) and Article 74 (2) and (5) of this Act are adopted by the competent Minister pursuant to a previously acquired opinion of the Croatian Food Agency.

IV. IMPORT AND EXPORT OF FOOD

Import

Article 17

1) Food imported into the Republic of Croatia to be placed on the market, must meet the requirements of food regulations.

2) By the way of derogation from the paragraph 1 of this Article, if there is a special international agreement concluded between the Republic of Croatia and the exporting country, the food that is imported into the Republic of Croatia in order to be placed on the market must meet the requirements contained in the agreement.

Export

Article 18

1) Food exported from the Republic of Croatia, for the purpose of being placed on the market of another country, must meet the provisions of the food regulations.

2) By way of derogation from paragraph 1 of this Article, food exported from the Republic of Croatia, must meet the requirements determined by the Acts that are in force in the importing country.

3) By way of derogation of paragraphs 1 and 2 of this Article, if there is an existing international agreement concluded between the Republic of Croatia and the importing country, the food exported from the Republic of Croatia must meet the conditions contained in the agreement.

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The Supervision of the Safety of Food upon Import

Article 19

1) The food importer must apply to the border veterinary inspector of the Ministry of Agriculture and Forestry, namely the border sanitary inspector of the Ministry of Health, for a request to examine the food consignment that has been imported for the purpose of establishing safety.

2) By way of derogation of the responsibilities established in the Annex, the Croatian Food Agency, in cooperation with the Minister of Agriculture and Forestry and the Minister of Health shall establish the products within the marked tariff indications from the Annex, for which discrepancies from the responsibilities of the inspections established in the Annex shall be determined.

3) Examination of the consignment for the purpose of establishing the safety of food is carried out at border veterinary crossings by the border veterinary inspector and in other places by the border sanitary inspector.

4) Border veterinary crossings from paragraph 2 of this Article are established through an enforced regulation by the Minister of Agriculture and Forestry and in other places where examinations of consignments take place by the Minister of Health.

Article 20

1) The customs office, the respective customs outpost, cannot carry out the customs procedure of clearing the food consignments through customs until the border veterinary inspector, the respective border sanitary inspector, shall establish safety of the consignment and through an official decision approves its import.

2) It shall be the customs office's duty within its rights and responsibilities to enable the authorised border inspector from Article 19 of this Act, access to documentation and free performance of control of food safety.

3) Until the completion of the procedure of establishing the safety of food, and before the completion of the customs procedure, the consignments may be kept in storage in customs warehouses which meet the requirements from Articles 22 and 26 of this Act.

4) The competent border veterinary inspector, the respective border sanitary inspector, for the purpose of verifying the safety of food being imported, shall reserve the right to take samples and have them examined in authorised laboratories.

5) The expenses of the consignment examination fee, the issuing of the official decision from paragraph 1 of this Article and the expenses of laboratory examinations shall be covered by the importer.

Article 21

1) Upon the import of food, which according to the food regulations shall be required to have an obligatory certificate on safety, the consignments must contain a regulated international certificate on the safety of the consignment, if it has not been determined otherwise by an international agreement.

2) For the food being imported, international certificates on the safety of the consignment can be recognised based on bilateral and multilateral agreements, issued by the competent authority of the exporting country.

3) If the agreements from paragraph 2 of this Article are non-existent, the recognition of international certificates and other documents shall be carried out through enforced regulations which are adopted by the Minister of Agriculture and Forestry and the Minister of Health, respectively.

4) The international certificates and other documents on safety must be in both Croatian and Latin script, and the language of the country they originate from.

V THE RECORD BOOK AND THE APPROVAL OF ESTABLISHMENTS

Article 22

1) The establishments used in the primary production of food must be registered in the Register Book of the Ministry of Agriculture and Forestry.

2) Establishments used in the production, processing and storage of food must be registered in the Register Book of the Ministry of Agriculture and Forestry, the respective Ministry of Health, according to the responsibilities in the provision of general or specific food hygiene conditions from Article 26, paragraph 2 of this Act.

3) Establishments used in the preparation, processing or treatment of food at a retail outlet, including movable and/or temporary space (stationary or movable food kiosks, places of sale on the market, movable vehicles for sale) must be registered in the records of the Ministry of Agriculture and Forestry, the respective Ministry of Health according to the responsibilities in the provision of general or specific food hygiene conditions from Article 26, paragraphs 4 and 5 of this Act.

4) For the purpose of registering into records from paragraph 3 of this Article, the competent offices of the State Directorate, the Economic Office, after the adoption of the official decision on met conditions established by special regulations, must deliver a copy of the official decision to the Ministry of Agriculture and Forestry, the Ministry of Health respectively.

5) The establishments in which the production, processing and storage of food of animal origin take place must be approved according to the veterinary regulations.

6) The Minister of Health can within the frame of his duties provided by Article 26, paragraph 2, sub-paragraph 2, paragraph 4, sub-paragraph 2 and paragraph 5 of this Act, adopt an enforced regulation by which the type of the establishments that need to be approved and the date by which the operators already engaged in the food business in the establishments subject to the procedure of approval shall meet the conditions laid down by this Act and the regulations adopted and based on this Act.

7) In establishments subject to the procedure of approval, the performance of the activities cannot be begun without authorisation. The competent authority shall approve only those establishments for which professional supervision has been carried out for the purpose of meeting the established conditions.

8) The competent Ministries in the procedure of registering into the Register Book issue an official decision about registering in the Register Book and assign a registration number or approval number to every establishment from paragraphs 1 and 2 of this Article.

9) The food business operators, apart from those on the retail level, shall ensure that the food that they produce is marked with a registration number or approval number from the Register Book.

10) The Ministry of Agriculture and Forestry, or the Ministry of Health, keep records from paragraph 3 of this Article and Register Books of registered or approved establishments from paragraphs 1 and 2 of this Article, and deliver this list to the Croatian Food Agency.

11) The Ministry of Agriculture and Forestry, the respective Ministry of Health shall through official decision, erase the food business operator registered in the Register Book from paragraph 10 of this Article, at request of food business operator namely when it has been established that the operator has stopped meeting the conditions prescribed by the food regulations.

12) The content, form and way of keeping records and the Register Book of registered or approved establishments and the procedure of marking with a registered number or approval number are prescribed by the Minister of Agriculture and Forestry, the Minister of Health, respectively.

Temporary Prohibition of Business Operations

Article 23

The Ministry of Agriculture and Forestry, the Ministry of Health respectively, may temporarily prohibit the performance of operations in establishments from Article 22 of this Act in the following cases:

- When during inspectoral supervision it is established that the establishment had been used contrary to the provisions of food regulations,
- When such a procedure is crucial or effective in order to ensure the safety of food.

The expenses for the procedure of establishments approval

Article 24

1) For the establishments from Article 22, paragraphs 5 and 6 of this Act which are subject to the procedure of approval, the competent Minister shall establish a Professional Commission.

2) The expenses for the Commission's activities from paragraph 1 of this Article shall be determined by the competent Minister and covered by the applicant of the request.

VI THE OBLIGATIONS OF THE FOOD BUSINESS OPERATORS

General Responsibility for Hygiene and Safety of Food

Article 25

For every harm to human health caused due to consumption of unsafe food, the food business operators in all phases of production, processing, distribution and sales shall be held responsible.

General and Specific Conditions of Food Hygiene

Article 26

1) The food business operators on the level of primary production must ensure systematic implementation of general or specific conditions of food hygiene determined by the Minister of Agriculture and Forestry through an enforced regulation.

2) The operators in the production, processing, storage and transport of food must ensure systematic implementation of general or specific conditions of food hygiene which are determined by shall mean of enforced regulations by:

- The Minister of Agriculture and Forestry for food of predominantly animal origins;
- the Minister of Health for the rest of the food.

3) The operators in retail trade must meet the general minimal technical conditions determined by trade regulations.

4) The operators that prepare, process or treat and refrigerate and/or store food in retail space must ensure systematic implementation of specific hygiene conditions determined by shall mean of enforced regulations by:

- The Minister of Agriculture and Forestry for food of predominantly animal origins;
- The Minister of Health for the rest of the food.

5) Food business operators in catering must ensure systematic implementation of general and/or specific hygiene conditions determined by shall mean of an enforced regulation by the Minister of Health in accordance with the Minister of Tourism.

Responsibilities Regarding Food not meeting the Provided Requirements

Article 27

1) If the food business operator is aware of or has reasonable doubt that the food he imported, produced, placed on the market or distributed does not meet the safety requirements, it shall be the obligation thereof to immediately begin the procedure of preventing the placement of such food on the market, namely the withdrawal of such food from the market in cases when the product is no longer under his immediate control and consequently inform the Ministry of Agriculture and Forestry or the Ministry of Health respectively about this matter.

2) If the food has already reached the consumer, the food business operator must effectively and accurately inform the consumers about the reasons for the withdrawal of the food and if necessary require the consumer to return the food already acquired, when other measures are not enough to achieve a high level of health protection.

3) The food business operator in retail or distributional activities which does not have direct influence on the packaging, declaration, safety of food within the frames of its activities must begin the procedure of withdrawal of food from the market which does not meet the safety requirements when it receives a notification or a decision which orders the measures to be taken respectively on this matter.

4) The food business operator must give crucial information for tracing the food to the competent authorities.

5) The food business operator must cooperate and must not prevent another person from cooperating with the competent authorities in the measures taken in order to reduce the risk that is the result of the food that they supply or supplied the market with.

Requirements Regarding the Traceability of Food

Article 28

1) The traceability must be determined on all levels of production, processing and distribution of food, raw materials of plant and animal origins, food producing animals or animals used in food production, including the tracing of any other substance intended for incorporation or which shall be incorporated into food.

2) The food business operators must establish a system of keeping records, namely the data base and ensure the procedures, which will enable them to identify at any given moment every legal and natural person that has supplied them with food, food producing animals or animals used in food production, or any other substances intended for the production or that can be expected to be used in the production of food.

3) The food business operators must establish a database and ensure the procedures which shall enable them to identify other food business operators to which they delivered food at any given moment.

4) The food business operators must keep the information from paragraphs 2 and 3 for three years and upon request make them available to the competent authorities.

5) The food placed on the market or most likely to be placed on the market, must be labelled or identified in some other way through provided documentation or other information in order to ensure the traceability.

Requirements Regarding the Self-Control System

Article 29

1) The food business operator, apart from the level of primary production must establish and enforce regular control of hygienic conditions of production in every object

under his control by means of enforcing of the preventive procedure of self-control, developed according to the following principles of the system of hazard analysis and critical control points (hereinafter referred to as: HACCP):

- to identify all hazards which must be prevented, eliminated or reduced to an acceptable level
- to identify the critical control points in places where control is essential for preventing or the elimination of hazards or their reduction to an acceptable level;
- to establish the critical limits at critical control points which separate acceptability from unacceptability for the prevention, elimination or reduction of identified hazards;
- to establish and implement effective procedures of systematic monitoring of critical control points;
- to establish corrective actions when the monitoring system warns that the critical control point is not under control;
- to establish procedures to verify whether the measures specified in sub-paragraphs 1 to 5 of this paragraph are working effectively; the verification procedures must regularly be carried out by the objects and the competent inspectors in the objects;
- to establish the documents and records suitable to the nature and scope of the work which will present an effective implementation of the measures specified in sub-paragraphs 1 to 6 of this paragraph..

2) The food business operator on the level of primary production must establish and enforce regular control of hygienic conditions of production in every object under his control by enforcing the preventive procedure of self-control, developed according to good production practices.

3) The initial harmonisation verification of the HAACP plans for objects from paragraph 1 of this Article shall be carried out by the Ministry of Agriculture and Forestry, the Ministry of Health respectively, according to the authorities determined in article 26, paragraphs 2, 4 and 5 of this Act.

4) If the results of the self-controls specified in paragraph 1 of this Article reveal the existence of health risks for people, the food is considered that does not meet the prescribed safety requirements and the food business operator must take measures according to Article 27 of this Act.

5) The conditions for the implementation of the self-control system in objects from paragraphs 1 and 2 of this Article shall be determined through enforced regulations by the Minister of Agriculture and Forestry, the Minister of Health respectively, according to the authorities determined in Article 26, paragraphs 2 and 4 of this Act.

6) The Minister of Agriculture and Forestry, the Minister of Health respectively, can in the implemented regulations from paragraph 5 of this Article establish exceptions from the provisions from paragraph 1 of this Article for specific food business operators, especially small operators, specific categories of operators in retail and the production of traditional products if it is provided that the adequate level of hygiene is ensured through the implementation of the self-control procedure, developed according to good production practices.

VII NOVEL FOODS

The Categories of Novel Foods

Article 30

- 1) The following categories shall be considered part of the novel foods:

- food and food ingredients containing or consisting of genetically modified organisms (hereinafter referred to as :GMO);
- food and food ingredients, excluding food additives (aromas and enzymes), produced from the GMO, but which do not contain any GMOs;
- food or food ingredients with new or intentionally modified primary molecular structure;
- food and food ingredients which consist of micro-organisms, fungi or algae or are isolated from them;
- food or food ingredients which consist of plants or animals, mineral or synthetic materials or have been isolated from them, excluding food and food ingredients obtained by traditional ways of reproduction or for which it has been noted for a long time that they are safe to be consummated;
- food and food ingredients to which has been applied a production process not currently used, and in cases when it causes significant changes in the composition or structure of food or food ingredients which have an effect on their nutritional value, the metabolism or the level of undesirable substances.
 - 2) The categories of novel foods specified in paragraph 1 of this Article must not :
 - present a danger for the consumer,
 - mislead the consumer,
 - differ from foods or food ingredients which they are intended to replace to such an extent that their normal consumption would be nutritionally disadvantageous for the consumer.
 - 3) The provisions of this Act and specific regulations shall be applied on the categories of new food from paragraph 1, sub-paragraphs 1 and 2 of this Article.

The Placing on the Market of Novel Foods

Article 31

1) For the placing on the market of novel foods for the first time in the Republic of Croatia, the applicant must obtain an approval according to the provisions of this Act and the specific regulation.

2) The approval from paragraph 1 of this Article shall be issued by the Minister of Health in accordance with the Minister of Agriculture and Forestry and based on the previously obtained scientific opinion of the Croatian Food Agency.

3) The approval for placing the food and food ingredients on the market which contain or consist of GMO and food and food ingredients produced from GMO but not containing them, shall be issued by the Minister of Health in accordance with the Minister of Agriculture and Forestry and based on the previously obtained scientific opinion of the Croatian Food Agency.

4) The conditions and the procedure for issuing the approval set out in paragraph 1 of this Article shall be provided by the Minister of Health in accordance with the Minister of Agriculture and Forestry.

The Register Book on Issued Approvals for Placing Novel Food on the Market

Article 32

1) The Ministry of Health shall keep the Register Book on the issued approvals for placing novel food on the market.

2) The content, form and way of keeping the Register Book from paragraph 1 of this Article are provided by the Minister of Health.

The Prohibition of Placing Novel Food on the Market

Article 33

1) If there are any scientific discrepancies regarding the harmful effect of novel foods on the people's health, especially food and food ingredients containing genetically modified organisms or consisting of them, the Minister of Health in agreement with the Minister of Agriculture and Forestry can temporarily prohibit the placement of such food on the market for the purpose of preventing or decreasing the possibility of negative influences on the health of the people.

2) The Minister of Health in accordance with the Minister of Agriculture and Forestry shall permanently prohibit the placement of novel food on the market, especially food and food ingredients containing genetically modified organisms or consisting of such, if based on the scientific risk assessment it is established as harmful to the health of the people.

3) The Government of the Republic of Croatia, upon the suggestion of the Ministry of Agriculture and Forestry, the Ministry of Health or the Croatian Food Agency, may temporarily or permanently prohibit the import of novel foods containing genetically modified organisms in case of lack of the relevant scientific information and knowledge about the possible extent of the negative consequences to human life and health.

Harmless Removal of Novel Foods

Article 34

Novel foods, especially food and food ingredients containing genetically modified organisms or consisting of them, that do not meet the requirements of safety provided by this Act, must harmlessly be removed pursuant to a specific regulation.

VIII FOOD QUALITY

Article 35

1) Food business operators shall be allowed to produce and place on the market foodstuffs of compulsory quality, including the foodstuffs without provided quality requirements, if the food meets the requirements of the provisions on safety and the information in the declaration.

2) The Minister of Agriculture and Forestry with a previously received opinion from the Minister of Health shall adopt the implemented regulations which regulate food quality for the purpose of:

- protecting the interests of the consumer;
- enabling the consumers to make a selection regarding the food which they consume;

3) The implemented regulations from paragraph 2 of this Article shall establish the requirements regarding:

- the classification, categorisation and terminology of foodstuffs,
- the sensor characteristics and composition of foodstuffs,

- the sort and quality of raw materials, additives and other materials used in the production and processing of foodstuffs,
- technological procedures applied in the production and processing of foodstuffs,
- methods of sampling and analytical methods for the purpose of controlling food quality,
- additional or specific data that needs to be specified on the food label.

IX THE INDICATION OF THE TRADITIONAL REPUTATION OF FOOD

Article 36

1) Food may be marked with the indication "traditional reputation", if it is produced through the use of traditional raw materials or has a traditional composition or has been produced or processed in the traditional way and it is distinguished by its special characteristics regarding other similar food from the same category.

2) Foodstuffs from paragraph 1 of this Article shall be determined with an implemented regulation by the Minister of Agriculture and Forestry.

3) The producers and processors and the Associations of Producers and/or Processors (hereinafter referred to as: Associations) shall have the right to apply for a request to receive the indication "traditional reputation", regardless of the legal form or composition of the Association, which produce or process such food (foodstuffs). The applicants must enclose along with the request a specification for the food product.

4) The Minister of Agriculture and Forestry shall provide conditions and procedure for recognising specific character of food, the contents of the specification and establishes a Commission for issuing the "traditional reputation" indication.

Article 37

1) The Ministry of Agriculture and Forestry keeps a Register Book of food products that refer to the "traditional reputation" indication.

2) The content, form and way of keeping the Register Book from paragraph 1 of this Article, is provided for by the Minister of Agriculture and Forestry.

Article 38

1) The Ministry of Agriculture and Forestry shall issue an official decision about registering in the Register Book from Article 37 of this Act based on the request of the Association, if the compulsory conditions are met.

2) The Ministry of Agriculture and Forestry shall through an official decision erase from the Register Book the food product when it has been established that food product have stopped meeting the compulsory conditions.

X DESIGNATIONS OF ORIGIN AND GEOGRAPHICAL INDICATIONS OF FOOD

1 Designation of Origin

Article 39

- 1) A designation of origin shall be the name of a region, specific place or, in exceptional cases, the name of the country used to describe the food (foodstuff):
 - which originates from that region, the specific place or from that country, and
 - whose quality and characteristics, essentially or exclusively incur under the influence of special natural and human factors of a specific geographical environment and the production, processing and preparation of which entirety take place in that geographical area.
- 2) By way of derogation from the provisions from paragraph 1 of this Article, the geographical indications that have a proven traditional characteristics, an exceptional reputation and are well known shall be registered as designation of origin, when the raw materials for the food product originate from a wider or different area from the processing area, under the condition:
 - that the area of the production of raw materials is limited,
 - that special conditions exist for the production of the raw materials,
- 3) That the raw materials from paragraph 2 of this Article shall be only live animals, meat and milk.
- 4) The Minister of Agriculture and Forestry establishes those foods which may have the designation of origin with a compulsory regulation.
- 5) Terms and conditions from paragraphs 1 and 2 of this Article and the methods of control are closely determined by shall mean of a compulsory regulation by the Minister of Agriculture and Forestry.

2 The Geographical indication

Article 40

- 1) The geographical indication shall be considered the name of the region, specific place or, in special cases, the name of the country used to describe food:
 - Which originates from that region, the specific place or from that country and,
 - which has specific quality, reputation or some other characteristic which is assigned to its geographical origin, and the production and/or processing and/or preparation of which take place in that geographical area.
- 2) The food that may have the geographical indication shall be determined by the Minister of Agriculture and Forestry by a compulsory regulation.
- 3) The areas and conditions from paragraph 1 of this Article and methods of control are closely shall be provided for by a compulsory regulation by the Minister of Agriculture and Forestry.

3 The Registration of Traditional Geographical and Non-geographical Terms

Article 41

Traditional geographical or non-geographical names used for indicating food (food products) that originate from a specific region or another specific place can be registered as designations of origin, if that food product meets the conditions specified in Article 39, paragraph 1 sub-paragraph 2 of this Act.

4 Terms that Cannot Be Registered

Article 42

- 1) The following cannot be registered as an designation of origin or a geographical indication:
- the name which does not meet the requirements provided by this Act,
 - the name whose registration could due to its reputation, familiarity and length of mark usage be misleading to the consumers about the true identity of the food product,
 - the name which is inconsistent with the term of the plant variety or animal breed which may mislead the public and the consumers about the origins of the food product concerned,
 - the name which, although it refers to a specific place or specific region in which the food product was originally produced or placed on the market, has become a common name for that product (genericname).
- 2) When establishing if one name has become generic in the sense of the provisions of paragraph 1, sub-paragraph 4 of this Article, all factors have to be considered, especially the existing situation in the geographical area from which this name originates and the areas where this product is used.
- 10) During the period of protection, registered names cannot become generic names.

5 Registration Procedure

Article 43

- 1) The procedure for the registration of designation of origin or geographical indications shall be carried out by the Ministry of Agriculture and Forestry.
- 2) The procedure set out in paragraph 1 of this Article shall begin by submitting a registration application.
- 3) In the procedure from paragraph 1 of this Article the reimbursement of costs for the procedure shall be paid as provided by the Minister of Agriculture and Forestry.
- 4) A complaint cannot be filed against the official decisions and conclusions established in the procedure from paragraph 1 of this Article, however an administrative lawsuit can be filed.
- 5) The Minister of Agriculture and Forestry shall establish a Commission for the registration of designation of origin and geographical indications.

Persons Authorised for Submitting the Registration Application

Article 44

- 1) The registration application for the designation of origin or geographical indications for an individual food product may be submitted by a group of producers and/or processors of that product.
- 2) The term group from paragraph 1 of this Article shall include every association of producers and/or processors of a specific food product (hereinafter referred to as: Association), regardless of the legal status that Association may have.
- 3) An individual producer and/or processor, regardless of whether it is a legal or natural person, may submit a request from paragraph 1 of this Article only if:
- during the period that the request is submitted he is the only producer, the respective processor of the food product for which he is requesting the registration of the designation of origin or geographical indication in a specific geographical area;
 - it is the only one using authentic and unchangeable local procedures;

- the geographical area has characteristics that greatly differ from the characteristics of neighbouring areas and/or if the characteristics of the product are different.

The Contents of the Registration Form

Article 45

- 1) The registration form shall contain:
 - a registration request for designation of origin or geographical indication containing, in particular: information about the applicant, including information about the Association submitting the request and about each individual producer, the respective processor who is a member of that Association, with evidence showing that the conditions have been met which are provided by this Act;
 - the specification of the product.
- 2) Information that the request contains and the content of the specification from paragraph 1 of this Article shall be closely determined by a compulsory regulation by the Minister of Agriculture and Forestry.

6 The Geographical Indications and Designation of Origin Registers

Article 46

- 1) The designation of origin and geographical indications shall be entered into the Register of the designation of origin and the respective Register of geographical indications kept by the Ministry of Agriculture and Forestry on the day the official decision on the adoption of the registration request comes into effect.
- 2) The content, form and method of keeping the Register from paragraph 1 of this Article shall be provided for by the Minister of Agriculture and Forestry.

7 The Right to Use Registered Indications

Article 47

- 1) All producers and processors of the food product for which the indication has been registered shall have the right to use registered designation of origin or geographical indication provided they meet the conditions specified by this Act and regulations established and based on this Act (authorised users).
- 2) Authorised users from paragraph 1 of this Article shall have the right to use registered indications only for indicating that product which meets the requirements of the specification from Article 45, paragraph 1, sub-paragraph 2 of this Act.
- 3) It shall be prohibited to use registered indications contrary to paragraphs 1 and 2 of this Article.
- 4) Authorised users from paragraph 1 of this Article shall be entered into the Record Book of Users of Registered Designation of Origin or into the Record Book of Users of Registered Geographical Indications kept by the Ministry of Agriculture and Forestry.
- 5) The procedure of entering and erasing users and the content, form and method of keeping the Record Book from paragraph 4 of this Article shall be determined by a compulsory regulation by the Minister of Agriculture and Forestry.

Article 48

1) The names registered as the designation of origin or geographical indications must not :

- be used for commercial purposes, directly or indirectly, for indicating those food products which are not included in the registration, if such products are comparable to products which are included in the registration, or if the reputation of the protected name is used through such usage;
- misuse, imitate or use for the purpose of creating misunderstandings, even if the true origin of the food product is specified, including the usage of the protected name in the translation or accompanied by such expressions as: «style», «type», «method», «produced in», «imitation» and similar;
- be used in a way which creates misunderstandings about the origins, authenticity, sort or crucial characteristics of the food product on the inner or outer packaging, the advertising material or on the documents regarding the product also on the container of the packaged products which could draw the wrong conclusion about its origins;
- be used in any other way that could mislead the public about the true origins of the food product.

2) If the registered name contains in itself the name of the food product which is considered to be a generic name, the usage of that generic name on the appropriate food products shall not be considered to be the type of usage described in paragraph 1, sub-paragraphs 1 and 2 of this Article.

8 Relations Towards Trade Marks

Article 49

The registered designation of origin or geographical indication bears no influence on the value and the usage of the trade mark which was in good faith registered before the date the registration request for that indication had been filed.

9 International Registration

Article 50

1) The international registration of designation of origin or geographical indications shall be carried out based on the international agreement on the mutual protection of designation of origin and geographical indications, which is binding on the Republic of Croatia.

2) An unregistered term or one no longer used in the country of its origins, cannot be registered as an designation of origin or a geographical indication in the Republic of Croatia

10 The Civil Law Protection

Article 51

The provisions of the Act which determines the geographical indications of the product and services shall be applied to the civil law protection of the registered designations of origin or geographical indications.

XI DECLARATION OR LABELLING AND ADVERTISING OF FOOD

General Requirements for Declaration or Labelling of Food

Article 52

1) The food placed on the market of the Republic of Croatia must have a declaration.

2) The declaration shall include all written indications (any words), particulars, registered trad mark, brand name, pictorial matter or symbol relating to food, and is placed on the packaging, a label or tag, on the documents, notifications accompanying or referring to such food.

3) The declaration must be written in Croatian, in Latin script, must be visible, legible and understandable.

4) The declaration must contain the following information:

- the name of the food under which it is sold;
- the list of ingredients;
- the quantity of certain ingredients or the category of the ingredients;
- the net quantity for the prepackaged food;
- the durability date;
- storage conditions, where necessary, whether they can influence on the duration of the food, respectively;
- the name and address of the producer or the person who packages the food and/or places it on the market;
- for imported products, the name and address of the producer, the name and address of the importer's head office and the country of origin;
- particulars about the place of origin if the absence of this information could be misleading for the consumer about the true origins of the food;
- instructions for use where necessary for proper handling;
- for beverages containing more than 1,2% vol. of alcohol, the actual alcoholic strength by volume.

Food Inappropriate for the Market

Article 53

1) It shall be prohibited to place on the market food which is inappropriate for the market.

2) Food shall be considered to be inappropriate if:

- The declaration does not have a durability date provided for by the producers, if the durability date is illegible or if it has run out;
- The components of the nutritious substances in the food do not correspond with the indications on the declaration;
- It contains approved substances or ingredients bigger or smaller quantities than those prescribed in the enforced regulations.

The Declaration or Labelling of Food

Article 54

1) The information on the declaration and method of food labelling must not be misleading for the consumer, particularly:

- regarding the food characteristics, its nature, identity, properties, composition, quantity, durability, origin, method of its manufacture or production;
- regarding the attribution of effects and characteristics to the food that does not have them;

- by creating misconceptions that the food has some special characteristics when in fact all similar food has such characteristics.
- 2) Declaration and methods of labelling must not attribute to any food the property of preventing, treating or curing a human disease, or refer to such properties.
- 3) Prohibitions and restrictions from paragraph 1 of this Article shall also refer to:
 - the presentation of food, especially its shape, appearance or packaging, the materials used for the packaging, the method and place on which it is displayed and exhibited;
 - food advertising.

The Regulations on Food Labelling

Article 55

- 1) The Minister of Agriculture and Forestry in accordance with the Minister of Health shall adopt an enforced regulation which shall provide the method of declaring or labelling, presentation and advertising and specifying the nutritional values of food.
- 2) The Minister of Health shall establish the enforced regulation by which he provides for the labelling of food for special dietary needs (dietary foodstuff) in accordance with the food regulations.
- 3) The Minister of Agriculture and Forestry shall provide for special labelling of products of animal origin pursuant to this Act and the veterinary regulations.
- 4) The Minister of Agriculture and Forestry, the respective Minister of Health upon establishing the regulations from paragraphs 1,2 and 3 of this Article can specify:
 - that certain information regarding food be put on the declaration for prepackaged food or specified in some other way for food which is not packaged;
 - that special information regarding food be labelled in another way;
 - that common meanings of terms under which the food is placed on the market are established;
 - specific requirements regarding the declaration or labelling of specific group of products.

Advertising Alcoholic Beverages

Article 56

- 1) It shall be prohibited to advertise alcoholic beverages through the press, the public media, all forms of advertising in public places, objects and traffic vehicles, books, magazines, calendars and clothes, also stickers, posters and leaflets if those stickers, posters and leaflets are separated from the packaging of the alcoholic beverages.
- 2) By way of derogation from paragraph 1 of this Article, advertising of beer, wine and fruit wine shall be permitted in accordance with a specific regulation.
- 3) Advertising from paragraph 1 of this Article shall be considered to be all forms of direct and indirect advertising, including the distinguishing of the name of the producer of the alcoholic beverages for advertising purposes including the distribution of alcoholic beverages for advertising purposes.
- 4) The provision of paragraph 1 of this Article shall not refer to professional books, magazines and other professional publications which publish information about the characteristics of alcoholic beverages if those professional publications are intended exclusively for the producers or the vendors of those products.
- 5) The provision of paragraph 1 of this Article shall not refer to the situation of consumer's being informed about the characteristics of alcoholic beverages in objects in which they are sold.

6) The Minister of Health shall establish an enforced regulation by which he shall specify the conditions and methods of informing the consumers about the characteristics of alcoholic beverages which isn't considered to be advertising in the sense specified in paragraph 1 of this Article.

The Declaration or Labelling of Novel Foods

Article 57

1) Novel foods placed on the market of the Republic of Croatia, apart from the general declaration or labelling requirements from Article 42 of this Act, must also contain on the declaration additional special information to keep the consumers informed about all the characteristics and food properties by which the novel food or its ingredient no longer corresponds to the existing food or food ingredient.

2) In that case the declaration must contain information about the modified characteristics or properties including the method by which that characteristic or property was obtained.

3) The food and food ingredients containing or consisting of GMOs, must have a visible indication that it contains or consists of GMOs including the name of GMO.

4) The indication must clearly indicate "genetically modified organism" or contain the sentence "This product contains genetically modified organism."

5) The food and food ingredients originating from GMOs but not containing them must have a visible indication that they originate from GMOs

6) The indication must contain the sentence "This product originates from GMO".

7) The requirements regarding the labelling of novel foods shall be provided for by an enforced regulation by the Minister of Health in agreement with the Minister of Agriculture and Forestry.

XII OFFICIAL CONTROL OF FOOD SAFETY AND HYGIENE

Official Control of Food Safety and Hygiene

Article 58

Official control of food safety and hygiene includes one or more of the following activities:

- inspection;
- sampling and analysis;
- examination of declarations, documentation and official records;
- examination of records from Article 28 of this Act;
- examination of enforcement and effectiveness of the self-control system of the establishments based on the inspection of the records and documentation specified in Article 29 of this Act.

The Competent Inspections

Article 59

1) The inspectoral control for the purpose of official control of safety and hygiene of food shall be enforced by sanitary inspectors and border sanitary inspectors, the respective veterinary inspectors and border veterinary inspectors and other state officials who are authorised by the competent Minister.

2) The inspectoral control from paragraph 1 of this Article shall be enforced pursuant to the provisions of this Act and specific regulations if they are not contrary to the provisions of this Act.

The general Principles of Inspectoral Control

Article 60

1) The inspectoral control of food safety and food hygiene from Article 59 of this Act shall be carried out:

- Regularly and in accordance with the priorities established by the risk assessment;
 - Always when there is reason to believe that the provided requirements have not been met.
- 2) Inspectoral control shall be carried out using means proportionate to the end to be observed.
- 3) Inspectoral control must cover all stages of production, processing and distribution.
- 4) Inspectoral control should be enforced without being previously announced.

The Contents of Inspectoral Control

Article 61

The following shall be subject to inspectoral control which is carried out for the purpose of official control of food safety and hygiene:

- the position of the establishment - locations, state and use of the establishment, the office, the environment, the production plants, transportation vehicles used in the foodbusiness, especially the conditions established in Articles 22 and 26 of this Act;
- an inspection of health and hygienic state of the personnel and objects that come in direct contact with food;
- raw materials, ingredients, technological aids and other substances used in the preparation and production of food;
- semi-finished products;
- ready made food;
- cleaning and maintenance substances used in procedures that are applied in the food business;
- processes used for the manufacture or processing of food;
- canning methods.

Sampling for Laboratory Analysis

Article 62

1) For the purpose of official control of food safety samples of raw materials, ingredients, technological aids and other substances used in the preparation and production of food, semi-finished products, ready food, objects that come in direct contact with food

including substances for cleaning and maintenance that are used in the food trade can be taken.

2) The food business operators must for the purpose of sampling enable free access to the necessary quantities of food, objects and substances from paragraph 1 of this Article.

XIII OFFICIAL CONTROL OF FOOD QUALITY

Official Control of Food Quality

Article 63

Official control of food quality shall include one or more of the following activities:

- inspection ;
- sampling and analysis;
- examination of the contents of declarations, written materials and documents.

The Competent Inspections

Article 64

1) Inspectoral control for the purpose of official control of food quality shall be enforced in retail.

2) Inspectoral control from paragraph 1 of this Article shall be enforced by the sanitary, the respective veterinary inspectors depending on the authorities established in Annex 1 of this Act.

3) The examination of the contents of the declaration for the purpose of official control of food quality in retail shall be carried out by economic inspectors of the State Inspectorate. In exceptional cases that imply the possibility of violation of the provisions on food quality, the economic inspectors of the State Inspectorate can while inspecting the contents of the declaration also implement sampling and analysis.

4) By way of derogation from paragraph 1 of this Article, the inspectoral control for the purpose of official control of quality of food with a protected geographical indication, designation of origin and indication of traditional reputation, including the food for which this has been provided for by a specific regulation shall be implemented also in production.

5) The inspectoral control in production and retail for the purpose of official control of quality of food with a protected geographical indication, a designation of origin and an indication of traditional reputation shall be implemented by the economic inspectors of the State Inspectorate.

6) The Minister of Agriculture and Forestry can authorise legal persons for estimating the conformity of production and processing of food and products with a geographical indication, a designation of origin and an indication of traditional reputation.

7) The Minister of Agriculture and Forestry, in accordance with the Director of the State Bureau for Standardisation and Metrology shall issue an enforced regulation which determines the system of determining the conformity and the conditions which must be met by the legal persons in order to implement the procedure of estimating the conformity from paragraph 5 of this Article.

The General Principles of Inspectoral Control

Article 65

1) Inspectoral control for the purpose of official control of food quality shall be implemented:

- regularly;
- inspectoral control shall be carried out using means proportionate to the end to be observed.

2) Inspectoral control should be implemented without it being previously announced.

The Contents of Inspectoral Control

Article 66

1) Inspectoral control from Article 64, paragraph 2 of this Act which shall be implemented for the purpose of official control of food quality includes:

- the verification of the information and meeting the compulsory requirements regarding the declarations or indications, including the claims on the characteristics of the food based on the written material and documents including the declaration of food;
- inspecting the composition of finished food products.

2) The inspectoral control from Article 64 paragraph 3 of this Act which is being implemented for the purpose of official control of food quality includes the inspection of the declaration for the purpose of checking the general declaration requirements specified in Article 52, paragraphs 1, 3 and 4 of this Act, and as an exception the inspection of the composition of finished food products.

3) The inspectoral control from Article 64, paragraph 64 of this Act which is being implemented for the purpose of official control of food quality includes:

- the control of production and processing conditions when regarding food quality;
- the control of the origins of raw materials and ingredients used in the production and preparation of food;
- the control of food composition;
- the control of technological procedures applied in the production and preparation of food;
- inspections of declarations, written materials, records and documents.

Sampling for Laboratory Analysis

Article 67

1) For the purpose of official control of food quality in retail trade, sanitary, the respective veterinary inspectors can for purposes of laboratory analysis take food samples.

2) For the purpose of official control of food quality set out in the Article 64, paragraphs 3 and 4 of this Act, economic inspectors of the State Inspectorate can for purposes of laboratory analysis take food samples.

3) Food business operators must for the purpose of sampling enable free access to the necessary food quantities from paragraphs 1 and 2 of this Article.

XIV GENERAL PROVISIONS GOVERNING THE OFFICIAL FOOD CONTROL

General Provisions

Article 68

1) When the competent inspector during inspectoral control shall discovers or has reason to suspect that there has been a contravention of the provisions of the food regulations, he shall take all the necessary measures to ensure that the contravention is corrected by the food business operator.

2) The owner, proprietor, the responsible person, the employee in the facility or another person that found himself in the facility that the competent inspector has entered must not:

- Keep information from the inspector or not provide the required assistance,
- Consciously give out a false statement.

3) No one must disturb the inspector in the performance of his duties.

4) No one without a written permit from the competent inspector can take any measures determined by the food regulations with the aim of correcting the established irregularities.

5) The competent inspector must implement inspectoral control according to the authorisations, duties and responsibilities given to him by this Act including the specific regulations if they are not contrary to this Act.

Authorisations of the Authorised Inspector

Article 69

The authorised inspector can:

- at any time, even when work operations are being carried out enter in establishment he considers to be a place where food is produced, processed, packaged or stored and conduct inspectoral control in order to establish the existence, nature and scope of any business concerning food;
- prohibit the use of space, machines, equipment, plants and tools in the establishment;
- inspect any food in any establishment that he considers to be subject to the food provisions, take samples of food and inspect anything that he considers to be used or could be used for the production of food;
- prohibit import of unsafe food and determine the procedures when dealing with such food;
- stop, search or detain a vehicle, ship or airplane that he believes to be carrying food, examine the food and take samples of the food;
- open and inspect a container or package that he believes contains food, examine the contents and take samples;
- request examination of books, documents or other records kept in any medium that he believes contains any information that is important for implementing the provisions of this Act regarding any sort of food, make copies or take extracts from those documents;
- seize and keep the food if he believes that the provisions of this Act or the conditions of the approval issued pursuant to this Act have been violated;
- perform another activity for which he is authorised through specific regulations.

Duties of the Authorised Inspector

Article 70

The authorised inspector during the process of enforcing the authorisation determined in Article 69 of this Act and upon the request of the person that those actions regard must:

- return the food which he confiscated when it is certain that it meets the requirements of the provisions of this Act;
- if the food does not meet the requirements of the provisions of this Act and if the owner or proprietor of the food agrees to have it destroyed or eliminated, determine a way of eliminating or destroying it;
- to determine the measures for harmless destruction of food/feed containing genetically modified organisms;
- if he does not receive approval from sub-paragraph 2 f this Act, after a written notice has been delivered to the owner or proprietor, he must organise the destruction or elimination of that food.

The responsibilities of the authorised inspector

Article 71

No information regarding the business of the food business operators which has been obtained during official controls by the authorised inspector or which refers to risk analysis must be revealed without written consent of the food business operators, except in cases when:

- it is crucial for the enforcement of this Act and when it has been approved by the Minister of Agriculture and Forestry, the respective Minister of Health;
- it is necessary in order to conduct the procedure based on a submitted report after the inspectoral control has been carried out.

The Annual Programme of Inspections and Reports

Article 72

1) In order to carry out inspectoral control, annual programs for enforcing official controls shall be developed which contain the following:

- the number and type of inspectoral controls that are going to be carried out;
- the number and type of establishments that will be included in the inspectoral control;
- the criteria applied to the development of the program;
- the required financial assets.

2) In order to conduct inspectoral control, annual reports on the conducted official controls shall be developed which contain the following:

- the number and type of carried out inspectoral controls;
- the number and type of establishments in which the inspectoral control was carried out;
- information on violations and criminal offences;
- the measures taken in cases where the requirements determined and based on this Act were not met.

3) The programs and reports from paragraphs 1 and 2 of this Act regarding official control of food safety shall be developed by the Ministry of Agriculture and Forestry and the Ministry of Health, depending on the responsibility, and are approved by the Management Board of the Croatian Food Agency.

4) The programs and reports from paragraphs 1 and 2 of this Act regarding the official control of food quality shall be developed by the Ministry of Health, the Ministry of Agriculture and Forestry, and the State Inspectorate and are approved by the Management Board of the Croatian Food Agency.

XV THE AUTHORISED TESTING AND REFERENCE LABORATORIES

The Authorised Testing Laboratories

Article 73

1) Laboratory analyses of the samples from Articles 20, 62 and 67 of this Act, taken for the purpose of official food control, shall be carried out by laboratories authorised by the Minister of Agriculture and Forestry and the Minister of Health, depending on the responsibility.

2) The samples shall be taken and delivered to an authorised testing laboratory by the authorised inspector.

3) The costs of the performed analyses of food produced in the Republic of Croatia shall be covered by the competent authority and if the food does not meet compulsory requirements based on this Act and/or the information specified on the declaration, the food business operator who either produces and/or places the food on the market shall cover the costs.

4) The list of testing laboratories which states the type of laboratories and the analyses they are authorised to perform shall be published in the Official Gazette once a year.

Article 74

1) The authorised testing laboratories from Article 73, paragraph 1 of this Act can be authorised to perform the following:

- basic activities;
- specialised activities;
- specialised activities with the possibility of issuing international certificates.

2) Testing laboratories authorised to perform the basic activities must meet the conditions determined by the enforced regulations which are based on this Act and which shall be adopted by the Minister of Agriculture and Forestry, the respective Minister of Health.

3) The testing laboratories authorised to perform specialised activities must meet the conditions determined by good laboratory practice.

4) The testing laboratories authorised to perform specialised activities to issue international certificates must meet the conditions determined by the appropriate standards and must be accredited by an independent institution.

5) The Minister of Agriculture and Forestry, the respective Minister of Health can also determine special conditions that must be met by the testing laboratories from paragraph 1, sub-paragraphs 2 and 3 of this Article.

6) The assessment and authorisation procedure of testing laboratories from paragraph 1 of this Article shall be regulated by the Minister of Agriculture and Forestry, the respective Minister of Health through enforced regulations with the opinion of the Director of the State Bureau of Standardisation and Metrology. The accreditation, assessment and authorisation of testing laboratories can refer to individual analysis or groups of analyses and for particular kind of foodstuffs .

7) The authorised testing laboratories must participate in the appropriate programs of testing of qualification.

Reference Laboratories

Article 75

1) For each analysis performed for the purpose of official control of food safety or the quality of food, the Minister of Agriculture and Forestry, the respective Minister of Health shall authorise one laboratory as a reference laboratory for that analysis. One laboratory can be a reference laboratory for more analyses.

2) The reference laboratories must meet the conditions determined by the appropriate standards and must be accredited by an independent institution.

3) The reference laboratories from paragraph 1 of this Article shall:

- counsel the Ministry of Agriculture and Forestry and the Ministry of Health, depending on the responsibility, when authorising laboratories equipped to perform analyses for the purpose of official control;
- coordinate and offer support, including training and other services for laboratory activities concerning technical standards and methodologies of analyses which they perform;
- organise matched tests of standardised samples and participate in them on a national and international level for the purpose of monitoring the qualifications of the testing laboratories;
- make sure that the laboratories use the inner system of the work quality insurance (including evaluation methods, keeping records, storage of reagents, the safety and routine calibration of equipment).

4) The costs of financing reference laboratories for performing the activities stated in paragraph 3 of this Article shall be covered by the Ministry of Agriculture and Forestry, the respective Ministry of Health.

5) The list of reference laboratories which specifies the analyses for which they are authorised as reference laboratories to perform, shall be published in the "Official Gazette" once a year.

XVI CRISIS AND EMERGENCY MANAGEMENT

Urgent Measures for Ensuring Food Safety

Article 76

1) When the competent Ministers from Article 16 of this Act shall establish that the food presents a serious hazard for the health of the people or the environment and that such a risk cannot be eliminated in a satisfactory way, they can depending on the gravity of the situation order one or more measures from paragraphs 3 and 4 of this Article.

2) The competent Minister can order the measures from paragraphs 3 and 4 of this Article without the accordance or opinion of another Minister, if the urgency of the situation does not allow it to be any different.

3) If the food is of domestic origins, the measures from paragraph 1 of this Article can be::

- the temporary prohibition of placing on the market or using the food;
- determining special conditions for the specified food;
- determining the measures for harmless elimination of the specified food;
- other, appropriate temporary measures.

4) If the food originates from import, the measures from paragraph 1 of this Article can be:

- the temporary prohibition of import of food from the exporting country or parts of the exporting country or the country of transit;
- determining special measures for the specified food from the exporting country or parts of the exporting country or the country of transit;
- determining the measures for harmless elimination of the specified food;
- other, appropriate temporary measures.

The General Plan for Crisis Management

Article 77

1) The Croatian Food Agency in cooperation with the Ministry of Agriculture and Forestry and the Ministry of Health shall construct a general plan for dealing with a crisis in the field of food safety.

2) The plan from paragraph 1 of this Article, adopted by the Government of the Republic of Croatia shall determine the types of risks originating from food which can directly or indirectly be hazardous for the health of the people and which are not likely to be eliminated or reduced to an acceptable level through the application of the existing provisions of this Act or which cannot be regulated in the appropriate way through the application of the provisions from chapter XII of this Act.

3) The plan from paragraph 1 of this Article shall determine the practical procedures which are crucial when dealing with a crisis, including the organisation of a crisis unit in the competent authorities, equipping it with staff through the application of the principles of transparency and determining the communication strategy between the Croatian Food Agency, the Ministry of Agriculture and Forestry, the Ministry of Health, other competent state bodies and institutions, the consumers and the food business operators.

XVII FEED

Requirements Regarding Feed Safety

Article 78

1) It shall be prohibited to place unsafe feed on the market.

2) Feed shall be considered to be unsafe for usage if it is harmful for the health of the animals that produce food or are used in the production of food; therefore the food produced from these animals is considered to be unsafe for human consumption.

3) When the feed which does not meet the safety requirements is a part of a production series or consignment of the same class of feed, it shall be assumed that all feed in that production series or consignment is so affected, unless after laboratory analysis and super-analysis it is established to be otherwise.

Article 79

1) When there are grounds for suspicion that the feed is unsafe, the Ministry of Agriculture and Forestry shall take measures of restricting the marketing of the feed, its withdrawal from the market respectively.

2) The Minister of Agriculture and Forestry shall adopt enforced regulations which shall determine:

- requirements regarding feed safety;
- hygienic conditions when dealing with feed;
- introduction of the system of self-control and its application on the feed business operators for the purpose of ensuring the safety of the feed being placed on the market;
- conditions regarding professional employees, space and equipment which must be met by the laboratories in order to perform analyses and super analyses of the feed;

- prohibition or restriction of using specific raw materials in the production of feed which originate from specific sources, either according to the animal sort, origins of the meat, its nature, retrospective processing or other characteristics;
- other conditions regarding feed considered to be crucial in order to ensure that the feed meets all the requirements of feed safety.

The Import and Export of Feed

Article 80

1) The provisions of Articles 17 and 18 of this Act shall apply to the import and export of feed in the Republic of Croatia.

2) The feed importer must submit a request for the examination of the feed consignment he is importing to the border veterinary inspector of the Ministry of Agriculture and Forestry to determine the feed safety.

3) The customs office, the respective customs branch office cannot perform the procedure of clearing the feed consignment through customs until the border veterinary inspector establishes the safety of the consignment and with an official decision approves its import.

4) The customs office must within its rights and duties enable the border veterinary inspector access to all documentation and undisturbed control of feed safety.

5) Until the end of the procedure of establishing the feed safety and before the customs procedure, the consignments can be stored in the customs warehouses.

6) The border veterinary inspector, for the purpose of verifying the safety of the feed being imported, shall have the right to take samples and have them analysed in authorised laboratories.

7) The reimbursement of costs for the examination of the consignment, the issuing of the official decision from paragraph 3 of this Article and the costs of laboratory testing are covered by the importer.

The Registration into the Register Book of the Establishments

Article 81

The provisions of the veterinary regulations shall apply to the registration into the Register Book (registration and/or approval) of the establishments in which feed is produced or stored.

The Obligations and Responsibilities of Feed Business Operators

Article 82

The obligations and responsibilities of feed business operators regarding:

- hygiene and feed safety;
- necessary procedures that need to be taken if the feed does not meet the compulsory requirements;
- introduction of the system of self-control in establishments used in the feed business;
- introduction of a system that shall enable feed tracing;

shall be in accordance with commitments and responsibilities of the food business operators provided in Chapter VI of this Act.

Placing on the Market Feed Consisting or Containing GMOs

Article 83

1) For the placing on the market of feed and feed ingredients that consist of or contain GMOs for the first time, the request applicant must obtain an approval that is in accordance with the provisions of this Act and a specific regulation.

2) The approval from paragraph 1 of this Article shall be issued by the Ministry of Agriculture and Forestry and based on the previously obtained scientific opinion of the Croatian Food Agency.

3) The conditions and procedure for issuing the approval from paragraph 1 of this Article shall be provided for by the Minister of Agriculture and Forestry in agreement with the Minister of Environmental Protection and Physical Planning.

4) The Ministry of Agriculture and Forestry shall keep a Register Book on issued approvals for placing feed and feed ingredients containing or consisting of GMOs on the market.

5) The contents form and methods of keeping the Register Book from paragraph 4 of this Article shall be provided for by the Minister of Agriculture and Forestry.

6) The Government of the Republic of Croatia on the proposition of the Ministry of Agriculture and Forestry, the Ministry of Health or the Croatian Food Agency can prohibit temporary or permanent import of feed containing genetically modified organisms if there is a lack of scientific information and knowledge on the possible proportions of negative consequences on the life and health of people.

Harmless Elimination of Feed Containing GMOs

Article 84

Feed and feed ingredients containing or consisting of GMOs, which have been established not to meet the requirements of safety provided by this Act, must be harmlessly eliminated in accordance with the specific regulations.

Declaration or Labelling of Feed

Article 85

Feed declaration must meet the general requirements from Article 52 of this Act and the regulation adopted by the Minister of Agriculture and Forestry.

Declaration and Labelling of Feed Containing or Consisting of GMOs

Article 86

1) Feed and feed ingredients containing or consisting of GMOs placed on the market in the Republic of Croatia, among the general declaration or labelling requirements from Article 52 of this Act must contain on the declaration, packaging and accompanying

documentation a visible indication that it contains or consists of GMOs and which GMO or its contents it contains.

2) The indication must clearly state the following" This products contains a genetically modified organism."

3) More detailed requirements regarding labelling of feed and feed ingredients containing or consisting of GMOs shall be provided for by an enforced regulation by the Minister of Agriculture and Forestry.

Official Feed Control

Article 87

1) Official feed safety and hygiene control shall include activities from Article 58 of this Act.

2) Inspectoral control of feed safety and hygiene control including feed additives shall be conducted by the veterinary and border veterinary inspection.

3) Inspectoral control from paragraph 2 of this Article shall be conducted in accordance with the provisions of this Act and specific regulations if they are not contrary to the provisions of this Act.

4) Inspectoral control from paragraph 2 of this Article must include all levels of production, processing and distribution.

5) The provisions of Articles 60 and 61 of this Act shall be applied to both the inspectoral control and the inspectoral control contents of feed.

6) The general provisions contained in chapter XIV of this Act shall be applied to official feed control.

Taking Samples for Laboratory Analysis of Feed

Article 88

1) Samples of raw materials, ingredients, technological aids and other substances used in the preparation and production of feed, ready feed, objects coming in direct contact with feed including cleaning and maintenance substances used in the feed business can be taken in order to officially control feed safety and for the purpose of laboratory analyses.

2) The feed business operators must for the purpose of sampling, enable free access to the necessary quantities of the feed, objects and instruments from paragraph 1 of this Article.

Authorised Testing and Reference Laboratories

Article 89

1) Laboratory analyses of samples from Article 88 of this Act taken for the purpose of official feed control shall be conducted by testing laboratories authorised by the Minister of Agriculture and Forestry.

2) The samples shall be taken and delivered to the authorised laboratory by the authorised inspector.

3) The costs of the performed analyses of feed produced in the Republic of Croatia shall be covered by the competent authority, if the feed does not meet the requirements provided for and based on this Act and/or the specified information on the declaration, the

costs shall be covered by the feed business operator who produces and/or places it on the market.

4) The list of testing laboratories containing the type of laboratories and analyses for which they are authorised, shall be issued by the Ministry of Agriculture and Forestry in the Official Journal, once a year.

5) The provisions of Article 24 of this Act shall be applied to the authorised testing laboratories from paragraph 1 of this Article.

6) The Minister of Agriculture and Forestry shall appoint one laboratory for each analysis performed for the purpose of official feed safety control as a reference laboratory for that analysis.

7) The reference laboratories must meet the conditions determined by the appropriate standards and must be accredited by an independent institution.

8) The reference laboratories from paragraph 1 of this Article shall:

- council the Ministry of Agriculture and Forestry when authorising the laboratories trained to perform analyses for the purpose of official control;
- coordinate and offer support, including training and other services to the laboratory activities regarding technical standards and methodologies of analyses which they perform;
- organise matched tests of standardised samples and participate in them on a national and international level for the purpose of monitoring the qualifications of the testing laboratories;
- make sure that the laboratories use the inner system of ensuring the work quality (including evaluation methods, keeping records, storage reagents, safety and routine calibration of equipment).

9) The costs of financing reference laboratories for performing the activities specified in paragraph 8 of this Article shall be covered by the Ministry of Agriculture and Forestry.

10) The list of reference laboratories which specifies the analyses they are authorised to perform as reference laboratories shall be issued by the Ministry of Agriculture and Forestry in the Official Gazette, once a year.

Dealing with a Crisis and Emergencies

Article 90

The provisions of Articles 76 and 77 of this Act shall be applied to urgent measures for ensuring feed safety and the construction of a general plan for dealing with a crisis in the field of feed safety.

XVIII THE CROATIAN FOOD AGENCY

General Provisions

Article 91

1) This Act hereby shall establish the Croatian Food Agency (hereinafter referred to as: the Agency). The Agency shall conduct scientific and professional activities in the sense of this Act regarding safety and hygiene of food and feed.

2) The Agency shall serve as a legal person with rights and obligations provided by this Act and the Agency Statute.

3) The head office of the Agency shall be in Zagreb.

4) The Agency shall be entered to the judicial records.

5) The Management Council of the Agency shall adopt a Statute in accordance with the Government of the Republic of Croatia.

6) The Agency shall report to the Government of the Republic of Croatia that exercises rights and obligations of the Republic of Croatia as its founder.

7) The Agency can, with previous authorisation of the Ministry of Agriculture and Forestry and the Ministry of Health, entrust the Croatian National Institute of Public Health and the Croatian Veterinary Institute and other legal persons with public authorities as provided for by the special regulations to perform individual official activities from its scope of activity.

8) The funds for performing the work of the Agency shall be provided from the State Budget of the Republic of Croatia.

9) The Agency shall have its own proceeds from other activities which it organises and implements within the activity.

10) The Agency shall be a non-profit legal person.

11) The means for establishing and starting up the Agency are ensured from the State Budget of the Republic of Croatia for the year 2003 in the amount of 9.000.000,00 kunas.

12) The Institutions Act shall be applied to those issues which are not regulated by this Act.

Activity of the Agency

Article 92

1) The activity of the Agency shall be to analyse risks regarding food and feed safety:

1. within the activities of risk assessment, the Agency shall :

- look for, collects and analyses scientific and technical information for the purpose of characterisation and monitoring of risks that have direct or indirect impact on the hygiene and safety of food and feed and for that purpose it establishes a system of networks of governmental bodies, institutions and other legal persons that are active in the field of food and feed safety;
- in cooperation with the Croatian National Institute for Public Health and the Croatian Veterinary Institute and other authorised legal persons enforce monitoring of food and feed safety;
- perform activities for the purpose of identifying and characterisation the risks that appear regarding food and feed safety;
- develop scientific studies necessary for promoting risk assessments in the field of food and feed safety;
- establish unique methodologies of risk assessment on all levels of production, processing and distribution of food and feed;

2. within the frame of risk communication, the Agency shall:

- inform on the risks and offers professional and scientific opinions to the Ministry of Agriculture and Forestry and the Ministry of Health, the food and feed business operators, the consumers and other legal persons concerning the hazards and safety of food and feed;
- establish a rapid alert system and for that purpose accepts and forwards all information regarding food hazards and establishes a central information system for exchanging information;

3. Within the frame of risk management, the Agency shall together with the Ministry of Agriculture and Forestry and the Ministry of Health coordinate those activities regarding the official control of food and feed safety and the development and formation of regulations in the field of food and feed.

2) Apart from performing the activities from paragraph 1 of this Article, the Agency shall also:

- develop guide books for good production practices, guide books for the application of the HACCP system and guide books for good laboratory practice;

- offer scientific opinion regarding the human nutrition, feed and other issues regarding the animal health and welfare and the plant health;
 - cooperate with international institutions and organisations that deal in issues of food and nutrition.
- 3) The Agency shall perform other activities determined by this Act, Statute and other regulations.

The Bodies of the Agency

Article 93

The Bodies of the Agency shall be:

- Management Board,
- Director,
- Advisory Council
- Scientific Committee and Scientific Panels

The Structure and Mandate of the Management Board

Article 94

1) The Management Board of the Agency shall have seven members, appointed by the Government of the Republic of Croatia upon the joint proposal of the Minister of Agriculture and Forestry and the Minister of Health.

2) The Management Board of the Agency shall consist of the Assistant Minister of the Minister of Agriculture and Forestry for the veterinary issues, the Assistant Minister of the Minister of Agriculture and Forestry for agri-food policy issues, the Assistant Minister of the Minister of Health for sanitary control and the representative of the Croatian Institute of Public Health, and the remaining three members of the Management Board shall be appointed by the Government of the Republic of Croatia on the basis of a public tender.

3) The mandate of the members of the Management Board shall be four years.

4) The President of the Management Board shall be elected by the members of the Board among themselves for the period of three years.

The Tasks and the Way of Operating of the Management Board

Article 95

1) The Management Board of the Agency shall:

- approve and adopt, respectively, the internal regulations of the Agency and its integral parts,
- adopt the opinion about the regulations in the food and feed area laid down by the Ministry of Agriculture and Forestry and the Ministry of Health,
- adopt the financial regulations of the Agency that establish the procedure of the withdrawal of funds and the fulfilment of the Agency's budget from the State Budget, pursuant to the Act on the fulfilment of the State Budget of the Republic of Croatia,
- ensure that the Agency performs its functions and exercises the tasks which are assigned to it pursuant to this Act,

- ensure that the working programmes of the Agency be pursuant to the regulations and the policy of priorities of the Government in the area of food safety and food hygiene,
 - provide the public, with the access to agendas, minutes and other documents from the meetings of the Management Board, including the internal regulations of the Agency, procedural regulations of the Management Board and the financial regulations of the Agency, in as short a period as possible
 - adopt the Programme of activities for a maximum period of four years
 - adopt, before January 31 every year, the Program of Agency's Work for the period until December 31 of the following year,
 - adopt the General Report on the Agency's Work in the previous year, before March 30, every year.
- 2) The Management Board of the Agency adopts decisions by the majority of the votes of its members.
- 3) The Management Board of the Agency meets at the call of the President or the Director or at the joint call or request of three of their members.

The Director

Article 96

- 1) The Director and the Deputy Director of the Agency shall be appointed by the Management Board of the Agency from the candidates that are nominated by the Minister of Agriculture and Forestry, in accordance with the Minister of Health, following a public tender.
- 2) The mandate of the Director and the Deputy Director shall be five years.
- 3) The Director shall manage the Agency's business, represent and act on behalf of the Agency, be responsible for the business and the legality of the Agency's business, submit proposals for the Agency's documents to the Management Board, with the purpose of their adoption, fulfill the decisions of the Management Board, and perform other jobs within the competence thereof, pursuant to the Law, Statute or other official acts.

Advisory Council

Article 97

- 1) The Advisory Council shall have thirteen members, including: two representatives of the competent ministry for agriculture and food industry and for veterinary affairs, two representatives of the competent ministry of health, one representative of the competent ministry for environmental protection and eight members from the institutions, associations of consumers, chambers and associations which have interests in the area of hygiene and safety of food and feed.
- 2) The members of the Advisory Council from the ministries shall be appointed by the Management Board upon proposal of the competent ministers, and the other members shall be selected on the basis of a public tender.
- 3) The members of the Advisory Council may not be the members of the Management Board, Scientific Committee or Scientific Panels.
- 4) The Advisory Council shall advise the Director on conducting the Agency's business.
- 5) The tasks and the way of working of the Advisory Council, headed by the Director of the Agency, shall be laid down by the Statute and other general official acts of the Agency.

Scientific Committee and Scientific Panels

Article 98

1) The Agency shall have the Scientific Committee and Scientific Panels, as expert bodies for determining scientific opinions within the scope of the Agency.

2) The scope and the number of the members of the Scientific Committee, and the scope, number of the scientific panels with the number of its members, the procedure and the way of working shall be laid down by the Statute and other general official acts of the Agency, pursuant to the international rules and regulations.

Scientific Opinions

Article 99

1) The Scientific Committee shall provide scientific opinions :

- At the request of the Management Board, in relation to any issue within its competence, and in all cases for which the national legislation provides for the consultation with the Scientific Committee,
- At its own initiative, about the issues within its competence.

2) The requests set out in the paragraph 1, subparagraph 1 of this Article must be accompanied by all necessary information explaining which scientific issue is addressed.

3) The Scientific Committee shall issue its scientific opinion within the period which is set out in the request for the opinion, except if objective circumstances prevent it.

4) If more different requests were submitted in relation to the same issue, or if the request is not pursuant to the paragraph 2 of this Article, if it is unclear, or if the Scientific Committee has already given its opinion about a particular issue and concluded that there is no new information that should be considered, it can either refuse the request, or propose that it be changed or amended in agreement with the Director. The refusal must be explained to the Management Board.

Remunerations and Expenses

Article 100.

The members of the Management Board, Advisory Council, Scientific Committee and Scientific Panels of the Agency shall be entitled to the remuneration for their work and the compensation for the work-related expenses, and the amount of the compensation and remuneration is established by the Government of the Republic of Croatia.

XIX. PENAL PROVISIONS

Article 101

1) Any legal person shall be punished by a fine of 100.000,00 to 500.000,00 kn if:

- It places novel foods on the market contrary to the Article 31 (1) of this Act,
- Declares or labels novel foods contrary to the Article 57 of this Act,
- Places feed on the market contrary to the Article 83 (1) of this Act,

- Declares or labels feed contrary to the Article 86 of this Act.

2) For the offences set out in the paragraph 1 of this Article, the person responsible within the legal person shall be punished by a fine from 5.000,00 to 10.000,00 kn.

3) For the offences set out in the paragraph 1 of this Article, a physical person shall be punished by a fine of 5.000,00 to 10.000,00 kn.

Article 102

1) Any legal person shall be punished for the offence by a fine of 50.000,00 to 100.000,00 kn, if it:

- Places food on the market contrary to the Article 11 (2) of this Act,
- Imports food contrary to the Article 17 (1) of this Act,
- Performs its business in an unregistered establishment contrary to the Article 22 (2) of this Act,
- Performs actions contrary to Article 27 of this Act,
- Performs actions contrary to the Article 29 (1), (2) and (5) of this Act,
- Places feed on the market contrary to the Article 78 (1) of this Act.

2) For the offences set out in the paragraph 1 of this Article, the person responsible within the legal person shall be punished by a fine from 5.000,00 to 10.000,00 kn.

3) For the offences set out in the paragraph 1 of this Article, a physical person shall be fined by a fine from 5.000,00 to 10.000,00 kn.

Article 103

1) A legal person shall be punished by a fine of 30.000,00 to 70.000,00 kn , if it:

- Performs the actions contrary to the Article 15 (2) of this Act,
- Performs its activity in an unregistered establishment contrary to the Article 22 (1) of this Act,
- Performs the actions contrary to the Article 25 (1) of this Act,
- Performs the activities contrary to the Article 28 of this Act,
- Uses the indication «traditional reputation» contrary to the Article 36 of this Act,
- Uses the geographical indications and designations of origin contrary to the Article 47 (1) and (2) of this Act,
- Performs actions contrary to the Article 48 (1) of this Act,
- Declares food contrary to the Article 52 of this Act,
- Performs activities contrary to the Article 53 paragraph 1 of this Act;
- Declares or labels food contrary to the Article 54 of this Act.

2) For the offences set out in the paragraph 1 of this Article, the person responsible within the legal person shall be punished by a fine from 5.000,00 to 10.000,00 kn.

3) For the offences set out in the paragraph 1 of this Article, a physical person shall be punished by a fine of 5.000,00 to 10.000,00 kn.

Article 104

Any physical person that shall act contrary to the Article 68(2), (3) and (4) of this Act shall be punished for this offence by a fine from 5.000,00 to 10.000,00 kn.

XX. TRANSITIONAL AND FINAL PROVISIONS

Article 105

1) The Minister of Agriculture and Forestry shall, within the period of one year following the day of entering in force of this Act, adopt the regulations pursuant to:

- Article 55 (1) and (3),
- Article 79 (2),
- Article 83 (3) and (5),
- Article 85,
- Article 86 (3) of this Act

2) The Minister of Health shall, within the period of one year following the day of entering in force of this Act adopt the regulations pursuant to:

- Article 15 (3),
- Article 31 (4),
- Article 32 (2),
- Article 55 (2),
- Article 56 (6),
- Article 57 (7) of this Act

Article 106

1) The Minister of Agriculture and Forestry shall, within the period of two years following the day of entering into force of this Act, adopt the regulations pursuant to:

- Article 26 (1),
- Article 35 (2) of this Act.

2) The Minister of Health shall, in the period of two years following the day of entering into force of this Act, adopt the regulations pursuant to the Article 26 (5) of this Act.

3) The Minister of Agriculture and Forestry and the Minister of Health, respectively, shall, within the period of two years following the day of entering into force of this Act adopt the regulation pursuant to:

- Article 16,
- Article 21 (3),
- Article 22 (6) and (12),
- Article 26 (2) and (4),
- Article 29 (6) of this Act.

Article 107

The Minister of Agriculture and Forestry and the Minister of Health shall, within the period of three years following the day of entering into force of this Act adopt the regulations pursuant to:

- Article 36 (4),
- Article 37 (2),
- Article 39 (5),
- Article 40 (3),
- Article 45 (2),
- Article 46 (2),
- Article 47 (5),
- Article 64 (7),
- Article 74 (2), (5), and (6) of this Act.

Article 108

Implementing regulations set out in the Article 105, 106 and 107 of this Act, except for regulations set out in Article 106 (3) (3) and Article 107 (1) to (8) of this Act shall be adopted following the previous opinion of the Agency.

Article 109

1) The Government of the Republic of Croatia shall appoint members of the Management Board of the Agency and the provisional Director of the Agency within the term of three months following the day of entering in force of this Act.

2) The Management Board of the Agency shall be committed to adopt the Statute within the period of four months, and other general documents within the period of six months, respectively, following the day of appointment.

The provisional Director of the Agency shall be committed to make the preparations for the commencement of the work of the Agency and to submit the application for entering the Agency into the court registrar within the period of three months following the day of appointment.

Article 110

The permits for placing on the market novel foods set out in the Article 31 of this Act and feed which contains or consists of GMO, set out in the Article 83 of this Act, shall not be issued until the adoption of the implementing regulations laid down in the Article 31 (4) and Article 83 (3) and (5) of this Act.

Article 111

Until the adoption of implementing regulations pursuant to the Articles 105, 106 and 107 of this Act, the regulations adopted on the basis of the Act on Sanitary Safety and Sanitary Control of Foodstuffs and Objects of General Usage, ("Official Gazette" No 1/97), Veterinary Act ("Official Gazette", 70/97 and 105/01), Act on Standardisation ("Official Gazette", 55/96), Act on Livestock ("Official Gazette", 70/97) and the Act about the geographical indications of products and services ("Official Gazette"; 78/99)

Article 112

On the day of entering in force of this Act, the provisions of the Act on Sanitary Safety and Sanitary Control of Foodstuffs and Objects of General Usage, ("Official Gazette" No 1/97) shall cease to be applicable in its part referring to foodstuffs and objects that come into immediate contact with food.

Article 113

This Act shall enter into force on the eighth day after its publishing in "Official Journal", except for the provisions of the Article 29, Article 74 (4), and Article 75 of this Act which become applicable from the day of expiration of the term of 3 years since the day of entering in force of this Act.

Annex 1
DIVISION OF THE CONTROL COMPETENCE OF THE SANITARY AND VETERINARY INSPECTION

V – VETERINARY INSPECTION - veterinary inspector for production and retail
 - border veterinary inspector upon import

S – SANITARY INSPECTION – sanitary inspector for production and retail
 - border sanitary inspector upon import

Tariff CN Code	DESCRIPTION	PRODUCTION	RETAIL	IMPORT
0201	Meat of bovine animals, fresh or chilled:	V	V	V
0202	Meat of bovine animals, frozen:	V	V	V
0203	Meat of swine, fresh, chilled or frozen:	V	V	V
0204	Meat of sheep or goats, fresh, chilled or frozen:	V	V	V
020500	Meat of horses, asses, mules and hinnies, fresh, chilled or frozen:	V	V	V
0206	Edible offal of bovine animals, swine, sheep, goats, horses, asses, mules or hinnies, fresh, chilled or frozen	V	V	V
0207	Meat and edible offal, of the poultry of heading No 0105, fresh, chilled or frozen	V	V	V
0208	Other meat and edible meat offal, fresh, chilled or frozen:	V	V	V
020900	Pig fat, free of lean meat, and poultry fat, not rendered or otherwise extracted, fresh, chilled, frozen, salted, in brine, dried or smoked	V	S	V
0210	Meat and edible meat offal, salted, in brine, dried or smoked; edible flours and meals of meat or meat offal:	V	S	V
0301	Live fish	V	V	V
0302	Fish, fresh or chilled, excluding fish filets and other fish meat of heading No 0304	V	V	V

Tariff CN Code	DESCRIPTION	PRODUCTION	RETAIL	IMPORT
0303	Fish, frozen, excluding fish filets and other fish meat of heading 0304:	V	V	V
0304	Fish filets and other fish meat (whether or not minced), fresh, chilled or frozen:	V	V	V
0305*	Fish, dried, salted or in brine; smoked fish, whether or not cooked before or during the smoking process; flours, meals and pellets of fish, fit for human consumption:	V	S	V
0306*	Crustaceans (crabs) whether in shell or not, live, fresh, chilled, frozen, dried, salted or in brine; crustaceans (crabs) in shell and cooked by steaming or boiling in water, whether or not chilled, dried, salted or in brine; flours, meals and pellets of crustaceans, fit for human consumption	V	S	V
0307*	Molluscs, whether in shell or not, live, fresh, chilled, frozen, dried, salted or in brine; aquatic invertebrates other than crustaceans and molluscs, live, fresh, chilled, frozen, dried, salted or in brine; flours, meals and pellets of aquatic invertebrates other than crustaceans, fit for human consumption	V	S	V
0401	Milk and cream, not concentrated nor containing added sugar or other sweetening matter	V	S	V
0402	Milk and cream, concentrated or containing added sugar or other sweetening matter	V	S	V

Tariff CN Code	DESCRIPTION	PRODUCTION	RETAIL	IMPORT
0403*	Buttermilk, curdled milk and cream, yoghurt, kephir and other fermented or acidified milk and cream, whether or not concentrated , or containing added sugar or other sweetening matter, or flavoured or containing added fruit, nuts or cocoa:	V	S	V
0404	Whey, whether or not concentrated, or containing added sugar or other sweetening matter; products which consist of natural milk constituents, whether or not containing added sugar or other sweetening matter:, not elsewhere specified or included:	V	S	V
0405*	Butter and other fats and oils derived from milk; dairy spreads:	V	S	V
0406	Cheese and curd:	V	S	V
040700	Poultry and birds' eggs, in shell, fresh, preserved or cooked:	V	V	V
0408*	Poultry and birds' eggs, not in shell and egg yolks, fresh, dried, cooked by steaming or boiling in water, moulded, frozen or otherwise preserved whether or not containing added sugar or other sweetening matter:	V	S	S
04090000	Natural honey	V	S	V
04100000*	Edible products of animal origin, not elsewhere specified or included	V	S	V
05040000	Guts, bladders and stomachs of animals (other than fish), whole and pieces thereof, fresh, chilled, frozen, salted, in brine, dried or smoked	V	S	V

Tariff CN Code	DESCRIPTION	PRODUCTION	RETAIL	IMPORT
0701	Potato, fresh or chilled:	S	S	S
07020000	Tomato, fresh or chilled:	S	S	S
0703	Onion, shallot, garlic, leek and other alliaceous vegetables, fresh or chilled:	S	S	S
0704	Cabbage, cauliflower, kohlrabi, kale and similar edible brassicas, fresh or chilled:	S	S	S
0705	Lettuce (<i>Lactuca sativa</i>) and chicory (<i>Cichorium spp.</i>), fresh or chilled:	S	S	S
0706	Carrots, turnips, salad beetroot, salsify, celeriac, radish and other similar edible roots, fresh or chilled:	S	S	S
070700	Cucumbers and gherkins, fresh or chilled	S	S	S
0708	Leguminous vegetables, shelled or unshelled, fresh or chilled	S	S	S
0709	Other vegetables, fresh or chilled:	S	S	S
0710	Vegetables (un-cooked or cooked by steaming or boiling in water), frozen:	S	S	S
0711	Provisionally preserved vegetables (e.g. by sulphur dioxide gas, in brine, in sulphur water or in other preservative solutions), but unsuitable in that state for immediate consumption:	S	S	S
0712	Dried vegetables, whole, cut, sliced, broken or in powder, but not further prepared:	S	S	S
0713	Dried leguminous vegetables, in peas, peeled, unpeeled or broken:	S	S	S

Tariff CN Code	DESCRIPTION	PRODUCTION	RETAIL	IMPORT
0714	Manioc, arrowroot, salep, Jerusalem artichokes, sweet potato or similar roots and tubers with high starch or inulin content, fresh, chilled, frozen or dried, whether or not sliced or in pellets; the sap of sago pith:	S	S	S
0801	Coconuts, Brazil nuts, cashew nuts, fresh or dried, peeled or unpeeled:	S	S	S
0802	Other nuts, fresh or dried, peeled or unpeeled:	S	S	S
080300	Bananas, including plantains, fresh or dried:	S	S	S
0804	Dates, figs, pineapples, avocados, guavas, mangoes and mangosteens, fresh or dried:	S	S	S
0805	Citrus fruit, fresh or dried:	S	S	S
0807	Melons (including watermelons) and papaws (papayas), fresh:	S	S	S
0808	Apples, pears and quinces, fresh:	S	S	S
0809	Apricots, cherries, peaches, (including nectarines), plums and sloes, fresh:	S	S	S
0810	Other fruit, fresh:	S	S	S
0811	Fruit and nuts, uncooked or cooked by steaming or boiling in water, frozen, whether or not containing added sugar or other sweetening matter:	S	S	S
0812	Fruit and nuts, provisionally preserved (for example by sulphur dioxide gas, in brine, in sulphur water or other preservative solutions), but unsuitable in that state for immediate consumption:	S	S	S

Tariff CN Code	DESCRIPTION	PRODUCTION	RETAIL	IMPORT
0813	Fruit, dried, except for those from tariff numbers 0801 to 0806; mixtures of nuts or dried fruit of this chapter:	S	S	S
08140000	Peel of citrus fruits and melons (including watermelons), fresh, chilled, dried or provisionally preserved in salted water, sulphur water or other preservative solutions.	S	S	S
0901	Coffee, whether or not roasted or decaffeinated; coffee husks and skins, coffee substitutes containing coffee in any proportion	S	S	S
0902	Tea, whether or not flavoured	S	S	S
09030000	Maté	S	S	S
0904	Pepper of the genus <i>Piper</i> ; dried or crushed or ground fruits of the genus <i>Capsicum</i> or the genus <i>Pimenta</i> :	S	S	S
09050000	Vanilla	S	S	S
0906	Cinnamon and cinnamon-tree flowers:	S	S	S
09070000	Cloves (whole fruit, cloves and stems):	S	S	S
0908	Nutmeg, mace and cardamoms:	S	S	S
0909	Seeds of anis, badian, fennel, coriander, cumin or caraway; juniper berries:	S	S	S
0910	Ginger, saffron, turmeric (curcuma), thyme, bay leaves, curry and other spices:	S	S	S
1006	Rice:	S	S	S
110100	Wheat or meslin flour:	S	S	S
1102	Cereal flours, other than wheat or meslin:	S	S	S
1103	Cereal groats, meal and pellets:	S	S	S

Tariff CN Code	DESCRIPTION	PRODUCTION	RETAIL	IMPORT
1104	Cereal grains otherwise worked (e.g.hulled, rolled, flaked, pearled, sliced or kibbled), except rice of heading 1006; germ of cereals, whole, rolled, flaked or ground:	S	S	S
1105	Flour, meal, powder, flakes, granules and pellets of potatoes:	S	S	S
1106	Flour, meal and powder of the dried leguminous vegetables of heading 0713, of sago, or of roots or tubers of heading 0714 or of the products of Chapter 8:	S	S	S
1107	Malt, whether or not roasted:	S	S	S
1108	Starches; inulin:	S	S	S
11090000	Wheat gluten, whether or not dried:	S	S	S
120100	Soya beans, whether or not broken:	S	S	S
1202	Groundnuts, not roasted or otherwise cooked, whether or not shelled or broken:	S	S	S
12030000	Copra	S	S	S
120400	Linseed, whether or not broken:	S	S	S
1205	Rape or colza seeds, whether or not broken:	S	S	S
120600	Sunflower seeds, whether or not broken:	S	S	S
1207	Other oleaginous seeds and fruits, whether or not broken:	S	S	S
1208	Flours and meals of oil seeds or oleaginous fruits, other than those of mustard:	S	S	S
1210	Hop cones, fresh or dried, whether or not ground, powdered or in the form of pellets; lupulin:	S	S	S

Tariff CN Code	DESCRIPTION	PRODUCTION	RETAIL	IMPORT
1212	Locust beans, seaweeds and other algae, sugar beet and sugar cane, fresh, chilled, frozen or dried, whether or not ground; fruit stones and kernels and other vegetable products (including unroasted chicory roots of the variety <i>Cichorium intybus sativum</i>):	S	S	S
12130000*	Cereal straw and husks, unprepared, whether or not chopped, ground, pressed or in the form of pellets:	S	S	V
1214*	Swedes, mangolds, fodder roots, hay, lucerne (alfalfa), clover, sainfoin, forage kale, lupines, vetches and similar forage products, whether or not in the form of pellets:	S	V	V
150100	Pig fat (including lard) and poultry fat, other than that of heading 0209 or 1503:	V	S	V
150200	Fats of bovine animals, sheep or goats, other than those of heading 1503:	V	S	V
150300	Lard stearin, lard oil, oleostearin, oleo-oil and tallow oil, not emulsified or mixed or otherwise prepared:	V	S	V
1504	Fats and oils and their fractions, of fish or marine mammals, whether or not refined, but not chemically modified:	V	S	V
15060000	Other animal fats and oils and their fractions, whether refined or not, but not chemically modified:	V	S	V

Tariff CN Code	DESCRIPTION	PRODUCTION	RETAIL	IMPORT
1507	Soya bean oil and its fractions, whether or not refined, but not chemically modified:	S	S	S
1508	Groundnut oil and its fractions, whether or not refined, but not chemically modified:	S	S	S
1509	Olive oil and its fractions, whether or not refined, but not chemically modified:	S	S	S
151000	Other oils and their fractions, obtained solely from olives, whether or not refined, but not chemically modified, including blends of these oils or fractions with oils or fractions of heading 1509:	S	S	S
1511	Palm oil and its fractions, whether or not refined, but not chemically modified:	S	S	S
1512	Sunflower, safflower or cotton-seed oil and fractions thereof, whether or not refined, but not chemically modified:	S	S	S
1513	Coconut(copra), palm kernel or babassu oil and fraction thereof, whether or not refined, but not chemically modified:	S	S	S
1514	Rape, colza or mustard oil and fractions thereof, whether or not refined, but not chemically modified:	S	S	S
1515	Other fixed vegetable fats and oils (including jojoba oil) and their fractions, whether or not refined, but not chemically modified:	S	S	S

Tariff CN Code	DESCRIPTION	PRODUCTION	RETAIL	IMPORT
1516*	Animal or vegetable fats and oils and their fractions, partly or wholly hydrogenated, inter-esterified, re-esterified, whether or not refined, but not further prepared:	S	S	S
1517*	Margarine, edible mixtures or preparations of vegetable or animal fat or oil of this chapter, other than edible fat or oil or their fractions of heading 1516:	S	S	S
160100	Sausages and similar products, of meat, meat offal or blood: food preparations based on these products:	V	S	V
1602	Other prepared or preserved meat, meat offal or blood:	V	S	V
160300	Extracts and juices of meat, fish, crustaceans, molluscs, or other aquatic invertebrates:	V	S	V
1604*	Prepared or preserved fish, caviar or caviar substitutes prepared from fish eggs:	V	S	V
1605	Crustaceans (crabs), molluscs and other aquatic invertebrates, prepared or preserved:	V	S	V
1701	Cane or beet sugar, and chemically pure sucrose, in solid form:	S	S	S
1702	Other sugars, including chemically pure lactose, maltose, glucose and fructose, in solid form; sugar syrups not containing added flavouring or colouring matter; artificial honey, whether or not mixed with natural honey; caramel:	S	S	S

Tariff CN Code	DESCRIPTION	PRODUCTION	RETAIL	IMPORT
1703	Molasses resulting from the extraction or refining of sugar:	S	S	S
1704	Sugar confectionery (including white chocolate), not containing cocoa:	S	S	S
18010000	Cocoa beans, whole or broken, raw or roasted:	S	S	S
1803	Cocoa paste, whether or not defatted:	S	S	S
18040000	Cocoa butter, fat and oil:	S	S	S
18050000	Cocoa powder, not containing added sugar or other sweetening matter:	S	S	S
1806	Chocolate and other food preparations containing cocoa:	S	S	S
1901	Malt extract; food preparations of flour, groats, meal, starch or malt extract, not containing cocoa or containing less than 40% by weight of cocoa calculated on a totally defatted basis, not elsewhere specified or included:	S	S	S
1902*	Pasta, whether or not cooked or stuffed (with meat or other substances) or otherwise prepared, such as spaghetti, macaroni, noodles, lasagne, gnocchi, ravioli, cannelloni; couscous, whether or not prepared:	S	S	S
19030000	Tapioca and substitutes therefor prepared from starch, in the form of flakes, grains, pearls, siftings or similar forms:	S	S	S

Tariff CN Code	DESCRIPTION	PRODUCTION	RETAIL	IMPORT
1904	Prepared foods obtained by the swelling or roasting of cereals or cereal products (for example, corn flakes); cereals (other than maize) in grain form or in the form of flakes or other worked grains (except flour, groats and meal), pre-cooked or otherwise prepared:	S	S	S
1905	Bread, pastry, cakes, biscuits and other bakers' wares, whether or not containing cocoa; communion wafers, empty cachets of a kind suitable for pharmaceutical use, sealing wafers, rice paper and similar products:	S	S	S
2001	Vegetables, fruit, nuts and other edible parts of plants, prepared or preserved by vinegar or acetic acid:	S	S	S
2002	Tomatoes prepared or preserved otherwise than by vinegar or acetic acid:	S	S	S
2003	Mushrooms and truffles, prepared or preserved otherwise than by vinegar or acetic acid:	S	S	S
2004	Other vegetables prepared or preserved otherwise than by vinegar or acetic acid, frozen, other than products of heading 2006:	S	S	S
2005	Other vegetables prepared or preserved otherwise than by vinegar or acetic acid, not frozen, other than products of heading 2006:	S	S	S

Tariff CN Code	DESCRIPTION	PRODUCTION	RETAIL	IMPORT
200600	Vegetables, fruit, nuts, fruit-peel and other parts of plants, preserved by sugar (drained, glacé or crystallised):	S	S	S
2007	Jams, fruit jellies, marmalades, fruit or nut purée and fruit or nut pastes, obtained by cooking, whether or not containing added sugar or other sweetening matter:	S	S	S
2008	Fruit, nuts and other edible parts of plants, otherwise prepared or preserved, whether or not containing added sugar or other sweetening matter or spirit, not elsewhere specified or included:	S	S	S
2009	Fruit juices (including grape must) and vegetable juices, unfermented and not containing added spirit, whether or not containing added sugar or other sweetening matter:	S	S	S
2101	Extracts, essences and concentrates, of coffee, tea or maté and preparations with a basis of these products or with a basis of coffee, tea or maté; roasted chicory and other roasted coffee substitutes, and extracts, essences and concentrates thereof:	S	S	S
2102	Yeasts (active of inactive); other single-cell micro-organisms, dead (but not including vaccines of heading 3002);	S	S	S

Tariff CN Code	DESCRIPTION	PRODUCTION	RETAIL	IMPORT
2103	Sauces and preparations therefor; mixed condiments and mixed seasonings; mustard flour and meal and prepared mustard; mayonnaise:	S	S	S
2104*	Soups and broths and preparations therefor; homogenised composite food preparations:	S	S	S
210500*	Ice cream and other edible ice whether or not containing cocoa:	V	S	S
2106*	Food preparations not elsewhere specified or included:	S	S	S
2201	Waters, including natural or artificial mineral waters and aerated waters, not containing added sugar or other sweetening matter nor flavoured; ice and snow:	S	S	S
2202	Waters, including mineral waters and aerated waters, containing added sugar or other sweetening matter or flavoured, and other non-alcoholic beverages, not including fruit or vegetable juices of heading 2009: i	S	S	S
220300	Beer made from malt:	S	S	S
2204	Wine of fresh grapes, including fortified wines; grape must other than that of heading 2009:	S	S	S
2205	Vermouth and other wine of fresh grapes flavoured with plants or aromatic substances:	S	S	S

Tariff CN Code	DESCRIPTION	PRODUCTION	RETAIL	IMPORT
220600	Other fermented beverages (for example, cider, perry, mead); mixtures of fermented beverages and mixtures of fermented beverages and non-alcoholic beverages, not elsewhere specified or included:	S	S	S
2207	Undenaturated ethyl alcohol of an alcoholic strength by volume of 80 % vol or higher; ethyl alcohol and other spirits, denaturated, of any strength:	S	S	S
2208	Undenaturated ethyl alcohol of an alcoholic strength by volume of less than 80% vol; spirits, liqueurs and other spirituous beverages:	S	S	S
220900	Vinegar and substitutes for vinegar obtained from acetic acid:	S	S	S
2301	Flours, meals and pellets of meat or meat offal, of fish or of crustaceans, molluscs or other aquatic invertebrates, unfit for human consumption; greaves:	V	V	V
2302	Bran, sharps and other residues, whether or not in the form of pellets, derived from the sifting, milling or other working of cereals or of leguminous plants:	V	V	V
2303	Residues of starch manufact. and similar residues, beet-pulp, bagasse and other waste of sugar manufacture, brewing or distilling dregs and waste, whether or not in the form of pellets:	V	V	V

Tariff CN Code	DESCRIPTION	PRODUCTION	RETAIL	IMPORT
23040000	Oilcake and other solid residues whether or not ground or in the form of pellets, resulting from the extraction of soya-bean oil:	V	V	V
23050000	Oilcake and other solid residues whether or not ground or in the form of pellets, resulting from the extraction of groundnut oil:	V	V	V
2306	Oilcake and other solid residues, whether or not ground or in the form of pellets, resulting from the extraction of vegetable fats or oils, other than those of heading 2304 or 2305:	V	V	V
230700	Wine lees; argol:	V	V	V
230800	Vegetable materials and vegetable waste, vegetable residues and by-products, whether or not in the form of pellets, of a kind used in animal feeding, not elsewhere specified or included:	V	V	V
2309	Preparations of a kind used in animal feeding:	V	V	V
3501	Casein, caseinates and other casein derivatives:	V	S	V
3502	Egg and milk albumins:	S	S	V
3503	Gelatin	V	S	V
3504	Peptones and their derivatives:	V	S	V

NOTE:

1. By the way of derogation from the distribution of the control competence of the sanitary and veterinary inspection shown in the table, in one part of retail the inspectoral control of all food in catering facilities, stationary and ambulant food kiosks and food surveillance during supplying with prepared food (catering) and institutional catering shall be carried out by the sanitary inspection.

2. Pursuant to the Article 19, paragraph 2 of this Act, the Agency shall, in cooperation with the Minister of Agriculture and Forestry and the Minister of Health, within the tariff CN Codes marked by an asterisk (*), determine the products for which the derogations from the inspections shown in the table shall be defined.