

**Requirements and Procedures for the Border Control of Food to be Entered from Third Countries and Materials and Products Intended to Come Into Contact with Food Which Are Not Subject to Official Border Control**

*Issued pursuant to  
Section 21, Paragraph four of the Law on the Supervision of the Handling of Food*

1. The Regulation prescribes the requirements and procedures for the border control of food entered from third countries and materials and products intended to come into contact with food (hereinafter – the goods) which are not subject to official border control in accordance with Article 44 of Regulation (EU) No 2017/625 of the European Parliament and of the Council of 15 March 2017 on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products, amending Regulations (EC) No 999/2001, (EC) No 396/2005, (EC) No 1069/2009, (EC) No 1107/2009, (EU) No 1151/2012, (EU) No 652/2014, (EU) 2016/429 and (EU) 2016/2031 of the European Parliament and of the Council, Council Regulations (EC) No 1/2005 and (EC) No 1099/2009 and Council Directives 98/58/EC, 1999/74/EC, 2007/43/EC, 2008/119/EC and 2008/120/EC, and repealing Regulations (EC) No 854/2004 and (EC) No 882/2004 of the European Parliament and of the Council, Council Directives 89/608/EEC, 89/662/EEC, 90/425/EEC, 91/496/EEC, 96/23/EC, 96/93/EC and 97/78/EC and Council Decision 92/438/EEC (Official Controls Regulation) (hereinafter – Regulation 2017/625).
2. The Food and Veterinary Service (hereinafter – the Service) shall perform border control of the goods in accordance with the procedures laid down in Articles 44, 45 and 46 of Regulation 2017/625.
3. The Service shall perform border control at border control posts which comply with the requirements laid down in Article 64(1) and Article 64(3) of Regulation 2017/625 and laws and regulations regarding border crossing points and checks to be performed therein within the prescribed time period.
4. Border control shall be performed for the goods which are intended for distribution in the European Union, except if:
  - 4.1. the control of goods has been performed by a competent authority of another Member State;
  - 4.2. the goods are a part of passenger's personal luggage and are intended for personal use;
  - 4.3. the consignment of goods is intended for natural persons and the goods are not intended to be placed on the market;
  - 4.4. the goods are in vehicles which are a part of international traffic and are not unloaded, and they are intended for use by crew or passengers;

- 4.5. the weight of goods does not exceed 30 kilograms and the goods are:
  - 4.5.1. trade or laboratory samples or exhibits which are not intended to be placed on the market;
  - 4.5.2. intended for scientific purposes;
- 4.6. the consignor of goods is a Member State of the European Economic Area or the European Free Trade Association.

5. The consignment of goods subject to border control is a set of products under the same invoice, bill of lading or any other commercial document for carrying out the customs formalities and which is transported from one consignor to one consignee in one of these ways:

- 5.1. with one road vehicle;
- 5.2. in one or more wagons of one train of one train composition;
- 5.3. in one or more containers on the same ship.

6. The Service shall:

6.1. control the compliance of goods with the requirements laid down in legal acts of the European Union and laws and regulations of the Republic of Latvia regarding the quality of food, classification, marking, food safety and hygiene of food (hereinafter – the laws and regulations governing the handling and supervision of food);

6.2. for the consignments of goods:

6.2.1. always perform the documentary check referred to in Article 3(41) of Regulation 2017/625;

6.2.2. perform identity and physical check referred to in Article 42 and 43 of Regulation 2017/625 depending on the risk to the health of humans, animals or plants or the risk on animal welfare, and in case of genetically modified organisms (GMO) and plant protection products – also on the environment;

6.3. register results of the border control using the information management system for official controls (hereinafter – the information management system) referred to in Article 131 of Regulation 2017/625;

6.4. inform the person responsible for the consignment or representative thereof and the custom service of the decisions taken by issuing a common sanitary entry document (hereinafter – the entry document);

6.5. collect charges on the border control of the goods in accordance with the laws and regulations regarding the procedures for calculating payment and paying for the activities of official supervision and control activities performed by the Service, and paid services.

7. The person responsible for the consignment shall ensure:

7.1. the submission of prior notification on the information management system by filling in the first part of the entry document in the official language at least 24 hours before planned presenting of the consignment to the border control;

7.2. the presentation of the consignment to the border control;

7.3. the compliance of goods with the requirements laid down in laws and regulations regulating the handling and supervision of food;

7.4. the transportation of products in accordance with the requirements laid down in Chapter IV of Regulation (EC) No. 852/2004 of the European Parliament and of the Council of 29 April 2004 on the hygiene of foodstuffs;

7.5. the veracity of the information provided in the entry document and the authenticity of the added documents;

7.6. access to all parts of the consignment upon partially or completely unloading the consignment under a request of the Service;

7.7. payment for the activities of border control in accordance with laws and regulations on the procedures for calculating payment and paying for the activities of statutory supervision and control operations performed by the Service, and paid services.

8. The State Revenue Service shall decide on the release of goods under the requested customs procedure in accordance with the decision of the Service referred to in part two of the entry document.

Prime Minister

A. K. Kariņš

Minister for Agriculture

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