



## Hygiene Controls for Imported Foods

### Introduction

World trade in food is significant both in terms of monetary value and volume. Imported food makes up a large part of the UK diet and about 50% of food consumed in the UK is from countries outside the UK. Imported foods can sometimes pose risks to public health and a high proportion of recorded food incidents are due to imports. Ensuring safety, legal compliance, consumer protection and choice is vital.

Therefore, import requirements for food have to be imposed for public health reasons. Food is regulated across the European Union (EU) under the principle 'from farm to fork'. As a food importer, a food business must consider food hygiene and public health at every step of the journey. Responsibilities for the food imported run from the producer through to the end consumer.

When food is imported, the food business must buy from trusted and approved suppliers that follow the Hazard Analysis and Critical Control Point principles, gain specific licenses and ensure proper health certification (subject to the type of food). The food must pass inspections at the point of entry, as well as follow UK rules on labelling and packaging and ensure the hygienic storage, transport and delivery of goods to the retailer.

The regulations covering food hygiene change periodically, so it's essential to keep up to date. This guide documents what needs to be considered when importing, how to make sure the correct paperwork is in place and information about the inspections at ports. It also offers best-practice advice on safely packing and transporting food.

### Controls and Enforcement

Local authorities and port health authorities are responsible for the enforcement of food safety and food standard controls on food products. The Horticultural Marketing inspectorate of the Rural Payments agency is responsible for enforcing Community Marketing rules on fresh fruit and vegetables. Guidance and resources for these and other enforcement authorities are available.



## Hygiene Controls for Imported Foods

---

Port health authorities are local authority bodies at seaports set up under (DH legislation) the Public Health (Control of Diseases) Act 1984. At UK airports and some seaports, the local authority in whose area the port is located is responsible for enforcing the food import controls.

Outside of port areas, local authorities ('inland' local authorities) are responsible for enforcing food safety controls on foodstuffs including imported food. Her Majesty's Revenue and Customs (HMRC) took over responsibility, in April 2003, for anti-smuggling activity in Customs-controlled areas in seaports, airports, and Customs' licensed warehouses. Customs also carry out checks on personal imports for illegal foodstuffs.

### Regulations and Standards

Since 25 January 2010 imports of certain feed and food of non-animal origin, from certain non-EU countries, that are considered to be 'high-risk' can only enter the UK through specific ports and airports approved as designated points of entry (DPEs) where official controls will be carried out. A 'high-risk' product is feed or food that is either a known, or an emerging, risk to public health. This may be due to the presence of contaminants and/or undesirable substances such as aflatoxins, Sudan dyes, *Salmonella sp* and other pathogens, or pesticides.

A list of the 'high-risk' products, country of origin and the frequency of checks can be found at Annex I of Commission Regulation (EC) 669/2009, as amended by Commission Regulation (EU) 294/2012.

Importers and feed and food business operators must pre-notify DPEs at least one working day before the physical arrival of the consignment by completing Part 1 of the Common Entry Document (CED) which can be found in Annex II of Regulation 669/2009 (as amended). Guidance on completing the CED can also be found in Annex II. Article 5 of Regulation 669/2009 requires Member States to maintain and make publicly available an up-to-date list of the DPEs for each of the 'high-risk' products of non-animal origin listed in Annex I of Regulation 669/2009 (as amended).

### Imports of products of animal origin from China

From 26 July 2005 some products of animal origin can be imported into the European Union from China as long as they comply with specific animal and public health conditions.

## Hygiene Controls for Imported Foods

---

The following products previously banned under Commission Decision 2002/994/EC(as amended) can enter the EU provided each consignment undergoes pre-shipment checks for the presence of the illegal veterinary medicines chloramphenicol and nitrofurans and their metabolites, and is accompanied by a signed declaration from the Chinese competent authority with the analytical check results.

In addition, from 1 July 2008 consignments of aquaculture fishery products need to undergo pre-shipment checks for the presence of malachite green and/or crystal violet, and/or their metabolites, and be accompanied by a signed declaration from the Chinese competent authority with the analytical check results.

These products are:

- aquaculture fishery products
- peeled and/or processed shrimps
- crayfish of the species *Procambrus clarkii* caught in natural fresh waters by fishing operations
- casings
- rabbit meat
- honey\*
- royal jelly\*
- poultry meat products from Shandong Province heat treated to at least 70°C \*\*
- eggs and egg products \*\*
- Feed and food products containing milk and milk products

\* but not propolis

\*\* The import restrictions for certain products derived from poultry from China remain in place at present due to deficiencies in sanitary conditions, and the outbreak of avian (bird) flu.

## Melamine in Products from China

Following the discovery in China of adulteration of milk with the chemical melamine, Europe-wide emergency controls were adopted on 15 October 2008 to prevent Chinese products contaminated with melamine entering the European Community. It appears that milk used to manufacture a wide range of products had been diluted fraudulently to increase profits, and that melamine was added to restore the apparent protein content of the diluted milk.

## Hygiene Controls for Imported Foods

---

Commission Decision 2008/798/EC, as amended by Commission Decision 2008/921/EC (of 9 December) containing milk, milk products, soya, soya products or ammonium bicarbonate from China, for example chocolate and biscuits, must now be brought in via a designated point of control in a Member State. Products are to be detained and tested, and will not be released until it has been confirmed that they do not contain melamine above a specified (low) level.

The Decision contains the following specific measures:

- The import and sale of all infant formula and follow-on formula from China is prohibited.
- The import and sale of products containing milk, milk products, soya or soya products intended for the particular nutritional use of infants and young children originating or consigned from China is prohibited.
- Member States are required to carry out documentary, identity and physical checks, including laboratory analysis on all consignments from China of ammonium bicarbonate intended for food and food containing milk, milk products, soya or soya products.
- All composite products from China that contain milk/soya **at any level** must be detained at import and tested to ensure they do not contain melamine at a concentration greater than 2.5mg/kg.
- Composite feed that contains milk, soya or ammonium bicarbonate from China is also covered under the terms of the Decision. This requirement will ensure that non-compliant food product is not diverted for animal feed use.
- High protein-content products other than milk/soya-containing products may be controlled if Member States suspect they could be contaminated with melamine. However this is not an obligation on Member States.
- All imports must come via a designated point of control where the checks are to be carried out. In Ireland, Dublin Port has been designated as the point of control.
- Importers of milk/soya-containing products from China must give prior notification of the importation of the product to the authority at the designated point of control.
- Member States are required to check product already on the market on a random basis to ensure that it does not contain melamine.
- Any product found to contain melamine at a concentration greater than 2.5mg/kg will be destroyed.
- The importer shall bear the costs incurred as part of the import controls.

## Hygiene Controls for Imported Foods

---

The food business operator responsible for a product found to be non-complaint shall bear the costs of controls on, and destruction of, that product.

### Pine nuts from China

Following consumer complaints about a long lasting bitter taste ('pine-mouth') that can occur after eating pine nuts originating from China, rules are being applied in China prior to export to the EU.

While there is not an identified risk to health, 'pine-mouth' is an unpleasant condition that can last for weeks and is believed to be associated with the presence of nuts from the species *Pinus armandii* and lower grade products. The FSA has received a steady flow of reports, which showed that 99% of cases were linked to pine nuts from China. The European Commission has liaised with the China Chamber of Commerce of Import and Export Foodstuffs, Native Produce and Animal By-Products (CCCFNA) to try to resolve the problem.

There are seven documents available from the Chinese Authorities that summarise the steps being undertaken on the products prior to export.

These are listed below as related links and to find out more.

The rules for export of Chinese pine kernels to the EU include:

- All pine nut exporters should be members of CCCFNA
- The outer packaging of exported pine nuts should clearly show the name of the pine kernels in Chinese, English and the botanical name.
- Every carton should be clearly marked with a logo from SGS and CCCFNA. The logos for CCCFNA as well as SGS can be seen in the included documentation.
- Consignments of pine nuts from China should be accompanied by a Certificate of Export and an Inspection Certificate and Pine nut exporters should be members of CCCFNA. The certificates should be signed by an authorised SGS inspector.

Where consignments are not accompanied by the relevant documentation, food authorities at the ports will raise the issue with the importer and inland local authorities (Trading Standards).

## Hygiene Controls for Imported Foods

---

### Rice Products from China

From 12 January 2012 Commission Implementing Decision (EU) No 2011/884/EU imposes emergency measures governing the import of specific rice products from China due to unauthorised genetically modified organisms (GMOs) and repeals Decision 2008/289/EC.

Under these special conditions, which apply to feed and food, consignments of specific rice products originating in or consigned from China can only enter the UK through specific ports and airports approved as designated points of entry (DPEs).

A list of the rice products subject to the controls can be found in Annex I of the Decision.

Consignments must be accompanied by a health certificate completed in accordance with Annex III of the Decision and signed and verified by the appropriate authorities in China. For identification purposes each health certificate needs to be marked with a code, which is found on all individual bags or other types of packaging that make up the consignment.

An analytical report must also be completed for each lot in the consignment, in accordance with Annex IV of the Decision. The sampling and analysis that took place in China prior to import should be in accordance with the methods detailed in Annex II of Decision 2011/884/EC.

Food and feed business operators must pre-notify DPEs with the estimated date and time of arrival of all consignments of rice products in Annex I of the Decision, including whether it is food or feed.

For consignments of products listed in Annex I of the Decision that do not contain, consist of or are not produced from rice, food or feed business operators may provide a statement to that effect. Where a statement is provided, such consignments are not subject to the official controls and do not need to have the results of analysis or a health certificate.

A documentary check and sampling for laboratory analysis will take place at the DPE. Fees will be payable to the relevant authorities and will not be higher than the costs incurred by the authorities.

## Hygiene Controls for Imported Foods

---

No other products of animal origin are permitted for import from China into the EU.

### Plastic kitchenware from China and Hong Kong under Regulation (EU) No 284/2011

Additional import controls for certain polyamide and melamine plastic kitchenware from the People's Republic of China and Hong Kong Special Administrative Region, China, under Regulation (EU) No 284/2011.

From 1 July 2011, a new Commission Regulation (EU) No 284/2011 lays down specific conditions and detailed procedures for the import of polyamide and melamine plastic kitchenware originating in or consigned from the People's Republic of China (China) and Hong Kong Special Administrative Region of the People's Republic of China (Hong Kong). These specific conditions include that plastic kitchenware originating in or consigned from China and Hong Kong shall be imported into the Member States only if the importer submits to the competent authority for each consignment a declaration and a laboratory report confirming that it meets the requirements concerning the release of primary aromatic amines and formaldehyde.

The full text of the regulation is on the [Eur-lex website](#) (pdf document).

Importers/food businesses must pre-notify the competent authority at the first point of introduction at least two working days in advance of the estimated date and time of physical arrival of consignments. The UK has designated specific First Points of Introduction (FPIs) for these consignments originating in, or consigned from, China and Hong Kong.

A documentary check and an identity and physical check, including sampling for laboratory analysis of 10% of such consignments, will take place at the FPI. Fees will be payable to the relevant authority where these controls apply and will not be higher than the costs incurred by the authorities. The European Commission will shortly issue guidance on the application of the regulation and a link to this will then be provided.

Article 5 of Regulation (EU) No 284/2011 requires Members States to maintain and make publically available an up-to-date list of the designated FPIs.

## Hygiene Controls for Imported Foods

---

### Others

EU Law: Commission Regulation (EC) No 669/2009, as amended by Regulation (EU) No 294/2012

### Food:

Dried Noodles : Aluminium

Pomelos and

Tea leaves (black and green):

Pesticide residues analysed with Multi-residue methods based on GC-MS and LC-MS or with Single residue methods

## Meeting Food Hygiene Controls

Right from the start of the process when importing food, it's essential to consider the importance of hygiene throughout the supply chain. Responsibilities for food hygiene extend to all areas - from ensuring suppliers follow Hazard Analysis and Critical Control Point (HACCP) based principles and have appropriate hygiene standards through to the final supply to consumers. (If you export or re-export food, European Union (EU) law requires that it meets the requirements of the relevant food law, unless otherwise requested by the importing third country.)

Food businesses must ensure compliance with the general hygiene and safety requirements applicable to all food businesses, such as registration of premises.

## General Hygiene Requirements for International Trade

Food must meet EU hygiene standards, whether it originates from within the EU or not. For food originating outside the EU, this may mean meeting exactly the same conditions or measures, or at least the equivalent. The **HACCP** system is used across the EU after the primary production stage and any non-EU suppliers must at least have equivalent systems in place. Primary producers are required to ensure as far as possible that their produce is protected from contamination, bearing in mind the processing that the produce will subsequently undergo.

## Hygiene Controls for Imported Foods

---

If the food product is a product of animal origin (POAO) it can only be imported from non-EU countries that have been approved by the European Commission to export that type of product to the EU and from an approved establishment in that country. All imports of POAO must be accompanied by a health certificate authorised by the competent authority of the exporting country, using the model set down in EU legislation, and must enter the EU through a designated Border Inspection Post where veterinary checks must be carried out. General UK regulations will also apply. To ensure the traceability of food, food businesses should use suppliers that are honest and reliable and keep their contact details.

Animal Health, an executive agency of the Department for Environment, Food and Rural Affairs (Defra) is responsible for imports of POAO.

Food which isn't of animal origin can usually be imported from any third country. There is no need to check that the country of origin has EU approval, and can usually arrive at any port in the EU as long as it has suitable facilities.

However, food businesses should check if any products they intend to import are restricted or banned for hygiene or safety reasons.

The import of organic products is also subject to specific rules. Food businesses must be registered with an approved organic certifying authority if the food isn't supplied by another registered business within the EU.

There are also a number of requirements food businesses need to meet in order to bring food through border controls.

### Peperwork and Packaging Requirments for Imported Food

Before goods leave the originating country, the food business needs to check that paperwork and packaging is in order so the goods get into the UK safely and quickly.

### Paperwork Requirements

Depending on the type of food being imported, different types of additional paperwork are required. What is required will depend on whether the import is of animal or non-animal origin. Products of animal origin (POAO) include meat, eggs and egg products, fish and fish products, milk and milk products, honey and gelatine.

## Hygiene Controls for Imported Foods

---

When importing POAO from third world countries, they must be inspected at suitable Border Inspection Posts (BIPs) and go through veterinary checks before they can enter free circulation within the European Union (EU). Animal products coming via other EU countries must have passed these checks at the port where they originally entered the EU.

If the food isn't of animal origin, it may still have to be certified and inspected, or require health certificates or licensing.

Food businesses must be registered if they wish to import organic produce from a supplier who isn't already registered by a recognised organic certifying authority.

### Packaging and labelling requirements

Packaging and labelling requirements for food are standard across the EU and there are specific rules regarding the packaging of food. Any importer or distributor of food must ensure that all packaging materials that come into contact with the food are suitable and safe.

On a practical level, food businesses need to ensure that the goods are clearly marked so that they reach the right destination and can be easily assessed by customs and port health.

### How to comply with border checks on imported food

To protect the health and safety of consumers and to guard against contamination and disease, imported food must go through specific checks at the first point of entry into the European Union (EU). The type of checks required will depend on the type of food imported. If products are found to be unsafe or non-compliant, they'll be refused import and may be destroyed or returned to the country of origin at the food business's expense. It's essential to check ahead as much as possible to minimise risk.

### Passing border checks

If goods are derived from animals - such as meat, eggs, milk, fish, honey and gelatine - they're described as products of animal origin (POAO). For POAO, they can only be imported at a designated Border Inspection Post (BIP) and the food business must pre-notify the BIP at the port before the products

## Hygiene Controls for Imported Foods

---

arrive and provide certification from a recognised authority in the originating country. Food businesses can only import POAO from countries authorised by the EU.

The documents for the products will be checked and their identity will be verified. A percentage of the consignment will also be physically checked to ensure it doesn't pose a threat to public or animal health.

Usually, food products that aren't POAO may enter the EU at any port or airport. However, if there is increased risk from a product, restrictions may mean that some products can only be imported through designated ports or airports.

If the checks aren't passed, then in most cases the food business will be required to return the food to the country of origin or destroy the goods at their own expense.

If a food business is importing fruit, vegetables, salad crops and nuts a Certificate of Conformity must be obtained in order for the goods to be released at the port. There is an online Procedure for Electronic Application for Certificates (PEACH) system to gain a certificate and goods may be inspected before release, depending on the perceived risk that the product may pose.

Most fruit, some leafy vegetables and potatoes from specific countries will also require a phytosanitary certificate to clear at import. These are certificates issued by recognised bodies in the originating country that confirm the goods have been inspected, and that they meet the plant health and hygiene standards for entry into the EU.

HM Revenue & Customs (HMRC) also require a quarantine release certificate (QRC), issued following completion of inspection formalities, to secure the release of plant-health controlled consignments into free circulation. Agents or traders will be able to print the QRC from the PEACH system and fax it to HMRC.

### Choosing points of entry

Before shipping goods, the food business should check which ports have the appropriate checking facilities. POAO can only be imported at ports that have a Border Inspection Post (BIP) that covers that type of product.

## Hygiene Controls for Imported Foods

---

The food business may choose to contact the relevant authorities at the port it intends to import through and may wish to consider submitting samples of goods to a laboratory which will check if the products are correctly labelled and the food complies with the law.

If a food business doesn't have access to its own laboratory facilities and expertise then a local Official Food Control Laboratory may be found on the FSA website. Official control laboratories and other commercial laboratories may be able to provide relevant testing and advisory services.

For non-POAO, food businesses should check with the Association of Port Health Authorities as to which port has the most appropriate inspection facilities for the type of goods.

Not all imports will be checked at the port, but goods must be certified, and must be labelled and marked correctly. There are specific labels for different types of goods, such as ID marks and health marks. Bear in mind that unfit products are usually destroyed at the trader's expense.

### Considerations when importing in bulk

If a food business is planning to import large quantities, it's essential to clearly establish the health and hygiene requirements for the goods before purchase. If they don't meet the required standards, the food business will have to pay for special treatment, destruction or re-export under certain conditions (e.g. to specified informed countries), so mistakes can be costly.

A food business can also consider testing commercial samples of the goods before ordering. If you wish to import commercial samples of POAO you must contact Defra for an exemption certificate before they leave their country of origin that will allow the samples to enter the UK.

### Restricted food imports

A number of foods cannot be imported into the European Union (EU) or have restrictions upon entry. A food business should regularly check what restrictions are current, as they can change.

## Hygiene Controls for Imported Foods

---

### Contaminants

Foods cannot be placed on the market if they have higher levels of contaminants in them than permitted by EU law. The regulations are detailed and cover the levels of chemicals such as nitrates, mycotoxins and heavy metals and micro-organisms. It's a food business's responsibility to ensure that products with higher than permitted contaminant levels aren't placed on the market.

### Transporting food imports

A food business must carefully consider hygiene issues when transporting food to enable its passage through customs, port health and Border Inspection Posts (BIPs) and to ensure the saleability and safety for the rest of the food chain.

### Managing risk

All food business (after primary production) must work with the principles of Hazard Analysis and Critical Control Point (HACCP) policies. HACCP is a way of analysing your business, identifying events and incidents in your business process, that can put food safety at risk, and putting procedures in place to minimise those risks. (A document detailing HACCP is the subject of another HIF). For importers of food, risks may arise during the transportation and/or storage of their goods.

Key issues to bear in mind are:

- keeping food effectively separated where more than one type is being transported (eg ensuring raw food is separated from cooked food)
- keeping vehicles clean and, where necessary, regularly disinfected
- effectively cleaning vehicles between loads
- ensuring all containers are regularly and thoroughly cleaned
- protecting food effectively from contamination in containers while it's being transported
- keeping all food fresh

In addition to the overall safety and hygiene requirements, food businesses must ensure that packaging used for transportation purposes is safe. There are specific regulations covering the use of plastics and materials that come into contact with food.

## Hygiene Controls for Imported Foods

---

Goods should also be correctly labelled, so they're properly stored and moved during transport.

Temperature control is also an essential part of the transportation process.

### Best practice for food storage in international trade

As an importer of food, there will be stages in the supply chain when it will be responsible for the storage of food. There are a number of key hazards that must systematically work to prevent them. As a food business operator, storage activities should be covered by Hazard Analysis and Critical Control Point (HACCP) procedures.

### Key best practice points

**Temperature:** Temperature control is essential to ensure food products are safe and saleable upon arrival and will help goods through customs and port health authority checks. The 'cold chain' must not be interrupted where it's essential for the safety of the food. Chilled foods must be kept at 8 degrees Celsius or below, at a temperature specified by the producer.

**Staff and premises:** The cleanliness of the premises should be considered and the possibility of contamination from other goods in storage or previous goods stored (eg keeping raw and processed foods apart) and the likelihood of pest infestation. Avoid overloading of 'fridges and ensure that staff with any illnesses that may contaminate the food or working area are excluded from contacting the food. Good personal hygiene on the premises is essential and you must ensure there are adequate hand washing facilities and that staff have a thorough knowledge of the importance of good hygiene and an understanding of their roles in respect of food safety and hygiene.

**Supply chain issues:** The storage and handling guidelines as outlined on containers must be checked and followed if they are adequate. Producers need to specify the optimal methods for longevity of the product and its safety. Keep the supply chain as short as possible, both to reduce wastage and minimise the risks of contamination by using fewer vehicles and premises.

### Registering your premises

A food business needs to register with the local authority's environmental health department.

## Hygiene Controls for Imported Foods

---

### Conclusion

If there is no effective barrier control of imported food, an opportunity exists for exploitation. Food rejected from other markets or not permitted for sale in the country of origin can be dumped into markets where there is no effective control. Clearly this could compromise public health if the food is hazardous, and if the hazard is not recognised before the food is eaten.

Gradually, people around the world are becoming increasingly educated. A significant part of the education process includes raising awareness of basic food safety and food hygiene. It is not unreasonable that the expectations of the increasingly educated consumers are raised as well. This is evident in the more developed countries where consumers demand their rights to a safe food supply and because of real or imagined dubious food hygiene controls exerted in some countries, imported food is sometimes regarded with suspicion. To this end, consumers are concerned that imported food is adequately controlled. As countries develop and awareness of food borne disease increases, it is likely that the population will become more concerned with the quality of the food supply. As imported food is a component of the total food consumed it is reasonable to expect increased scrutiny of controls applied to that proportion of the food supply.