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**REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND
THE COUNCIL**

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REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL

on the exercise of the power to adopt delegated acts conferred on the Commission pursuant to Regulation (EU) 2017/625 of the European Parliament and of the Council 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 ('Official Controls Regulation')

1. INTRODUCTION

Regulation (EU) 2017/625¹ is the basic act governing the performance of official controls for the verification of compliance with the EU's agri-food chain rules, including where those rules apply to animals and goods entering the EU from third countries. It empowers the Commission to adopt delegated acts.

2. LEGAL BASIS

This report is required under Article 144(2) of Regulation (EU) 2017/625, according to which the power to adopt delegated acts is conferred on the Commission for a period of five years from 28 April 2017. The delegation of power is tacitly extended for five-year periods unless the European Parliament or the Council opposes the extension not later than three months before the end of each period. The Commission is required to draw up a report in respect of the delegation of power not later than nine months before the end of each five-year period. It submitted its first report on 9 July 2021².

3. EXERCISE OF THE DELEGATION

3.1. EMPOWERMENTS USED DURING THE REPORTING PERIOD

During the reporting period³, the Commission exercised its delegated powers by adopting the following delegated acts⁴:

¹ Regulation (EU) 2017/625 of the European Parliament and of the Council of 15 March 2017 on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products, amending Regulations (EC) No 999/2001, (EC) No 396/2005, (EC) No 1069/2009, (EC) No 1107/2009, (EU) No 1151/2012, (EU) No 652/2014, (EU) 2016/429 and (EU) 2016/2031 of the European Parliament and of the Council, Council Regulations (EC) No 1/2005 and (EC) No 1099/2009 and Council Directives 98/58/EC, 1999/74/EC, 2007/43/EC, 2008/119/EC and 2008/120/EC, and repealing Regulations (EC) No 854/2004 and (EC) No 882/2004 of the European Parliament and of the Council, Council Directives 89/608/EEC, 89/662/EEC, 90/425/EEC, 91/496/EEC, 96/23/EC, 96/93/EC and 97/78/EC and Council Decision 92/438/EEC (Official Controls Regulation) (OJ L 095, 7.4.2017, p. 1, ELI: <http://data.europa.eu/eli/reg/2017/625/oj>).

² Report from the Commission to the European Parliament and the Council on the exercise of the power to adopt delegated acts conferred on the Commission pursuant to Regulation (EU) 2017/625 of the European Parliament and of the Council 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 ('Official Controls Regulation'), COM/2021/383 final, <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52021DC0383>.

³ Since the cut-off date for inclusion in the first report was 15 June 2021, the period covered by this report is 16 June 2021 to 15 June 2026.

- Commission Delegated Regulation (EU) 2021/2156 of 17 September 2021 supplementing Regulation (EU) 2017/625 of the European Parliament and of the Council by establishing the European Union reference laboratory for Rift Valley fever⁵, which entered into force on 27 December 2021 and into application on the same date.
- Commission Delegated Regulation (EU) 2021/2089 of 21 September 2021 amending Delegated Regulation (EU) 2019/2122 as regards certain categories of goods posing low risk, goods that form part of passengers' personal luggage and pet animals exempted from official controls at border control posts and amending that Delegated Regulation and Delegated Regulation (EU) 2019/2074 as regards references to certain repealed legislation⁶, which entered into force on 20 December 2021 and into application on the same date.
- Commission Delegated Regulation (EU) 2021/2244 of 7 October 2021 supplementing Regulation (EU) 2017/625 of the European Parliament and of the Council with specific rules on official controls as regards sampling procedures for pesticides residues in food and feed⁷, which entered into force on 6 January 2022 and into application on 15 December 2022.
- Commission Delegated Regulation (EU) 2021/2305 of 21 October 2021 supplementing Regulation (EU) 2017/625 of the European Parliament and of the Council with rules on the cases where and conditions under which organic products and in-conversion products are exempted from official controls at border control posts, the place of official controls for such products and amending Commission Delegated Regulations (EU) 2019/2123 and (EU) 2019/2124⁸, which entered into force on 30 December 2021 and into application on 1 January 2022.
- Commission Delegated Regulation (EU) 2022/671 of 4 February 2022 supplementing Regulation (EU) 2017/625 of the European Parliament and of the Council as regards specific rules on official controls performed by the competent authorities on animals, products of animal origin and germinal products, follow-up action to be taken by the competent authority in case of non-compliance with identification and registration rules for bovine, ovine and caprine animals or of non-compliance during transit through the Union of certain bovine animals, and repealing Commission Regulation (EC) No 494/98⁹, which entered into force on 15 May 2022 and into application on the same date.
- Commission Delegated Regulation (EU) 2022/931 of 23 March 2022 supplementing Regulation (EU) 2017/625 of the European Parliament and of the Council by laying down rules for the performance of official controls as regards contaminants in food¹⁰, which entered into force on 7 July 2022 and into application on 1 January 2023.
- Commission Delegated Regulation (EU) 2022/887 of 28 March 2022 amending Delegated Regulation (EU) 2019/625 as regards Combined Nomenclature and Harmonised System codes and import conditions of certain composite products, amending Delegated Regulation (EU) 2019/2122 as regards certain goods and pet birds exempted from official

⁴ The delegated acts are listed in chronological order of adoption.

⁵ OJ L 436, 7.12.2021, p. 26, ELI: http://data.europa.eu/eli/reg_del/2021/2156/oj.

⁶ OJ L 427, 30.11.2021, p. 149, ELI: http://data.europa.eu/eli/reg_del/2021/2089/oj.

⁷ OJ L 453, 17.12.2021, p. 1, ELI: http://data.europa.eu/eli/reg_del/2021/2244/oj.

⁸ OJ L 461, 27.12.2021, p. 5, ELI: http://data.europa.eu/eli/reg_del/2021/2305/oj.

⁹ OJ L 122, 25.4.2022, p. 17, ELI: http://data.europa.eu/eli/reg_del/2022/671/oj.

¹⁰ OJ L 162, 17.6.2022, p. 7, ELI: http://data.europa.eu/eli/reg_del/2022/931/oj.

controls at border control posts and amending Delegated Regulation (EU) 2021/630 as regards requirements for composite products exempted from official controls at border control posts¹¹, which entered into force on 27 June 2022 and into application on the same date.

- Commission Delegated Regulation (EU) 2022/1615 of 22 April 2022 correcting the Swedish language version of Delegated Regulation (EU) 2021/630 supplementing Regulation (EU) 2017/625 of the European Parliament and of the Council as regards certain categories of goods exempted from official controls at border control posts¹², which entered into force on 10 October 2022 and into application on the same date.
- Commission Delegated Regulation (EU) 2022/1644 of 7 July 2022 supplementing Regulation (EU) 2017/625 of the European Parliament and of the Council with specific requirements for the performance of official controls on the use of pharmacologically active substances authorised as veterinary medicinal products or as feed additives and of prohibited or unauthorised pharmacologically active substances and residues thereof¹³, which entered into force on 16 October 2022 and into application on 15 December 2022.
- Commission Delegated Regulation (EU) 2022/1667 of 19 July 2022 correcting certain language versions of Delegated Regulation (EU) 2019/2090 supplementing Regulation (EU) 2017/625 of the European Parliament and Council regarding cases of suspected or established non-compliance with Union rules applicable to the use or residues of pharmacologically active substances authorised in veterinary medicinal products or as feed additives or with Union rules applicable to the use or residues of prohibited or unauthorised pharmacologically active substances¹⁴, which entered into force on 19 December 2022 and into application on the same date.
- Commission Delegated Regulation (EU) 2022/2292 of 6 September 2022 supplementing Regulation (EU) 2017/625 of the European Parliament and of the Council with regard to requirements for the entry into the Union of consignments of food-producing animals and certain goods intended for human consumption¹⁵, which entered into force on 14 December 2022 and into application on 15 December 2022.
- Commission Delegated Regulation (EU) 2022/2258 of 9 September 2022 amending and correcting Annex III to Regulation (EC) No 853/2004 of the European Parliament and of the Council on specific hygiene requirements for food of animal origin as regards fishery products, eggs and certain highly refined products, and amending Commission Delegated Regulation (EU) 2019/624 as regards certain bivalve molluscs¹⁶, which entered into force on 8 December 2022 and into application on the same date.
- Commission Delegated Regulation (EU) 2023/182 of 23 November 2022 correcting certain language versions of Annex III to Delegated Regulation (EU) 2019/2122 supplementing Regulation (EU) 2017/625 of the European Parliament and of the Council as regards certain categories of animals and goods exempted from official controls at border control posts, specific controls on passengers' personal luggage and on small consignments of goods sent to natural persons which are not intended to be placed on the

¹¹ OJ L 154, 7.6.2022, p. 23, ELI: http://data.europa.eu/eli/reg_del/2022/887/oj.

¹² OJ L 243, 20.9.2022, p. 1, ELI: http://data.europa.eu/eli/reg_del/2022/1615/oj.

¹³ OJ L 248, 26.9.2022, p. 3, ELI: http://data.europa.eu/eli/reg_del/2022/1644/oj.

¹⁴ OJ L 251, 29.9.2022, p. 4, ELI: http://data.europa.eu/eli/reg_del/2022/1667/oj.

¹⁵ OJ L 304, 24.11.2022, p. 1, ELI: http://data.europa.eu/eli/reg_del/2022/2292/oj.

¹⁶ OJ L 299, 18.11.2022, p. 5, ELI: http://data.europa.eu/eli/reg_del/2022/2258/oj.

market¹⁷, which entered into force on 19 February 2023 and into application on the same date.

- Commission Delegated Regulation (EU) 2023/842 of 17 February 2023 supplementing Regulation (EU) 2017/625 of the European Parliament and of the Council as regards rules for the performance of official controls to verify compliance with animal welfare requirements for the transport of animals by livestock vessels¹⁸, which entered into force on 14 May 2023 and into application on the same date.
- Commission Delegated Regulation (EU) 2023/1149 of 5 April 2023 correcting the Polish language version of Delegated Regulation (EU) 2022/2292 supplementing Regulation (EU) 2017/625 of the European Parliament and of the Council with regard to requirements for the entry into the Union of consignments of food-producing animals and certain goods intended for human consumption¹⁹, which entered into force on 3 July 2023 and into application on the same date.
- Commission Delegated Regulation (EU) 2023/1674 of 19 June 2023 amending Delegated Regulation (EU) 2021/630 as regards the inclusion of certain spreads and preparations for making beverages containing cocoa, certain prepared foods obtained from cereals or cereal products, certain prepared foods obtained from rice and other cereals, certain chips and crisps, and certain sauces and condiments in the list of composite products exempted from official controls at border control posts and amending Annexes I and III to Delegated Regulation (EU) 2019/2122²⁰, which entered into force on 21 September 2023 and into application on the same date.
- Commission Delegated Regulation (EU) 2023/2652 of 15 September 2023 amending and correcting Delegated Regulation (EU) 2022/2292 with regard to requirements for the entry into the Union of honey, meat, highly refined products, gelatine capsules, fishery products and requirements for private attestation and amending Delegated Regulation (EU) 2021/630 as regards private attestation requirements for composite products exempted from official controls at border control posts²¹, which entered into force on 18 December 2023 and into application on the same date.
- Commission Delegated Regulation (EU) 2024/950 of 15 January 2024 amending Delegated Regulation (EU) 2019/1602 as regards the date of application and the cases where customs authorities are required to deduct the quantities stated in the customs declaration from the total allowed quantity declared in the Common Health Entry Document (CHED)²², which entered into force on 15 April 2024 and into application on the same date.
- Commission Delegated Regulation (EU) 2024/1004 of 22 January 2024 supplementing Regulation (EU) 2017/625 of the European Parliament and the Council by establishing the European Union reference laboratory for food improvement agents²³, which entered into force on 23 April 2024 and into application on the same date.

¹⁷ OJ L 26, 30.1.2023, p. 5, ELI: http://data.europa.eu/eli/reg_del/2023/182/oj.

¹⁸ OJ L 109, 24.4.2023, p. 1, ELI: http://data.europa.eu/eli/reg_del/2023/842/oj.

¹⁹ OJ L 152, 13.6.2023, p. 1, ELI: http://data.europa.eu/eli/reg_del/2023/1149/oj.

²⁰ OJ L 216, 1.9.2023, p. 1, ELI: http://data.europa.eu/eli/reg_del/2023/1674/oj.

²¹ OJ L, 2023/2652, 28.11.2023, ELI: http://data.europa.eu/eli/reg_del/2023/2652/oj.

²² OJ L, 2024/950, 26.3.2024, ELI: http://data.europa.eu/eli/reg_del/2024/950/oj.

²³ OJ L, 2024/1004, 3.4.2024, ELI: http://data.europa.eu/eli/reg_del/2024/1004/oj.

- Commission Delegated Regulation (EU) 2024/2562 of 3 June 2024 amending Delegated Regulation (EU) 2022/1644 as regards certain criteria for the selection of samples²⁴, which entered into force on 17 October 2024 and into application on 1 January 2025.
- Commission Delegated Regulation (EU) 2024/2104 of 27 June 2024 supplementing Regulation (EU) 2017/625 of the European Parliament and of the Council as regards the cases where and the conditions under which competent authorities may request operators to notify the arrival of certain goods entering the Union²⁵, which entered into force on 15 October 2024 and into application on 3 March 2025.
- Commission Delegated Regulation (EU) 2025/65 of 31 October 2024 amending Delegated Regulation (EU) 2019/2123 as regards the conditions under which a separate Common Health Entry Document is submitted for consignments leaving a border control post for a control point where identity and physical checks are to be performed²⁶, which entered into force on 3 February 2025 and into application on the same date.
- Commission Delegated Regulation (EU) 2025/637 of 29 January 2025 amending Delegated Regulation (EU) 2022/2292 as regards the requirements for the entry into the Union of certain dairy products, certain food additives derived from animals, collagen casings, minced meat, meat preparations, mechanically separated meat and composite products containing gelatine capsules²⁷, which entered into force on 19 May 2025 and into application on the same date.
- Commission Delegated Regulation (EU) 2025/687 of 30 January 2025 amending Delegated Regulation (EU) 2019/624 as regards ante-mortem inspections in slaughterhouses, ante-mortem inspections at the holding of provenance and post-mortem inspections²⁸, which entered into force on 27 April 2025 and into application on the same date.
- Commission Delegated Regulation (EU) 2026/273 of 4 February 2026 amending and correcting Delegated Regulation (EU) 2019/2122 as regards certain categories of animals and goods exempted from official controls at border control posts²⁹, which entered into force on 14 April 2026 and into application partly on the same date and partly on 22 April 2026.

The Commission notified each of these delegated acts to the European Parliament and to the Council in accordance with Article 144(5) of Regulation (EU) 2017/625. Neither the European Parliament nor the Council expressed objection to any of these acts.

During the reporting period, the Commission used 12 of the 38 empowerments in Regulation (EU) 2017/625. Of these 12 empowerments, 8 were partially used. Some delegated powers

²⁴ OJ L, 2024/2562, 27.9.2024, ELI: http://data.europa.eu/eli/reg_del/2024/2562/oj.

²⁵ OJ L, 2024/2104, 25.9.2024, ELI: http://data.europa.eu/eli/reg_del/2024/2104/oj.

²⁶ OJ L, 2025/65, 14.1.2025, ELI: http://data.europa.eu/eli/reg_del/2025/65/oj.

²⁷ OJ L, 2025/637, 29.4.2025, ELI: http://data.europa.eu/eli/reg_del/2025/637/oj.

²⁸ OJ L, 2025/687, 7.4.2025, ELI: http://data.europa.eu/eli/reg_del/2025/687/oj.

²⁹ OJ L, 2026/273, 13.4.2026, ELI: http://data.europa.eu/eli/reg_del/2026/273/oj.

were bundled to adopt a single delegated act where the rules are substantively linked, in accordance with the Interinstitutional Agreement on Better Law-Making³⁰.

3.2. EMPOWERMENTS NOT USED DURING THE REPORTING PERIOD

Certain empowerments provided for in Regulation (EU) 2017/625 were not used during the reporting period but remain necessary, for the reasons explained below.

- Article 10(3)

The Commission is continuously assessing the need to amend the rules setting out categories of operators to be exempted from the list of operators drawn up by the competent authorities, where their inclusion in such a list would constitute a disproportionate administrative burden for them compared to the risk related to their activities.

- Articles 18(7), points (b), (c), (f) and (h) to (k), 19(2), point (c), 20(2), point (b), 21(8), points (b), (d) and (e), and 22(2), 23(2), 24(3), 26(2), and 27(1)

The Commission is continuously assessing the need to establish and/or amend rules on specific requirements for the performance of official controls and for measures to be taken following such controls, in light of the experience gained in implementing the rules on official controls in Regulation (EU) 2017/625 and related acts, to address non-compliance and possible divergent enforcement practices across Member States.

- Article 41

The Commission is preparing a delegated act based on the empowerment in Article 41³¹ to specify the conditions for designation of reference laboratories that do not fulfil some of the conditions defined in Regulation (EU) 2017/625 in relation to all the methods they use for official controls, and in relation to the standards in accordance with which they operate.

- Article 47(3)

The Commission is continuously assessing the need to amend Regulation (EU) 2017/625 concerning the categories of consignments of animals and goods that are subject to official controls at border control posts, to include products that present a newly identified or significantly increased risk.

- Article 48, points (a) and (g)

These empowerments are necessary to enable the Commission to adopt and/or amend rules to establish the cases where and conditions under which goods sent as trade samples or as display items for exhibitions and goods which have undergone specific treatment are exempted from official controls at border control posts.

³⁰ Interinstitutional Agreement between the European Parliament, the Council of the European Union and the European Commission on Better Law-Making of 13 April 2016 (OJ L 123, 12.5.2016, p. 1, ELI: http://data.europa.eu/eli/agree_interinst/2016/512/oj), section V, point 31.

³¹ The delegated act will be based among others on the amended version of Article 41, if the amendment proposed by the Commission in its proposal for a Regulation amending, inter alia, Regulation (EU) 2017/625 (COM(2025) 1030 final) is adopted.

- Article 49(5)

The Commission is continuously assessing the need to establish specific training requirements regarding the performance of physical checks at border control posts.

- Article 51(1), points (b) to (e)

The Commission is continuously assessing the need to establish time limits and arrangements for carrying out checks, as well as rules on the cases where and conditions under which identity checks and physical checks of transhipped consignments and of animals arriving by air or sea and staying on the same means of transport for onward travel may be performed at a border control post other than the one of first arrival, rules for the transit of consignments of animals and goods, and derogations from the rules on identity checks and physical checks as regards transhipment and transit of consignments.

- Article 51(2)

The Commission is continuously assessing the need to specify the cases where and conditions under which derogations from the rules on documentary checks should apply as regards transhipped consignments and transit of consignments for which a phytosanitary certificate is required for their introduction into the EU.

- Article 53(1), points (b) and (c) and point (d)(i) and (iii)

The Commission is continuously assessing the need to establish and/or amend rules on official controls not performed at the border control post of first arrival into the EU, in light of the experience gained in implementing Regulation (EU) 2017/625. When assessing the need for rules regarding specific control tasks that may be performed by customs authorities or other public authorities, the Commission takes into account responsibilities in relation to official controls conferred on customs authorities by other EU acts³².

- Articles 62(3) and 64(2) and (5)

The Commission is continuously assessing the need to establish and/or amend derogations from the rules on the designation of border control posts and the minimum requirements for border control posts, in light of the experience gained in implementing Commission Delegated Regulation (EU) 2019/1012³³.

- Article 71(3)

The Commission is continuously assessing the need to establish and/or amend requirements and conditions in accordance with which special treatment of consignments is to take place.

- Articles 77(1), points (a) to (g), (i) and (j) and 77(2)

³² For instance Regulation (EU) No 952/2013 of the European Parliament and of the Council of 9 October 2013 laying down the Union Customs Code (recast) (OJ L 269, 10.10.2013, p. 1, ELI: <http://data.europa.eu/eli/reg/2013/952/oj>).

³³ Commission Delegated Regulation (EU) 2019/1012 of 12 March 2019 supplementing Regulation (EU) 2017/625 of the European Parliament and of the Council by derogating from the rules on the designation of control points and from the minimum requirements for border control posts (OJ L 165, 21.6.2019, p. 4, ELI: http://data.europa.eu/eli/reg_del/2019/1012/oj).

The Commission is continuously assessing the need to establish and/or amend rules for specific official controls and for measures to be taken following the performance of controls, and concerning the conditions for monitoring the transport and arrival of consignments of certain animals and goods, in light of the experience gained in implementing the rules on official controls on animals and goods entering the EU, as laid down in Regulation (EU) 2017/625 and related acts.

- Article 99(2)

This empowerment is limited to situations of new or emerging risks, new or emerging animal diseases or pests of plants, or where new legal requirements warrant them. No such situations or requirements have yet occurred, but they may arise in the future.

- Articles 100(6) and 101(2)

The Commission is currently preparing a delegated act based on the empowerment in Article 100(6)³⁴, concerning requirements for the designation of national reference laboratories. It is also continuously assessing the need to establish responsibilities and tasks for national reference laboratories to ensure coherence with any additional responsibilities and tasks adopted in accordance with Article 99(2).

- Article 108(3)

The Commission is continuously assessing the need to establish and/or amend rules for rapid exchange of information when the competent authorities in Member States are unable to agree on appropriate action to address non-compliance.

- Article 142(1)

This empowerment is limited to amending Regulation (EU) 2017/625 regarding amendments to its Annexes II and III, to take into account changes to the rules referred to in Article 1(2), technical progress or scientific developments. During the reporting period, there were no changes or progress that justified amendments to these annexes.

- Article 142(2)

During the reporting period, the European Committee for Standardization ('CEN') did not make any relevant amendments to the European standards to which this empowerment refers. However, any future amendments by the CEN may require the adoption of a delegated act.

- Articles 149(2), 150(3), 154(3), 155(3) and 165(3)

These empowerments enable the Commission to adopt delegated acts to amend Regulation (EU) 2017/625 concerning the dates referred to in Articles 149(1), 150(1) and (2), 154(2), 155(2) and 165(2). The Commission had no need to use these empowerments during the reporting period.

³⁴ The delegated act will be based among others on the amended version of Article 100(6), if the amendment proposed by the Commission in its proposal for a Regulation amending, inter alia, Regulation (EU) 2017/625 (COM(2025) 1030 final) is adopted.

CONCLUSION

The Commission considers that the power to adopt delegated acts provided for in Regulation (EU) 2017/625 should be tacitly extended for a period of five years, in accordance with Article 144(2). There will continue to be a need to develop rules based on these empowerments, and it is important to provide the necessary flexibility in the legal framework, to complement it and adjust it regularly to the latest scientific standards and to allow the Commission to act in areas where it did not act during the reporting period.

With this report the Commission is complying with the reporting obligation laid down in Article 144(2) of Regulation (EU) 2017/625.

The Commission invites the European Parliament and the Council to take note of this report.