



Council of the
European Union

Brussels, 11 September 2024
(OR. en)

13156/24
ADD 1

AGRI 630
VETER 112
AGRILEG 381
DENLEG 57
PHYTOSAN 173
SAN 509
FOOD 101

COVER NOTE

From:	Secretary-General of the European Commission, signed by Ms Martine DEPREZ, Director
date of receipt:	4 September 2024
To:	Ms Thérèse BLANCHET, Secretary-General of the Council of the European Union

No. Cion doc.:	SWD(2024) 208 final
Subject:	COMMISSION STAFF WORKING DOCUMENT Accompanying the document REPORT FROM THE COMMISSION On the overall operation of official controls carried out in Member States (2022) to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products

Delegations will find attached document SWD(2024) 208 final.

Encl.: SWD(2024) 208 final



Brussels, 4.9.2024
SWD(2024) 208 final

COMMISSION STAFF WORKING DOCUMENT

Accompanying the document

REPORT FROM THE COMMISSION

On the overall operation of official controls carried out in Member States (2022) to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products

{COM(2024) 388 final}

Disclaimer

The European Commission presents this report in accordance with Article 114 of Regulation (EU) 2017/625. It aims to improve public availability of information on official controls carried out by EU countries, and Commission controls on these, in the areas of food and feed safety, animal and plant health, animal welfare, organic farming and quality schemes for agricultural products and foodstuffs.

Only the Court of Justice of the European Union is competent to interpret EU law.

Our goal is to keep this information up to date and accurate. If errors are brought to our attention, we will try to correct them.

The material used for this report:

- is information of a general nature and is not intended to address the specific circumstances of any particular individual or entity;
- is not necessarily comprehensive, complete, accurate or up to date;
- is partly provided by national authorities in the EU countries, over which the Commission has no control and for which the Commission can take no responsibility.

Some data or information in this report may have been created or structured in files or formats that are not error-free

Contents

Introduction

Part 1

Control activities 2022	4
Food	5
Genetically modified organisms	14
Feed.....	16
Animal health	20
Animal by-products	25
Animal welfare	28
Plant health	36
Plant protection products	39
Organic production and labelling of organic products	44
Protected designation of origin, protected geographical indications and traditional specialities guaranteed	48
Fraudulent and deceptive practices	54

Part 2

Other Commission control activities.....	58
Entry of animals and goods into the EU	58
Residues of veterinary medicinal products and environmental contaminants in animals and products of animal origin	59

Part 3

Support for EU countries	60
Networks.....	60
Better training for safer food	62
General legend	63

Introduction

The Commission publishes an annual report on the operation of official controls in EU countries in the areas of food and feed safety, animal and plant health, animal welfare, pesticides, organic farming and quality schemes ⁽¹⁾. For the purposes of this report, references to EU countries and the statistical data include the United Kingdom in respect of Northern Ireland (“United Kingdom (Northern Ireland)”) ⁽²⁾.

The report is based on:

- the annual reports submitted by the national authorities on their official control activities; and
- the results of Commission controls carried out.

The Commission’s report covers 2022. It provides a compilation of comparable data into EU-wide statistics. These data will, over time, enable trends in controls and non-compliance issues to be identified.

This staff working document accompanies the Commission’s report and provides more details on:

- the legal framework on official controls and Commission controls; and
- the controls and audits carried out by national authorities and by the Commission in specific areas of the food chain, as follows:
 - food;
 - genetically modified organisms;

⁽¹⁾ Article 114 of Regulation (EU) 2017/625.

⁽²⁾ In accordance with the Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community, and in particular Article 5(4) of the Windsor Framework (see Joint Declaration No 1/2023 of the Union and the United Kingdom in the Joint Committee established by the Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community of 24 March 2023, [OJ L 102, 17.4.2023, p.87](#)) in conjunction with Annex 2 to that Framework.

- feed;
- animal health;
- animal by-products;
- animal welfare;
- plant health;
- plant protection products / sustainable use of pesticides;
- organic production;
- geographical indications;
- fraudulent and deceptive practices.

Part 1

Control activities 2022

Food

Official controls carried out by EU countries

National authorities report on the official controls carried out in the areas of food and food safety, integrity and wholesomeness at any stage of production, processing and distribution of food. This includes the rules to ensure fair practices in trade and protect consumer interests and information, as well as rules on the manufacture and use of materials and articles intended to come into contact with food. Therefore, data relate to the whole food chain, from farming, fishing and hunting to food production, distribution, wholesale, retail sale and food services.

The national authorities do not report on the overall level of compliance in a harmonised way. On the strategic objectives or operational targets, most do not describe the results obtained. Some provide information across different sectors in the food area, others only provide a general statement, while a minority did not include any statement at all. None provide a description of how overall compliance with the rules in each area was measured during the year.

Most EU countries reported that the number of official controls carried out in 2022 was returning to normal levels after falling due to the COVID-19 pandemic.

A minority of the annual reports contain information on the type of non-compliance issues found with food businesses. Some indicate that the reasons for non-compliance include ignorance of legislation on the part of the business operators and, in some cases, intentional misconduct. The issues of non-compliance mentioned include food hygiene issues, following documented procedures and the self-control systems and labelling.

Table 2 provides a heat map of the numbers of businesses, official controls carried out, non-compliance issues identified, and administrative penalties applied across the different parts of the food chain, in 2022.

The highest numbers in each column have the darkest shade of colour.

Only two EU countries include data for all sectors in the tables. The sectors most often unreported are mixed farming, hunting, fishing, sprouts, honey, farmed and wild game meat, and specific types of meat products.

Table 1 – official controls – food sectors - 2022

	Businesses	Controls	Non-compliance issues	Penalties
Animal production	1 109 979	128 751	24 025	11 769
Aquaculture	18 598	5 388	254	180
Growing of crops	2 178 135	49 616	5 188	2 932
Mixed farming	158 924	8 168	1 217	320
Hunting	17 774	5 725	538	600
Fishing	46 722	5 447	840	698
Meat of domestic ungulates	24 852	183 804	25 521	17 743
Meat from poultry and lagomorphs	5 538	60 297	13 545	7 663
Meat of farmed game	1 467	8 983	1 523	464
Wild game meat	1 778	11 901	1 792	798
Minced meat, meat preparations and mechanically separated meat (MSM)	11 104	52 818	11 225	5 814
Meat products	24 692	84 859	16 490	8 458
Treated stomach, bladders and intestines	1 008	8 037	667	861
Rendered animal fats and greaves	1 151	9 475	694	696
Gelatine	200	431	43	16
Collagen	123	512	48	19
Highly refined chondroitin sulphate, hyaluronic acid, other hydrolysed cartilage products, chitosan, glucosamine, rennet, isinglass and amino acids	35	66	10	7
Colostrum, raw milk, colostrum-based and dairy products	23 631	79 048	8 641	4 519
Egg and egg products	8 592	14 548	1 690	863
Fishery products	17 212	39 833	8 874	3 377
Live bivalve molluscs	4 480	6 030	1 179	475
Frogs' legs and snails	339	471	86	35
Honey	10 392	4 813	489	189
Sprouts	149	242	67	53
Processing and preserving of fruit and vegetables	42 241	26 706	4 230	2 686
Manufacture of grain mill products, starches and starch products	10 182	7 030	1 173	759
Manufacture of bakery and farinaceous products	209 049	105 875	27 020	20 830
Manufacture of vegetable oils and fats	19 968	8 555	1 530	949
Manufacturers of beverages	80 224	37 374	4 954	3 776
Manufacture of other food products	148 855	90 486	22 127	12 109
Establishments producing food contact materials	33 475	6 702	1 011	356
General activity establishments (cold stores, re-wrapping and re-packing establishments, wholesale markets, reefer vessels)	31 830	94 418	10 937	6 230
Transport and storage	403 286	117 495	8 267	5 681
Wholesale	198 588	72 756	23 636	7 198
Retail	4 108 694	1 023 659	199 986	118 320
Food and beverage service activities	2 904 890	1 245 090	360 134	176 541
Others	179 310	93 776	15 778	4 472

Official controls in the food chain cover a broad range of food categories and a number of specific topics:

1. Dairy products	14. Sugar, syrups, honey and table-top sweeteners	Article 2 of Directive 2002/46/EC of the European Parliament and of the Council excluding food supplements for infants and young children
2. Dairy alternatives		
3. Fats and oils, and fat and oil emulsions	15. Salts, spices, soups, sauces, salads and protein products	
4. Edible ices		
5. Fruit and vegetables	16. Foods intended for particular nutritional uses as defined by Regulation (EU) No 609/2013 of the European Parliament and of the Council	
6. Confectionery		
7. Cereals and cereal products		
8. Bakery wares		
9. Fresh meat	17. Beverages	
10. Minced meat, meat preparations and MSM	18. Ready-to-eat savouries and snacks	
11. Meat products	19. Desserts excluding products covered in categories 1, 3 and 4	21. Processed foods not covered by categories 1 to 17, excluding foods for infants and young children
12. Fish and fisheries products		22. Others – foods not covered by categories 1 to 21
13. Eggs and egg products	20. Food supplements as defined in point (a) of	23. Food contact materials

Table 2 provides an overview of the official controls in the EU countries carried out in 2022 on the above food categories and specific topics, against the EU rules applicable to 10 cross-cutting areas. Belgium and the United Kingdom (Northern Ireland) did not provide the full information.

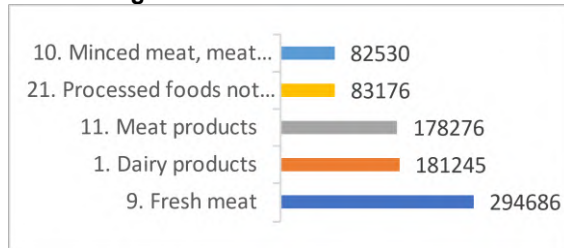
Table 3 gives an overview of the number of non-compliance issues detected and the number of administrative penalties applied by the national authorities in the different sectors. Belgium did not provide the relevant data. Malta, the United Kingdom (Northern Ireland), and Sweden provided a very limited set of data. The data provided by some EU countries seem to be too low.

Both tables list the top five food categories for the specific topics.

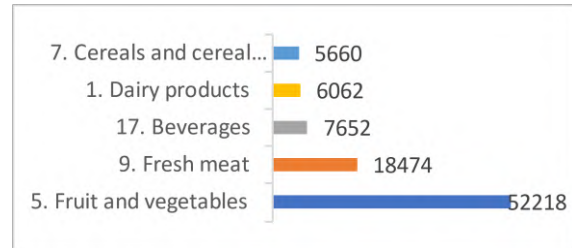
To avoid the need for EU countries to report the same data separately to both the Commission and to the European Food Safety Authority (EFSA), some of the data reported here is obtained through automatic transfer from EFSA. This transfer process may give rise to some anomalies until it is fully refined.

Table 2 – official controls – topics – top 5 - 2022

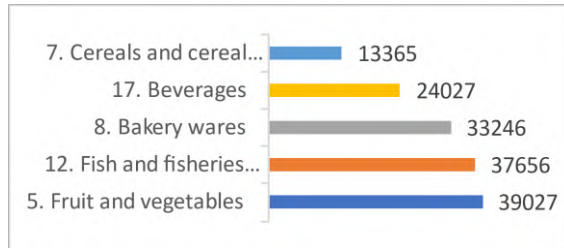
Microbiological criteria



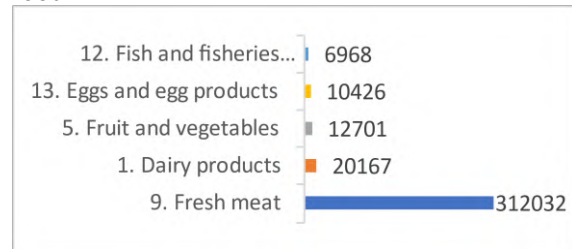
Pesticides in food



Contaminants in food



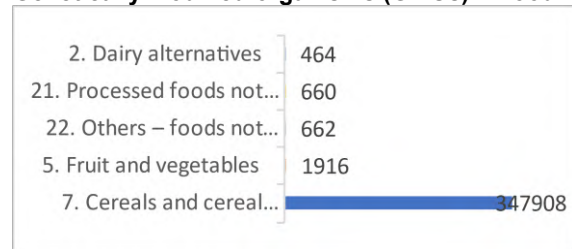
Residues of veterinary medicinal products in food



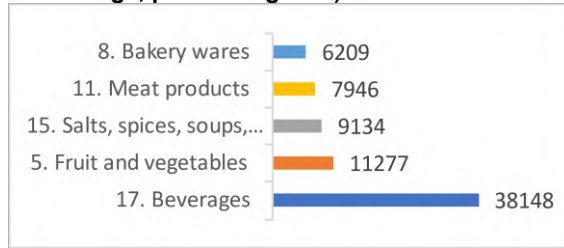
Labelling, nutritional and health claims



Genetically modified organisms (GMOs) in food



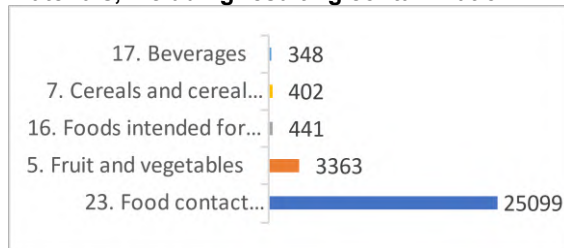
Improvement agents (additives, enzymes, flavourings, processing aids)



irradiation of food



Transfer of substances from food contact materials, including resulting contamination



Other

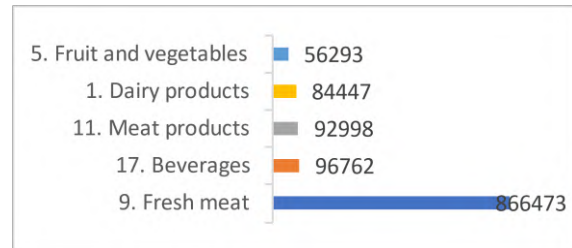
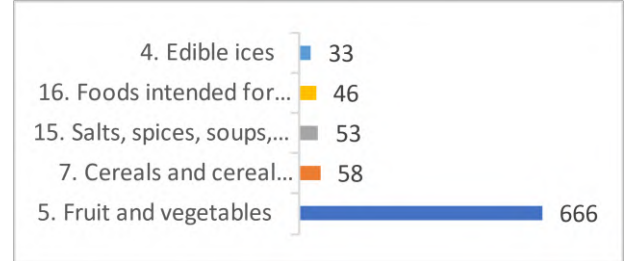


Table 3 – non-compliance issues & penalties by topic: top 5 in 2022

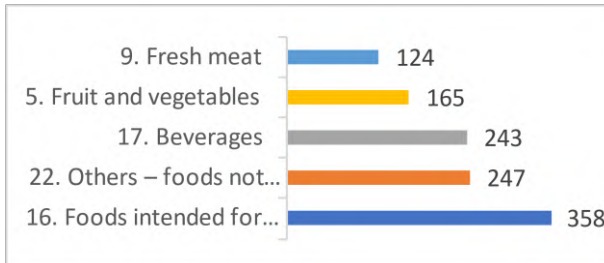
Microbiological criteria



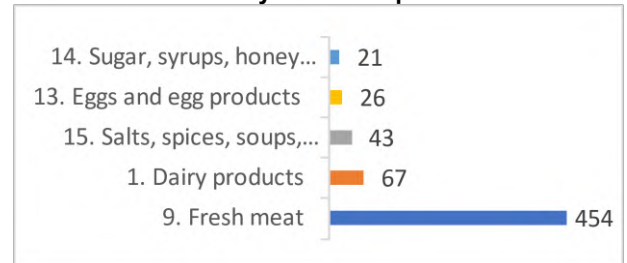
Pesticides in food



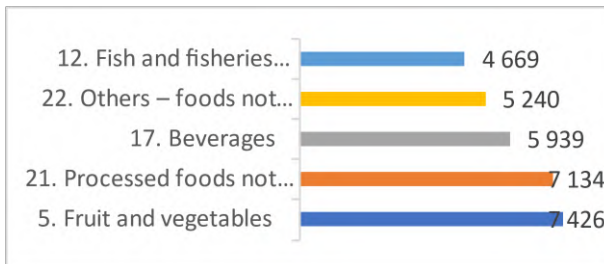
Contaminants in food



Residues of veterinary medicinal products in food



Labelling, nutritional and health claims



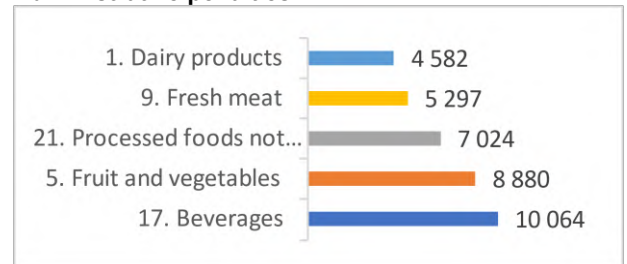
Improvement agents (additives, enzymes, flavourings, processing aids)



Other topics



Administrative penalties



Issues of non-compliance with the labelling of genetically modified organisms (GMOs) used in food products, the use of unauthorised GMOs in food products, the irradiation of food, novel food ⁽³⁾ and food contact materials are reported in a separate table. The results for 2022 across all EU countries are:

	Number of non-compliance issues identified	Number of administrative penalties applied	Number of legal penalties
The labelling of GMOs used in food products	15	10	
The use of unauthorised GMOs in food products	7	4	8
Irradiation of food	85	63	1
Food contact materials	3095	632	33
Novel food	414	272	36

Belgium, Croatia, Latvia, Slovenia and the United Kingdom (Northern Ireland) did not report any issues of non-compliance in these areas.

⁽³⁾ 'Novel food' is food that humans in the EU did not consume to a significant degree before 15 May 1997.

Commission controls carried out in EU countries

Countries audited:

20



Number of audits carried out:

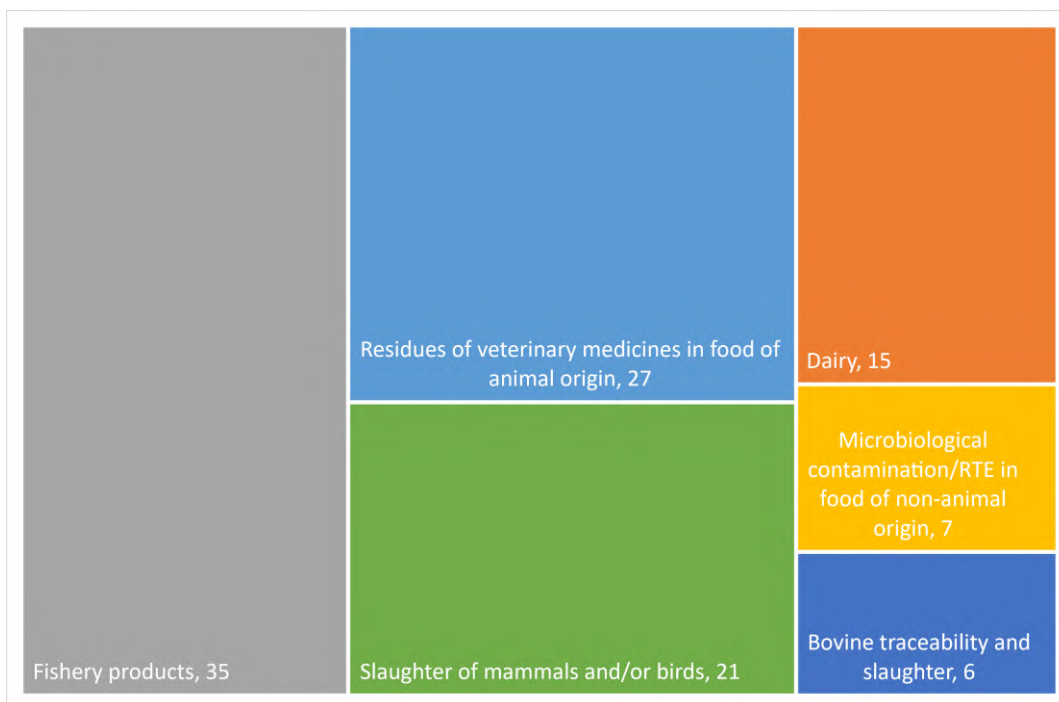
26

3 audits in Finland, 2 in Italy, Latvia, Hungary, Spain, and 1 audit in the other countries audited

Total number of recommendations raised:

111

Recommendations per audit area:



Safety of fishery products

Audits carried out in the fisheries sector confirm that the official control systems in EU countries are broadly well organised, cover the entire production chain (albeit with some gaps), and comprise the necessary elements to identify and rectify shortcomings. Nonetheless, at the primary production level, we continue

to identify weaknesses in the registration and control of small fishing vessels and a lack of control of landing sites and related operations. In a number of instances, competent authorities had difficulties meeting planned inspection frequencies. Specific issues included the use of alternative histamine test methods for official samples which may have implications for the reliability and/or validity of the result. The audits also noted a lack of controls of vessels that land in other EU countries. We are assessing the extent and possible impact of this weakness.

Safety of meat of mammals, birds and products thereof

The audits in the meat sector continued to look at slaughterhouses but we extended the scope from cull cows also to other species (pigs, sheep and poultry). The controls are generally well organised and effective, but we identified weaknesses in the official control systems regarding training and supervision of official veterinarians and the effectiveness of the controls in low-capacity slaughterhouses.

We carried out two other audits as an on-site verification of the findings of the previous fully remote audits. In addition to the findings identified related to compliance with ante- and post-mortem inspection requirements, these two audits identified a number of new issues of non-compliance during the on-site visits.

Safety of milk and dairy products

While the EU countries visited generally had adequate controls in place for the dairy sector, there were some common shortcomings in relation to checking and enforcing food business operators' procedures for testing raw milk for antibiotic residues and official controls over the compliance of operators' procedures related to heat-treatment verification and microbiological criteria.

Microbiological safety of food of non-animal origin (FNAO)

Audits on microbiological risks in primary production confirmed improvements from the previous audit series. However, they identified that sprouting businesses are still not adequately controlled. They noted that the registration of primary producers needs to improve so that they can all be risk-assessed and included in the control system at an appropriate frequency.

Genetically modified organisms

Official controls carried out by EU countries

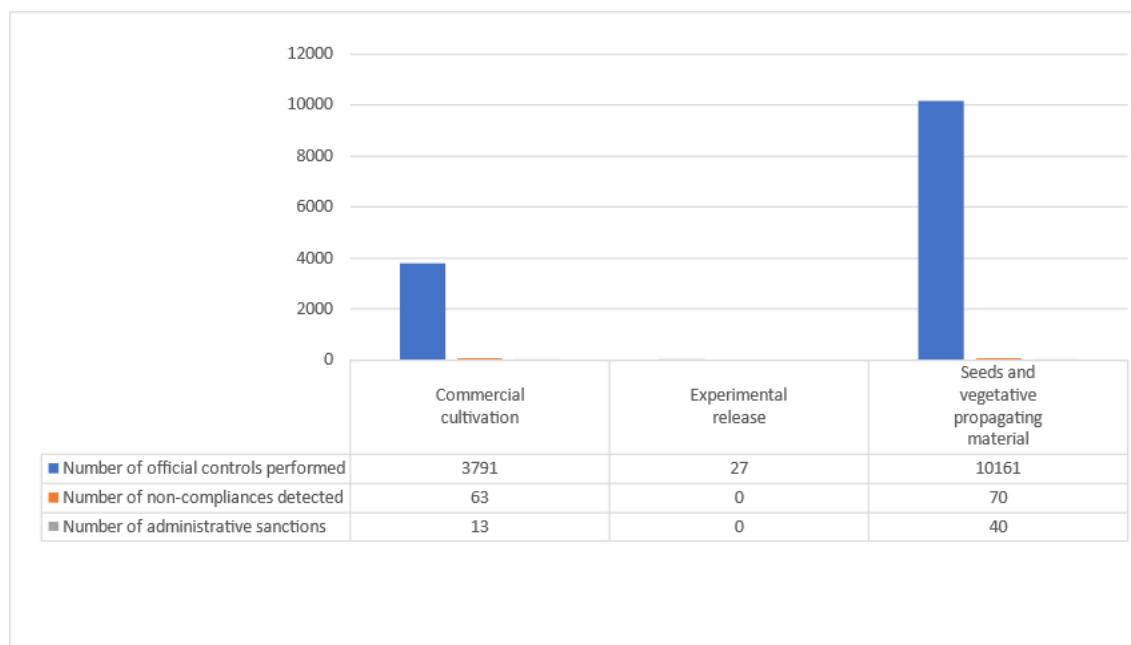
National authorities must carry out official controls to monitor the use and labelling of GMOs in food and feed, as well as the deliberate release into the environment of GMOs for the purpose of food and feed production. The use and labelling of GMOs in food and feed is reported in the food and feed sections.

11 of the reports contain a statement on the overall compliance achieved, but only 3 of these statements are based on an assessment of objectives and results.

As regards cultivation, 20 EU countries stated that there is no cultivation of GMOs; invoking exclusion from the geographical area ('opt-out'), national legislation, no crops authorised or registered, or no commercial interest of farmers. Malta and the Netherlands reported no controls but did not provide any explanation.

Table 4 provides an overview of the number of official controls carried out, non-compliance issues identified, and administrative penalties applied in 2022, in relation to the commercial cultivation, experimental release and seeds and vegetative propagating materials for use in food and feed.

Table 4 – official controls of GMOs in 2022



Commission controls of EU countries

Countries audited:

2



Number of audits carried out:

2 fact-finding missions

Total number of recommendations raised:

0

Recommendations per audit area:

No recommendations are made in fact-finding missions.

EU legislation on GMOs was laid down in 2001 and 2003. New genomic techniques (NGTs) are techniques that have emerged or have been developed since 2001. The current legislation on GMO is no longer fit for purpose for some NGTs and their products, partly due to it being difficult or impossible to differentiate between plants obtained through NGTs and plants obtained through traditional breeding. NGT products may have minor and barely detectable, but also larger changes to its genome. Changes may be detectable if the necessary information is available to the laboratory, but for NGT products with minor changes to their genome, even when these changes are detectable, it may be impossible to conclude that the changes are not the result of natural mutation or traditional plant breeding.

We carried out two fact-finding studies to gather information on the implementation of controls and relevant provisions on organisms and products, including food and feed containing such products, obtained through NGT. The studies also sought to identify good practices and common obstacles or difficulties encountered in the implementing these controls. The two fact-finding studies have supported the work to prepare the proposal by the European Commission in 2023 ⁽⁴⁾ for a Regulation on plants obtained by certain new genomic techniques and their food and feed.

(4) [Proposal of the European Commission \(COM\(2023\)411\) for a Regulation on plants obtained by certain new genomic techniques and their food and feed, and amending Regulation \(EU\) 2017/625](#)

Feed

Official controls carried out by EU countries

In this area, the information provided in the annual reports on the overall level of compliance is limited and not harmonised. Ten EU countries lack this statement and Malta provided no information. Where there are data, these are mainly related to the number of controls carried out and/or samples taken against the number planned. Other reports contain a very generic statement. The Netherlands state that most feed business operators are certified by a private assurance scheme.

Businesses active in the feed sector can be classified as follows:

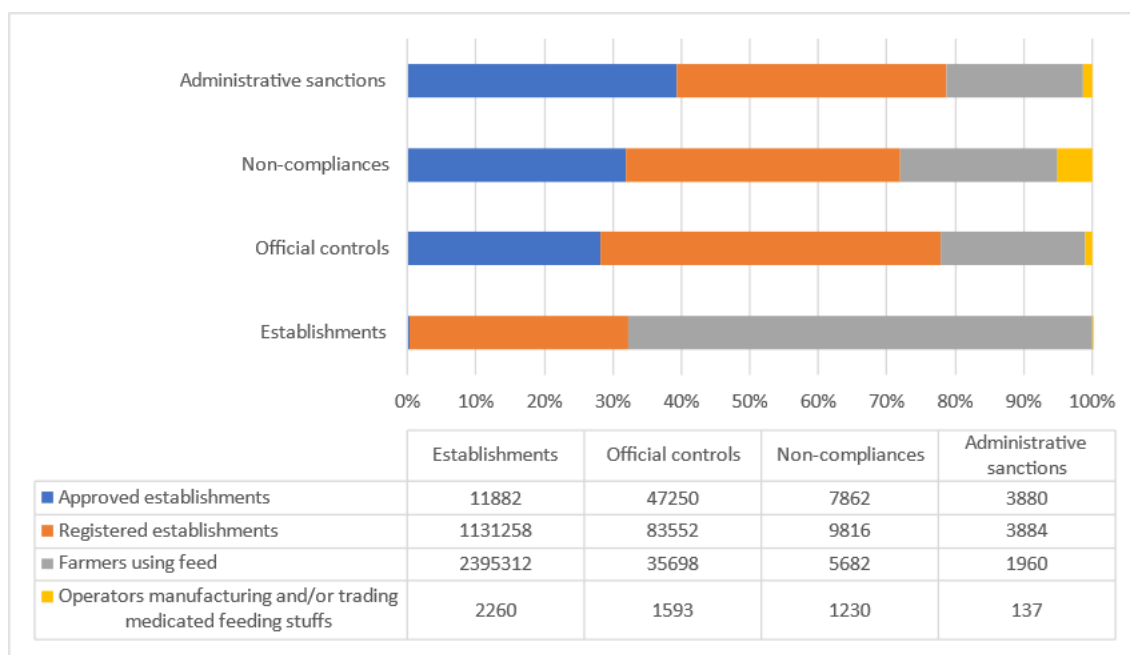
- registered establishments;
- approved establishments ⁽⁵⁾;
- businesses manufacturing and/or trading medicated feedstuffs;
- farmers using feed.

Table 5 gives an overview of the numbers of establishments, official controls carried out, non-compliance issues identified, and administrative penalties applied at EU level, in 2022.

In nine reports the data provided are or seem to be incomplete. National authorities do not yet collect all the data required.

⁽⁵⁾ These businesses carry out operations involving more sensitive substances, such as certain feed additives, premixtures and compound feedstuff, requiring prior approval (all establishments need to at least be registered with the authorities).

Table 5 – official controls of feed in 2022



Official controls in the feed sector check for issues such as feed labelling, traceability, additives, undesirable substances, medicated feed, pesticides and GMOs.

Non-compliance issues and penalties were attributed to businesses' shortcomings in one or more of the following: labelling/traceability, feed safety, additives, undesirable substances, prohibited materials, medicated feed, pesticides, the use of unauthorised GMOs and the labelling of GMOs.

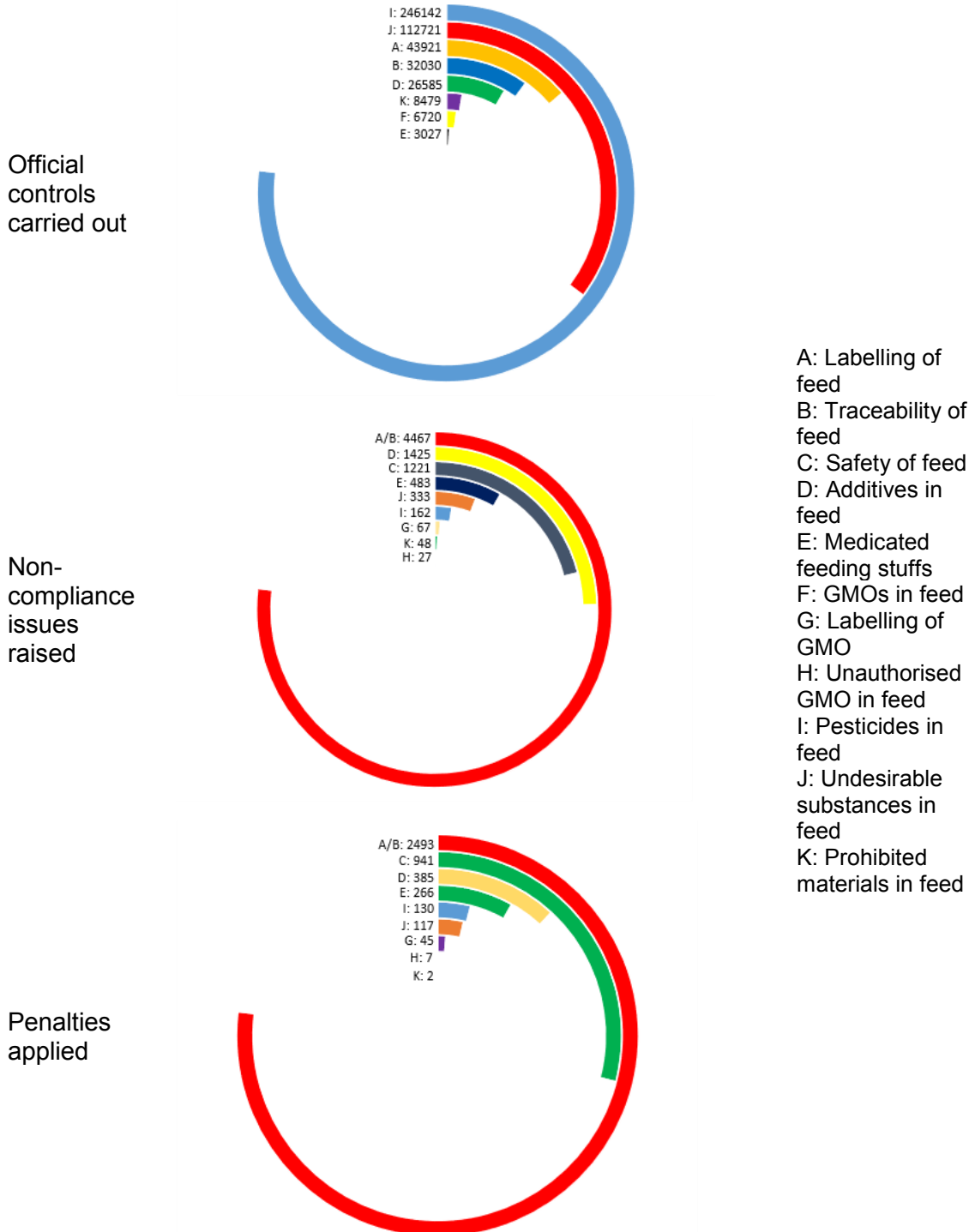
Table 6 gives an overview and breakdown of the numbers of official controls carried out, non-compliance issues identified and administrative penalties applied for these issues ⁽⁶⁾ in 2022.

Pesticide residues in feed is the biggest focus of official controls, but most issues of non-compliance and administrative penalties were for feed labelling and traceability.

⁽⁶⁾ Some EU countries indicated that they are not yet able to provide these data in the format required.

Table 6 – official controls of feed in 2022

Official controls, non-compliance issues and administrative penalties across 11 different topics, ranked by volume



- A: Labelling of feed
- B: Traceability of feed
- C: Safety of feed
- D: Additives in feed
- E: Medicated feeding stuffs
- F: GMOs in feed
- G: Labelling of GMO
- H: Unauthorised GMO in feed
- I: Pesticides in feed
- J: Undesirable substances in feed
- K: Prohibited materials in feed

Commission controls of EU countries

Countries audited:

3



Number of audits carried out:

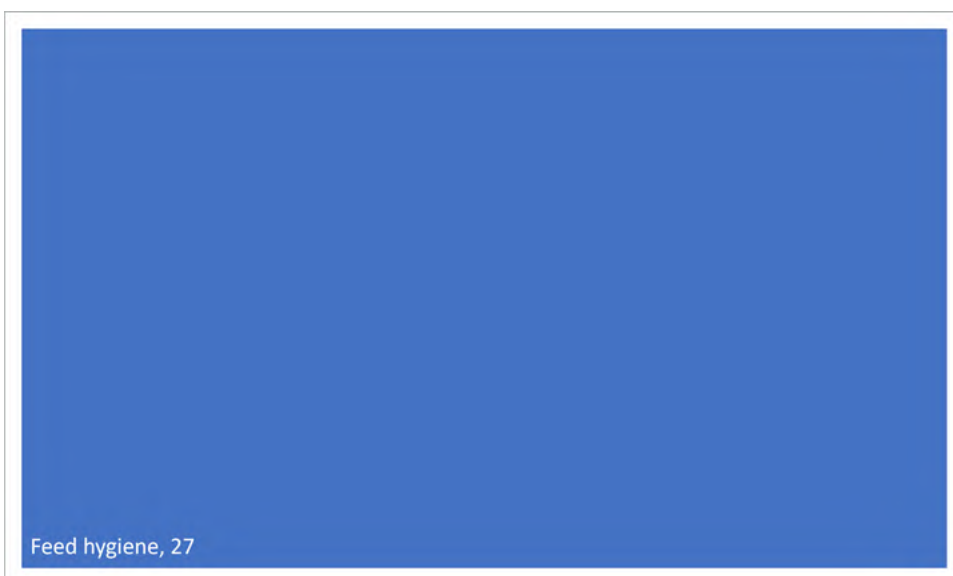
3

1 audit per country audited

Total number of recommendations raised:

27

Recommendations per audit area:



Commission controls on feed hygiene

We audited EU countries' implementation of official controls on feed hygiene in three EU countries. Although the overall results of the audits were positive, showing that EU countries' inspections and testing of feed business operators worked well, several areas for improvement were noted. They included national authorities' assessment of operators' hazard analysis and critical control points' systems, implementation of appropriate sampling protocols and official controls on labelling. This series of audits will continue in 2023, with an expanded scope to cover medicated feed.

Animal health

Official controls carried out by EU countries

Only 13 EU countries' annual reports contain a statement on the overall level of compliance. The reports range from providing generic statements to specifying the percentage of controls carried out or establishments with (non-) compliance with the results relative to objectives set, e.g. disease-free status.

The updated animal health law ⁽⁷⁾ has applied since 21 April 2021. Some EU countries stated this as a reason for not reporting on all categories of establishments. Malta and Ireland provided no information in the tables.

Official controls on the identification and registration of cattle, sheep and goats

In 2022, 7.0% of all cattle (5.5% of all holdings) were subject to an official control. 1.4% of all holdings were non-compliant. The authorities ordered movement restrictions for 28 209 animals (0.04%) on 1 388 holdings, for 362 holdings (20 060 animals) this affected all animals present. The authorities ordered the destruction of 247 animals (<0.001%) on 53 holdings (0.003%).

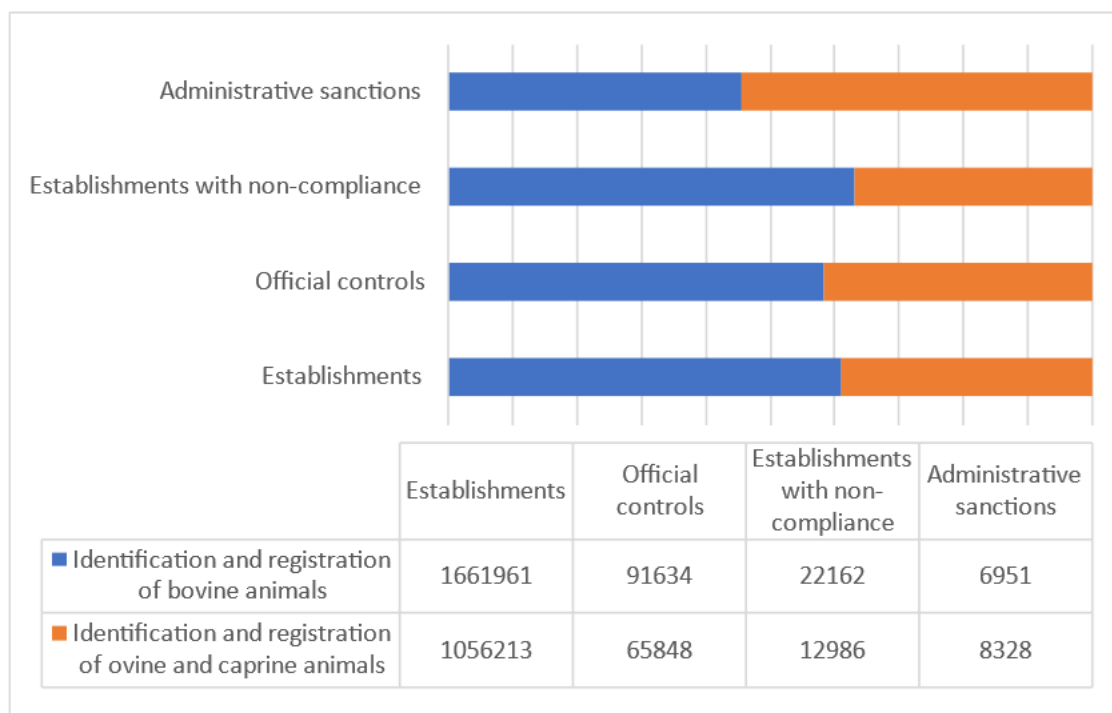
Official controls were carried out on 23.9% of sheep and goats (6.2% of the holdings), with 1.2% of all holdings found to be non-compliant.

The Netherlands and Spain reported a shortage of official veterinarians, which compromised their ability to complete the planned controls in full.

Table 7 shows the number of official controls carried out, non-compliance issues identified and administrative penalties applied in 2022.

⁽⁷⁾ [Regulation \(EU\)2016/429](#)

Table 7 – official controls on animal health (cattle, sheep and goats) in 2022



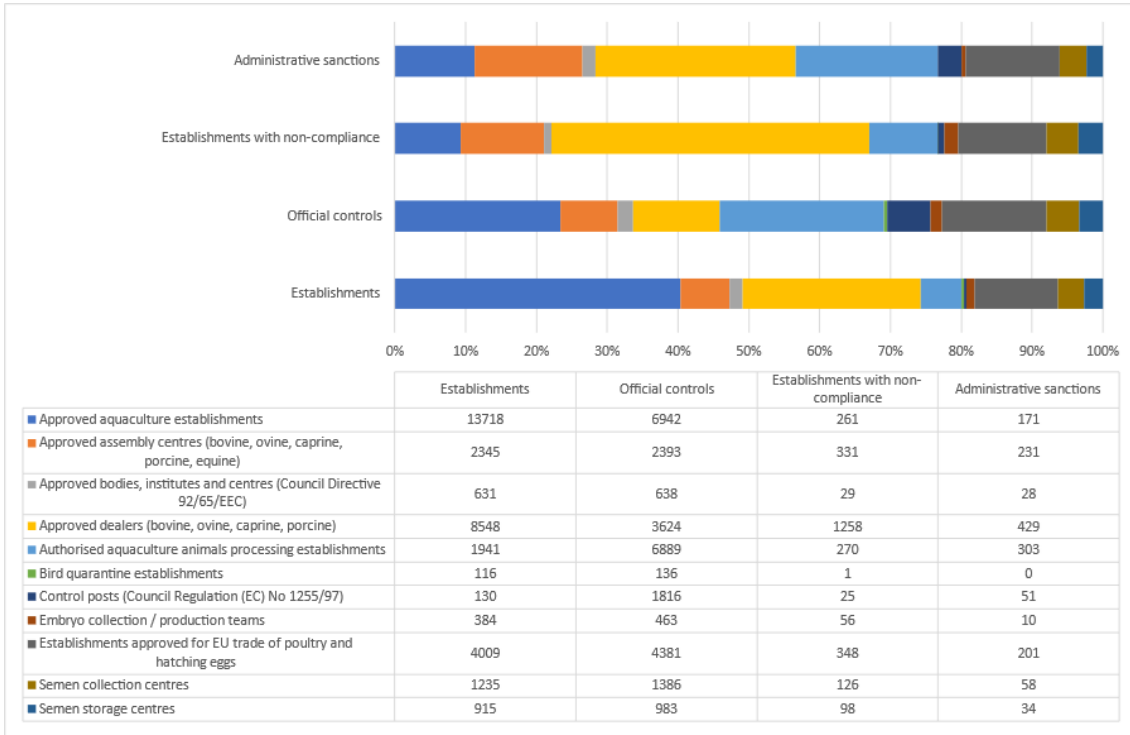
Other official controls

In addition to animal farming, there is a broad range of activities where controls of animal health are vital to control outbreaks and the spread of animal diseases.

Table 8 provides an overview of the number of businesses involved in these activities and the number of official controls carried out, non-compliance issues identified and administrative sanctions penalties in 2022.

The updated Animal Health Law could be a reason why, in 24 reports, the tables lack some data. Though some EU countries do not have certain types of establishments in their territory, this is not always stated as a reason for the missing data. Most of the missing data is on approved dealers, assembly centres, control posts and aquaculture.

Table 8 – official controls on animal health in 2022



Commission controls of EU countries

Countries audited:

6



Number of audits carried out:

6, one in each country audited

Total number of recommendations raised:

41

Recommendations per audit area:



African swine fever

African swine fever, an animal disease that causes major social and economic impacts, entered into the EU in 2014 and spread to several EU countries. The Commission continues to audit affected EU countries with the aim of checking the correctness of measures applied by national authorities to control the disease. The 2022 audits indicated that, although appropriate measures are taken to contain the disease, there are challenges regarding early detection of the disease, biosecurity and movement controls from restricted zones. The audits have an important role in reassuring trade partners about the reliability of the EU system for regionalisation.

Highly pathogenic avian influenza (HPAI)

In recent years, several epizootic waves of HPAI have caused significant direct and indirect economical and societal costs to the EU. The two most recent waves were over the period 2020 – 2022. The 2020/21 epizootic started in the EU in October 2020 and was caused mainly by an H5N8 HPAI virus subtype with numerous outbreaks in EU countries, until the third quarter of 2021. The 2021/22 HPAI epizootic started in the EU on 30 September 2021, and was caused mainly by a new H5N1 HPAI virus subtype also affecting several EU

countries. As in previous outbreaks, migratory wild birds were instrumental in bringing the HPAI virus to the poultry population.

We audited the measures taken by EU countries during the avian influenza epidemics of 2020-21 and the lessons learned and applied in their contingency plans. The audits indicated that, although EU countries applied measures to contain the disease, in most cases, there was scope to strengthen contingency planning and preparedness in the areas of epidemiological enquiries and depopulation arrangements. The audit results provided evidence for discussions of experts on the specific regulations related to the disease that have been developed under the Animal Health Law.

One Health - non-food borne zoonoses - rabies

Rabies is a deadly viral disease that affects animals and humans. It remains a priority to eliminate rabies from the European Union. In 2021 and 2022, the Commission awarded EUR 13 million and EUR 25.1 million respectively, to 12 EU countries to contribute to achieving no cases of rabies in wild animals in the EU. We continued to audit participating EU countries to assess the effective implementation of rabies eradication programmes. The results of these controls indicate that overall, the programme implementation progresses according to objectives. However, the persistent presence of rabies in some third countries that border the EU represents a constant threat of re-introduction of the disease. A spillage of infection in wild animals to the EU was noted also in 2021 and 2022 with new outbreaks detected in previously free areas.

Other than these audits, an assessment of the animal health contingency plans was carried out on all EU countries through a questionnaire. The results of the project will be discussed during a workshop for national authorities planned to take place in the fourth quarter of 2023.

Animal by-products

Official controls carried out by EU countries

Animal by-products (ABPs) are materials of animal origin that people do not consume. ABPs can spread animal diseases (e.g. Bovine Spongiform Encephalopathy - BSE) or chemical contaminants (e.g. dioxins) and can be dangerous to animal and human health if not properly disposed of. EU rules regulate the movement, processing and disposal of these.

Only 15 annual reports contain a statement on the level of compliance, mostly a generic one.

Table 9 provides an overview of the number of establishments, official controls carried out, non-compliance issues identified and administrative penalties applied in 2022, comparing the numbers between approved ⁽⁸⁾ and registered establishments.

Poland stated that it cannot distinguish the registered establishments, as in its view, the EU technical specifications do not distinguish between approved and registered operators. Italy reported an increase in veterinary control capacity, enabling controls on establishments working in biogas, biodiesel and fertilisers.

Table 10 compares the numbers of non-compliance issues and administrative penalties between two types of product non-compliance issues:

- labelling and traceability of ABPs and derived products;
- safety of ABPs and derived products.

Ireland did not complete the tables. France did not report any official controls on labelling and traceability. Cyprus, France, Malta and the United Kingdom (for Northern Ireland) did not provide a breakdown by category of issues of non-compliance.

⁽⁸⁾ These establishments process, handle or store ABPs and/or derived products (all establishments need to be at least registered with the authorities).

Table 9 – official controls of ABPs in 2022

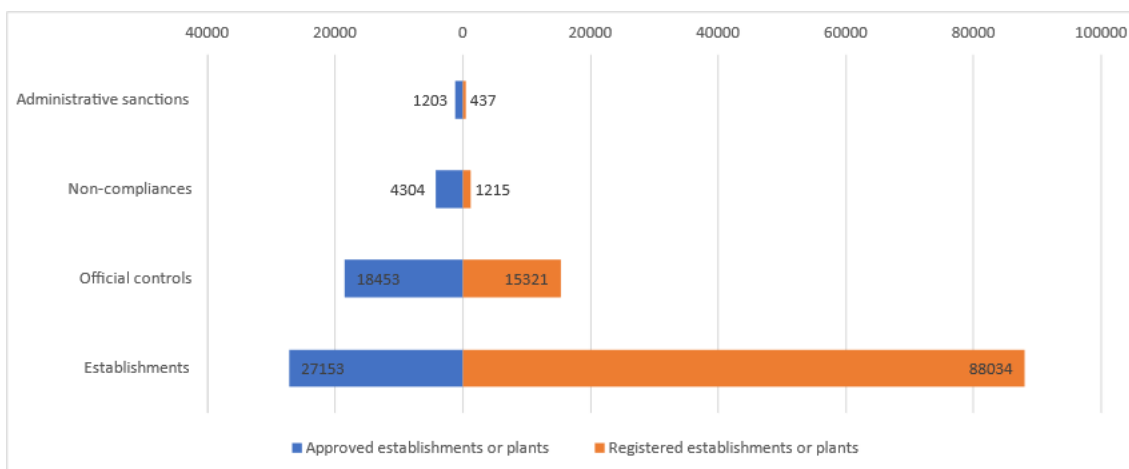


Table 10 – product non-compliance of ABPs in 2022



Commission controls of EU countries

Countries audited:

5



Number of audits carried out:

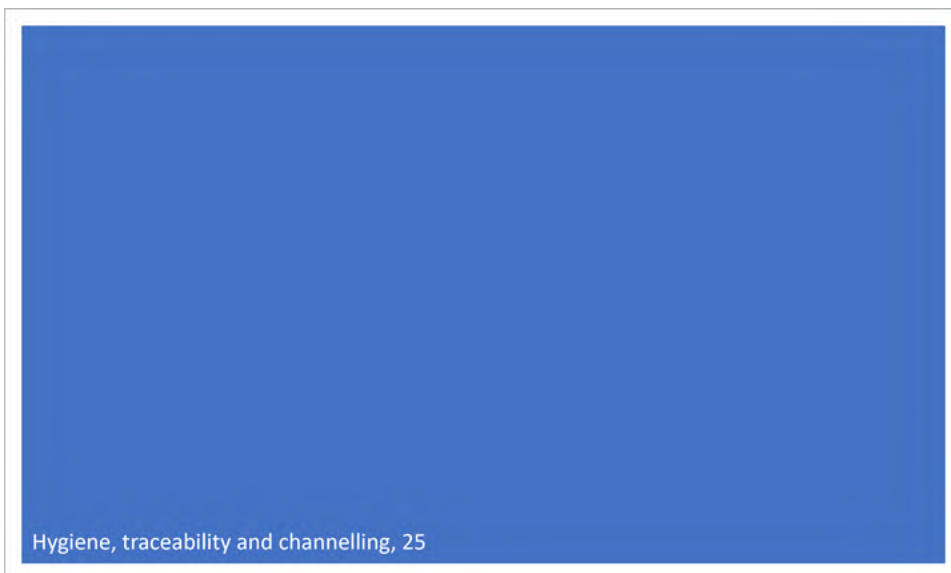
5

1 audit per country audited

Total number of recommendations raised:

25

Recommendations per audit area:



For animal by-products and derived products, we carried out five audits in 2022 with the focus on official controls at critical points of the animal by-products chain, building on the experience gained in previous audits and the specific features of the countries audited. The audits showed that in most EU countries control systems operate well, but identified several areas for improvement. In particular, these concern checks on ABP generated in the food sector, assessments of operators' hazard analysis and critical control point systems, and verifications of validation of processing plants. The findings of these audits have fed into the ongoing series of audits of EU countries resulting in further refinements of the scope. This series of audits will be completed in 2024.

Animal welfare

Official controls carried out by EU countries

Only 10 annual reports provide a statement on the overall level of compliance.

Animal welfare on farms

The annual reports must include an analysis of the most serious findings of non-compliance. These analyses should be the basis for a national action plan to prevent or decrease their occurrence in the forthcoming years ⁽⁹⁾. Only five EU countries provided an analysis of the most important issues detected. Eleven lacked this required analysis. The 12 other EU countries' analysis are so generic that it is not possible to identify issues that might be common to several EU countries and/or they lack a root cause analysis of the issues identified.

Only one EU country provided a sound action plan to prevent the most important issues detected. 16 EU countries have not included an action plan. The other 11 action plans are either too generic, lack concrete actions and targets or do not cover all the important issues detected. It must be highlighted that for an action plan to adequately address main animal welfare issues it would first require good data and a proper analysis of supporting data.

Poland noted that, since the number of official welfare checks on holdings is an aggregate number and it is not currently possible to break it down by **individual animal species**, the method for collecting data will change in the next reporting year.

Similarly, Sweden reported that they do not currently have access to information on the number of production sites at which non-compliances were observed, or information on the number of administrative measures broken down by **individual animal species** in line with the breakdown requested in the report. Similarly, they cannot currently isolate data on the number of sites and controls of calves carried out. They have taken steps to obtain these statistics and intend to report them next year.

Several Member States reported non-compliances relating to the **tail docking of pigs**, for instance Czechia, Cyprus, Latvia and Romania. As an example, Latvia describes that on farms where pigs were subject to tail docking, a risk

⁽⁹⁾ Articles 151, 152, 156, 157 and 158 of Regulation (EU) 2017/625 require an analysis of the most serious findings of non-compliance and a national action plan to prevent or decrease their occurrence.

analysis of tail/ear biting was not always carried out, or it was incomplete, no action plan had been drawn up with further measures to improve pig welfare, there were no records of tail/ear biting, no corrective measures had been taken to stop tail docking, pigs did not have access to a sufficient supply of natural materials and straw or only had access to plastic items or chains.

Table 11 provides an overview of the numbers of production sites, official controls carried out, sites with non-compliance issues and penalties applied in 2022 for all the animal species listed.

Table 11 – official controls – animal welfare on farms - 2022



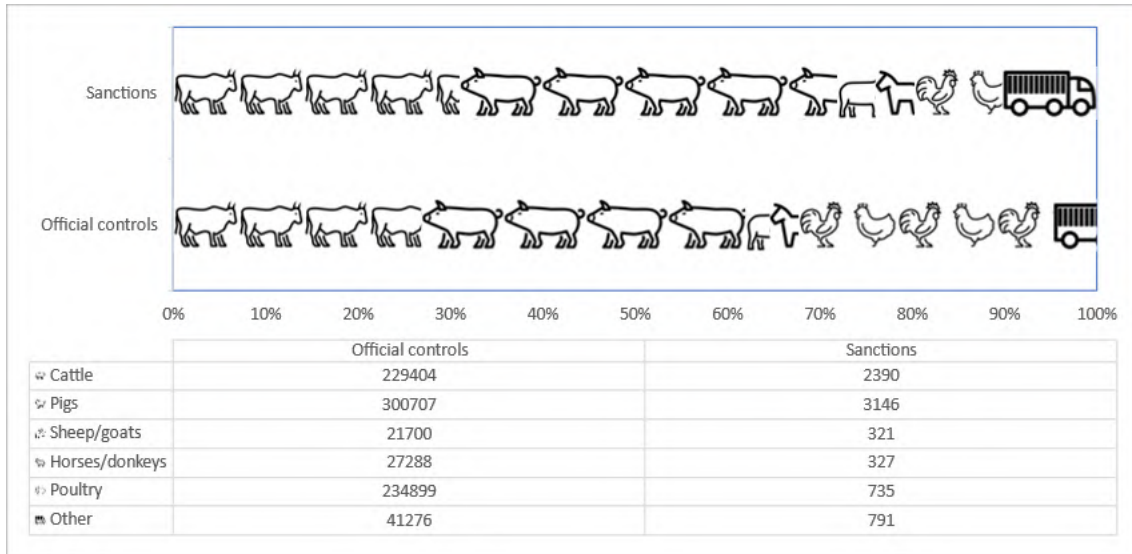
Animal welfare during transport

An analysis is lacking for 12 EU countries ⁽¹⁰⁾ or is of poor quality and does not identify the presence – or absence – of main non-compliances for which an action plan would be necessary. 20 EU countries lack an action plan. A sound action plan that properly tackles the main animal welfare issues would first require proper data and a proper analysis of the supporting data.

Table 12 provides an overview of the number of official controls carried out and administrative penalties applied for all animal species, in 2022.

⁽¹⁰⁾ Article 154 of Regulation (EU) 2017/625 requires an analysis of the major deficiencies detected and an action plan to address them.

Table 12 – official controls of animal welfare during transport in 2022

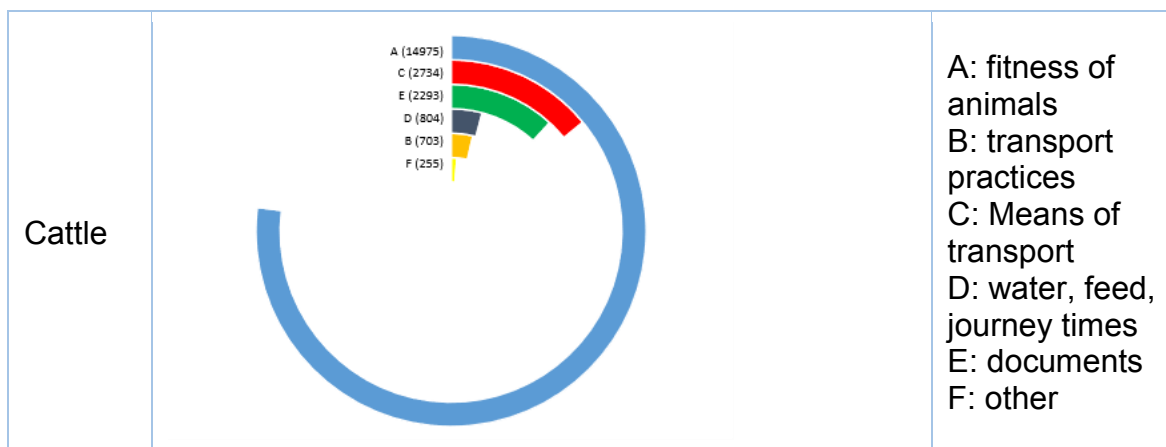


These official controls led to a number of administrative penalties issued. The graphs in Table 13 show the number of penalties for each species. The main issues were:

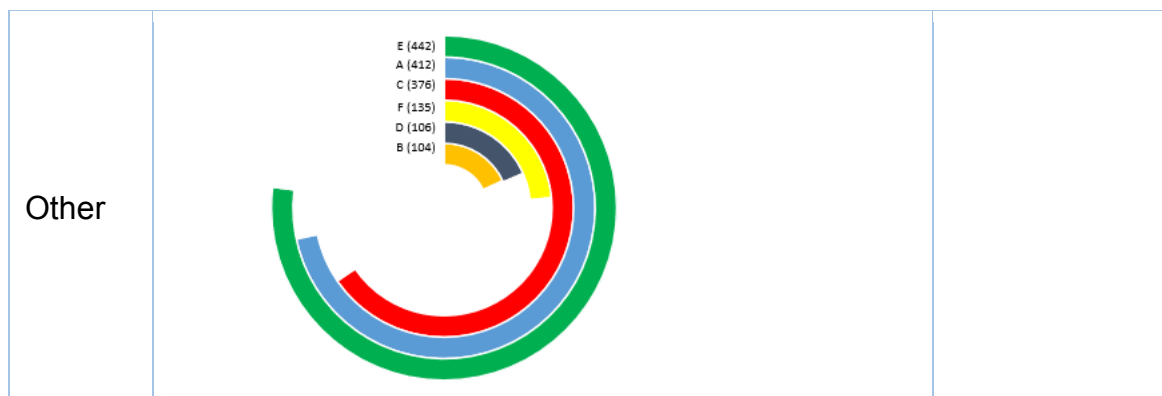
- for cattle, pigs and poultry, the fitness of animals;
- for sheep and goats, the means of transport;
- for horses and other animals, transport documentation.

Table 13 – official controls of animal welfare during transport in 2022

Administrative penalties for different species relating to six areas



<p>Pigs</p>	<p>A (16961) C (6131) D (4435) B (3033) E (1357) F (402)</p>	
<p>Sheep & goats</p>	<p>C (1005) A (869) D (558) B (455) E (359) F (54)</p>	
<p>Horses and donkeys</p>	<p>E (533) C (151) F (103) A (87) B (45) D (12)</p>	<p>A: fitness of animals B: transport practices C: Means of transport D: water, feed, journey times E: documents F: other</p>
<p>Poultry</p>	<p>A (272977) C (8291) B (899) E (370) F (157) D (57)</p>	



Animal welfare at the time of killing

Eight EU countries did not provide any information on the outcome of official animal welfare controls carried out in slaughterhouses.

Three EU countries submitted data exclusively on depopulation activities for animal health reasons, which is only an optional item to include in the report.

The quality of information provided by the other 20 EU countries varies. Countries that provided some detailed information focused mainly on stunning, handling, bleeding, non-compliance with procedures, the lack or expiry of certificates of competence of animal welfare officers and other slaughterhouse personnel. None indicated a reason for these non-compliance findings. Only Portugal included some information on religious slaughter.

Germany stated that, in its opinion, reporting on official controls on animal welfare at slaughter is optional therefore they did not report on it.

Commission controls

Countries audited:

6



Number of audits carried out:

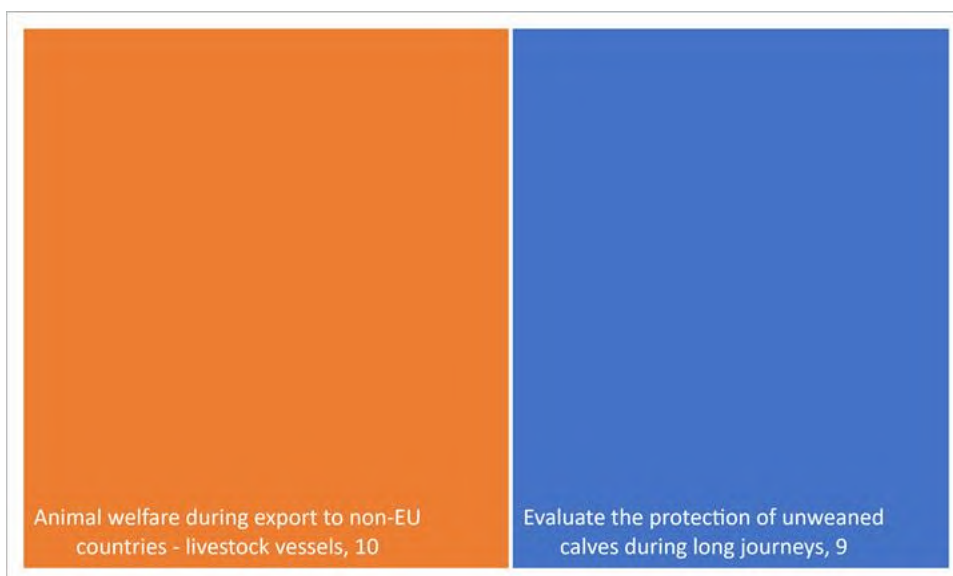
7

2 audits in Spain, 1 per country for the others

Total number of recommendations raised:

19

Recommendations per audit area:



Animal welfare on farm

In 2022, the Commission published an overview report based on the outcome of a two-year project looking at the EU countries' approach to animal welfare on farms. The project explored the use of quality management systems for official controls, the use of animal welfare indicators to measure the extent and seriousness of animal welfare problems and the reliability of the data the national authorities collect and report. The main sources of information included Commission audits of seven EU countries from 2019 to 2021, responses to questionnaire surveys by EU competent authorities and private veterinarians and other documentary analyses.

The project concluded that, although there are promising developments in private standards to identify suitable animal welfare indicators which are accepted by both the agri-food sector and national authorities, there is not yet a

single set of universally used indicators to measure the state of or changes to animal welfare at farm level. However, it would be feasible to create such indicators for different farming systems or production sectors. Authorities only used animal welfare indicators when they were part of the legal requirements. They are slowly moving towards incorporating indicators beyond those prescribed in legislation to assess the welfare of animals during their official controls. We noticed that when authorities use indicators, their controls provide a better assessment of the real state of welfare of animals at farm level.

In 2022, we also contributed to workshops delivered under the BTSF initiative on animal welfare at farm and at slaughter.

Animal welfare during transport

Road transport - unweaned calves

We focused our attention on the transport of unweaned calves, initiating a two-year project that started in 2022 and includes six audits in EU countries.

EU law regulates the transport of animals, including unweaned calves. These are young animals still on a milk diet, a particularly vulnerable category of livestock. In this context, the legislation establishes specific requirements for their transport and related operations. The transport of unweaned calves over long journeys is mainly linked to dairy farming.

Our audits conducted in 2022 identified scope to improve compliance with welfare requirements for transporting unweaned calves over long journeys. The project will provide the Commission with an overview of the EU situation in this sector, to help identify possible policy action regarding the fitness check of EU animal welfare legislation. An overview report drawing on the findings of all audits will be published when the project is finished.

Sea transport – livestock vessels

In 2022, we initiated another project to assess the effectiveness of official controls on the suitability of sea transporters' contingency plans during authorisation, and on livestock vessels prior to loading. The aim of these controls is to ensure livestock vessels have appropriate conditions during animal transport to non-EU countries and have made the necessary provisions to follow in the event of an emergency. The project included audits in four EU countries operating as ports of exit for livestock vessels and a desk-based analysis of sea transporters' contingency plans. The results of the project will be

published upon its conclusion. The findings from the four audits indicate some weaknesses in the authorisation of sea transporters – in particular the suitability of contingency plans to meet the animals' needs during emergencies at sea.

In 2022, we also contributed to workshops delivered under the BTSF initiative on animal welfare for transport and continued to work with the European Maritime Safety Agency to set up a system to improve official controls on livestock vessels and thus improve animal welfare during sea transport.

Plant health

Official controls carried out by EU countries

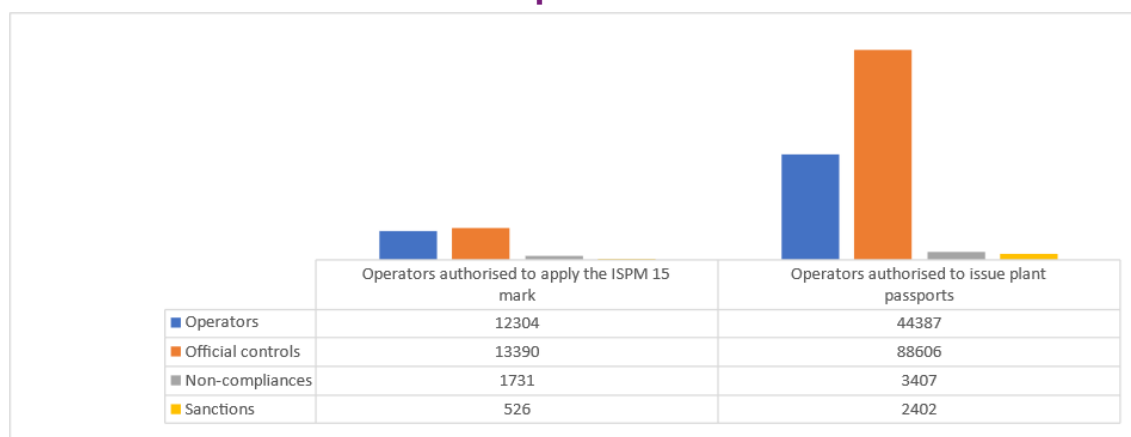
EU countries must report on the official controls carried out on businesses authorised to issue plant passports ⁽¹¹⁾ and businesses authorised to apply the ISPM 15 mark ⁽¹²⁾ to wood packaging materials.

Only 15 reports contain a (mainly generic) statement on overall compliance.

Although the overall figures at EU level suggest compliance, based on the figures reported, only 11 EU countries can have carried out at least one official control on every operator, as required by legislation. In total 20 countries, can have achieved this requirement for one of the two types of operators. Some of the countries in this group reported a much higher number of controls than the number of operators.

Table 14 provides an overview of the number of businesses involved, official controls carried out, non-compliance issues identified and administrative penalties applied in 2022.

Table 14 – official controls of plant health in 2022



⁽¹¹⁾ Plant passports are harmonised labels that must accompany all plants for planting during all business-to-business movements within the EU, to ensure the absence of quarantine pests, compliance with regulated non-quarantine restrictions and traceability.

⁽¹²⁾ A mark on wood packaging materials which shows they have undergone treatment to remove or kill pests.

Commission controls of EU countries

Countries audited:

11



Number of audits carried out:

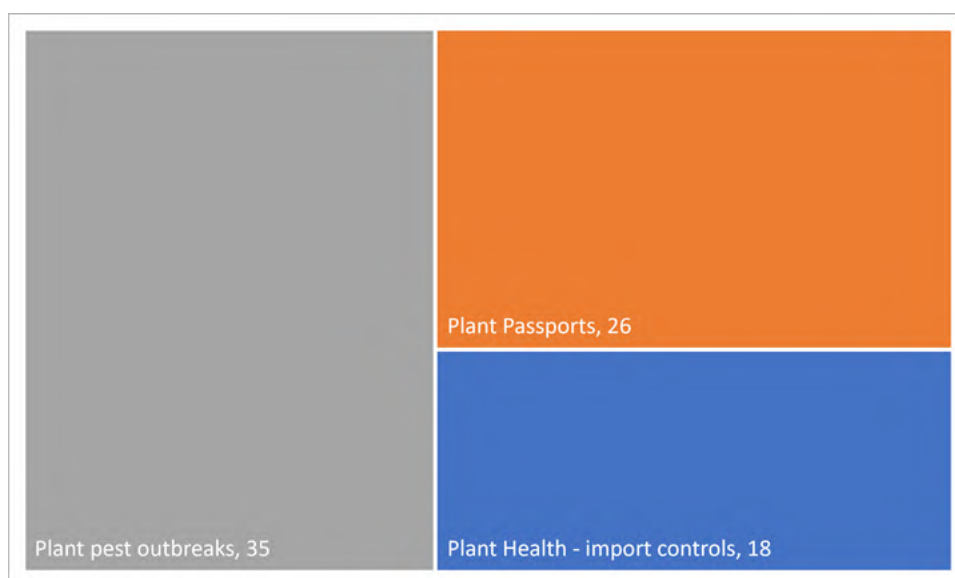
14

2 audits in Belgium, France, Netherlands and 1 audit in the other countries audited

Total number of recommendations raised:

79

Recommendations per audit area:



Controls of harmful pests and diseases

Plant health is important for sustainable agriculture and horticultural production, food security and to protect the natural environment. We continued to conduct a wide range of audit and analysis activities in the field of plant health, in EU countries (and non-EU countries that export plants to the EU), to verify compliance with EU rules.

EUROPHYT outbreaks

Rapid reporting by EU countries on new outbreaks of pests and diseases, and on their spread in the EU, is fundamental to assess the risk factors and better target national authorities' control activities to eradicate or contain pests. The web-based module for outbreak notifications under the EUROPHYT system

was further developed, helping national authorities swiftly report new outbreaks and updates on existing outbreaks. Bringing in new tools for real time data analyses improved the information needed for rapid decision making.

Xylella fastidiosa

This bacterial disease was first detected in the EU in Apulia, Italy in 2013. Its presence was subsequently confirmed in France, Spain and Portugal. The pathogen has severely affected olive production in the Apulia region. It has also infected plants in almond production, forest areas and other natural sites. Since 2013, we have carried out regular audits in the affected EU countries to verify implementation of the evolving legal requirements. These audits made a range of recommendations on the implementation of control measures.

In 2022, we carried out audits in Portugal, Italy, and France. They identified the obstacles that delay the required eradication measures, especially in early stages of outbreak controls. The containment measures applied in Corsica provide a good level of reassurance, and there have been positive developments to contain the disease in the Salento demarcated area of Apulia. However, when the areas demarcated for eradication measures are large, and when the bacterium is present in a broad range of host plants (particularly non-agricultural vegetation), the removal of affected plants is difficult. Full eradication of these outbreaks is unlikely.

Audits on plant passports

Since the end of 2019, significant changes to the EU plant health regime apply in the EU. The changes include issuing plant passport labels for all plants for planting (except seeds) traded within the EU. This has improved traceability and the controls of plant pest outbreaks. A new audit series, with four audits carried out in 2022, has supported authorities with the effective adaptation of their control systems to meet these new requirements. This audit series will continue until 2024.

Plant protection products

Official controls carried out by EU countries

Plant protection products (PPP) are subject to official controls at market level and during use.

Only 12 reports contain a (generic) statement on the overall level of compliance.

The reports do not contain all data as required. The national authorities do not yet register all operators and activities in a way that would enable them to provide the data.

Marketing plant protection products

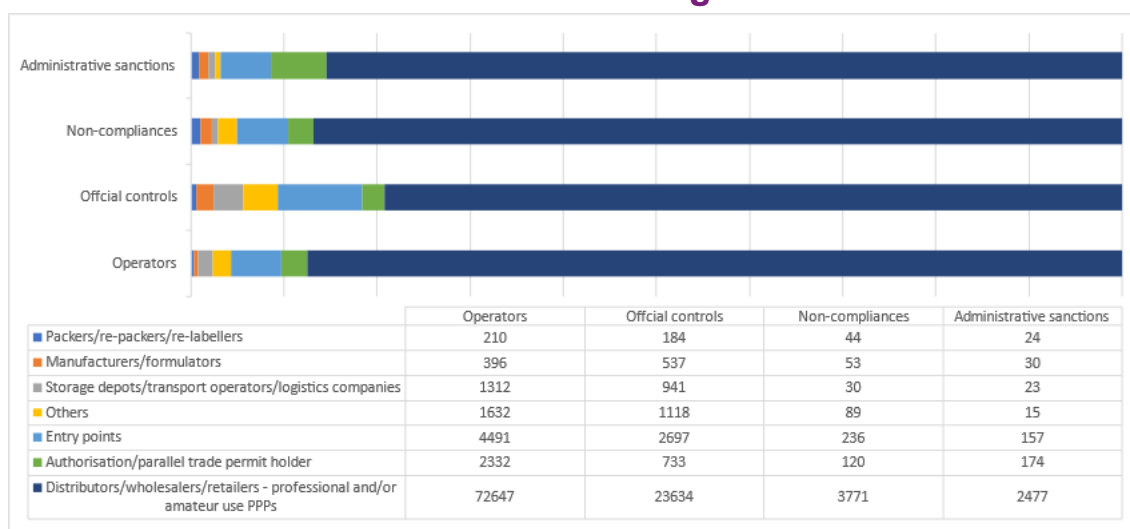
A range of businesses are active in the PPP distribution chain. Table 15 provides an overview of the number of operators, official controls carried out, non-compliance issues identified and administrative penalties applied by type of operators in 2022.

Czechia and Spain report a high number of authorisation/parallel permit holders, which might correlate to the number of products rather than operators.

The report from the United Kingdom (Northern Ireland) states that it does not yet have a programme in place for official controls on the marketing of PPP as the Official Controls (Plant Protection Products) Regulations (Northern Ireland) 2020 came into operation only recently (on 31 December 2020).

A specific non-compliance issue at this stage is the storage of PPP that are no longer authorised to be used.

Table 15 – official controls of marketing of PPP in 2022



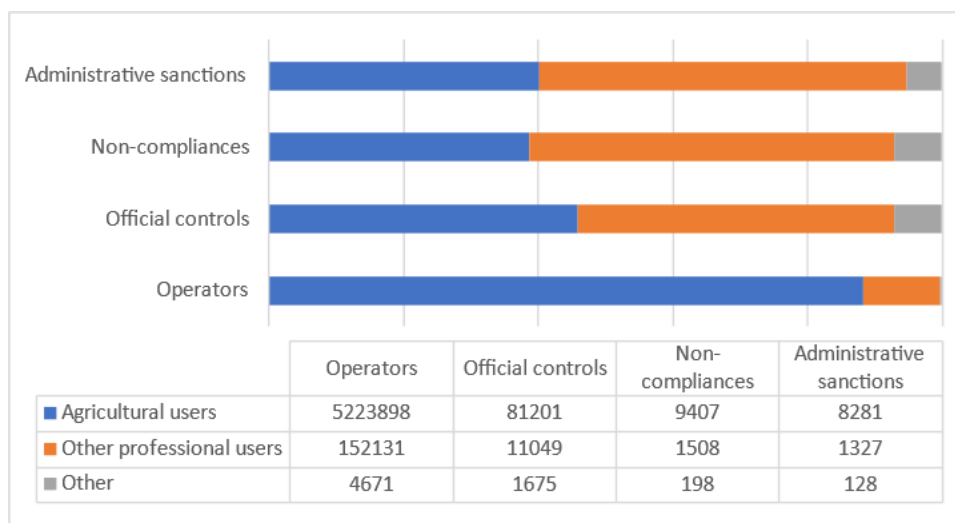
Use of PPP and sustainable use of pesticides

The non-compliance issues identified included:

- lack of training and certificate of competence in pesticide use;
- inadequate storage – lack of containment to prevent unwanted releases of product into the environment;
- absence of spray records;
- use of an unauthorised product; and
- use of a product that does not meet the conditions of use specified on the label.

Table 16 provides an overview of the number of operators, official controls carried out, non-compliance issues identified and administrative penalties applied in 2022, for all operators in relation to official controls carried out on the use of PPP and the sustainable use of pesticides. Other professional uses include use in forestry, around railways and roads, non-agricultural areas such as golf courses and other public areas, seed treatment operators and spray contractors and/or service providers.

Table 16 – official controls of use of PPP in 2022



Coordinated monitoring of pesticide residues

The legally defined ⁽¹³⁾ maximum residue levels of pesticides are monitored through an EU-coordinated multiannual control programme. Every year, 12 commodities are selected for sampling by the EU countries. As 30-40 products constitute the major components of people’s diet in the EU and pesticide use shows significant changes over a period of three years, pesticides are monitored in those products over a series of three-year cycles. This enables the assessment of both consumer exposure and the application of EU legislation. EU countries report the results to the European Food Safety Authority (EFSA). EFSA assesses the information and prepares an [annual report](#).

⁽¹³⁾ Regulation (EC) No 396/2005.

Commission controls of EU countries

Countries audited:

2



Number of audits carried out:

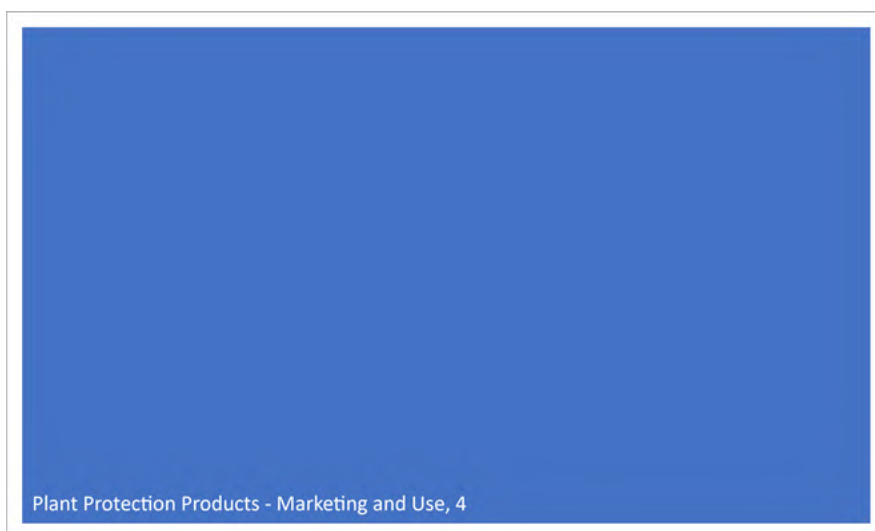
2

1 audit per country audited

Total number of recommendations raised:

4

Recommendations per audit area:



The sustainable use of pesticides

The broad range of measures set out in the Directive on the sustainable use of pesticides (SUD) ⁽¹⁴⁾ provides the basis for reducing the risks and impacts of pesticide use on human health and the environment by promoting the use of integrated pest management and alternatives to pesticides.

Controls on the marketing and use of PPPs and implementation of the SUD

In 2022, we carried out two audits to evaluate official controls on the marketing and use of plant protection products in EU countries. Two meetings of the SUD

⁽¹⁴⁾ [Directive 2009/128/EC of the European Parliament and of the Council of 21 October 2009 establishing a framework for Community action to achieve the sustainable use of pesticides](#)

working group were organised during 2022 with EU countries' competent authorities responsible for implementing the SUD. Two series of *Better Training for Safer Food* courses, on integrated pest management implementation at farm level and on testing pesticide application equipment, continued in 2022.

Organic production and labelling of organic products

Official controls carried out by EU countries

For the 2022 reporting year, a new standard model was in place for EU countries to submit data on organic controls ⁽¹⁵⁾. These reports on official controls stem from the rules on organic production and labelling of organic products ⁽¹⁶⁾. They provide information on any detected issues of non-compliance and on enforcement of the measures contained in their national catalogue of measures.

The Commission sent follow-up letters to 14 EU countries and to the United Kingdom (Northern Ireland) to ask for additional information because it was missing or insufficient to meet the reporting requirements.

It asked for clarification on:

- control rates and compliance with requirements;
- delegation of control tasks (to control body and/or control authorities);
- the supervisory work carried out by the competent authority in relation to the organic control bodies (audits, number of files examined, and follow-up given to irregularities).

EU countries may delegate to control bodies certain official control tasks and other official activities ⁽¹⁷⁾. In most EU countries, private-sector control bodies are active in certification and official controls of organic businesses. The national authorities are required to supervise these bodies ⁽¹⁸⁾.

Under the rules on organic production, EU countries' national authorities for organic farming supervise the control bodies to whom they delegate official control tasks and report the results of this supervision work to the Commission.

⁽¹⁵⁾ Section 9 of standard model form replaced with Implementing Regulation (EU) 2021/1935 amending Implementing Regulation (EU) 2019/723.

⁽¹⁶⁾ Regulation (EU) 2018/848 of the European Parliament and of the Council of 30 May 2018 on organic production and labelling of organic products.

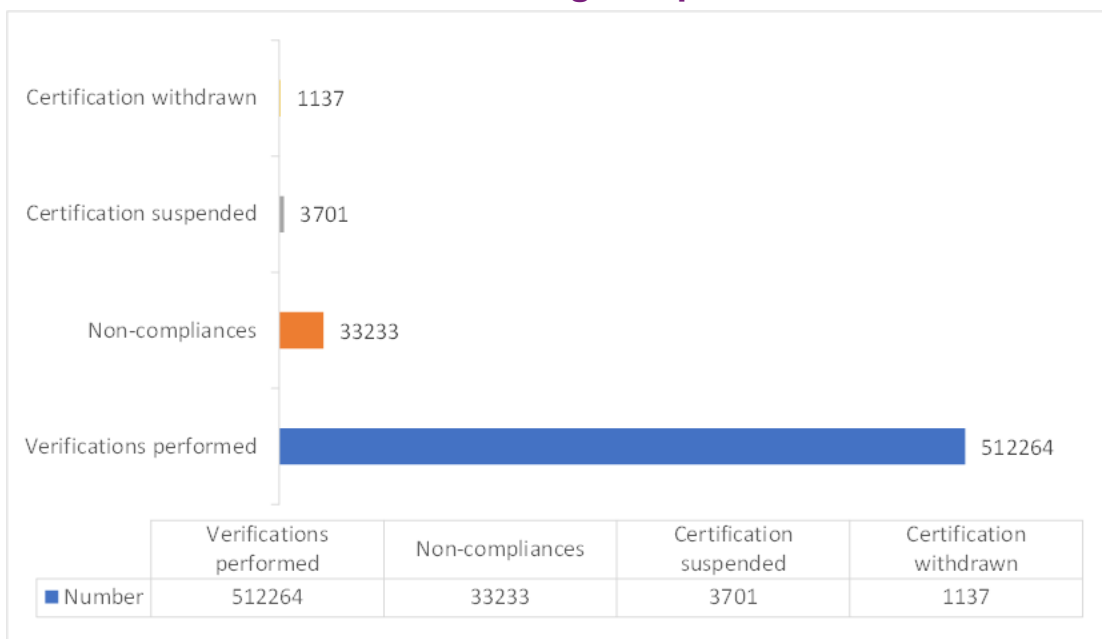
⁽¹⁷⁾ Article 28 of [Regulation \(EU\) 2017/625](#).

⁽¹⁸⁾ Article 33(a) of Regulation (EU) 2017/625.

The supervision audits include office assessments of the control procedures, witnessed audits, where the national authority observes the inspection carried out by inspectors from the control body, review audits, where the national authority directly inspects organic businesses to verify compliance with the rules governing organic production. The national authorities impose measures where necessary, including withdrawing the delegated powers of these bodies.

Table 17 provides an overview of the number of verifications of compliance carried out, the number of non-compliance issues found and the number of suspended and withdrawn certifications in 2022.

Table 17 – official controls of organic production in 2022



Commission controls of EU countries

As the new EU organic legislation came into force only in the beginning of 2022 and required time to transition to the new requirements, no audits in EU countries were carried out in 2022. A new audit system in EU countries will be applied from 2023.

In its farm-to-fork strategy, the Commission set a target for 25% of the EU's agricultural area to be under organic farming by 2030. There has been a fast expansion in organic areas in the EU. Between 2012 and 2021, it increased by 6.5 million hectares, equivalent to a rise of 68% or 9.9% of the total utilised agricultural area in 2021 ⁽¹⁹⁾.

An increase of 2.8% of total imports of organic agri-food products in the EU in 2021 ⁽²⁰⁾ was followed by a 5.1% decrease in 2022. In 2021, total imports of organic agri-food products in the EU fell from 2.87 million tonnes to 2.73 million tonnes in 2022, possibly reflecting a reduction in demand due to the sharp increase in food prices that year ⁽²¹⁾.

The European Commission has a supervisory role of EU countries and aims to ensure the correct application of organic farming legislation across the EU. Every country in the European Union appoints a 'competent authority' who is ultimately responsible for making sure that EU rules are followed. Usually these are either a department of agriculture or a department of public health.

This competent authority can delegate its role to control bodies, control authorities or create a mixed system with both private control bodies and public control authorities.

Regardless of the system chosen, the competent authority is ultimately responsible for auditing the inspection system within its own area of responsibility.

Once a year, EU countries report to the European Commission on the results of the controls carried out on organic operators and on the measures taken in case of non-compliance.

The European Commission supervises EU countries to ensure that they fulfil their responsibilities.

⁽¹⁹⁾ [Organic farming statistics provided by Eurostat](#)

⁽²⁰⁾ [EU imports of organic agri-food products - Key developments in 2021](#)

⁽²¹⁾ [EU imports of organic agri-food products - Key developments in 2022](#)

The Commission uses both the reports submitted by EU countries and regular audits to make sure that adequate controls are being carried out.

Protected designation of origin, protected geographical indications and traditional specialities guaranteed

Official controls carried out by EU countries

The EU geographical indications (GI) system protects the names of products originating from specific regions and having specific qualities or enjoying a reputation linked to the geographic area where they are produced:

- protected designations of origin (PDOs);
- protected geographical indications (PGIs); and
- traditional specialities guaranteed (TSGs).

The GI system enables consumers to trust and distinguish traditional products with specific qualities, while also helping producers to market their products better.

Currently, the EU's GI system includes over 3 500 registered names of products. In addition, more than 1 700 non-EU GI names are protected in the EU through international agreements.

Each GI must follow a specific set of specifications laying down details of production. This product specification is a reference document for producers, consumers, certification bodies and competent authorities to ensure that the product meets the requirements and maintains its authenticity and reputation.

EU regulations establish obligations and principles for a system of official controls that EU countries must implement. The scope of controls covers both the production phase and surveillance of the correct use of the protected name.

The EU countries identified various objectives for the official controls of GIs: e.g.

- in Austria and Germany, they include safeguarding consumer trust and protecting consumers from deception;
- in Czechia, they include ensuring that the rights of GI right holders are guaranteed and respected.

Several countries, such as Italy, Germany, Estonia, Finland and Sweden, reported that they exceeded their annual GI control targets. Italy's competent authority, for instance, conducted 143.5% of the planned control activities. The increase in controls can be attributed to the growing presence of GIs in e-commerce as well as the high incidence of judicial police activities aimed at combating fraud, which cannot be planned. Additionally, the cancellation of COVID-19 related measures in 2022 contributed to the increase in control activities.

In general, the number of official controls carried out in individual EU countries in 2022 was higher or the same level as in 2021.

Based on the information submitted, the Commission observes the following:

- Official controls of GIs in EU countries included both pre-market checks and conventional checks on the market. In some EU countries (e.g. Italy, Spain, France, Portugal, Czechia, Austria) the majority of the checks reported were pre-market checks. Several of these EU countries also conducted a significant number of market controls, such as Italy (3 459), France (2 633), Portugal (3 070) and Spain (1 857). In other EU countries (e.g. Germany, Latvia, Sweden, Slovakia, Bulgaria, Finland) more emphasis was put on controls in the marketplace. This difference may be due to EU countries with a high number of GIs focusing more on verifying compliance with GI product specifications before products reach the market.
- In terms of market checks, these encompass both checks in the physical marketplaces and checks on online marketplaces. The physical market checks cover not only the wholesale and retail but also the hospitality sector.
- Some EU countries (e.g. Finland, Sweden) explicitly indicated that the controls in e-commerce had not been separately recorded. Thus, the number of controls in e-commerce is included in the figure of conventional controls. Finland plans to separate this data within two years. Estonia achieved this from 2022.
- In addition, in a number of EU countries (e.g. Austria, Belgium, Croatia, Denmark and Romania) it is not clear whether e-commerce controls were carried out at all or they were included in the conventional controls on the market. Bulgaria and Hungary which were in this group in previous years, were able to provide separate data for conventional and e-commerce controls for 2022.

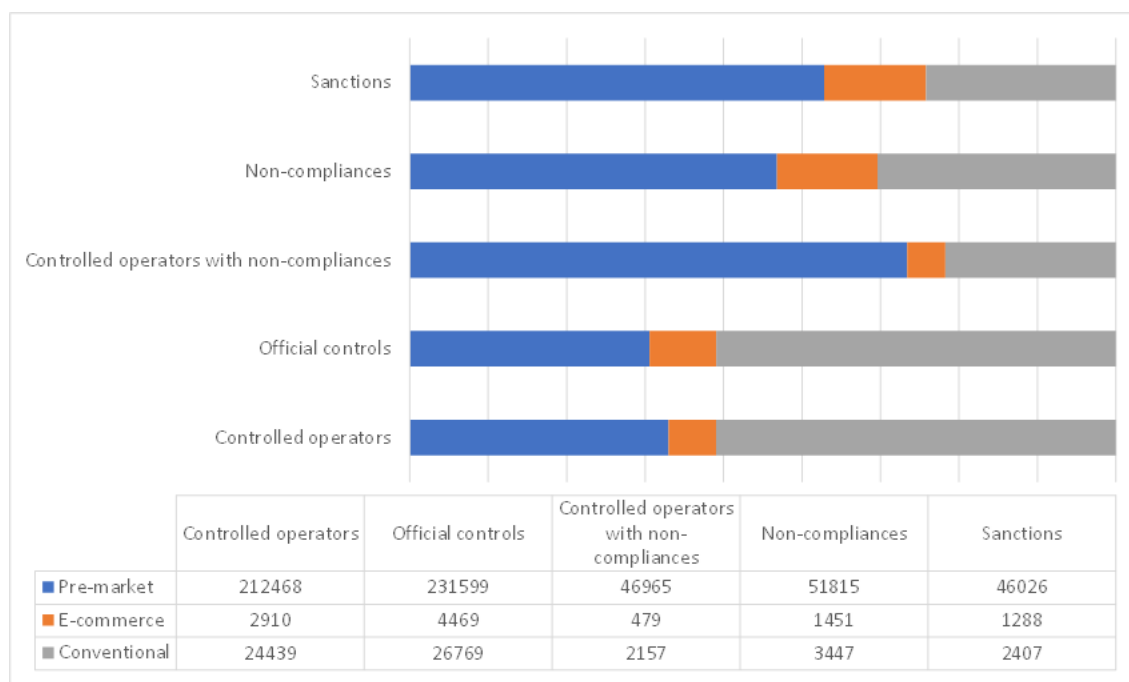
- In the context of increasing sales of products online and their associated potential for infringements and deception, controls of GIs in e-commerce play an increasingly important role and thus these controls might need to be stepped up in the future. Some EU countries clearly declared this intention (e.g. Germany).
- Some weakness in GI controls on the market were identified, such as the non-recording and, therefore, non-reporting of GI market inspections by Denmark, although such inspections are reported to have been carried out by the designated competent authority. The Netherlands reported a high number of pre-market controls (24 359) but no controls on the market or in e-commerce.
- Luxembourg carried out no pre-market controls and Romania also reported a very low number of pre-market controls (4), which does not seem proportionate to the number of GIs registered by Romania. Malta also appears to lack controls carried out of GIs. The purpose of pre-market controls is to ensure that GI products follow their product specification before they are put on the market. These controls should verify both newly registered GIs and existing GIs.
- Some EU countries indicated particularly high level of compliance (e.g. Lithuania – 100%, Latvia, Slovakia – around 99%, Cyprus 98%, Spain 97.5%, Czechia and Ireland 97%), while in others a higher level of non-compliance has been detected (e.g. in Italy 26%, in Romania 49%, in Greece 32%, in Denmark 75%, calculated as the number of non-compliances found as a share of the controls carried out).
- The types of infringements reported by the EU countries included non-compliance with the product specification, labelling not in accordance with the rules (e.g. absence of EU logos or incorrect depiction of logos), cases of GIs misuse, imitation, and evocation.
- Depending on the Member State, information on infringements was reported by sector or product category by some EU countries (e.g. Italy or Czechia), while the majority of EU countries reported on the entire GI sector (covering wine, spirit drinks and agricultural products).
- Some EU countries with particularly high GI awareness reported a very high number of official controls for all types of checks (e.g. in Portugal 24 714, in Spain 46 780, in France 35 425 and in Italy 196 805 checks were carried out).
- Limited (e.g. by Estonia) or, in most cases, no information was provided by the EU countries on checks of GIs originating in non-EU countries that are

protected in the EU either via direct applications or on the basis of international agreements.

- Enforcement action by EU countries comprised both administrative and legal action (legal action only reported by Germany, Croatia, France, Italy, Portugal, Greece and Netherlands). Administrative action included fines, temporary closure of operators, downgrades, suspension or withdrawal of certification, seizure of products or orders to operators to recall and destroy the infringing products. The low rate of legal action compared with administrative action might indicate a relatively low level of seriousness of the infringements identified. However it may also signal the need to raise awareness among all enforcement authorities of the need to ensure strong protection of GIs as intellectual property rights. This is even more relevant since GIs are increasingly becoming a target for fraud due to the high economic value they generate (GI annual sales value in the EU is estimated at around EUR 75 billion, representing 7% of the total sales value of the EU food and drinks sectors) and the rise in e-commerce.

Table 18 gives an overview of the number of businesses subject to official controls, the number of non-compliance issues, the number of official controls carried out, non-compliance issues raised and administrative penalties applied in 2022.

Table 18 – official controls of PDO/PGI/TSG/GI in 2022



Commission controls of EU countries

Countries audited:

2



Number of audits carried out:

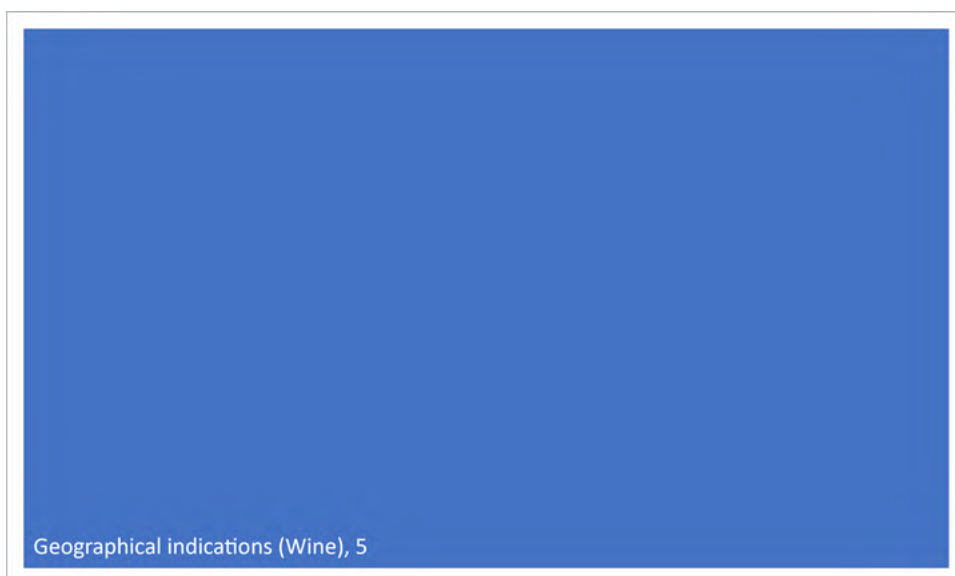
2

1 audit per country audited

Total number of recommendations raised:

5

Recommendations per audit area:



The Commission continued to carry out a limited annual programme of audits in EU countries on their control systems for GIs. In 2022, it audited two countries – Austria and France.

The overall conclusion is that EU countries have well-structured official control systems in place for the protection of GIs, with designated competent authorities and well-trained staff. The identified shortcomings and, hence, the biggest challenges ahead for the authorities are to ensure that official controls cover both types of controls – verification of compliance of GIs with their product specification and monitoring the use of registered GI names once products are placed on the market. This is crucial for maintaining the integrity of the GI system and for preventing unauthorised or fraudulent use of GIs. Specific emphasis should be placed on the need to step up GI controls on the market, including markets in other Member States and third countries, and on

surveillance of the use of GIs on the internet to discourage, identify and remove any misappropriations of GIs on e-commerce platforms.

Enforcement and controls are key for effective implementation of GIs at each stage of the value chain: from compliance with the product specification (the upstream market) to compliance with GIs as intellectual property rights placed on the market and the provision of trustworthy information to consumers (downstream market). For this purpose, a robust control and enforcement system must be in place across the EU. EU legislation provides general guidelines for this system, but it is the responsibility of each EU country to organise and implement it. As a result, different systems are being implemented across the EU.

The most common organisation in EU countries is a central competent authority in charge of supervising the whole control procedure over the value chain, with some exceptions of regionalised organisations. The central competent authority may delegate parts of its responsibility to other competent authorities, and certain control tasks at producer level can be performed by control bodies. However, market controls cannot be delegated to control bodies.

GIs are vulnerable to mis-selling, in particular in online marketplaces (e.g. Amazon, Alibaba, eBay, etc.) to which EU consumers have ready access. Some platforms, such as Amazon, have begun offering cooperation schemes with national administrations to identify and report breaches of GI products. In 2021, Italy became the first country in the world to sign a memorandum of understanding with Amazon, aiming to protect its GIs, consumers, and businesses, and prevent food counterfeiting. The agreement allows Amazon to promptly remove counterfeit products after notification from the competent authority in Italy.

Although EU law covers the misuse of protected names on the internet, it focuses on 'commercial use' and 'comparative' or 'misleading advertising', and not on the registration of a domain name, which remains an issue. Domain names that are identical or similar to GIs are mostly registered without any recognition of prior GI rights and can work to the detriment of both consumers and producers.

Enforcement is key to the GI system. It is therefore important to raise awareness among all enforcement authorities of the scope of GIs protection and the administrative and legal actions that may be taken to prevent or stop the unlawful use of GIs.

Fraudulent and deceptive practices

Official controls carried out by EU countries

Fraudulent and deceptive practices are practices that are intentional in nature, aim to achieve economic gain, are in breach of legal rules and at the expense of the immediate customer or the final consumer.

There are different types of fraud in the agri-food chain:

- dilution;
- substitution;
- concealment;
- unapproved enhancement;
- counterfeit products;
- mislabelling; and
- forgery.

National official control programmes

National authorities are required to carry out official controls to identify possible intentional breaches of the rules ⁽²²⁾ through fraudulent or deceptive practices. They must assess information on these breaches shared via administrative assistance mechanisms and any other information indicating a possible breach.

EU countries reported on these official controls. Examples included controls on:

- honey;
- olive oil;
- other oils of plant origin, e.g. sunflower oil;

⁽²²⁾ Regulation (EU) 2017/625 introduced new rules on fighting fraud in the entire agri-food chain. Article 9(2) requires EU countries to carry out official controls regularly, with appropriate frequencies determined on the basis of risk, to identify possible intentional breaches of the rules through fraudulent or deceptive practices.

- labelling of food supplements;
- additives in candy originating from non-EU countries;
- misleading consumers in restaurants;
- declared composition of food vs actual (meat percentage, additives, vitamins, water percentage of frozen fish);
- labelling the country origin;
- labelling as organic or a PDO/PGI/TSG product;
- illegal domestic slaughter;
- the use of ingredients passed their use-by date;
- producing food without the necessary licences;
- forgery of animal passports;
- the use of the ISPM15 mark on wood packaging materials without authorisation.

Coordinated control programmes

EU countries contributed to EU control programmes coordinated by the Commission.

The European Anti-Fraud Office (OLAF) works together with the Directorate-General Health and Food Safety in joint action to combat counterfeited foodstuff.

OLAF targets international trade in counterfeit or substandard food and beverages, as well as food fraud and adulteration, for example honey being adulterated with sugar syrups.

OLAF provided investigative support and on-the-spot checks in [‘From the hives’](#), an EU action against honey adulteration led by the European Commission’s Directorate-General for Health and Food Safety. This involved the national authorities of 18 countries that are part of the EU Food Fraud Network, OLAF and the European Commission’s Joint Research Centre.

Honey naturally contains sugar and, according to EU legislation, must remain pure – meaning that it cannot have ingredients added to it. Adulteration occurs when ingredients such as water or inexpensive sugar syrups are artificially added to increase the volume of honey.

While the risk for human health is considered as low, such practices defraud consumers and put honest producers in jeopardy as they face unfair competition from operators who can slash prices thanks to illicit, cheap ingredients. For example, the EU average unit value for imported honey was

EUR 2.32/kg in 2021, whereas sugar syrups made from rice were at around EUR 0.40 – 0.60/kg.

During the EU-coordinated action, 133 businesses (70 importers and 63 exporters) were found to be involved in consignments of honey suspected of adulteration. National authorities collected 320 samples at border entry points, of which 46% of were found to be possibly adulterated.

Operations coordinated by Europol

EU countries participate in yearly operations coordinated by Europol:

- Operation Silver Axe VII ⁽²³⁾, targeting the counterfeit and illicit trade of pesticides, led to the seizure of 1 150 tonnes of illegal pesticides;
- Operation OPSON XI ⁽²⁴⁾, targeting the trafficking of counterfeit and substandard food and beverages, led to the disruption of 8 organised crime groups involved in food fraud and the arrests of 80 suspects. The operation included more than 74 000 checks. As a result, about 26 800 tonnes of illegal and potentially harmful products were seized.

⁽²³⁾ [Europol press release on Operation Silver Axe VII](#)

⁽²⁴⁾ [Europol press release on OPSON XI](#)

Commission controls of EU countries

Countries visited:

2



Number of fact-finding studies carried out:

2

One study per country visited

Total number of recommendations raised:

0

Recommendations per audit area:

During fact-finding studies no recommendations are raised.

We carried out a project between 2020 and 2022 to collect information on the arrangements put in place by EU countries to fight fraud in the agri-food chain. The project included pilot and fact-finding studies in eight EU countries. The main output of this project is a [technical report](#) for the national authorities. It provides examples of fraud risks for all sectors.

Part 2

Other Commission control activities

Entry of animals and goods into the EU

EU countries are required to carry out official controls of animals, goods of animal origin and some goods of non-animal origin entering the EU. They carry out most of these controls in border control posts designated for that purpose. The purpose of the controls is to ascertain that animals, food and feed meet the same high standards as those in place for animals and goods produced within the EU. EU countries can only designate border control posts for these controls after the Commission has determined that the structure and layout of the proposed border control posts and the arrangements in place meet the applicable EU requirements ⁽²⁵⁾.

In 2022, the Commission carried out 58 desk-based assessments related to border control post notifications from EU countries (including the United Kingdom (Northern Ireland)) of new (or amendments to existing) border control posts, including their inspection centres.

Commission oversight of EU countries' performance of official controls on imports of animals and goods continued in 2022, with six audits being carried out. The results of the audits confirmed that, overall, EU countries continue to improve their systems and implement controls. Audits of EU countries' implementation of such controls will continue, given the importance of effective controls in providing EU citizens with confidence in the safety of imported food, feed, plants and animals.

⁽²⁵⁾ [Regulation \(EU\) 2017/625](#) and associated legislation such as [Regulation \(EU\) 2019/1014](#), [Regulation \(EU\) 2019/1012](#) and [Regulation \(EU\) 2019/1081](#).

Residues of veterinary medicinal products and environmental contaminants in animals and products of animal origin

EU countries monitor animals and animal products to detect:

- residues of veterinary medicinal products which may be present in animal tissues following treatment; and
- pesticides and environmental contaminants in food of animal origin.

Modern laboratory methods can identify very low concentrations of such residues in products like meat, fish, milk, eggs and honey. Safe concentrations in food – ‘maximum residue limits’ – are set at EU level. Food containing residues at and below this limit is deemed safe and may be placed on the market. Compliance with the limits indicates that the principles of good agricultural and good veterinary practice have been followed (medicines used in accordance with their label instructions).

With the assistance of the designated European Union Reference Laboratories, we review every year the EU countries’ residue monitoring plans to check:

- that they comply with the legal requirements on the numbers of samples to be taken; and
- that the appropriate substances are being tested for with sufficiently sensitive methods.

In 2022, the plans from the 27 EU countries and the plan submitted by the United Kingdom (Northern Ireland) were assessed as compliant and approved by the Commission. In parallel to this work, the Commission regularly audits EU countries to verify effective implementation of the plans and the follow-up of non-compliant results to ensure that recurrence is minimised. In 2022, seven audits to EU countries and one to the United Kingdom (Northern Ireland) were conducted with largely satisfactory results. Such audits will continue given the importance of ensuring the chemical safety of food.

Part 3

Support for EU countries Networks



The Directorate for Health and Food Audits and Analysis hosts a number of networks and working groups comprised of officials from national authorities of the EU countries and Iceland and Norway to discuss and promote the implementation of certain aspects of EU law.

Since 2008, two networks have met regularly to exchange experiences on the preparation, implementation and reporting of multiannual national control plans (MANCPs) and on the implementation of national audit systems (NAS) on official controls. During 2022, the MANCP network met twice, once remotely. The meetings were focused on the Commission's 2019-2020 Annual Report, the outcome of the first sub-working group meeting on the review of the network reference document on 'Risk-based planning of official controls'. The network also discussed updates to the country profile web portal and the electronic version of the standard model form for the annual reports of the EU countries, triggered by the reports submitted in 2021.

The NAS network met twice during 2022, once remotely. The meetings continued the process of reviewing the network reference documents on risk-based planning for audits of official controls system and auditing the effectiveness of official controls, including discussing the outcomes of the first sub-working groups meetings on these documents. The NAS representatives and the Commission also exchanged experiences during dedicated workshops on risk-based planning practices in EU countries and promoting and enhancing National Audit Systems.

In 2022, the EU network of national contact points for the protection of animals during transport discussed transporters' contingency plans, operators' development of IT tools to facilitate implementation of the transport Regulation, animal exports by road to non-EU countries and animal welfare during air transport.

We organised and delivered a specific BTSF event on official controls on livestock vessels. During this event, we also trained official veterinarians how to use the new vessel inspection module in the Thetis-EU database, developed with the European Maritime Safety Agency. This inspection module is designed to assist official controls on livestock vessels by recording and sharing between EU countries the records of previous official controls.

Better training for safer food



Better Training for Safer Food (BTSF) is a Commission training initiative to improve implementation of EU rules covering food, feed, animal health and welfare, plant health and plant protection products, organic farming and geographical origin schemes (PDO/PGI/TSG).

It plays a key role in improving the effectiveness and reliability of official controls and spreading knowledge of EU legislation within and beyond Europe. The Commission's policy priorities, EU countries' requests, and the results of Commission audits help identify training needs for competent authority officials.

In 2022, 6 890 participants received training in 146 face-to-face and 110 online classroom training sessions.

The [BTSF ACADEMY](#) platform hosts online classes, eLearning courses and is the repository for training material on over 110 topics. 766 officials completed one of the eight eLearning courses.



See the [BTSF ACADEMY 2022 annual report](#) for more information.

General legend

EU countries (EU27)

	Belgium		Greece		Lithuania		Portugal
	Bulgaria		Spain		Luxembourg		Romania
	Czechia		France		Hungary		Slovenia
	Denmark		Croatia		Malta		Slovakia
	Germany		Italy		Netherlands		Finland
	Estonia		Cyprus		Austria		Sweden
	Ireland		Latvia		Poland		