The SPS system in the EFTA States and the relationship to the EU

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The relationship between the EFTA countries and the EU

Different Agreements between the

EEA Countries (Island, Lichtenstein and Norway) and EU

and

Switzerland – EU.

The Agreement on the European Economic Area - The EEA Agreement

- entered into force on 1 January 1994
- brings together the EU Member States and the three EEA EFTA States — Iceland, Liechtenstein and Norway — in a single market, referred to as the "**Internal Market**".
- The EEA Agreement provides for the inclusion of EU legislation covering the four freedoms — the free movement of goods, services, persons and capital — throughout the 30 EEA State**S**

The EEA Agreement covers:

Norway:

- Veterinary issues, Feedings stuffs, Phytosanitary Matters, Foodstuffs (Norway Annex I and Annex II Chapter XII to the EEA-Agreement)

Iceland:

- Veterinary issues including fish (minus live animals, and semen ova and embryo) , Feedings stuffs, Phytosanitary Matters, Foodstuffs

Switzerland-EU

- The Free Trade Agreement (FTA) between Switzerland and the European Union was signed in 1972
- It consists of several bilateral agreements between Switzerland-EU.
- Of interest for us – **The Veterinary Annex**

Veterinary annex from 21.June 1999

- The "Veterinary Annex" on animal-health and zootechnical measures applicable to trade in live animals and animal products, is an annex to the Free Trade Agreement of 21. June 1999 between Switzerland and the European Community
- It covers live animals, animal products and animal feeding

Third country relations:

- Both the EEA countries and Switzerland are bound by EEA Agreement and the Swiss/EU bilateral agreement in the SPS area, including to the EU Third country regime
- Only EU can grant third countries access to the internal market, grant equivalence or regionalization
- The EFTA countries have no such competence, since this was given to the EU when taking the EU third country legislation

Example in Veterinary field regarding access to internal market:

- List of approved third countries is adopted by the EU
- List of approved establishments in third countries are adopted by the EU
- Even though these lists are adopted by the EU, the EFTA countries have to follow the same lists from the same date as the EU
- The EFTA-States cannot grant third countries import rights into the internal market.

Practical consequences:

- Veterinary checks only occur during the first entry into the EC-EFTA veterinary area. When a product of animal origin has entered an EFTA country, there will be no more veterinary border controls between EFTA and the EU
- Free movement of goods within the EU/EEA countries
- Switzerland, Island and Norway all have border stations that are the common border for taking foodstuff into the EU/EFTA market

Products of animal origin
Control at Border Inspection Posts

- Products of animal origin enter via Border Inspection Posts (BIPs)
- Only veterinary products coming from countries standing on the EU 3rd country list are accepted
- The 3rd country exporting establishments have to be on the list for establishments being allowed to export after having been inspected and accepted for export by its own Food Safety Authority

Products of animal origin
Control at Border Inspection Posts

- The third country list on estblishments build on **trust** between the third country Food safety Authority and The EU.
- **EU** audits the **Food Safety Autority in the 3rd country** wanting to export.
- If that Food Safety Authority is recognized, the exporting country`s Food Safety Authority does the inspections on the establishments wanting to export to EU and ask for the establishments to be put on the EU third country list for esatblishments.

Products of animal origin
Control at Border Inspection Posts

- The national Food Safety Authority shall be given **notice24 hours** in advance of the consignement arriving at the BIP.
- A **document check** is being performed (checking the certificates)
- Also an **identity control** is being done (check if there is accordance between the number of boxes listed in the documents and what are actually being sent

Animal Products- Bordercontrol

- Additionally there are **physical checks** in a certain percentage of the consignments,
- (varying from the different types of goods).
- If a consignement is stopped due to not fulfiling the EU/EEA requirements, the next 10 consignments from this establishment will be stopped (re-enforced checks).
- If the goods represent a danger to health, a notification will be sent to all EU/EFTA countries and Switzerland through RASSF.

Rapid Alert System for Food and Feed (RASSF)

- **Border rejections** concern food and feed consignments that have been tested and rejected at the external borders of the EU and the European Economic Area – EEA when a health risk has been found. The notifications are sent to all EEA border posts in order to reinforce controls and to ensure that the rejected product does not re-enter the EU through another border post.
- http://ec.europa.eu/food/food/rapidalert/rasff_notifications_en.htm

To be continued ….

Pharmaceutical Products

- Requirements for exporting to the EEA countries are harmonised with the requirements in EU,
- see
- Directive 2001/83/EC Of The European Parliament And Of The Council Of 6 November 2001
- On The Community Code Relating To Medicinal Products For Human Use

Pharmaceutical Products

- No medicinal product may be placed on the market of a EFTA/EU country unless a marketing authorisation has been issued by the competent authorities of that country State see article 6
- The appliction for marketing authorisation requires condiderable documentation, see article 8-10.
- Complete re-analysis is required for pharmaceutical products that are imported from 3rd countries, se article 51(1)b.

Pharmaceutical Products

- Wholesale distribution of medicinal products is subject to the possession of an authorisation to engage in activity as a wholesaler in medicinal products, stating the premises located on their territory, see article 77.