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MULTI-ANNUAL NATIONAL CONTROL PLAN

MANCP 2021-2025

ORGANISATION OF THE CONTROLS ALONG
THE AGRI-FOOD CHAIN IN FRANCE



UPDATED VERSION - APRIL 2022

MULTI-ANNUAL NATIONAL CONTROL PLAN (MANCP)

2021-2025

Updated in 2022

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INTRODUCTION – BACKGROUND

EU regulations (cf. regulation (EU) 2017/625) stipulate that each Member State must define a multiannual national control plan (MANCP) describing the controls applied throughout the food chain in the following areas: foodstuffs (e.g. safety, fair trading, GMOs and food contact materials), voluntary dissemination in the environment of GMOs intended for the production of food or feed for animals, fodder for animals, animal health and identification, animal by-products, animal welfare, plant health, plant protection products and organic farming, in addition to protected designations of origin, protected geographical indications and traditional specialties guaranteed.

This is the purpose of the present document, updated in 2022, which contains a presentation of the organization and operation of the French system of control, the procedures for adapting that system based on a programme of continuous improvement and the priority focuses for action defined for the years 2021 to 2025.

The MANCP is a public document intended for the general public and food chain professionals, in addition to its distribution to the control services of the European Commission.

Its preparation has been coordinated by the General Directorate for Food at the Ministry of Agriculture and Food, which has been designated at the “coordinating body” for that purpose¹.

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Accounting as it does for 19% of all agricultural production (in value) and 15% of the population of the European Union (27 Member States) and with 436,000 agricultural holdings, France is the leading European producer of cereals and poultry as well as being a major producer of forage and fruit and vegetables. The agrifood industries form the largest industrial sector in France and the second largest in the European Union. The distribution and catering sector comprises nearly 16,000 supermarkets and hypermarkets, over 230,000 retail outlets, nearly 247,000 commercial restaurants and just under 107,000 institutional catering facilities, most notably school canteens. Agricultural and livestock farming products, when added to agrifood products (not including fish), exported to the European Union and third countries totalled over €45 billion.

The legislation on the food chain has been largely harmonized at EU level. It in fact derives essentially from EU texts, in some cases supplemented by national provisions, and it is applicable on the basis of the same procedures across all countries in the European Union (EU). Its purpose is to protect public health and specifically the health of consumers, environmental protection, animal health and protection, plant health and fair trade practices. It contains rules binding on sector professionals from production to distribution, who must be inspected, and general missions for protection against, and combating animal diseases and plant health.

Each country in the EU is responsible for the organization of its missions and verification of the rules along the entire food production and distribution chain “from farm to fork”: not only food for human consumption and feed for animals but also live animals and plants at the primary production stage.

Two core issues are clear:

- the safety for health of food, animals and plants;
- product quality and fair trading.

In France, a number of departments and agencies are responsible for the organization and performance of these controls at central administrative level: the General Directorate for Food (DGAL) at the Ministry of Agriculture and Food, the General Directorate for Competition Policy, Consumer Affairs and Fraud Control (DGCCRF) and the General Directorate of Customs and Excise (DGDDI) at the Ministry of the Economy, the Military Health Service (SSA) at the Ministry of Defence, the General Directorate of Health (DGS) at the Ministry of Health, the National Institute of Origin and Quality (INAO), and the Directorate for quality and official control at the Interprofessional Organization for Seeds and Plants - SEMAE, FranceAgriMer, the interprofessional technical centre for fruit and vegetables (CTIFL) and the French Agency for Food, Environmental and Occupational Health & Safety (ANSES). Task allocation between these departments and agencies is dependent on the accreditation of their staff and the specific characteristics of the rules governing inspection. Lastly, cooperation is organized between departments and agencies to ensure the overall efficacy of the system of control.

All in all, more than 6,000 full time equivalent staff work directly on the organization and application of these controls, not including personnel employed by delegated organizations.

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PART ONE: GENERAL ORGANIZATION OF THE COMPETENT AUTHORITIES AND THE OFFICIAL SYSTEM OF CONTROL IN FRANCE

1.1 – NATIONAL STRATEGY

1.1.1 – Objectives

The scope of the Multiannual National Control Plan (MANCP) includes a distinction between two broad issues: the safety of food for health, animals and plants and the quality of products and fair trade practices.

1.1.1.1 – Food chain sanitary safety

Every year [2019 statistics²] over 144,000 inspections (not including: export certification, testing, slaughterhouse meat inspections and surveillance of plant health and animal health) and more than 126,000 checks on import consignments are carried out for food chain sanitary safety, and are supplemented by surveillance and control programmes for diseases affecting animal and plant health. The number of such controls will significantly increase in 2021, most notably due to import controls on products arriving from the United Kingdom, and new plant health provisions in France. Their purpose is:

- to prevent food-related risks for the human population: microbiological, chemical and physical risks;
- to prevent risks for the human population relating to animals (e.g. foodborne salmonellosis, zoonoses) and to farming practices (e.g. the use of antimicrobials and plant protection products);
- to prevent the introduction into France of animal diseases and organisms harmful to plants, animal health and welfare or plant health;
- to guarantee the sanitary and phytosanitary quality of French production for the countries to which France exports.

They are carried out locally by more than 5,800 staff (Full Time Equivalents) notably:

- in the *départements*: in the departmental directorates responsible for protecting the public (DDPP and DDETSPP)³ and the delegated bodies of the Regional Health Agencies (ARS) in the *départements*;
- in the regions, in the regional directorates for food, agriculture and forests (DRAAF), the regional directorates for the economy, employment, work and solidarity (DREETS)⁴, the ARS and veterinary groups (VG) and Military Medical Centres (CMA) answering to the organic authority of the Military Medical Directorate (DMF);
- at border inspection posts for import controls;
- according to the specific territorial organization of FranceAgriMer, SEMAE and CTIFL.

Additionally, staff with a national remit in the Veterinary and Phytosanitary Investigation Unit (BNEVP) and the National Investigation Department (SNE) notably act to counter organized crime in the sanitary domain. Numerous investigations that result in court proceedings are in fact conducted every year.

The sanitary safety of food and feed is now generally under control in France and Europe. Nevertheless, vigilance continues to be necessary with regard to microbial, parasitic and virological risks as well as chemical hazards that are better understood today. The sanitary safety of the food chain also covers animal health and the health of plants in the face of novel threats.

The overall context has in fact changed:

- the opening up of markets and the expansion of trade flows have complicated market surveillance;
- the authorities are confronted with novel risks of which it is sometimes difficult to predict all the potential consequences. Described as “new and emerging risks”, they may lead to a newly identified hazard or a new assessment of a hazard that has been known for many years, highlighting a sanitary concern (reassessment of toxicity, changes in consumer exposure, etc.). Such risks may stem from changes in the practices of operators or in modes of consumption. They may for example involve microbial pathologies whose effects have been underestimated or the characterization of new chemical contaminants;
- societal concern for animal welfare is increasing;

² Health checks on plants increased significantly in 2020 with the entry into force of new EU provisions and, beginning in 2021, import controls will apply to products from the United Kingdom. The figures provided for 2019 do not take these changes into account.

³ As of 1 April 2021, the directorates for employment, work, solidarity and protection of the public in the *départements* (DDETSPP) replaced *département* directorates for social cohesion and protection of the public (DDCSPP).

⁴ As of 1 April 2021, the regional directorates for the economy, employment, work and solidarity (DREETS) replaced the regional directorates for enterprises, competition, consumer affairs, work and employment (DIRECCTE).

- the risks of transmission of animal diseases to the human population have led to the development of a common approach under the title “One Health”;
- and lastly, the multiple risk factors and uncertainty as to the reality of the hazards and their relative importance fosters anxiety among consumers, who express their distrust of government statements.

Policy on food sanitary safety is based on an overall assessment of the risks covering the whole range of hazards (physical, microbiological and chemical) and all stages in the food chain “from field to table” or “from farm to fork”, enabling the human and financial resources to be allocated in proportion to the risks and an increase in the public’s trust using communication that is more effective because it is more readily understood.

More generally, it can be seen to be necessary to implement maximally integrated policies most notably in order to roll out in practice the principles underpinning the “One Health” approach initiated by the WHO, OIE and FAO with a view to shared action that includes human, animal, plant and environmental health.

1.1.1.2 – Product quality and fair trading

Every year over 205,000 checks [2019 statistics] on quality and fair trading are carried out along the entire food chain, of which more than 75% relate to EU quality and/or origin signs. Their purpose is to guarantee adherence to the regulations on product quality and fair trading practices. They notably include:

- detection and prevention of fraud (e.g. product falsification, deception relating to product origin or quality), whether or not it has an impact on product safety;
- verification of the accuracy of the information provided to consumers and of commercial practices (false advertising, most notably);
- verification of adherence to the regulations on EU quality signs (PDO, PGI, TSG, organic farming) within the scope of regulation (EU) 2017/625, and specifically with regard to protected product names.

These controls are applied by 180 staff (Full Time Equivalents):

- in France’s *départements*: working in departmental directorates tasked with the protection of the public (DDPP and DDETSPP);
- in the regions: working in regional directorates for the economy, employment, work and solidarity (DREETS).

Additionally, the DGCCRF’s National Investigation Department (SNE) is active nationwide, especially for the detection of fraud. Where control of food-related fraud is specifically concerned, officers ground their procedures in national legislation (notably the consumer code and the code of criminal law procedure), allowing them to carry out on-site inspections and seizures and to collect confidential witness statements from “whistleblowers” (employees of agrifood firms who are witness to fraudulent practices, for example).

Lastly, 21 accredited and officially approved control bodies conduct approximately 156,000 verifications of adherence to mandatory criteria for EU quality signs, acting under the responsibility of the INAO. The aim of these checks is to verify observance of the specifications governing French products that claim or have obtained an EU quality sign (PDO, PGI, TSG, organic farming) before being placed on the market. The INAO has around 250 staff, 33 of whom (FTEs) work on control of EU quality signs (organic farming, PDO, PGI, TSG).

1.1.2 – Performance management

France’s finance act (LOLF) of 2001 implemented a performance-focused approach aimed at improving the efficacy of public policies. The budget aspect concerns not only the means, but also the effectiveness of spending in light of the objectives defined for each budget programme.

The finance bill sets out how funds are to be employed for each broad category, or “mission”, in public policy relating to one or more government ministries. Each mission comprises a number of ministerial programmes within which distinct budget programmes are defined. Objectives are set for each programme at national level and associated with quantified indicators for measurement of the performance achieved by government departments and agencies in the pursuit of their designated quantitative targets.

This nomenclature is used in the annual performance plan (PAP), a document intended for the French parliament and appended to the finance bill. For a given budget year N, the PAP is drafted in year N-1 and sets out the strategy, objectives, funding and performance indicators and their quantified targets for year N. At the beginning of year N+1, the annual performance report (RAP) compares the results obtained with the expectations set out in the PAP. These two documents (PAP and RAP) are in the public domain and are available on the website www.performance-publique.gouv.fr for each budget mission and programme.

The strategic objectives defined in the annual performance plans (PAP) dedicated to the various competent authorities generally cover the whole range of their competencies and may for that reason be far wider than the organization of official controls and other official activities within the scope of the MANCP. Additionally, in the specific case of the INAO, the strategic objectives, especially as regards controls, are defined in the objectives and performance contract signed between the INAO and the Ministry of Agriculture, its supervisory

authority. The principal objectives and indicators falling within the scope of the MANCP are described in Annex 2.

The strategic objectives break down into operational objectives that are in essence roadmaps for the departments and agencies tasked with the missions.

For example, the DGAL defines every year in July of year N the general orientations and priorities for action under programme 206 for year N+1 in a "management protocol" laying down in this context the framework for mission performance, allocation of human and budgetary resources and the performance indicators to be met.

The DGAL has also established in a strategic plan for 2021-2023 relating, at central administrative level, to the development over time of its framework for action and the interactions with its partners and stakeholders.

The DGCCRF publishes its strategic priorities annually in its national investigation programme (PNE), a document that contains the operational translation of government policy on competition and consumer affairs, including food-related issues.

The DGDDI has strategic objectives focused on its customs-related missions.

The DMF sets targets every year for the veterinary groups under its authority.

All the above forms the basis for management dialogue interviews conducted in the final quarter of the year between each programme manager and the managers of the operational budgets of that programme at regional level. These discussions allow an overview to be defined for current year N and to prepare for year N+1, as well as verifying that there is a satisfactory fit between the missions and the available resources in light of the defined objectives.

The competent authorities controlling the food chain (DGAL, DGCCRF, DGS, SSA and INAO) are pursuing distinct budget missions and the presentations are therefore contained in different PAPs and RAPs.

In the specific area of control of seeds and plants for planting with respect to plant health, SEMAE is implementing an initial three-year objectives and performance contract⁵. This has been signed with the Ministry of Agriculture and sets out four strategic focuses.

A DGAL-CTIFL agreement was signed, which defines the control missions of the Plant Protection Passport carried out by CTIFL in its field of competence.

A multiannual objectives and performance contract has been signed between the Ministries and ANSES: this lays down objectives and makes mission monitoring possible, including the aspects linked to the issuance of marketing authorizations (AMM) and permits, in addition to the control of plant protection products. This objectives and performance contract contains five core focuses for action:

- enhancement of the scientific excellence, quality and independence of the Agency's expertise;
- anticipation of emerging threats and risks;
- affirmation of the role of ANSES in building the sanitary safety system in Europe and the world;
- promotion of dialogue with society and open information for the general public regarding its missions;
- enhancement of the overall efficiency of the Agency.

A multiannual objectives and performance contract (COP) was signed early in 2019 between the Ministry of Agriculture and the INAO. This sets out the INAO's strategic orientations for the performance of its missions for the management, control and protection of official origin and quality signs in France. A specific strategic focus "Enhancing control system security and public awareness" is included in this COP.

1.2 – THE PRINCIPLES OF RISK-BASED CONTROL PLANNING

In accordance with regulation (EU) 2017/625, the planning of the whole range of controls is made dependent on a risk analysis applicable to all areas: health and protection of consumers, animal health, plant health, animal protection and animal feed.

The competent authorities define their priorities and plan their control activities notably on the basis of the following:

- scientific knowledge of hazards and consumer exposure (microbiological hazards such as salmonella and *Listeria*, chemical hazards such as those relating to plant protection products, food additives, contaminants and food contact materials);
- scientific and economic knowledge in the area of fraud risk;
- scientific knowledge and the impact of various diseases on animal health and plant health;
- the economic context (e.g. lack of supply of an essential commodity) and/or changes in technology or behaviour (e.g. the development of online shopping);

⁵ The objectives and performance contract for the execution of SEMAE's public service missions 2022-2024, signed on 09 December 2021.

- information provided in connection with cooperation with other national or foreign competent authorities and the European Commission (e.g. deceptive practices relating to horsemeat, improper use of a quality sign designating product origin);
- higher-risk operators identified in earlier control procedures, along with higher-risk sectors;
- instances of non-compliance observed with regard to the various regulations, especially their frequency or gravity.

Where food safety in the food chain is concerned, the planning of the control authorities also includes certain obligations laid down in EU regulation in relation, for example, to meat inspections, detection of residues in foodstuffs (plant protection products, biocides, veterinary medicines). The same considerations apply to plant and animal health, where control and surveillance programmes derive from EU obligations. They rely on the National Agency for Food Safety, Environment and Work (ANSES), which carries out risk assessments (in the areas of food, environment and work) in order to provide input for the public authorities in defining their sanitary policy. ANSES is a public-sector agency and operates under the direction of the ministries of health, agriculture, the economy, environment and public health – *Santé Publique France* (ANSP), combining missions relating to surveillance, vigilance and alerts in all domains linked to human public health.

Responding to a request from the DGAL, DGS and DGCCRF, ANSES has published a document ranking food-related risks which contains both a study of the attributed sources of foodborne infectious diseases (2018) and a methodology for ranking biological and chemical hazards in food (2020). The ANSP updated its report on “morbidity and mortality due to foodborne diseases of infectious origin” with the publication of new statistics in 2018. The combined results of these studies enable more effective definition of priorities and the focusing of the measures for effectively reducing the burden of foodborne disease.

Where quality and fair trading practices are concerned, the departments and agencies also include in their planning any negative reports sent via the French “Vigie-fraudes” [fraud watch] network and the European “Food Fraud” network in addition to information from the Administrative Assistance and Cooperation (AAC) network.

With regard to imports from third countries, the planning of sanitary controls upstream from customs procedures is largely established at EU level.

1.3 – THE COMPETENT AUTHORITIES

1.3.1 – Designation of competent authorities

1.3.1.1 – General description and management by quality

Nine competent authorities have roles at central level within the scope of the MANCP and are allocated control missions and certain official tasks. These bodies, when directly attached to Ministries, also have assigned tasks for the definition of public policies and regulations.

1. The General Directorate for Food (DGAL) at the Ministry of Agriculture defines and implements policy on controlling the quality and sanitary safety of agricultural and food products in conjunction with the ministries responsible for the economy and health. The DGAL seeks to guarantee sanitary conditions in production. The DGAL also has a role in controlling animal health, animal protection and plant health.

It is reliant on the following for the application of controls:

- at national level, on the BNEVP, which is focused on combating organized crime, and the SIVEP, which is responsible for import controls;
- at regional level, on the DRAAFs;
- at the level of the *département*, on the DDPPs and DDETSPPs;
- in certain specific domains, most notably animal health and plant health, on officially delegated organizations.

2. The General Directorate for Competition Policy, Consumer Affairs and Fraud Control (DGCCRF) at the Ministry of the Economy has a mission to protect consumers and monitor the whole range of issues relating to product safety and fair trading.

It is reliant on the following for the application of controls:

- at national level, on the SNE, which is focused on combating organized crime, most notably with regard to fraud;
- at regional level, on the DREETS;
- at the level of the *département*, on the DDPPs and DDETSPPs.

3. The General Directorate of Health (DGS) at the Ministry of Health has general responsibility for public health and is reliant for application of controls on the ARS in the regions and *départements*.

4. The Military Health Service (SSA) at the Ministry of Defence is active in establishments placed under the authority of its Ministry and the other military units (National Gendarmerie). The SSA Central Directorate in charge of the national coordination of veterinary activities in the armed forces is reliant for application of controls on the veterinary office of the Military Medical Directorate (DMF) and Veterinary Groups (GV), in addition to the specialist departments of the Military Medical Centres (CMA).

5. The General Directorate of Customs and Excise (DGDDI) is responsible for certain controls required before import at the border control posts of Dunkirk, Calais, Marseille and Le Havre.

6. The National Institute of Origin and Quality (INAO) is responsible for control of products bearing EU quality signs prior to market release. The INAO is reliant for this on private-sector control bodies accredited by COFRAC on the basis of certification standards NF EN ISO/IEC 17065 or, according to case, NF EN ISO/IEC 17020, and approved by it. The INAO also contributes to the defence of these signs both in France and internationally.

7. SEMAE, the interprofessional representative organization for seeds and plants, is responsible, working through its Directorate for quality and official control, for granting permits to issue plant passports. Its remit : seeds for agricultural and market gardening species, seed potatoes, plants of market gardening species and strawberry plants. SEMAE, as a certification body, is accredited by COFRAC under international standard NF EN ISO/IEC 17065.

8. FranceAgriMer is an entity operating under the oversight of the Ministry of Agriculture. It is in charge of the issuance of plant passports for vine propagation materials for winegrowing. It executes this mission alongside mandatory certification of these plants as imposed by directive 68/193/EEC.

9. ANSES is responsible for the issuance of marketing authorizations and permits for plant protection products. In addition, ANSES has an inspection mission relating to PPP production, formulation, packaging and labelling, acting within a framework coordinated with the inspection bodies.

10. The interprofessional technical centre for fruit and vegetables (CTIFL) is in charge, through its Certification-Inspection service, of the control and the granting of the authorisation to deliver plant passports. The scope of its competence: fruit propagation material, excluding strawberry plants, held by professional operators approved for fruit certification.

The above competent authorities have been engaged for some years in a programme of management by quality.

A number of goals are pursued:

- to guarantee coverage of the entire scope of the MANCP by designing and documenting inspection programmes based on risk analysis;
- to make maximally effective use of the available resources, notably ensuring optimum management of staff skills;
- to guarantee fair treatment for all those subject to its official action through the harmonization, reliability and formalization of mission execution procedures (e.g. design of inspection methods or guides to controls, production of inspection reports);
- to develop and sustain a high level of responsiveness by putting in place tools for continuous improvement (identification and analysis of organizational failures, periodic review of systems, etc.) in order to systematically identify deviations and needs for organizational adjustment.

The approaches adopted are based on a number of normative references:

– [Standard NF EN ISO 9001](#) – Quality management systems – Requirements

The DGCCRF and DGAL have selected this reference document for the organization of their operations on the basis of a process-based approach. Each organization has therefore mapped processes covering the whole range of its activities.

The chosen architectures are comparable. For example:

- a “guidance/management” process that includes quality and communication as management tools;
- “support” processes that combine activities which guarantee the satisfactory functioning of the organization (human resources, information systems, budget/finance);
- execution processes that reflect the specific activities carried out by staff.

In this respect, a convergence can be seen between these two authorities with respect to processes where competencies are shared. This is notably the case for “Inspection” processes (DGAL) and “Investigation and Control” processes (DGCCRF), “Alert and Crisis Management” processes (DGCCRF) and “Vigilance, Surveillance, Prevention and Treatment of Alerts” processes (DGAL).

The goals pursued are common to both directorates:

- clarification of the responsibilities of the actors in order to avoid redundant or “missing” actions;

- decompartmentalization of departments, development of cross-functionality and transverse activities while at the same time seeking to ensure the coherence of interactions, clarity of understanding for all stakeholders and development of internal communication;
- a constant effort for continuous improvement and simplification.

ISO 9001 certification obtained by ANSES includes the missions entrusted to the Agency since 2015 with regard to marketing authorizations and control of plant protection products, fertilizers, growing media and, adjuvants. Additionally, French standard NF X 50-110 "General Competence Requirements for Expert Evaluations" relating to quality of expertise has been taken into consideration in ISO 9001 audits, most notably for the training of groups of experts, the management of conflicts of interest, the decision-making process and traceability.

– Standard ISO/IEC 17020 – Conformity assessment – Requirements for the operation of various types of bodies performing inspection

This is the reference document adopted by the Military Health Service (SSA) for food sanitary safety inspections carried out by the veterinary groups. Initially accredited in 2010 by COFRAC, the SSA had its accreditation renewed for food sanitary safety inspections in 2019.

The INAO approves organizations for the performance of inspections within its remit; they are accredited under this standard.

CTIFL has been accredited according to ISO/IEC 17020 from 2016 to 2020 inclusive. Since then, it has maintained a quality management system based on the principles of this standard, and evaluated by annual externalized "internal audits".

FranceAgriMer has had a quality management system in place since 2014 which governs the system for issuance of plant passports.

This system is structured around the following pillars:

- document management and procedure revision;
- monitoring the training and qualifications of staff responsible for the system;
- monitoring external suppliers (laboratories, printers, etc.);
- performance of internal audits for the assessment of the system's effectiveness.

– Standard NF EN ISO/IEC 17065 - Conformity assessment — Requirements for bodies certifying products, processes and services.

This standard stipulates requirements whose fulfilment is aimed at guaranteeing that certification bodies make use of certification programmes in a competent, coherent and impartial manner.

This is the reference document adopted by SEMAE for its inspection and certification activities. SEMAE has been accredited under this standard by COFRAC under no. 5-0506 (scope available at www.cofrac.fr).

The INAO approves bodies for the performance of inspections within its remit; they are accredited under standard NF EN ISO/IEC 17065.

Irrespective of the choice of reference document, each entity has a national quality manual in place and a document management system structured for the documentation of its procedures, instructions and modes of operation.

All the above approaches contribute to an enhancement of the effectiveness of the inspection services.

1.3.1.2 – National coverage of competent authorities based on the organization of French national territory

France has 18 regions. In Metropolitan France, 13 regions are divided into 96 *départements*. In its overseas territories, 5 *départements* also enjoy regional status.

The territorial organization of the inspection services is based on the national administrative structure (ministries, administrative regions, *départements*) and on specific institutions and local organizations with particular remits, as shown in the following tables. The concerned interministerial directorates in the *départements* operate subject to the authority of the Prefect for the *département*.

Territorial organization: “ministerial department” competent authorities

| National level | DGAL | DGCCRF | DGS | SSA (DMF) | DGDDI |
|--------------------------------------|--|--|--|--|---|
| National-level control mission | Direction Coordination Application of certain BNEVP controls | Direction Coordination Application of certain SNE controls | Direction Coordination | Direction Coordination | Direction Coordination |
| Regional level | Prefect for Region DRAAF (SRAL) DIRM* | Prefect for Region DREETS** (unit C) | ARS | - | 12 Interregional Directorates |
| Regional-level control missions | Direction Coordination Harmonization Application of certain controls | Direction Coordination Harmonization Application of certain controls | Direction Coordination Harmonization Application of certain controls | - | Management of certain border inspection posts, before release for free circulation, previously managed by DGCCRF |
| Local level | Prefect for Département DDPP and DDETSPP** DDTM* | | ARS delegated agencies in the départements | Veterinary Groups in Military Medical Centres | 42 Regional Directorates |
| Local-level missions | Application of controls | | Application of controls | Application of controls | Application of sanitary and quality controls, before release for free circulation, taken over by DGDDI |
| Specific case of DROMs*** | Prefect DAAF | Prefect DEETS | | DIASS**** | |

* The interregional directorates for the sea (DIRM) are responsible for the zoosanitary aspect of the shellfish farming sector and the maritime and territorial departmental directorates (DDTM) are tasked with public health missions linked to shellfish production (under DGAL oversight).

** As of 1 April 2021: the regional directorates for the economy, employment, work and solidarity (DREETS) have replaced the regional directorates for enterprises, competition, consumer affairs, work and employment (DIRECCTE). The departmental directorates for employment, work, solidarity and protection of the public (DDETSPP) have replaced the departmental directorates for social cohesion and protection of the public (DDCSPP). There are three exceptions: DRIETS in the Greater Paris area, DGOPOP in French Guiana and DCSTEP for Saint-Pierre-et-Miquelon.

*** France’s overseas départements and regions (DROMs) have a specific organization due to their dual status as départements and regions.

**** In the DROMs, veterinarians and veterinary technicians in the DIASS (joint forces directorates of health services) apply controls along the same lines as Veterinary Groups in Metropolitan France.

Territorial organization: competent authorities with other statuses

| National level | INAO | SEMAE | FranceAgriMer | ANSES | CTIFL |
|---------------------------------|--|---|--|---|--|
| National-level control mission | Direction Coordination Supervision of control bodies Approval of control body control plans | Direction Coordination (Plant passports) | Direction Coordination (Plant passports) | Issuance of marketing authorizations (AMM) and PPP permits Application of certain controls | Direction Coordination Application of controls (Plant passports) |
| Regional level | Territorial delegated organizations (8) | Regional delegated organizations (6) in territories representative of production | Territorial Services (6) | Not applicable- | Not applicable |
| Regional-level control missions | Supervision of control bodies whose activity is exclusively within their remit Examination of bodies’ control plans | Coordination and application of controls | Application of controls | - | - |
| Local level | Not applicable | Not applicable | Not applicable | Not applicable | Not applicable |

1.3.1.3 – Allocation of missions between government administrations and departments

Allocation of mission oversight

The allocation of control oversight missions between the various competent authorities is the outcome reflects, firstly, the official texts designating the competent authorities and defining the missions with which they are tasked (Annex 1), and, secondly, the official powers conferred upon the staff tasked with the execution of those missions is entrusted (Annex 3). Certain missions may be shared.

Depending on the regulatory areas concerned, the responsibilities are allocated as follows:

Application of controls relating to the [sanitary safety of foodstuffs](#) is shared between DGAL, DGCCRF, DGS and SSA, depending on the nature of the products and the stages in production and marketing. The DGAL provides exclusive oversight for sanitary controls in primary animal and plants production and in slaughterhouses. At the level of production/processing sector and initial market release of foodstuffs, the DGAL also directs controls in animal sectors and the DGCCRF those in plant-related sectors. The DGS is tasked with protection of the health of the general public with respect to the [various uses of water](#), and most notably bottled water products up to their placing on the market. Once they are on the market, the DGCCRF is also responsible for these products. Catering and consumer distribution are control domains shared between the DGAL, DGCCRF and SSA. And lastly, the SSA operates only in establishments in the defence sector.

Product [quality and fair trade controls](#) are applied by the DGCCRF. Specifically, CCRF staff are empowered to seek out and place on record breaches of labelling and fraud legislation. They verify compliance with specific regulatory requirements (food contact materials, GMOs, improvers, ionization and novel foods) from the standpoints of both sanitary safety and fair trading practices.

Controls on the [dissemination into the environment of genetically modified organisms intended for the production of foodstuffs and animal feed](#) are shared between the DGAL for all aspects concerning crops and field trials, in addition to checks on imported seeds, and the DGCCRF for controls on seeds for production in Europe or France.

Controls on the animal feed industry are shared between the DGCCRF and DGAL. In addition, the DGCCRF verifies the accuracy of information placed on animal feed products (GMOs included) in order to ensure that competition is healthy and fair.

Where [animal health and identification](#) are concerned, the DGAL acts to provide surveillance, control of regulated animal diseases and inspections, most notably for animal identification on livestock farms. It also has a role in monitoring trade in live animals between French farms and with other Member States of the European Union. The SSA's role is solely in the defence sector.

The DGAL alone has an oversight role for controls on establishments processing [animal by-products](#).

Direction of [animal welfare](#) checks on livestock farms, on the transportation of live animals and in slaughterhouses is provided by the DGAL. The SSA operates only with regard to animals in the defence sector.

Measures for [protection against plant pests](#) (plant health) are placed under DGAL direction. This involves surveillance and control of outbreaks of harmful organisms and monitoring the sanitary and phytosanitary conditions under which plants are offered for sale. The DGAL, SEMAE, FranceAgriMer and CTIFL are responsible for the granting of authorizations to operators for the issuance of plant passports and their monitoring.

Marketing authorizations (AMM) for plant protection products are the responsibility of ANSES. Controls on their manufacture are shared between ANSES and the DGCCRF. Controls on their marketing are shared between the DGCCRF and DGAL and controls on their use, especially by primary producers, is part of the DGAL's remit.

Where [products bearing EU quality and origin signs are concerned \(Organic Farming, PDO, PGI, TSG\)](#), the INAO has a joint role with the DGCCRF in France in controlling and defending these products. The INAO's role is relevant essentially before (French) products are placed on the market and the DGCCRF acts after this stage (products of all origins). The INAO also contributes to the defence of French products bearing quality signs abroad.

[Import controls](#) on products from third countries, before customs formalities, are applied under the responsibility of the DGAL, DGCCRF and DGDDI, depending on the types of imports and the specific points to be checked.

DGDDI took over⁶ the Dunkirk, Calais, and then Marseille and Le Havre Border Inspection Posts (BIP). The tasks involved relate to controls on foodstuffs of non-animal origin subject to enhanced inspection and emergency measures, food contact materials and quality checks on goods from organic farming and fruit and vegetables subject to marketing standards.

The above controls are applied on all products imported from third countries, without prejudice to its customs-related missions.

⁶ These controls were previously applied by the DGCCRF.

1.3.1.4 - Cooperation between competent authorities and other authorities

Cooperation between national competent authorities

As and when necessary, protocols of agreement clarify this task sharing and define the procedures for cooperation and the exchange of information between competent authorities, both between central administrations and services tasked with inspections on the ground.

Other control authorities cooperating with national competent authorities

Cooperation with customs authorities

The General Directorate of Customs and Excise (DGDDI) has a role as customs authority, authorizing the release into free circulation of products imported from third countries, following certain mandatory controls on plants and potentially problematic items in relation to plant health, animals, animal food products and certain plant products. Two specific protocols of agreement, respectively between the DGAL and DGDDI and between the DGCCRF and DGDDI, notably describe the procedures for the exchange of information in connection with the usual border inspections, exchanges of information directed at the adjustment of inspection frequency to reflect risk and the procedures for cooperation during crises. A distinction is made between these customs missions and the official control tasks (sanitary requirements, Organic Farming certificates) that precede customs formalities.

Cooperation with departments and agencies responsible for the control of veterinary medicines

The Agency for Veterinary Medicinal Products (ANMV) at ANSES is tasked with issuing marketing authorizations (AMMs) for veterinary medicines and the application of controls on facilities engaged in the manufacture or wholesale distribution of veterinary medicines and medicated feed. Control of the distribution of veterinary medicines is placed under the responsibility of the DGAL and the DGS (at the Ministry of Health).

Controls on veterinary medicines fall within the scope of the MANCP from the standpoint of food chain safety. Discussions with departments and agencies tasked with controls on these products and their distribution are extensive and contribute to the assessment of the risks and priorities for product control, especially with regard to their use by livestock farmers.

Link with control of cross-compliance for support payments

In the area of animal identification, the Payment and Services Agency (ASP) – a French State-controlled administrative public-sector entity – which is responsible for the administrative and financial management of public support payments, contributes to verification of fulfilment of the undertakings given by beneficiaries in connection with financial support linked to cross-compliance.

Contribution to the system of official signs identifying quality and origin (SIQO)

The General Directorate for the Economic and Environmental Performance of Enterprises (DGPE) at the Ministry of Agriculture is the supervisory body for the INAO, the French Development Agency (AFD) and the agency for the promotion of organic farming (Agence Bio). It is also the lead body in the French delegation to the EU committees on organic farming and PDO/PGI/TSG signs. It is the interface for the Commission on PDO/PGI/TSG management and is the competent authority for the definition of public policies. Agence Bio is the receiving body for operators' activity notifications.

1.3.2 – Mission delegation

The DGAL delegates some of its missions to bodies specifically dedicated to sanitary issues (animal and plant health) and to veterinarians mandated as official private-sector veterinarians (most notably in the area of animal health and protection). Sanitary veterinarians (practising veterinarians) are empowered by the government to perform regulatory tasks for which farmers and growers are responsible, such as prophylactic screening.

Delegation of missions to outside bodies by the DGAL is governed by provisions in the maritime fishing and rural code notably stipulating that a specific contractual agreement must be in place for this. Supervision of delegated organizations is based on their accreditation by COFRAC, which verifies the quality of their organization.

SEMAE delegates to the national federation of seed potato producers the task of providing phytosanitary inspection reports for input into official decisions on the issuance of plant passports for seed potatoes. Oversight of the competence of the individuals involved is provided, along with second-level checks on consignments and crops. The delegation of powers is reviewed annually. The delegated organization is also engaged in an accreditation programme under standard NF EN ISO/IEC 17020.

FranceAgriMer and the CTIFL delegate or may delegate certain controls to the same organizations as the DGAL.

The INAO delegates application of controls on operators' premises to bodies accredited by the French Accreditation Committee (COFRAC) under standard NF EN ISO/IEC 17065 or, depending on the circumstances, standard NF EN ISO/IEC 17020. These bodies are subject to regular supervision by the INAO in order to ensure that they are operating satisfactorily and, most notably, to verify the effective character and quality of the controls applied in addition to the appropriateness of the treatment of instances of non-compliance revealed

by those controls. In 2021, ten control bodies for PDO/PGI/TSG signs and eleven for Organic Farming had INAO approval.

Approved control bodies to which control tasks have been delegated are subject to monitoring by the INAO based notably on regular evaluations every 12 to 18 months carried out at the head offices of the bodies concerned, as well as on observation of their activities on the ground. These bodies are also monitored by the French Accreditation Committee (COFRAC) with regard to the requirements for accreditation under the relevant standards. These two types of monitoring are mutually complementary and ensure an effective overview of activities, thus helping guarantee that any dysfunction is rapidly detected and dealt within an optimum timeframe.

Additionally, control bodies are required to submit to the INAO an annual activity report and regular computerized statistics with information on the list of operators, adherence to control frequencies, observed breaches and, where applicable, the follow-up to these.

This allocation of the missions and task delegation are described in more detail in Annex 4; the missions are performed by the departments and agencies in the regions and territorial *départements* in accordance with the territorial organization set out above.

1.3.3 – Resource allocation

1.3.3.1 – Budget resources – taxes and dues

The **financial resources** employed for the application of controls are dependent on the status of each competent authority.

Controls applied by government departments and agencies are funded under specific budget programmes adopted annually by Parliament in connection with the finance laws and forming part of three-year budget appropriations. For example, budget programme 206 “Food sanitary safety and quality” funds controls within the scope of the MANCP and under DGAL direction, and contributes to the funding of ANSES. Programme 134 “Development of enterprises and regulations” covers controls for which the DGCCRF has oversight. The SSA is funded under the general budget of the Ministry of Defence (Programme 178 “Preparation and employment of the armed forces”). The DGDDI is funded for the whole range of its activities by Programme 302 “Facilitation and security of trade”. Programme 204 “Prevention, sanitary safety and healthcare provision” covers the missions of the DGS included in the MANCP. Details of these resources can be found in the [Performance Forum](#) by viewing the budget for the relevant year when the financial resources are linked to a ministerial budget.

The INAO and FranceAgriMer both have their own budgets to cover their control activities, among other things. In the case of SEMAE, the budget for its phytosanitary missions, which is published every year in its activity report, accounts for approximately 30% of the budget allocated to public service missions.

As far as the CTIFL is concerned, the missions of control of the authorisation to issue the plant passport and certain official plant inspections are financed by the DGAL, within the framework of the agreement. The official sanitary visual examinations of certified plants are financed by the professional operators inspected.

EU regulations provide for the mandatory levy of **taxes and duties** for import controls and certain controls on animal foodstuffs (sectors: meat for human consumption, fisheries, food processing). The amounts are included in overall government resources and can be found on the “Légifrance” website.

Regarding controls other than those on imports, minimum EU rates are stipulated in national law in the general tax code (CGI) (Articles 302 b N to W, WA, WB, WC and WD). For controls on imports of products of plant origin (enhanced controls and emergency measures), the amounts are set in official ministerial orders. In the case of phytosanitary controls on imports, the intention is to move towards duties calculated on the basis of the actual expenses incurred for such controls.

Another certification tax on livestock movements has been created in France. This tax is levied by FranceAgriMer and provide funding for the scheme “Certivéto” (certification by veterinarians of live animals for movements).

In the case of SEMAE, the budget is completely financed by mandatory voluntary contributions (CVO). There are four types of CVO based on the business activity of the contributor. CVO amounts can be found on the SEMAE website in the interprofessional agreements: <https://www.semae.fr/accords-interprofessionnels/>

When applications for marketing authorizations (AMMs) for plant protection products are submitted, ANSES levies taxes that generate proceeds for allocation to the funding of the processing of those applications and AMM management. Lastly, ANSES levies another tax calculated on the revenue generated by AMMs for plant protection products marketed in France. This is used to fund drug safety monitoring programmes. <https://www.anses.fr/fr/content/documents-relatifs-aux-autorisations-de-mise-sur-le-march%C3%A9-amm-des-produits>.

Where the INAO is concerned, in the specific case of certification bodies, the Institute is responsible for the application of controls on EU quality and origin and organic farming signs. The cost of these controls is borne by the operators.

For the DGS, the costs of sampling bottled water products and testing to verify sanitary safety are also borne by the operators.

1.3.3.2 – Staff resources

Control departments and agencies employ staff who have received initial scientific, legal or economics training alongside administrative personnel.

Depending on the status of the relevant competent authority, staffing comprises public servants (permanent and others under contract) and employees working under private-sector contracts of employment.

The staffing allocated by the competent authorities to the application of controls are adjusted annually, the figures for 2021 being the following:

At national level: a workforce of approximately 655 as expressed in annual worked time FTEs (Full Worked Time Equivalents).

At regional level: approximately 1,040 annual worked time FTEs.

At the level of the *département* (including DROMs): approximately 4,360 annual worked time FTEs.

This workforce does not include personnel employed by laboratories, mandated veterinarians (working part-time) or delegated organizations (e.g. bodies dedicated to sanitary tasks, control bodies). A more detailed table is provided below in Annex 5.

Impartiality – absence of conflict of interest

Articles 25 and 25b of French law 83-634 of 13 July 1983 on the rights and obligations of public servants set out the conditions to be met by government employees, whether in permanent posts or working under contract, and one of those conditions is the absence of conflicts of interest.

Comparable provisions are included in the obligations and duties of military personnel (French defence code, Articles L. 4122-1 to L. 4122-10) and apply to veterinarians and veterinary technicians in the armed forces.

In the specific case of AMM applications for plant protection products, in order to preserve the independence of ANSES a charter governing relationships with persons or entities presenting potential conflicts of interest aims to ensure the traceability of contacts with stakeholders and to forewarn of any risk of compromise to the Agency's independence.

Internal procedures supplement the national rules and indicate potential risks of loss of impartiality. Specifically, in their annual evaluation interviews members of staff are urged to declare any risk of compromise to their impartiality in the performance of their duties, due for example to personal relationships with operators or a particular area of activity.

Impartiality is also a fundamental point for the CTIFL to carry out its control activities. Risk analysis on independence and impartiality are carried out at regular intervals. Inspectors undertake to declare any potential links of interest they may have and action plans are implemented if necessary.

Impartiality is a major focus of the objectives and performance contract signed by SEMAE. Accredited under ISO 17065, this interprofessional representative body has implemented arrangements to ensure the impartiality of its activities:

- the existence of a Control Committee whose purpose is to protect the impartiality of the Directorate for quality and official control in conducting the activities entrusted to it;
- identification of risks that may possibly compromise the SEMAE impartiality in the Directorate for quality and official control certification activities and detailed procedures for managing such risks, to either eliminate or reduce them as far as possible;
- an annual undertaking to avoid conflicts of interest entered into by each member of staff responsible for control and certification activities.

1.3.3.3 – Designation of official and reference laboratories

Official controls on the food chain and surveillance and control measures in animal health and plant health include the performance of laboratory tests. The network of laboratories carrying out those tests comprises laboratories tasked with official testing, known as "official laboratories", some of which have also been designated as National Reference Laboratories (NRLs). The lists of laboratories are in the public domain and can be found on the websites of the competent authorities.

Official laboratories

Each competent authority designates official laboratories for the performance of the official tests for which it is responsible. Those laboratories must notably meet criteria of confidentiality, impartiality and independence.

They are accredited under standard ISO/IEC 17025 by the French Accreditation Committee⁷ (COFRAC) for the missions entrusted to them in their capacity as official laboratories⁸.

The DGAL works with a network of over 150 laboratories to which it grants official approval in one or more test domains according to the desired testing, based on responses to calls for applications. The majority of the laboratories approved in this way are test laboratories for *départements* attached to departmental local government councils, especially with regard to animal health and food sanitary safety. The laboratory networks also include, where certain areas of testing are concerned, the ANSES laboratories, government laboratories in the national shared laboratory service (SCL - see below), laboratories in teaching and research facilities and other laboratories (e.g. private-sector, interprofessional). The various laboratory networks are adjusted as needed to meet testing needs. Each regional, departmental or local agency has access to all the laboratories in the networks established by the competent authorities for the performance of tests. In the event of a crisis, an emergency procedure enables laboratories to be officially approved in order to meet an immediate need for tests.

The DGCCRF and DGDDI use a network of 11 government laboratories based across the whole of France and belonging to the national shared laboratory service (SCL) which has national competency and is shared by the two directorates. Their competencies are laid down in an official order issued by the Ministry of the Economy. Additionally, the SCL may call on the services of approved laboratories on a list published by official order. And lastly, in the event of an emergency or an exceptional need for special expertise, it may call upon a laboratory capable of providing testing, subject to its control.

The DGS uses its own network of 135 laboratories approved for checks on water for human consumption.

The SSA uses the laboratories approved by the DGAL.

The INAO approves laboratories for the testing done by certification bodies.

The laboratories used by FranceAgriMer and the CTIFL are those approved by the DGAL.

SEMAE works with laboratories approved by the DGAL for quarantine pests and seed potatoes and with the national reference laboratory (GEVES) for non-quarantine regulated pests.

National Reference Laboratories

National Reference Laboratories (NRLs) operate in conjunction with European Union Reference Laboratories (EURLs) to drive networks of official laboratories and improve testing. Specifically, their missions include:

- development, optimization and validation of test methods;
- technical leadership of the network of official laboratories, including where applicable the organization of ring testing and training;
- performance of certain tests, most notably for result confirmation, where necessary.

These laboratories also contribute to scientific and technical vigilance programmes in their respective domains and provide their scientific and technical expertise to the competent authorities. In this way, they play a key role in building knowledge of hazards and collecting data from the laboratory networks.

Each competent authority designates, from within its existing network of official laboratories, NRLs to match the activities for which that authority is responsible (based on official orders in the case of the DGAL and through its quality system in that of the DGCCRF). Reference missions are therefore additional to performance of official tests.

In total in 2021, NRLs in France cover 93 areas of competency: 33 mandates for biological and chemical contaminants in the food chain, 41 mandates for animal diseases, 3 mandates for GMOs, 15 mandates for plant health and one specialist mandate for water. The majority of reference mandates have been granted to the various ANSES laboratories and the SCL holds 13 reference mandates.

Following the issuance of European calls for candidacies, a number of these NRLs have been designated as EURLs by the European Commission, notably in the areas of microbiology, residues and contaminants in food, animal health and plant health. It should be noted that more than one NRL can be appointed for one and the same EURL. Lastly, the remits of some NRLs are exclusively national. This is notably the case for the DGAL in the area of animal health (for several diseases) and, for the DGCCRF, where fraud is concerned.

Lists of official laboratories and National Reference Laboratories

The lists of laboratories are regularly updated to reflect changes in the needs for official testing in the various regulatory domains.

⁷ This accreditation may also be granted by another equivalent EU accreditation body.

⁸ In domains for which COFRAC accreditation exists.

For the DGAL and in the plant health area for FranceAgriMer, SEMAE and CTIFL (the link to the ministerial order designating NRLs can be found on each of the following web pages):

- Food: <http://agriculture.gouv.fr/laboratoires-agrees-methodes-officielles-alimentation-568>
- Animal health: <http://agriculture.gouv.fr/laboratoires-agrees-methodes-officielles-sant%C3%A9-animale>
- Rabies: <https://agriculture.gouv.fr/sante-animale-liste-des-laboratoires>
- Plant health: <http://agriculture.gouv.fr/la-liste-des-laboratoires-agrees>

For the DGCCRF and DGDDI:

- The national shared laboratory service (SCL): <https://www.economie.gouv.fr/dgccrf/Le-service-commun-des-laboratoires-DGDDI-et-DGCCRF>

For the INAO:

- Approved laboratories: <https://www.inao.gouv.fr/Espace-professionnel-et-outils/Controles-des-signs-d-identification-de-l-origine-et-de-la-qualite-SIQO/Les-laboratoires-d-analyse>

For the DGS:

- Water: <https://solidarites-sante.gouv.fr/sante-et-environnement/eaux/article/laboratoires-agrees-pour-le-contrôle-sanitaire-des-eaux> and NRLs: <https://www.anses.fr/fr/content/laboratoire-d-hydrologie-de-nancy>

1.3.3.4 – Information systems – operator registration

Each competent authority has an information system that enables it to carry out all or part of the following tasks in its respective area of activity:

- operator registration in accordance with the nature of their activities in order to identify sector professionals and the regulatory obligations to which they are subject. Operator registration is based on declarations of activity submitted to INSEE and supplemented by specific information following an additional obligation to submit a declaration to the control agencies and information provided by agencies that has been gathered in the course of their control activities;
- issuance and withdrawal of official authorizations where these are required in order to undertake certain activities, for example the approval of establishments processing animal products, approval of certain producers of animal feed, authorization for live animal transportation, and authorization of plant passports for operators offering plants for sale;
- [registration of animals and their movements](#), which may be individual, as in the case of cattle, or by “batch” in that of poultry;
- [production of control, testing and surveillance programmes](#);
- [logging completed inspections](#), observed non-compliance and the corresponding steps taken (i.e. warnings, official demands to remedy, penalty notices), including details of testing;
- [the monitoring of the sanitary status of animals and livestock farms](#) in accordance with screening programmes;
- [the monitoring of the plant health situation](#).

Delegated organizations and competent authorities may have access to these information systems or have developed their own such systems. Additionally, they notably use the European Commission’s information systems, especially for imports and intra-EU trade.

The DGAL possesses an information system – RESYTAL – and the legacy applications of SIGAL, its former system.

Operators are registered using a single database made available by the DGAL for professional operators. The information is then passed on according to the respective remits of the competent authorities (DGAL, SEMAE, FranceAgriMer, CTIFL) for the granting of authorizations to issue plant passports. In addition to this, FranceAgriMer has its own information system for the monitoring of crops and the professionals in the sector for which it is responsible. SEMAE has an information system – EPAD – used to monitor businesses, crops and consignments, plus an internal EDM resource. CTIFL has an internal information system for monitoring crops and inspections in its field of competence, as well as a SharePoint system for its document management.

The DGCCRF has an information system: SORA.

The INAO has had an information system for monitoring operators and controls since April 2021. The data input for this system comes from its delegated organizations, these being obliged to keep up-to-date lists of operators, completed controls procedures and corresponding outcomes.

The DGS makes use of a food-related database known as “SISE-Eaux” for bottled water.

The SSA applies controls in facilities in the defence sector and has an information system used to monitor these and the controls applied.

ANSES possesses an information system "TOP" (Traceability and Optimization of Processes) which provides data input for the "E-Phy" website containing a catalogue of plant protection products and their authorized uses in France.

The DGDDI's new import control missions (other than conventional customs formalities) are recorded in the European Commission's specific import information system.

1.4 – GENERAL ORGANIZATION OF OFFICIAL CONTROLS AND OTHER OFFICIAL ACTIVITIES

1.4.1 – Statutory powers – staff empowerment

The powers conferred within the scope of the MANCP are set out in the maritime fishing and rural code (Book II – Food, veterinary public health and the protection of plants, and Book VI – Production and markets), in the consumer code (Book V – Investigative powers and control follow-up) and in the public health code (Book III – Protection of health and the environment, and Book IV – General health administration). The main statutory foundations for these powers are described in Annex 3.

Depending on their respective missions, staff responsible for control activities are empowered:

- to conduct checks and inspections;
- to seek to detect and to confirm non-compliance and offences;
- to note the occurrence or suspicion of a regulated animal disease or the presence of plant pests.

In this context, they are able to enter premises between 8 a.m. and 8 p.m. or at any time when such premises are open to the general public or in operation, and to take samples.

Under the authority of a Prefect (or the Minister of Defence in the case of the SSA), staff may take enforcement steps in order to forestall a risk to public health: ordering action to be taken to ensure compliance, withdrawal of products from sale, suspension or cessation of business, among other measures.

In connection with import sanitary controls, they may notably refuse entry into the country.

Where animal health and plant health are concerned, in the event of detection of a case or an outbreak, once again subject to the authority of a Prefect (or the Minister of Defence in the case of the SSA), they can order the implementation of necessary control measures such as livestock isolation and slaughter, the grubbing up of plants or plant treatment.

These same legal texts define competencies for the issuance of official permits such as marketing authorizations (AMM) for plant protection products.

1.4.2 – Skill management

1.4.2.1 – Job descriptions: desired skills

The competent authorities seek to define the skills required for the execution of the missions assigned to them. For that purpose they possess "job" reference criteria backed by an interministerial catalogue of government activities (RIME).

For example, the catalogue of missions and activities of the Ministry of Agriculture and its public-sector entities (RMM) aims to develop human resource management by quality consistent with the forward-looking studies conducted by the Observatory of Missions and Activities (OMM). This is used as a reference by managers in drafting job descriptions, assessing the skill requirements for their respective departments, conducting professional interviews and determining their training needs with staff members. The catalogue describes the activities required across the Ministry as a whole in over 300 typical job descriptions grouped in 23 employment sectors.

Additionally, the DGAL's quality-based management approach has entailed the implementation of a number of specific skill management procedures:

- the creation of a set of criteria describing in detail the desired skills for inspectors and national technical managers in each technical inspection area;
- an induction process for members of staff assigned to a new inspection tasks to include an initial evaluation of their skills, a programme for acquisition of the necessary skills (a formal qualification pathway), and a final evaluation enabling them to be qualified as inspectors and to sign off inspection reports in their own right.

Where the DGCCRF is concerned, its set of reference criteria for jobs and skills comprises 73 job descriptions, of which 13 are described as "core CCRF activities", and 117 skill sets. A small number of these job descriptions can be cited here: e-commerce investigator, fair trade investigator, product and service quality and safety inspector, national sector network leader, complaints manager, quality manager and alert monitoring manager.

For the SSA, the functions of veterinarian and veterinary technician are also defined in the ministerial job reference system (REM) and are the subject of REM job descriptions (ETR).

FranceAgriMer has 11 job descriptions and 23 required skill sets in the vine cuttings and plants sector.

For SEMAE, its job catalogue identifies 76 functions (updated on 01/12/2021) of which 16 are dedicated to control and certification with 39 corresponding skill sets. The mandatory skills for the exercise of control and certification powers are defined in the Directorate for quality and official control job description pack. This is composed of training and mentorship programmes. The missions and responsibilities for control and certification activities are defined in the Directorate for quality and official control decision chain.

The CTIFL has a quality manager and about ten inspectors involved in health inspection missions. Two of the inspectors are also technical managers, who manage the planning, the follow-up of the inspections, the decisions concerning the authorisation to issue the plant passports, the issuing of the plant passports and the links with the other competent authorities. The functions of inspector, quality manager and technical manager are defined in the quality manual. A procedure describes the management of competences: selection, accreditation process, accreditation, maintenance of competences, monitoring, suspension. All the functions involved are monitored over a maximum of a 3-year cycle.

ANSES seeks specific skill sets for the processing of AMM applications for plant protection products and the inspections and controls applied to them.

For all the competent authorities, the line manager of each staff member is responsible for managing the latter's skills:

- on his or her entry into post, by conducting an induction process comprising an evaluation of the person's skills and their match with the missions to be entrusted to him or to her, for example by putting in place a qualification pathway as is the case for the DGAL and the SSA, or, as in that of the INAO, the building of a personalized skill overview in conjunction with the training department in order to identify the training needed by the staff member;
- line managers must constantly endeavour to ensure that the skills of their staff are maintained, verifying that this is the case every year, for example in the annual evaluation interviews.

1.4.2.2 – Initial training

Candidate selection

Initial training allows staff to acquire, develop and make good use of their professional skills. Recruitment by all competent authorities is largely based on competitive examinations.

The DGAL uses competitive examinations to recruit veterinary public health inspectors (ISPV), graduates of France's elite corps of structural, water and forestry engineers (IPEF), agricultural and environmental engineers (IAE) and Category A public servants. It also recruits Category B personnel, higher-level technicians at the Ministry of Agriculture (TSMA). These members of staff are trained in various government-run schools over periods of one or two years. The DGAL may also call upon staff under contract to meet short-term or permanent needs for the execution of its missions. Some profiles require specific qualifications: a doctorate in veterinary medicine for example.

The DGCCRF uses competitive examinations to recruit inspectors (Category A), controllers (Category B) and laboratory engineers (Category A), all of which follow a variety of initial training courses (scientific, legal, economic, etc.). Those who are successful in their examinations then attend one year of statutory training at the ENCCRF. This training alternates between classroom learning and time spent on the job. Responsibility for training is assigned to the head of the subdirectorate for human resources, financial affairs and organization, who is assisted by the office for skill promotion.

The SSA conducts recruitment based on competitive tests or military veterinary qualifications (officer rank), higher-level studies and manufacturing technician diplomas (TSEF – Category B) and higher-level hospital technicians (TSH) / veterinary technicians (armed forces hospital military nurse and technician – MITHA – a non-commissioned officer rank).

The INAO has staff with a variety of initial training, usually closely related to knowledge of agriculture and its products and how they are processed. The levels for initial training courses are stipulated by statutory provisions, as are also the skills and aptitudes required for the various functions, these being subject to formal definition in descriptions subject to formal opinions issued by joint management/staff representative committees.

The Ministry of Health (for the DGS and ARS) recruits by competitive examination, and in particular for engineers specializing in biomedical engineering, specialist sanitary studies engineers, biomedical and sanitary safety technicians, medical doctors and pharmacists acting as public health inspectors.

FranceAgriMer recruits inspectors who have received a wide range of types of initial training. They attend specific training for the execution of official control tasks in the vine cuttings and plants sector. These courses are dispensed by organizations of reference. The staff comprises engineers and technicians. FranceAgriMer may also recruit personnel under contract for short-term needs linked to certain tasks.

The Directorate for quality and official control of SEMAE is staffed by personnel whose initial training and past experience usually relate to agriculture, especially crop growing, or control and certification activities. SEMAE implements a training pathway that combines knowledge of the working environment with a job description package for all new members of staff.

This job description package identifies a number of mandatory skill sets required for the exercise of official powers to conduct certain control and certification procedures. It is composed of training and mentorship programmes.

CTIFL recruits inspectors with various initial training backgrounds, generally related to plant production. They are trained during their accreditation process, supported by tutored inspections. Technical operating procedures facilitate the learning of working methods as well as rigorous supervision, particularly during the first year of inspection.

ANSES recruits staff who must possess specific scientific knowledge relating to plant protection products, especially in the area of risk and hazard evaluation.

The DGDDI uses competitive examinations to recruit inspectors (Category A), controllers (Category B) and customs officers (*agents de constatations*) (Categories C) with a variety of profiles (scientific, legal, economic, etc.). Those who are successful in their examinations then attend statutory training lasting a year or six months, according to their category, at the La Rochelle or Tourcoing customs schools. Their training alternates between classroom learning and time spent on the job. Responsibility for training is assigned to the national directorate for recruitment and professional training (DNRFP) in coordination with the human resources subdirectorate.

Government schools and training courses

Several schools train staff at the Ministry of Agriculture (for the DGAL):

- in the case of technicians, the national institute for the training of Ministry of Agriculture staff (INFOMA): <http://www.infoma.agriculture.gouv.fr>
- for ISPVs, the national veterinary services school (ENSV): <https://www.ensv.fr/>
- for engineers, the national school for rural, water and forest engineers (ENGREF) and a network of schools for engineers in the life and environmental sciences and technologies.

Staff dealing with primary shellfish production are not attached to the Ministry of Agriculture but to the Department of Maritime Affairs (public servants recruited by competitive examination) and before taking up their posts they receive training dispensed by the Maritime Affairs Training Schools – Training Centres and Documentation Group (GECFDAM) whose headquarters are in Bordeaux (Gironde).

Where the DGCCRF is concerned, the National School for Competition Policy, Consumer Affairs and Fraud Control (ENCCRF), which has a national-level remit, implements national training. It creates initial training courses and organizes the annual programme of continuous training for DGCCRF staff. The ENCCRF teaches professional practice and prepares trainees for the job of investigator. The courses offer formal qualification pathways to give officers the essential tools for the professional and responsible performance of their future duties. DGCCRF executive-level staff attend specific training courses in management, mission oversight, quality-focused approaches and management tools. They also enjoy access to all the “job-specific” courses in the DGCCRF training catalogue and to courses offered by the Public Service Schools Network (RESP), Regional Platforms for Interministerial Assistance in Human Resources Management (PFRH), the Institute for Public Management and Economic Development (IGPDE) and other organizations.

The ENCCRF website: <http://www.economie.gouv.fr/dgccrf/La-DGCCRF/ecole-nationale-crf-encrf>

For the Ministry of Health (DGS and ARS), initial training is dispensed by the Higher School of Public Health (EHESP): <https://www.ehesp.fr/>

In the case of the SSA, all staff responsible for conducting official inspections – military veterinarians and technicians (MITHA/TSH non-commissioned officers) and civilian technicians (TSEF) – attend specific training provided by the Val-de-Grâce School. To supplement the academic training (veterinarians, MITHA/TSH and TSEF) specific to each corps, this practical training allows inspectors to acquire the knowledge needed for their assigned tasks. To this theoretical training a formal qualification pathway has been added, a practical training course comprising a final evaluation, which is necessary for the execution of inspections.

As regards the DGDDI, the DNRFP – created in 1977 and a national-level department since 2007 – is responsible for the provision of recruitment and training services for Customs personnel. It coordinates the training dispensed in the two Customs schools (END Tourcoing and END La Rochelle), and also coordinates the continuous training programmes dispensed by the professional training departments of each interregional directorate. The new sanitary and quality import control missions assigned to the DGDDI are organized on the basis of provision of specific theoretical and practical training at both national and local levels in conjunction with the training management and performance unit. This unit is responsible for coordinating training between the two schools, and with building courses within the general directorate, in collaboration with the office for the national training plan.

1.4.2.3 – Continuous training

Entitlement to training is recognized in Article 22 of the public servant general status document and is developed in official decree 2007-1470 on lifelong professional training for government servants. Each national administration has a programme and an organization for defining the need for continuous training and establishing the corresponding programme, this being set out in an orientation memorandum. Funding is reserved for this. These matters are part of the process of dialogue with staff in the ministries.

This organization involves the designation of a local training manager who provides the interface between staff, line management and the training catalogue. He or she may also be involved in arranging courses at local level.

Training courses may be organized internally or outside service providers in the public or private sectors may be brought in. Training courses common to different competent authorities are put in place and have been developing since the creation of the interministerial departmental directorates. For example, the DGCCRF's Alert Unit and the Sanitary Emergency Unit (MUS) of the DGAL dispense one or two seminars every year on the management of sanitary alerts and a similar programme exists for animal feed. Joint DGCCRF-DGDDI courses are organized, on "Made in France" for example, along with joint DGAL-DGDDI courses. Government schools contribute to the organization of courses for continuous training. To supplement these, exchanges of good practice are arranged (e.g. for the sharing of conformity decisions between inspectors working in the same field).

Frequently, as part of the performance evaluation interviews, each line manager establishes the training needs for individual members of staff and passes this information on to local training managers. These technical training needs can also be established within the framework of quality approaches.

An immediate on-the-spot evaluation is carried out on completion of each continuous training course using an assessment questionnaire to be completed by each attendee. The summation of these questionnaires allows the performance of the course to be assessed. Some courses are covered by a later evaluation procedure.

Specific courses are provided for mandated veterinarians.

In the case of the INAO, a dedicated department can provide INAO staff with appropriate courses notably dealing with the characteristics specific to products and their consumption, as well as in the control domain. Training is covered in three-year plans translated into annual programmes that focus on certain high-priority activities. These are subject to a formal opinion issued by the joint management/staff committees in each establishment.

Continuous training is an SSA priority with the objective of guaranteeing a high level of technical competence for its personnel. The quality management system in the SSA allows continuous training needs to be identified and monitored.

Continuous training is also a priority for the DGCCRF. This general directorate has implemented an online scheme that allows staff to access a training catalogue published each year and to register online. The catalogue takes into account the priorities determined at the ministerial and interministerial levels as well as issues specific to the DGCCRF. It aims to maintain and to develop staff skill sets and to train investigators, especially those responsible for enquiries that are part of the National Investigation Programme (PNE), for which officers need to be operational at short notice.

Staff at FranceAgriMer are trained in regulatory requirements for the execution of official controls.

For staff who are already qualified there are two core focuses for continuous training:

- the training policy of the establishment: during the annual evaluation interviews information is gathered on training needs and wishes and these are addressed by the establishment's human resources department;
- as part of quality management of the vine cuttings and plants programme, a system of supervision and qualification is implemented annually. This supervision enables any loss of skills for key controls to be detected and, if needed, the member of staff can recommence a training cycle, this being based mainly on mentorship and support from duly qualified officers.

For SEMAE and CTIFL, skills are maintained by means of a training plan, a minimum level of professional activity and regular staff supervision.

For the DGDDI, continuous training is organized under a national three-year training and skill development plan (2021-2023), with annual production of a training catalogue. This national offering of training is supplemented and rolled out across the regions in Interregional Training Plans (PIF).

Additionally, staff in the competent authorities attend "Better Training for Safer Food" (BTSF) courses offered by the European Commission.

1.4.2.4 – Skill maintenance and expert networks

In addition to continuous training schemes, skill maintenance is ensured by recognizing expertise in fields that are particularly “technically demanding”.

For example, the DGAL has set up a veterinary and phytosanitary expert department. The organization of the networks of experts, reference and resource individuals that this comprises is aimed at maintaining and consolidating the technical skill sets of staff. The scheme comprises 47 “national experts of reference” working full time and over 114 “resource persons” part of whose working time is devoted to the network, which operates subject to the authority of the DGAL.

The objectives pursued are as follows:

- to consolidate internal capacity for expertise on risk management, which is necessary for the effectiveness of France’s sanitary safety system;
- to clarify the procedures for the operation of the national expert network with a view to enhanced recognition of the latter and a better fit between needs and resources;
- to drive the expert network in the shared interest of departments and staff.

There are two goals: the aim is first to preserve the close link with activities on the ground necessary for action in the closest possible proximity to stakeholders, seeking to explain and affirm government policy, and secondly to formalize and improve the management of this national network of experts of reference in order to pool their skills and their activities. The Expertise Orientation and Monitoring Committee (COSE) in the Ministry enables recognition of the qualifications as specialists or experts of certain members of the national expertise scheme.

Where the DGCCRF is concerned, regional and interregional technical days and meetings of sector networks (quality signs, fruit and vegetables, cider, foie gras, dairy products, etc.) allow staff to bring their regulatory knowledge up to date and to share their personal inspection experience. These networks also allow the central administration to obtain technical support on a range of topics where needed.

At the SSA, persons of reference and groups of experts have also been designated to provide expert input for the national technical manager and personnel on the ground (the activities of persons of reference and experts take up only part of their working time). The individual of reference on “institutional catering” contributes to the work of DGAL “resource persons in the institutional catering sector”.

In the case of the INAO, two networks have been formed: one comprising staff responsible for technical assessment of certification bodies (approximately 20 individuals), and the other composed of staff dealing with relations with certification bodies (approximately 45 individuals). These networks, which are led by a central department of the INAO, make it possible, by means of regular discussions, to maintain the knowledge and skills of the personnel participating in them.

At SEMAE, experts are appointed to issue opinions in their “job” expert domain, to provide input for decision-making and to train and mentor the personnel of the Directorate for quality and official control.

The DGDDI is a participant in the annual meetings of the network of persons of reference on biological and sanitary controls relating to imports; these meetings are organized by the DGCCRF.

The CTIFL's technical managers participate with the DGAL in national working groups on plant health regulations and their implementation. They also ensure regular monitoring of the inspectors.

1.4.3 – Control procedures and reports

Irrespective of the chosen criteria for programmes management by quality, each competent authority has put in place a national quality manual and a structured document management system to ensure that its procedures, instructions and modes of operation are duly documented for both control execution and recording findings.

The document management systems can be accessed by all relevant personnel, generally using the intranet of each competent authority. Inspection reports are filed in the information systems of the competent authorities or, where applicable, those of the delegated organizations.

The instructions of the various departments stipulate that inspection reports are to be provided to operators at the very least where non-compliance has been noted. They are frequently provided on a systematic basis, for example in the case of checks on hygiene rules in agrifood facilities or issuance of plant passports to nursery gardeners.

For example, the DGAL groups its control procedures together under an “activity reference criteria” heading in its quality programme. Each set of activity reference criteria comprises instructions on cross-functional matters (alerts, surveillance and control plans, imports and exports) and in specific areas related to food sanitary safety, plant health and protection and animal health and protection. They notably include guides and inspection matrices to help ensure the consistency of inspection procedures and findings for controls applied to industry operators. The inspection matrices, which contain an overview of the findings, result ultimately in an evaluation of the establishment: compliant/non-compliant, or a grade of A/B/C/D type. The other official

activities, most notably the organization of animal and plant disease surveillance and control, are also covered by a set of documented instructions.

As the core foundation of the quality-focused approach, the DGCCRF's document management system has a pyramid structure aimed at integrating the entirety of the administrative documentation produced by the DGCCRF. All documents are linked, identified (owner, process, nature of document, etc.) and are catalogued and codified to ensure the long-term viability of the system. The documentation covers all documents of prescriptive type (instructions to staff for investigations, for example) or relating to traceability and methodological support. Documents and forms that aid inspections (templates for penalty notices, reports) can also be directly accessed in the job software used by investigators.

Since 2014 FranceAgriMer has had a quality management system that governs its plant passport scheme.

This system is structured around four pillars, among them "Document Management and Procedure Review".

For the INAO, checks on quality and origin signs are covered by a set of documented instructions: directives from the Approvals and Controls Council, decisions taken by the head of the Institute, common control provisions and official circulars. All of these texts can be found on the INAO website; they detail the obligations of certification bodies for the control planning, control execution, control follow-up and the various duties of certification bodies for their communications with the INAO.

For SEMAE, a document management system has been implemented in the "Activity" EPAD information system. This system comprises the documents for communication of procedures, instructions, rules, forms and control status to personnel. Part of this documentation and inspection findings is available to businesses via internet and extranet sites.

CTIFL applies methods inspired by those used by the DGAL, with the aim of harmonising practices between these two competent authorities, and also, as far as possible, with the other competent authorities in the plant field. These methods are described in the documents of the CTIFL quality management system. A document management procedure describes the stages of publication of the documents, and includes a regular review of all these documents, with the aim of updating and continuous improvement.

In the case of the SSA, control procedures are documented, available to all staff using the Pyx4 software program, and contain most notably a guide for inspectors, an inspection matrix and report templates for each domain.

For the DGS, the detailed control procedures for water bottling plants and bottled water are set out in an official ministerial order and an implementing circular. Additionally, a national inspection/control table is provided to officers responsible for the official controls.

1.4.4 – Transparency of official controls

MANCP annual reports prepared jointly by the various competent authorities are made public (since 2016) and present the whole range of controls applied to the food chain (<https://agriculture.gouv.fr/securite-sanitaire-le-plan-national-de-contrôles-officiels-pluriannuel-2016-2020-pncopa>).

Generally speaking, the websites of the competent authorities describe the entirety of their missions and activities relevant to control of the food chain, including animal health and plant health surveillance and management:

- DGAL: <http://agriculture.gouv.fr/thématique-générale/alimentation> including activity reports: <https://agriculture.gouv.fr/tous-les-rapports-dactivite-de-la-dgal>
- DGCCRF: <http://www.economie.gouv.fr/dgccrf/La-DGCCRF/Activites-et-orientations> including activity reports: <https://www.economie.gouv.fr/dgccrf/La-DGCCRF/Activites-et-orientations>
- DGS: <https://solidarites-sante.gouv.fr/>
- ANSES: <https://www.anses.fr/fr/thematique/produits-phytopharmaceutiques-biocides-et-fertilisants>
- INAO: <http://www.inao.gouv.fr/Espace-professionnel-et-outils/Contrôles-des-signes-d-identification-de-l-origine-et-de-la-qualite-SIQO> The INAO's general report describes how controls are supervised: <https://www.inao.gouv.fr/Publications/Rapports-d-activite>
- FranceAgriMer: <https://www.franceagrimer.fr/filières-Vin-et-cidre/Vin/Accompagner/Dispositifs-par-filière/Normalisation-Qualite/Bois-et-plants-de-vigne>
- SEMAE : <https://www.semae.fr/service-officiel-contrôle-et-certification/>
- CTIFL : <https://www.ctifl.fr/Pages/EspacePro/Certification.aspx>

The website of *Santé Publique France* - <http://www.santepubliquefrance.fr> - contains information on foodborne and/or zoonotic diseases in the human population.

A scheme to ensure transparency for general hygiene in food outlets has been implemented. *Alim'confiance* is a website and a mobile application allowing consumers to obtain information on the outcomes of official checks (carried out after 1 March 2017) on the sanitary safety of facilities in the food chain: restaurants, food retail outlets and institutional catering. The results are presented according to four levels: Very satisfactory –

Satisfactory – Improvement necessary – Urgent rectification necessary. Findings are added to the site daily and remain available for viewing for one year. In the case of facilities inspected by the SSA, official control findings must be displayed in a manner easily visible to the consumer.

1.4.5 - Management of incident reports and alerts and emergency intervention plans

1.4.5.1 – Follow-up and management by competent authorities of reported issues, alerts and crises presenting a sanitary hazard 1

The number of sanitary alerts and crises, as well as their scale, varies from year to year. In 2019, a little over 1,800 alerts concerning food products and animal feed were followed up with, where applicable, a withdrawal from sale and/or a recall of the products concerned. Approximately 1,500 food poisoning outbreaks, plus 131 clusters of human cases linked to food were investigated. There are particularly wide variations in the situation with regard to plant health and animal health for the main diseases covered by emergency planning. For example, the main recent animal sanitary crises have been related to the threat of African Swine Fever in 2018-2019 due to cases in Belgium close to the border and the appearance in late 2020 of outbreaks of Highly Pathogenic Avian Influenza in poultry. Concerning plant health, toward the close of 2020 the bacterium *Xylella fastidiosa* impacted two regions particularly severely: Corsica, where the entire island is considered to be an infected zone, and the Provence-Alpes-Côte d'Azur region. New outbreaks of canker stain disease were detected in plane trees. In addition to these situations there was participation in managing large-scale crises such as the Lubrizol industrial fire in 2019 and its consequences for agricultural production in the areas around the disaster.

This is a major issue for the protection of consumers, animals and the environment.

It obliges the competent authorities – DGAL, DGCCRF and DGS – to provide the necessary ways and means to manage such alerts and such crises swiftly, effectively and in a coordinated manner.

Each devolved service with responsibility for sanitary issues has a point of contact for an “alert unit or team”.

The competent authorities have in place at central administrative level an operational vigilance and alert centre to centralize all available information on alerts on French territory:

- the DGAL's Sanitary Emergency Unit (MUS);
- the DGCCRF Alert Unit;
- the DGS Operations Centre for Regulation and Responses to Sanitary and Social Emergencies (CORRUSS).

This management scheme is notably implemented through the devolved services or other administrations, ANSES, incident reports from operators or other countries (via RASFF, INFOSAN in the case of third countries or bilateral channels). These are responsible for, among other things, the reception and processing of alerts and problem reports and addressing sanitary crises.

Where food is concerned, the Sanitary Emergency Unit (MUS) and the Alert Unit have a core duty to address crises and alerts relating to products and operators and to act as the two national points of contact for the Rapid Alert System for Food and Feed (RASFF). The DGAL's Sanitary Emergency Unit is the national point of contact for the International Food Safety Authorities Network (INFOSAN Emergency).

Regarding animal health, only DGAL departments interact with operators. For plant health, the DGAL remains the competent authority for management of outbreaks of quarantine pests. Nevertheless, SEMAE, FranceAgriMer and CTIFL acting as competent authorities with regard to plant passports, play an important role in blocking the circulation of consignments, gathering information for traceability enquiries and generally liaising with business operators.

At the DGS, the Sanitary Safety Vigilance subdirectorates (VSS) is tasked with the collection, recording and management of sanitary alerts relating to the human population, leadership and coordination of the ARS alert management network, and preparation of the response to major health threats. It has an Operations Centre for Regulation and Responses to Sanitary and Social Emergencies (CORRUSS) which is the single point of entry for reports of issues sent by regional health authorities (ARS), ANSP-SpF, the health authorities of other countries, the WHO, the European Commission or ECDC in connection with the application of the International Sanitary Regulation and the EWRS networks, for which CORRUSS is the national focal point.

A coordination and management unit for food-related crises and alerts is set up as and when needed (e.g. for unusually large-scale alerts requiring interministerial coordination, the existence of clusters of human cases, or an emerging phenomenon) in order to share information rapidly and to determine on a consensual basis the steps to be taken. The administration that takes the initiative of setting up this unit is the DGS if there are human cases and in other circumstances the DGAL or DGCCRF depending on the food product and/or hazard involved.

These three alert management units coordinate their activities for national responses in situations that require this, working in collaboration with the sanitary agencies responsible for sanitary surveillance (ANSP-SpF) or with the evaluation of food-related risks (ANSES).

Overall, the allocation of competencies for the processing of reports of issues and alerts between the various authorities is identical to that described for control activities.

In the Military Health Service (SSA) the organization of information flows between the DGAL and DCSSA has been formalized in a DGAL-DCSSA cooperation protocol. If necessary, the DMF veterinary office receives sanitary alerts sent by the DGAL and passes them on to the veterinary groups which then take responsibility for circulating the information at regional level. Where a confirmed risk is identified and detected by a military veterinary organization, an alert is initiated and sent to the competent interministerial directorate in the *département* with accompanying notifications to the DMF and DCSSA.

The customs authority, DGDDI, can take action in crises affecting domains relating to the protection of consumers, public health and animal health and the environment. The detailed procedures for collaboration and intervention are established in cooperation protocols put in place between DGDDI and DGAL and between DGDDI and DGCCRF.

1.4.5.2 - Management by the competent authorities of incident reports not presenting a sanitary hazard

In addition to addressing alerts and crises, the following are also managed:

- Incident reports relating to organic production: The DGCCRF and INAO, in conjunction with the Ministry of Agriculture, are active in processing reports of issues relating to organic production. In the event of an alert, the INAO informs the CBs of the operators concerned in order to take steps with regard to the products allegedly involved. The INAO also promotes mutual consultation between CBs to ensure the circulation and sharing of information, in addition to coordinating their actions, where applicable. The DGCCRF intervenes where products on the market are concerned. If necessary, a meeting is held between representatives of the competent government departments in order to determine the steps to be taken, the timetable and the monitoring arrangements.

- Food fraud: For the purposes of processing reports of issues concerning food fraud identified in France, the DGCCRF has set up a scheme under the title "Vigie Fraude" [Fraud Watch]. This requests that all staff in post in departments or agencies performing tasks falling within the remit of the DGCCRF complete a "fraud information sheet" if they observe indications of fraud. This information is then used by the DGCCRF's national investigation department.

- Other incident reports/non-compliance with the regulations that do not present a health hazard: this type of situation is addressed in accordance with the allocation of competencies between control agencies.

1.4.5.3 – Crisis management role of the Prefect for the *département*

The government is represented in each French territorial *département* by a Prefect who is the sole holder of State authority at the local level, acting as the representative of the Prime Minister and the Ministers. He or she is the head of the government's devolved services.

In general, where a situation can be seen to have the characteristics of a crisis possibly prejudicial to public order, the law confers specific powers upon the Prefect (Article L. 2215-1 of the general local government code). The Prefect may, for all or some of the municipalities located in the *département*, all and any steps to maintain public health, safety and tranquillity to the extent that those steps have not been taken by the municipal authorities.

Additionally, certain specific health-related events require the activation of emergency plans prepared by the Prefect for the *département* in conjunction with the authorities, agencies and organizations competent to adopt safeguard measures or whose resources are likely to be used to address particular risks. Specifically, when confronted by such events of all types, the Prefect invokes the ORSEC plan (Civil Defence Response Organization), which is designed to mobilize and coordinate civil defence actors under the authority of the Prefect at a level that exceeds their routine or day-to-day responses. The goal is to develop the preparation of all those involved in both public and private sectors capable of taking action to protect the general public. In exceptional circumstances, the Prefect may call upon military resources by submitting a request to the military delegate for the *département* (DMD) or even the Joint Staff of the Armed Forces for the defence zone of the region in which the *département* concerned is located.

1.4.5.4 – Transverse provisions and plans

Management of food- or animal-related alerts affecting the human population

At the local level, the pooling of information among the various actors involved in the event of a threat to public health is defined by Article L. 1413-15 of the French public health code. The head of the ARS immediately passes on all reports of issues to the ANSP (SpF) and the government representative in the *département*.

The operational procedures for the application of the above provisions are laid down in ARS/Prefect protocols drawn up pursuant to Article R. 1435-2 of the public health code. The Regional Health Departments (ARS) are

responsible for organizing the management of sanitary alerts in the regions and coordinating the involved actors.

At national level, generally applicable or specific management protocols lay down procedures for cooperation between the relevant authorities. This means that in the case of major alert, the authorities responsible for addressing the appearance of foodborne or animal-related diseases, the bodies involved in assessing sanitary risks (e.g.: ANSP-SpF, ANSES) and the relevant laboratories of reference can be brought together swiftly to organize the investigation and coordinated management of the event. Such management may necessitate the submission of a request to ANSES for a formal opinion.

NRBC Planning

In order to forestall or address threats of terrorist action using biological or chemical means, a government plan to counter NRBC (Nuclear, Radiological, Biological and Chemical) terrorism has been drawn up and rolled out in each *département*.

The plan is structured in two parts:

- a “common core”, whose content is highly classified, comprises the procedures for intervention in the event of an NRBC pre-alert or actual alert;
- specific sections, which are not classified, contain datasheets on the pathogens selected for inclusion as Biotox issues, guides, official circulars and protocols.

Given that food and water are possible vectors for biological and chemical contaminants, the Ministries of Health and Agriculture have provided input for the definition of this plan. Its roll-out across all *départements* involves a number of government devolved services.

1.4.5.5 - Specific plans

Human foodstuffs – product alerts

A management assistance guide for food-related alerts between operators in the food chain and government where a product or batch of products is identified has been drawn up by the DGAL, DGCCRF and DGS in conjunction with representatives of food chain operators and their representative trade organizations. This guide deals solely with alert situations involving an identified product or batch of products.

The instructions detail four standard phases:

- an alert and a situation evaluation;
- notification of the alert;
- management of the alert;
- emergence from the alert situation.

Since early April 2021, consumers can find a complete list of recalls of food and non-food products (excluding medicines and medical devices) on a single public website: “Rappel Conso”. This website is provided for the information of consumers and the intention is that the information it contains should be provided by the industry itself⁹.

Animal feed – salmonella management

A management protocol for salmonella alerts relating to animal feed has been drawn up. This is the outcome of efforts made jointly by the DGAL, the DGCCRF and trade organizations representing operators in the animal feed industry. This protocol defines the detailed procedures for managing batches of farm inputs and finished products in which contamination has been detected.

Animal health – emergency sanitary intervention plans

The purpose of emergency sanitary intervention planning at central level against major epizootics and their implementation in the *départements* is to prepare for the management of sanitary crises relating to, among other issues, foot-and-mouth disease, avian diseases (Newcastle disease and avian influenza), swine fever and bluetongue. From 2016, these plans have been aligned with the national Civil Defence Response Organization scheme (ORSEC) invoked for natural disasters, industrial accidents, accidents of more routine character and sanitary crises.

The architecture of emergency sanitary intervention planning for major epizootic diseases, based on the general principles of crisis planning and management, comprises the following:

- a phase in which the risk of the appearance of an epizootic disease is identified, which requires knowledge of all data relating to the disease;

⁹ In accordance with the requirements of Articles L. 423-3 of the consumer code and L. 205-7-1 of the maritime fishing and rural code, deriving from Article 51 of law 2018-938 of 30 October 2018 (the “EGAlim” law), Article 180 of law 2019-486 of 22 May 2019 (the “PACTE” law), and the official order of 20 January 2021.

- a phase in which the human and physical resources are put in place to prevent realization of the risk or to mitigate its consequences;
- plan updating or maintenance, which notably requires training for the actors involved (alert exercises), is an integral part of plan organization;
- a phase in which the crisis itself is addressed;
- a phase for return to normal operation accompanied by feedback on the management of the crisis and, where applicable, improvements to control planning.

These plans are structured around a core common to all epizootic diseases: combat organization, comprising:

- the building of legislative and regulatory measures common to all emergency plans;
- the definition of the tasks assigned to institutional and industry partners (in particular, sanitary veterinarians and the livestock farming industry);
- crisis units at the national and *département* levels set up in the event of an epizootic outbreak.

Animal welfare

Given their specific character, crises relating to animal welfare emergencies are addressed under the authority of the Prefect at the level of each *département*. National-level support is sometimes requested.

Plant health

Instructions describe the steps to be taken in the event of the appearance of outbreaks of plant pests. There are four standard phases:

- an alert and a situation evaluation;
- notification of the alert;
- management of the alert;
- emergence from the alert situation.

1.4.5.6 - Collaboration between Member States on the management of food-related non-compliance

Sanitary alert and crisis situations are addressed via the EU's Rapid Alert System For Food and Feed (RASFF).

TRACES (Trade Control and Expert System) is a resource for the monitoring of livestock movements linked to imports and trade between Member States, as well as for a large number of products, most notably those of animal origin. Where imports are concerned, it ensures that the various Member States are kept informed of consignment rejections at import.

Where instances of non-compliance relate to foodstuffs placed on the market do not represent a sanitary hazard, Member States exchange details for mutual information and assistance each other via a range of networks:

- the Administrative Assistance and Cooperation System (AAC) provides for the possibility, if necessary, of communication with the control agencies in other Member States regarding instances of non-compliance in the various domains within the scope of the MANCP. The scheme was initially developed for food and feed and is being gradually expanded, in particular for inclusion of animal welfare during transportation. The DGAL and the DGCCRF and with time the DGDDI are the contact points for the system where food products are concerned. As part of this scheme, the European Commission has set up a European network for information exchange on food fraud. The DGCCRF, the DGAL and with time the DGDDI are also "contact points" for France for the "fraud" component of the AAC. This network, which specializes in combating fraudulent practices in the food industry, was set up by the European Commission in 2013 in the wake of what came to be known as the "horsemeat scandal";
- the information system on organic farming (Organic Farming Information System – OFIS) for which the point of contact is the INAO. The DGCCRF and with time the DGDDI also contribute to the management of incident reports via OFIS.

1.5 – POST-CONTROL ADMINISTRATIVE AND CRIMINAL ENFORCEMENT MEASURES

The application of controls may lead to the detection of breaches of regulatory requirements. The control agencies then set in train enforcement procedures that are proportional to the seriousness of the offences. They also assess an operator's ability to achieve compliance, notably taking into consideration the operator's past inspection record.

The types of post-control enforcement falling within the scope of the MANCP are set out in the maritime fishing and rural code (Book II - Food, veterinary public health and the protection of plants, and Book VI – Production and markets), in the consumer code (Book V – Investigative powers and control follow-up) and in

the public health code (Book III: Protection of health and the environment). The main administrative measures and criminal law penalties are described in Annex 3.

A distinction is made between the following:

Non-coercive enforcement

The inspection report or warning sent to the sector professional enumerates the observed instances of non-compliance. It is then the professional's responsibility to rectify the non-compliance brought to their attention.

Coercive enforcement

In order to put an end to a situation of non-compliance, especially where it presents or could present a hazard for public health or consumer safety, control agencies can also implement negative administrative decisions.

Such "administrative measures" are provided for in French legislation and may begin with a formal demand for compliance, an injunction to take corrective steps (e.g. cleaning/disinfection, product relabelling, use of products for other applications, provision of care to animals). Agencies can also impound or seize livestock and products, and the steps taken may go so far as the withdrawal of official permits that have been issued and the partial or total closure of an establishment. Where product certification is concerned, the certification body may suspend or withdraw an operator's certification.

The detection of cases or outbreaks of a regulated animal disease or the presence of regulated plant pests will lead to the application of official enforcement measures to match the seriousness and contagious character of the specific situation. Such measures may include the isolation of the outbreak and, if applicable, the culling of livestock or the destruction of problem plants.

Penalties in criminal law

These are provided for in French legislation. The maritime fishing and rural code, the consumer code and the public health code confer powers on control staff to record breaches in the form of formal offence reports to the public prosecutor who then reaches a decision on court proceedings. The applicable criminal penalties include fines of up to €750,000 and custodial sentences of up to 7 years. The amount of any fine may be determined proportionally to the benefits derived from the offence and up to 10% of average annual turnover, calculated on the basis of the last three known annual turnover figures as of the date of the offence. Lastly, in certain cases, a ban may be issued on the future exercise of industry or sales activity.

And finally, prevention of due performance of their duties by authorized officers constitutes a criminal offence under the various codes of law in force.

Plants, products and animals from other Member States

Observed non-compliance may relate to plants, foodstuffs and animals from other Member States. In such cases, in addition to the steps taken against the French operator, the source Member State will be informed of instances of non-compliance of possible concern to it and the steps that have been taken.

Plants, products and animals from third countries

Consignments refused entry into the country are either destroyed, especially where they present a risk to health, or sent back to the third country of origin. The European Commission and the other Member States are informed of the steps taken.

1.6 – CONTINUOUS IMPROVEMENT

1.6.1 – Verification procedures

Verifications are based on performance oversight and the information systems used by the competent authorities, which enable them to monitor plan implementation and outcomes.

DGAL

The operational objectives flowing in part from the strategic objectives are determined annually for each region and are subject to annual monitoring as part of the management dialogue conducted between the DGAL and each region and its annual evaluation interview at the end of the year (in October/November). The strategic objectives continuously evolve, driven by a programme of continuous improvement. They may relate to a particular area of activity or to the functioning of the control system.

At the level of the *département* or the region it is possible at any time to make use of the system for reporting issues to send to the DGAL a form containing an analysis of the causes of the difficulties encountered and proposing a solution for them. The DGAL responds to such reports within 60 days. A report form may also be sent by the central administration to the region or *département* when, for example, it raises an issue of failure to implement certain controls or procedures (National Dysfunction Procedure).

Additionally, a national procedure lays down the procedures for the management of the skills of the staff in the DGAL organization, including the award and maintenance of qualifications (National Skills Plan). This is supplemented by practical datasheets to be found on the intranet.

The award of qualifications to staff is systematically based on a formal qualification pathway that includes an initial skill assessment. Following this, supervision by the line manager or an individual to whom the latter has delegated that responsibility, ensures the appropriateness of the activities undertaken by members of staff in the course of their official duties. Line managers may decide to supervise a staff member if they consider this to be necessary, most notably following changes in the regulations. This is mandatory for the formal completion of the qualification pathway for inspectors.

Inspectors may request supervision at any time from their line managers or technical mentor. Supervision may be document-based or conducted on site.

Exchanges of practices are also arranged; these help improve staff qualification levels and more especially uniformity of practice.

DGCCRF

The monitoring and supervision of official controls cover the entirety of the chain of responsibility from the national level to local management of the staff conducting inspections. The regional level plays a special coordination role between the central administration and officers in the *départements*. For that purpose, this level has a management department whose purpose is to provide assistance in the performance of assigned official tasks and ensuring their conformity.

The territorial departments and agencies responsible for the performance of DGCCRF missions and the central administration have the option of monitoring progress on surveillance and control plans at any time using the information system based on the IRIS software package specifically designed for this.

SSA

As part of the quality management system, inspectors are subject to oversight in compliance with the provisions of standard NF EN ISO/IEC 17020, involving observation of inspectors in the field and examination of reports of completed inspections by designated supervisors who are chosen for their close familiarity with inspection methods and procedures.

The relevant procedures are described in the veterinary management manual and are covered in national procedure documents.

INAO

Supervision of inspections carried out by control bodies is the INAO's responsibility and involves use of a range of tools, most notably on-site technical assessments, examination of the information control bodies are obliged to provide and verification of the statistics contained in their annual reports.

SEMAE

Verifications are undertaken as part of the quality system accredited under standard NF EN ISO/IEC 17065.

It includes supervision of completed inspections by persons of technical reference at regional level in connection with national persons of reference and involves an on-site or document-based assessment of the activity of the supervisee.

Assessment and inspection report reviews are also organized. If needed, technical support or training can be provided as follow-up to supervision.

CTIFL

All inspectors are subject to on-site surveillance at least every three calendar years in accordance with the provisions of the quality management system. In addition to the on-site monitoring, additional documentary monitoring is carried out.

It should be noted that the technical managers check several inspection reports each year, which contributes to the overall verification and management of the activity. This monitoring and supervision of official controls covers all the health control missions under the responsibility of the CTIFL.

1.6.2 – Internal audits and internal control

Continuous improvement programmes are part of the classic Deming or PDCA ("Plan, Do, Check, Act") scheme as shown here in the diagram, of which the quality management system is the core foundation. Such continuous improvement measures also include internal audits and internal controls.

Internal audits

Internal audits are a tool that can be used by management to ensure conformity with a set of reference criteria, to assess how far planned objectives have been achieved, the effectiveness of the management system, controls and generally all activities. They help identify avenues for further improvement. They are also mandatory in the EU under regulation (EU) 2017/625 and the competent authorities are responsible for them.

Guidelines have been laid down for the performance of audits of official controls and the other official activities relating to the food chain in the 10 regulatory domains within the scope of the aforementioned regulation. They also stipulate that audit activities should be part of an audit programme guaranteeing sufficient coverage of all areas of activity concerned over a period of five years. Audit system coherence is to be verified in a management review.

The competent authorities engaged in a programme of management by quality (DGAL, DGCCRF, SSA, CTIFL, SEMAE) implement a programme of internal audits for adherence to EU regulations, i.e. coverage of all the sectors of activity concerned over a period of five years. Such audits are performed in accordance with standard EN ISO 19011 – Guidelines for auditing management systems, and in adherence to the guidelines laid down by the European Commission.

The scheduling of such audits, the procedures for qualifying auditors and follow-up to completed audits are defined in documented internal procedures. The scope and reference criteria for each audit are defined in advance by the leader of the audit team and in some cases by the manager of the audited organization.

They are based on the document management system in use in the audited entity. Audit findings (non-conformity, strengths or good practice, points for improvement), whether the audit is internal or external, lead where applicable to the implementation of an action plan for which managers are responsible. Audit findings and the action plans deriving from them are analysed in the management reviews of each organization, whether national, regional or in the *département*, and in the form of a national general management review.

In the national management review, the entire audit system is evaluated to ensure its consistency with, and fulfilment of the requirements of regulation (EU) 2017/625.

Alongside its internal audits, SEMAE is also accredited by COFRAC under standard NF EN ISO/IEC 17065 for its activity in certifying businesses for issuance of plant passports and it is therefore subject to evaluation by COFRAC.

Internal control

Each control department or agency has established its own systems of internal control, and these help guarantee the effectiveness of its inspections.

Monitoring and direction of official controls are spread along the entire chain of responsibility from national level to the local line management of the staff applying the controls. The regional level is in a special position in that it acts as a channel for communication between the central administration and staff in the *départements*. It provides coordination, leadership and management to support performance and the fulfilment of commitments.

Operational objectives, which are defined annually in the regions as part of the management dialogue process, are monitored regularly. The achievement of those operational objectives contributes to achievement of the strategic objectives laid down in the annual performance plan.

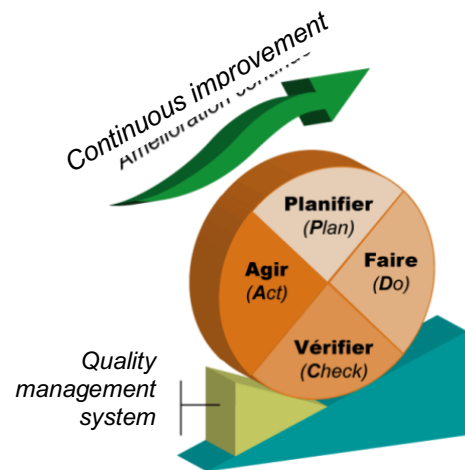
Management of organizational failures is formalized and provides input for continuous improvement of the system based on analysis of the causes and implementation of corrective measures.

For all departments and agencies, verifications are reliant on the information systems used by the competent authorities; these provide all organizational levels with oversight of the implementation of programmes and their results.

Ministerial internal control

Internal control and audits were made mandatory in all ministries by official decree 2011-775 of 28 June 2011 concerning internal audits in government administrations.

The risk control system is notably based on the creation of a Ministerial Internal Audit Unit (MMAI) and a Ministerial Internal Audit Committee (CMAI). The Ministry of Agriculture and the Ministries of the Economy and Finance have also put in place bodies of this kind (MIGA for the former, MAI under the direction of the General Finance Inspectorate (IGS) for the latter), backed by a ministerial risk committee. This approach also includes, for each Ministry, the application of internal control to budget and accounting matters: Budgetary Internal Control (CIB) and Accounting Internal Control (CIC). Accounting and budgetary risk analysis is treated as a specific component of general risk analysis.



Each ministry has mapped its ministerial risks and defined an associated risk control plan. It is on the basis of these elements that the CMAI draws up its audit programme annually as part of the ministerial internal control process.

The DGS can request from the Minister of Health an inspection or an audit of the health system by the General Inspectorate of Social Affairs (IGAS). IGAS is an interministerial certification body in the social sector that audits or assesses organizations or policies on social matters, health, employment and work. Its role is to provide input for the decisions reached by public-sector actors. It comprises 130 experts on social cohesion (families, child protection, reduction of poverty and social exclusion, etc.), safety and social protection (e.g. welfare benefits), work, employment, vocational training and health.

In the case of the Military Health Service (SSA), the requirements and methodology for audits and internal control relating to veterinary processes are addressed in a veterinary quality management system based on an "integrated management" approach described in the Veterinary Management Manual. A National Quality Manager (RAQ) has been appointed as national coordinator for the roll-out of internal control of veterinary processes. The RAQ is charged with oversight of this, subject to the authority of the head of the Veterinary Bureau (cf. Specific Directive 513307/DEF/DCSSA/DPS/PP of 23/10/2013).

1.6.3 – European Commission audits in Member States

The European Commission has a control role in the various Member States of the European Union (EU) for verification of full adherence to EU legislation on the food chain as a whole. The relevant controls are applied mainly in the form of audits in Member States conducted by the "Health and Food Audits and Analysis" directorate in the Directorate-General for Health and Food Safety (DG SANTE) on the basis of a multiannual programme. On average, France is audited between 6 and 8 times each year on a varied range of topics (e.g. import controls, plant health, microbiological checks on foodstuffs, organic farming), and these are supplemented every three years by general monitoring audits for an assessment of the progress made on difficulties observed in the sectoral audits. The audit reports are made public by the European Commission.

To ensure the satisfactory application of the above controls by the European Commission, the competent authorities provide assistance for their organization, supplying all necessary documents and information. DG SANTE staff are bound to protect the confidentiality of the information gathered in the course of the audits.

This directorate also conducts audits in third countries exporting products and animals to the EU.

1.7 – EUROPEAN AND INTERNATIONAL ACTIONS

1.7.1 – Action relating to EU institutions and international organizations

The competent ministerial authorities contribute to the work of international organizations on matters within their respective remits.

They are responsible for monitoring the work of the World Trade Organization (WTO) under the Agreement on the Application of Sanitary and Phytosanitary Measures (SPS Agreement). The purpose of this international agreement is to facilitate trade by reducing unjustified sanitary and phytosanitary barriers, while also acknowledging countries' right to adopt measures necessary to protect human health and the health of animals and plants. Similarly, the competent authorities take part in the activities of the Codex alimentarius (FAO/WHO), and specifically in the case of the DGAL, those of the World Organization for Animal Health (OIE), the International Plant Protection Convention (IPPC, FAO) and the European and Mediterranean Plant Protection Organization (EPPO), which involves the drafting of international sanitary standards recognized by the WTO, monitoring the geographical distribution of plant pests and animal diseases and promoting safe and effective methods for combating diseases and pests.

Additionally, the competent authorities take part in or provide input for the work of European Union institutions (Council, Parliament, Commission and Court of Justice): the preparation of meetings of the Council of Ministers (on sanitary and phytosanitary matters, most notably), participation in meetings of the heads of veterinary and phytosanitary departments, expert groups attached to the Council and the Commission, and the various sections of the Standing Committee on Plants, Animals, Food and Feed (PAFF Committee).

The competent authorities also track sanitary negotiations relating to enlargement of the European Union to include new Member States (Chapter 12 negotiations).

Lastly, they track bilateral agreements signed between the European Union and third countries on sanitary and phytosanitary matters.

More specifically, the DGAL is also tasked with bilateral negotiations with third countries with a view to opening up markets closed to French products on sanitary or phytosanitary grounds. In this connection, in conjunction with FranceAgriMer, it has put in place a system for prioritization of country/product couplings on which negotiations should be focused. These priorities are defined at export committee meetings (five specialist committee meetings per sector and per year), based on a consensus with industry bodies and depending on market opportunities and expected difficulties in negotiations. The DGAL works in close cooperation with the Economic Departments of French embassies abroad, and more specifically with their agricultural advisers in

post. The DGAL meets regularly with its foreign opposite numbers either by travelling to third countries or by arranging bilateral meetings in connection with international gatherings such as, most notably, the Annual General Session of the World Organization for Animal Health (OIE) and the Commission on Phytosanitary Measures (CPM) of the International Plant Protection Convention (IPPC), not forgetting the Paris International Agricultural Show.

1.7.2 – Promotion of French expertise abroad

There is a high level of demand for expertise from the French authorities in the areas of sanitary and phytosanitary safety as well as fair trading practices. The competent authorities are tasked with responding to such requests, most notably by leading missions for institutional cooperation or technical assistance abroad.

The INAO engages in similar activity for the control of quality and origin signs. Specifically, the INAO provides support in numerous third countries for the implementation of quality management systems that include a component relating to control of mandatory product specifications. The DGCCRF occasionally provides input for this activity.

The DGAL endeavours to respond as positively as possible to the many requests for institutional cooperation or technical assistance missions abroad to be carried out by experts from the DGAL and/or the devolved services.

The DGCCRF has an “international cooperation” unit that regularly receives such requests, and is able to provide expertise covering the whole range of its missions.

The promotion of French know-how abroad in the sanitary domain is the task assigned to ENSV-FVI in VetAgro Sup for the veterinary sector and to FranceAgriMer for the phytosanitary sector and quality and origin signs (as well as the rest of the agricultural sector). This value-added application of French expertise notably involves responses to calls proposals from the European Union (e.g. for twinning arrangements and technical assistance) and other national and international donors.

PART TWO: APPLICATION OF CONTROLS AND MISSIONS IN THE VARIOUS REGULATORY DOMAINS

The main issues and components of the planning of control activities over the period 2021-2025 are described in the different sectors of activity of the food production chain based on the relevant regulatory domains. This forward planning is adjusted annually or as and when necessary in the event of major changes in circumstances (e.g. new factors, crises). Adaptive changes will be entailed by the implementation of the "From Farm to Fork" strategy of the European Union for a fair, healthy and environmentally-friendly food system, along with the strategy to foster biodiversity by making the resilience of food systems and the preservation of biodiversity central to EU programmes, as presented in May 2020.

The 10 regulatory domains presented (the scope of application of regulation (EU) 2017/625) contribute to sanitary safety and fair trading practices throughout the food chain as a whole. They are fully in line with the foundational principles of the "One Health" approach advocated by the WHO, OIE and FAO with the aim of promoting common action covering human health and plant, animal and environmental health. For example, combating animal diseases can make a major contribution to human health given that many animal diseases are transmissible to the human population (zoonoses) via various channels, including food; controlling the market release and use of plant protection products has a direct impact on the safety of foodstuffs as well as on the environment.

One specific aspect of the implementation of such controls is dedicated to exports and imports from third countries (i.e. countries outside the European Union).

The execution of controls and official missions is based on the allocation of responsibilities described at point 3 in Part One. The strategy and principles underlying the organization of each competent authority and concerned department or agency have already been described at points I and II

The list of laboratories relevant to each domain can be found via the links provided at point 3.3.3 in Part One.

2.1 – FOOD PRODUCTION AND MARKETING

Regulation (EC) 178/2002 laying down the general principles and requirements of food law defines "primary production" as the production, rearing or growing of primary products including harvesting, milking and farmed animal production prior to slaughter. It also covers hunting and fishing and the harvesting of wild products. The DGAL is alone in having a role at this stage. However, the DGCCRF may need to take action in relation to operators in the primary production sector in order to carry out checks on products held for the purposes of sale (e.g. on the operator's premises or on markets) or to take forward investigations initially begun at the point of market release.

The DGAL is the competent authority "contact point" for the European Commission for the parts "foodstuffs and their safety, integrity and wholesomeness at any stage of production, processing and distribution" of this regulatory area.

The DGCCRF is the competent authority "contact point" for the European Commission for the parts "rules to ensure fair trade practices and consumer protection and information, the manufacture and use of materials intended to come into contact with food" of this regulatory area.

Controls on EU quality and origin signs are described in specific chapters.

2.1.1 – Primary production

2.1.1.1 – Primary plant production

French crop production is varied: cereal-oilseed-protein crops account for 11,626 thousand hectares of farmland generating production of 96.9 million tonnes, 79 million tonnes of potatoes and nearly 40 million tonnes of industrial beet are produced every year. The production of dessert fruit stands at over 2,360 thousand tonnes and fresh vegetables at more than 5,500 thousand tonnes. The winegrowing sector produces 49 million hectolitres of wine. Forest and woodland cover 33% of French territory (*source: Memento 2019 Agreste*).

Issues and priorities

These relate to control of use of plant protection products, good hygiene practice on farms and contaminants in plants, contributing to the overall system for the assessment of food safety, including production of crops intended for animal feed.

Use of plant protection products in primary production

These controls are placed under the responsibility and direction of the DGAL. The inspections for control of the whole range of procedures for PPP use by farmers are described at point 8, which deals specifically with plant protection products.

General rules on hygiene and contaminants

These controls are placed under the responsibility and direction of the DGAL. On farms, they relate to the application of good hygiene practice (489 inspections in 2019). The priorities are focused on cress growers, who must be inspected at least once every three years, and on germinated seed producers, who are inspected once a year. The other targeted inspections relate to market gardening and fruit products consumed raw, due to the risk of microbiological contamination. Holdings growing other fruit and vegetables are also inspected. The sampling of plants carried out in connection with these inspections is directed in most cases at the detection of chemical contamination arising from the use of farm inputs.

2.1.1.2 – Animal primary production

France's animal production stands at over 18.6 million cattle, 8.5 million sheep and goats, and 13.7 million pigs. Poultry production exceeds 1,800 tonnes of meat (in carcass-equivalent tonnes). Shellfish production is 135 million tonnes (*source: Memento 2019 Agreste*).

Public health

The controls placed under the responsibility and direction of the DGAL relate to the rules for use of veterinary medicines on livestock farms, detection of residues in animal products in livestock farming and at the point of entry into consumption channels, food and general aspects of good hygiene on livestock farms. The effort to combat animal diseases transmissible to the human population is attached to the animal health domain and also contributes to the protection of human health. Controls on animal identification and movements are also the foundation for traceability in animal production prior to release for consumption. Shellfish farming is also subject to specific sanitary surveillance in production areas, including both shellfish and fishing areas.

Use of veterinary medicines¹⁰

In livestock farming, the issue for control applied under the responsibility and direction of the DGAL is adherence to the rules governing the administration of veterinary medicines and their safe storage. Inspections on livestock farms cover all animal production sectors following a common risk analysis based on reports of non-compliance: previous unfavourable inspection outcomes for the farm, inspections in another establishment linked to that farm, slaughterhouse incident reports or possibly the results of a non-compliant official sample. In the region of 1,200 inspections are performed every year.

Surveillance plans and control plans for animal production

Checks on residues in animal production sectors are a priority across the EU and the core issue is to verify absence of residues of banned substances, medicinal drugs and various contaminants in animal products. Some of the sampling is carried out on farms (urine, faeces, hair, feed, milk, honey, fish in fish farming). Such samples are supplemented by others taken in the slaughterhouse at the point of entry into consumption channels. Approximately 55,000 samples are scheduled every year for meat (three-quarters of this total in slaughterhouses) in addition to other animal products, milk (1,900), eggs (2,300), fish (fish farming 530) and honey (300). These controls are placed under the responsibility and direction of the DGAL.

Animal feed on farms is also an aspect of the controls applied in animal primary production; this is developed further at point 3.

Good hygiene practice on livestock farms

Farm inspections relating to a range of hygiene and safety rules applicable to livestock production are carried out in connection with the cross-compliance required for support payments. Approximately 2,200 inspections are performed every year.

Sanitary visits to livestock farms: government-funded information outreach to livestock farmers.

Mandatory sanitary visits have been in place since 2005 and involve an increasing number of animal production sectors; they are government-funded but carried out by sanitary veterinarians. These visits have an informative aspect aimed at raising the awareness of farmers to a defined public health topic chosen by the professionals in consultation with the DGAL (e.g. biosecurity, antimicrobial resistance, correct use of veterinary medicines, and animal welfare). The questionnaires completed at the time of these visits also allow the DGAL to improve its knowledge of farming methods on the ground.

Sanitary visits are annual for cattle and take place every other year for poultry, sheep and goats, pigs and equines.

The dates of these visits are registered in the DGAL's information system.

¹⁰ Control of the distribution of veterinary medicines (retail pharmacies, veterinarians and officially approved groups) is outside the scope of the MANCP.

Sanitary surveillance of shellfish production areas

Since 2018, the government agencies at *département* level have been responsible for managing sanitary surveillance of shellfish production areas. In doing so, they are reliant on the *département's* test laboratories (LDA) to which the implementation has been delegated. Shellfish farmers and fishers are also called upon for sampling, especially where specific seagoing craft are needed for this, in exchange for compensatory payments from government. Where Ifremer is concerned, it has a role in providing assistance for the execution of these activities.

Local monitoring by Ifremer enables government agencies to adapt their controls. Such monitoring is also the subject of in-depth analysis at national level. This organization strengthens the networking of the various local actors, giving them greater involvement while at the same time ensuring that the effectiveness of the surveillance is maintained.

Sanitary surveillance operates via three networks: REMI (microbiological surveillance), REPHYTOX (phycotoxin surveillance) and ROCCH (surveillance of chemicals).

Every year Ifremer publishes regional overview reports on the surveillance of the quality of the coastal marine environment which include other surveillance networks coordinated by the Institute. These reports also contain a description of multiannual trends in the results of surveillance¹¹.

Microbiological surveillance (*E. coli*): in 2020, 369 classified production areas were subjected to 4,179 regular monitoring tests, plus 544 results related to alerts.

Phycotoxin surveillance: in 2020, a total of 3,862 tests were performed. Procedures for the detection of toxins in shellfish are undertaken mainly in cases where there are warning signs in the marine environment (presence of toxic phytoplankton). This total breaks down as follows:

- Lipophilic toxins: 2,347 chemical tests;
- PSP (Paralytic Shellfish Poison): 707 biotests on mice;
- ASP (Amnesic Shellfish Poison): 808 chemical tests.

Added to this surveillance is the monitoring of regulated and unregulated toxins via the vigilance network for emergence of marine biotoxins (EMERGTOX). In 2020, 73 phycotoxins and lipophilic or hydrophilic cyanotoxins were sought using multi-toxin chemical testing in bivalve molluscs in 11 production areas. However, the Covid-19 crisis disrupted monthly sampling, which proved to be feasible only at the exceptionally low level of 81%.

Surveillance of chemical contaminants: this testing seeks to detect three metals (Pb, Hg, Cd) in all samples, plus 17 dioxins, 18 PCBs and 4 HAPs on a limited number of sites. In 2020 2,767 measurements were performed as part of the sampling programmes of the ROCCH network, of which 735 related to the sanitary component (76 samples). Some sanitary sampling is combined with the sampling for the environmental component.

Linkage to “cross-compliance for support payments”: The DD(ETS)PPs and SRALs perform approximately 11,300 of the 30,000 cross-compliance checks carried out every year in France, representing just under 40% of all such checks. The majority of cross-compliance controls applied in this way are coupled with “conventional” sanitary inspections. This means that 75% of all cross-compliance controls by DGAL staff are associated with the government’s execution of a core mission under budget programme 206.

2.1.2 – Market release of products for human consumption and food contact materials

2.1.2.1 – Food safety

Issues and priorities

The objective is to guarantee a high level of consumer protection against sanitary hazards with physical, microbiological and chemical origins that may affect foodstuffs. Primarily, this involves verifying the safety for health of food products placed on the market. Secondly, the aim is to verify the overall functioning of facilities producing, processing and distributing food products (adherence to regulations), in addition to their means of transport and storage, and to assess their systems for self-inspection.

In order to ensure the safety of products for human food consumption and food contact materials, three mutually complementary control processes described in detail below are rolled out simultaneously: surveillance plans and control plans (PSPC), in-company controls and, lastly, sectoral investigations.

Added to the above controls are the following:

- Short-term and seasonal actions aimed at throwing a spotlight on certain sectors of business for a defined period. For example, specific “Tourism Economy” and “End-of-year Holiday Season” operations target possibly problematic activities (e.g. catering facilities, retail food outlets) during those periods. These short-term actions may also be planned at local level by the Prefect, the public

¹¹ (http://envlit.ifremer.fr/documents/bulletins/regionaux_de_la_surveillance)

prosecutor or the control agencies themselves, based on an analysis of the local risk or following a complaint or a report of a particular issue;

- Enhanced control measures for imports of higher-risk products (See part 12 – Import Controls).

Competent authorities

Four competent authorities have roles in the area of food safety starting at the production stage (excluding primary production) and extending up to supply to the consumer.

Most notably, the DGCCRF's role covers the following:

- Checks for the presence of pesticide residues in products of plant origin; checks for the presence of contaminants (e.g. heavy metals, neoformed compounds, radionuclides);
- Checks on plant product hygiene (at all marketing stages) and products of animal origin (at distribution stage);
- Checks on improvers in food products (additives, flavouring and technical auxiliaries, including enzymes);
- Checks on food product ionization;
- Checks food contact materials;
- Checks to verify the absence of unauthorized GMOs;
- Checks on food supplements, enriched foodstuffs and novel foods;
- Checks on products intended for specific groups of consumers.

The DGAL's role notably covers the following:

- Surveillance of microbiological hazards to health (salmonella, Campylobacter, norovirus);
- Surveillance of chemical hazards to health (plant protection products, dioxins and PCBs);
- Inspection of slaughterhouses;
- Checks on hygiene and safety in facilities processing animal products and officially approved for that purpose;
- Checks on animal product hygiene up to distribution;
- Checks on institutional catering establishments.

The DGS controls bottled water (natural mineral water, spring water and water treated for potability).

The Military Health Service (SSA) is active in establishments attached to the Ministry of Defence and military formations under the authority of the Minister of the Interior (National Gendarmerie), mainly in the area of institutional catering.

Operator registration

Establishments are registered in the databases of the competent authorities. EU regulations impose mandatory official registration or approval, depending on the specific activities, for all the operators concerned. So-called "sanitary approval" is obligatory for slaughterhouses, establishments processing animal products, certain storage facilities and water bottling or treatment plants. These official approvals are issued following verification of adherence to regulations by the competent authorities responsible for the relevant domain.

The number of establishments registered or approved is indicated in relation to the various stages in control described below.

Application of controls

Control activities are based on the requirements laid down by EU regulations and the outcomes of previous investigations. As a priority, they target food products, activities potentially offering high risk for the consumer and detection of fraud. Controls are applied at the product distribution stage and earlier in the chain on manufacturers and importers.

The data collected in connection with inspections, and especially information deriving from product surveillance and control plans, are passed on to the risk evaluation agencies, thus contributing to greater knowledge of food-related risks.

Surveillance and control plans (PSPC) and national-level tasks

In general, monitoring plans and control plans aim to monitor contamination levels and verify compliance of foodstuffs. They often result from European regulations but also from a risk analysis linked to national concerns. The national system includes two types of strategies with different objectives:

- surveillance plans are carried out according to a sampling strategy based on random selection in a population or sub-population concerned by the surveillance. These plans make it possible to assess the overall exposure of the consumer or a population to a particular risk and thus to identify management measures to control it;

- control plans use a sampling strategy based on targeting an establishment or product that represents an increased risk. These plans will allow the detection of non-conformities and the evaluation of the effectiveness of the management measures implemented.

The product surveillance and control plans cover the entire food chain, according to the farm-to-fork principle, from production to marketing, at national level as well as at border control posts, to check the compliance of imported foodstuffs with European requirements. Planning is oriented according to the results of a cross-sectional risk analysis, which is based in particular on the risk assessment carried out by the Anses and the EFSA.

European regulations particularly regulate the residues of veterinary drugs and prohibited substances in animal production, as well as that of environmental contaminants and residues of phytopharmaceutical products in the food chain. These obligations are set out in the national CSPs and national tasks, which are adjusted annually, in particular to take account of non-compliances observed in previous years.

The surveillance and control plans are conducted by the DGCCRF and the DGAL in accordance with the division of competences defined between the two control authorities.

Slaughterhouse inspections

Inspections performed by the DGAL in slaughterhouses, in which a large number of controls are mandatory, continue to be a priority. In 2019, 245 slaughterhouses for meat for human consumption produced 3.7 million tonnes of meat, and 665 poultry abattoirs produce in the region of 1.8 million tonnes, to which should be added the activity of 233 officially approved on-farm abattoirs. Added to this are nearly 2,700 non-approved facilities carrying out occasional slaughter of poultry and rabbits for local sale.

As an obligatory point of passage of animals before release for consumption, slaughterhouses enable controls to be applied, along with sampling and testing for the detection of non-compliance deriving from the rearing process as a whole. The following are particularly closely monitored: environmental contaminants, residues of banned substances (anabolic agents) and residues left by veterinary medicines.

Inside slaughterhouses, nearly 2,650 staff from the inspection agencies, representing nearly 1,400 FTEs (official veterinarians and official auxiliaries) are tasked with protecting public health by verifying directly and systematically the health status of the animals and the safety for health of the meat in order to guarantee that carcasses and edible offal are suitable for consumption. A favourable inspection outcome is formalized by the placing of a sanitary approval stamp on each carcass.

Inspectors also seek to ascertain whether regulatory provisions have been adhered to in the area of animal welfare with a view to preventing suffering either before or at the point of slaughter, which is also a factor in the sanitary quality of the meat. Official controls on the sanitary conditions in which slaughterhouses operate are based on an audit of the slaughter sanitary control plan.

Inspection of establishments engaged in the processing and initial market release of food products

Establishments engaged in initial market release are responsible for handling, treating and processing products and supplying products to distribution channels. Industrial and craft establishments processing and handling animal products (meat products, dairy products, eggs and egg products, fisheries products), along with establishments bottling or treating water, must have official sanitary approval or a sanitary permit issued by the authorities following specific checks. France has 26,000 facilities processing animal products and over 2,000 producers of raw milk sold directly to the consumer, in addition to over 100 water bottling firms [2019 statistics].

Product volume is high in this sector. Handling and processing are "high risk" stages from the sanitary standpoint and from that of possible fraud. Action early in the sector supply chain allows products to be effectively controlled prior to their entry into distribution channels.

Controls are applied as follows:

- the DGAL verifies hygiene and safety in establishments producing animal products and conducting activities subject to official approval from the Prefect, based on an inspection frequency ranging from once a year to once every two years, with the actual frequency depending on the risk grade assigned to the individual establishment, which notably takes into account the theoretical risk of the activity, production volume, the vulnerability of the general public and the outcome of the previous inspection. These controls cover every aspect of an establishment (premises, equipment, operation, etc.) but focus particularly on its ability to counter microbiological hazards;
- the DGCCRF inspects, along the same lines, both the hygiene in establishments not subject to DGAL approval and adherence to the specific regulations for which the DGCCRF is responsible across all establishments, whether or not they are subject to DGAL approval. The risk grade assigned by the DGCCRF to approved establishments takes into consideration the fact that they have also been inspected by the DGAL for hygiene. These controls, under the heading "initial market release audits" (CPMM) are performed at a frequency that notably takes into account the risks linked to the activities of the enterprises involved, control of the conformity of the products by those enterprises and the outcomes of previous official checks. Unlike PSPCs, they do not focus solely on the management of a defined risk but are much wider in scope: with these audits, the DGCCRF may be led to verify adherence to the entirety of the regulations applicable to the products for whose control it is responsible (quality, safety, competition, fair trading practices and consumer protection).

CPMMs make it possible to detect and analyse risks more effectively, especially emerging risks, and to optimize their treatment under control and surveillance plans;

- the DGS exercises oversight of inspections of water bottling and treatment plants. In this connection, around twenty inspections are performed every year by Regional Health Authorities (ARS). Sanitary control involves the verification of the quality of the bottled or treated water (natural mineral water, spring water or water made potable by treatment), inspection of the facilities and control of the sanitary safety measures applied by the operator.

Inspection of distribution and catering establishments

The distribution and catering sector comprises some 16,000 supermarkets and hypermarkets and stores specializing in frozen foods, over 8,900 warehouses, more than 230,000 retail outlets, almost 247,000 commercial restaurants and in excess of 108,000 institutional catering establishments, school canteens most notably, plus the 1,056 facilities attached to the Ministry of Defence and military units under the authority of the Minister of the Interior (National Gendarmerie) [2019 statistics]. Three competent authorities direct the controls in this domain (DGCCRF, DGAL and SSA). Inspections of institutional catering establishments are carried out in the main by the DGAL and inspections of retail outlets are largely performed by the DGCCRF.

Other types of investigation

To supplement PSPCs and CPMMs, the DGCCRF carries out other types of investigation involving application of controls at various stages in sectoral supply chains; these may have a dual purpose involving both safety and fair trading practices. This is particularly true of the food improver sector. Such investigations may also involve the DGCCRF's SNE (a department with a national remit) or the DGAL's BNEVP.

In total, approximately 88,000 hygiene and safety inspections of establishments are performed every year, of which almost 69,000 concern establishments supplying food products directly to the end-consumer (institutional catering, commercial restaurants, distribution stores, markets, and so on) [2019 statistics]. Taking the food chain as a whole, including primary production and bottled water, more than 85,000 samples are taken every year. Those samples may be tested in a number of ways.

Laboratories

The networks of laboratories are set up to reflect the specific characteristics of the testing (analyte/matrix couplings). There is a wide variety of tests covering microbiological, chemical and physical contamination along the entire production chain from primary production (animals, plants) to product supply to the consumer.

The DGAL works in this way with of a number of laboratory networks: examples are a "food microbiology" network comprising over 70 laboratories and focused on detecting a range of microorganisms (enterobacteria, salmonella, *Listeria*, etc.) and a "shellfish norovirus" network. The networks for chemicals (residues) are designed to reflect the volume of testing required by the PSPCs. The SSA also makes use of this laboratory network.

The DGCCRF is reliant on the national shared laboratory service (SCL) which carries out, among other activities, testing for contaminants (e.g. GMOs, pesticides, microorganisms, mycotoxins, phytotoxins, trace metals, neoformed compounds, plant alkaloids), additives and food contact materials.

The DGS calls on its network of laboratories approved by the Ministry of Health for sampling and testing samples of bottled or treated water. The national database "SISE-Agrelab" contains information on the testing methods.

2.1.2.2. – Fair trade in marketed products

General controls

DGCCRF inspections are directed at verifying adherence to existing regulations:

- EU regulations: labelling (general and nutritional), health claims, infant foods, meat, fisheries products, EU quality and origin signs (an area shared with the INAO, which is responsible for pre-market release controls), the EU value statement "mountain food product", GMO labelling of food and feed, eggs, milk, olive oil, etc.
- and national regulations: cider, national value-added schemes (Label Rouge, product conformity certificates, "farm products", etc.), claims of all types, "GMO free" value statements, honey, and so on.

In this context, at every stage in a sectoral supply chain the DGCCRF verifies adherence to the rules for labelling and composition and the names given to products of all kinds. Its enquiries may lead the DGCCRF to investigate primary production to check the veracity of certain value statements and claims. Traceability controls are also applied.

The goal is to detect food-related fraud and trading practices that impact the fairness of trade and distort competition between operators. While the majority of investigations of this type are unrelated to sanitary safety, it should be noted that certain types of fraud and non-compliance may in fact affect consumer safety.

Risk analysis by the DGCCRF takes into account the entry into force of new regulatory provisions (legibility, allergen labelling and nano-ingredients, for example), the findings of inspections in preceding years and

reception of reports of issues. It also makes use of an effective system for the collection and processing of feedback and information (“Vigie Fraude” [Fraud Watch]) enabling all DGCCRF staff in the field to report back to line management any information or marginal evidence possibly indicative of fraudulent food-related practice involving an operator or an entire sector supply chain. The relevance of such information is analysed and it may be added to data already accumulated or lead directly to an investigation.

Annual plans (national, regional and local) are put in place in accordance with reported issues and the identification of risks.

In the case of the DGAL, the Veterinary and Phytosanitary Investigation Unit (BNEVP) is the investigation agency in the General Directorate for Food (DGAL). It is active nationwide in combating organized crime at any point on the food chain, including, where indicated, trafficking that affects food sanitary safety.

Laboratories

The DGCCRF uses the national shared laboratory service (SCL) for testing to verify product composition not only in connection with compliance with the relevant specific regulations (dairy products, meat products, specialist nutritional products, etc.) but also the match between content levels claimed on labels and the actual levels established by testing. In this same context, the national shared laboratory service (SCL) also carries out testing to establish the authentic character of foodstuffs.

2.2 – VOLUNTARY DISSEMINATION INTO THE ENVIRONMENT OF GMOs FOR THE PRODUCTION OF FOOD OR FEED (seeds/crops)

Issues and priorities

The purpose of controls on GMOs is to verify adherence to EU and French regulations on voluntary dissemination of GMOs into the environment. The growing of GMO crops has been banned in France since 2008. Field trials of GMOs are possible in France only if they are authorized in advance by the Ministry of Agriculture and no trials are authorized at the present time.

Controls relating to GMOs in human food, animal feed or imports are addressed in the relevant chapters.

Competent authorities:

The DGAL and the DGCCRF are responsible for directing the following controls:

- the DGAL has responsibility for the crop growing and aspects relating to imports (bans on crops, trials);
- the DGCCRF has responsibility for seeds placed on the market (presence of unauthorized GMOs, labelling).

The competent authority acting as “point of contact” for this regulatory domain is the DGAL.

Control planning and approximate volume of checks

Controls are applied by the DGAL to crops every year to verify adherence to these bans, especially in regions close to Spain, where GMO crops are permitted. All reports indicating suspected illegal or accidental growing of GMO crops are followed up with inspections to verify whether or not GMOs are present and, if confirmed, to ensure the effective destruction of the crops concerned and complete GMO eradication.

The DGCCRF seeks to ascertain at the stage products are placed on the market whether GMOs are present in batches of seeds intended for crop growing irrespective of their origin (national, European or third country) and verifies that self-inspections have been carried out by those responsible for initial market release. The focus here is mainly on seeds from the species most likely to have been genetically modified (i.e. maize, rapeseed and soybean).

The verification of adherence to provisions concerning GMOs in food or feed is described in the relevant sections.

Laboratories

The DGAL and the DGCCRF work with three National Reference Laboratories for the detection of GMOs:

- ANSES-Plant Health Laboratory – Bacteriology, Virology, GMO Unit – Anger Station;
- GEVES/BioGEVES-Surgères;
- The national shared laboratory service (SCL) - Strasbourg laboratory.

2.3 – ANIMAL FEED

Issues and priorities

Animal feed is one of the first links in the food chain. The issues relating to industrial manufacturers concern hygiene in feed manufacture, verification of the absence of unauthorized or unlabelled proteins in raw materials and compound feed products in livestock farming, detection of unauthorized GMOs, detection of salmonella, adherence to maximum permitted levels of undesirable substances (e.g. pesticides, dioxins, heavy

metals, mycotoxins), observance of authorizations for additives and accurate labelling. In livestock farming, the priority for inspections is adherence to EU regulations on the distribution of animal feed products. Checks are also carried out on the use of materials of animal origin and on the premises of on-farm manufacturers of feed carrying out their own incorporation of additives, most notably of "cocciostat" type, and premixes.

Competent authorities

The DGAL and the DGCCRF allocate their control activities between their organizations on the basis of the following general principles:

| DGAL | DGCCRF |
|--|---|
| Hygiene rules on the premises of operators (e.g. manufacturers, wholesalers, stockers) that are approved or registered in accordance with national obligations, and on livestock farms | Hygiene rules on the premises of registered operators |
| Specific regulations: <ul style="list-style-type: none"> - medicinal feed - animal by-products - imports | Specific regulations: <ul style="list-style-type: none"> - composition (accuracy and absence of undesirable or banned substances) - labelling - GMOs - additive use |
| Surveillance and Control Plans for animal feed on livestock farms and in manufacturing facilities in the case of materials of animal origin | Surveillance and Control Plans for animal feed on the premises of manufacturers and intermediaries, excluding primary producers of plant raw materials or animal raw materials and livestock farms |

They also conduct controls in the area of animal feed transportation.

Operator registration and approval

EU regulations on the animal feed sector impose an obligation to register or obtain official approval for all sector operators in accordance with the nature of their activity. For example, more than 13,000 operators listed in France have DGAL approval, including almost 500 operators, with 320 facilities manufacturing feed. Some specific activities are subject to registration by the DGAL under national regulations.

Control planning and application

Control activity covers the following, depending on the allocation of responsibilities between the DGAL and the DGCCRF:

- Every year, annual sampling plans;
- Control and monitoring of all operators in the sector (importers, intermediaries, transport firms, manufacturers, livestock farmers, distributors);
- Specific DGAL control of approved establishments since they present a higher risk;
- Specific investigations in sectors presenting a particular risk, e.g. investigations into fair trading in certain types of production;
- Controls performed by DGCCRF on the premises of operators responsible for initial market release;
- Investigations initiated following alerts, complaints or information provided by other countries (IRASFF notifications) or other sources (e.g. market watch).

Control and monitoring of establishments: approved operators whose plants manufacture animal feed and operators registered under national regulations are inspected by the DGAL once a year or more often, up to once every four years, notably depending on the potentially problematic nature of their activity and the quantities manufactured. On-farm manufacturers of feed carrying out their own incorporation of certain additives (approved or registered) are also inspected based on risk grading, with an inspection frequency ranging from once a year to once every five years.

Alongside this, establishments registered with the DGCCRF as having responsibility for initial market release are inspected at frequencies ranging from once a year to once every five years, based on an analysis of the risk.

In total, over 1,300 inspections were conducted in 2019 by the two directorates.

Given the obligation to combat food waste, many foodstuffs are and will continue to be recycled as animal feed. The competent authorities are available to assist agrifood professionals in implementing these new regulatory provisions, as well as for the systematic inspection of these new operators in the animal feed chain.

Controls on animal feed (raw materials, additives, premixes and compound feed): the surveillance and control plans (especially the sampling component) are allocated between compound feed manufacturers, suppliers (importers, producers, intermediaries) of raw materials (plant and animal), distributors and livestock farms. The

competent authorities consult with each other every year in order to update this planning to reflect the results obtained in previous years and the appearance of new risks, and also to organize the allocation of sampling. Every year, over 2,700 samples are taken in this field by the DGCCRF and the DGAL. Allocation of testing (for “animal feed/detection substance” couplings) may change in light of current knowledge and previous results.

Surveillance and control of animal feed by the DGCCRF relate not only to safety but also to conformity and fair trading practices (composition, GMOs, additives, labelling, etc.).

Among the raw materials in the composition of animal feed, the DGCCRF has a particular responsibility for inspecting by-products of plant origin such as, for example, oilseed and protein cake (agglomerates of dry matter derived from the crushing of grain, mainly soybean, rapeseed and sunflower) and verifying adherence to regulatory criteria, most notably with regard to salmonella and undesirable substances (e.g. pesticides, heavy metals).

A specific programme has been put in place for the detection of unauthorized constituents of animal origin in farm livestock feed. This covers detection of animal particles, animal proteins and the presence of GTH (a marker for C1 and C2 animal by-products, which cannot be used in feed). Since the use of animal proteins from non-ruminants has been authorized in aquaculture, specific tests are conducted to verify the absence of ruminant proteins in the production sector supplying aquaculture. As and when further authorizations are issued for the use of animal proteins in feed, specific control programmes will be implemented.

Tests to detect GTH are also performed on pet food (domestic carnivores).

Controls on animal feed transportation: the DGCCRF and the DGAL seek to ensure due registration of animal feed carriers and adherence to the conditions imposed by regulations concerning the alternation of food and feed in transportation (explicit prohibitions in line with the rules governing animal by-products) and good hygiene practice.

Import controls at border inspection posts are described at point 2.11.2.

Laboratories

Testing is carried out by the SCL for the DGCCRF, approved DGAL laboratories and relevant NRLs. Thirteen laboratories were involved in 2019. The SCL laboratories in Paris, Rennes and Strasbourg participate directly in the testing.

2.4 – ANIMAL HEALTH AND IDENTIFICATION

Competent authorities, delegated organizations and practising veterinarians

Surveillance, prevention and control of zoonotic hazards across France are provided by the DGAL, and by the SSA where military premises are specifically concerned.

Where animal identification is concerned, controls are placed under the responsibility and direction of the DGAL. The French Horse and Riding Institute (IFCE) has been delegated responsibility for the identification of equines and camelids. The Payment and Services Agency (ASP) – a public-sector entity supervised by government – which is tasked with providing administrative and financial management of public support payments, contributes to verification of fulfilment of the undertakings given by beneficiaries in connection with the financial support linked to cross-compliance.

Some official missions, most notably sanitary surveillance, are delegated by the DGAL to regional sanitary defence federations recognized as dedicated sanitary bodies (OVS); these are accredited under standard ISO 17020.

Practising veterinarians play a role in this scheme under one of two types of status:

- Sanitary veterinarians empowered by government to carry out regulatory tasks for which operators are responsible, such as prophylactic screening. These veterinarians are chosen by livestock farmers and remunerated directly by them for tasks performed on their farms. The amount of this remuneration is set by government;
- Veterinarians mandated as official private-sector practitioners (VOP), who are already empowered to act as sanitary veterinarians, and are additionally duly qualified and authorized by the Prefect to perform certain official tasks on all livestock farms and at all assembly centres. They act subject to the authority of the Prefect in pursuance of the missions of government and may conduct official checks. They are remunerated directly by government.

In the event of an outbreak and in the context of efforts to contain certain particularly serious diseases, sanitary veterinarians are given the status of mandated veterinarian in law.

The DGAL is the competent authority acting as “point of contact” for the European Commission in this regulatory domain, in which the Chief Veterinary Officer (CVO), as defined by the OIE, is designated.

2.4.1 – Animal health (monitoring, prevention and control of animal diseases and zoonoses)

Issues and priorities

The control of animal diseases is a key issue not only in terms of public health but also from the economic standpoint. Livestock farming accounts for a large share of the value of agricultural production, and animal diseases, due to the losses they cause, whether direct (sick livestock, mortality) or indirect (increased production costs, impediments to trade), erode the value of production and may have severe socioeconomic and political consequences. Animal health is also a major factor in farm competitiveness and is therefore a key issue for France, focused as it is on exports and the development of high value-added production. Moreover, certain diseases, due to the fact that they are zoonoses (diseases transmissible naturally from animals to human beings and vice-versa), can directly impact public health.

The priorities for action are based on a classification of the hazards enabling diseases to be ranked to reflect their category of sanitary risk. The ways and means mobilized by government or trade bodies are determined in light of the gravity of the relevant risk.

The system of disease categorization already in place in France was adjusted to fit the new EU provisions on animal health as of April 2021.

The principle is maintained whereby there is a graduation between the following:

- diseases involving serious compromise to public health, major risks for the environment or production capacity and requiring mandatory measures in the general interest for prevention, surveillance and control;
- diseases with an economic impact in one or more sectors for which it may be necessary to implement collective programmes for prevention, surveillance and control;
- diseases that call for measures that remain within the scope of private-sector initiative.

Disease prevention requires livestock farmers to apply biosecurity measures to protect their farms.

Certain diseases are covered by emergency planning in the event of the appearance of a case or an outbreak (cf. first point at 4-5). This is so for example for foot-and-mouth disease, Classical or African Swine Fever, Highly Pathogenic and Low Pathogenicity Avian Influenza, Newcastle disease in poultry and bluetongue.

Inspection programmes for sanitary measures on livestock farms

The priority for these controls relates to biosecurity measures in the poultry sector (salmonella contamination – risk linked to avian influenza) and aquaculture operations. Over 4,000 inspections are performed every year in this context. Certain livestock breeding establishments (e.g. insemination centres) that must abide by sanitary rules specific to their activity are subject to around 260 annual inspections.

Surveillance programmes

Disease surveillance programmes directed by the DGAL reflect the epidemiological situation and the seriousness of the disease for animals and the risks to human health in the case of diseases transmissible to the human population. Such surveillance may be based on diagnostic testing as an immediate response to clinical suspicion (e.g. where there is a suspected case of avian influenza or foot-and-mouth disease) and/or test campaigns (serological testing, systematic tests in slaughterhouses).

Measures to combat disease in the event of an outbreak and cases of the above regulated animal diseases are directed at avoiding spread of the disease and in most cases include steps to isolate outbreaks and cull the animals and the herds to which they belong.

Examples of animal disease monitoring

Bovine tuberculosis, a disease transmissible to the human population: since 2001, France has been considered to be “officially free of bovine tuberculosis” by the European Union, despite the persistence every year of a hundred or so outbreaks on livestock farms. The national plan against bovine tuberculosis 2017-2022 confirms the ultimate goal of total eradication, reinforcement and adjustment to the various regional contexts of surveillance, biosecurity, combat and oversight measures; it also covers wild fauna, a source for the reappearance of cases of tuberculosis on farms.

Bovine spongiform encephalopathy is monitored using slaughterhouse testing of cattle born prior to 1 January 2002 and higher-risk bovines aged over 48 months, in addition to testing in rendering plants, and possible alerts triggered by the appearance of suspected symptoms. France is a “controlled risk” country.

Bluetongue, a viral disease in ruminants transmitted by midges in the genus *Culicoides* (an arbovirus disease): it is not transmissible to the human population. Several serotypes are in regular circulation in continental Europe.

In the aquaculture sector, the main endemic diseases in fish in France are Infectious Hematopoietic Necrosis Virus (IHNV) and Viral Haemorrhagic Septicaemia (VHS); France is recognized as free of Infectious Salmon Anaemia (ISA).

In pigs, the threat of introduction of African swine fever.

Salmonella on poultry farms is a focus for systematic on-farm sampling of breeding operations (*Gallus* and turkeys) and production of table eggs and table poultry (turkeys and chickens); in the region of 500 contaminated farms are detected every year.

Specific case of military premises

Veterinarians in the Military Health Service (SSA) participate in the national scheme for surveillance, prevention and control of zoonotic hazards relating to animals belonging to the Ministry of Defence (mainly military working dogs and horses) and to those, irrespective of origin, present either permanently or occasionally on military bases or the premises of the Gendarmerie.

The Rural and Maritime Fishing Code, supplemented by Decree n° 2021-1240 of 27 September 2021 on army veterinarians, specifies that the missions of health veterinarians are carried out by army veterinarians for all establishments under the authority of the Minister of Defence or his supervision and for the military formations of the Ministry of the Interior (Article R.203-16-1).

The protocol for cooperation between the DGAL and the DCSSA stipulates that other than in situations subject to planning (emergency plans), military veterinarians contribute to the execution of operations and measures for veterinary public health implemented as and when needed in a crisis situation on the basis of procedures established jointly by the DGAL and the DCSSA.

Laboratories

For the various animal diseases covered by regulations, the laboratory networks are regularly adapted to the need for diagnostics and the annual number of tests linked to surveillance programmes and the national epidemiological situation. Over 60 laboratories are in fact active in diagnosing bluetongue and more than a dozen for swine fever. A National Reference Laboratory (NRL) exists for each disease or group of diseases. In particular, the NRLs act to confirm diagnoses or provide emergency diagnoses for diseases not present in France, such as foot-and-mouth.

2.4.2 – Animal identification

Issues and priorities

The core issue for animal traceability is not only to the sanitary status of the French herd but also provision of the information needed to provide product traceability ranging from the livestock farm to entry into market distribution channels. The priorities are focused on satisfactory adherence to the rules governing the identification and movements of livestock between farms and from farms to slaughterhouses. Movements of animals between Member States of the European Union are subject in all cases to sanitary certification and close monitoring. In the event of the appearance of a disease, this traceability makes it possible to conduct an epidemiological investigation and swiftly implement measures to isolate potentially infected livestock.

Livestock farm registration and animal identification

The registration of cattle, pig, sheep and goat farms is managed by livestock farming bodies (EDE) in the *départements* approved by the Prefects in those *départements*. EDEs are also under an obligation to inform the owners of animals of their obligations and to carry out a first-level verification of their fulfilment of those obligations. They must notify any anomaly to the control agencies. The allocation to each animal of a unique national number allows them to be identified individually and to track their movements in a livestock register and the national identification database (BDNI), which is managed by the Ministry of Agriculture. All farms, except poultry farms, are registered in the BDNI, which is directly linked to the RESYTAL information system at the DGAL. Poultry farms are registered in the RESYTAL information system.

Livestock assembly centres and markets are registered and need specific approval from the Prefect if they despatch animals to other Member States in the European Union.

Control planning and application

In the case of bovine animals, at least 5% of the farms in each *département* are inspected each year to verify traceability, cross-compliance and eligibility for payment of premiums. The holdings are selected on the basis of an analysis of the risks (75%) or chosen randomly (25%). At least 20% of livestock assembly centres and markets are inspected for traceability.

For sheep and goats, EU sanitary regulations mandate inspection of at least 3% of farms holding livestock and 5% of the animals. For pigs, no minimum frequency is defined for farm visits. Inspections are based on an analysis of the risks and are conducted as part of the animal health programme.

2.4.3 - Certification of trade with other European Union Member States

Where live animals are concerned, the certification of intra-EU trade is covered by the harmonized framework laid down by EU regulations. For live animals, certification is applied by official veterinarians working with the directorates in the *départements* responsible for protection of the general public or by self-employed veterinarians holding sanitary mandates (mandated veterinarians) for the performance of the physical inspections required before certification.

Certification covers the identity of the animal, the conformity of its sanitary status according to the sanitary qualification of the livestock farm from which it has come, absence of clinical signs and adherence to animal welfare rules during transportation.

In 2019, over 52,000 certificates were issued for 1,570,000 bovine animals going to other countries in the European Union, of which over 82% were certified under the mandated veterinarian procedure.

2.5 - ANIMAL BY-PRODUCTS

Issues and priorities

All animal materials and materials of animal origin (terrestrial or aquatic), on the basis that they are not or are no longer intended for use as human food, are by definition covered by the regulations on animal by-products. The issues involve the protection of animal health and adherence to the ban on reintroduction into the human food chain, in addition to fulfilment of the conditions restricting entry into the animal feed supply chain to those that are not hazardous for human or animal health.

Competent authorities

Controls in the area of animal by-products and products derived from them are directed by the DGAL, which acts as the "point of contact" for the European Commission in this regulatory domain.

Establishment registration and official approval

In 2019, 1,300 establishments were officially approved in France for activities involving animal by-products and nearly 5,000 were authorized/registered. This is because certain activities related to the processing of animal by-products present particular risks and the establishments engaged in those activities need a permit issued by the Prefect following an inspection and evaluation of the application for approval. Specific approvals have been put in place for producers of by-products from non-ruminants and facilities processing them for use in feeding aquaculture livestock.

A list of authorized establishments is published on the website of the Ministry of Agriculture and Food: https://agriculture.gouv.fr/sites/minagri/files/documents/pdf/ListeOfficielleEtablissementsSPAN_cle8726ab.pdf

Control planning

National control planning is based on an analysis of the risks, which determines the frequencies of controls applied to approved establishments and registered establishments. Establishments are classed in risk categories that reflect the nature of the by-products treated or processed: categories C1 and C2 represent the highest levels of risk for public health and category C3 covers products that can be used in animal feed. Particular risk is associated with restrictions on the use of animal proteins in animal feed due to bovine spongiform encephalopathies (BSE, or scrapie in small ruminants). Following these calculations, establishments are placed in one of four risk categories each of which imposes a frequency of site inspections ranging from once a year to once every four years. Inspections of establishments processing animal by-products are focused particularly on the effectiveness of their sanitizing treatments and on traceability. Transport firms and wholesalers are a priority for the monitoring of registered establishments. Carriers of animal by-products are notably inspected to verify the absence of cross-contamination arising from successive journeys with different products.

More than 500 inspections are performed each year both for control planning and inspections required prior to official approval for new establishment categories.

Certification of trade with other European Union Member States

Where animal by-products are concerned, the certification of intra-EU trade is governed by the harmonized framework laid down by EU regulations. In 2019, over 10,500 certificates were issued for consignments of animal by-products going to other countries in the European Union.

Addressing the risks linked to animal by-products upstream and downstream in the supply chain

Upstream from the processing establishments, FranceAgriMer or the government collect statistics on animals found dead on agricultural holdings (private rendering services) and animals collected as part of the public rendering service (as well as the traceability of the latter).

Management of catering waste from international transport presenting high levels of risk for animal health is the responsibility of the port authorities or catering firms and this is controlled by DDPP and DDETSPP staff or the SIVEP.

Other stages in the food chain are also important and are described in the relevant sections:

- separation of animal by-products in slaughterhouses into different categories (C1, C2, C3), in particular specified risk materials for spongiform encephalopathies in C1;
- management of waste in food production establishments (processing, distribution);
- use of animal proteins in animal feed, including the ban on use of ruminant proteins.

An example of the controls relating to the production and use of animal by-products at various stages: authorization of use in aquaculture of animal proteins from non-ruminants.

Specific approvals have been put in place for producers of animal by-products from non-ruminants and plants processing these for use in feed for aquaculture livestock. Verifications of adherence to this prohibition are carried out in food sector establishments supplying non-ruminant animal by-products for use in aquaculture, in establishments in the animal by-products sector on producers of animal feed and on agricultural holdings.

Laboratories

The SCL laboratory in Rennes is the NRL responsible for testing to detect processed animal proteins (PATs) in raw materials from establishments processing animal by-products and animal feed.

Another laboratory, Inovalys in Nantes, is also officially approved for such testing.

2.6 – ANIMAL WELFARE

Issues and priorities

Intensification of animal production, fundamental changes in local regions and developments in scientific knowledge notably explain the reasons for the public's wish for greater account to be taken of animal sentience. The welfare of animals on livestock farms, pets, and recreational animals is the subject of wide-ranging policy and constitutes a societal issue. The 2016-2020 animal welfare strategy, which brings together all the actors involved and forms part of the principles underpinning sustainable agriculture, has provided a focus for a diverse range of programmes aimed at addressing animal welfare more effectively. Given that the first action plan for the period 2016-2020 has come to an end, the Ministry of Agriculture is now evaluating it in order to look forward to what should follow and the construction of a new action plan beginning in 2021.

Competent authorities

Animal welfare controls in France are undertaken by the DGAL, and by the SSA in the specific case of military premises.

Mandated veterinarians (cf. the animal health and identification domain) can conduct verifications of animal welfare in livestock assembly centres, for trade certification and the conditions in which live animals are transported.

The DGAL is the competent authority acting as "point of contact" for the European Commission in this regulatory domain.

Control planning and application (excluding slaughterhouses)

National priorities for inspections are defined annually and implemented, most notably on livestock farms and during the transportation of animals¹². Controls in addition to those planned are also carried out following a reported issue or a complaint filed by a third party (e.g. a private individual, a non-profit association). The DGAL's Veterinary and Phytosanitary Investigation Unit (BNEVP) may provide support to agencies in the *départements* for investigations initiated following complaints.

Where pets are concerned, the priorities relate to professional activities involving these animals (e.g. sales, breeding, boarding kennels, animal shelters, dog pounds). Approximately 20% of such inspections (in the region of 2,000 each year) are performed following complaints or reported issues.

For equines, the number of cases of maltreatment involving the withdrawal of horses in consultation with the central administration of the Ministry of Justice has been steadily rising. Animal protection associations have again warned the Ministry of Agriculture of the major difficulties encountered in placing these horses, of which there may be large numbers in some cases (occasionally, in excess of a hundred).

Nearly 5,000 inspections are carried out on livestock farms, of which the majority are linked to cross-compliance linked to support payments. Annual inspection pressure (planned inspections and inspections following complaints) is steady at 1% of farms subjected to controls in this regard.

A little over 2,000 checks relate to animal transportation conditions and are performed during road transport inspection operations, as well as on arrival (or departure, according to case), in slaughterhouses, markets, assembly centres, livestock farms, border inspection posts, ports and airports.

Additionally, the issue of maltreatment that is intentional or due to lack of care is a topic of primary concern and must be prevented, detected at an early stage or ended as a matter of urgency. For enhanced efficiency, action must be organized and collective and must take into account human suffering, which is frequently associated with this. Work is ongoing to improve support to livestock farmers in great difficulty concerning the risk of animal maltreatment, following on from the formation in 2018 of operational units for prevention,

¹² Animal protection controls in slaughterhouses are described in the chapter on the safety of food products.

improvement in the lead-time to provision of care to animals and strengthening the internal network of skilled veterinary staff.

It is fundamentally important to implement innovative research projects in order to adapt production systems. The example can be cited here of the project for *in ovo* sexing of chicks in order to put an end to the systematic culling of male chicks using grinding machines. This project was launched with government funding of €4.3 million over four years.

Application of controls in slaughterhouses

Certain procedures linked to animal slaughter can cause stress and suffering. Operators must therefore take the necessary steps to avoid causing any pain and to mitigate distress and suffering for animals during slaughter as far as possible, taking into account best practice in this area and the methods that are authorized. This is a strong societal demand, one exacerbated by regular denunciations by animal protection associations of the conditions in which animals are handled and slaughtered in abattoirs.

In addition to the *ante mortem* inspection systematically performed on animals prior to slaughter, official checks specifically targeting the protection of animals in the slaughterhouse are carried out at different levels:

- two annual audits focused on adherence to animal protection requirements and follow-up on the action plan defined by the operator;
- regular unannounced inspections of slaughterhouse operations, which contribute day-to-day and in real time to observance of animal protection requirements in slaughterhouses;
- regular checks on the internal control procedures implemented by operators.

Only the first control level leads systematically to the drafting of an inspection report for communication to the operator. For the second and third levels, the recording of findings, both compliant and non-compliant, remains at local level and internal to the slaughterhouse inspection service, but the outcome is shared with the operator via an inspection log or non-compliance sheets. Only non-compliance leading to the administrative enforcement measures (warnings, formal demands for remedy, etc.) or criminal proceedings involve the communication of an inspection report.

Inspections relating to internal control procedures conducted by the operator and those relating to corrective measures defined by the operator have been intensified since 2020 in order to improve the non-compliance statistics of previous years.

Specific case of military premises

Military Health Service (SSA) veterinarians control animal welfare for the working livestock of the Ministry of Defence and other military units (National Gendarmerie). Animal welfare control is a primary objective for the SSA since the welfare of its animals directly determines their operational effectiveness. Control activity planning is based on an analysis of the risks, taking notably into account the numbers housed in each entity and the results of previous inspections in terms of animal welfare. In light of these factors, inspection frequency may vary between once every three years and once a year, or indeed more often where there is non-compliance.

2.7 – PLANT HEALTH

Issues and priorities

The relevant sanitary issues concern the maintenance of production and plant species. This is so because while plant diseases are not transmissible to the human population some may result in the destruction of crops or the infestation of plants (trees, for example). Priority is given to protection against the most important regulated organisms harmful to plants designated under regulation (EU) 2016/2031 as regulated quarantine pests (RQP) or non-quarantine regulated pests (RNQP). Producers and resellers of plants for planting are particularly closely controlled in connection with the authorization to issue plant passports for circulation within the EU. Over 200 plant pests are covered by official surveillance plans organized by individual sector for the purpose of detecting their appearance on national territory as early as possible. Where applicable, control measures will be required in the event of an outbreak.

Competent authorities and delegated organizations

The DGAL, in its capacity as government department responsible for the safeguarding of plant health, is the National Plant Protection Organization (NPPO). Controls and official missions are placed under the responsibility of four competent authorities:

- the DGAL;
- SEMAE is in charge, through its official control and certification service, of authorising operators to issue plant passports. The scope of its competence: seeds of agricultural and vegetable species, seed potatoes, vegetable and strawberries planting material. It carries out this mission at the same time as the compulsory certification of these plants;

- FranceAgriMer for controls for the issuing of plant passports for vine propagating material (vine cuttings and plants). It carries out this mission at the same time as the compulsory certification of these plants imposed by Directive 68/193/EEC;
- The CTIFL, through its Certification-Inspection department, is in charge of the control and the granting of the authorisation to issue plant passports or of its issue. The scope of its competence: fruit propagating material of species listed in Annex 1 of Directive 2008/90/EC, certified or CAC (*Conformité Agricole Communautaire*), excluding strawberry plants, held by professional operators approved for fruit certification.

SEMAE is the organization to which the DGAL has delegated the application of preliminary controls in view of the certification (precertification input) of exports of seeds and plants for planting in these same categories.

Dedicated regional sanitary bodies (FREDON) may be delegated tasks by the competent authorities based on organizational and operational factors specific to each region.

The competent authority acting as “point of contact” for the European Commission for this regulatory domain is the DGAL.

Control planning and scale of application

Controls on operators marketing plants: over 9,000 establishments producing and reselling plants are subject to control (annually in the case of professional operators authorised to issue plant passports and according to a frequency based on risk among those who do not issue plant passports), in addition to establishments subject to seed and plant quality controls. Changes in EU regulations require new operators to be controlled, leading to a significant increase in the number of establishments to be inspected since 2020. The phytosanitary conformity of plant materials (and some plant products) is attested by the issuance of a plant passport (PP) for the plants concerned.

The purpose of the [plant passport](#) is to provide a guarantee that the plant material in circulation within the European Union (including its country of production) is free of regulated pests and compliant with the requirements applicable to the latter. Those requirements are common to all Member European Union States.

The competent authorities shall authorise professionals to issue such passports or, where appropriate, issue them directly.

Where non-compliance relates to detection of a quarantine pest, steps to address this will, if applicable, be taken immediately in order to prevent release to the market of the plants concerned and forestall dissemination of the pest on EU territory. In addition, a traceability enquiry is to be conducted upstream and downstream by the competent authorities to identify the origin of the contamination and establish what has become of the plants that are potentially contaminated but are already on the market. Inspections may then be conducted nationwide in the establishments relevant to this enquiry. If the material has been sourced in another EU Member State or a third country, the DGAL will contact the competent authorities in the country concerned in order to allow them to take the investigation further, along with the appropriate steps, and to obtain information on the French operators that have received the possibly contaminated plant material from the supplier concerned. Where non-compliance is linked to the **detection of a regulated non-quarantine pest**, the immediate consequences for the commercial operator are withdrawal of the PP and implementation of measures to prevent circulation of the plants involved.

Controls on wood packaging: between 700 and 800 inspections each year focus on wood packaging (e.g. transport pallets) since these are channels for the introduction and dissemination of pests, such as for example the pine wood nematode or the Asian longhorn beetle. The wood packaging used for trade between the European Union and third countries must bear a specific marking (ISPM 15) to certify that it has been sanitized using heat or chemicals.

Biological surveillance of national territory

The purpose of the [epidemiological surveillance](#) directed by the DGAL is to obtain information on the phytosanitary situation across the country with regard to non-regulated pests responsible for impacts that are major in terms of the quantities and quality of plant crops on national territory (i.e. Metropolitan France and its overseas territories). It involves some 4,000 observers providing the surveillance with weekly observations of over 15,000 designated plots. A network of 220 specialist observer correspondents also carry out this surveillance work for forests. Since the surveillance also involves certain regulated or emerging pests, it provides important underpinning for the DGAL’s official surveillance plans. This surveillance effort as a whole helps to determine the current status of the country with regard to regulated and emerging organisms, and additionally to define appropriate methods for combating pests and observing the unintentional effects of farming methods.

Where [surveillance specifically targeting regulated pests](#) is concerned, nearly 15,000 official inspections are performed (each of which may cover more than one plot) under more than 30 national surveillance plans (concerning for example the Asian longhorn beetles *Anoplophora chinensis* and *Anoplophora glabripennis*, the bacterium *Xylella fastidiosa*, the pine wood nematode *Bursaphelenchus xylophilus*, grapevine flavescence dorée

phytoplasma, the *Bactrocera dorsalis* fruit fly, *Geosmithia morbida* fungus and its beetle vector *Pityophthorus juglandis*, in addition to the surveillance specifically targeted on French protected areas (in Brittany, Corsica and North-eastern France).

In the event of [detection of a quarantine pest](#), government agencies are alerted and, once it has been officially confirmed, a notification is sent by the NPPO (i.e. DGAL) to the European Commission and the international authorities (EPPO, IPPC). Where a pest considered to be particularly dangerous is detected, mandatory control measures are ordered by government in order to ensure its eradication or containment. Emergency plans are drawn up for the pests of most concern (cf. Part One, point 4-5). The application of mandatory measures to combat the pest is the responsibility of the owner of the plants and their execution will be subject to government verification – by the DGAL in this case.

Laboratories

The ANSES plant health laboratory, which has six sites, the main one based in Angers, has six NRL mandates. In addition to the validation of test methods, it provides diagnostic services, expert opinions and, in certain domains, training for the relevant SRAL inspectors. The DGAL-approved network comprises 19 laboratories.

Inspectors may carry out routine testing (usually for entomological identification) at entry points. However, the samples are invariably sent for confirmation to the National Reference Laboratory or the laboratories approved for plant protection tasks.

2.8 – PLANT PROTECTION PRODUCTS

[Issues and priorities](#): PPP usage is a major issue for both food sanitary safety and the environment. Controls and policies for incentivizing a reduction in their use form one component of a wider-ranging policy which, due most notably to the impacts on biodiversity, exemplifies the “One health” approach. Changes in practices are an important part of the European Commission’s “Farm to Fork” strategy. Authorizations to place plant protection products on the market represent the starting point for their use. The control priorities subsequently focus on the marketing and application of these products and contribute to the general scheme for assessment of food sanitary safety, including plant crops intended for animal feed.

Competent authorities

ANSES is responsible for the issuance of marketing authorizations and permits for plant protection products (PPP), with the exception of derogations for cases of phytosanitary emergency which fall within the remit of the Ministry of Agriculture (DGAL).

The DGCCRF, and ANSES in some circumstances, have a role in inspections on the premises of manufacturers and packagers.

Checks at the distribution stage (whether the purchaser is a professional or not) are performed by the DGCCRF, the DGAL and in some cases by ANSES. Checks on on-line sales fall within the exclusive remit of the DGCCRF.

Checks on PPP use are carried out by the DGAL and also include detection of residues in farm crops.

The competent authority acting as “point of contact” for the European Commission for this regulatory domain is the DGAL.

NB: The Ministry of the Environment and the Ministry of Employment also have a role with regard to the rules for the classification, labelling and packaging of these products.

Marketing authorizations for plant protection products

ANSES is responsible for the issuance of decisions on marketing authorizations (AMM) relating to plant protection products, in addition to applications for permits for experimentation or parallel trade involving these products. It receives, registers and assesses the admissibility of the relevant decisions and permits. Decisions on AMMs (authorization, modification, rejection and withdrawal) and permits are examined in light of the results of scientific evaluations, the agronomic context in which the product is used, and/or the existence and characteristics of other products available on the market.

When importing plant protection products, the DGDDI checks the presence and validity of marketing authorisations for these products.

Controls on plant protection products placed on the market

The DGCCRF, and ANSES in some circumstances, exercise control over PPP release to market. It is important to verify that the products placed on the market are compliant with regulations to ensure that products whose harmlessness and effectiveness have not been evaluated do not enter circulation. For products legally on the market, the aim is to verify the match between their composition and the product’s announced effects and actual characteristics. That is why the DGCCRF, and in some cases ANSES, regularly inspect the companies responsible for their initial market release (production/manufacture, imports). The DGAL and the DGCCRF also carry out checks at the distribution stage. In this context, the task is to examine the conditions in which they are offered for sale, the application of the regulations specific to the sector and the actual composition of the products, most notably by means of sampling.

The activities of ANSES are focused on establishments formulating, packaging and labelling products in order to verify the traceability of their composition and formulation, in addition to their packaging and labelling when they leave the production line, in addition to the application of new methods of control.

ANSES and the various inspection and control bodies answering to the DGAL and the DGCCRF work in coordination, exchanging information on their annual planning and overall results, as well as on the establishments visited, doing so in conjunction with the regional food departments of the Regional Directorates for Food, Agriculture and Forests (DRAAFs) and the directorates for the protection of the public in the *départements* (DDPP) in order to avoid repeated checks by a series of inspection agencies.

The steady increase in online PPP sales is resulting in rising numbers of cases of fraud involving the selling of products that are not authorized in France.

The DGAL's Veterinary and Phytosanitary Investigation Unit (BNEVP) is specifically tasked with combating illicit PPP marketing. These operations may be national in scale and possibly involve regional or even EU inspection agencies. The BNEVP is the point of contact for EUROPOL on issues of copyright infringement. The unit with the DGDDI takes part in coordinated operations organized by EUROPOL such as Operation SILVER AXE against unauthorized or counterfeit pesticides.

Other types of fraud fall within the shared remit of the DGAL and the DGCCRF.

Controls on the use of plant protection products

These checks, performed by the inspectors of the Regional Departments for Food (SRAL) are placed under the responsibility and direction of the DGAL. The purpose of the inspections is to verify adherence to the conditions governing PPP holding, use and registration in accordance with regulatory provisions aimed at the protection both the safety of plant production and the environment (sustainable PPP use). This also includes checks on seed treatments.

On-farm inspections accounted for nearly 80% of checks on "farm inputs" carried out in 2020 (5,000 out of a total of 6,500). Samples taken from primary crops in order to test for PPP residues (contamination) are subjected to testing of "multi-residue" type. Crops are targeted on the basis of the risk of the presence of plant protection products and the importance of the type of production. Around 1,200 samples are taken every year.

Users who are "application service providers" (treating seeds on production premises using mobile equipment, or treating crops directly) account for approximately 10% of annual controls.

Procedures for detection of PPP residues in plant products placed on the market are described at point 1.

Checks on "other users" of plant protection products (e.g. parks, public spaces, recreational areas), which are essentially focused on protection of the environment, account for around 3% of all controls.

Laboratories

The SCL laboratory in Lyon is attached to the Ministry of the Economy and Finance and is the only facility tasked with the testing of PPP formulations.

The DGAL uses a network of nine approved laboratories and four 4 NRLs for testing to detect residues in crops and harvests.

Reduction of the use of plant protection products is a strong desire of the general public and a necessity for the safeguarding of our health and of biodiversity. The *Écophyto II+* plan embodies the undertakings given by government and injects renewed energy into the achievement of the goal of reducing the use of these products by 50% by 2025 and abandonment of glyphosate no later than 2022 for all applications, if possible.

The *Écophyto II+* plan is intended to reinforce the previous plan (*Ecophyto II*) by including measures contained in the action plan of 25 April 2018 focused firstly on "plant protection products and less pesticide-dependent agriculture" and secondly on those of the "glyphosate abandonment plan" announced on 22 June 2018.

Implementation of a phytopharmacovigilance scheme has been assigned to ANSES. This programme of vigilance on plant protection products covers contamination of habitats, exposure and impacts on living organisms, including human health, and on ecosystems as a whole, in addition to phenomena relating to the appearance of resistance. The purpose of phytopharmacovigilance is to detect as early as possible indications and warnings that may need to lead to steps for prevention or limitation to an acceptable residual level of the risks associated with plant protection products. This scheme provides ANSES with the means to anticipate, detect, analyse and prevent the undesirable effects of plant protection products.

2.9 – ORGANIC FARMING

Organic farming production must meet the requirements stipulated in EU regulations and in French regulations where certain specific aspects and sectors are concerned. As of the close of 2019, over 70,000 operators (producers, processors, distributors, importers), including more than 47,000 agricultural holdings (over 10% of all holdings) had adopted this approach in France.

Issues and priorities

For the last more than ten years, the organic sector has experienced unflinching growth. Its acceleration has recently been all the more striking given that in just five years the organic farming area and the organic food market in France have doubled. The sector's dynamic has been underpinned by government through successive "Ambition Bio" programmes. The current programme for the years 2018-2022 announces ambitious goals of 15% of UAA and 20% organic products in public-sector institutional catering by 2022. This programme goes hand in hand with financial tools such as support payments for conversion to organic, organic tax credits and the *Fonds Avenir Bio* [organic future fund], all of which are intended to provide support for balanced development of organic supply and demand. The key issue for controls is to promote trust on the part of consumers and users of products bearing the official organic farming logo as part of their labelling (the EU or the French logo) in the context of the expansion of production and consumption of organic products.

For this reason, the priorities focus on adherence to the rules governing production by operators based in France and adherence to labelling rules.

Competent authorities

Inspection of operators prior to product market release falls within the remit of the INAO. Checks on products actually on the market are the responsibility of the DGCCRF, which may also take action at any stage in production.

The role of Agence Bio: Agence Bio, which was formed as a designated public interest grouping, is tasked with developing and promoting organic farming. It plays a role in aiding mutual consultation between government departments, trade bodies and interprofessional representative organizations, in addition to various other bodies, for programmes to foster the organization and development of organic farming in France. These programmes have three core focuses:

- collecting, analysing and producing data on the organic sector, acting as a national observatory of organic farming, based on the processing of notifications from organic operators;
- informing and promoting organic production to the general public and all agrifood stakeholders;
- helping structure French organic supply chains through management of the *Fonds Avenir Bio*.

The role of the DGPE in the regulatory process: the DGPE is responsible, in conjunction with the INAO and all directorates of the Ministry of Agriculture and other concerned ministries, for the definition of France's positions regarding EU regulations on organic production. It represents France and defends French positions previously validated by and between all relevant ministerial departments at meetings of the Committee on Organic Production (COP) and the Expert Group on Organic Production (GREX), both of which are organized by the European Commission.

Control planning and application

- **Controls on operators prior to product market release:** inspections on operators' premises are performed by staff from the certification bodies (CB) accredited by COFRAC under standard NF EN ISO/IEC 17065 and approved by the INAO.

The INAO grants approval to CBs for a range of categories and activities on the basis of their expertise and qualifications. Eleven CBs were approved as of early 2021; the development of organic farming has led to the designation of three new CBs in 2019 and more especially the expansion of CBs that are already approved.

Controls are based on the CB's control plan as approved by the INAO, including the detailed procedures for risk analysis performed by the CB. In 2022, this principle will change with the implementation of common control provisions defined by the INAO for application by all CBs. Failings observed by a CB in the course of its controls are to be treated in accordance with the provisions contained in the national catalogue of measures for application in the event of irregularities or offences established by the INAO and further supplemented by the provisions specific to each individual CB with regard to the sectors covered by French product mandatory specification sets applicable to organic farming.

Each CB's control planning must provide for at least one physical inspection per year per operator in compliance with EU requirements. In addition, CBs must carry out a risk analysis based on three core criteria (previous inspection findings, relevant product quantity and risk attached to trade in the products) in order to focus operator selection for inspection visits based on additional sampling, unannounced inspections and control visits and operators on whose premises samples need to be taken (other than in cases of suspected fraud). Other criteria such as the combined nature (i.e. organic/non-organic products) of the operator's activities or recent commencement of production can be applied. In 2022, there will be changes in the risk analysis criteria with the entry into application of regulation (EU) 2018/848 on organic farming.

In 2019, the total number of visits under the authority of the INAO (physical inspections, sampling, additional visits) was 69,221 on the premises of producers, 155 in aquaculture production facilities and 23,919 on the premises of processors, added to which were 12,898 checks on distributors and 937 on importers. The number of inspections is likely to increase in line with the expansion of national production.

Supervision of control bodies is provided by the INAO, which notably verifies the effectiveness of their checks and their handling of observed failings. This supervision also notably involves technical evaluations of these bodies on the basis of a guide. Preparation of these evaluations takes into account the history of past evaluations, knowledge of the strengths and weaknesses of the organization concerned, the number of years' experience and any reports of poor practice. Each control body is evaluated once yearly.

- **Controls on products placed on the market:** The DGCCRF verifies the accuracy of the information associated with marketed products of all origins (French or foreign) relating to claims referring to organic production. Taking all investigations together (i.e. national, regional and local), approximately a thousand operators are inspected every year, involving all stages in sector supply chains (production, processing, distribution, catering, online sales, imports). An annual national control plan focuses more closely on operators without certification requirements, operators whose certification has been withdrawn by their certification body, fraud detection and higher-risk sectors identified in previous investigations. Checks are directed at verifying adherence to certification obligations and production rules (for French products) in addition to the conformity of label statements. Alongside this, the DGCCRF produces an inspection plan for pesticide residues in organic products. In this connection, products are targeted on the basis of instances of non-compliance observed in previous years and information on fraud risks identified in country/product matrices.

- **Import controls** are described at point 2.11 below.

Laboratories

The INAO and DGCCRF use a network of laboratories for testing. Tests focus mainly on residues of plant protection products in plant production.

2.10 – UTILIZATION AND LABELLING OF PROTECTED DESIGNATIONS OF ORIGIN, PROTECTED GEOGRAPHICAL INDICATIONS AND TRADITIONAL SPECIALITIES GUARANTEED

France protects products covered by European quality, origin and traditional speciality signs, foreign products included, produced and/or marketed on its national territory. That protection covers:

- product names linked to their geographical origin (Protected Description of Origin – PDO, Protected Geographical Indication – PGI, and, for spirit drinks and aromatized wines, Geographical Indications – GI);
- product names linked to traditional expertise (Traditional Speciality Guaranteed – TSG).

These products, which are registered in the European Union, must obey specific rules for their production, these being embodied in sets of mandatory specifications, and their names must be protected (e.g. against improper use, misappropriation of notoriety, fraud). In addition, certain non-European product names must also be protected as Geographical Indications (GIs) under international agreements to which the European Union is party.

As of the end of 2020, 148 agrifood product PGIs were registered in France, as were 51 PDOs for dairy products (mainly cheeses) and 56 PDOs for other agrifood products (fruit, vegetables, olive oil, among others), in addition to 53 GIs for spirit drinks. Two TSGs were registered in 2020: Bouchot mussels and Le Berthoud cheese.

Controls on winegrowing products (excluding ciders, spirit drinks and aromatized wines) are within the scope of the MANCP only where fraudulent or deceptive practice is identified.

Issues and priorities

The main issue for controls is to promote trust on the part of consumers and users of products whose labelling contains one of the official logos for "PDO", "PGI", "TSG" or "GI". France produces a large number of such products and these add to the value of the relevant economic sectors. Official controls focus on products registered in France in addition to all products marketed across the country irrespective of origin (France, EU or third-country).

Competent authorities

Checks on operators registered in France prior to market release of products fall within the remit of the INAO. Checks on products of all origins and proposed for sale in France fall within that of the DGCCRF. The latter is active at all stages in the marketing of products (production, processing, wholesalers and distribution, online included, and catering).

Control planning and application

- **Controls on operators prior to product market release:** controls on operators registered in France are performed by certification bodies (CB) or inspection bodies (IB) accredited by COFRAC under standards NF EN ISO/IEC 17065 and NF EN ISO/IEC 17020 respectively and granted official approval for each individual quality sign (PDO, PGI, TSG, GI) and for each product category by the INAO, bodies to which the latter has

delegated the control tasks. The INAO has put in place documented procedures for inspections for the guidance of operators and certification bodies and inspection bodies (CB/IB).

Controls are applied on the basis of a control or inspection plan drawn up by the CB/IB responsible for checks on the product covered by the EU quality sign and approved by the INAO. Each control plan describes in detail the procedures for checks on adherence to mandatory specifications and these are carried out at all stages in the production cycle and on the product itself at defined intervals.

Controls may be physical or document-based and performed either at the site of production or off-site. Testing is also performed by laboratories approved for this by the INAO. Where applicable, and in light of the stipulations contained in the product specifications, organoleptic testing may be carried out by specially formed panels of judges proceeding in conditions of anonymity.

Control frequencies are set when the control and inspection plans for each product are approved by the INAO. Determination of this frequency may provide for modulation to reflect product volume or the option of increasing control pressure based on control findings in previous years or information supplied by producer groups in connection with internal inspections. Frequency may be set at the national level for each category of operators in a given sector, taking into account non-compliance risks for each operator category.

Over 49,000 checks were carried out in 2019 for these quality and origin signs.

The INAO provides supervision of certification bodies and inspection bodies, notably verifying the effectiveness of their controls and, in the case of certification bodies, their handling of observed breaches. This supervision notably involves technical evaluations of these bodies based on a guide shared with organic farming. Preparation of these evaluations takes into account the history of past evaluations, knowledge of the strengths and weaknesses of the organization concerned and any reports of poor practice. Each control body is subject to regular evaluation at intervals ranging between 12 and 18 months.

- Controls on products placed on the market: the DGCCRF verifies the accuracy of the information placed on products offered for sale irrespective of origin (French or foreign) relating to claims referring to a PDO, PGI or TSG (including products using PDO/PGI/TSG ingredients). Taking all investigations together (national, regional, local), approximately a thousand operators are inspected every year at all stages in sector supply chains (production, processing, distribution, catering, online sales, imports), care being taken not to overlap with INAO checks. A national control plan focuses more closely on operators not subject to INAO control and those whose certification has been withdrawn by their certification body, fraud detection and higher-risk sectors identified in the course of earlier investigations. Risk analysis also takes into consideration the outcomes of past inspections, knowledge of the regional economic fabric and reports of issues communicated by the INAO, the European Commission or competent authorities abroad. Checks cover adherence to certification obligations, labelling, product composition and traceability, and observance of transitional national protections and transitional periods. Steps are also taken to detect improper use and misappropriation of notoriety relating to PDOs, PGIs and TSGs, along with deceptive or fraudulent presentations. The DGCCRF further endeavours to ensure proper account is taken of origin rules laid down in other EU texts (regulation on consumer information and regulations on the common organization of markets).

Laboratories

The INAO and the DGCCRF have a network of laboratories for the performance of testing. These tests depend on the specifications and mandatory criteria applicable to products and may be very varied in nature.

2.11 –IMPORTS AND EXPORTS (THIRD COUNTRIES)

2.11.1 – Import controls

Issues and priorities

The EU single market has pushed international sanitary and phytosanitary borders back to the outer frontier of the European Union and instituted mandatory inspection points at points of entry into EU territory. This means that in very many cases imports of animals, plants and their products arriving in the European Union from third countries must be presented at border inspection posts with the necessary inspection facilities and competent personnel prior to the application of customs procedures. These border inspection posts are located near borders at points where traffic is highly concentrated (seaports, international airports and major road arteries), an additional fact being that 80% of all flows (excluding those from the United Kingdom) go through – where entry into the EU via France is concerned – Roissy-Charles de Gaulle airport and the ports of Le Havre and Marseille – Fos.

In the wake of Brexit, the United Kingdom has third-country status and these sanitary and phytosanitary controls are mainly (98%) concentrated at points of entry via Calais (the port, Channel Tunnel and Boulogne), along with Dunkirk and Caen-Ouistreham.

Import controls may also focus on the application of fair trade rules to foodstuffs: this is the case for checks on organic farming products.

In order to prevent non-compliant imports entering the EU market, mechanisms exist for:

- specific authorization of exports to the European Union for certain provenances and, in some cases, production establishments;
- identification of higher-risk products;
- adoption of harmonized control rules aimed at preventing entry into the market of non-compliant products and avoiding situations in which products rejected by one Member State are able to enter the EU market via another Member State;
- application of controls within Member States.

Competent authorities and customs authorities

The DGAL, DGCCRF and DGDDI are involved prior to the application of customs procedures, depending on the nature of the imports described below.

The DGDDI also has assigned customs tasks outside the scope of the MANCP. These various operations are conducted in close collaboration.

Lastly, the customs authorities are responsible for checks on personal baggage and pets accompanying travellers, in addition to prevention of illegal imports.

Application of controls

In the case of animals and the highest-risk products, checks take place at border inspection posts specifically designated for certain imports of animals and products. They determine import release and are carried out before the release into free circulation of the goods concerned. The DGDDI, acting in pursuance of its customs mission, verifies the presence and validity of Common Health Entry Documents or CHED (in the case of organic farming, the inspection certificate for imported organic products) at the point of release for free circulation.

In practice, importers use TRACES NT, the European Commission's information system, to notify the arrival of consignments in advance. On completion of the mandatory controls preceding customs formalities, issuance (or refusal of issuance) is also registered in this information system, which is shared by all European Union countries. In the case of imports at French border inspection posts, interconnection with the French customs computer system enables the status of Common Health Entry Documents to be verified automatically.

Other controls are also organized for imported products after completion of customs formalities – for example, on the premises of wholesale importers.

Veterinary inspections of animals and products of animal origin are aimed at protecting human and animal health against infections, zoonotic diseases and chemical contamination potentially linked to imported commodities. They include systematic document (sanitary certificate) and identity checks. They are carried out by the SIVEP, a DGAL national-level department responsible for veterinary and phytosanitary border inspections. Where live animals are concerned, physical inspections are systematic and notably include a check on the welfare of animals being transported. For products of animal origin, physical inspections are carried out at intervals that vary according to EU regulatory requirements and the level of sanitary risk for individual types of product. Thus, sampling and analysis plans, partly harmonised at European level, are carried out each year, for example on residues of veterinary medicines and prohibited substances in animal products.

Consignments of **animal feed of non-animal origin** are inspected by the DGAL's SIVEP department.

Inspections of **food products of non-animal origin** are the responsibility of the DGCCRF and DGDDI (for controls at Dunkirk, Calais, Marseille and Le Havre) to verify their compliance with European sanitary requirements. For example, this involves verification that they do not have levels of pesticide residue or of certain contaminants (e.g. Salmonella, mycotoxins, radionuclides) that exceed permitted limits. After completing a risk analysis conducted at EU level, lists of products to be inspected from countries presenting sanitary risks are drawn up on the basis of a "product/origin/risk" triad. The same rule applies to food contact materials (FCM), some of which may require specific surveillance due to the risk of chemical migration.

Some of the inspections described above are now carried out by the DGDDI – at Calais, Dunkirk Marseille and Le Havre for the time being.

Checks to verify the **absence of unauthorized GMOs in seeds** imported from third countries and, where authorized GMOs are present, the conformity of the labelling are performed by the SIVEP. Due to the risk of introducing unauthorized GMOs into Europe, these checks focus essentially on consignments of maize and rapeseed seeds sourced in third countries in which the growing of genetically modified maize crops is being developed.

In addition to the objective of protecting human health against infection and contamination, checks on **plants and plant products** are directed at verifying plant health in order to protect the environment and agriculture. For such phytosanitary aspects, document and identity checks are carried out according to EU requirements, accompanied by physical inspections at intervals determined by the level of phytosanitary risk, this frequency being a matter for discussion at EU level. These controls are applied by the DGAL's SIVEP department. Plants sourced in French overseas territories present specific risks in terms of protection against plant pests and they are also subject to controls before entry into EU territory.

The DGCCRF (for products of plant origin) and the DGAL (for products of animal origin and animal feed) are tasked with controlling imports of “organic farming” products and the validation of the electronic import inspection certificate for organic products (COI) that must obligatorily accompany all “organic farming” products entering the territory of the European Union. The DGDDI is tasked with controls on imports of products of plant origin in the case of the border inspection posts at Dunkirk, Calais, Marseille and Le Havre.

The DGDDI checks for the presence and the validity of the COI at the point of release into free circulation.

For all types of controls, physical inspection may involve the taking of samples for testing.

Once a consignment has been accepted at a French border inspection post, it may circulate throughout the entirety of European Union territory, other than in the case of livestock or certain animal by-products subject to specific rules. Non-compliant consignments (between 0.6% and 1.5%) are refused entry to EU territory and are either destroyed – particularly where they represent a risk to human or animal health or to crops – or sent back to the third country of origin. In addition, the European Commission and all EU Member States are informed and checks on goods from the entity concerned may then be enhanced at all European border inspection posts. According to the circumstances, import conditions may be revised and possibly strengthened up to and including an import ban.

Every year (excluding products sourced in the United Kingdom), the SIVEP (DGAL) inspects approximately 3,800 consignments of live animals (e.g. aquarium fish, day-old chicks, zoo animals). Similarly, every year over 38,000 consignments of products of animal origin from third countries are inspected by the SIVEP (70% of fisheries products). Where animal feed of non-animal origin is concerned, just under 2,900 consignments are checked each year (additives, feed cake, vitamins, minerals, etc.). Lastly, 66,000 batches of plants and plant products are inspected every year on phytosanitary grounds (fruit & vegetables, wood, wood packaging, seeds, plants, flowers and cuttings) and nearly 70 samples are taken of seed consignments for detection of GMOs. The DGCCRF checks over 24,000 consignments of food products of non-animal origin at border inspection posts and applies approximately 1,900 additional controls on products imported or introduced into France.

Brexit-related controls

Since 1 January 2021 and the final departure of the United Kingdom from the European Union, sanitary and phytosanitary controls have been in place for imports of animals and products from the United Kingdom. Five border inspection posts have been set up and three others have had their capacity expanded, including some with teams present on site 24/7. SIVEP staffing has been increased to cope with a volume of inspections some four times greater than that for other third countries. Specifically, 340 FTEs have been added to the SIVEP workforce, bringing it up to 420 FTEs as of the close of 2020.

Sanitary controls on plant products and controls on organic products are performed by DGDDI staff at certain border posts (Calais, Dunkirk, Marseille and Le Havre).

Dematerialized procedures, including transmission of accompanying documentation at the point of departure, have been implemented to optimize control throughput.

NB: The agreement between the European Union and the United Kingdom signed at the end of December 2020 provides for all the formal procedures for sanitary and phytosanitary controls and customs release into free circulation even where no customs duty is paid.

2.11.2 – Export certification

The expansion of international trade increases the risk of introduction and dissemination of unwanted organisms and materials. Mechanisms have been implemented to guarantee product compliance with legislation.

Firstly, the international community has developed mechanisms to protect the public, animals and plants, as well as the environment, against pests, diseases, toxins and other hazards. The World Trade Organization (WTO) is reliant on three standards organizations for ensuring the sanitary and phytosanitary safety of exported products: the International Plant Protection Convention (IPPC), the Codex Alimentarius and the World Organization for Animal Health (OIE). This means that where the regulations in an importing country so require, animals and products of animal origin intended for export must be accompanied by a sanitary certificate and plants, plant products and other products derived from them and intended for export must be accompanied by a phytosanitary certificate.

Issues and priorities

Exports (including to other countries in the European Union) of agricultural and agrifood products generate annual sales of €61 billion and a trade surplus of €7.8 billion (2019 statistics). Exports to third countries for which specific “export” certification may be necessary accounts for a little over one third (“France Diplomatie” infographics – February 2020). Negotiations for the opening up of markets to exports are described in the section headed “European and International Actions”.

Competent authorities

The competent authorities – DGAL and DGCCRF – have roles within their respective remits. Where plant health is concerned, on seeds and plants for planting, SEMAE can provide pre-certification input.

Control application

All products subject to sanitary or phytosanitary certification are also subject to systematic document checks by DGAL agencies. The decision to carry out physical inspections is taken on the basis of a risk analysis taking into account a range of criteria such as the nature of the products, the outcomes of inspections of the companies and their level of sanitary or phytosanitary efficacy.

Entities producing animal products are subject to specific official approval for exports based on terms laid down by certain third countries (e.g. USA, Australia) and are subject to specific inspections.

Where the DGCCRF is concerned, it issues export affidavits when asked to do so. This scheme allows companies to demonstrate to the authorities of third countries that they are subject to regular controls and that their products are suitable for consumption and compliant with French regulations.

Each year (excluding exports to the United Kingdom) approximately 300,000 sanitary certificates, 70,000 phytosanitary certificates and 50,000 DGCCRF export affidavits are issued by the devolved services (DD(ETS)PP, DREETS and DRAAF/SRAL). It should be noted that during 2020 the DGCCRF implemented a dematerialized procedure for export affidavits issued by its staff.

The United Kingdom's final exit from the European Union on 1 January 2021 will involve the implementation of specific conditions for export preregistration and certification following a timetable covering the years 2021 and 2022.

Exp@don and Expadon 2: tools for assistance in performing formal sanitary procedures for export. The DGAL has developed, in conjunction with FranceAgriMer, applications dedicated to exports to enable French exporters to obtain information on the sanitary and phytosanitary import requirements of destination countries and, in the case of Expadon 2, the online filing of applications for sanitary and phytosanitary export certificates, which has been a requirement for dairy products since February 2020.

APPENDICES

Appendix 1 – Competent authorities contact information and main legal texts on their assigned missions

General directorate for food (DGAL) at the ministry in charge of agriculture - *Direction générale de l'alimentation (DGAL) au ministère en charge de l'agriculture*
251 rue de Vaugirard – 75732 Paris Cedex 15
Website : <http://agriculture.gouv.fr/>

General directorate for competition policy, consumer affairs and fraud control (DGCCRF) at the ministry in charge of economy - *Direction générale de la concurrence de la consommation et des fraudes (DGCCRF) au ministère chargé de l'économie*
59 boulevard Vincent Auriol – 75703 PARIS CEDEX 13
Website : <http://www.economie.gouv.fr/dgccrf>

General directorate for health (DGS) at the ministry in charge of health - *Direction générale de la Santé (DGS) au ministère chargé de la santé*
14 avenue Duquesne – 75350 PARIS SP 07
Website : <https://social-sante.gouv.fr/>

National institute for origin and quality (INAO) - *Institut national de l'origine et de la qualité (INAO)*
12 rue Henri Rol Tanguy – 93100 Montreuil Sous Bois
Website : www.inao.gouv.fr/

Central directorate of the army health service (SSA) at the ministry in charge of Defence - *Direction centrale du service de santé des armées (SSA) au ministère chargé de la défense*
60 Boulevard du Général Martiel Valin – CS 21623 - 75509 Paris Cedex 15
Website : <https://www.defense.gouv.fr/>

Anses
14 rue Pierre et Marie Curie - 94701 Maisons-Alfort cedex
Website : <https://www.anses.fr>

FranceAgriMer
12 rue Henri Rol Tanguy – TSA 20002 – 93555 Montreuil Cedex
Website : <https://www.franceagrimer.fr/filieres-Vin-et-cidre/Vin/Accompagner/Dispositifs-par-filiere/Normalisation-Qualite/Bois-et-plants-de-vigne/>

SEMAE (Interbranch for seeds and plant propagating material)
44 rue du Louvre – 75001 Paris
Website : <https://www.semae.fr/>

General Directorate for customs and indirect taxation (DGDDI) at the ministry in charge of economy and finance - *Direction générale des douanes et droits indirects (DGDDI) au ministère chargé de l'économie et des finances*
Website : <https://www.douane.gouv.fr/>

CTIFL (Centre technique interprofessionnel des fruits et légumes)
97 boulevard Pereire, 75017 PARIS
Site internet : <https://www.ctifl.fr>

For the main texts defining missions and remit of those services, consult Légifrance (<http://www.legifrance.gouv.fr/>), the official website of the French government for the publication of legislation, regulations, and legal information, and on each of the competent authorities websites.

Cross-disciplinary legislation :

Decree of the 29th of April 2004 on the powers of Prefects and the State organisation in regions and departments (*Décret du 29 avril 2004 relatif aux pouvoirs des Préfets et à l'organisation des services de l'État dans les régions et les départements*)

Decree n°2009-1484 of the 3rd of December 2009 on interministerial departmental directions (*Décret n° 2009-1484 du 3 décembre 2009 relatif aux directions départementales interministérielles*)

Decree n°2010-1582 of the 17th of Decembre 2010 on the organisation and missions of State services in department and regions overseas, at Mayotte Saint Pierre and Miquelon (*Décret n° 2010-1582 du 17 décembre 2010 relatif à l'organisation et aux missions des services de l'État dans les départements et les régions d'outre-mer, à Mayotte et à Saint-Pierre-et-Miquelon*)

Ministry of agriculture, agrofood and forestry : DGAL, INAO, FranceAgriMer, SEMAE and CTIFL

Maritime fishing and rural code – Book II (veterinary public health and plant protection) (*Code rural et de la pêche maritime – Livre II (santé publique vétérinaire et protection des végétaux)*)

Maritime fishing and rural code – Book VI (productions and markets) (*Code rural et de la pêche maritime – Livre VI (productions et marchés)*)

Decree n°2019-1349 of 12 December 2019 and Decree n° 2021-1858 of 28 December 2021 amending the Rural and Maritime Fishing Code (designation of FranceAgriMer, SEMAE and CTIFL as competent authorities in Article R 250-1) (*Décret n° 2019-1349 du 12 décembre 2019 et décret n° 2021-1858 du 28 décembre 2021 modifiant le Code rural et de la pêche maritime (désignation de FranceAgriMer, SEMAE et du CTIFL en tant qu'autorités compétentes à l'article R 250-1)*)

Decree No. 84-428 of 5 June 1984 on the creation, organisation and operation of the French Research Institute for Exploitation of the Sea (IFREMER) (*Décret n° 84-428 du 5 juin 1984, relatif à la création, à l'organisation et au fonctionnement de l'Institut français de recherche pour l'exploitation de la mer (IFREMER)*)

Decree n°2010-429 of the 29 of April 2010 on organisation and remit of regional directorate for food, agriculture and forestry. (*Décret n° 2010-429 du 29 avril 2010 relatif à l'organisation et aux missions des directions régionales de l'alimentation, de l'agriculture et de la forêt*)

Decree n°2010-687 of the 24 June 2010 on organisation and remit of state services for state services of region and departments of Ile de France. (*Décret n° 2010-687 du 24 juin 2010 relatif à l'organisation et aux missions des services de l'Etat dans la région et les départements d'Ile-de-France*)

Decree 2013-130 of the 11 of February 2010 on organisation and remit of interdepartmental directorate for sea. (*Décret n° 2010-130 du 11 février 2010 relatif à l'organisation et aux missions des directions interrégionales de la mer*)

Decree n°2008-636 of the 30th of June 2008 on the organisation of the central administration of the ministry in charge of agriculture, food and forestry (*Décret n°2008-636 du 30 juin 2008 fixant l'organisation de l'administration centrale du ministère chargé de l'agriculture, de l'alimentation et de la pêche*)

Decision of the 25th of March 2021 on the organisation of the general directorate for food (*Arrêté du 25 mars 2021 portant organisation de la direction générale de l'alimentation*)

Decision of the 28th of December 2009 on the creation of a service of national competente called « Veterinary and phytosanitary inspection service at borders » (*Arrêté du 28 décembre 2009 portant création d'un service à compétence nationale dénommé «service d'inspection vétérinaire et phytosanitaire aux frontières (SIVEP)»*)

Ministry of economy and finances : DGCCRF

Consumer code

Decree n°2001-1178 of the 12th of December 2001 on the General directorate for competition policy, consumer affairs and fraud control (*Décret n° 2001-1178 du 12 décembre 2001 relatif à la direction générale de concurrence, de la consommation et de la répression des fraudes*)

Decision of the 21th of June 2011 on the organisation of the central administration of the General directorate for competition policy, consumer affairs and fraud control (*Arrêté du 21 juin 2011 portant organisation de l'administration centrale de la direction générale de la concurrence, de la consommation et de la répression des fraudes*)

Decision of the 14th of March 2006 on the creation of a service with national competency called « laboratories joint service of ministry of economy, finances and industry » (*Arrêté du 14 mars 2006 portant création d'un service à compétence nationale dénommé « service commun des laboratoires du ministère de l'économie, des finances et de l'industrie »*)

Decision of the 3rd of February 2014 on the competence of laboratories of the laboratories joint service to proceed to the analysis and trials based on the article R. 512-31 of the consumer code (*Arrêté du 3 février 2014 fixant la compétence des laboratoires du service commun des laboratoires à procéder à l'analyse et aux essais en application de l'article R. 512-31 du code de la consommation*)

Decree n°2020-1545 of the 9th of December 2020 on the organisation and missions of the regional directorates for economy, employment, work and solidarities, the departmental directorates for economy, employment, work and solidarities, the departmental directorates for economy, employment, work and solidarities and population protection (*Décret n° 2020-1545 du 9 décembre 2020 relatif à l'organisation et aux missions des directions régionales de l'économie, de l'emploi, du travail et des solidarités, des directions départementales de l'emploi, du travail et des solidarités et des directions départementales de l'emploi, du travail, des solidarités et de la protection des populations*)

DGDDI

Decree n°2007-1664 of the 26th of November 2007 on general directorate for customs and indirect taxation. (*Décret n° 2007-1664 du 26 novembre 2007 relatif à la direction générale des douanes et droits indirects*)

Decision of the 19th of December 2019 on the organisation of the general directorate for customs and indirect taxation (*Arrêté du 19 décembre 2019 portant organisation de l'administration centrale de la direction générale des douanes et droits indirects*)

Decree n°2007-1665 of the 26th November 2007 on organisation of the decentralized services of the general directorate for customs and indirect taxation. (*Décret n° 2007-1665 du 26 novembre 2007 relatif à l'organisation des services déconcentrés de la direction générale des douanes et droits indirects*)

Controls on safety and organic rules carried out by DGDDI staff are based on the Consumer code

Ministry in charge of health : DGS

Public health code – Book III (health and environment protection) and book VI (general administration for health) (*Code de la Santé publique – Livre III (Protection de la santé et environnement) et livre VI (Administration générale de la santé)*)

Law n°2009-879 of the 21st of July 2009 on the reform of hospital and patients, health and territories – State decentralised administrations (*Loi n°2009-879 du 21 juillet 2009 portant réforme de l'hôpital et relative aux patients, à la santé et aux territoires / Administrations déconcentrées de l'Etat*)

Decree n°2000-685 of the 21st of July 2000 on the central organisation of the ministry of employment, solidarity and remit of other services (*Décret n° 2000-685 du 21 juillet 2000 relatif à l'organisation centrale du ministère de l'emploi et de la solidarité et aux attributions de certains services*)

Decision of the 6th of April 2016 on the organisation of the general directorate for health (*Arrêté du 6 avril 2016 portant organisation de la direction générale de la santé*)

Decree n°2010-336 of the 31st of March 2010 on the creation of the regional health agencies (*Décret n° 2010-336 du 31 mars 2010 portant création des agences régionales de santé*)

Decree n°2010-786 of the 8th of July 2010 on the national control of regional health agencies (*Décret n° 2010-786 du 8 juillet 2010 relatif au pilotage national des agences régionales de santé*)

Decree n°2010-338 of the 31st of March 2010 on the relations between State's representatives in department, defense zone and region and the regional health agency for application of articles L. 1435-1, L. 1435-2 et L. 1435-7 of the public health code (*Décret n° 2010-338 du 31 mars 2010 relatif aux relations entre les représentants de l'Etat dans le département, dans la zone de défense et dans la région et l'agence régionale de santé pour l'application des articles L. 1435-1, L. 1435-2 et L. 1435-7 du code de la santé publique*)

Decree n°2010-344 of the 31st of March 2010 drawing conclusions, at regulatory level, of the effects of the law n°2009-879 of the 21st of July 2009 on the reform of hospital and patients, health and territories (*Décret n° 2010-344 du 31 mars 2010 tirant les conséquences, au niveau réglementaire, de l'intervention de la loi n°2009-879 du 21 juillet 2009 portant réforme de l'hôpital et relative aux patients, à la santé et aux territoires*)

Ministry of Defence : DCSSA

Maritime fishing and rural code – Book II (feeding, veterinary public health and plant protection), Title III and II (sanitary mandate) (*Code rural et de la pêche maritime – livre II (alimentation, santé publique vétérinaire et protection des végétaux), titre III et titre II (mandat sanitaire)*)

Defence code (*Code de la défense*) : articles R.3233-1 to R.3233-4

Decree n°2008-933 of the 12th of September 2008 on the particular status of the army practitioners (*Décret n° 2008-933 du 12 septembre 2008 portant statut particulier des praticiens des armées*)

Ministerial instruction n°149/DEF/DCSSA/AST/VET on the organisation and functioning of the armies veterinary services and veterinary support outside mainland (*Instruction ministérielle n°149/DEF/DCSSA/AST/VET relative à l'organisation et au fonctionnement des services vétérinaires des armées ainsi que du soutien vétérinaire hors métropole*)

Ministerial instruction n°3228/DEF/DCSSA/AST/VET of the 24th of November 2005 on the organisation and functioning of the quality service for the exercise of veterinary competences linked to the armies health service (*Instruction ministérielle n°3228/DEF/DCSSA/AST/VET du 24 novembre 2005 relative à l'organisation et au fonctionnement de la cellule qualité pour l'exercice des compétences vétérinaires rattachées au service de santé des armées*)

Anses :

Public health code – articles L1331-1 to 11 (*Code de la Santé publique – articles L1331-1 à 11*)

**Appendix 2 – Performance management, objectives and indicators
linked to the food chain official controls**

| Mission | Budgetary programme | Competent authority | Strategic objectives in the scope of the MANCP | Indicators |
|---|---|--|--|--|
| Agriculture, fooding, forestry and rural affairs | Programme 206 – Food sanitary security and quality (Qualité et sécurité sanitaires de l'alimentation) | General directorate for food (Ministry in charge of Agriculture) | Objective 1 Encourage practice changes in order to preserve public health and environment. Objective 2 Prevent and reduce sanitary risks at all production stages Objective 3 Insure sanitary control system's reactivity and efficiency | Indicator 1.1 – Pesticide and antibiotics control Indicator 2.1 - Anses activity follow-up Indicator 2.2 – Non-compliances follow-up Indicator 3.1 – Preparedness for sanitary risk management Indicator 3.2 – Control services efficiency |
| | Programme 149 - Agriculture, food, forest, fishing and aquaculture competitiveness and sustainability (Compétitivité et durabilité de l'agriculture, de l'agroalimentaire, de la forêt, de la pêche et de l'aquaculture) | National institute for origin and quality (INAO) (operator linked to the ministry in charge of agriculture) | Objective 1 Combine the economic and environmental efficiency of the farms, agri-food and forestry sectors Including the operational objective « part of the cultivated areas for organic production » | <i>No indicators linked to official controls</i> |
| Economy | Programme 134 – Development of companies and regulation (Développement des entreprises et regulations) | General directorate for competition policy, consumer affairs and fraud control (Ministry in charge of economy) | Objective 3 Insure a fair and secured market functioning | Indicator 3.2 – rate of operator's compliance following a request of the administartion |
| Health | Programme 204 – Prevention, sanitary safety and treatment offer (Prévention, sécurité sanitaire et offre de soins) | General directorate for health (Ministry in charge of health) | Objective 2 Prevent and control sanitary risks | Indicator 2.2 – Percentage of reports treated within 1 hour / total number of reports |
| Defence | Programme 178 - Preparation and use of forces (Préparation et emploi des forces) | Armies health service (ministry of Defence) | Objective 1 Enhance the support efficiency | No specific indicator |
| Management of public finances and human ressources | Programme 302 - Trade security and facility | General directorate for customs and indirect taxation (ministry in charge of economy and finance) | No specific indicator in the scope of the MANCP | |

Appendix 3 – Main legal bases linked to official controls

| Legal basis | Maritime fishing and rural code | Consumer code | Public health code |
|---|---|---|--|
| To control | Book II : Fooding, veterinary public health and plant protection L 205-1 to L 205-9 L 212-13 and L 214-20 L 221-5 and L 231-1 et 2 L 236-5 L 250-2, 3 and 5 L 251-18 and L 253-14 D 250-1-1 Book VI : Production and markets L 642-3, L 642-27 and L 642-34 L663-3 R 250-1 | Book V : Investigation powers and follow up L 511-1 to L 511-18 | <u>First part</u> : Book III : Health and environment protection L 1312-1 L 1321-5 Book IV : Health general administration L 1435-7 L 1421-1 |
| To enter on properties | Book II : Fooding, veterinary public health and plant protection L 205-5 and L 205-6 L 206-1 L 212-14 and L 214-23 L 221-8 and L 231-2-1 L 250-5, L 251-2 et L 251-7 L 253-15 Book VI : Production and markets L 642-3, L 642-27 and L 642-34 | Book V : Investigation powers and follow up L 512-5 to L 512-7 | Book III : Health and environment protection L 1321-5 Book IV : Health general administration L 1421-1 L 1421-2 L 1421-2-1 L 1435-7 |
| To obtain information and/or realise sampling | Book II : Fooding, veterinary public health and plant protection L 205-7 L 214-23 L 221-8 and L 231-2-1 L250-5 and L 250-6 L 253-15 and L 257-5 Book VI : Production and markets L 642-3, L 642-27 and L 642-34 L 633-3 | Book V : Investigation powers and follow up L 512-8 to L 512-16 (information and documents collection) L.512-17 (resort to a qualified individual) L 512-18 to L 512-22 (exchange and diffusion of information) L 512-23 to L. 512-38, L. 512-51 and following (sampling-consignment-seizure) | Book III : Health and environment protection L 1321-5 L 1322-13 Book IV : Health general administration L 1421-1 L 1421-3 L 1435-7 |
| On main offences and sanctions *administrative sanctions | Book II : Fooding, veterinary public health and plant protection L205-10 (penale transaction) et L205-11 (obstruction to the public force) L211-29 (protective measures) L215-1 to L215-13 (animals possession and circulation) L228-1 to L228-8 (animal health hazard) L237-1 to L237-3 (food safety and quality) L250-7 to L250-9*, L251-14*, L251-20 and L257-12 (plant health) L254-8* et L254-9*, L254-12*, L253-13* - L253-14 à L253-18 (phytopharmaceutical products) L257-8* et L257-12 (primary plant production) L258-2 (introduction of non indigenous macro-organism) Book VI : Production and markets L663-3* à L663-5 *, L671-14 à L671-16 (GMOs) L671-5 et L671-7 (Quality schemes) L661-7-1, R661-33 (vine cutting and plants) | L 531-1 and L. 531- 2 (obstruction to the public force) Fraudulent trade practices (L121-1 to 5 ; L 132-1 to 9) Fraud, falsification, european regulation offence... (book IV) | Book III : Health and environment protection L 1312-2 (obstruction to the public force) |

Appendix 4 – Division of missions among competent authorities

| Area of control | Central competent authority | Delegation of certain task or duties (where relevant) |
|--|--|--|
| Food (except european quality marks): | | |
| <i>Primary plant production</i> | | |
| Public health Primary plant production (including use of plant protection products) Primary animal production (including use of veterinary medicinal products) | DGAL | |
| <i>Food placed on the market or held for sale (at all the stages (production, manufacture, wholesaling, retail))</i> | | |
| Food safety (including meat inspection, residus and contaminants). | DGAL (food of animal origin), DGCCRF (food of vegetal origin), DGS (bottled water production) SSA (defence sector) | |
| Food contact materials, quality et loyalty of products GMO : Safety, quality and loyalty Additives and flavourings : Safety, quality and loyalty Ionization : Safety, quality and loyalty Novel food and improvers : Safety, quality and loyalty Consumer information (general labelling rules, nutritional characteristics, voluntary and governed by public authorities claims...). | DGCCRF | |
| Biotechnology : control of seeds and crops (GMOs) | | |
| Crops and field tests | DGAL | |
| Marketed seeds | DGCCRF | |
| Feed | | |
| On farms | DGAL | |
| Feed safety (manufacture, transport, GMO) | DGAL / DGCCRF | |
| Feed loyalty including GMOs | DGCCRF | |
| Animal health and identification | | |
| Primary production | DGAL | Health-centered organizations and mandated veterinarians Participation of veterinaray prationers (<i>vétérinaires sanitaires</i>) |
| Control of intra-UE trade | SSA (defence sector) | |
| Animal by-products | | |
| Animal by-products sector Control of intra-UE trade | | |
| Animal welfare | | |
| Farms, transport, killing Control of intra-UE trade | DGAL SSA (defence sector) | Mandated veterinarians |
| Plant health | | |
| Surveillance and pests control | DGAL | Health-centered organizations |
| | DGAL FranceAgriMer (vine cuttings and plants) SEMAE | Health-centered organizations |

| | | |
|---|---|--|
| Control and plant passports authorisation | (seeds of agricultural and vegetable species, potato plants, vegetable plants and strawberry plants) CTIFL (fruit propagating material of species listed in Annex 1 of Directive 2008/90/EC, certified or CAC, excluding strawberry plants, held by professional operators approved for fruit certification. | SEMAE : FN3PT (potato plants) |
| Plant protection products | | |
| Marketing authorisation | Anses | |
| Product marketing | DGAL DGCCRF Anses | |
| Sustainable use (Agricultural users and other professional users) | DGAL | |
| Organic farming | | |
| Control and certification of the producers and operators of the Organic farming sector (before marketing) | INAO | INAO delegates controls to control bodies (CB) |
| Controls of marketed products | DGCCRF | |
| Use and labelling of PDO, PGI, TSG | | |
| Control and certification of the producers and operators of these sectors (before marketing) | INAO | INAO delegates controls to control bodies (CB) |
| Controls of marketed products | DGCCRF | |
| Importation and exportation (third countries) | | |
| Importation (from third countries) | DGAL(SIVEP) (plant health, animal health and animal welfare, food of animal origin safety, seeds, GMOs, feed, organic products of animal origin) DGCCRF and DGDDI (food of vegetal origin safety, food contact materials organic, vegetal products, quality and marketing standards) | |
| Export certification to third countries | DGAL (plant health, animal health, food of animal origin safety, feed, animal by-products) DGCCRF (food of vegetal origin safety) | Delegated bodies for DGAL: Health centered bodies and mandated veterinarians, SEMAE Directorate for quality and official control |

Appendix 5 – Staff

| | Services | Number of staff (Full time equivalent – 2020/2021) |
|---|---|--|
| National level | DGAL | 215 |
| | DGCCRF | 129 |
| | DGS | 1,5 |
| | SSA | 104 (73 veterinarians + 31 technicians) |
| | INAO Controls carried out by CB | 8 Not determined |
| | Anses | 173 (172 Marketing autorisation + 1 controls) |
| | FranceAgriMer | 6 |
| | SEMAE | 6 |
| | DGDDI | 4 |
| | CTIFL | 5 |
| Regional level | DRAAF – SRAL | 890 Including 420 on import |
| | DIRM | 4 (part time) |
| | DREETS – pôle C | 35 |
| | ARS | 10 (estimation 2019 on bottled water) |
| | INAO (territorial delegation) | 25 |
| | SSA | See national level |
| | FranceAgriMer | 30 |
| | SEMAE | 44 |
| | DGDDI | Not available |
| Departmental/local level | DDPP/DDETSPP | 3 902 (ressources from program 206 – DGAL) |
| | DAAF (overseas) | 330 (ressources from program 134 – DGCCRF) |
| | DEETS (overseas) | + 6 200 « authorised » veterinarians who can be mandated (part time) |
| | DDTM | 31 (part time) |
| | SSA | See national level |
| | Customs - DGDDI | 26 |
| Analytical laboratories | National shared laboratory service (SCL) | 140 (part time) |
| | Laboratories designated by the ministry of agriculture, INAO and the ministry of health | Not determined |
| Contribution to risk assessment ant to expertise (outside MANCP) | Anses | 1 400 people |

Appendix 6 - Glossary

| | |
|---------|--|
| ANMV | French Agency for Veterinary Medicinal Products <i>Agence nationale du médicament vétérinaire (Anses)</i> |
| Anses | National Agency for Food Safety, Environment and Labour <i>Agence nationale de sécurité sanitaire de l'alimentation, de l'environnement et du travail</i> |
| ANSP | French national public health agency <i>Agence nationale de santé publique - Santé publique France</i> |
| ARS | Regional health agency <i>Agence régionale de santé</i> |
| BNEVP | National Brigade for Veterinary and Plant Health Investigations (DGAL) <i>Brigade nationale d'enquêtes vétérinaires et phytosanitaires (DGAL)</i> |
| CMA | Military Medical Centres |
| CNAVA | National Coordinator of Veterinary Activities in the Armed Forces (DCSSA) <i>Coordonnateur national des activités vétérinaires dans les armées (DCSSA)</i> |
| CTIFL | Inter-professional technical centre for fruit and vegetables <i>Centre technique interprofessionnel des fruits et légumes</i> |
| COFRAC | French accreditation body <i>Comité français d'accréditation</i> |
| DCSSA | Central Directorate of the Health Service of the armed forces <i>Direction centrale du service de santé des armées (ministère de la défense)</i> |
| DDETSPP | Departmental directorate for employment, work, solidarity and protection of the population <i>Direction départementale de l'emploi, du travail, des solidarités et de la protection des populations</i> |
| DDPP | Departmental directorate for the protection of the population <i>Direction départementale de la protection des populations</i> |
| DDT(M) | Departmental directorate for territorial (and maritime) affairs <i>Direction départementale du territoire (et de la mer)</i> |
| DGAL | Directorate General for Food (ministry of agriculture) <i>Direction générale de l'alimentation (ministère de l'agriculture)</i> |
| DGCCRF | Directorate General for Competition, Consumer Affairs and Fraud Repression (ministry of economy) <i>Direction générale de la concurrence, de la consommation et de la répression des fraudes (ministère de l'économie)</i> |
| DGDDI | Directorate General for Customs and Indirect Taxation (ministry of economy) <i>Direction générale des douanes et des droits indirects (ministère de l'économie)</i> |
| DGPE | Directorate General for the Economic and Environmental Performance of Enterprises (ministry of agriculture) <i>Direction générale de la performance économique et environnementale des entreprises (ministère de l'agriculture)</i> |
| DGS | Directorate General for Health (ministry of health) <i>Direction générale de la santé (ministère de la santé)</i> |
| DIASS | Joint forces directorates of health services <i>Direction interarmées du service de santé</i> |
| DMF | Military Medical Directorate <i>Direction de la médecine des forces</i> |
| DRAAF | Regional Directorates of food and feed, agriculture and forestry <i>Direction régionale de l'alimentation, de l'agriculture et de la forêt</i> |
| DREETS | Regional Directorate for the economy, employment, work and solidarity <i>Direction régionale de l'économie, de l'emploi, du travail et des solidarités</i> |
| DROM | Departments and regions overseas <i>Départements et régions d'outre-mer</i> |
| ENCCRF | National School on Competition, Consumer Affairs and Fraud Repression (DGCCRF) <i>École nationale de la concurrence, de la consommation et de la répression des fraudes (DGCCRF)</i> |
| ETP | Full time equivalent Equivalent temps plein |
| EPPO | European and mediterranean plant protection organization |
| EU | European Union |
| EURL | European Union reference laboratory |
| FTE | Full-time equivalent |
| FAO | Food and agriculture organization |
| FVI | France Veterinary International <i>France Vétérinaire International</i> |
| GMO | Genetically modified organism |

| | |
|---------|---|
| GV | Veterinary group Groupe vétérinaire |
| IFREMER | French research institute for exploitation of the sea <i>Institut français de recherche pour l'exploitation de la mer</i> |
| INAO | National institute for designations of origin <i>Institut national de l'origine et de la qualité</i> |
| IPPC | International plant protection convention |
| NPPO | National plant protection organization |
| NRL | National reference laboratory |
| OIE | World organisation for animal health |
| PAP | Annual performance project <i>Projet annuel de performance</i> |
| PGI | Protected geographical indication I |
| PDO | Protected Designation of Origin |
| PNCOPA | Multi annual national control plan (MANCP) <i>Plan national de contrôles officiels pluriannuel</i> |
| PS/PC | Monitoring plans / control plans (DGAL) <i>Plans de surveillance / plans de contrôles (DGAL)</i> |
| PP | Plant passport |
| NRBC | Nuclear, Radiological, Biological, Chemical |
| RAP | Annual performance report <i>Rapport annuel de performance</i> |
| RASFF | Rapid Alert System for Food and Feed |
| SCL | Common laboratory service <i>Service commun des laboratoires (DGCCRF)</i> |
| SEMAE | National Inter-professional Union on seed and plants including the Directorate for quality and official control <i>Groupement national interprofessionnel des semences et plants, en son sein la Direction de la qualité et du contrôle officiel</i> |
| SIVEP | National authority under the DGAL, in charge of veterinary and phytosanitary border controls <i>Service à compétence nationale chargé de l'inspection vétérinaire et phytosanitaire aux frontières (DGAL)</i> |
| SSA | Health service for the defence sector <i>Service de santé des armées (ministère de la Défense)</i> |
| SNE | National Investigation service (DGCCRF) <i>Service national des enquêtes (DGCCRF)</i> |
| SpF | Public health France <i>Santé publique France</i> |
| SRAL | Regional food service (DRAAF) <i>Service régional de l'alimentation (DRAAF)</i> |
| TSG | Traditional speciality guaranteed |
| WHO | World health organization |
| WTO | World trade organization |

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