



## Australian Government

### Department of Agriculture, Fisheries and Forestry

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**Country: European Union, EU dependencies and counties that adopt EU import regulations  
(such as Croatia, Macedonia, Albania, Norway, Switzerland, Iceland)**

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### European Union – Composite Foods

The purpose of this market access advice is to inform exporters of composite foods and suppliers of ingredients that the European Union (EU) has passed a regulation that changes its requirements for composite foods and introduces new EU composite product certificates (Regulation (EU) No 28/2012 as amended by Regulation (EU) No 468/2012). The EU regulation states that certificates need to be signed in the new format from 1 October 2012. There is a transitional arrangement in place until 1 January 2013. After this date, composite food consignments that arrive in the EU not accompanied by an appropriately completed EU composite food certificate, where relevant, will not be able to be imported into, transited through, or stored in the EU.

#### **BACKGROUND**

Composite foods are those that contain a mixture of processed animal products (such as meat, dairy, fish, egg, gelatine and honey) and processed plant products (grains, seeds, fruit or vegetables).

Veterinary checks on arrival at an EU border inspection post are required for composite foods that contain any amount of meat, or contain 50% or more, in total, of other processed animal products. These composite foods will need an EU composite product certificate that attests to the compliance of specific ingredients with EU requirements, such as having been produced in a country approved for EU import, processed in accordance with EU treatments, and produced in an EU-listed establishment. The rationale for this requirement is that processed animal product ingredients within composite foods may carry the same food safety and animal health risks as homogenous animal products, such as processed meat, fish, dairy and egg products.

The following products of Australian origin are not approved for export to the EU:

- Meat and meat products derived from poultry, rabbits and domestic pigs and
- Eggs and egg products. Note: Although Australian sourced eggs and egg products do not have EU approval, the composite product regulation allows foods that contain less than 50% egg products to be exported to the EU.

There are exemptions for some composite foods that do not include meat. Only composite foods under specific customs tariff codes require composite product certification. The exemptions and customs tariff codes are outlined in the next page of this advice.

**Note: The rules around exemptions are complex and EU countries may interpret Regulation (EU) No 468/2012 in differing ways. Therefore, it is important that if you are planning to export, or provide ingredients to be incorporated into, a product that may be classified on entry to the EU as a composite food, you are strongly recommended to clarify the EU requirements with your customers and EU border inspection posts. As the rules around exemptions and certification may be subject to differing interpretations by importing countries in the EU, DAFF has sent this market access advice to the European Commission requesting further clarification.**

## **EXEMPTIONS**

The following 2 groups of composite foods may be exempt from veterinary checks and health certification:

1. Composite foods that do not contain any meat products; and
  - where the total content of all the processed animal product ingredients makes up < 50% of the food; and
  - the foods are stable at room temperature; and
  - the foods are clearly labelled as being intended for human consumption; and
  - the foods are safely packed or sealed in clean containers or packaging.

Note: If these composite foods contain dairy products, they must have information on their label and in accompanying commercial documentation stating that the dairy ingredients originate from countries approved by the EU for imports, and have been processed in accordance with EU requirements.

- Dairy products that originate from Australia or meet Australia's import requirements comply with the EU's country of origin requirements;
  - Dairy products that have been pasteurised in accordance with Australia's requirements comply with the EU's processing requirement.
2. Composite foods that do not contain any meat and are described as:
    - Biscuits and similar small bakery products, bread, and cakes;
    - Chocolate and confectionery (including sweets);
    - Unfilled gelatine capsules;
    - Food supplements packaged for the final consumer, containing small amounts of animal product, and those including glucosamine, chondroitin or chitosan;
    - Olives stuffed with fish;
    - Pasta and noodles; and
    - Soup stocks and flavourings that are packaged for the final consumer, containing meat extracts, meat concentrates, animal fats, or fish oils, powders or extracts.

## **CUSTOM TARIFF CODES FOR COMPOSITE FOODS REQUIRING CERTIFICATION**

The model certification templates in Regulation (EU) No 468/2012 include the following customs tariff codes for composite foods:

- 16.01 – Sausages;
- 16.02 – Prepared or preserved meat;
- 16.03 – Extracts and juices of meat, fish, crustaceans, molluscs and aquatic invertebrates;
- 16.04 – Prepared or preserved fish, caviar and fish egg caviar substitutes;
- 16.05 – Prepared or preserved crustaceans, molluscs and aquatic invertebrates;
- 19.01 – Food preparations containing cereals, flour, starch and malt, such as infant preparations, dough and bakers mix;
- 19.02 – Pasta and couscous;
- 19.05 – Pastries and patisseries ;
- 20.04 – Frozen vegetable preparations;
- 20.05 – Unfrozen vegetable preparations;
- 21.03 – Sauces, condiments and mixed seasonings;
- 21.04 – Soups, broths and homogenous food preparations;
- 21.05 – Ice cream and other edible ice; and
- 21.06 – Protein concentrates, and textured protein substances.

## **CERTIFICATION**

Certificates issued after 1 October 2012 will need to comply with certification requirements in Regulation (EU) No 468/2012. There are two templates in this regulation, one for composite foods to be imported into the EU, and one for composite foods to be transited through or being stored in the EU. Note: The EU considers ship stores as product stored in the EU, and these products need to be accompanied by a storage certificate.

### **Information in the certificate for composite foods imported into the EU**

This certificate includes four sections that have attestations about the compliance of any processed meat ingredients, any processed dairy ingredients (unless the product is shelf-stable and then only if dairy makes up  $\geq 50\%$  of the composite food), processed fish ingredients if these ingredients make up  $\geq 50\%$  of the composite food, and processed egg ingredients if these ingredients make up  $\geq 50\%$  of the composite product. These sections should be crossed out if they do not apply.

Note: Composite products can be exported with a certificate with all four sections crossed out if they:

- are shelf-stable and contain no meat,  $< 50\%$  dairy,  $< 50\%$  fish and  $< 50\%$  egg content; or
- contain no meat or dairy, and  $< 50\%$  fish and  $< 50\%$  egg content.

Table 1 provides some examples to assist exporters to complete the different sections of certificate.

These attestations refer to:

- Whether the ingredient has been sourced from a country that has been approved by the EU to send this ingredient to the EU;
- Whether the ingredient has been sourced from an EU-listed establishment (e.g. slaughter, wild game, meat preparation, meat processing, dairy processing, fisheries vessel, fish processing, egg processing establishments); and
- Whether the ingredient has been processed in accordance with EU's animal health treatments: heat treatment for emu and ostrich meat; pasteurisation for dairy products; and heat treatment for eggs.

### **Information in the certificate for composite foods transiting through or being stored in the EU**

This is a simplified version of certificate which is to be used for composite foods to be imported into the EU. This certificate does not include information about the ingredients being sourced from EU-listed establishments. It also does not include any information about fish ingredients.

This certificate includes three sections that have attestations about the compliance of any processed meat ingredients, any processed dairy ingredients unless the product is shelf-stable (and then only if dairy makes up  $\geq 50\%$  of the composite food), and processed egg ingredients (if egg makes up  $\geq 50\%$  of the composite food).

These attestations refer to:

- Whether the ingredient has been sourced from a country that has been approved by the EU to send this ingredient to the EU (Note: Australian sourced export poultry meat, rabbit meat, pig meat and eggs do not have EU approval); and
- Whether the ingredient has been processed in accordance with EU's animal health treatments: heat treatment for emu and ostrich meat; pasteurisation for dairy products; and heat treatment for eggs.

### **Certificate development**

DAFF is currently developing import and transit certificate templates that will be used from 1 October 2012. The first templates developed will be in English, English-Dutch, English-French and English-German. Other language templates can be developed on request.

These certificates will only be available in a manual format as it is difficult for EXDOC to automatically incorporate information from several export programs. The manual certificates will be issued from DAFF regional offices after an assessment of the composite food's ingredients has been conducted to ensure they have been sourced from EU-listed establishments. Exporters are advised that this assessment may be a lengthy process and it is strongly recommended that exporters make allowances for the time this assessment will take when preparing composite foods for export. DAFF will provide exporters with instructions on how to complete this certificate on request.

## FURTHER INFORMATION

- Lists of EU approved establishments are available at the following link:
  - [http://ec.europa.eu/food/food/biosafety/establishments/third\\_country/index\\_en.htm](http://ec.europa.eu/food/food/biosafety/establishments/third_country/index_en.htm).
- A copy of the new regulation (Regulation (EU) No 468/2012) can be obtained from the following link:
  - <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2012:144:0001:0014:EN:PDF>.
- Advice about the import of composite foods into the United Kingdom is available at the following links:
  - <http://www.defra.gov.uk/animal-trade/2012/ovs-note-201215-imports-of-composite-products/>
  - <http://www.defra.gov.uk/animal-trade/2012/ovs-note-201223-importation-of-composite-products/>
  - <http://animalhealth.defra.gov.uk/about/publications/bip-compendium/training-day/20120619/Composite%20Products.pdf>
- Advice about the import of composite foods into Switzerland is available at the following link:
  - [http://www.bvet.admin.ch/ein\\_ausfuhr/01190/01208/index.html?lang=en](http://www.bvet.admin.ch/ein_ausfuhr/01190/01208/index.html?lang=en)
- Advice about the import of composite foods into Finland is available at the following link:
  - [http://www.evira.fi/portal/en/food/import\\_and\\_export/import\\_from\\_non-eu\\_countries/import\\_of\\_composite\\_products](http://www.evira.fi/portal/en/food/import_and_export/import_from_non-eu_countries/import_of_composite_products)

**TABLE 1: HOW TO COMPLETE CERTIFICATES FOR SOME EXAMPLES OF PRODUCTS**

Type of product and customs tariff code	Examples	How to complete each section of the certificate			
		II.2.A Meat products	II.2.B Dairy	II.2. C Fish	II.2.D Egg
<b>16.01 Meat sausages</b>	Beef, lamb, goat, horse, wild boar, venison or kangaroo meat sausages	Complete section on meat products. Include one of the codes BOV, OVI, EQI, RUF, SUW, RUW for the species, include A as the treatment, a country ISO code for the origin, and the EU meat product establishment number.	Only complete if food needs to be refrigerated and includes dairy products (such as milk, cream, cheese, butter), otherwise cross out section. Include the country ISO code for the origin, the EU establishment number, and the production date.	Cross out section	Cross out section

Type of product and customs tariff code	Examples	How to complete each section of the certificate			
		II.2.A Meat products	II.2.B Dairy	II.2. C Fish	II.2.D Egg
	Emu or ostrich meat sausages	Complete section on meat products. Include the code PFG details of the species, D as the treatment, the country ISO code for the origin, and EU meat product establishment number.	Only complete if food needs to be refrigerated or frozen and includes dairy products and include information as per the example listed above, otherwise cross out section.	Cross out section	Cross out section
<b>16.02 Prepared or preserved meat</b>	Beef, lamb, goat, horse, wild boar, venison or kangaroo meat meals and preparations containing >20% meat, such as casseroles, curries, pies, and crumbed meat	Complete section on meat products as with the beef, lamb, goat, horse, wild boar, venison or kangaroo meat sausage example. Cross out clause referring to treated intestines.	Only complete if food needs to be refrigerated or frozen and includes dairy products and include information as per the example listed for 16.01, otherwise cross out section.	Cross out section	Cross out section
		Complete section on meat products as with the emu and ostrich sausage example. Cross out clause referring to treated intestines.	Only complete if food needs to be refrigerated or frozen and includes dairy products and include information as per the example listed for 16.01, otherwise cross out section.	Cross out section	Cross out section
<b>16.03 Extracts and juices of meat, fish, crustaceans, molluscs &amp; other aquatic invertebrates</b>	Extracts, juices or concentrates of meat or seafood containing >20% meat or seafood	Only complete if the food is an extract or juice of meat, and include information as per tariff code 16.02, otherwise cross out section.	Only complete if food needs to be refrigerated or frozen and includes dairy products and include information as per the example listed for 16.01, otherwise cross out section.	Only complete if the food is an extract, juice or concentrate that contains > 50% seafood, otherwise cross out section. Include the country ISO code for the origin, and EU establishment number.	Cross out section
<b>16.04 Prepared or preserved fish, caviar &amp; fish egg caviar substitutes</b>	Meals and preparations containing >20% fish or fish eggs such as casseroles, curries, pies	Cross out section	Only complete if food needs to be refrigerated or frozen and includes dairy products and include information as per the example listed for 16.01, otherwise cross out section.	Only complete if the food contains > 50% fish, caviar or fish eggs, otherwise cross out section. Complete as for tariff code 16.03.	Cross out section
<b>16.05 Prepared or preserved crustaceans, molluscs &amp;</b>	Meals such as casseroles, curries, pies and preparations containing >20% seafood	Cross out section	Only complete if food needs to be refrigerated or frozen and includes dairy products and include information as	Only complete if the food contains > 50% seafood, otherwise cross out section. If need to	Cross out section

Type of product and customs tariff code	Examples	How to complete each section of the certificate			
		II.2.A Meat products	II.2.B Dairy	II.2. C Fish	II.2.D Egg
<b>aquatic invertebrates</b>			per the example listed for 16.01, otherwise cross out section.	complete, include information as for tariff code 16.03.	
<b>19.01 Food preparations containing cereals, flour, starch &amp; malt</b>	Infant preparations and meals, frozen pizza and other dough based products containing < 20% meat, seafood, dairy or eggs	Only complete if the product includes any meat, and include information as per tariff code 16.02, otherwise cross out section.	Only complete if food needs to be refrigerated or frozen and includes dairy products and include information as per the example listed for 16.01, otherwise cross out section.	Cross out section	Cross out section
<b>19.02 Pasta &amp; couscous</b>	Pasta and couscous meals that may contain < 20% ingredients of animal origin Stuffed pasta can have >20% meat	Only complete if the product includes any meat, and include information as per tariff code 16.02, otherwise cross out section.	Only complete if food needs to be refrigerated or frozen and includes dairy products and include information as per the example listed for 16.01, otherwise cross out section. Note: Pasta that does not contain meat may be exempt from certification.	Cross out section	Cross out section
<b>19.05 Pastries</b>	Pastries and pastry based meals that may contain < 20% ingredients of animal origin	Only complete if the product includes any meat, and include information as per tariff code 16.02, otherwise cross out section.	Only complete if food needs to be refrigerated or frozen and includes dairy products and include information as per the example listed for 16.01, otherwise cross out section.	Cross out section	Cross out section
<b>20.04 Frozen vegetable preparations</b>	Frozen meals, and vegetable preparations that may contain < 20% ingredients of animal origin such as curries, and casseroles	Only complete if the product includes any meat, and include information as per tariff code 16.02, otherwise cross out section.	Only complete if food includes dairy products and include information as per the example listed for 16.01, otherwise cross out section.	Cross out section	Cross out section
<b>20.05 Unfrozen vegetable preparations</b>	Chilled or shelf-stable meals, and vegetable preparations that may contain < 20% ingredients of animal origin such as curries, and casseroles	Only complete if the product includes any meat, and include information as per tariff code 16.02, otherwise cross out section.	Only complete if food needs to be refrigerated or frozen and includes dairy products and include information as per the example listed for 16.01, otherwise cross out section.	Cross out section	Cross out section
<b>21.03 Sauces, condiments &amp; mixed seasonings</b>	Sauces, condiments and flavourings that may contain < 20% ingredients of animal origin	Only complete if the product includes any meat, and include information as per tariff code 16.02, otherwise cross out section.	Only complete if food needs to be refrigerated or frozen and includes dairy products and include information as per the example listed for 16.01, otherwise cross out section. Note:	Cross out section	Cross out section

Type of product and customs tariff code	Examples	How to complete each section of the certificate			
		II.2.A Meat products	II.2.B Dairy	II.2. C Fish	II.2.D Egg
		Note: Meat extracts, concentrates and flavourings may be exempt from certification.	Dairy based flavourings may be exempt from certification.		
<b>21.04 Soups, broths &amp; homogenous food preparations</b>	Soups, broths and homogenous food preparations containing < 20% ingredients of animal origin	Only complete if the product includes any meat, and include information as per tariff code 16.02, otherwise cross out section. Note: Soups may be exempt from certification.	Only complete if food needs to be refrigerated or frozen and includes dairy products and include information as per the example listed for 16.01, otherwise cross out section. Note: Soup may be exempt from certification.	Cross out section	Cross out section
<b>21.05 Ice cream &amp; other edible ice</b>	Ice cream and edible ice containing < 20% ingredients of animal origin	Only complete if the product includes any meat, and include information as per tariff code 16.02, otherwise cross out section.	Include information as for tariff code 16.01.	Cross out section	Cross out section
<b>21.06 Food preparations not elsewhere specified</b>	Protein concentrates, and textured protein substances, such as cheese fondue that may contain meat and other animal products	Only complete if the product includes any meat, and include information as per tariff code 16.02, otherwise cross out section.	Include information as for tariff code 16.01.	Cross out section	Cross out section

Notes:

1. All products may contain grain products (flour, starch, breadcrumbs) or vegetables.
2. The country of origin stated on a composite product certificate may be Australia or any country that is able to export the specific type of animal product directly to the EU. The ISO code for Australia is AU. If the ingredients are sourced from two or more countries, all countries should be included. For example products that contain Australian and New Zealand origin meat products should state AU/NZ.

MICoR will be updated to incorporate the market access requirements for the EU as outlined above.

*The information provided above is current at the time of writing and is intended for use as guidance only and should not be taken as definitive or exhaustive. The Commonwealth endeavours to keep information current and accurate, however, it may be subject to change without notice. Exporters are encouraged to verify these details with their importers prior to undertaking production/exports. The Commonwealth will not accept liability for any loss resulting from reliance on information contained in this notice.*