



Port Health Controls for Imported Food

When you import food, whether it is for your own consumption, to sell or use within your own restaurant you must comply with the rules that have been put in place to protect human and animal health. There are additional rules in place to protect plant health; these are not covered in this guide.

What rules must I comply with?

There is a general rule that all food on sale in the UK must be safe to eat, however for certain products that are known to present a risk to public or animal health there are additional rules that you must comply with at import. If you do not comply with these rules your goods may be destroyed at your cost and you could be fined.

An import is when you bring a product into the EU from a country outside - a 3rd Country.

Products from other countries within the EU are in free trade; there are not any special import conditions as the production rules mirror those in place in the UK.

Who carries out checks on food?

In the UK, Port Health Officers (specialist Environmental Health Officers) and veterinarians carry out checks at the ports/ borders to make sure that food imported into the UK from outside Europe is safe to eat and that import conditions have been met.

Away from the border, food safety checks are carried out in food premises e.g. shops and restaurants by Environmental Health Officers. Trading Standards officers may also carry out checks to ensure that food standards are being met.

Which foods have special import conditions?

If you are intending to import food into the UK you should check to make sure that you are aware of any special import conditions that apply. Some of the foods that are subject to a special checking regime include meat, and fish and products including these – which are referred to as Products of Animal Origin or POAO. As well as controls on animal products some nuts, spices and dried fruit are also subject to special controls. Please see the leaflets about importing Products of Animal Origin and Importing High Risk foods for further information. You may need to obtain certificates from the food or veterinary authority in the exporting country before the goods are shipped for these products.

Where there are special import conditions, the port that the food can be imported through may be restricted and you should notify port health in advance of the goods arriving in the UK.

What legislation covers imports of food and what does it do?

The Official Feed and Food Controls (England) Regulations 2006 are the main regulations applicable to food imports. (There are parallel regulations in place throughout the UK). The Regulations give effect to Commission Regulation 882/2004/EC.

The regulations give Local Authorities the responsibility to monitor imports of food into the UK from outside the EU, and to perform official controls, which could include inspecting, sampling and detaining food consignments.

Where problems are found with the food, for example a non-permitted substance is found the legislation provides for control measures to be applied.

What happens when I import food?

Port health initially monitor the imports of food and feed by checking the manifest, this is carried out via the port community system; where this is available, or by checking the paper manifest. In ports and airports where this is not available, the local authority is not able to access information

about the food that is coming in before it arrives, you will be asked to provide information about food imports to the port health office.

If the information on the manifest is not sufficiently detailed or it appears that the consignment should be subject to controls it will be held at the port via the community system, HMRC or you will be notified that it is **detained** in writing. If your consignment is detained you will need to contact Port Health providing further information such as a copy of the invoice and Bill of Lading/ Airway Bill. If your consignment is a controlled product you will need to provide health certification etc (see guide relating to High Risk Food Products and Products of Animal Origin).

For more information see the [Businesslink](#) guide- Working with port health authorities, or contact your local port health office.

Levels of checking

Not every consignment will be checked at import. Checks are carried out on a risk basis. For products subject to special import controls there may be checking frequencies laid down in the legislation. The type of check that is carried out can vary, however there are essentially three types of check.

Documentary where the commercial documents are examined together with any certificates required to ensure that production conditions have been met and certified.

Identity where the documentation/ certification is matched up with the consignment through the checking of seals and consignment labelling/ lot numbers etc.

Physical a more detailed examination of the consignment where the state of the food is examined. May include the taking of samples for laboratory analysis.

What happens if my goods are not OK for import?

If a problem is found, port health will contact you and advise you of the options that are available, this can include the destruction, special treatment, re-dispatch (outside the Community) or other appropriate measures such as the use of feed or food for purposes other than those for which they were originally intended. You will be liable for any costs incurred in carrying this out.

Why is food safety important?

Public Health protection in relation to food is an increasingly important public health issue. Worldwide, measures are being put in place in response to increasing incidence of foodborne illness and consumer concerns.

Food safety

In the UK, the FSA is responsible for food safety policy and legislation. They aim *to protect public health from consumption of food, and otherwise protect the interests of consumers in relation to food.*

The food law in place in the UK is mainly derived from EU legislation. The overall approach is to track food from the farm to the fork. Where necessary, control measures are applied on a risk basis and are based on scientific advice. Controls are applied to all food and feed irrespective of whether it comes from inside or outside the EU. Port Health checks are carried out at the point of import into the EU. The import controls that are applied are part of a system designed to ensure that the same safety standards are observed for food produced outside the EU. In addition to the import checks, visits are made to the

Consumer choice

EU and UK law respects the consumer's right to informed choice by requiring informative labelling and publishing scientific advice so that consumers can have confidence in the food they eat and so that they can make ethical and health choices for example of through the provision of allergen information and the identification of GM ingredients.

Further Information

Sources of further information about:-

- the [EU approach to food safety](#) is available on the Europa website
- the FSA's work to protect health by [controlling imports](#) is available on their website. The UK's arrangements to protect food safety are set out in the [National Control Plan](#). (The plan also covers arrangements for the protection of animal and plant health.)
- [food safety and foodborne illness](#) is available on the WHO website.

Other regulations to look out for when importing food

Organic Products

If you are intending to market imported products as organic in the EU, you will need to comply with some additional import rules, and register with [Defra's Organic Farming Branch](#). Every consignment of organic product must be accompanied by a Certificate of Inspection issued by a 3rd Country Inspection Body. The certificate must be presented to port health for endorsement. There is a charge of £45 for the checking and endorsement of the certificate.

Medicinal Products

Medicinal products require authorisation from the Medicines and Healthcare Products Regulatory Agency (MHRA) before they can be sold in the UK. Products that are not classified as a medicinal product but are to be ingested are regulated as if they were food. There is guidance on classification available on the [MHRA website](#).

Chinese Herbal Medicines and other herbal remedies are also subject to special regulation. In addition to the regulations care should also be taken to ensure that products are not covered by other specific legislation such as that for products of animal origin or contain plant or animal material that is covered by CITES (the Convention on International Trade in Endangered Species of Wild Fauna and Flora).

In the UK CITES legislation is enforced at import by HMRC. The policy is the responsibility of Defra Global Wildlife Division. Further information about the products that are covered can be found at www.ukcites.gov.uk

GM and Novel Foods

Genetically Modified (GM) foods and other novel food types can only be marketed in the EU if they have passed a rigorous safety assessment.

A novel food is a food or food ingredient that doesn't have a significant history of consumption within the EU. Although the requirements cover all foods, fruit pulps, seeds and extracts intended for use as ingredients in fruit juices or energy drinks, are commonly affected. Care should be taken to ensuring that the permit where one has been issued covers the intended use.

You can find out more about importing [novel and GM products](#) on the FSA website.

Labelling

Food labelling is a complicated area, and many of the labelling laws are not enforced unless food is found on sale. However, there are certain labelling requirements that are enforced at import – these are related to the import requirements for the product e.g. products of animal origin may be required to carry a health mark and details of the country and processing plant where the goods originated. Detailed requirements are covered in the EU hygiene legislation.

As well as import requirements there are general labelling requirements for a product, there are legal requirements relating to this as well as some product specific information. You can find out more about this by visiting the [FSA website](#). If your product is found to have defective labelling at import, you will be advised of the defect and required to re-label the goods before they go on sale.

The local authority Environmental Health Department where you are based will be advised of the defect so that they are able to follow up the problem.

Packaging Materials

In general packaging should be:-

- clean and free from pests and sources of infection,
- protect the goods from contamination
- be of a suitable material to avoid contaminating the goods.

Sometimes legislation will lay down specific conditions relating to the transport of your goods, for example relating to the temperature, where this occurs; you should ensure that your transport arrangements observe this.

Wood packaging materials are specially regulated and may require a Phytosanitary certificate for plant health purposes. For further information about this check the [Forestry Commission's](#) website.

Contacts and Further Information

If you have any queries about the importation of goods into the UK there are a number of different places that you can go to for help.

Animal Health, an executive agency of the Department for Environment, Food and Rural Affairs (Defra) is responsible for imports of products of animal origin and can be contacted by:-

Email ahitchelmsford@animalhealth.gsi.gov.uk

Telephone 01245 358383

The Food Standards Agency, Imported Food Division has a useful website as well as a helpline and is the best contact for Public Health and Fish policy queries.

Website:- <http://www.food.gov.uk/foodindustry/imports/>

Helpline:- tel: 020 7276 8018

Email:- imported.food@foodstandards.gsi.gov.uk

Your Local **Port Health** team can be contacted on:-

APHA has information and guidance on their website as well as contact details of all Local Authority Port Health teams on www.porthhealth.co.uk

Businesslink have created a series of [guides to assist importers](#) which can be found at www.businesslink.gov.uk

EU Legislation is available online and can be located by looking in the Official Journal or by using the search facility

Official Journal <http://www.europa.eu.int/eur-lex/lex/JOIndex.do?ihmlang=en>

Eur-lex (search) http://europa.eu.int/eur-lex/lex/RECH_menu.do?ihmlang=en

Note: this site can be temperamental and it is sometimes more effective to use a search engine to locate documents.