

Sayı: 17812098-TİM.AKİB.GSK.SAN.2025/80-1100

Mersin, 24/02/2025

Konu: Mevzuat Değişikliği - Sınır Kontrol Noktası Dışındaki Kontroller Hk.

Sayın Üyemiz,

Avrupa Birliği Nezdinde Türkiye Daimi Temsilciliğinin yazısına atfen, Türkiye İhracatçılar Meclisi(TİM)'nden alınan yazıda, (AB) 2019/2123 sayılı Yetki Devrine Dayanan Komisyon Tüzüğü'nün yetkili makamların bitkisel ürünler, gıda ve yem sevkiyatları üzerinde sınır kontrol noktası dışında kimlik ve fiziki kontroller gerçekleştirilebileceği durumları ve koşullara ilişkin kuralları düzenlediği; operatörlerin ise sevkiyatın beklenen varış zamanını ve taşıma aracını, kimlik ve fiziki kontrollerin yapılacağı kontrol noktasının yetkili makamlarına bildirmek amacıyla ayrı bir Ortak Sağlık Giriş Belgesi (CHED) doldurarak resmi kontroller için bilgi yönetim sistemine (IMSOC) iletmeleri gerektiği ifade edilmektedir.

Anılan yazıda devamla, AB Resmi Gazetesi'nin 14 Ocak 2025 tarihli nüshasında yayımlanan, bir örneği ekli "Kimliğe yönelik ve fiziksel kontrollerin yapılacağı bir kontrol noktası için bir sınır kontrol noktasından ayrılan sevkiyatlara dair ayrı bir Ortak Sağlık Giriş Belgesinin sunulduğu koşullar açısından (AB) 2019/2123 sayılı Yetki Devrine Dayanan Tüzüğü tadil eden 31 Ekim 2024 tarihli ve (AB) 2025/65 sayılı Yetki Devrine Dayanan Komisyon Tüzüğü" kapsamında, sınır kontrol noktası dışındaki bir kontrol noktasına aktarılan sevkiyatın izlenebilirliğinin sağlanması ve ilgili makamların resmi kontrollerin sonucundan ve söz konusu sevkiyata ilişkin herhangi bir karardan haberdar edilebilmesini teminen operatörlerin iki CHED arasında bağlantı kurması gerekliliğinin getirildiği bildirilmektedir.

Bilgileri ve gereğini arz ederim.

Hasan Okan ŞENEL
Genel Sekreter Yrd.

Ek: AB Mevzuat Değişikliği- İngilizce (2 sayfa)





COMMISSION DELEGATED REGULATION (EU) 2025/65

of 31 October 2024

amending Delegated Regulation (EU) 2019/2123 as regards the conditions under which a separate Common Health Entry Document is submitted for consignments leaving a border control post for a control point where identity and physical checks are to be performed

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) 2017/625 of the European Parliament and of the Council of 15 March 2017 on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products, amending Regulations (EC) No 999/2001, (EC) No 396/2005, (EC) No 1069/2009, (EC) No 1107/2009, (EU) No 1151/2012, (EU) No 652/2014, (EU) 2016/429 and (EU) 2016/2031 of the European Parliament and of the Council, Council Regulations (EC) No 1/2005 and (EC) No 1099/2009 and Council Directives 98/58/EC, 1999/74/EC, 2007/43/EC, 2008/119/EC and 2008/120/EC, and repealing Regulations (EC) No 854/2004 and (EC) No 882/2004 of the European Parliament and of the Council, Council Directives 89/608/EEC, 89/662/EEC, 90/425/EEC, 91/496/EEC, 96/23/EC, 96/93/EC and 97/78/EC and Council Decision 92/438/EEC (Official Controls Regulation) ⁽¹⁾, and in particular Article 53(1), point (a), thereof,

Whereas:

- (1) Regulation (EU) 2017/625 establishes the framework for official controls and other official activities to verify compliance with Union agri-food chain legislation. That framework includes official controls performed on animals and goods entering the Union from third countries.
- (2) Commission Delegated Regulation (EU) 2019/2123 ⁽²⁾ lays down rules for the cases where and the conditions under which competent authorities may perform identity and physical checks on certain consignments referred to in Article 1(1), point (a), of that Regulation at a control point other than the border control post.
- (3) Article 2(1), point (d), of Delegated Regulation (EU) 2019/2123 provides that the operator notifies the competent authorities of the control point where identity and physical checks are to be performed of the expected time of arrival of the consignment and of the means of transport by completing and submitting a separate Common Health Entry Document ('CHED') into the information management system for official controls.
- (4) In order to ensure an adequate traceability of the consignment transferred to a control point other than the border control post and to allow the relevant authorities to be informed of the outcome of the official controls and of any decision on that consignment, operators should be required to link the two CHEDs.

⁽¹⁾ OJ L 95, 7.4.2017, p. 1, ELI: <http://data.europa.eu/eli/reg/2017/625/oj>.

⁽²⁾ Commission Delegated Regulation (EU) 2019/2123 of 10 October 2019 supplementing Regulation (EU) 2017/625 of the European Parliament and of the Council as regards rules for the cases where and the conditions under which identity checks and physical checks on certain goods may be performed at control points and documentary checks may be performed at distance from border control posts (OJ L 321, 12.12.2019, p. 64, ELI: http://data.europa.eu/eli/reg_del/2019/2123/oj).

(5) Delegated Regulation (EU) 2019/2123 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Amendment of Delegated Regulation (EU) 2019/2123

In Article 2(1) of Delegated Regulation (EU) 2019/2123, point (d) is replaced by the following:

‘(d) before the consignment leaves the border control post, the operator has notified the competent authorities of the control point where identity and physical checks are to be performed of the expected time of arrival of the consignment and of the means of transport by completing and submitting a separate CHED for that consignment into the information management system for official controls (“IMSOC”), and by linking the separate CHED to the CHED referred to in point (a);’.

Article 2

Entry into force

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 31 October 2024.

For the Commission
The President
Ursula VON DER LEYEN