

Position Paper

UEAPME¹ comments on the European Commission's consultation on inspection fees

Introduction

European Regulation EC882/2004 on the official controls performed to ensure the verification of compliance with food and feed law, animal health and animal welfare rules. In Article 26 it says that Member States shall ensure that adequate financial resources are available for official controls by whatever means considered appropriate, including through general taxation or by establishing fees or charges. Article 27 goes on to say that Member States may collect fees or charges for meat inspections. This means that legally fees may be charged for all food premises inspections.

At present generally only fees for meat inspections are charged. There is no fee for general food premises inspections.

SME perspectives on inspection fees

UEAPME is of the opinion that any inspection scheme has to be fair to all parties and be easily understood. In this context it is important to underline that all businesses have a right to a second opinion if they thought the original verdict of an inspector was unduly critical.

Any full cost recovery would prejudice small remote food businesses as the cost of transport by the inspectors would penalise them. This will not be acceptable for SMEs. There is no common interpretation of what might be considered as the costs of inspections and what might be seen as extras.

Many small businesses are not only specialised and so requiring inspectors with specialist experience. SMEs undertake a greater variety of functions where a larger enterprise may be limited to a single process.

Conclusion

Members of UEAPME's Food Forum believe that fees or charges should not be made for official controls.

Justification: Official inspections of food premises and operations are not to the benefit of the FBO but for the consumer. Therefore member states should pay for that service. You do not expect to pay your tax inspector to check your tax return because that is his job. Similarly the principle that "the polluter pays" does not apply as there is no pollution in this case. If deficiencies are found then national sanctions are available to deter any perceived benefits of non-compliance.

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¹ UEAPME subscribes to the European Commission's Register of Interest Representatives and to the related code of conduct as requested by the European Transparency Initiative. Our ID number is [55820581197-35](https://ec.europa.eu/transparency/regexp1/index.cfm?do=groupDetail.groupDetail&id=55820581197-35).