

99050049007000, 99050049007000

Food safety: cross-check experts - apply for approval

Heruntergeladen am 10.06.2025

<https://fimportal.de/xzufi-services/743526/L100038>

Modul	Sachverhalt
Leistungsschlüssel	99050049007000, 99050049007000
Leistungsbezeichnung I	Food safety: cross-check experts - apply for approval
Leistungsbezeichnung II	
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Thüringen
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Gewerbe (050)
Verrichtungskennung	Zulassung (007)
SDG-Informationsbereich	Erlangung von Lizenzen, Genehmigungen oder Zulassungen im Hinblick auf die Gründung und Führung eines Unternehmens
Lagen Portalverbund	Befähigungs- und Sachkundenachweise (2010200),

Modul	Sachverhalt
	Erlaubnisse und Genehmigungen (2010400)
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	09.03.2020
Fachlich freigegeben durch	Thuringian Ministry of Labor, Social Affairs, Health, Women and Family (TMA SGFF) Thuringian State Office for Consumer Protection (TLV)
Handlungsgrundlage	http://bundesrecht.juris.de/gpv/ http://bundesrecht.juris.de/pr_flabv/ http://bundesrecht.juris.de/lfgb/_43.html https://www.gesetze-im-internet.de/tabakerzg/index.html#BJNR056910016BJNE001401000 http://landesrecht.thueringen.de/jportal/?quelle=jlink&query=LM%C3%9CbG+TH&psml=bsthueprod.psml&max=true http://www.landesrecht-thueringen.de/jportal/?quelle=jlink&query=SozMinVwKostO+TH&psml=bsthueprod.psml&max=true http://bundesrecht.juris.de/gpv/ http://bundesrecht.juris.de/pr_flabv/ http://bundesrecht.juris.de/lfgb/_43.html https://www.gesetze-im-internet.de/tabakerzg/index.html#BJNR056910016BJNE001401000 http://landesrecht.thueringen.de/jportal/?quelle=jlink&query=LM%C3%9CbG+TH&psml=bsthueprod.psml&max=true http://www.landesrecht-thueringen.de/jportal/?quelle=jlink&query=SozMinVwKostO+TH&psml=bsthueprod.psml&max=true
Teaser	If you want to examine counter samples and/or duplicate samples within the scope of the official monitoring of foodstuffs and consumer goods you need an authorization from the competent authority for this activity.
Volltext	As part of the official monitoring of foodstuffs and consumer goods, random samples of foodstuffs, cosmetic products, consumer goods and tobacco products are regularly taken to check their marketability.

Modul

Sachverhalt

Only private experts who have been approved by the competent authority as counter-sample experts for this activity are authorized to examine the counter-samples or duplicate samples (with the exception of feedstuffs) specified in Section 43 (1) Sentence 2 of the German Food and Feed Code (LFGB) and Section 31 (3) Sentence 1 of the German Tobacco Products Act (TabakerzG).

Persons who are established in a Member State of the European Union or in another Contracting State to the Agreement on the European Economic Area for the purpose of practicing the profession of counter-sampling expert and who wish to practice the profession of counter-sampling expert in Germany only temporarily and occasionally as a service do not require a license, but must notify the competent authority in writing or electronically prior to their first activity. For this, reference is made to the service description "Food safety: Notification of temporary and occasional cross-border provision of services by counter-sample experts".

Erforderliche Unterlagen

The admission requirements are derived from Section 2 of the GPV and the Ordinance on Counter Sample Experts for Testing Laboratories (Gegenprobenachverständigen-Prüflaboratorienverordnung).

According to § 2 para. 1 GPV, only the following may be admitted as counter-sample experts for the examination of the counter-samples or duplicate samples specified therein

- State-certified food chemists,
- licensed veterinarians with a qualification as a specialist veterinarian in the area of investigation applied for admission or as a specialist veterinarian for public veterinary affairs, or
- persons with university degrees in natural sciences, if they prove relevant technical and legal knowledge by appropriate documents.

Modul

Sachverhalt

A further prerequisite for admission is two years of examination and assessment experience in the area of examination applied for, taking into account the requirements specified in Annex 1 to the Counter Sample Regulation.

If you are legally established in an EU Member State or in another EEA Contracting State for the purpose of practicing the profession as a counter-sampling expert (State of establishment) and wish to work permanently as a counter-sampling expert in Germany, the admission requirements according to Section 2 (2) sentence 1 GPV apply.

In addition, you must have a testing laboratory that has the appropriate accreditation for the area of investigation applied for, i.e., that meets the requirements of Article 37 (4) (e) in conjunction with (5) of Regulation (EU) 2017/625.

No persons shall be admitted who have the following grounds for exclusion pursuant to Section 2 (3) GPV:

- not reliable,
- activity in the official food, feed and consumer goods monitoring, including investigation or
- expected conflicts of interest in the performance of the activity as a counter-sample expert.

If you wish to be approved as a private expert for the examination of officially left samples according to § 31 Abs. 3 TabakerzG, the requirements according to the Counter Sample Expert Testing Laboratory Ordinance.

Voraussetzungen

The admission requirements are derived from Section 2 of the GPV and the Ordinance on Counter Sample Experts for Testing Laboratories (Gegenprobenachverständigen-Prüflaboratorienverordnung).

According to § 2 para. 1 GPV, only the following may be admitted as counter-sample experts for the examination of the counter-samples or duplicate

Modul

Sachverhalt

samples specified therein

- State-certified food chemists,
- licensed veterinarians with a qualification as a specialist veterinarian in the area of investigation applied for admission or as a specialist veterinarian for public veterinary affairs, or
- persons with university degrees in natural sciences, if they prove relevant technical and legal knowledge by appropriate documents.

A further prerequisite for admission is two years of examination and assessment experience in the area of examination applied for, taking into account the requirements specified in Annex 1 to the Counter Sample Regulation.

If you are legally established in an EU Member State or in another EEA Contracting State for the purpose of practicing the profession as a counter-sampling expert (State of establishment) and wish to work permanently as a counter-sampling expert in Germany, the admission requirements according to Section 2 (2) sentence 1 GPV apply.

In addition, you must have a testing laboratory that has the appropriate accreditation for the area of investigation applied for, i.e., that meets the requirements of Article 37 (4) (e) in conjunction with (5) of Regulation (EU) 2017/625.

No persons shall be admitted who have the following grounds for exclusion pursuant to Section 2 (3) GPV:

- not reliable,
- activity in the official food, feed and consumer goods monitoring, including investigation or
- expected conflicts of interest in the performance of the activity as a counter-sample expert.

If you wish to be approved as a private expert for the

Modul	Sachverhalt
	examination of officially left samples according to § 31 Abs. 3 TabakerzG, the requirements according to the Counter Sample Expert Testing Laboratory Ordinance.
Kosten	A fee range of EUR 150 to 900 is set for the granting of approval as a cross-check expert.
Verfahrensablauf	<p>For approval as a counter-sample expert, you must submit an application in writing or electronically to the competent authority of the federal state in which your headquarters are located.</p> <p>The application must state the examination area for which approval is sought. The application must be accompanied by the documents listed in Section 3 (1) to (3) of the Ordinance on the Approval of Private Counter-Sampling Experts and on Regulations for Official Counter-Samples (Counter-Sampling Ordinance - GPV) and the information required therein must be provided. The competent body shall grant the approval if the requirements for approval according to Section 2 (1) or (2) sentence 1 GPV are fulfilled, if there is no reason for refusal according to Section 2 (3) GPV and if you have signed a declaration of commitment according to the model in Annex 3 to the Ordinance on Counter Samples. Approval will be granted for the area of investigation applied for.</p>
Bearbeitungsdauer	<p>3 Monat(e)</p> <p>§ Section 6 ThürLMÜbG in conjunction with the deemed approval pursuant to Section 42 a ThürVwVfG</p> <p>A decision on the application must be made within a period of 3 months. The period begins with the receipt of the complete documents. It may be reasonably extended once if this is justified by the difficulty of the matter. Reasons must be given for any extension of the deadline. You will be notified of it in good time before the original deadline expires. If no decision is taken on the application within the 3-month period or the extended period, admission is deemed to have been granted. In case of a re-examination of the professional qualification according to § 4 para. 2 GPV, the result of the re-examination will be communicated within two months after receipt of the above mentioned notification and the complete documents.</p>

Modul	Sachverhalt
Frist	The application for approval as a counter-sample expert must be submitted in good time before the first activity. Once you have been approved, you must notify the competent authority immediately of any changes affecting your approval.
weiterführende Informationen	
Hinweise	<p>The Federal Office of Consumer Protection and Food Safety (BVL) publishes a list of cross-check experts approved in Germany on its website (www.bvl.bund.de --> Food --> For applicants and companies --> Cross-check experts). The list is updated regularly. The federal states provide the corresponding data.</p> <p>https://www.bvl.bund.de/DE/Home/home_node.html https://www.bvl.bund.de/DE/Home/home_node.html</p>
Rechtsbehelf	You can appeal against the decision on your application or against a decision not made in due time in accordance with the Administrative Court Code (objection, if necessary action before the Administrative Court).
Kurztext	<ul style="list-style-type: none"> • Who wants to examine counter samples and/or second samples within the scope of official food and commodity monitoring, need an authorization for this activity. • Written or electronic application must be submitted. • Certain requirements must be met, • Fees apply. • Responsible: Thuringian State Office for Consumer Protection (TLV)
Ansprechpunkt	<p>Thuringian State Office for Consumer Protection (TLV) Department 2 Tennstedter Street 8/9</p> <p>99947 Bad Langensalza</p> <p>E-mail: Abteilung2@tlv.thueringen.de</p>
Zuständige Stelle	
Formulare	The application for approval as a cross-check expert is

Modul	Sachverhalt
	submitted informally.
Ursprungsportal	Lebensmittelsicherheit: Gegenprobensachverständige - Zulassung beantragen, Food safety: cross-check experts - apply for approval