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Apply for approval as an expert for cross-checks

Heruntergeladen am 25.06.2025

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

Modul	Sachverhalt
Leistungsschlüssel	99050049007000, 99050049007000
Leistungsbezeichnung I	Apply for approval as an expert for cross-checks
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),

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	Erlaubnisse und Genehmigungen (2010400)
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	07.03.2025
Fachlich freigegeben durch	Thuringian Ministry for Social Affairs, Health, Labor and Family (TMSGAF)
Handlungsgrundlage	https://www.gesetze-im-internet.de/gpv/ https://www.gesetze-im-internet.de/pr_flabv/ https://www.gesetze-im-internet.de/lfgb/_43.html https://www.gesetze-im-internet.de/tabakerzg/_13.html https://landesrecht.thueringen.de/bsth/document/jlr-LM%C3%9CbGTH2009V11P6 https://landesrecht.thueringen.de/bsth/document/jlr-SozMinVwKostOTHrahmen https://www.gesetze-im-internet.de/gpv/
Teaser	If you want to test counter samples and/or duplicate samples on behalf of a company, you need an authorization from the competent authority for this activity. You can find out more here.
Volltext	<p>As part of the official monitoring of foodstuffs and consumer goods in trade, at manufacturers or importers, random samples of foodstuffs, cosmetics, consumer goods and tobacco products are regularly taken to check their marketability.</p> <p>For official sampling, a part of the sample or a second piece of the same type must be left at the establishment or person to be sampled. This sample is officially closed or sealed.</p> <p>If you as a private expert (counter sample expert) wish to examine such a counter sample and/or second sample on behalf of a company, you require a license for this activity.</p>
Erforderliche Unterlagen	<ul style="list-style-type: none"> • Identity document • Complete curriculum vitae in tabular form • Official certificate of good conduct (document type O - for submission to an authority)

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- Declaration by the applicant that no criminal proceedings or investigations by the public prosecutor are pending against him/her
- Declaration that there are no grounds for exclusion pursuant to Section 2 (3) GPV and that the work as a cross-check expert can be carried out independently and free of any conflict of interest
- Proof of qualification: Permission to use the professional title "food chemist" or Certificate of the 2nd state examination or license to practice as a veterinarian with proof of specialty veterinarian or a university degree in natural sciences with proof of relevant specialist and legal knowledge.
- Proof of two years of examination and assessment experience in accordance with the attached "Instructions" with the requirements for the professional examination and assessment of counter or duplicate samples (Annex 1 to Section 2 (1) GPV)
- If the company does not have its own office, confirmation from the owner that the samples may be examined on its premises and that the examination of the counter-samples can be carried out independently of instructions.
- If approval for microbiological tests is applied for, a permit in accordance with the Infection Protection Act.
- Proof of accreditation (certificate and register) of the laboratory in which the samples are to be analyzed (DAkkS)
- Submission of the declaration of commitment (Annex 3 to Section 3 (5) GPV)

Voraussetzungen

You may only be approved as a cross-checking expert if you

- are a food chemist with a state examination as a state-certified food chemist or
- are a licensed veterinarian with a qualification as a specialist veterinarian in the field of investigation applied for approval or a specialist veterinarian for public veterinary services or
- have a university degree in natural sciences and can provide evidence of relevant specialist and legal knowledge in the form of suitable documents. If necessary, you must explain the documents to the competent authority.

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An authorization also requires that you

- be able to provide evidence of two years of testing and assessment experience in the area of investigation applied for, taking into account the requirements specified in Annex 1 of the Counter Sampling Ordinance, and
- have a testing laboratory in accordance with § 5 GPV (ISO 17025-accredited) that has the appropriate accreditation for the area of investigation applied for.

Persons who have the following reasons for exclusion in accordance with Section 2 (3) GPV will not be admitted:

- not reliable
- Activity in official food, feed and commodities monitoring, including testing
- expected conflicts of interest when carrying out the work as a cross-checking expert

Kosten

A fee range of EUR 150 to EUR 900 has been set for the granting of approval as a cross-check expert.

Verfahrensablauf

- For approval as a cross-checking expert, you must submit an application in writing or electronically to the competent authority of the federal state in which your head office is located.
- The application must state the area of investigation for which you are applying for approval. The application must be accompanied by the required documents and the information requested therein must be provided.
- The competent authority will grant approval if the requirements for approval are met, there are no grounds for refusal and you have signed a declaration of commitment in accordance with the specimen in Annex 3 to the Crosscheck Ordinance.
- Approval is granted for the area of investigation applied for.

Bearbeitungsdauer

3 Monat(e)
§ Section 6 ThürLMÜbG in conjunction with the fictitious approval pursuant to Section 42 a ThürVwVfG

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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. An extension of the deadline must be justified. You will be notified in good time before the original deadline expires. If no decision is made on the application within the 3-month deadline or the extended deadline, the admission is deemed to have been granted. In the event of a review of the professional qualification in accordance with Section 4 (2) GPV, the result of the review will be communicated within two months of receipt of the aforementioned notification and the complete documentation.

Frist

The application for approval as a cross-checking expert must be submitted in good time before the first activity. After approval has been granted, you must notify the competent authority immediately of any changes that affect your approval.

weiterführende Informationen

Hinweise

The Federal Office of Consumer Protection and Food Safety (BVL) publishes a list of cross-checking experts approved in Germany on its website (www.bvl.bund.de --> Food --> For applicants and companies --> Cross-checking experts). The list is updated regularly. The federal states provide the relevant data.
https://www.bvl.bund.de/DE/Home/home_node.html
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Rechtsbehelf

You have the right to appeal against the decision on your application or against a decision that was not made within the deadline in accordance with the Administrative Court Regulations (objection, if necessary, legal action before the Administrative Court).

Kurztext

- Experts for counter-samples Approval
- Counter-sample experts are experts for the examination of officially retained samples within the

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	<p>meaning of Section 43 (1) sentence 2 of the German Food and Feed Code (LFGB).</p> <ul style="list-style-type: none"> • Anyone wishing to examine officially sealed counter or duplicate samples requires special authorization • Responsible body: Thuringian State Office for Consumer Protection, Department 23 Food Monitoring
Ansprechpunkt	Please contact the Thüringer Landesamt für Verbraucherschutz, Dezernat 23 Lebensmittelüberwachung.
Zuständige Stelle	Thuringian State Office for Consumer Protection, Department 23 Food Monitoring
Formulare	The application for approval as a cross-check expert is submitted informally.
Ursprungsportal	Zulassung als Sachverständiger für Gegenproben beantragen, Apply for approval as an expert for cross-checks