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INFORMATION

From:	General Secretariat of the Council
To:	Working Party on Plants and Plant Health Questions (Roosendaal Group) Working Party on Animals and Veterinary Questions (Potsdam Group)
Subject:	POTSDAM/ROOSENDAAL - UK - Questions addressed to the UK on SPS import controls under the final border Target Operating Model (BTOM) - UK authorities reply

Delegations will find in annex the reply from the UK authorities transmitted by the Commission services on the subject above-mentioned.

EU Questions on the UK(GB) Sanitary and Phytosanitary import requirements and procedures following the publication of the final Border Target Operating Model (BTOM)

UK Responses

General

1. Please elaborate on the purpose of certificates being required to accompany consignments of medium risk commodities from 31 January 2024 when documentary checks at the border would only apply from 30 April 2024.

The intention of introducing documentary checks ahead of physical inspections is to provide Official Veterinary assurance and traceability regarding the imports and to support trader readiness in completing EHCs (phytosanitary certificates, in the case of regulated plant commodities) ahead of physical inspections at the border. The outcome of documentary checks in this period will be used to provide feedback to traders prior to the commencement of checks at the border.

2. Please specify which commodities (animal products, plants and composites) from the low-risk category are currently undergoing assessment that may result in them moving to a different category. Please specify when those risk assessments will be finalised.

PLANTS: For plants, the fruit and vegetables categorised as low risk and being assessed are all those not listed in either the high or medium risk categories referred to in this link here

Risk assessments are a dynamic process, so all commodities remain under continuous review, but fruit and vegetables are being prioritised to address uncertainties to make sure they are in the most appropriate category. Any changes to the TOM risk categories for goods from the EU arising from current risk assessments will not take place without the appropriate notification.

ANIMAL PRODUCTS: Risks are not static and therefore BTOM risk categorisation will be reviewed on an ongoing basis. Due to the broad nature of the risk categories, it is not expected that the risk category will change on a frequent basis but that is dependent on the risk profile of the country of export and the degree of compliance with official controls.

We are currently reviewing the risk categories for Dairy and Composite products so as to better reflect the nature of the commodities within these broad categories. We will report the outcome of these assessments in 2024 and will give traders a period of time to implement any changes.

3. Please clarify the time that will be allowed between the implementation of the requirement for certification when a commodity is moved from the low-risk category to a higher risk category.

Where it is necessary to change a risk category then we will give businesses at least three months to implement the change. For the changes expected for Dairy and Composite products we will give businesses a reasonable period of time to adapt to any change.

4. Could the UK make publicly available a list with the countries which can send their certificate as a PDF document (beyond e-signed PDFs from TRACES) and define the procedure and conditions for a country being included to that list?

GB requirements are set out in retained GB legislation Regulation 2019/1715, which , states that a certificate requires a qualified electronic signature, a qualified electronic seal, a qualified electronic time stamp.

GB intend to accept PDF certificates, provided that they meet requirements set out in retained legislation above.

Defra has confirmed with the EU Commission that countries using TRACES will issue e-signed, electronically sealed and time stamped PDF export health certificates.
Defra has also been engaging with EU member states and EFTA countries who do not use TRACES, we have set out a list below of the countries we have engaged to date and our knowledge of countries who use the TRACES system.
GB would be grateful for confirmation of any countries that we have not engaged, who are not using TRACES for exports to GB.

Country	Live Animals	POAO	Validated PDFs agreement
Netherlands	Non-TRACES	Non-TRACES	Yes
Belgium	TRACES	Non-Traces	Yes
Spain	Non-TRACES	Non-TRACES	Yes
Switzerland (EFTA)	Non-TRACES	Non-TRACES	
Norway (EFTA)	Non-TRACES	Non-TRACES	Yes
Liechtenstein (EFTA)	Non-TRACES	Non-TRACES	
Iceland (EFTA)	TRACES	TRACES	
France	TRACES	TRACES	Yes
Denmark	TRACES	TRACES	Yes
Germany	TRACES	TRACES	
Hungary	TRACES	TRACES	Yes
Croatia	TRACES	TRACES	Yes
Latvia	TRACES	TRACES	Yes

Greece	TRACES	TRACES	Yes
Estonia	TRACES	TRACES	Yes
Portugal	TRACES	TRACES	Yes
Italy	TRACES	TRACES	Yes
Lithuania	TRACES	TRACES	Yes
Malta	TRACES	TRACES	Yes
Finland	TRACES	TRACES	Yes
Bulgaria	TRACES	TRACES	Yes
Cyprus	TRACES	TRACES	Yes
Austria	TRACES	TRACES	Yes
Slovenia	TRACES	TRACES	Yes
Romania	TRACES	TRACES	Yes
Sweden	TRACES	TRACES	Yes
Slovakia	TRACES	TRACES	Yes
Czech Republic	TRACES	TRACES	Yes
Luxembourg	TRACES	TRACES	Yes
Poland	TRACES	TRACES	Yes
Republic of Ireland	TRACES	TRACES* (TBC pending discussions)	Yes

Animals and animal products

5. Please provide the definition, preferably with a legal reference, of composite products the UK applies for the purposes of defining the risk categorisation of commodities imported into Great Britain.

According to Article 2(a) of Retained EU Decision 2007/275:, the following definition applies:

‘composite product: a foodstuff intended for human consumption that contains both processed products of animal origin and products of plant origin and includes those where the processing of primary product is an integral part of the production of the final product’;

This will be clear when we publish our more granular risk categorisation for composite (and dairy) products in 2024.

6. Please clarify whether infant formulas, follow-on formulas, food for special medical purposes (FSMP) and baby food that are composite products are exempted from official controls if they comply with the conditions in Article 6 of retained Commission Decision 2007/275/EC.

These products will continue to be exempt under the TOM if they meet the condition of Article 6 of retained Commission Decision 2007/275/EC.

7. A table where one can look up the risk category on the basis of commodity code, similar to the one that is downloadable on Import risk categories for animals and animal products imported from the EU to Great Britain, from 31 January 2024 - GOV.UK (www.gov.uk), would be useful for all the products, not only for live animals and (certain) products of animal origin. Would the UK consider producing such table?

We have recently published a further iteration of this table to include additional commodity codes for certain animal by products, including a number identified by stakeholders as being high priority. We continue to work to iterate our guidance on risk categorisation and improve its useability.

It is important to note that any tables or look-up tools are provided as guidance only, due to varying factors within each code such as composition, processing and intended use. The importer should therefore also cross reference with the published TOM categorisation summary tables to ensure they are making the correct SPS classification and are complying with all relevant import requirements.

8. Risk categorisation at tariff code level for technical products used in the life science industry: The published commodity table does not include tariff codes beyond 1605690000 and is missing animal-derived technical products commodities. When will measures for remaining Codes be published?

We have recently added a number of codes from Chapters 17-99 of the Trade Tariff to the published spreadsheet, including a selection identified by the life sciences sector. As noted, we will continue to iterate our guidance on risk categorisation to improve its useability.

9. ‘Highly processed’ commodities appear to be considered “low risk”. Please provide a definition of ‘highly processed’ and how is that to be demonstrated.

The wording “highly processed products” only refers to animal by-products and derived products not intended for human consumption (ABP), which are intermediate products or

derived products for use as laboratory reagents. We will be working with industry bodies to draw together expertise to provide a clear definition of these "highly processed" products and the criteria for meeting this definition.

10. 'Treated blood product' commodities appear to be considered "low risk". What is the definition of 'treated' and how is that to be demonstrated?

A "treated blood product" is one that has undergone treatment(s) as laid down in the current model health certification GBHC503 or GBHC501 and must be intended for uses outside the feed chain. To be able to be imported as "low risk" under BTOM, the treated blood products must still comply with all the attestations and conditions (such as safe sourcing/ establishment approval and treatments) as laid down in GBHC503 or GBHC501.

The criteria for being able to meet "low risk" and use commercial documentation under BTOM will be made available on Gov.uk in the near future.

11. Please clarify whether aside from untreated bloods, it is correct to assume all other commodities for the technical sector fall within low-risk category.

No, that is not correct. The requirements for ABP material to be deemed low or medium risk will depend on the ABP material being imported and its intended use once it arrives in Great Britain and is not dependent on the particular sector importing or using such ABP material.

Therefore, if the product imported is deemed "medium risk" under the BTOM risk categorisation, this risk categorisation will apply for the technical sector as well.

12. Please clarify whether "intermediate products" as defined in Annex XII of retained EU Regulation (EU) 142/2011 (which may contain mixtures of untreated/treated blood products and other/ non-blood products) are classified as being low risk?

Not all intermediate products will be low risk under the TOM. Only 'highly processed' intermediate products will be low risk. Guidance on what is meant by 'highly processed' will be published on gov.uk later this year.

The guidance will be developed through collaboration with relevant industry bodies.

13. Please inform how "finished products" like laboratory reagents and in-vitro diagnostic products (as outlined in point 30 in the preamble of retained EU law (EU) 142/2011) are regarded, e.g. low risk or out of scope?

Unless the laboratory reagents/ in-vitro diagnostic products are within scope of other legislation (as stated in Article 33 of Retained Regulation (EC) 1069/2009) and imported under said legislations, they are considered "in scope" of Retained (EC/EU) ABP Regulations.

If these products meet the criteria of a ‘highly processed’ intermediate product or ‘highly processed’ ABP for use as a laboratory reagent these will be considered “low risk”.

Guidance on what is meant by ‘highly processed’ will be published on gov.uk later this year. The guidance will be developed through collaboration with relevant industry bodies.

14. Please confirm that UHT milk for human consumption falls into the low-risk category.

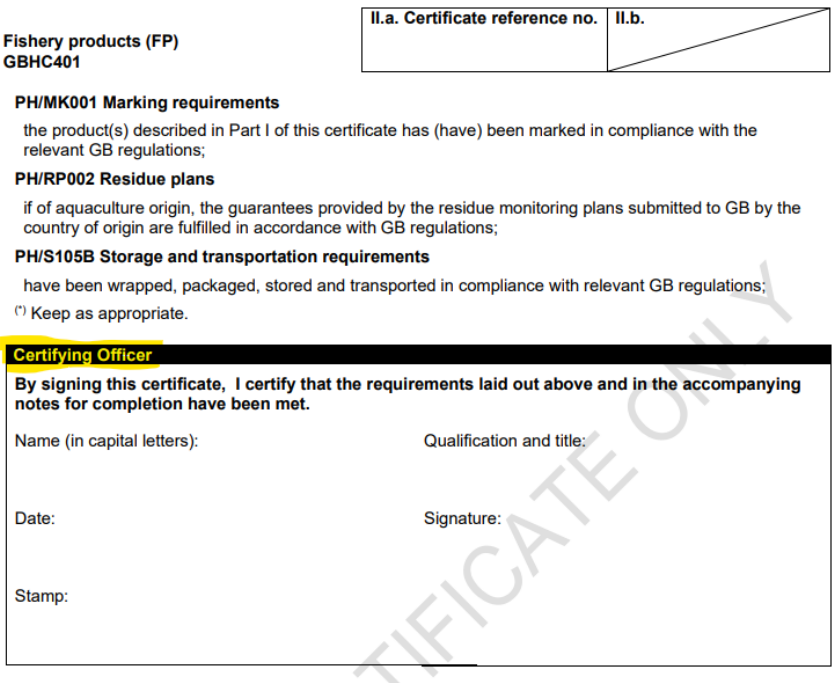
Yes, UHT milk is mentioned as an example low risk product in Table 2c of the online guidance: TOM risk categories for animal and animal product imports from the EU to Great Britain: summary tables - GOV.UK (www.gov.uk)

15. Please confirm that ESL (Extended Shelf Life) milk for human consumption is in the risk category Table 2c Dairy products and milk.

As long as any Extended Shelf-Life milk has been subject to pasteurisation or an equivalent or higher level of treatment e.g. UHT, we would consider this a non-raw product and if also shelf-stable at ambient temperature (and meets all the criteria laid out in Table 2a) it would therefore be a low risk product in table 2c.

16. In the BTOM only Official Veterinarians are referred to as certifiers for animal products. Are there any cases where the UK accepts that certificates for animal products could be certified by officials of the competent authority of the exporting country, other than “Official Veterinarians”?

Yes. Each of our model certificates states who should sign them, and it is not always an Official Veterinarian. For example, in GBHC401 Fishery Products, it is a Certifying Officer, as shown in the signature box:



Fishery products (FP)
GBHC401

II.a. Certificate reference no.	II.b.

PH/MK001 Marking requirements

the product(s) described in Part I of this certificate has (have) been marked in compliance with the relevant GB regulations;

PH/RP002 Residue plans

if of aquaculture origin, the guarantees provided by the residue monitoring plans submitted to GB by the country of origin are fulfilled in accordance with GB regulations;

PH/S105B Storage and transportation requirements

have been wrapped, packaged, stored and transported in compliance with relevant GB regulations;

(*) Keep as appropriate.

Certifying Officer

By signing this certificate, I certify that the requirements laid out above and in the accompanying notes for completion have been met.

Name (in capital letters): Qualification and title:

Date: Signature:

Stamp:

17. Questions on the summary of the Accredited Trusted Trader Scheme for animal products (from p. 44 BTOM):

a. According to the BTOM (page 45), the "Certification Logistics Pilot" will be tested from January 2024 with the aim to simplify the certification process and allow an 'Export Health Certificate' to be used from the point of origin of the goods (e.g. the production site) without having to re-apply certification in an EU consolidation hub before shipping to the UK. Please clarify whether that means that, in such case, when the goods are reloaded at an EU consolidation centre, no further inspection by an "Official Veterinarian" would be necessary.

That is correct for goods that are in scope of the CLP (packaged medium-risk POAO and ABP). The definition of packaged goods/ scope of the pilot will be tested during the pilots and reviewed as part of the evaluation.

b. According to the summary "Delivery of this pilot is dependent on EU Official Veterinarians being willing to certify goods in this way." We would appreciate more detailed information about what exactly "in this way" means?

Delivery of the pilot would require the EU certifier to issue the certificate knowing that the goods will be unloaded at the consolidation hub. We are seeking confirmation this will not prevent the issuing of the certificate for the goods at point of origin. Additionally, we will request that the certifier issues a schedule detailing the goods certified at pallet or container level. This will require a unique identification number provided by the trader that the certifying officer will verify and list in the schedule.

c. In addition, can the UK confirm that all provisions in the GB model export health certificates for animal products are compatible with the way of certifying goods to be detailed in the response to point b above?

We are confident that the EHC can be certified in line with the principles of the pilot. We are developing guidance that relates to how the EHC should be issued for the pilot and will be testing this with key stakeholders.

18. Please confirm that in case of groupage one does not have to provide information on the way of transport on the health certificate. If such requirement exists are there any particular conditions that need to be fulfilled?

When certifying animal product consignments as part of a groupage or mixed load into Great Britain, it is recognised that the identification of the final means of transport may not be available at the point of certification. In such cases, it is permissible for the certifying officer (CO) to use the word "groupage" as the identification of the means of transport. However, the final transport details must be provided accurately in the IPAFFS by the notifier in import declaration before the consignment arrives in Great Britain.

19. Is there more information on the ATTS – Certification Logistics Pilot and how this will work? It envisages certification from point of manufacture with no certification from the consolidation hub. Is there more detail on plans for this model or could you give us an example?

The Certification Logistics pilot will simplify the certification process for packaged products moving from a consolidation hub in the European Union (EU) to Great Britain. This is intended to reduce the burden on certifying veterinarian resource. This pilot only applies to EU/EFTA origin goods.

Trusted traders will be able to use an export health certificate (EHC) that contains a schedule providing pallet level information from the point of origin of the goods (such as a manufacturing site) without the need for re-certification at a consolidation hub in the EU prior to dispatch to Great Britain.

The certifying officer at the processing facility will be asked to:

- Complete the EHC for the relevant goods as standard
- Complete an additional schedule, listing the unique pallet numbers that are being certified

Following certification:

- The goods will travel to and be unloaded at the trusted trader operated consolidation hub, in line with agreed standard operating procedures
- The trusted trader may send the certified pallets on one or more vehicles
- The trusted trader will complete an additional declaration indicating which pallets are being sent on which vehicle, alongside the EHC.
- Trusted traders will have to ensure that animal and public health requirements have been upheld to ensure the integrity of the goods throughout transport, storage and any limited manipulation that is permitted (pallets divided amongst multiple vehicles at the trusted trader site).
- These assurances may include ID checks on arrival at the hub, temperature monitoring of the goods, training staff in the importance of biosecurity, and more.
- Their adherence to the agreed processes will be monitored through checks at the border where possible, and through routine audits that all trusted traders will be subject to.

20. Please clarify the import controls regime that will apply to the following scenarios:

a. Animal material exported from the UK, followed by importation into the EU and clearance for the EU market, but then re-exported from EU respectively re-imported (back) to the UK?

We will be confirming our approach to this scenario shortly.

b. Animal material exported from any third country, followed by importation into the EU and clearance for the EU market, but then re-exported from EU and imported back to the UK?

We will be confirming our approach to this scenario shortly.

21. Previously, there was UK guidance available on how to complete Part I of a health certificate. Will this guidance be updated for the revised UK Health Certificates published in August?

Following discussions with the European Commission, none of the Part I entries have changed as a result of the streamlining of GB Export Health Certificates. Guidance for completing Part I of a POAO health certificate has not changed, and is still available online. We are currently reviewing this guidance and an updated version will be available in the near future including an expansion to cover commodities other than POAO.

22. The "Model health certificate for certain meat products and treated stomachs, bladders and intestines (MP-PROD) GBHC353 v1.1 Aug-2" states on page 3:

(*)[AH/P400 Product requirements (ruminants)

"has been prepared from fresh meat from domestic bovine animals; domestic sheep and goats; domestic equine animals; domestic porcine animals; farmed non-domestic animals other than suidae and solipeds; wild non-domestic animals other than suidae and solipeds; wild non- domestic suidae; wild non-domestic solipeds and the fresh meat used in the production of the meat products"

Please clarify how the term (ruminants) should be understood. The text lists animal species that are not ruminants.

We believe you are referring to GBHC352, which has since been updated to remove the word "ruminants" from the attestation title.

23. Checks for live animals as high risk will be at 100% for physical and identity checks and be carried at BCPs except for zoo animals and hatching eggs/day old chicks to an approved site where checks may be done at point of destination. Are there any further details on how this process will be managed and work in practice?

We are developing the operational details of checks at destination for these species at the moment. As part of that we intend to speak to the relevant industry groups and stakeholders around how we see it working. There are no further details we can share now but happy to do so as soon as we can, most likely in early 2024.

24. The BTOM indicates that reduced checks for certain high health status (HHS) equines , will have no checks subject to a stakeholder data sharing model and that other HHS equines to have a reduced checks rate of 10%. Has this stakeholder engagement taken place, how is it envisaged that this would operate and is there a time frame for completion of engagement?

Defra has started the engagement process with the sector in the UK. Stakeholder engagement takes place in the form of bi-weekly meetings with the British Horse Council (BHC), the umbrella organisation for the equine industry. The BHC comprises representatives from the horse racing, thoroughbred breeding, elite competition, equine welfare, equine veterinary, leisure and trade sectors. Further details will be published in due course.

25. CHEDS are required for live animals from end of November 2023 to replace Import Notifications (IMPs). Is there any more information on how this will work in practice and on which platform would the CHED be raised initially?

Import notifications continue to be created and submitted on the Import of Products, Food and Feed System (IPAFFS). From 2 November 2024, the CHED-A Part 1 import notification replaced the IMP import notification on IPAFFS for the movement of live animals from EU and EFTA countries into GB.

This more closely aligns the import notifications for the movement of live animals from EU/EFTA countries and non-EU/EFTA countries, and supports the introduction of digital certificates for live animals in the near future.

26. From November 2023 a digital solution to allow direct cloning of digital live animal export health certificates from TRACES NT will be in place. Certificates will be available in GB system once the OV signs it off on TRACES. In practice will this prepopulate the IPAFFS notification?

We are committed to the use of digital certificates for the movement of live animals from EU and EFTA countries to Great Britain. The Clone a Certificate function on IPAFFS for live animals from countries using TRACES in the EU has completed the development phase and is currently undergoing rigorous testing to ensure that it delivers direct benefit for those creating and submitting import notifications

If a trader uses the 'Clone a Certificate' function in IPAFFs it will pre-populate the CHED with information that is available on the EHC, the remaining fields will need to be completed manually.

27. There is reference made to Live aquatic animals requiring reduced live animal checks at the border if they "meet certain criteria". What are these criteria?

The full details of the reduced check regime for certain live aquatic animals are not yet available. The reduced check regime will not be implemented until live animal BCP infrastructure for imports/transits from the EU is ready – this is likely to be late 2024.

28. Live Bivalve Molluscs (LBMs) for onward aquaculture are in high-risk category, LBMs for human consumption are medium risk category. Please clarify scope of what is meant by 'onward aquaculture' in this context?

In this context, we define onward aquaculture as any situation where the LBMs are being re-immersed in water. This includes LBMs going for depuration.

29. A frequently exported Fishery Animal By-Product is SPH90 (Spray dried- fish protein hydrolysate) which can be used as an ingredient in petfood, or if produced to the requisite standards, as an ingredient in protein powders for human consumption. Which certificate would be required if it was being exported as an ingredient in protein powder for human consumption? Can we have a full list of relevant ABP Certificates for fishery products?

For animal by-products and derived products not intended for human consumption (ABP) the following health certificates are available for fishery products for use as an ingredient in the manufacture of pet food:

Model health certificates for exports of live animals and animal products to Great Britain - GOV.UK (www.gov.uk)

- Fish oil: model health certificates – GOV.UK (www.gov.uk)
- Gelatine and collagen not intended for human consumption: model health certificates - GOV.UK (www.gov.uk)
- GBHC581_PAP_Processed_animal_protein_v1.1_Aug-23.pdf (publishing.service.gov.uk)
- GBHC584_HDT_Hydrolysed_protein__dicalcium_phosphate_and_tricalcium_phosphate_v1.1_Aug-23.pdf (publishing.service.gov.uk)
- GBHC565_PET-ABP_Animal_by_products_for_petfood_v1.0_May-23.pdf (publishing.service.gov.uk)
- GBHC564_PET-I_Innards_for_petfood_v1.1_Aug-23.pdf (publishing.service.gov.uk)

30. Cockle fishery – What are the minimum requirements for cockles? Are EHCs required?

Yes, EHC required as medium risk.

From 31 Jan 24:

- check the BTOM risk category for the commodity you're importing.
- continue to use IPAFFS to pre-notify authorities before the goods arrive in Great Britain – check the different PHA timescales.
- continue to provide IUU documents (if applicable) to the relevant port health authority (until 30 April 2024).
- upload a health certificate to IPAFFS if your goods are in the medium risk or high-risk category.
- Enter GB via a port with a Border Control Post (BCP), which is designated for your commodity.

From 30 April 2024:

- continue to follow the steps listed from 31 January 2024.
- upload your IUU documents (if applicable) to IPAFFS (instead of providing them to the port health authority).
- input required information from your IUU documents into IPAFFS.
- ensure your goods enter Great Britain through a Point Of Entry (POE) with a Border Control Post (BCP) that is designated to check your commodity.
- Expect physical and I.D. checks via a BCP depending on risk and their inspection regime.

a. Can vessels register as approved establishments for these purposes?

It is up to the Local Authority/Competent Authority in flag state of vessel. A vessel could be approved as a dispatch centre providing that the cockles are harvested from a Class A production or relaying area.

b. Can an agent register to export consolidated consignments of many small landings from individual fishermen?

Yes, providing the consolidated consignment is leaving from same point and delivered to same destination. Groupage details to be confirmed.

c. If they are being transported for further processing (i.e., cooking) what are the certification requirements?

As above at point 30.

31. Please indicate the certification requirements for the import of shellfish into GB as feed for wildlife parks.

Work is ongoing to confirm what the certification requirements are for live shellfish being imported into GB as animal feed. We will communicate the requirements when they are finalised.

If the shellfish are dead in shell (ABP): Annex XIV, Chapter IV, Section 2 of Retained Regulation (No) 142/2011 permits the competent authority to authorise the import of aquatic animals and their products for feeding to certain animals excluding land farm animals. Additionally, Article 13 of retained Regulation (No) 142/2011 permits the feeding of Category 2 and 3 material to zoo animals [which includes animals in wildlife parks].

From 31 January 2024 and for the duration of the Transitional Staging Period, these ABP may be imported from the EU using the ABP commercial document as per requirements laid down in EU Regulation (EU) No 142/2011.

Therefore, initially, from 31 January 2024, there will be no requirement to use general or specific authorisations or licences for these products from the EU. However, the future use of general or specific authorisations/licences for imports such as these, from the EU, is under review and further guidance will be provided when available.

32. Please clarify what would be the changes from 31 January 2024 for the import of wild caught bivalve molluscs (e.g. queen scallops) from EU vessels, in relation to documentation, direct landings and registration of the establishments. In addition, given the different timelines for the introduction of controls on products from Ireland, please clarify what will be the situation in relation specifically to Irish vessels from that date?

Please see details at the follow link:

https://www.gov.uk/guidance/importing-or-moving-fish-to-the-uk#direct-landings-by-foreign-fishing-vessels-into-the-uk

33. Apiculture– Honey

a. Does honey (low risk category) include raw and processed honeys?

Yes

b. Does 'honey' cover raw honey in combs, raw honey in jars, processed honey, blended honeys, flavoured honey, and other types of edible honeys?

Yes

c. What category/commodity does honey glaze (containing 60% honey and therefore not a composite product) fall under – honey or apiculture product?

Further clarity on this question would be appreciated. Please clarify this type of product and provide more information.

d. If an apiculture product has come into the EU from an approved Third Country and is being sent on to GB in its original packaging, will the original 3rd country health certificate be accepted by GB authorities for those products, or will GB require a health certificate signed by EU Member State authorities?

If the commodity is transiting the EU into GB from a 3rd country then transit rules will apply. If the medium risk commodity (for example apiculture products for human consumption) is imported into the EU and then onward exported to GB, a certificate from the exporting EU member state to GB will be required.

34. Could the summary tables in the TOM risk categories for animal and animal product imports from EU to Great Britain list the model health certificates that should be used for each product category when exporting medium risk products?

LIVE ANIMALS/ANIMAL PRODUCTS: Some EHCs will apply to more than one category in the TOM risk category tables and vice versa. All the certificates are published here: Model health certificates for exports of live animals and animal products to Great Britain - GOV.UK (www.gov.uk) www.gov.uk

ABP: The correct use of ABP health certificates is dependent on the ABP material, processing (if required) and intended use. Therefore, there may be multiple certificates that could be used depending on these factors. As we do not know all possible scenarios this ask would not be a viable option. If a Trader is unsure which health certificate should be used, they should contact the competent authority of the exporting country for assistance.

35. IPAFFS:

a. In relation to pre-notification on IPAFFS, what fields will be required for goods moving from the EU to GB from 31 January 2023? Would there be a difference in the specific case of Ireland?

From 31 January 2024, we will introduce the CHED-P Part 1 import notification for imports of products of animal origin, germinal products, non-exempt composite products and animal by-products from EU and EFTA countries. Import notifications will continue to be created and submitted on the Import of Products, Food and Feed System (IPAFFS) as present.

From 31 January 2024, import declarations will be required for the import of non-Qualifying Goods from the Republic of Ireland that are subject to SPS controls.

b. In relation to pre-notification on IPAFFS, it was mentioned at one of the DEFRA webinars that pre-notification would need to be done on IPAFFS and by creating a CHED. Please provide more details on how this process would work?

Defra will also issue comms on this topic in due course, however the notification is done on IPAFFS in the same way that the person responsible for the load currently populates an IMP notification. Although additional fields will be required, along with an EHC for medium and high risk commodities.

c. In terms of pre-notification requirements for low-risk consignments the BTOM states that "Provision of a pre-notification data set and commercial documentation will be required" as opposed to the "Pre-notification will be required" for Medium and High Risk consignments. Please clarify if the difference in wording here would implies different requirements and if so, what they are?

No, pre-notification will be required in all cases

d. How can companies apply for the four-hour pre-notification derogation? If granted how will the prenotification be applied? i.e., does the four-hour pre-notification apply across all PHAs or will an application have been made by an individual company to each PHA.

An individual importer or their agent should contact the relevant Port Health Authority in advance of submitting the pre-notification and ask for a derogation from

the statutory 24-hour pre-notification period on the grounds of logistical constraints. The Port Health Authority may choose to grant a derogation down to a minimum of four hours' notice – the derogation might be between 24 and four hours. The Port Health Authority may choose to grant this derogation for individual consignments or for a longer period.

e. Will IPAFFs allow the amendment of entry and exit dates in the case of unforeseen circumstances e.g., delays to entry due to cancelled ferries?

Dynamic information, including changes to entry and exit dates, can be updated on IPAFFS until the GB Port Health Authority starts the documentary checks on the provided details, marking the inspection status of the CHED as 'in progress'. Beyond this stage, the CHED cannot be modified. Any subsequent changes would require the approval of the BCP at the specified point of entry.

f. What are the mandatory fields on IPAFFS for groupage?

All animal product consignments, regardless of their nature, must be raised individually on IPAFFS. There are no separate set of mandatory fields exclusively for groupage.

36. Acknowledging that there is reference made to an update on this area in October, is there any indication as to what the arrangements will be around small consignments sent direct to the consumer for personal consumption? What is the limit above which such consignments would require a health certificate? Will all such consignments also require pre-notification or are they exempt also from this requirement? Will there be a distinction between postal consignments and products brought in passenger luggage?

The policy on personal imports of animal products, plants and plant products for personal consumption or use (including via passenger baggage, post and courier) remains subject to agreement. We plan to announce details in due course.

37. Labelling:

a. Please clarify whether from 31 December 2023 product that is going to wholesale will be required to be labelled with the importers at the level of individual packs or whether a label on the master carton be sufficient?

Prepacked food intended for supply to the final consumer or to caterers, that is placed onto the GB market from 1.1.24, will need the name and address of the FBO in the British Islands or the importer. According to Article 8.7 of the Food Information to Consumers, these name and address details are required on the outer packaging in addition to on the individual prepacked product.

b. Can it be confirmed that for products going direct to retail, they would have to be individually labelled? Is that the responsibility of the operator placing the products on the on the market in GB or is that an import requirement?

This is confirmed- individual products need to be labelled with a ‘British Islands’ address. This needs to be complete at the point the food is placed on the market, so while it’s not of itself a condition of import, if at the point of import it is placed on the market, then this is when the requirement will apply.

38. Transit:

a. Will different transit protocols be in place depending on the risk-rating of the product?

Yes, as set out in Section 1.4 of the BTOM

b. How will hauliers be notified that they have been selected for an entry and/or Exit check?

The operator responsible for the consignment will be contacted via an automated messaging system.

c. How will Landbridge import checks e.g., Seals, UK entry/Exit ID checks be administered?

At a Border Control Post associated with the point of entry and again at a BCP at the point of exit. The BCP must be designated for the type of goods that are being transited.

d. Will there be a facility to change the port of Exit on IPAFFs after an IPAFFS notification has been made? Will there be a time limit for when a change to the port of exit will be accepted?

Dynamic information, including changes to entry and exit dates, can be updated on IPAFFS until the GB BCP starts the documentary checks on the provided details, marking the inspection status of the CHED as 'in progress'. Beyond this stage, the CHED cannot be modified. Any subsequent changes would require communication to and the approval of the BCP, at the specified point of entry.

e. Will Box I.6 be used to identify the person responsible for the load in Great Britain?

Yes - www.gov.uk/government/publications/how-to-complete-a-health-certificate-for-imports-to-great-britain/how-to-complete-a-health-certificate-for-imports-to-great-britain

f***. Does the person in Box I.6 of the transit cert require a GB address?***

Yes, they must be a legal person with a GB address - www.gov.uk/government/publications/how-to-complete-a-health-certificate-for-imports-to-great-britain/how-to-complete-a-health-certificate-for-imports-to-great-britain

g. Can a schedule be attached to a certificate with multiple commodities being certified on the one certificate? What requirements must the schedule meet? If the certificate is completed and e-sealed/certified on TRACES, is it sufficient to upload the schedule with the appropriate TRACES certificate number on each page of the schedule?

The published GB import model certificates, and the attestations and notes for completion contained in them, and of which we have already alerted the Commission, will determine which products may be consigned under the same certification and certificate. Regarding schedule requirements Defra is finalising its policy for schedule requirements especially in combination with use of e-signed PDF certificates and we will provide additional guidance in due course. It would be beneficial to understand how TRACES and E-certification could provide that schedule, and the information contained in them, are certified by the Certifying Officer and subject to the security features provided by the secure PDF certificate copy.

h. What are the mandatory fields on IPAFFS for transits?

Mandatory fields will include means of transport (after the entry BCP), exit BCP, transited country and destination country.

39. Residue plans: In GB model certificates, there is a requirement (PH/RP001) to submit a residue monitoring plan to GB: "The guarantees provided by the residue monitoring plans submitted to GB by the country of origin are fulfilled, in accordance with GB regulations;" Please clarify how will this requirement be fulfilled. Does the UK require that exporting countries submit a residue monitoring plan to a specific GB contact point, at a particular time of the year?

Defra's UK Office for SPS Trade Assurance manages the UK's residue control programme for imports. The Office will contact the EU requesting submission of RCPs early in the new year. Non-EU trading partners are already required to submit annual plans and results to the UK.

For further information please contact ukassurance@defra.gov.uk

EU/EFTA Residue Plans

Non-EU Residue Plans

40. Please clarify what definition is being used for highly refined products? Is the definition from Reg (EU) 2016/355 being used? Can examples of highly refined products be provided?

There is no definition for 'highly refined products' however the requirements and list of such products can be found in retained Regulation (EC) No. 853/2004, Annex III, Section XVI. Examples include hyaluronic acid, rennet, and isinglass.

41. Please provide more details on the BTOM statement below and more information can be given on how this will be implemented: "We are also developing a digital solution to allow the direct cloning of Digital Export Health Certificates from exporting countries where the capability is available, starting with Live Animal Export Health Certificates from November 2023 from countries using TRACES in the EU. This will reduce the time taken for traders in Great Britain to complete import notifications in IPAFFS."

We are committed to the use of digital certificates for the movement of live animals from EU and EFTA countries to Great Britain. The Clone a certificate function on IPAFFS for live animals from countries using TRACES in the EU has completed the development phase and is currently undergoing rigorous testing to ensure that it delivers direct benefit for those creating and submitting import notifications.

42. Please clarify whether establishments listed for export of POAO for human consumption to GB are allowed to also export ABPs to GB without specifically being listed for that category (in the case of imports into the EU that is possible in case of slaughterhouses and fishing vessels).

There is no need for separate ABP registration/approval provided that:

- The establishment is approved or registered in accordance with Article 6 of retained Regulation 852/2004 or Article 4 of Regulation 853/2004 and the product exported as ABP is the same as the product the establishment is registered/ approved for (e.g. Frozen chicken breast); or
- The ABP is exported as unprocessed ABP from establishments meeting the criteria of Article 19 (e) of retained Regulation 142/2011 and Article 26(1) of Regulation 1069/2009.

ABP registration/approval will be required, however, if the exported ABP has been further processed to create an ABP product listed under Annex I of retained Regulation 142/2011, or the establishment is exporting a product it has not been registered/approved for under the relevant food regulations (e.g. processed pet food from animal products generated at the establishment).

43. Certificate for animal by products for the manufacture of petfood: The latest version of the model certificate GBHC565 in its point AH/T503 "Territory requirements" requires introducing one code for the exporting territory and includes 3 mutually exclusive options (either/or/or) with one the of which the consignment shall comply with. This wording appears to prevent the certification of a consignment comprising of material from animals slaughtered/killed in other EU Member States or third countries as well as those from the exporting country comprising of material complying with more than one options. Is that the intention?

The model health certificate GBHC565 is based on the current EU model as laid down in EU Regulation (EU) No 142/2011. Therefore, the ABP must comply with one of the 3 options available.

However, there are no restrictions on zones and, provided the ABP material is derived from permitted zones and complies in full with the conditions laid down in the model certificate, then the consignment may come from different zones. The competent authority will need to ensure there is adequate space in the zone field to enable multiple entries to be included.

44. Meat Preparations certificate: According to a UK letter of August 2023, chilled meat preparations would continue to be certifiable for import into Great Britain from the EU after 31 January 2024 since that UK accepts that certifiers strikethrough the requirement for an internal temperature of not more than -18°C. However, in the corresponding certificate GBHC350_MPPREP v.1.1, box I.21 includes only the option "Frozen". Please clarify how box I.21 should be filled in in case of chilled products and whether there are plans to produce a version of the certificate that would reflect the possibility to certify chilled meat preparations.

Over-write box I.21 with word 'chilled'.

45. Please provide clarification in relation to certification aspects of the Model health certificate for composite products intended for human consumption (COMP) GBHC 440 v1.1 Aug-23.

a. Part II Certification Processed dairy products requirements: Processed dairy products requirements states "Processed dairy products in an amount of half or more of the substance of the composite product or not shelf stable dairy products in any quantity that meet the following criteria…."

How is this statement to be interpreted? Does an amount of half or more of the substance of the composite products refer to:

- ***50% of the overall combined dairy ingredients in the finished product?***

or

- ***50% of any one individual dairy ingredient added as a raw material to the finished product?***

This is part of the legislation on composites products as per Retained Decision 2007/275 Article 4, which applies to both animal and public health. Both interpretations are correct, i.e. an amount of half or more of the substance of the composite product can refer to 50% of the overall combined processed dairy ingredients in the finished product, or to 50% of any one individual processed dairy ingredient added as a raw material to the finished product

It will need an export health certificate if the composite product contains 50% or more of any dairy ingredient for example:

- 60% processed cheese or
- a combination of 30% pasteurised milk and 30% processed cheese

b. AND/OR [AH/P303A Processed dairy products requirements: Processed dairy products in an amount of half or more of the substance of the composite product or not shelf stable dairy products in any quantity that meet the following criteria: a. have been produced in the following country/ies and approved establishment(s)

Origin (A)	*Approved establishment (B)*

For the completion of the table above some food business operators who supply ingredients for the manufacture of Infant Formula and Follow on Formula are registered in line with EU requirements rather than approved. In such circumstances, is it acceptable to record the details for the registered establishment?

Yes, if they are just handling processed products of animal origin, we would expect them to be registered. However, it is important to note that whoever undertakes the processing of the POAO element of the product will need to be approved and listed to export to GB. If the manufacturing of the infant formula milk takes places at an establishment that is involved in the processing of the POAO element, we would expect the premises to be approved (as opposed to just registered).

Phytosanitary issues

46. The consolidated version of the UK Phytosanitary legislation differs on some key points from the final BTOM and published risk categorisation. For example, based on the consolidated version of the phytosanitary legislation, a phytosanitary certificate is required amongst others for tomato, bell pepper and eggplant. Could the UK confirm that in spite of the provisions of UK's phytosanitary legislation, EU Member States do not need to run preparations for issuing certificates for such commodities categorised on gov.uk as low risk and that the final BTOM is the document that prevails over GB legislation currently in force, in case of conflict?

There is no conflict between the consolidated version of the Phytosanitary Conditions Regulation and the BTOM risk categorisation. Transitional legislation remains in place for certain imports from the EU which means that phytosanitary certificates are not

currently required for tomato, peppers and aubergine and other fruit and vegetables which have been categorised as low risk. Any changes to categorisation as a result of current risk assessments will be reflected in updated regulations, to be notified through existing TCA and WTO processes.

47. Please provide more details on the way the risk assessment of fruits and vegetables from the EU is or will be aligned to (the pilot of) the Authorised Operator scheme?

The Authorised Operator Status (AOS) proposes to delegate responsibility to Authorised Operators (AOs) to carry out their own physical and identity checks, provided they meet certain eligibility criteria. The AOS will be piloted during Summer 2024, subject to a successful testing phase.

There is no intention to reduce the number or level of checks. Inspections need to be carried out at the same frequency as the Competent Authority.

48. Further to question 3 regarding the time between the announcement and implementation of changes to risk categorisation, would the UK take into consideration the longer time (EU Member States estimate 9 months in some cases) needed for preparation for phytosanitary certification for certain commodities due to their large trade volumes?

Good notice will be provided of any changes to risk categorisations, which will not take place before April 2024.

49. Please reconfirm that in case of re-export of non-EU plant products from the EU to Great Britain, those are subject to requirements for EU products as soon as released for the internal EU market after import.

Please could you clarify this question.

50. According to the final BTOM an Authorised Operator Status is available for importers of plant products. Could the UK confirm that the Authorised Operator Status can be obtained by importers before the date of entry into force of 30 April 2024?

The Authorised Operator Status (AOS) is a proposal in the final BTOM and a decision whether to implement AOS will be made following the pilot. AOS needs to be tested and piloted to evaluate how feasible the approach is, both for the trader's operational competency and to ensure biosecurity risks have been managed and mitigated. The AOS is due to be piloted during Summer 2024,

51. The timelines set out for the SPS model state that from the 30 April 2024 border checks (identity/physical) on medium risk products will commence except to Irish products. Where will these checks be carried out from the 30 April 2024 in respect of medium risk products from Ireland?

This is currently under review and we will announce a policy decision in due course.

52. For plant product transit (Landbridge) consignments is there a requirement to notify when leaving Great Britain.

We will remove the requirement for a Common Health Entry Document (CHED), pre-notification, for plants plant products and other objects that are under transit or transhipment using the GB land bridge. This would remove the burden of notification requirements for trade for goods and pose minimal biosecurity risk as the goods destination is not GB And therefore not be subject to routine inspections.

53. Will phytosanitary controls apply to samples of plants or plant products (e.g., Seeds, soil, or leaves) sent for laboratory analysis in Great Britain?

Scientific authorisation requirements apply to prohibited items (and regulated items where a phytosanitary certificate is not available), while phytosanitary certificates are required for regulated imports. Details are available in the Phytosanitary Conditions Regulation.

54. Will the movement of farm machinery to Great Britain to trade shows or for repair at premises in GB be subject to phytosanitary controls?

Import requirements for used farm machinery apply irrespective of the intended end use. Details are available in the Phytosanitary Conditions Regulation.

55. Please clarify the timeline and process followed for the risk assessment for fruits and vegetables from the EU?

See response to question 2.

Food of non-animal origin

56. Are there any specific requirements for the re-export from EU Member States of goods from certain third countries which fall under Regulation (EU) 2019/1793?

Commodities that fall under Retained Regulation 2019/1793 that are imported into GB must comply with the requirements set out in the annexes to this legislation. Commodities that are listed in Annex 1 will require pre-notification on IPAFFS.

Commodities listed in Annex 2 will require pre notification, must be accompanied by a certificate of analysis and a completed Export Health Certificate. Commodities that are listed in annex 2a are prohibited from being placed on the GB market.

57. Please clarify the requirements to import into Great Britain a Food for Special Medical Purposes (FSMP) that does not contain any POAO.

Food for Special Medical Purposes imported into GB for placing on the market within Great Britain must comply with the relevant requirements of food law or conditions recognised by GB to be at least equivalent thereto.

There are no specific SPS measures applied at the border to these products providing they do not contain POAO.