HM Government

UK TRANSITION

Trader Readiness

Frequently Asked Questions

Exporters of Live Animals and Products of Animal Origin—GB to EU

26 November 2020

V7.0

UK'S NEW START LET'S GET GOING

The following FAQs will attempt to clarify some of the key changes surrounding the changes to the exporting process for live animals and products of animal origin.

This document is intended to be continually edited and updated as and when new questions are received. The date on which the document was last updated, and version number is included for ease of reference. Any new chapters or questions that have been added since the last version are identified by **New**.

Contents

General

Why is the exports process changing?

The United Kingdom (UK) left the European Union (EU) on 31 January 2020. As a result, the UK left the EU single market, customs union and is currently in the transition period.

On 31 December 2020 the transition period with the EU will end and will not be extended. There will be changes at the border for moving goods between Great Britain (GB) and the EU, which businesses need to prepare for, regardless of the agreement we reach with the EU on the shape of our future relationship.

What does this mean for exporters of live animals and products of animal origin?

From the 1 January 2021 the process for exporting live animals and products of animal origin (POAO) from GB to the EU is changing.

Exporters of live animals and POAO will be required to follow a new process.

What is the Government doing to help exporters prepare for these changes?

The Government launched its national information campaign in July to supplement its intensive programme of business engagement in the coming months, all aimed at ensuring that businesses have all the information they need to make the changes and get going. The campaign clearly sets out the actions for businesses on a sector-by-sector basis.

In addition, Defra has been working with exporters, local authorities and the veterinary sector to ensure the export of animals and animal products can continue at the end of the Transition Period.

We are working to understand the requirements for continued trade from GB to EU from January 2021 ensuring that industry is engaged, and businesses are properly prepared.

What are live animals and products of animal origin?

Live animals—includes living animals that exported for the purposes of farming, keep as pets and equines, research and for the purposes of human food consumption and livestock.

Products of animal origin—includes any product part of an animal or that have been produced containing extract, partial or whole animals. This will include for example, beef steaks, sausages, ready-made meat lasagnes, milk,

chicken kiev's, composite products containing meat (e.g. sandwich ham), honey, eggs, lard and rendered fats etc. It can also contain products that are not for human consumption i.e. pet food, or fertilizers for farming lands etc…

What are foods not of animal origin (FNAO)?

Feed and food products of non-animal origin are any products that do not contain any ingredients derived from animals or animal products e.g. fruits, vegetables, nuts, confectionary, cereals, herbs, spices, etc…

What are high risk foods and feed not of animal origin (HRFNAO)?

Under EU rules, certain food and feed not of animal origin are deemed as high risk. They are subject to documentary and, in some cases, physical checks when entering the EU and can only enter the EU using a Border Control Post.

High risk products may be considered high risk if they contain:

- Contaminants—mycotoxins and aflatoxins
- pesticides
- salmonella

HRFNAO exported to the EU will require to be exported to a Border Control Post that is approved to accept that commodity. A list of BCPs and Control Points can be found at:
https://ec.europa.eu/food/safety/official_controls/legislation/imports/non-animal_en

There are no HRFNAO originating from within the EU, therefore the HRFNAO will have originated from outside the EU and would have been checked at a GB Border Control Post.

If the product is processed in GB, a new official certificate / lab analysis will be required. Please see the guidance listed on Europa Website at:
https://ec.europa.eu/food/safety/chemical_safety/contaminants/catalogue/aflatoxins_en

What are the mains steps I must take to continue to export live animals and products of animal origin after the Transition Period?

The process exporters will need to follow to export live animals and POAO at the end of the Transition Period will depend on the trade agreements made with the EU.

The following non-exhaustive list provides a guide to the steps that you are required to take with useful links:

- Apply for EORI at: https://www.gov.uk/eori
- Ensure establishment/premises listed. Contact the FSA at: eulistings@food.gov.uk

- Ensure you have the correct labelling and health identification marks—check guidance at: https://www.food.gov.uk/business-guidance/guidance-on-health-and-identification-marks-that-applies-from-1-january-2021
- Check which Border Control Post (BCP) can process your goods and how much notice is required. For a list of EU BCPs click on the following link: https://ec.europa.eu/food/animals/vet-border-control/bip-contacts_en
- Find the required Export Health Certificate via the GOV.UK form finder and read and check the Notes for Guidance at: https://www.gov.uk/export-health-certificates
- Find a Certifying Officer to inspect and certify your goods. A list of organisations in England, Scotland and Wales can be found at: https://www.gov.uk/export-health-certificates
- Register for EHC Online Exporters at: https://www.gov.uk/guidance/apply-for-an-export-health-certificate
- Register for EHC Online Certifiers at**:** https://www.gov.uk/guidance/certify-an-export-health-certificate
- Contact your local EU import agent make sure they notify the BCP through the Trade Control and Expert System (TRACES) of the arrival of the consignment
- Ensure you have the correct transportation declarations and licences at: www.gov.uk/being-a-goods-vehicle-operator/types-of-licence#standard-international
- Apply for a customs declaration at: www.gov.uk/guidance/customs-declarations-for-goods-taken-out-of-the-eu

Please refer to the individual sections within this document for further information on each of the steps listed above.

Further information is also available at: https://www.gov.uk/guidance/exporting-animals-and-animal-products-to-the-eu-from-1-january-2021

Are there any additional steps for exporters that export animals that are on the Species list?

Yes. Anyone who is importing, exporting or re-exporting any animal or plant species, and their parts or derivatives, that are on the Species+ at www.speciesplus.net list must apply for a Convention on International Trade in Endangered Species (CITES) permit.

What action is the Government taking to secure the approval of the UK as a country listed for the export of animals and products of animal origin to the EU?

For the exports of live animals and POAO to continue, the European Commission (EC) will need to vote whether to list the UK as a third country. This will allow the exports of live animals and products of animal origin to continue from the UK.

For further information, please follow the link below:
https://www.gov.uk/guidance/exporting-animals-animal-products-fish-and-fishery-products-if-the-uk-leaves-the-eu-with-no-deal

We will provide further information on the UKs status when available.

Is it expected that the UK will receive listed status for exporting?

As other countries, such as Australia and New Zealand have achieved this status, the UK Government is confident that the UK meets the animal health and biosecurity requirements to secure listed status.

The UK has provided the necessary assurances requested by the European Commission and continues to undertake constructive engagement with the Commission.

Does the new process differ for exports to Scotland, Wales, and Gibraltar?

Yes. Goods travelling from England, Scotland and Wales to Gibraltar, and from Gibraltar to England, Scotland and Wales, which transit the EU will require new certificates and follow new requirements. Goods that do not transit to the EU but arrive directly, will require no new certificates or follow any new requirements.

What actions is the Government taking to ensure that delays at ports do not create animal welfare concerns beyond the control of the haulier / animal owner?

Transporters of live animals have a duty to consider the welfare of the animals they are transporting and should consider their own contingency plans, if there is a risk of a longer journey.

We will be issuing advice to transporters in advance of the end of the Transition Period on planning journeys, the potential risk of long delays on certain routes, and the need to carry additional water, feed and bedding material in case of delays. The Animal and Plant Health Agency (APHA) is also reviewing its own contingency plans should transporters need additional support.

Will the process be different if negotiations with the EU do not result in a deal?

Market access for live animals and products of animal origin has not changed during the Transition Period. For exports of live animals and some very specific animal

products (such as germplasm) exporters would continue to provide an Intra Trade Animal Health Certificate (ITAHC).

For all other animal products, no certification is required, and no specific processes would need to be followed throughout the Transition Period.

Future arrangements will be dependent on the trade agreements with the EU. Further information will be provided once confirmed.

What support will the Government provide to cover export facilitation costs?

Several grants have been made available and further information is available at: https://www.gov.uk/guidance/grants-for-businesses-that-complete-customs-declarations

Will the Government guarantee that live animals and perishable fresh produce will have priority for swift passage at the borders?

The Government is committed to protecting animal welfare and supporting the industry to continue to trade once the Transition Period comes to an end on 31 December 2020. This includes working with industries that export perishable products to understand how they can be supported.

Could the UK expect to see SANTE F inspections?

Yes. The UK will be subject to Santé F Inspections from 1 January 2021 as the EU routinely inspects both Member States and non-Member States.

Can a product imported from a third country to GB then be exported to the EU?

Products that have been imported from a third country into GB can be re-exported to the EU so long as they meet the requirements of the EU Export Health Certificate (e.g. originate from an appropriately listed third country and from a suitable establishment) and the certifying officer has the relevant traceability information they need to certify the product. If a product had entered free circulation in GB from a third country this would be the relevant import documentation.

Which commodities are included (in the GB third country listing application)? Are there any POAO which are not applying for Third Country status?

All commodities are in scope currently. (EC) No 853/2004:

Products of animal origin means:

- food of animal origin, including honey and blood
- live bivalve molluscs, live echinoderms, live tunicates and live marine gastropods intended for human consumption

- other animals destined to be prepared with a view to being supplied live to the final consumer

Currently, our exports are done through TRACES, but as of 1 January we will not have access to this. Do you know if there is a new procedure in place?

From July 2021 all POAO will require pre-notification using IPAFFS and must be accompanied by an EHC. All animals and animal products must arrive at an established point of entry with an appropriate Border Control Post (BCP). POAO will be subject to a minimum level of 1% checks. Some commodities, such as shellfish, will be subject to higher minimum check levels.

Is there any clarity on what will happen with shipments that leave the UK before the end of the year but arrive in their final EU destination in January?

Placing on the market is defined very carefully and when goods are sold or supplied, even if they are supplying free of charge, as long as they are already in the EU at the time of ending the Transition Period (31st December 2020), they can carry on being placed on the EU market without any further restrictions. Anything that is introduced into the EU from the 1 January would have to comply with the EU rules.

Where can I find more information on the changes to the exports process for animals and products of animal origin?

Further information on how to prepare to export goods from GB (England, Wales and Scotland) to the EU from 1 January 2021 can be found at:

www.gov.uk/prepare-to-export-from-great-britain-from-january-2021.

Guidance for exporting live animals and products of animal origin from GB to NI will be added to GOV.UK as soon as confirmed information is made available.

Are all steps required for products imported from the EU and then re-exported to the EU?

Assuming the product is not in transit (i.e. they have been imported into GB and cleared customs) then the basic SPS arrangements (the need for an EHC etc.) are the same. There may be additional information required (e.g from a vet in the EU country of origin) for a GB vet to certify the product. You should discuss with your certifier to confirm the steps required.

We export to other third countries, with the goods "stopping" in an EU warehouse for consolidation with other products, before being shipped to these third countries. If the goods crossed the GB/EU border before the 31/12/2020 with UK/EC, can the products be still be shipped to the third countries after 01/01/2021? Will they be accepted in these third countries?

A number of transit EHC's are available to be used for some commodities transiting the EU, if a transit EHC exit you must use it. If a transit certificate is not available, you will only need to apply for the certificate to the final country of destination.

https://www.gov.uk/export-health-certificates?keywords=transit&destination_country%5B%5D=eu

Our understanding is that if the goods are on transhipment to the EU and are not leaving the custom bonds, a new certificate is not required. You will have to liaise with the BCP of entry in the EU to explain in detail what product is, what certification it has, how long is in the customs bond and if there is any change of container, etc. More information can be found at:

https://ec.europa.eu/food/sites/food/files/animals/docs/bips_guidance_transit_transhipment.pdf

****New** Where can I find out more about Zootechnical requirements?**
Please see link below:

https://www.gov.uk/government/publications/lists-of-recognised-animal-breeding-organisations/guide-to-zootechnical-rules-and-standards#registering-uk-animals-into-eu-herd-or-flock-books-before-1-january-2021

Prohibitions and Restrictions (P&R)

General

What are Prohibitions and restrictions (P&R)?

Prohibitions and restrictions (P&R) are new trade requirements that will apply to certain commodities from 1 January 2021.These trade requirements are based in EU law and prevent or restrict the export and import of certain goods from third countries which present an unacceptable level of animal, plant or public health risk.

When will Defra publish the list of prohibited and restricted commodities?

P&R is a complex and wide spanning issue. Defra is ensuring the final list reflects the commodities which will either be prevented or restricted from being imported or exported as of 1 January 2021. We recognise the urgent need to clarify the situation and will do as soon as we are able.

Does Defra have a list of priorities for resolution?

Defra has prioritised the resolution of P&R affecting minced meat and meat preparations to the EU.

Defra has a further list of 13 prioritised Sanitary and Phytosanitary (SPS) P&R issues. The feedback Defra continues to receive from stakeholders will be checked against that list and a re-prioritisation exercise will be undertaken if necessary.

How has Defra prioritised issues?

Prioritisation was done by examining trade flows of commodities which present a minimal biosecurity and public health risk to the EU and the UK.

How likely does Defra think it is to resolve these issues?

We believe there is a mutual benefit to the UK and the EU to resolve these issues but cannot guarantee resolution prior to the end of the transition period. Businesses should prepare for full third country import controls.

Resolution on P&Rs will be an ambitious and difficult ask. It is unprecedented for the EU to agree an exemption to a third country on P&Rs, and any such action would likely require a change in EU law.

How is Defra resolving trade issues between GB to NI?

Northern Ireland will be subject to the regulations set out in Annex 2 of the Northern Ireland Protocol. This includes provisions on prohibitions and restrictions (P&Rs). Export health certificates (EHCs) will also reflect these provisions. This means that after the end of the transition period, exports to Northern Ireland will need to comply with the European Union's third country imports regime.

Resolving P&R issues between GB to NI to allow the continued trade is a priority and we continue to explore options that produce a satisfactory solution.
Please be aware that resolutions between GB to NI trade may not resolve issues between GB and EU trade.

What is the legislative route that would be used to not reciprocate on the listed commodities from 1 January 2021?

If the UK did not want to reciprocate with the EU or other countries it would require a ministerial decision and be implemented through a statutory instrument (SI). This would need to be done after the TP.

The ambition is that we will reach an agreement with the EU on certain commodities and they will make changes to their legislation and health certificates.

Live animals and Products of Animal Origin (POAO)

General

How can we identify the origin of the POAO when it is only imported using 'EU' rather than the name of a specific country?

Please refer to the Notes for Guidance and discuss with your Certifying Officer (CO) on the evidence you need to collect.

Composite Goods

What about products that use POAO as an ingredient? Is there a cut off level below which the inclusion of POAO becomes non-notifiable?

If the product falls under the definition of a composite product, then there is a specific Exports Health Certificate (EHC) for this. If the product does not fall under the definition, then an EHC for each POAO may be required.

Please read the guidance included in the link below and consult with your certifying officer.
https://www.gov.uk/export-health-certificates/export-composite-food-products-intended-for-human-consumption-to-the-european-union-certificate-8281

What are the requirements to export products that contain 50% or more of an animal product to the EU?

If a product contains 50% or more of an animal product, it may be a composite product.

Please find further information on exporting composite products to the EU at: https://www.gov.uk/guidance/export-composite-food-products-to-the-eu-in-a-no-deal-brexit.

How are a mix powders of cow's milk with a small amount of egg's white powders perceived? Is it dairy or composite product?

Composite food products are for human consumption only. They contain a mix of processed products of animal origin (POAO) and plant products used as a main ingredient—not just added for flavouring or processing. Further guidance on composites products is available here.

If a product does not meet the composite product definition but has several types of POAO in its contents, you'll need an EHC for each individual POAO component in the product. Commission guidance on this indicates that products other than composite products that contain more than one type of POAO need to be accompanied by all the relevant certificates. Exporters should contact the importing BCP in advance to confirm requirements for their goods.

Composite product with processed meat or more than 50% milk, dairy, egg or fishery products should come from an EU-approved establishment or can be assembled at a registered establishment. For goods assembled at a registered establishment the approval numbers of the establishments that produced the POAO in the first place will be needed for the EHC and these establishments will need to be listed. Products made with processed POAO, such as honey, gelatine or snails do not need to be processed in an approved establishment.

We are currently not permitted to have a plant approval number for the manufacture of frozen pizza as this is classed as a composite, will this be changing as we are being asked for this number by some of our customers. We currently just have a food registration number.

Composite products may be produced in and dispatched from registered premises rather than approved premises provided that the registered premises is only just assembling composite products using pre-processed POAO brought in from other establishments (which must be EU approved).

Can you please confirm if chilled and frozen composite products are exempt from EHC if they have had a full cook in their packaging and comply with all the other points in art. 6. We have received conflicting info regarding this point with some saying only shelf stable products can be exempt.
Article 6 of Decision 2007/275 allows exempted products to be either "shelf stable at ambient temperature" or "have clearly undergone in their manufacture a complete cooking or heat treatments process throughout their substance, so that any raw product is denatured".

I've just been looking at the definition of composite foods to see if we will need EHCs for some of our vegetable fat spreads with an element of dairy in them. They all have less than 50% dairy in the form of either butter, buttermilk or whey. From going through the full list of requirements to confirm exemption, a couple areas are a little grey. Should our vet be able to fully confirm if EHCs are required or not?
If less than half of their substance of processed milk product where the final composite products do not meet the requirements of Article 6 of Commission Decision 2007/275/EC as referred to in article 4(c) of Decision 2007/275/ECIf POAO you will need and EHC.

Is there a threshold for considering the inclusion of POAO, below which it can be ignored for the purpose of EHC?
This depends on the type of POAO in the composite product. Further advice is available on which composite products are exempt from EHC requirements here: https://www.gov.uk/guidance/export-composite-food-products-to-the-eu-from-1-january-2021

As this is for composite foods, can you confirm that if we do not use unprocessed animal products that we do not have to be registered?
There are no changes to the requirements for approved food establishments. You can only be approved as a food establishment if you carry out any of the activities requiring approval set out in Regulation 853/2004. An establishment which only assimilates processed animal products into composite products is required to register with their local authority but is exempt from approval under 853/2004.

Leather Goods

What do I need to be aware of when exporting leather to the EU?

The leather you export may originate from the species that is protected under The Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES).

There are over 35,000 species of plants and animals that are protected under CITES. You can search for the species on the species database to find out if it is CITES-listed. If it is, you will need permits to move the products between the UK and the EU at the end of the transition period.

More information on CITES can be found at:
www.gov.uk/guidance/trading-and-moving-endangered-species-protected-by-cites-if-theres-no-withdrawal-deal

Ear Tags

What changes will there be to ear tags for livestock animals?

GB will be required to export animals to the EU in accordance with the EU's third country imports rules, which follow international standards for animal identification.

Livestock animals exported from GB to the EU will need to be identified with ear tags that contain the visual national code: 'GB'.

Research and Diagnostic Samples

How do the changes to the exporting process impact the export of cell lines of animal origin?

If cell lines are to be exported as research for diagnosis samples, they are not harmonised in the EU so the exporter should contact the competent authority of the country of destination to ask for the requirements that they need to meet.

What if we export scientific research and diagnostic intermediates produced from animal by-products?

Research and diagnosis samples are not harmonised in the EU so the exporter should contact the competent authority of the country of destination to ask for the requirements that they need to meet.

Lab Products

We export diagnostic enzymes that contain small amounts of bovine serum albumin for lab use/intermediate/medical device. Currently they move via a chapter 20. Will we now require an EHC and will our non-EU suppliers also be required to obtain an EHC in their location before shipping to the UK?

Yes. A Chapter 20 declaration will be required to move intermediate products to the EU.

The Chapter 20 declaration can be found at:
https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A02011R0142-20200630&qid=1603897374455

We export collagen and tissue (bovine pericardium etc) for lab/medical device use worldwide so are familiar with EHC's, however will we have to register this via the FSA as its not food but will still be used in a medical device in humans?

Also for the tissue exports, we usually have it sent from Australia and

New Zealand to our office in Scotland and then out to our EU customers as we were a single market. However, if an EHC must be done now as we will now be a third country, how will this work since we cannot open the tissue boxes for the vet to check, due to sterility issues? If the vet cannot check what's in the boxes, then how can they attest to the now required EHC for shipment into the EU?
These types of products are ABPs and as they are not for research, they have harmonised rules and EHCs for EU import. OVs will be able to rely on the CHED document issued by the UK BCP to recertify the goods for export to the EU. They will not have to open the boxes depending on the specific wording in the EU certificate or only have to open a small sample or you may have to pay for the OV to travel and see the UK/EU process at the end from time to time if they cannot open a sample box or you may have to provide the sterile facility to allow samples to be checked for whole consignment certification.

Embryos

When we send embryos out of the UK with a company such as TNT we do not know which hub they will fly the goods into, do we need to find this out each time?
The product will need to be exported via a suitably approved BCP and this will need to be named on the EHC. So yes, you will need to know which BCP the product is entering the EU via.

Equines

General

Are these procedures also applicable for visiting racehorses or just for permanent export?
They apply to all moves. For GB to EU export movements whether they are permanent or temporary will all require EHCs. The precise details e.g. blood testing and when that has to happen, residency, isolation varies slightly according to whether the animal is registered (EU studbook approved) or unregistered and whether the move is permanent or temporary but the principle of applying EHCs applies across all moves.

Will the horse passport no longer be valid after 1 January 2021?
It will be valid. The horse passport is a lifetime ID document and will be required going forward as a basis for identifying individual animals even if those animals don't move out of the UK. Registered animals will continue to travel with their passport and an EHC. Unregistered animals will have their passport, a supplementary travel ID and an EHC.

Do export requirements apply even if you are only sending a mare to the EU to be covered by a stallion, with no intention of selling her?
Yes. This would be one of the important temporary moves that happen for equines and those are subject to EHCs in the same way as for permanent moves.

How much time do you advise should be allowed for the process of issuing a government ID for a horse registered in a UK Stud Book, prior to its EU recognition?

It will be dealt with as part of the same process as the EHC. You will need an Official Vet to sign off the EHC before the animal can leave GB and the Veterinarian will also be in a position to sign off the supplementary travel ID which will need to accompany the horse too. It shouldn't take very much longer than the usual process for the OV signing off the EHC.

Will Thoroughbreds registered in the Weatherby's GSB be classed as registered or unregistered equines?

Until Weatherby's General Stud Book is approved by the EU any animals registered with Weatherby's will be treated as unregistered. The only two organisations that don't require their records to be approved by the EU are the Hurlingham Polo Association and the British Equine Federation but everything else, including Weatherby's, will.

Weatherby's and FEI were working on Digital Passports? Has this been approved, and will they be in use from January 2020?

This is an initiative that is designed to help the movement of equines across Europe. It was developed initially by Weatherby's. It is still in development and therefore won't be available for 1 January 2021, except to a very limited degree. However, more importantly, the EU rules don't allow a digital passport to replace the current paper passport now. The EU rules we've seen about their proposals for longer term equine ID don't do away with the need for a paper passport either. This would be an additional option available and is being developed on that basis. A paper passport will need to continue to accompany all movements - registered and unregistered. At some point it is possible digital passports will become more widely accepted but that won't be the case from 1 January 2021.

Will an ATA Carnet remove the need to complete customs declarations for temporary exports?

The ATA Carnet system is operated by HMRC. This is a process that allows you to complete your customs declarations a single time and then can use the Carnet as confirmation that your movements will be temporary and therefore not incur the potential for a tariff when you go to the EU. This will remove the need for customs declarations for as long as the Carnet is valid. We advise you to check with HMRC on the precise details that accompany the Carnet.

What premises isolation would be required?

Please find details on the Gov.UK website at:
https://www.gov.uk/guidance/exports-horse-and-ponies-from-1-january-2021

Border Control Posts

Is the Calais BIP going be ready in time?

We are expecting the Calais Border Control Post to be operative from 1 January 2020. The BCP is going to introduce an appointments process to make sure it can plan for the arrival of the equines. You will need to make sure you have an appointment agreed with the BCP before moving the animal. The French authorities will give definitive information on how that process will work.

If Calais BCP is not ready, where is the closest one that accepts horses from Calais?

There is also a BCP in Coquelles, Pas-de-Calais, at the French end of Eurotunnel that will be able to take equines.

BCPs for equines fall into two categories:

(i) registered equines must go through an equine BCP
(ii) unregistered equines must travel through an ungulate BCP

Most BCPs that deal with one deal with both, but you will need to check it's the appropriate BCP for whether your horse is registered or unregistered.

There are other BCPs we expect to be operational—Caen, Cherbourg, Dieppe (all equines and ungulates). There will be multiple options for equines.

Will St Malo be an operational BCP for registered and unregistered equines?

We are anticipating that St Malo BCP will be available for both registered and unregistered equines as a BCP from 1 January 2021.

What is the process should a horse be rejected at a BCP?

It depends on which basis the consignment was rejected. If it was just that the horse doesn't have the appropriate documentation, we expect the BCP to liaise with the importer/exporter to make sure the correct documentation is obtained so the animal can be released and can continue.

Turning the animal around is not something the BCPs will do automatically. If there was a disease risk or something that was serious, it is likely that they would have to return to the UK.

There are animal welfare considerations and the BCP will do all they can to avoid having to return the animal and will have the capacity to look after the animals temporarily while e.g. the additional documentation is obtained.

How many horses can be inspected at a BCP when an appointment must be made, and will this be a 24hr operation?

Currently it is only Calais BCP we are aware of that is considering an appointment process.

The number of equines they can handle depends on them. If you are planning to use the Calais route you ought to check with them what their capacity is. They will also be able to confirm what their operational hours are. Similarly, if you want to know the opening hours of other BCPs or whether they are running an appointment procedure or not, you should contact the BCP in question.

If we have a shared load of horses for Belgium, Holland and Germany can we get all of them checked at the BCP in Calais?

Yes. The BCP check is on entry to the EU and is not required to be repeated at each new Member State.

Transport

How will journey logs for unregistered horses work? Will the UK still issue the journey log for the whole journey?

If the animals are to be transported from the UK into the EU or another 3rd country, then you must obtain a journey log ahead of your journey taking place as follows:

i) If your journey begins in GB, you must obtain approval for your journey log from APHA, as you do now, to cover the entire journey
ii) If your journey starts in Northern Ireland, please refer to the DAERA to obtain your journey log
iii) If your journey starts in Northern Ireland and transits GB with the intention of onward movement into the EU or another 3rd country, you must obtain approval for your Journey Log from DAERA. Please contact DAERA for further information
iv) In addition to the GB or NI approved journey log, you must also obtain a separate journey log approval from the relevant competent authority of the Member State which will be the first point of entry into the EU

For example, if you travel from Dover to Calais, you will
need to obtain approval of an EU journey log from the competent authority in France as your first point of entry into the EU. Similarly, if you travel from Harwich to Hook of Holland, you will need to apply to the Dutch authority for approval of your EU Journey Log. This is in addition to obtaining approval of your separate GB Journey Log from APHA.

Do we need to get all our vehicles and drivers' issues with EU certificates before 1 January 2020?

UK transporters wishing to transport live animals into the EU by rail, sea, air or road (including Eurotunnel) after 31st December 2020 will need to make the relevant applications to an EU Member State. To apply for a Transporter Authorisation, you must be represented in the relevant Member State, and you may not hold an authorisation in more than one Member State.

Under Article 12 and Article 18 of Council Regulation EC No 1/2005, transporters cannot apply for authorisation or vehicle approval in more than one Member State at a time. A transporter holding a UK authorisation and vehicle approval would

therefore need to wait until after 31st December 2020 and then apply for a new authorisation to the competent authority in the Member State in which they were represented. In order to reduce the time you may be without relevant EU authorisation you should ensure you fully understand the requirements for applications in the Member State you are choosing to apply to ahead of 1 January; your chosen Member State will be able to advise on how long it will take them to process applications.

However, the Regulation does not prohibit making an application for a second Certificate of Competence, so it is possible you may apply and obtain this from the relevant EU Member State ahead of 31st December 2020.

It may be possible for a transporter currently holding a UK authorisation to apply to another Member State before 31st December 2020 by establishing a separate corporate entity in that Member State. Transporters should seek their own legal advice on this point to ensure that they comply with the requirements of Regulation 1/2005 and any relevant legislation in that Member State

If the animals are being transported directly into a 3rd country, without transiting any EU Member States, then you only need to obtain approval of your Journey Log from APHA if your journey starts in GB or DAERA if your journey starts in Northern Ireland, ahead of the journey taking place

Please confirm if an EU transporter is when you carry someone else's horses on your lorry?

When we refer to an 'EU transporter', this is a transporter who is currently authorised by an EU Member State to transport live animals.

How is this going to work with private people? If someone moving their own horse for a relocation, they will not have certificates of competence or vehicle container certificates

Transporter Authorisation, Certificates of Competence, Vehicle Approval Certification and journey logs do not apply to the transport of animals which does not take place in connection with an economic activity.

If one transporter from GB puts a horse onto a different transporter from the EU, who can do the paperwork?

Both transporters will need to ensure that they both hold the appropriate transport documentation for the territory in which they are transporting.

Can you please identify which of the many requirements apply to a private rider taking their horse to France for a FEI competition and returning to the UK afterwards?

The Regulation does not apply to the transport of animals that do not take place in connection with an economic activity. This would include individuals attending a show, where the attendance at the show is for the purposes of pleasure and not as part of a business.

Rejected Goods

General

What do I need to do if I need to return any goods that I have exported?

If your exported goods need to be returned, they will need to reacquire UK free circulation status.

You must follow the HMRC returned goods relief requirements. Information on the requirements can be found in the Border Operating Model at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/925140/BordersOpModel.pdf

If you don't follow the HMRC requirements, your goods may fail to pass UK customs, or you may be charged import duty and import VAT on your own goods.

Moreover, to reacquire UK free circulation status, your goods may need to meet specific food, animal or environmental requirements depending on the type of good that needs to return and the reason why it is returning. You can check whether the goods you are returning have a specific requirement, and if so what you need to do to return your goods, at: https://www.gov.uk/guidance/return-your-rejected-exports-from-the-eu-from-1-january-2021

If goods fail inspection, will they be destroyed regardless of what the reason for the failure was? I.e. if a document is missing or there was an issue with some of the info submitted on the EHC?

If your consignment does not have the correct documentation or fails an inspection at a BCP in the EU, it could be required to be destroyed, although in some cases it may be returned. Please check with the EU BCP what the process would be for your consignment.

Currently if any container arrives at a site with missing seals, it would have to be rejected. If circa 1% goods will be opened / sampled, what measures are in place to assure companies that the product is not contaminated or at risk of spoilage due to the mishandling?

The BCPs have an obligation to ensure consignments are not cross contaminated with other goods at the BCP. Authorities would follow established rules laid down in EU law to avoid any risk of cross-contamination. Goods would be handled in designated inspection facilities for only official control purposes to ensure the consignment complies with relevant SPS import conditions.

If the consignment is selected for physical checks then any packaging or containers would be resealed with an official authority tape/seal. Relevant temperature and storage conditions would be complied with throughout the handling of the consignment.

Each BCP would have procedures and risk assessments in place to avoid cross contamination. If you are concerned about possible commercial rejections, then you can liaise with the BCP to provide additional assurances or consult with your EU Member state central competent authority for advice.

Economic Operator Registration and Identification (EORI)

General

What is an EORI number?

An EORI number is a unique ID code for businesses issued by the HMRC. Businesses and people wishing to trade must use the EORI number as an identification number in all customs procedures when exchanging information with customs administrations.

Do I need an EU EORI number?

You will need an EU EORI number if your business will be making customs declarations or have a customs decision in the EU. They are required for sea, land or air freight.

You will need to obtain the EORI from the customs authority in the EU country where you are established or submit your first declaration or request your first decision.

After 31 December 2020 you will need an EORI number to move goods between the UK and the EU.

During the Transition Period there will be no change in respect of EORIs. EU-27 countries will continue to accept UK EORIs and the UK will continue to accept EU-27 EORIs.

How do I apply for an EORI number?

To apply for an EORI number click on 'Start Now' which can be found at: https://www.gov.uk/eori

How long does it take for an EORI number to come through once I've applied?

Applying for an EORI number is an easy process that takes 5-10 minutes. You'll get it either straight away or within five working days (if HMRC needs to make more checks).

Therefore, we recommend exporters apply for their EORI number in advance in case extra checks are required.

What if I already have an EORI number?

After 31 December 2020 you will need an EORI number that starts with 'GB' to move goods to or from the UK.

UK businesses who currently trade with non-EU countries will already have an EORI number. If this starts with GB, then it was issued by the UK and will continue to be valid for the purposes of submitting customs declarations in the UK from January 2021.

We recommend that you check your EORI number and apply for a new one if it does not start with GB.

What do I need to do before I apply for an EORI number?

To apply you may need:

- VAT number and effective date of registration—this is located on your VAT registration certificate
- National Insurance number—if you are an individual or a sole trader
- Unique Taxpayer Reference (UTR)—Find your UTR at: www.gov.uk/find-lost-utr-number
- Business start date and Standard Industrial Classification (SIC) code—They can be located at: https://www.gov.uk/get-information-about-a-company
- Government Gateway user ID and password. To obtain a Government Gateway user ID, use either:
    - The one for your business or organisation
    - If you do not already have a user ID, you'll be able to create one when you apply

What will happen to my goods if I do not have an EORI number?

If you do not have an EORI number your goods may be held by customs.

Who do I contact if I need help?

If you have forgotten or lost your EORI number, contact the EORI online team at: www.tax.service.gov.uk/shortforms/form/EORIContact

Do EU hauliers need a GB EORI number to collect and drop consignments in GB?

A GB EORI is required for all businesses moving goods into or out of GB.

Are the EORI numbers for the exporter and consignee required to be present on the certificate? if so, in which field?

No, that are not required.

****New** If there are a number of entry ports will this means that companies will require a number of EORI no?**
If the entry ports are in the UK, you will only require one UK EORI number.

****New** Once you have the EU EORI number from the first member state you land goods in, can you then use that number going forward irrespective of where else you may sell the goods in the EU?**
Only one EU EORI number is required for trading throughout all the member states.

Establishment and Premises Listing

General

Does my business need to be listed as approved to export to the EU from 1 January 2021?

If your business operates from a UK approved food establishment e.g. those establishments involved in slaughtering animals or birds, cutting red or white meat, preparing fish and fish products, or preparing dairy and egg products, and you export these products to the EU—you need to be listed.

Regulation (EC) 853/2004 Annex III lays down requirements for those activities that need to be approved.

Do UK approved establishments need to be listed even if they don't export POAO to the EU?

If you are a UK approved establishment that does not export POAO to the EU, you don't have to be listed. However, if you produce fresh meat, minced meat, meat preparations, meat products or mechanically separated meat at a slaughterhouse or cutting plant, or processed fishery products, you will need to be listed if you supply others that export your product to the EU.

What if my business produces composite products?

If your business manufactures composite products that have a POAO as an ingredient such as pizzas or sandwiches, you do not need to be listed to export such products to the EU, if you operate from registered premises. However, you will need an Export Health Certificate (EHC) to demonstrate that the POAO you used in your product originated from an approved establishment listed with the EU.

How do I get my establishment / premises listed with the EU?

All UK approved food establishments will be listed unless they choose to opt out. The list will be put forward by Defra for approval by the EC on the EU Approved Establishment List.

Scottish food businesses should contact Food Standards Scotland for further information at:
enquiries@fss.scot

You must contact the FSA at eulistings@food.gov.uk by 1 December 2020 if you do not want your establishment to go forward for EU listing.

What happens if my business no longer wants to be on the EU list?
You must notify the FSA at eulistings@food.gov.uk by 31 December 2020.
What happens if I've changed my mind and now, I want my business added to the EU list?
You must notify the FSA at eulistings@food.gov.uk by 1 December 2020 if you want to be able to export from 1 January 2021.

If you notify the FSA after this date, you will have to make an application to the European Commission for your establishment to be listed under the Official Controls Regulation (EU).

You will not be able to export POAO to the EU until the EU has accepted your application.

Who do I contact if I need help?
Until 31 December 2020, please email the following address if you require further information on establishment and premises listing:
eulistings@food.gov.uk.

Further guidance can be found on food.gov.uk.

I applied to EU listing over 12 month ago and this is still ongoing and not yet finalised. When will our business get informed that we are on this list?
If you check the list of approved premises on the FSA or FSS website and you are listed there, then you will be listed for EU trade purposes as soon as the UK can add premises to the EU listing, which is on or after the 1 January 2020.

Can a vivier truck be approved as an approved premises?
If processes that take place on the truck are processes that require food establishment approval, this is required and possible. For example, vivier lorries have been approved for grading, washing or shellfish and LBM.

Is the Approved Establishment action only needed by producers? we only distribute so I assume that we do not need this.
The requirements of the 1169/2011 regulations apply to food intended for supply to the final consumer. We do not think pallets will normally fall within this definition,

however provisions for 'external packaging' in specific circumstances is made in Article 8.7 FIC.

****New** If we are an approved exporter, will this status automatically enrolled when GB is out of the EU?**
if you are an approved establishment and you have not asked to be removed from the approved establishments list, you will be automatically uploaded onto the Commission's TRACES system.

****New** What do sites that produce composite products using processed meat products that are therefore not approved but LA registered sites do not have ID. What is process for Export approval of the site?**
APHA is responsible for certification and you will need to speak to them about whether your composite products need to be certificated to exported to the EU or if it does how you access the certification process. exports@apha.gov.uk

****New** We have been applying to get on EU listing since March 2020 and we have been advised that we are listed, then that we do not need to be as we do not manufacture in UK, but we store our goods in UK and distribute them in UK and EU - how can we proceed from here? Where can we seek further update?**
All approved establishments will be put forward for listing. If your establishments is part of a single supply chain that operates from a registered premises and you want to be listed you should look on the FSA web site and FSA listings this explains how you can be added to the FSA EU list. eulistings@food.gov.uk.

****New** If a product is processed on 2 sites, do both establishments need approval or only the final processor?**
Yes, all premises that undertake processing and all premises after the premises that undertook processing, must be approved. (one exception is for composite products)

****New** Our composite finished product contains processed POAO, do we still need to register as an approved food establishment?**
If you have concerns about whether you need to be approved or not you must speak to your LA.

****New** On exporting finished food products that contain many ingredients, do all suppliers of the ingredients contained in the product all need to be on the Approved Establishment list?**
Yes. The whole supply chain will need to be on the list

Traders

For non-EU imports, currently cold stores and production sites need to be registered but not traders. Would a trader need to be registered with EU as an establishment or premises?

The trader doesn't need to be listed or approved unless they are carrying out

activities laid down in Annex 853. The trader might be approved if they are producing and then selling the product from an approved establishment/premises. If however they are purely just the trader of the product, and they haven't been involved in production/repackaging etc… then they would only need to be Local Authority registered and the producer would be the one who would be approved.

Fish

Will GB fishing vessels, with fresh catch, be considered as approved establishments?

Export of Fish (for human consumption) can only be made from approved food premises. The fishing vessel need to register with their local authority for health inspection and the catch will need to be exported from an approved establishment.

Health and Identification Marks

General

What is health and identification marks?

Health and identification marks must be applied to food products of animal origin to confirm they have been inspected and are fit for human consumption.

What are the changes to health and identification marks?

From 1 January 2021 to export goods to the EU from GB you will need a two-letter ISO code 'GB' or full country name 'UNITED KINGDOM'.

'GB' can be placed on goods for the UK, EU and non-EU markets.

The exemption for labelling/health marks changes—is it by the time the consignment leaves the plant or enters the EU?

A certificate would be required before the consignment leaves the plant. At that point the products would have to be labelled and marked in accordance to EU law otherwise the certificate couldn't be signed.

If you have outstanding packaging with EU mark can you still export after 31st December to use up all existing packaging?

Legislation in England, Wales and Scotland is being proposed to allow a 21-month adjustment period for goods placed on the market in Great Britain to reduce the impact of the change in requirements for identification marks.

This will allow UK businesses to deplete existing stocks of labels, wrapping and packaging carrying the 'UK/EC' identification mark owned by the food business operator at the end of the Transition Period.

The period of adjustment will be available to UK food businesses for POAO placed on the market in Great Britain. It is not applicable to POAO produced in Great Britain and Northern Ireland for placing on the EU or non-EU markets. Further guidance on placing POAO on the Northern Ireland market will be published shortly.

The period of adjustment is not intended to enable businesses to replenish stocks of labels, wrapping and packaging carrying the 'UK/EC' identification mark after the end of the Transition Period. Businesses are encouraged to adopt the new markings as soon as possible once the Transition Period ends.

The adjustment period will start from 1 January 2021 and be available for food businesses up to 30 September 2022. After this date, the use of old labels, wrapping and packaging will be unlawful.

Where can I find further information on health and identification marks?

Further information can be found at:
https://www.food.gov.uk/business-guidance/guidance-on-health-and-identification-marks-that-applies-from-1-january-2021

Products currently produced do not have the GB or UNITED KINGDOM on the label, will these products need to be re-labelled?

Yes, if the goods are being placed onto the EU market after 2300 hrs on the 31 December 2020.

In their ID Health Marks guidance, FSA refer to the definition in Article 3(8) of Regulation (EC) 178/2002 for placing on the market. In their labelling guidance, Defra refer to the definition in the Withdrawal agreement. Which definition should be used?

Article 40 of the Withdrawal Agreement provides definitions for placing on the market in the European Union or United Kingdom and together with Article 41 explains the extent to which foods placed on these markets before 1 January 2021 can continue to circulate before they reach their end user. Goods placed on the EU market after 1 January will be subject to the definition in 178/2002 which is relevant to general food law, including the 1169/2011 and associated Implementing Regulations.

New For cooked, processed products, will the meat which is used to make the product (e.g.: beef in a beef lasagne product) need to have the NEW GB oval mark, i.e.: be marked as if it were being exported as meat product unprocessed?

The LA will determine whether you need to be approved or not. I suspect that if you are already operating from a registered site that decisions had already been made. Only products produced at an approved site can carry an identification mark. What you have described is a composite product and depending on whether you use processed products of animal origin or not will determine if you need to be approved.

New We are putting together products using fully processed poao so are not on the approved list and do not have a health mark/identification number. Can we still export these products?

APHA are responsible for certification and they will be able to advise you about certification, please contact: exports@apha.gov.uk

****New** Has it been confirmed that we can apply a GB health mark before 31 December to be ready to export on 1 January and avoid delay in being able to supply?**
Yes, FSA guidance on Health and Identification marks provides guidance on the advance use of the Identification mark.

https://www.food.gov.uk/business-guidance/guidance-on-health-and-identification-marks-that-applies-from-1-january-2021

****New**Not on pet food, no. Because it is only relevant for products of animal origin i.e. for human consumption.**
No, not on pet food, because it is only relevant for products of animal origin i.e. for human consumption.

Labelling and Packaging

General

What are the changes to the process for labelling?
From 1 January 2021, foods being exported to the EU will need to meet EU food labelling rules.

What will need to be included on labels?
Labels will need to include:

- Origin of the food product
- The name or business name and address of who is responsible for the product in the EU (Importer or if the business has premises within the EU)
- Health and/or identification marks—either the name of the country in full or with the ISO two-letter code where the establishment is located as well as the approval number of the establishment
- Any other mandatory information such as relating to farming methods and marketing standards

Where can I obtain further information on labelling?
The EU has issued guidance on labelling changes required from 1 January 2021 which can be found on GOV.UK at:
https://www.gov.uk/guidance/food-labelling-changes-after-brexit

Do labelling regulations (address of company in receipt country), apply to goods transiting through EU but not delivering there e.g. Gibraltar?

No. Only the appropriate custom procedure notification and animal health status export health certificate (if required). However, the EHC will have to match up to the goods and how they are packaged.

Do the EU food labelling rules apply to bulk products sold business to business (i.e. not packed into their final retail containers)?

The 1169/2011 FIC Regulations apply to food that is intended for supply to the final consumer or mass caterer. It does not apply to food that is intended for further processing, but other rules will apply, and the provisions of FIC Article 8.8 also apply, requiring the provision of sufficient information to allow businesses further down the supply chain to fulfil their obligations.

Is a PO Box address sufficient for the EU FBO or Importer address on the labelling?

The relevant provisions are Articles 9(1)(h) and Article 8 (1) of EU regulation 1169/2011 Food information for consumers (FIC) which provides that "the name and address on the label shall be the name and address of the FBO under whose name or business name the food is marketed or, if that operator is not established in the Union, the importer into the Union market." After the Transition Period, these Articles of 1169/2011 will continue to apply in the EU27 and the UK will be a third country and so these provisions will apply in the same way as for any other third country exporting to the EU.

For the purposes of Article 8(1) an FBO be must also either be established in the EU or, if not established, the importer is the FBO responsible. To be "established", the FBO must have a physical presence in the country by way of a unit of food business. This unit of food business needs to be able to take responsibility for the goods and for the presence and accuracy of the food information on the label presented to the consumer in the market in which the goods are placed. To meet the purpose of these provisions the name and address of the FBO given must be genuine and substantive enough to enable the FBO or importer to be contacted directly, quickly and easily concerning any issue arising from their product and to allow enforcement notices to be served if necessary. If PO boxes are used on the label, they must serve this purpose and do not replace the need for the business concerned to be established with a physical presence. It is possible that the use of PO Boxes may be considered by the EU as being insufficient. However, how the EU interprets these regulations is not within our control and businesses are advised to check with their EU importer how the EU's labelling requirements will affect their products.

Regarding address on the packaging - are we allowed to put both EU and GB address on the packaging when exporting to EU? Or is only an EU address allowed?

Our guidance here: https://www.gov.uk/guidance/food-and-drink-labelling-changes-from-1-january-2021 confirms that "Your label can contain other information if you need to comply with labelling requirements for another market."

Generally, a label which carries both the addresses of an FBO responsible for the information based in the UK and one based in the EU will ensure address requirements are met for both the EU and GB markets, allowing the product to marketed in both EU countries and GB.

If an importer's details are used as an alternative to an FBO address, this must be the name and address in the EU for the EU market and in the UK for the GB market of the importer who imported the goods into the respective market. The use of two importer addresses, one the importer into the EU and one into the UK, would be acceptable for food labels placed on the GB market. Ideally, the wording would make clear on the label which importer is responsible for importing into which market. We would advise businesses wishing to dual label products in this way for the EU market to seek advice of their EU importer on compliance with the EU's labelling requirements.

Our manufacturing site is on the approved establishment list however our head office address used for invoicing is not on the list. Is this going to cause an issue for exporting to the EU from January and do we need our head office added to the list.

Over labelling is generally permissible providing you don't obstruct other information that has to be displayed on the label. However, whilst we can say that this will be acceptable for the GB market, it will be for the EU to decide if it is acceptable on products exported to the EU. For general food labelling rules, there is no prohibition in using over-stickers to correct food information.

When exporting to the EU, could you confirm the labelling requirements for outer cases: is an EU address required on the case when the identity check takes place at the BCP?

Pre-packaged food placed onto the EU market will need an EU/NI address to comply with Article 9.1(h) FIC. This is not a requirement for BCP's and food may be prepared for placing on the market after import, however there may be other import requirements not from FIC which apply.

Section 4 of the application: it looks like the package needs to have been packed and all onsite admin complete when the application for EHC is made. If the package is highly perishable items needed to arrive with client in under 24 hours, how will this work?

Please see link to apply and for guidance:
https://www.gov.uk/government/publications/how-to-register-for-export-health-certificate-ehc-online/ehc-online-submit-an-application-for-an-ehc-for-the-european-union

Please can you let us know if the importer needs to be stated on each packaging of the product or can it be on the pallet if it is only one product per pallet?

For food that is placed on the market for the final consumer including food intended for mass cater therefore within the scope of the Regulation (EU) No 1169/2011 of the European Parliament and of the Council on the provision of Food Information to Consumers, the name and address of the FBO is required or if the FBO is not established in the Union, if the food comes under the scope of Article 8.7 of these regulations marketed at a stage prior to sale to consumer, not all the information will be required prior to sale to consumer. If the food is not yet placed on the market using the definition of the 178-2002 Definition of Placed on the Market e.g. business to business Article 8.8 of that Regulation will still apply, meaning you will still be

responsible for making sure that other food suppliers are provided with sufficient information to meet their obligations.

Do the labelling rules apply to ingredients we are sending to our stores in the EU and so are not for the final customer?
If this question refers to ingredients intended for further processing, no they don't. The scope of the Food Information regulations clearly set out in the that regulation and it relates to food intended for the final consumer including foods delivered by mass caterers or intended for delivery by mass caterers. Or foods that have undergone final stages of preparation. Please see GOV.UK Updated labelling guidance is here:

https://www.gov.uk/guidance/food-and-drink-labelling-changes-from-1-january-2021

Would a Northern Ireland business name and address satisfy both GB and EU labelling requirements?
Yes. Foods exported to the EU must have an EU or NI address for the FBO, or an address of the EU or NI importer on the packaging or food label. A UK FBO or importer address will be acceptable on the GB market. This means that an NI address will meet GB, NI and EU labelling requirements.

****New** Can we cover sticker the site code with the new code on packaging being exported to EU market**
Over labelling is generally permissible providing you don't obstruct other information that has to be displayed on the label. However, whilst we can say that this will be acceptable for the GB market, it will be for the EU to decide if it is acceptable on products exported to the EU. For general food labelling rules, there is no prohibition in using over-stickers to correct food information.

****New** Do the labelling requirements apply to the pallet labels or each carton?**
The requirements of the 1169/2011 regulations apply to food intended for supply to the final consumer. We do not think pallets will normally fall within this definition, however provisions for 'external packaging' in specific circumstances is made in Article 8.7 FIC.

****New** Should animal feed and pet food have the EU address? DAFM have indicated that the address should be that of the EU Representative.**
This is not a Defra policy area. Animal feed and pet food sit with the FSA.

****New** Does the address of the customer we export to need to be on every label or just a pallet label for that pallet?**
The requirements of the 1169/2011 regulations apply to food intended for supply to the final consumer. We do not think pallets will normally fall within this definition, however provisions for 'external packaging' in specific circumstances is made in Article 8.7 FIC.

****New** In order to be compliant with labelling requirements, can you please provide an example of what needs to be shown on the labels?**

The information about what needs to be on a food label is given in EU Regulation 1169/2011 and the overall requirements for the information that needs to be a on label has not changed as a result of EU Exit. For specific labelling changes resulting from EU Exit, please see our guidance on the food and drink labelling changes from 1 January 2021 here:

https://www.gov.uk/guidance/food-and-drink-labelling-changes-from-1-january-2021

****New** Will Polystyrene boxes as packaging have to be added to a customs clearance document?**
Packing is normally declared at part of the value of the goods. The customs declaration does not have to list disposable packing as a separate commodity, but any cost associated should be included in the declarations value.

****New** Regarding the origin of the food being required, is this on the primary packaging, or is on the outer case ok?**
The marks would need to be applied at various levels of packaging, as currently set out in the EU hygiene package, so that would need to continue.

Border Control Posts (BCPs)

General

What are designated BCPs?

BCPs are designated and approved inspection posts at an EU border that carry out checks on animals and products of animal origin arriving from third countries.

To export live animals and products from animal origin from GB to EU you need to enter through a border control post that can check and process your types of goods.

How do I know which BCP to enter through?

Exporters of live animals and POAO will need to enter the EU via an appropriately approved BCP. There are more than 400 approved BCPs in the EU, which are usually located at EU ports and airports.

You must find a BCP that can accept your type of goods, as not all BCPs accept the goods mentioned above and consider how to redirect your trade route if needed.

To check a BCP use the following list of BCPs on the EU site at:
https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1563184991622&uri=CELEX:02009D0821-20190107

Is there a timeline of submission to the BCP that I need to be aware of?

All EU BCPs require notice of goods arriving. Please check with the BCP you are planning to use for how much notice is needed.

You must also contact your import agent in the EU to make sure they notify the BCP through the Trade Control and Expert System (TRACES)* of the arrival of the consignment. They must do this within the time limits set out by the BCP.

* TRACES is an online system for health certification and tracking consignments of animals or animal products coming into or out of the UK.

What if I get to the border and my paperwork is not correct?

If your goods fail inspection because of risks to animal or public health, they may be destroyed immediately.

If the goods fail for other reasons, the BCP may notify your importer or agent and ask them to decide whether your goods should be destroyed or returned to the UK.

The BCP will not usually contact the exporter directly.

If you gain permission to bring your goods back to the UK, you can do this using the same documents you used to export.

You do not need to enter via a UK BCP and will not need to go through checks at the UK point of entry.

When exporting animal products through France, do I need to go via a Border Control Post (BCP) in France with health certificates and ingredients lists?

When transporting animals, POAO or germplasm from the UK to the EU, goods must be checked at a Border Inspection Post that can accept your type of goods, in the first EU country you enter.

Is there enough capacity at ports with BCPs on the other side of the English Channel to receive all our exports that previously went to Calais?

We are aware that French authorities are constructing inspection facilities to serve Calais and Coquelle. We have no official confirmation that it will be ready for the 1 January 2020.

The UK Government is focused on doing everything they can to ensure continuity on the UK side of the border.

Will there be queues at Border Control Posts?

We are working to ensure that any friction at the border is minimised by understanding volumes and working with industry bodies.

If goods have arrived at the first drop off, are they classed as being passed the entry point and are in free circulation?

Once the checks, both documentary and physical, have been fully completed at the BCP and given the all clear then the consignment can move freely within the single market.

The goods could still be subject to further checks inland as part of general market surveillance. The destination member state may have a policy of randomly testing imported food on the shelves so there could still be checks but that would be after clearance at the BCP.

In some scenarios the goods may have to be kept at the premises of destination until the import notification had been made before they could be moved on. The premises of destination declared in the EHC and the CHED will be responsible for the onward distribution of the goods in the EU and they must keep the relevant Food Chain Tracing information and be responsible for them.

Do we need to work with our hauliers to find their routes to ascertain the BCP?

Please check with the EU BCPs to see which BCP will accept your product type/ commodity. A list of BCPs can be found at:
https://ec.europa.eu/food/animals/vet-border-control/bip_en

Please confirm if BCPs only operate in normal working hours?

BCP opening hours vary and not every BCP requires 24hr notice. Please check before arriving at the BCP for their working hours.

If BCPs require all documents in advance, does this mean they will accept unsigned vet certificates as notification?

The notification is different to the documentation accompanying the consignment, so notification is different to the EHC. The importer/agent will fill in part 1 of the common entry certificate to notify the BCP of entry. The EHC must be signed but this isn't the notification paperwork.

What are the costs of veterinary checks at BP?

You will need to contact your BCP at point of entry for associated costs.
https://ec.europa.eu/food/animals/vet-border-control/bip-contacts_en

Are BCPs confirmed as in place in French Channel ports to receive live animals?

Please find link below which provides guidelines on which BCPs will accept which animals and products. It is the exporters responsibility to check they use the right BCP for their product.

https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1563184991622&uri=CELEX:02009D0821-20190107

****New** Will all EU BCPs eventually be able to accept all products post 01.01.21?**
This is highly unlikely and will be a commercial decision for the port operator in the first instance. All BCP's have an approved status which is very specific to the type of product they are then able to accept. If a BCP wishes to have a "cover all" status it will have to make that application the CION and the application will be assessed by it.

****New** BCP working hours are going to impact journey times so it will still be an issue, particularly for breeding pigs which are transported via high biosecurity conditions.**
You need to check with the BCP that you are entering. Please find attached link for further information:

https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1563184991622&uri=CELEX:02009D0821-20190107

Meat

Once a product, for example a carcass has cleared the BCP and are at the first drop-off (e.g. a wholesale market) can the rest of the carcasses be transported to other drop-offs?

Once cleared by BCP for entry into the single market, the destination could be anywhere in the EU. The CHED can be issued showing the first drop off as the destination but that destination will then need to keep records of movements off (one step back—one step forward traceability).

EU Based Import Agent

General

What is an EU import agent?

An EU-based Importer is the person who is legally receiving your goods in the EU (although they may not be the place of destination).

What is the role of an EU Import Agent?

Goods need to be checked at a Border Control Post (BCP). All EU BCPs require notice of goods arriving (please check with the BCP you are planning to use for how much notice is needed.). The exporter will send a copy of the certified Exports Health Certificate to the Import Agent.

Your local EU import agent must submit to the BCP pre-notification of the goods arriving through the Trade Control and Export System (TRACES)* by making an importers declaration (CHED). A customs declaration must then be completed.

Please note: If goods fail inspection due to a risk to animal or public health, they will be destroyed immediately, or the importer will be required to destroy them and carry the costs.

* TRACES is an online system for health certification and tracking consignments of animals or animal products coming into or out of the UK.

Transport

General

What are the changes to the transportation process?

From January 2021:

- The responsibility for customs border formalities rests with traders
- An arrived declaration must be submitted to customs before goods have left the trader's premises
- The declarant will receive 'Permission to Progress' (P2P)

Hauliers:

- Hauliers will need to carry evidence that a declaration has been made
- If a physical check is required, the haulier or declarant will be instructed to move to a specified location for a check
- Haulier must ensure the driver has all necessary customs documentation and other paperwork which must be carried in the vehicle for the duration of the journey

Transporters:

- Will need to get the right operator license—standard international operator license but there may be other licenses
- may need an ECMT or other additional permits

- All exports will require a Safety and Security (S&S) declaration

Are there any different requirements depending on the route?

Yes. The requirement differs for the Dover to Calais route.

For more information, please refer to the guidance found at: https://www.brexit.gouv.fr/files/live/sites/brexit/files/contributed/Documents/SPS%20Controls%20for%20goods%20imported%20from%20the%20UK%20to%20the%20UE%20via%20France.pdf

What will happen if I do not have the correct declaration and documents?

Goods will not be able to move across EU borders without the correct documentation.

Where do I find further guidance on the changes to transportation?

Further guidance can be found at: https://www.gov.uk/guidance/how-to-move-goods-between-or-through-common-transit-countries-including-the-eu#further-information

Can you please clarity the process for transporters of live animals to the EU?

UK transporters wishing to transport live animals into the EU by rail, sea, air or road (including Eurotunnel) after 31 December 2020 will need to make the relevant applications to an EU Member State. To apply for a Transporter Authorisation, you must be represented in the relevant Member State, and you may not hold an authorisation in more than one Member State

The term "Representation" is not defined in the relevant legislation. We advise that you:
i) Contact the relevant competent authority for the Member State you wish to apply to
ii) Seek independent legal advice, specific to your business.
iii) Discuss directly with your relevant trade organisation.

We are a pet transporter that only moves people pets and not commercial pet movements of pets for sale. Would the process be the same for transporting pets if they are not for sale or transfer to another person or organisation and are just moving with people?

The transport of animals being undertaken in connection with an economic activity (e.g. a pet transporter being paid by an owner to transport the animals) must comply with all the relevant welfare in transport legislation.

UK transporters wishing to transport live animals into the EU by rail, sea, air or road (including Eurotunnel) after 31 December 2020 will need to make the relevant applications to an EU Member State. To apply for a Transporter Authorisation, you must be represented in the relevant Member State, and you may not hold an authorisation in more than one Member State.

What is the latest position on the WIT2 license validity in the EU after 1 January 2021?

UK issued Transporter Authorisation, Certificate of Competence, and Vehicle Approval Certificates will not be valid for use in the EU from 1 January 2021.

The application for WIT2 now must happen. This is an EU license that is affecting UK companies and employment. Is there any further information on this?

Defra do not hold contact details for each Member State. You may be able to obtain further information via the Border Control Posts.

Please confirm how it will work for UK transporters who cannot hold both a UK and EU licence?

Under Article 12 and Article 18 of Council Regulation EC No 1/2005, transporters cannot apply for authorisation or vehicle approval in more than one Member State at a time. A transporter holding a UK authorisation and vehicle approval would therefore need to wait until after 31 December 2020 and then apply for a new authorisation to the competent authority in the Member State in which they were represented. In order to reduce the time you may be without relevant EU authorisation you should ensure you fully understand the requirements for applications in the Member State you are choosing to apply to ahead of 1 January; your chosen Member State will be able to advise on how long it will take them to process applications.

However, the Regulation does not prohibit making an application for a second Certificate of Competence, so it is possible you may apply and obtain this from the relevant EU Member State ahead of 31st December 2020.

It may be possible for a transporter currently holding a UK authorisation to apply to another Member State before 31st December 2020 by establishing a separate corporate entity in that Member State. Transporters should seek their own legal advice on this point to ensure that they comply with the requirements of Regulation 1/2005 and any relevant legislation in that Member State.

If we are a small business without EU site how do we get EU certification of vehicles and drivers?

UK transporters wishing to transport live animals into the EU by rail, sea, air or road (including Eurotunnel) after 31st December 2020 will need to make the relevant applications to an EU Member State. To apply for a Transporter Authorisation, you must be represented in the relevant Member State, and you may not hold an authorisation in more than one Member State

The term "Representation" is not defined in the relevant legislation. We advise that you:

i) Contact the relevant competent authority for the Member State you wish to apply to
ii) Seek independent legal advice, specific to your business.
iii) Discuss directly with your relevant trade organisation.

Are there links to how to apply for EU certificates of competence and vehicle licenses?

Defra do not hold contact details for each Member State. You may be able to obtain these details via the Border Control Posts.

Will EU companies have to get UK standard vehicle and driver certificates?

EU transporters wishing to transport live animals into GB by rail, road, sea or air (including Eurotunnel) after 31 December 2020 will need to make applications to the relevant delegated bodies in GB for Certificates of Competence and Vehicle Approval Certificates, and to APHA for a Transporter Authorisation.

To apply for a Transporter Authorisation, you must be represented in GB. EU Transport documentation will not be valid for use in GB after 31st December 2020.

Please confirm that there are no changes for EU transporters?

EU transporters wishing to transport live animals into GB by rail, road, sea or air (including Eurotunnel) after 31st December 2020 will need to make applications to the relevant delegated bodies in GB for Certificates of Competence and Vehicle Approval Certificates, and to APHA for a Transporter Authorisation. To apply for a Transporter Authorisation, you must be represented in GB. EU Transport documentation will not be valid for use in GB after 31st December 2020

Are there links to where exporters can apply for the EU Driver and Vehicle Certificates?

Defra do not hold contact details for each Member State. You may be able to obtain these details via the Border Control Posts.

Would it help for neither sets of hauliers (GB + EU) to have to re-register their approval status if no effective change?

The EU Commission stated that UK transporters wishing to transport live animals into the EU by rail, sea, air or road (including Eurotunnel) after 31 December 2020 will need to make the relevant applications to an EU Member State. To apply for a Transporter Authorisation, you must be represented in the relevant Member State, and you may not hold an authorisation in more than one Member State.

In order to create no commercial disadvantage to GB transporters, EU transporters wishing to transport live animals into GB by rail, road, sea or air (including Eurotunnel) after 31 December 2020 will need to make applications to the relevant delegated bodies in GB for Certificates of Competence and Vehicle Approval Certificates, and to APHA for a Transporter Authorisation. To apply for a Transporter Authorisation, you must be represented in GB. EU Transport documentation will not be valid for use in GB after 31 December 2020

If type 2 approval can only be applied for after 1 January to an EU member state, how long should the process take to get approval?

This may vary. You should contact the relevant competent authority for the Member State you wish to apply to for further information.

Customs Declarations

General

What are the changes to customs declarations?

From 1 January 2021 exporters must:

- submit export customs declarations for all goods
- submit safety and security information either via a combined export declaration or a standalone Exit Summary Declaration

How do I make a customs declaration?

You can make the custom declarations yourself or hire someone else to do this for you.

Customs processes can be complicated and require specific training and software. Most businesses use customs intermediaries to complete customs processes for them.

Where do I find further information on customs declarations?

Further information can be found at:
www.gov.uk/guidance/customs-declarations-for-goods-taken-out-of-the-eu

Information on the customs clearance process can be found at:
https://www.gov.uk/guidance/help-and-support-if-your-business-trades-with-the-eu

****New** Are there any examples of customs declarations?**

Please refer to following links at GOV.UK for further guidance on customs declarations.

https://www.gov.uk/guidance/customs-declarations-for-goods-brought-into-the-eu

****New** If there is no requirement to have an EHC for import into the UK between Jan and April, and ultimately there is no IPAFF work, can you advise then what needs to be shown on the import customs declaration? The product commodity code will require a box 44 CVED reference for which we will not have as there is no IPAFF, are we to simply override this requirement on the import declaration entry?**

Please refer to the guidance on GOV.UK at the following link:
https://www.gov.uk/guidance/importing-animals-animal-products-and-high-risk-food-and-feed-not-of-animal-origin-from-1-january-2021

**** New** Tariffs are decided on the event of a deal is achieved. In the event of a no deal do we revert back to the list issued in 2019 in the event of a no deal or keep the same tariffs we have published now in the event of a deal?**

The UK Government intends to achieve an FTA with the EU by December 2020 and the aim is for a zero tariff and zero quota FTA which we are working hard to achieve.

The UK Global Tariff will come into force on 1 January 2021, you can find further details here - https://www.gov.uk/guidance/uk-tariffs-from-1-january-2021. At the end of 2020 the UK will transition to MFN terms with all those nations that it does not have a free trade agreement.

****New** Is the transporter responsible for issuing the S+S declaration, or the exporter if this is different.**
From 1 January 2021 we will require S&S information on exported goods to the EU. This will be either a combined customs and S&S declaration by the exporter or a standalone declaration for certain types of movements such as empty containers being moved under a transport contract in which case. The carrier is responsible for the submission of a safety and security declaration. The carrier is defined as the owner of the "active means of transport" which means a ferry operator for unaccompanied goods or will mean the haulier for accompanied goods. Carriers will still be able to ask another party to submit the safety and security declaration on their behalf, as some carriers do at present. However, the legal liability to supply this information will remain with the carrier

Groupage

General

How will the Groupage Export Facilitation Scheme (GEFS) daily? For details on the GEFS scheme, please follow the guidance at:
http://apha.defra.gov.uk/external-operations-admin/library/documents/exports/ET193.pdf

Under groupage, what do you define as the final consumer?
Please refer to the Gov.UK groupage page at:
https://www.gov.uk/government/publications/groupage-export-facilitation-scheme-privacy-notice

Within the groupage scheme, does the local authority in the area where the all the consignments are collated provide the EHC?
From January 2021, for products of animal origin (POAO), subject to safeguard measures, there will be new requirements for pre-notification on IPAFFS, and all goods must be accompanied by an Export Health Certificate (EHC).

For POAO subject to safeguard measures, the UK importer should supply the EU exporter / Official Veterinarian (OV) with the unique notification number (UNN) that is produced on IPAFFS when the importer notifies the UK's Animal Plant Health Agency (APHA) about the import. The exporter must add the UNN to the health certificate.

If an item fails and is in groupage, what parcel carriers will accept parcels to take across? How will insurance work for the other random parcels on the groupage on a carrier?

This is a matter for the exporter to agree with their parcel carrier/logistics provider.

Is it possible to attain a single health certificate for a groupage loads of fishery products originating from different exporters that covers the entire load, in order to avoid having approximately 20 health certificates per truck load departing the UK?

Yes, it is possible but only with an agent acting as single exporter on behalf of the exporters. If the truck load is pulled for inspection and any part of it is found to be non-compliant, the whole load will be turned away or require destruction.

Under the groupage scheme, how can a seal number be provided if there is subsequent collections after loading or if the goods are going to a central hub to be consolidated prior to departing to the EU country?

Seal numbers can be referenced on the EHC by the certifier. The Groupage scheme does not change how seals are applied to consignments. Seals are not legally required except for fishery products that cross from Dover to Calais. BCP will expect seals on the consignment. Logistics will need to be worked out by exporters with their agent and certifying officer but a seal could be applied under the supervision of a certifying officer at the hub of departure.

We export dairy every day except Sunday. Is there a service where we can use a 'groupage' service where we pre-register with Defra and advise actual exports every month to the EU?

No. Each consignment of product will require an Export Health Certificate, signed by a suitably qualified certifying officer. Each consignment needs to enter the EU via an appropriately authorised BCP and be pre-notified to the BCP by the EU importer.

Buyers from France, Belgium and Holland are buying fish directly from the Brixham Trawler Agents and transported via truck to Europe. Where would the fish for Belgium and Holland must go to a BCP, if on the same groupage vehicle?

The BCP of entry into the EU is where the products will undergo checks. You need to ensure that the BCP you opt to use is appropriately approved for the products you are exporting.

A list is available, but this will likely be updated by the EU prior to the end of the Transition Period at:
https://ec.europa.eu/food/animals/vet-border-control/bip-contacts_en

We use groupage to send our fresh products to multiple customers within the EU on a daily basis, if the Transport company can arrange the EHC to get the products into EU, can the transport company split the consignment for each customer and do copies of the EHC need to follow the consignment to each customer or would it stop with the transport company?

It is our understanding and interpretation from current legislation that the information in “Place of destination (Box I.12)” of the EHC is optional; except in the case of storage of products in transit through the EU when it is mandatory.

However, the importer or agent in the EU will have to declare on TRACES NT (pre-notification), what the destination of the goods is.

The declared consignee/importer/agent would be responsible for any food chain traceability obligations for where the parts of a single consignment end up. You would not need an EHC for each final destination of parts of the consignment, only one, for the consignor, or the initial destination if declaring a destination (is optional). Ultimately, this is for the EU authorities to provide guidance on split consignments, please contact your BCP of entry to understand how this process will work. https://ec.europa.eu/food/animals/vet-border-control/bip-contacts_en

You can find valuable information on split of consignments at the BCP in the legislation in the link below.
https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32019R1602&qid=1605539782593

****New** Will groupage facilities be available for non-consumer food products e.g. compound food ingredients?**
The facility to group various product lines on to a single Export Health Certificate is determined by the specific conditions of the relevant EHC and should be discussed by the exporter with their certifying officer. All products must be dispatched from a suitably approved establishment and the availability of such a premise’s at which products can be consolidated is a commercial matter. We have made guidance available outlining the types of supporting information that would be required at such a premise’s to enable the consolidation of loads. http://apha.defra.gov.uk/external-operations-admin/library/documents/exports/ET197.pdf

Groupage Export Facilitation Scheme (GEFS)

General

What is the Groupage Export Facilitation Scheme (GEFS)?

GEFS is a membership scheme for exporters of certain products of animal origin from stable supply chains, packaged for sale to the final consumer. From the end of the Transition Period, Export Health Certificates will be needed for the movement of products of animal origin to the EU. GEFS do not fundamentally alter the process of Export Health Certification but enables scheme members to make use of time-limited support attestations to facilitate certification of their groupage exports to or for transit through, the EU, or movement into Northern Ireland.

Where is there guidance for the scheme?

There is guidance on GEFS on GOV.UK and on the APHA website here.

How do I apply for the scheme?

To become a member of the GEFS you need to complete this application form and email it with a copy of your current supplier list to GEFS@defra.gov.uk.

When can I start using the scheme?

Application for membership of the scheme is now open. The scheme is for use to support exports from the end of the transition period, 1 January 2021.

What goods can I use GEFS to support certification for export?

Exporters can use GEFS to help export certain products of animal origin for human consumption including composite products, processed meat products, including gelatine, meat preparations, processed milk and matured or processed dairy products, fish or fisheries products, eggs or egg products, honey, frogs' legs, snails and bivalve molluscs. You can also use it for processed pet food. These products must be fully packaged for the final consumer (or to be re-packaged directly at the point of sale for the final consumer) and produced using animal content from known suppliers.

What goods can I not use GEFS to support certification for export?

You cannot use the scheme to help export fresh meat, raw milk, products of animal origin not for human consumption (except processed pet food), live animals and germinal products.

Can I use the scheme to export to bigger traders and processors in the EU?

The support attestations that the scheme allows you to use can only be used to support exports of products, which are fully packaged for the final consumer or to be re-packaged directly at the point of sale. An example of a re-packaged good would be a composite (e.g. pork pie) exported whole that is re-packaged at a deli counter for sale to the final customer. Bulk products exported for further processing or not for direct sale to the final consumer are not in scope.

When will GEFS guidance be published and is there an agreed a grace period with the EU?

There is guidance on Groupage Export Facilitation Scheme (GEFS) on GOV.UK and on the APHA website here. Application for membership of the scheme is now open. The scheme is for use to support exports from the end of the transition period, 1 January 2021.

There is no grace period agreement with the EU required for use this scheme. GEFS does not change EU export certification requirements and support attestations used in the scheme are for eligible products moving within the UK only.

Can I export groupage export without GEFS?

Yes, groupage exports can be undertaken without the support of GEFS.

I supply goods to retailers who export goods, do I need to apply?

No. This scheme is for exporters to apply for only. Suppliers should not apply for the scheme. Exporters should work with their suppliers, their Certifying Officer(s) and other vets to understand how to best operate under the scheme.

Does this mean I will need fewer EHCs when exporting my goods?

No. GEFS enables scheme members exporting qualifying products to make use of time limited support attestations to facilitate certification. Products exported using GEFS must meet the same animal health standards and provide traceability information for the product to be certified.

What does the support attestation consist of?

The 30-day support attestations (SA) consist of both a supplier/manufacturers declaration and a veterinary declaration (following an inspection of the supplying premises and records, to confirm stability of the supply chain and that the declaration is currently correct). This support attestation can then be used (for a 30-day period) to provide information to the certifying officer completing the final EU export health certificate.

Exporters wishing to use the SA should discussing the content of the support attestation with their Certifying Officers. The information to be collected and displayed on the Support Attestation is determined by the Certifying Officer signing the EHC.

GEFS scheme does not change EU export certification requirements and support attestations used in the scheme are for eligible products moving within the UK only.

What paperwork is required in addition to the support attestation under the scheme?

The scheme also requires a commercial document/manifest to accompany (or be electronically linked to) each consignment moved to the depot during the validity of the Support Attestation. The supplier must ensure this commercial document/manifest is signed/endorsed on behalf of the supplying company with words to the following effect: “The evidence required to facilitate export of the products in this consignment has been provided in Support Attestation …. [insert unique reference number of relevant Support Attestation]. No changes have been made that affect the validity of the information provided in this Support Attestation”. Beyond the above, for loads moving within the UK we envisage that no additional routine documentation will be required although certifying officers may request additional information for specific loads or as part of routine audits/traceability checks.

GEFS does not change EU export certification requirements and support attestations used in the scheme are for eligible products moving within the UK only.

When can I get a Support Attestation to be ready to export on 1 January 2021?

Once GEFS membership is granted, exporters can obtain SAs prior to 1 January 2021. Each SA will still only last 30 days from when signed by Certifying Officer. Exporters may wish to obtain SAs in December in preparation for export to the EU after the transition period has ended. Securing SAs for different commodities throughout December also allows for staggered vet certification which may benefit exporters.

We would advise exporters wishing to use the scheme to consider discussing the content of the support attestation with their suppliers and certifiers before December to make sure there is agreement on the detail they will need to contain.

What is considered a stable supply chain?

At the initial supplier inspection, a stable supply chain is defined as no changes in product health and traceability details relevant to the information provided in the supplier declaration section of the SA for the preceding thirty calendar days and for at least four of the preceding six months. Suppliers may have experienced instability in their supply chains in the months prior to the launch of GEFS due to both changes made specifically to meet new EU Exit dependent requirements and the exceptional circumstances relating to COVID19. In the short term this should not prevent the agreement of support attestations. Suppliers will need to ensure they can provide evidence to the vet that changes have been made in response to these specific circumstances. The Competent Authority will keep this under review.

Updated Can we use GEFS for goods produced in EU or is this only applicable for goods produced in UK?

GEFS guidance states the scheme is for GB exporters using suppliers in the UK. If your goods come to your suppliers from the EU, it may be possible for a registered vet to issue a 30 day support attestation for these products provided they can be assured that the supply chain is sufficiently stable and that products meet the relevant health and traceability information. Support certification from the EU member state may be required for this.

Can exports be done on the groupage system or does each consignment need to be sealed by the OC at the point of despatch and not subsequently broken?

The Groupage Export Facilitation Scheme (GEFS) is open to applications from exporters of products of animal origin. Exporters need to be exporting products packaged for sale to the final consumer, from a stable supply chain, to use GEFS. Dairy products (although not raw milk) are in scope. GEFS does not alter the

requirement for a load to be sealed, which is optional. However, sealing may make it quicker for a load to be processed at an EU BCP.

Does membership of GEFS scheme remove requirement for an OV to inspect every consignment prior to despatch from 3PL warehouse?
No. GEFS does not remove the requirement for each consignment to be certified by a suitably qualified certifying officer. COs signing EHCs for relevant POAO exported by GEFS members can rely upon 30-day support attestations agreed between the exporter, supplier and a vet (or Certification Support Officer working under the direction of an OV) in addition to personal knowledge of the supply chain.

We produce multiple products which are produced on behalf of a retailer so their vets will sign off an EHC at the depot. We are a member of GEFS. Do we need to apply for EHC for every product or for each product we send? Am I right in assuming that the EHC covers our product for 30 days only as part of the GEFS scheme.
GEFS membership is for exporters rather than suppliers. Suppliers for these exporters may use 30 days support attestations to provide supporting information on the products they are supplying for export. These "30 days support attestations" are not official Export Health Certificates.

If I have understood correctly, if we register for GEFS and we export a consignment of multiple composite products to the EU, the VET can issue one EHC to cover all the composite products on that consignment?
This is not quite correct. The GEFS scheme may make it easier for vets to certify a group of products of the same type onto a single EHC by helping to gather the required health and traceability evidence for a range of different products at a single point. But GEFS does not change the EU's EHC requirements including rules on the different certificates needed for different types of product.

Will there be a training session / Q&A for GEFs?
There is a dedicated email inbox for GEFS related queries: GEFS@defra.gov.uk

Is GEFS just for Ireland (ROI &NI) or will this apply for exports to EU?
GEFS does not replace any official EU certification requirements but can be used to help support export certification of certain products directly to the EU or for transit through the EU.

Is the GEFS allowed for importing products into the UK or is it only for exports to the EU? For instance, importing dairy based ingredients from different countries in the EU to the UK.
The GEFS scheme applies within the UK only and does not apply to imports. The 30 days support attestations used as part of the GEFS scheme can only be signed by vets in the UK to provide supporting information to UK Certifying Officer's to facilitate the EU export certification of certain products.

****New** We will be using groupage for the majority of our customers - can you clarify our responsibilities regarding EHC in that scheme.**

The Groupage Export Facilitation Scheme (GEFS) is an optional membership scheme for exporters of certain products of animal origin from stable supply chains packaged for the final consumer. It does not alter need for an EHC or the requirements of any EHC. It enables a certifying officer signing EHCs for relevant products exported by scheme members to make use of an additional form of evidence when certifying - a time limited support attestation. Further detail is available here.

https://www.gov.uk/guidance/export-groups-of-products-of-animal-origin-to-the-eu-from-1-january-2021

****New** Can my supplier be from the EU?**
The suppliers listed in the GEFS application cannot be EU as the scheme is only for GB based exporters receiving product from UK based suppliers.

****New** Can an EU business apply for GEFS?**
We require applicants to have a UK business address and a UK company, VAT or EORI number. These will need to be included on the application form.

****New** Can an EU vet sign a SA?**
An EU vet at an EU supplier (not under RCVS remit) – cannot issue a 30 days support attestation using GEFS scheme but an RCVS registered vet at a UK supplier can.

****New** Is there a cost to becoming a member of the scheme?**
No, there is no fee for exporters applying or for being a member of the scheme. There may be cost associated with preparing for use of the scheme and certification of exports from Vets and Certifying Officers. Official Veterinarians (OV) operate in a private market and will charge accordingly. Local Authorities are able to charge on a cost recovery basis for the time of their Food Competent Certifying Officers (FCCO).

****New** Do I need a supplier to use the scheme? If I supply my own goods do I need to provide a supplier list?**
You may still use the scheme with the supplying business being part of the same business as the exporting one. If there is a small number of supplying sites providing a limited number of products for export it may be possible for the Certifying Officer to obtain the information, they need without the use of GEFS 30 days SAs and you might want to discuss this with your CO.

We still require the names and addresses of the supplying establishments from which the SAs will be issued and the details of the supplies from that supplier.

****New** What should the supplier list contain?**
The Supplier list should contain information on the suppliers of animal products for export to or through the EU.

The information we need of each supplier includes:

- the registered address for the supplier and the address from which the supplies are procured/delivered (if different from the registered address)
- details of the supplies from that supplier

- the length of time that the supplier has been supplying the commodity or commodities to the exporter.

Goods need to be fully packaged for the final consumer or to be re-packaged directly at the point of sale, at the point which the SA is issued. Bulk products for further processing cannot be covered by a SA. The suppliers need to be UK based.

****New** Do you need a support attestation for each individual product type or can we group product types under 1 support attestation?**
The SA can be used to provide relevant health and traceability information for a range of different products from the same supplier including products which will ultimately be exported on different EHCs. Health and traceability requirements differs for different EHCs and vets/suppliers/exporters need to discuss in advance to determine/agree what supporting information to include in the SA (by referring to the relevant EU EHCs).

****New** Is there a definition for product line?**
There is no legal definition of groupage or product line. The guidance gives a definition of groupage. Product line just refers to different types of products as you might find on a shelf ready for sale to the final consumer.

****New** What checks do Vets need to make in the inspections?**
Vets will need to confirm that the relevant product health and traceability information is correct and to verify further upstream supply chain stability including by reviewing both current and historical records and by physically inspecting the supplier's premises and products.

The specific checks and evidence required to do this will vary depending on the specific EU requirements for the different products and on the nature of the particular supply chain.

The GEFS guidance includes a non-exhaustive list of the types of evidence which registered vets or CSOs may check before signing SAs including:

• contractual agreements,
• invoices,
• HACCP plans/records,
• Standard Operating Procedures (SOPs)
• Traceability records

For more specific guidance, the notes for guidance available on GOV.UK for the relevant EU export certificate provide further information to help vets to determine what types of supporting information to use to verify compliance with particular attestations.

****New** GEFS does not suit my business model, is there any other support?**
Defra has also produced guidance on Logistics Hubs (Export Health Certification for Products of Animal Origin Away from the Premises of Origin) and Risk Based Fish Export Certification, which may be more applicable to some stakeholder's business models than the Groupage Export Facilitation Scheme (GEFS).

Pallets

General

Is there clarity as to whether heat-treated pallets are required for exports to the EU?

After the end of the Transition Period, all wood packaging material (WPM) moving between GB and the EU must be treated and appropriately marked in compliance with international standards (ISPM 15). This is in line with international requirements for trade and is in place to protect both the EU and GB from harmful plant pests and diseases.

The WPM industry have been working tirelessly to increase the stock of compliant WPM. The UK Timber Pallet and Packaging Confederation (TIMCON) report that WPM treatment capacity has increased, with a greater number of heat treatment facilities (kilns), operating over longer hours. In a recent survey of the wood packaging material industry, TIMCON reported that 76% of respondents indicated they were confident that they would be ready by the end of the Transition Period to meet customers' ISPM15 requirements.

Defra, the Forestry Commission and other relevant UK plant health authorities are continuing to work closely with the wood packaging material sector to understand what further actions they need to take to manage this new requirement by the end of the Transition Period.

From the 1 January, are exporters required to ship goods from GB to the EU on heat treated pallets?

Yes. After the end of the Transition Period, all wood packaging material (WPM), including wooden pallets, moving between GB and the EU must be treated and appropriately marked in compliance with international standards (ISPM 15). This is in line with international requirements for trade and is in place to protect both the EU and GB from harmful plant pests and diseases.

Will HT pallets be required for goods into the EU even in the event of a 'deal' being struck, or only in a no-deal scenario?

The UK is leaving the EU's customs union and single market. This means businesses will have to prepare for life outside of these, which will inevitably mean extra processes will be required on UK-EU trade. After the end of the Transition Period, all wood packaging material (WPM), including wooden pallets, moving between GB and the EU must be treated and appropriately marked in compliance with international standards (ISPM 15). This is in line with international requirements for trade and is in place to protect both the EU and GB from harmful plant pests and diseases.

What will be the procedure for SPS checks at an EU BCP for consignments that are travelling on groupage pallet networks on trailers that will have non-food/POAO consignments on board? Will the whole trailer be stopped, or will SPS consignments be removed and delayed separately?

Each consignment will be inspected as per the EU regulations for that product. This may mean that pallets containing multiple consignments will be split.

Imports

General

Will EU exports to the UK have reciprocal EHC requirements?

The certificates will be substantially the same as the existing EU certificates for Rest of World (ROW) imports but rebranded to show they relate to imports into GB. Traders intending to export to GB should use the existing certification as guidance on what will be required.

Which products of animal origin (POAO) containing products will be subject to safeguard measures for import into GB? E.g. will composite products require IPAFFS notification from January, April or July?

Emergency safeguard action can be taken at very short notice to prohibit or restrict the importation of certain products from certain countries following an outbreak of disease or a public health issue.

Information on the latest updates concerning disease outbreaks which may affect imports into the UK can be found at:
https://www.gov.uk/guidance/imports-and-exports-of-animals-and-animal-products-topical-issues

Where can I find more information on importing products containing POAO such as milk powder from the EU from Jan 2021. Do we need a health certificate or is this only required from April 2021?

More information on importing products of animal origin can be found in the border operating model at:
https://www.gov.uk/government/publications/the-border-operating-model

From January 2021, for POAO products that are subject to safeguard measures, there will be new requirements for pre-notification on IPAFFS, and all goods must be accompanied by an Export Health Certificate (EHC).

For POAO products subject to safeguard measures, the UK importer should supply the EU exporter / Official Veterinarian (OV) with the unique notification number (UNN) that is produced on IPAFFS when the importer notifies the UK's Animal Plant Health Agency (APHA) about the import. The exporter must add the UNN to the

health certificate.

From April 2021, for POAO that are not subject to additional safeguard measures, there will be new requirements for pre-notification on IPAFFS, and all goods must be accompanied by an EHC and will undergo remote documentary checks.

From July 2021 all POAO will require pre-notification using IPAFFS and must be accompanied by an EHC. All animals and animal products must arrive at an established point of entry with an appropriate Border Control Post (BCP). POAO will be subject to a minimum level of 1% checks. Some commodities, such as shellfish, will be subject to higher minimum check levels.

If we use a logistics carrier to export our goods, even though we will obtain the EHC to certify the shipment, do we have to register for IPAFFS or is it enough for our carrier partners to register on IPAFFS?
The answer will depend on what the scenario is.

Exporters do not need to register for IPAFFS unless they also importing into GB. The 'person responsible for the load' needs to be registered for IPAFFS.

- If you import **from the EU**, you will only need to notify from April 21 for products of animal origin.
- If you import **from outside the EU**, you will need to notify for POAO from 7 December 2020.

Any enquiries regarding this publication should be sent to us at traders@defra.gov.uk