



Department
for Environment
Food & Rural Affairs

IMPORTS AND EU POLICY TEAM

OVS NOTE 2020/3

05/02/2020

Arrangements during the EU Exit Transition Period and clarification on the Official Controls Regulation (OCR) transshipment rules

Purpose

1. The purpose of this OVS note is to clarify the arrangements of the transition period that began at 23:00 on the 31st January 2020, and the specific legislative requirements under the Official Control Regulation 2017/625 regarding transshipments.

Background

2. As the UK Government's Withdrawal Agreement Bill has now been agreed by Parliament and received Royal Assent, the UK left the European Union on 31st January 2020 and entered a transition period until 31st December 2020.
3. The Withdrawal Agreement sets out how the UK is able to continue to be covered by EU-third country international agreements during the transition period. This means that current processes will remain in place for the length of the transition period. For example, there will be no immediate changes to processes such as the import or export of animals or products of animal origin to and from the EU.



Animal &
Plant Health
Agency



4. This continuity of the UK's international agreements during the transition period delivers stability across a number of key sectors, giving business, citizens and our international partners' certainty and the ability to plan accordingly.
5. The UK will be bound by the obligations of agreements, and the EU will in turn be bound to treat the UK as a Member State for the purposes of international agreements until the end of the transition period.
6. The UK government is engaging with our partners globally to explain this approach, and all support the principle of continuity. We will continue discussions as we enter an transition period to ensure no disruption during the transition period.
7. We will engage with international partners in order to put in place successor agreements that will come into force following the transition period.
8. The Official Controls Regulation (OCR) will continue to apply from the 31st January 2020 as retained EU law.
9. The Annex details the operational requirements for transshipments under the OCR.

Action for OVSs

To note the contents of this OVS note.

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Imports and EU Trade Policy Team

Annex

Clarification on the transshipment rules under Regulation (EU) 2017/625 and Regulation (EU) 2019/2124

1. For consignments intended for transshipment within the periods referred to in point 2 below, the operator responsible for the consignments shall provide notification before the arrival of the consignments to the Border Control Post (BCP) of transshipment, indicating the following: the estimated time of arrival and departure, the identification of the means of transport, the destination of the consignments and the identification and location of the consignments in the airport or port, in accordance with Article 16(1) and 16(2) of regulation 2017/625.

2. The BCP of transshipment must perform documentary checks on originals or copies of official certificates or documents that accompany the transhipped consignments in the following cases:

for goods subject to the animal health requirements and the rules for the prevention and minimisation of risks to human and animal health arising from animal by-products and derived products referred to in points (d) and (e) of Article 1(2) of Regulation (EU) 2017/625 where the transshipment period:

(i) at the airport exceeds 3 days or

(ii) at the seaport exceeds 30 days.

Examples of commodities subject to animal health requirements are: all meats and meat products; milk and milk products; eggs and egg products; animal by-products & derived products; casings; rendered fats and greaves; composite products with meat, milk and egg; hatching eggs; semen and embryos; hay & straw; fish & fishery products with animal health requirements.

For consignments not subject to animal health requirements where the transshipment period at the airport or seaport exceeds 90 days then the consignment must be subject to documentary check. Examples of commodities not subject to animal health requirements are: fish & fishery products with no animal health

requirements; honey; gelatine and collagen; frog legs and snails; insects; highly refined products; reptile meat; and other composite products (under veterinary checks).

3. Where the BCP of transshipment suspects non-compliance, they shall perform documentary checks, identity checks and physical checks on the consignment. The documentary checks shall be performed on original official certificates or documents where such official certificates or documents are required to accompany the consignment.
4. The BCP of introduction (as defined in Article 2(7) of Regulation 2019/2124) must perform full checks on the consignment, except where the documentary check, identity check and physical check (if required) have all been completed at another BCP.
5. Where the BCP of introduction makes a decision on a consignment in conflict with the decision made by the BCP of transshipment with regards to documentary checks, then the BCP of introduction decision overturns any decision made by the BCP of transshipment.