



Department
for Environment
Food & Rural Affairs

IMPORTS AND EU POLICY TEAM

OVS NOTE 2020/27

24/12/2020

EU Exit information

Purpose

To provide information on EU Exit and changes in relation to imports from 1 January 2021. Exit day from the European Union begins at 11.00 p.m. GMT on 31 December 2020 ("IP completion day").

Background

New Model Export Health Certificates

1. The new model export health certificates have been created and published on gov.uk. Please see [here](#).
2. The certificates have been amended to ensure they are valid only for imports into Great Britain, the Channel Islands and the Isle of Man. There are two sets of certificates per commodity type: one for countries subject to the transitional import arrangements (includes EU member states etc) and countries not subject to the transitional import arrangements (includes rest of the world). Please see 'Notes' section of the certificates to understand which certificates should apply to which countries.
3. Third countries are encouraged to use these new certificates from 1 January 2021.
4. Defra and FSA have agreed to continue to accept the current EU model certificates where they are dated up to and including 31 March 2021. This also includes the equivalent certificates with countries such as New Zealand, Canada and USA. The grace period does not apply to EU imports; however, the phased approach will apply for these goods (see below). Defra will inform BCPs if the grace period is extended beyond 31 March 2021.
5. Guidance for completion of Part 1 of the new model EHCs will be published shortly on the same gov.uk link.



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6. Please continue to accept the [General licenses](#) and authorisations issued by APHA until further notification from Defra or APHA.

EU retained legislation and EU Exit amendments

1. Any EU legislation that is amended/updated or repealed after 31 December 2020, will not automatically apply to Great Britain. Therefore, you must refer to EU legislation that has been consolidated on or before 31 December 2020 as retained.
2. After IP completion day, amendments made to EU legislation by the EU, and published on EUR-Lex, may not be applied in Great Britain. Instead, Great Britain can make its own amendments to the EU legislation that is retained in UK law.
3. After IP completion day, legislation.gov.uk is where you will find legislation originating from the EU, as it stood on 31 December 2020. This will usually be a revised version that includes amendments made by the EU up to IP completion day, though sometimes only an original version (as first adopted by the EU) will be available.
4. Please refer to [Legislation.gov.uk](#), where you will find the UK versions of legislation originating from the EU or [EU Exit Web Archive](#), where you will find EU legislation as it stood on IP completion day.
5. EU Exit Statutory Instruments that amend EU retained law include:
 - [The Import of, and Trade in, Animals and Animal Products \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2020](#);
 - [The Official Controls \(Animals, Feed and Food, Plant Health etc.\) \(Amendment\) \(EU Exit\) Regulations 2020](#);
 - [The Official Controls \(Animals, Feed and Food, Plant Health etc.\) \(Amendment\) \(EU Exit\) \(No. 2\) Regulations 2020](#)

BCPs will be required to cross reference the EU Exit amendments to the EU retained law until consolidated versions are available. Defra will inform BCPs of any updates or changes to the legislation.

Approved EU and non-EU establishment lists:

1. For EU Member States, importers will need to manually enter details of the approved establishment onto the IPAFFS CHED notification from 1 April for POAO.
2. You can check the name and approval number of establishments [here](#) on the Commission's website until July 2021.
3. Defra and FSA are developing a UK list of approved EU establishments for July 2021. Further information will be provided in due course.
4. For rest of the world, we will continue to recognise the status of non-EU third country establishments currently approved to import live animals and animal products into Great Britain.



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5. Defra will, from this time, manage the lists of approved establishments for import into Great Britain (England, Scotland and Wales) independently from the EU. The lists of third country (non-EU) approved establishments are on IPAFFS.

Imports from Northern Ireland

1. Imports from Northern Ireland will not be subject to BCP checks. Live animals and germinal products from NI will continue to move on licenses and Great Britain importers must notify APHA on IPAFFS of such imports.

EU Member State listing and Certification Information (Note- not applicable to Product BCPs until April 2021)

1. EU member states, Liechtenstein, Norway and Switzerland are listed as approved third countries in the respective third country listing EU retained legislation.
2. The certification information for these countries are published [here](#), which includes regionalisation, appropriate remarks, supplementary guarantees and specific conditions. The lists will continue to be updated as required.
3. Regionalisation for African Swine Fever (ASF) has been included in the certification information in accordance with EU Decision 2014/709. The POR, POR-X, POR-Y certificates also provide for ASF regionalisation and appropriate measures applied under EU Decision 2014/709. This is a temporary policy until April 2021.
4. The freezing requirement for minced meat and meat preparations have been removed from the relevant certificates until April 2021.

EU Phased Import regime

1. Imports from the EU should be accompanied by the new model health certificates but will be implemented in a staged manner: POAO subject to safeguard measures, live animals and germinal products from 1 January 2021; Other POAO from 1 April 2021, ABP from July 2021.
2. APHA CIT will conduct document checks on live animals and germinal products and POAO subject to safeguard measures until July 2021. BCPs will conduct remote documentary checks on POAO from the EU from 1 April.
3. Icelandic goods will follow the phased import regime for POAO, ABP and aquaculture commodities. Icelandic live animals (excluding aquaculture) and germinal products will continue to require BCP checks on entry into Great Britain from 1 January 2021.
4. Fishery products (including LBM, ABP derived from fish) from Greenland will follow the phased import regime. The rest of the commodities will continue to require BCP checks on entry into Great Britain from 1 January 2021.



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5. Fishery products (including LBM, ABP derived from fish) and aquaculture will follow the phased import regime from Faroe Islands. The rest of the commodities will continue to require BCP checks on entry into Great Britain from 1 January 2021.
6. Further information on the protocol for controls on EU goods from April and July will be provided in the early part of next year.

Transits

1. Please see gov.uk guidance on transits [here](#).
2. Third country goods that transit EU to Great Britain will not be subject to BCP checks on entry into Great Britain, provided the conditions in the guidance have been met. This applies to live animals, germinal products, Animal By-Products and POAO (POAO which have received full animal and public health checks).
3. Third country POAO that transits the EU to Great Britain that have not received full animal and public health checks on entry into the EU territory, must enter Great Britain at an appropriately designated BCP and be subject to SPS checks.

Re-entry of animal product consignments rejected by an EU BCP from 1 January 2021 to 30 June 2021

1. From 1 January to 30 June 2021, GB origin animal product consignments may, subject to risk assessment, re-enter GB if they are rejected at an EU BCP. This policy does not apply to consignments which enter the EU market but are then rejected for commercial reasons by the importer.
2. To request a return, the GB importer will need to contact the designated risk assessor, which from January to March, this will be the Animal and Plant Health Agency (APHA)*. The risk assessor will undertake a risk assessment and provide the GB importer with a written authorisation. The authorisation will state if the returned consignment needs to enter through a BCP or can enter through any point of entry. The consignment cannot be returned until the operator has received this authorisation. In practice, we would envisage only high-risk consignments requiring re-entry via a BCP.
3. If a consignment is required to return to GB via a BCP it will follow the existing process for returns from the rest of the world – but with one difference. The importer will not be able to notify the BCP of the return by using IPAFFS to generate a



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CHED-P because the return will be from an EU country, so they will need to notify by emailing the BCP a PDF version of a CHED-P. This email will:

- Contain a PDF copy of a CHED-P, this will be supplied to the importer by APHA. The importer will need to complete this document by hand, scan the document and submit it to the BCP, by email. If the exporter does not have access to a scanner, it will be at the discretion of the BCP to accept submission of the CHED-P in an alternative format.
- Include a copy of the authorisation provided by APHA.
- Include any other relevant documentation.

At the close of the phased import regime, July 2021 onwards, returns from the EU will follow the same process as returns from the rest of the world. That is, all returned goods must be notified on IPAFFS, enter GB at an appropriately designated BCP and be presented for checks.

For information, updated guidance on the rejections and returns process for GB exporters to the EU will be available from 1 January on the following page on gov.uk:

<https://www.gov.uk/guidance/exporting-animals-and-animal-products-to-the-eu-from-1-january-2021#rejected-goods-from-1-january-to-30-june-2021>

* The risk assessor for April to July is currently under consideration.

Action for OVSs

To note the contents of this OVS note.

Contact point for enquiries

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Imports and EU Trade Policy Team



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