



HM Government

UK TRANSITION

Animal Health Regulation and Composite Products

Certifiers

Frequently Asked Questions

V3.0 – Final

October 2021

The following FAQs will attempt to clarify some of the key changes surrounding the changes to the Animal Health Regulations.

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**** or ****Amended****.

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Delay to AHR

****NEW**What does the delay to the AHR mean for exporters?**

The new Animal Health Regulation (AHR) EHCs were due to be used from 21 August 2021, for goods moved to Northern Ireland or exported to the EU from GB. However, the date has now been pushed back by the EU to 15 January 2022. This includes EHCs for all products of animal origin, live animals, germinal products and composite products.

All existing and most of the new AHR EHCs are available and traders can decide which ones they wish to use until 15 January. A small number of new EHCs have been removed from EHC Online for now. This is because the EU will be amending some EHCs, and some are subject to ongoing discussions with the EU regarding GB's disease freedom status.

****NEW**Which EHCs have been removed for now from EHC online?**

A small number of new EHCs have been removed from EHC Online for now. This is because the EU will be amending some EHCs, and some are subject to ongoing discussions with the EU regarding GB's disease freedom status.

Dairy

These dairy AHR EHCs have been removed from EHC Online for now because of concerns raised relating to the residency requirements for animals contributing the milk within the product. We have written to the EU about this issue and will make the certificates available for use again once we have received clarity on their intentions, or revised certificates have been published.

- 8353 - dairy products intended for human consumption derived from raw milk or that are not required to undergo a specific risk-mitigating treatment
- 8354 - dairy products intended for human consumption that are required to undergo a pasteurization treatment
- 8358 – colostrum-based products intended for human consumption

Live animals

The AHR EHCs below have been removed from EHC Online for now as the certificates require that the third country of origin to be officially recognised as free of bluetongue in EU law to allow the OV to certify the BTV freedom attestation. We are in discussions with the EU about recognising our bluetongue freedom and the EHCs will be made available once our status has been confirmed.

- 8446 – bovine animals
- 8447 - bovine animals intended for slaughter
- 8448 - ovine and caprine animals
- 8449 - ovine and caprine animals intended for slaughter
- 8452 – camelid and cervid animals

****NEW**Why has the date for using the new EHCs been pushed back?**

The decision to delay was made by the EU. We understand that the request came from EU member states and other third countries. The UK did not make a formal request to delay the implementation of the new regulations. In GB we were ready for the 21 August 2021 and we know that businesses have been working hard to ensure they were prepared to use the new EHCs.

****NEW**Which EHCs should traders use?**

All existing and most of the new AHR EHCs are available and traders can decide which ones they wish to use until 15 January. We are encouraging exporters to begin the process of moving towards using the new EHCs in a manner and time suitable to their business but in readiness for full switchover from 15 Jan 2022.

A small number of new EHCs have been removed from EHC Online for now. This is because the EU will be amending some EHCs, and some are subject to ongoing discussions with the EU regarding GB's disease freedom status. See above for the EHCs that have been removed.

****NEW**If a trader has already started using the new AHR EHCs, are they still valid?**

If traders have already started using any of the new EHCs placed on hold, and their consignment has already been certified they do not need to do anything. Their EHC will still be valid for entry into the EU or Northern Ireland. If they have made an application for one of the EHCs that have been removed for now but the certificate has not yet been issued, their application will be deleted and they will need to apply again, using the equivalent current EHC.

****NEW**Does this include the new composite EHCs?**

Changes to the rules for the certification of composite products which took effect in April 2021 continue to apply. Traders should continue to use the new AHR composite EHCs if they have been doing so since April. If their composite product used an EHC prior to 21 April 2021, they can now continue to use that EHC until 15 January 2022.

****NEW**What does this mean for Authorised Traders sending goods to Northern Ireland**

There is no change from August for Authorised Traders sending goods to Northern Ireland. We have proposed to the Commission a 'standstill' to freeze the current situation on implementing the Protocol in order to create space for a constructive negotiation between us and the EU. Under it we would continue to operate the Protocol as now; the grace periods would remain in being beyond current expiry dates; and existing legal actions would be paused. We aim to begin negotiations with the EU as soon as we can, i.e. later in August.

General

What changes apply to AHR EHCs?

There are changes to EU law. These changes impact the export of certain animals, germinal products, and products of an animal origin to the EU and movements to Northern Ireland. Export Health Certificates (EHCs) and Notes for Guidance have been updated to reflect the new rules. The change to EU law is called the Animal Health Regulation (AHR).

Animal by-products EHCs (animal products not for human consumption) are currently unaffected by these changes.

What does this mean for traders?

From 15 January 2022 traders will need to follow these new rules to be able to continue to export to the EU and move goods to Northern Ireland. There are new EHCs that businesses will need to use. We will continue to keep businesses informed about further changes and when the EHCs that have been removed from EHC Online for now will be available to use again

What about composite products?

New rules for the export of composite products were introduced at the same time as the Animal Health Regulation, which introduced new composite product EHCs.

These rules mean that some products that did not previously require an EHC to be exported to the EU or moved to Northern Ireland needed an EHC from 21st April 2021. There is also a new document – a private attestation - for the export of composite products which remain exempt from certification. Private attestations do not need to be signed by an Official Veterinarians (OV) or a Food Competent Certifying officer (FCCO). It must be prepared and signed by the importing food business operator in the EU.

Changes to the rules for the certification of composite products which took effect in April 2021 continue to apply. Traders should continue to use the new AHR composite EHCs if they have been doing so since April. If their composite product used an EHC prior to 21 April 2021, they can now continue to use that EHC until 15 January 2022.

How many new EHCs will there be in total that are being introduced because of the EU rule change?

The AHR contain 111 EHCs for products of animal origin, live animals and germinal product exports that are relevant to GB-EU trade. The AHR does not affect the EHCs for animal by product exports, which will remain the as they are now.

109 include 47 animal products EHCs and 62 EHCs for live animals and germplasm. Two EHCs are for live aquatic animals and are the responsibility of CEFAS.

Why is the EU introducing these changes?

The European Parliament and the Council adopted the Regulation on transmissible animal diseases (“Animal Health Law”) in March 2016 and it will apply from April 2021. It streamlines a number of legal acts.

This new EU law establishes new rules for third countries exporting to the EU. The changes provide guarantees to ensure that certain animals, germinal products and products of animal origin entering the EU or NI do not present an animal health risk for kept and wild animals. This means that the current EHCs and Notes for Guidance are being updated to reflect new rules.

Do these changes apply to movements of goods from GB to Northern Ireland?

The Animal Health Regulation will also apply in Northern Ireland. Traders moving goods from Great Britain to Northern Ireland will need to ensure that they meet the new regulatory, documentary, and certification requirements for composite goods.

Specifically, composite goods being moved from GB to NI will need to conform to new requirements for composite products as set out above. These goods will need to be accompanied with the appropriate composites EHC. If the products are exempt, they will need to be accompanied by a private attestation prepared and signed by the importing food business operator in Northern Ireland.

There is no change from August for Authorised Traders sending goods to Northern Ireland. We have proposed to the Commission a ‘standstill’ to freeze the current situation on implementing the Protocol in order to create space for a constructive negotiation between us and the EU. Under it we would continue to operate the Protocol as now; the grace periods would remain in being beyond current expiry dates; and existing legal actions would be paused. We aim to begin negotiations with the EU as soon as we can, i.e. later in August.

If the premises do not require approval under 853, how can they get an EHC when it has to be sent from an approved premises?

Composite products, where they are being assembled at a premise from pre-processed POAO do not require dispatch from an approved premise. The premises that are providing that pre-processed POAO do need to be approved and listed with the EU for export purposes and if the premises of dispatch is actually undertaking the production of the POAO then they would need to be approved and listed too. The new rules do not change where a premise needs to be approved and listed - they just change where an EHC is required.

Will these changes affect imports to UK? Are we applying the same rules to EU?

These rules will not apply to GB imports from April 21st.

*****NEW*** For the export of Processed petfood, which doesn't fall under GEFS, can a Veterinary declaration/ET 199 be used as support documents?**

An ET199 is a template support help attestation which is used to provide information from one vet, to the final certifying officer. The ET199 template as designed is for use with products of animal origin and not petfood. However, it is just a template and in principle it could be used as these template documents have been designed in order to be edited and used to pass information from vet to vet.

*****NEW***What are the changes at French BCPs with the cancel and replace EHCs?**

As of 15th September 2021, French BCP's will no longer accept scanned copies of cancel and replace EHCs. The Covid-19 dispensation previously in place to allow scanned copies to be accepted has expired. From this date, only original cancel and replace EHCs will be accepted at BCP's.

Competing Part 1 of the New EHCs

****NEW**How do I complete part 1 for products of an animal origin and live animals?**

OVs should use the following guidance when they complete part I of EHCs:

For products of animal origin and live animals:

- For pre-Animal Health Regulations (AHR) EHCs –
 - If the EHC has 28 boxes in part I (for example [8261 EHC](#)), then the guidance to follow for completing this part is in [Decision 2007/240/EC](#).
 - If the EHC has 25 boxes in part I (for example [8270 EHC](#)) the guidance to follow is in [Commission Implementing Regulation \(EU\) 2019/628](#).
- For post AHR EHCs (with 27 boxes in part I - for example [8368 EHC](#)), then the guidance to follow is in chapter 4 of [Commission Implementing Regulation 2020/2235](#) (page 36).

Although Decision 2007/240/EC and Commission Implementing Regulation (EU) 2019/628 are not in force, they will still apply for all pre-AHR EHCs. The AHR EHCs have different box numbering.

Animal by-products EHCs have not been affected by AHR, to complete part I of these EHCs certifiers should, in the first instance, refer to the footnotes provided in the EHCs themselves, as outlined in Commission Regulation 142/2011. The EU Commission have confirmed that in due course the ABP EHCs will be updated to align to AHR models and at that point the 'Notes for Completion' in Commission Implementing Regulation 2020/2235 should be followed. In the meantime, we would suggest referring to the 'Notes for Completion' in Decision 2007/240/EC where the specific certificates in 142/2011 do not indicate the correct information to provide.

Meat

****NEW**What about the re-export of EU origin meat like Parma ham and chorizo?**

A number of the new Animal Health Regulation EHCs prohibit the re-export of EU products to the EU. This includes meat products (e.g. chorizo produced in Spain or Parma ham produced in Italy), dairy products (e.g., French cheese), fishery products, live bivalve molluscs and eggs and egg products. Once the new EHCs are brought in from 15 January, it would not be possible to re-export these products with the EHCs as they are drafted now. This is because the new AHR EHC requires information to be included on a country of origin that is listed by the EU. The EU has not list itself or its Member States, so an OV will be unable to sign the EHC.

However, The EU has recently published a new EHC for the re-export of certain EU origin POAO to the EU. We are working to provide guidance on this certificate and make it available for use by GB exporters. In the meantime, we are recommending that exporters continue to use the existing EHC for re-export of EU POAO until the new AHR EHC is introduced. We will keep you updated on this.

*****NEW*** 8369 new bovine meat export cert STILL contains statement re 'animals required to on the holding/establishment for 40 days prior to slaughter'. we were led to believe this was being removed as very difficult to attest to given no sheep passport system in UK.**

We are not aware of the EU having any intention to remove any particular statements from that certificate.

*****NEW*** EHC 8350, Section Meat products, the BSE status refers to the country from where the meat product originates or does it refers to the country from where the fresh meat originate? For le: Fresh Meat originates from Poland, but is further processed in a meat product in the UK. Am I correct if I assume that it refers to the origin of the fresh meat?**

In this case, very specifically, in 8350 and the BSC attestation, no the BSE attestations is for the origin of the meat product, and we're looking at updating the notes for guidance to make sure that that's reflected.

Dairy

*****NEW*** Date of collection/production (in the 8354 EHC) can be certified as a range ? This information is difficult to be obtained.**

The EU guidance 2022/235 for the completion of part one of the EHC it suggests certifying the oldest date of collection or production of the product, which should help make things easier for the exporter.

*****NEW*** If the pasteurised milk is imported from Ireland and transformed in cheese in GB, can we consider this process as further processing and certify that the final product originates from GB ?**

In this case, the milk is being imported into GB and transformed into another product that's clearly a GB origin dairy product and yes it can be certified.

*****NEW*** Dairy products (Cheese) - imported from France, will suffer a process of extrusion (Regulation (EC) No 852/2004 Article 2) in GB, creating new smaller cheeses which will carry the GB ID mark. Is it possible for the final product to be certified as originating from GB? If yes, how will public health attestations be certified (as the product originally originated from France)?**

As a general principle, if you are certifying a product that includes elements that originate in an EU or a third country and you require additional supporting information, in the absence of an EHC that has accompanied that product to GB that supporting information can be provided by a vet in the country of origin. There is information on this in our notes for guidance.

The principle applies to different elements in the EHC and would in theory cover public health attestations. In terms of whether or not the product satisfies the conditions to be classed as a GB origin product. The way in which the EU, define the country of origin as per the EHC is outlined in 2020/235 as being the country of production manufacturing or the country, of which the product bears the ID mark. Therefore, in that circumstance, it sounds as if the product would be sufficient to meet the requirements of the certification, however we have asked the EU for clarification on this.

*****NEW*** Dairy EHC, II.2 Animal Health Attestation, point II.2.2 have been processed from raw milk allows to be certified only one option, due to either/or statement. If the raw milk is coming from GB and Ireland, how the paragraph can be certified ?**

The dairy AHR EHCs below have been removed from EHC Online for now because of concerns raised relating to the residency requirements for animals contributing the milk within the product. We have written to the EU about this issue and will make the certificates available for use again once we have received clarity on their intentions, or revised certificates have been published.

- 8353 - dairy products intended for human consumption derived from raw milk or that are not required to undergo a specific risk-mitigating treatment
- 8354 - dairy products intended for human consumption that are required to undergo a pasteurization treatment
- 8358 – colostrum-based products intended for human consumption

Fish, crustacean and molluscs

*****NEW*** Part I.26 net weight/gross weight - is this either or?**

It is not either or it is both.

*****NEW*** Doe wild caught but hand gathered need an OV to sign?**

The key thing is that it needs to be landed by a vessel, if it is landed from a vessel that would be ok.

*****NEW*** Wild caught lobster - is that still ok to be certified by an FCCO, or do we now need an OV?**

Wild caught lobster is ok as long as it is landed onto a vessel.

*****NEW*** Vet oversight of salmon farms – would an attestation from a fish farm company vet be acceptable for the signing OV.**

There need to be no conflict of interest, and this is down to the OV to ensure no conflict of interest.

*****NEW*** Does OV certification for common cockles (co-habiting or sharing a water supply) apply if they've been processed (cooked)? What is sharing a 'water supply'? Is this just for aquaculture?**

Where cockles are not processed and not going into EU, they can be verified by a FCCO but dependent on the situation. Sharing a water system need to be clarified with EU. Where cockles have been processed and are not going live into the EU, with no need for further processing, that removes the need for an OV they can be verified by a FCCO but it is dependent on situation. On sharing the water system if wild caught it does not apply this is just aquaculture environment.

*****NEW*** The explanation of which certificate replaces which with a description in the AHR guidance) is different to my current understanding. I had previously been advised that 8270 is for fishery products (including cooked shrimp, cockles and whelk) and 8249 is for live LBM, etc. Please can you clarify which new certificate (8361/8364) should be used for cooked fishery products – for each of these species - shrimp, cockles and whelks.**

If it's the live fish and live crustaceans i.e. crab, 8361 is the EHC to use. If its live molluscs etc the EHC is 8364.

*****NEW***What are the transport arrangements when certifying fresh fishery products?**

When certifying fresh fishery products moved from GB into the EU (excluding direct landings into the EU), reference must be made to the transport arrangements set out in EU regulation 853/2004 (Annex III, Section VIII Chapter VIII). This requires that the fishery products must be kept at a temperature close to melting ice. Specific reference must be made to the requirement *that If fishery products are kept under ice, melt water must not remain in contact with the products*. This means that it is not permitted to transport fish into the EU in slush ice (a mixture of ice and water). Nor is it permitted to use containers that do not permit melt water to drain away from the fishery products, where melt forms

*****NEW*** Which labelling requirements apply to POAO other than live aquatic animals exported using EHC 8361?**

Labelling requirements in II.2.7.2 in EHC 8361 only apply to live aquatic animals, for POAO other than live aquatic animals this section should be struck through and II.2.7.3 should be certified.

*****NEW*** Do I need to record the exact number of aquatic animals (in box I.25) for each consignment of fish, fishery products, shellfish or Molluscs?**

A number will need be provided on the certificate, but a reasonable estimate will be acceptable based on the average weight of the animal and total weight of the export

Equines

****New** 2020 2235 Art 5(1)(b) “where the certificate contains multiple or alternative statements, the statements which are not relevant must be crossed out, initialled and stamped by the official veterinarian or certifying officer, or completely removed from the certificate;”?**

That is correct, as stated all irrelevant statements on the form will need to be crossed out initialled and stamped, as previously mentioned we are looking at removing them entirely as a medium-term improvement to the process.

****New** What is happening regarding the signing of certificates by OV's in advance to enable the info to be given to the BCPs 48hrs earlier than travel to avoid lengthy waits at the BCP?**

This kind of process is what some BCP will facilitate and where it is happening it is useful for exporters and vets, nothing in the AHRs changes the facilities for the BCP to be able to operate that flexibility, but this is down to the individual boarder control post to make that decision.

Germinal Products

*****NEW*** Can bovine semen that has been collected and imported from EU countries and Canada with collection dates before 21st April 2021 be re-exported to Northern Ireland and Southern Ireland? Is there a new EHC for this or do we use the old EHC?**

All existing and most of the new AHR EHCs are available and traders can decide which ones they wish to use until 15 January. The requirements for the new certificate are the same. The new certificate can be found under regulation 2021/403.

*****NEW*** Has the commission clarified if semen collected, processed and stored under the same company ownership be shipped on the Processing centre EHC rather than Storage Centre.**

Generally, if an establishment is approved for processing then they can use the processing certificate. They can't use the processing certificate if they are only approved as a standalone storage facility or semen collection centre.

*****NEW*** Do countries and third countries such as Canada require bovine semen straws marked in the same way as collected in the UK?**

All countries approved to export germinal products will need to comply with regulation 2020/692 regarding ID requirements. The marking straws will need to follow EU requirements from 15 January 2022.

*****NEW*** Is the border Disease testing and MV Status missing out of the new Ovine and caprine 8404 SUP correct?**

For semen collected post 21st April testing for borders disease and MV status is not required anymore.

*****NEW*** There are 30 plus semen collections each day going from one stud to a processing centre – can DEFRA discuss this further with the commission as it will be unsustainable and not sure this was the intention of creating standalone semen processing centres.**

We will approach the commission regarding this. This is also a requirement for intra-union trade so even for EU member states, centres approved for intra-union movements will also have to comply with this requirement. EU member states are likely be lobbying for an amendment or relaxation to this. We encourage industry to convey their sentiments on this so the commission understands that this requirement is too onerous and an administrative burden and hopefully they will then amend the legislation to remove this requirement.

*****NEW*** On the tags does that mean bovines now need to have 3 official tags?**

There is a requirement for livestock donor animals, except equines, to be identified with an ISO compliant (alpha) two letter country code. This applies to germinal products collected after 20 April 2021. GB animals are identified with a 'UK' code by default but for ISO compliance would need to be identified with the code 'GB'. Additional tagging of donor animals is therefore be required. The ID requirement applies to all donor animals that germinal products are collected from - including those from which embryos are collected - and not all animals in the unit - i.e. non-working animals. Germinal products collected after 20 April 2021 must meet all the requirements of an approved establishment.

Any germinal products that do not comply with these requirements may only be used for domestic trade. Exporters may wish to export non-compliant germinal products by 15 January 2022 and make use of the transitional provisions by using the old certificates in the EU Directives. Defra recommends industry to apply additional 'GB'

tags to the animals as soon as its practically possible and definitely by the time of certification.

For certification of product collected between 21 April 2021 and 21 August 2021 that did not meet the new ID requirements at the point of collection, a contingency solution is available. The donor animals for these only need to be GB tagged at the point of certification for export. This will allow an OV to sign the EHC so long as the animal is GB tagged at the time of certification and internal records amended correctly to reflect the GB tag.

In this scenario, when markings straws or other packages the addition of GB to the ID number should be sufficient. This contingency reflects the need to allow time for industry to adapt to the new requirement and additionally tag donor animals, but this currently only applies to product collected between 21 April 2021 and 20 August 2021. If you need to export product collected after August 21st from animals that were not ID with an ISO compliant tag at the point of collection, please speak directly to APHA CIT for advice. If identifying the animals for the first time, you can either use a single GB-UK tag, or separate UK and GB tags. For animals with an existing UK tag, an additional GB tag will need to be added.

The European Commission has confirmed GB tagging for EU origin donor animals identified originally in EU Member States is required. It has confirmed Article 21 to Regulation 2020/692 must be complied with for exports of animals from GB, regardless of whether they are temporary residents. An additional 'GB' tag should be applied to the animal as a third tag prior to collection of the product.

GB' tags can be obtained from [approved cattle ear tag suppliers](#) and [approved sheep and goat ear tag suppliers](#).

Identification requirements vary slightly according to the species of the animal. There is further information on this in the [AHR guidance](#) on the showcase site.

*****NEW*** We collect semen at a number of sites but all processed at one site. does the fact that our license for each site state that semen is processed negate the need for an IMC? If we have to adopt this can we show the date of movement between sites on the IMC currently being used for semen moving from lab to storage – ie one IMC to show all movements. Ultimately the centre vet is signing all of certs.**

In this example we presume IMC is an internal certificate developed by the company themselves. The new AHR require an official document to accompany the certificate from the processing and storage centre ideally it would need to be an internal movement certificate template that is being produced by DEFRA. IMC draft templates have been shared. Once finalised we will share the document so it can be modified to suit your needs. We appreciate the centre that will be signing a number of internal movement certificates per consignment which is an administrative burden but it is required and this will help prevent rejection at BCPs which is already happening for the movement of equine semen to the EU.

*****NEW*** Have we confirmed that boars that entered the stud before 21st April can still be used for export without additional testing?**

Yes, we have it in writing from the commission. No need to re-test. They do have to undergo the routine testing as stipulated in the AHR.

*****NEW*** Please can you clarify the requirements for the ear tag - is it a management tag with GB only or full ET & GB or an officially ordered tag with full ET with GB as annex?**

It is an officially ordered tag with the UK full ID number with a GB at the end. You can order that from the usual ear tag suppliers. To confirm this is an additional tag to the double UK tag so cattle passports will not be affected.

GB' tags can be obtained from [approved cattle ear tag suppliers](#) and [approved sheep and goat ear tag suppliers](#).

There is further information on tagging in the [AHR guidance](#) on the trader showcase site.

*****NEW*** Could you direct me to the text which confirms that animals in stud prior to the 21st April are still eligible as donor animals for the export of boar semen?**

We asked the Commission a very specific question in relation to whether porcine animals in collection establishments prior to April 21st needed to exit the establishment and re-join with the relevant testing undertaken under AHR in order to carry on donating. We have had written confirmation from the EU that that is not a requirement.

*****NEW*** We export insect eggs into the EU. For member states which do not require an EHC, do we follow the IIN BLLV/9 Import note for invertebrates and their genetic material (which suggests using a self-certificate) for our exports to France and elsewhere, as there is no guidance from the French government as to any sort of export health document insect eggs may need?**

As it's a non harmonised trade there isn't an EU agreed certificate or legislation around how this trade should work so it is up to the French authorities to set the rules. The way to do this is for the importer in France to get in touch with the relevant competent authorities to ask for the import conditions. If they are willing to accept a private certificate, then there wouldn't be a need to generate an official export certificate. If they do demand an official OV signed export certificate, then that would need to be negotiated and agreed before OVs in GB will be able to sign it.

*****NEW*** Traditional labelling of bovine straws includes herdbook number and breed code numbers but no ear tag numbers. The usual ID for EHC uses the bulls registered name which is also on the straw. Has the commission indicated this needs to change?**

The AHR says the straws in which germinal products are exported being marked in such a way that the species and identification of the donor animal can be clearly established. We have advised the GB compliant ISO ID of the animal needs to be placed on the straw because our view is that it will minimise disruption at BCP and it

is likely to be what the commission is expecting. We haven't had absolute clarity from the commission on this. For species codes, if there is information on the straw already by which the species of the animal could be readily identified with the BCP, such as breed codes then that seems like a reasonable approach to take but we would encourage that you check with the BCP. If you feel there is information on the straw already which provides sufficient detail on the identification of the animal and you wish to take that approach rather than follow the advice that we have outlined then we would encourage you to consult with BCP before doing so.

*****NEW*** Will the Weybridge lab submission form be updated to reflect the additional testing required for porcine quarantine blood testing?**

We have put a request in for the submission form to be altered and that should be getting done as we speak. Unfortunately, there is no timeframe for it to be released.

*****NEW*** Has our BTV status with EU been clarified yet? Do embryo donors need to be blood sampled?**

Currently GB has not been granted BTV recognition by the EU, although we are in discussions with them about our status.

*****NEW*** Does NI have an ISO compliant code - oocyte donors there cannot be GB marked, but embryos produced in GB need to be returned to NI, how do we do this?**

For animals residing in NI (NI origin animals) they would be compliant with the intra union trade requirements which stipulate that the animal has to be identified with the code of the member state in which the tag was placed. It doesn't refer to ISO code compliance or EU member states or NI. In these scenarios they can continue to use UK ID numbers however we are in discussions with the commission to clarify this and whether they will need to change to GB as well.

*****NEW*** Any update on the need for imported animals to be resident in the country for 6 months before semen is eligible for export – has a derogation been reached? What about stud-to-stud transfer – if a bull moves from and Irish stud into a UK stud is the 6 month period of residency in the UK still required if both studs are EU approved?**

In the AHR certificate the A entry certificates it refers to 6 month residency in the exporting country for bovine, ovine, caprine animals and 3 months for porcine animals so we will need to comply with those until a derogation has been formally reached. We will approach the commission on this via bilateral negotiations as this is requested a derogation or to request a cumulative residency period between EU and GB.

*****NEW*** Do bulls originating from other countries require GB tag?**

The EU legislation suggests the animal has to be tagged with the ISO compliant country code, the country in which the product is collected. Our view is that particularly for EU origin animals it doesn't make sense for the EU to require this, given that they would be tagged with EU ISO compliant tags. We have written to the commission and our expectation is that they will say that it is not required but we can't confirm this until we have received their response.

*****NEW*** Is GB on the end of the secondary tag sufficient?**

If you are referring to writing GB on an existing tag, then no that is not permitted. There does need to be an additional tag placed on the animal with an ISO compliant number on it. If you are asking whether it is sufficient for that number to be the same as the current ID number with GB added to it when it is placed on the animal as an additional tag, then yes that would be permitted.

*****NEW*** Why has BDV testing been removed from 8404 SUP 1st and 2nd series testing? As well as MV/Jaagsiekte health information requirements?**

Borders disease and MV and other certain diseases have been removed from the new legislation because these are not diseases of interest to the EU anymore so they have removed border disease testing as part of the first and second series testing as well as requirements regarding freedom for MV and other diseases such as pulmonary adenomatosis.

*****NEW*** Please could the MVV-free status of northern Ireland be officially recognized in line with SRUC scheme for exports of ovine semen?**

We think this originally referred to animals coming from NI to GB for collection of semen. In such scenarios yes, we can include this on the guidance for notes for guidance so it's clearer to the certifying officers.

*****NEW*** Please could the Northern Ireland DAERA scrapie monitoring scheme be added and recognized on ovine semen/embryo EHC? Currently only the UK SMS is recognized.**

Just to clarify the scope of these AHR certificates are for exports from GB to EU and NI so in the guidance if you were to include the scrapie monitored scheme it would be redundant because this refers to exports to GB to NI and the EU.

Composite products

What is a composite product?

Composite products are foods containing both plant products and processed animal products.

Traders need to distinguish between composite products and processed animal products. Please refer to the Composite Product Decision Tree to help you determine whether your product is a composite and what type of certification it requires from 21st April 2021.

What isn't a composite product?

Adding a plant product during the processing of an animal product does not automatically mean that the final food is a composite. If the addition of the plant product does not modify the main characteristics of the final product then adding this plant product does not make the product a composite.

For example, a cheese with herbs or a yogurt with fruit are classed as dairy products. Similarly, canned tuna with added vegetable oil is classed as a fishery product.

Please refer to the Composite Product Decision Tree to help you determine whether products you are certifying is a composite or not and what type of certification it requires from 21 April 2021. The Decision Tree is available on [Vet Gateway](#).

What are the main differences between exporting composites now compared to the new rules?

It easier to determine whether products require a composite EHC or not. Some products that don't need an EHC will now require a private attestation. Private attestations do not need to be signed by an Official Veterinarians (OV) or a Food Competent Certifying officer (FCCO). It must be prepared and signed by the importing food business operator in the EU.

However, there are some composite products that will be exempt and don't require an EHC or private attestation. Please refer to the [Composite Product Decision Tree](#) to help you determine whether products are a composite or not and what type of certification it requires. from 21st April 2021.

Are there differences in the categories of composite products previously exported to the EU after 21 April 2021?

Yes. There will be three categories of composite products:

1. Non shelf-stable composite products
2. Shelf-stable composite products that contain any quantity of meat products, except gelatine, collagen and highly refined products
3. Shelf-stable composite products that do not contain meat products, except gelatine, collagen and highly refined products

The requirements on traders and the guarantees accompanying the composite products depend on their category. However, the requirements for processed animal products in the composite products are the same for the three categories.

I understand that under this new system, all animal products within a composite product will require an EHC, where previously just the composite product needed an EHC.

No, this is wrong. The new EHC for composite products, introduced by the EU enables the certification of the meat, fish, dairy and egg elements of a composite product on the same EHC in a similar way to the current composite EHC.

The range of composite products that require an EHC is changing and a new private attestation document for exempted composites is being introduced.

What is the difference between non shelf stable and shelf stable composite products?

Shelf stable animal composite products are products that do not need to be transported or stored under controlled temperatures e.g. chilled or frozen.

What is meant by “controlled temperature”?

“Controlled temperature” means that the products have been produced in a way that does not allow their transport and storage at ambient temperature.

If traders are transporting or storing a shelf-stable composite product under controlled temperature, for example to preserve its quality, the requirements for a shelf-stable composite product apply.

Which composite products need an EHC?

Shelf stable and non-shelf stable composite products for human consumption containing processed meats need an EHC (gelatine, collagen and highly refined products are not included in this)

Composite products that are not shelf stable and contain other processed animal products i.e. fish, dairy or egg need an EHC.

Should a product that contained an ingredient purely for flavour should it be considered a composite. Flavoured butter is this a composite or dairy?

It's not possible to say definitively without full details of the product, but if a plant product is only being added to a product to add special characteristics or for processing reasons, then it is not a composite product. The Commission gives an example of cheese with herbs added which remains a dairy product. The flavourings of the butter have not altered the main characteristics of the final product which remains butter, so it is likely in this case that the product remains a dairy product.

Under ‘nature of commodity’, for a composite with milk and eggs do we call it a dairy product with egg, or what is correct?

You would need to indicate under nature of commodity that it contains both egg and dairy for that particular product. There is also the guidance note at the end of the certificate that will help with what is expected on the nature of commodity box.

Is it correct to say a composite product within the scope of EHC which contains more than one POAO could require more than one EHC for that product?

Assuming all the POAO is processed and part of the composite products then no, only a composite product EHC would be required.

Does highly refined beef and goose fat constitute a "meat product"?

Yes, it does for composite products so the meat product attestations will need to be certified.

The new EU regulations are changing the definition of a composite; can you confirm if this will change the definition as per 853 for the UK. If the 50% rule is no longer this could have a knock-on effect of whether an establishment's activity may need approval or not?

The new rules don't change the definition of a composite product. They change when an EHC is required.

Have you got specific examples of 'special characteristics' relevant to supplement manufacturers?

An example of a special characteristics would be like colourings, spices, flavourings or sweeteners or for textures. More details will be made available in the relevant guidance document on [EHC Form Finder](#)

For suppliers of composite products which are not under the GEFS because they do not have a stable supply chain, what documents can be used for a support attestation batch by batch? For example: A veterinary declaration, the model Support Health Attestation ([ET 199](#)) adapted to composite products?

If an FCCO or OV at one premises is providing supporting information to a certifying Officer at the final premises of dispatch, then a Support Health Attestation (SHA) supplied by a vet is acceptable or in certain circumstances a declaration from a FCCO is an acceptable form of evidence. ET199 is the model SHA on [Vet Gateway](#) and that can be adapted to different type of products. There is no set format of a support attestation and it is not an official document.

Honey is not an ingredient that appears on the old composite EHC, what are the requirements for honey in this new EHC?

The new composite EHC is available on [Form Finder](#) and does include the relevant public health attestations for honey.

****New** Would pastry with 50% butter need an EHC by OV?**

The documentation needed will firstly depend on whether or not the product is a composite. Assuming it is, whether an EHC or Private Attestation is required will depend on whether it is a shelf-stable product. The percentage of POAO in the product does not determine whether or not an EHC is required.

*****NEW*** With regards to dairy/composite products the current dairy EHC has statements regarding egg products so surely this can be used instead of 2 separate EHCs (1 for dairy and 1 for egg).**

A product that isn't a composite that contains multiple POAO, the expectation is that it would be certified as separate EHCs. You should check with the border control post in that particular scenario to understand what they will expect.

*****NEW*** Please can you clarify which footnote is incorrect on the composite 8350.**

It should read, name, address and registrations approval number if available of establishments where the products come from, name of the country of dispatch, which must be the same as country of origin a box I.7.

*****NEW*** What happens when dairy products have been through different heat treatments. The composite EHC allows to be selected only one statement**

because of the either/or statement. Is it correct to complete only one EHC and don't cross out the rest. Or multiple EHC should be completed?

Where you've got a single composite product that contains dairy content that has been subject to different treatments or egg content has been subject to different treatment types, we've clarified with the EU that you can retain multiple equal statements. If you've got a load of different composite products that contain dairy products, or egg products that have been subject to different treatments, and you want to certify them on one EHC then you are unable to do. You will need multiple certificates, the AHR doesn't change that principal.

*****NEW*** What percentage dairy does a product need to be to use EHC 8354 or if there are also eggs within the product should a composite certificate be used?**

The percentage of POAO within the product will not be a determining factor. In order for it to be a composite product it needs to contain processed product of animal origin, and a plant product, the plant product needs to be contributing a significant characteristic to the overall product so if it's just there for processing purposes or flavouring then generally, it's not a composite. If a product contains dairy and egg but no plant content that wouldn't be a composite. It would need two EHCs, one for the dairy content and one for the egg content.

*****NEW*** Could you confirm that when exporting POAO, if they include confectionery (such as chocolate) that this does not need to be included on the EHC as confectionery itself is exempt?**

No, if the product itself requires any EHC, then even if an element of that product, if it was being exported separately wouldn't need any EHC, the relevant information on that element of the product needs to be included on the health certificate. With a composite product that includes chocolate, but is itself not confectionery, and it requires an export health certificate, then you would need to include information on the confectionery element of the product.

Do things like orange curd/lemon curd count as confectionery?

Under the composite legislation that will be determined by the commodity code whether the product is classed as confectionery.

*****NEW*** The composite product is fully pasteurised, but the cheese is added after pasteurisation as a topping. Is it possible to complete the EHC for a composite ? The EHC for composites does not include information about raw milk products going through a maturation process, included in the final composite product.**

Our understanding is that nothing has changed from the pre April 21 composite EHC and the new EHC. The situation with raw milk cheese is quite complicated, essentially if the raw milk cheese that is added to the composite has been heat treated in line with heat treatment requirements as part of the product as a whole then it be certifiable. If parmesan is added to a composite product then the whole

product is cooked that would be certifiable, however, if the parmesan is added after the process then it would not.

*****NEW*** Are meat products allowed to be re-exported as composites even if no further processing is carried out eg ham slices put into sandwiches?**

Yes, there is no prohibition in the composites EHC on the re-export of composites that contain EU origin meat products.

What documents will a composite product containing fish ingredients require a private attestation or an EHC?

If the product is chilled or frozen and containing fish, then it will require an EHC but if it is shelf stable composite product then it will need the private attestation.

Where an EHC is needed for a composite product, is there a need to have a trace linking back to production date of dairy ingredient?

Yes, it is referenced in the footnotes of the EHC that the date of production of dairy is needed in the certificate. It doesn't have to be a specific date, it can be a date range.

When certifying a chicken or pork composite product (on an 8281 cert), can I leave out pages 3 and 4 which refer entirely to BSE.? I would correct the page numbering accordingly.

You should keep them in the EHC and strike out the irrelevant statements accordingly, as opposed to remove the pages.

There are numerous references to zones and codes in EHC 8350. Where do we find a list of these codes?

The relevant codes are contained within EU legislation. Under current rules they are contained in lots of different EU regulations. The AHR brings together all of the relevant listing regulations into a single regulation which is 2021/404 published at the end of March.

Is it permissible to re-export EU origin egg products that have been further processed in UK? The 8350 EHC does not give an option for the source of the eggs to be from EU.

The Commission has clarified that composite products containing EU origin egg product can be exported using the new composites EHC. The certifier may enter the name/code of the relevant EU Member State where the egg product within the composite originates in the relevant section of Part II of the EHC.

Even if a product has a trace level of POAO i.e. whey protein, do they still need an EHC?

Assuming the product is a composite, it doesn't necessarily need an EHC. It will either need an EHC or a private attestation depending on whether the product contains meat and whether it's shelf stable or not. There is a change here, as under the current rules very small amounts of POAO added for technical reasons do not necessarily require certification, but the EU has been clear that under the new rules

that will no longer be the case and certification will be required. What document is required would depend on the nature of the product.

What happens with shelf stable composites that you are filling in an EHC for as they have meat in. They have dairy in - about 1 % milk - so don't need to fill in the dairy part of the EHC but does it need a private attestation along with the EHC for the milk part.

No, it just needs an EHC. Any product with meat in is going to require an EHC unless it's gelatine, collagen or a highly refined product. It doesn't need a private attestation as well. . You would include the certification of the dairy component within the EHC regardless of percentage. The 50% threshold has been removed so from 21 April any amount would require certification and would be certified in the EHC if the composite product was not shelf stable or has meat in it.

Where a product has multiple dairy/ sources, do we have to list all the treatment and all the processing plants under consignment description?

Assuming this is for the EHC then yes you need to list all of the processing plants for the dairy, which all must be EU approved and the treatment types as well as laid out in the certificate.

A bakery is exporting a variety of cakes, all with dairy but some with egg, some without. Should I use separate EHCs for with/without egg products?

You'll only need an EHC for the cakes if they aren't shelf stable (or contain meat). In terms of using separate certificates it would likely be best to use separate certificates for this unless anything different was agreed with the BCP.

Is cochineal a product of animal origin requiring an EHC, again in connection with a confectionery product containing this as a colouring?

This would be classed as a highly refined product so you wouldn't normally consider that being a POAO within the context of what needs to be certified on the EHC. Highly refined products don't need to be certified in the composite EHC.

What if the composite product has both meat product and dairy product? The portal will only accept one answer. Should I add the other answer in pen when the EHC has been printed?

You can make amendments in pen or attach a schedule that is relevant to that box if there is not enough room.

Chips/Soups with meat flavour does require an EHC or a private attestation?

If it's a meat product within the composite, then it will need an EHC. The exception is for gelatine, collagen and highly refined products. Not all meat flavours contain meat, and so some will not need an EHC.

If a pie has beef from negligible BSE country of origin and controlled risk country of origin do I leave both sections in? What if there are two composite products on a schedule, one with beef from negligible and one with beef from controlled?

Where a single product contains meat, and requires multiple either/or statements in the certificate to be certified you can certify both of those statements. If it's a situation where you have got two products and you want to include them both on the same certificate, however they relate to different either/or statements in the certificate it requires separate EHCs.

****New** Previously the butter in pastry for example frozen pies and pasties has not needed certifying. Will this now need to be certified? Approximately 8-10% butter.**

Yes. The butter within this product will need to be certified. Under the new composite rules there are no exemptions for small quantities of POAO within a product added for technological reasons.

****New** What certification do you need for fish in cheese sauce?**

This will depend on the product. If the fish is unprocessed it will require a fishery product certificate. The cheese sauce is likely to either need a dairy EHC or a composite EHC depending on its composition.

****NEW**In the EHC for composite products which contain EU origin dairy and egg products under point II.3.B (a) it has an “either”/”or” option depending on the zone of the third country where the dairy products within the composite 23 product were produced. Similar text is present in II.3.D in relation to egg products. How should EU origin dairy or egg products within a composite be certified within this part of the EHC?**

The Commission has indicated it is revising the EHC to clarify how EU origin products within a composite can be certified. In the meantime, in points II.3.B(a) and II.3.D of the composite product EHC, the ISO code of the EU member state must be entered if the processed products were produced in the EU. More detail is in the [Notes for Guidance](#).

****NEW**In the EHC for composite products under section II.3.B (c) it includes an “either/or” option relating to the species of origin of the dairy product within the composite product. The either option includes a list of potential species from which the dairy product within a composite can originate. Should the individual specie is names within this statement be deleted, even though they are not individually marked as a deletable?**

Yes. The EU have clarified the statement should be certified in this manner, with the individual species names not relevant to the dairy product contained within the composite deleted. Please note that the ‘or’ option in II.3.B (c) should not be treated in this way, and only the full statement should either be deleted or retained. The EU has indicated they will amend the EHC to clarify this. More detail is in the [Notes for Guidance](#).

Certification requirements and Border Control Post checks

What is the border control checks for composite products?

Unless specifically exempt from border checks, all consignments of composite products exported to the EU will be subject to veterinary checks at an EU Border Control Post (BCP), including those exempt from certification where a private attestation is also required.

Composite products subject to checks and requiring an EHC

Non-shelf stable (such as chilled and frozen) composite products or shelf stable (ambient) composite products that contain processed meat must be subject to BCP/ Points of Entry (PoE) for Northern Ireland on entry into the EU/NI and be accompanied by an EHC.

If the composite product is not shelf stable and contains meat products and/or other processed animal products (e.g. fish, dairy, egg) then it's subject to BCP checks and requires an EHC.

There are two composite product EHCs in the Regulation:

- Entry into the EU (or Northern Ireland) of not shelf-stable composite products and shelf stable composite products, containing any quantity of meat products except gelatine, collagen and highly refined products, and intended for human consumption
- Transit through the EU to a third country either by immediate transit or after storage in the Union of not shelf-stable composite products and shelf-stable composite products containing any quantity of meat products and intended for human consumption

Composite products that are subject to BCP checks and requiring a private attestation

If the final composite product is shelf stable and does not contain processed meat products but is not on the EU's list of lower risk products it must be subject to BCP/PoE checks and accompanied by a private attestation.

The private attestation does not have to be signed by an OV or FCCO and must be prepared and signed by the importing food business operator in the EU/NI.

- It is recommended a copy of the private attestation must accompany the consignment to the EU BCP or NI PoE.
- The EU/NI importer or agent should provide the original private attestation to the EU BCP/NI PoE.
- To complete the private attestation, the importer will require a declaration from the exporter of the composite products, attesting that the dairy products and egg products contained in the composite products have undergone the required heat treatment. There is no set model for providing this declaration and it does not have to be signed by an OV or an FCCO.

Composite products subject to risk-based border or destination checks and requiring a private attestation

The final shelf-stable composite products not containing processed meat and is listed in legislation (includes bread, pasta, olives, sweets) is exempt from BCP/PoE checks, provided the products meet all of the following requirements:

- Any dairy and egg products contained in the shelf-stable composite products have been subjected to the required heat treatment
- They are identified/labelled as intended for human consumption
- They are securely packaged or sealed

The private attestation must be prepared and signed by the importing food business operator in the EU/NI and must accompany the products at the time of the placing on the market.

The consignment must also be accompanied by a declaration of the exporter of the composite products, attesting that the dairy products and egg products contained in the composite products have undergone heat treatment.

The consignment maybe subject to random or risk-based checks at the point of destination in the EU/NI.

What are the foods listed in the legislation as exempt from certification and exempt from BCP checks?

These foods include:

- Confectionery (including sweets), chocolate and other food preparations containing cocoa
- Pasta, noodles and couscous
- Bread, cakes, biscuits, waffles and wafers, rusks, toasted bread and similar toasted products
- Olives stuffed with fish
- Extracts, essences and concentrates, of coffee, tea or maté and preparations with a basis of these products or with a basis of coffee, tea or mate
- Roasted chicory and other roasted coffee substitutes, and extracts, essences and concentrates thereof
- Soup stocks and flavourings packaged for the final consumer
- Food supplements packaged for the final consumer, containing processed animal products (including glucosamine, chondroitin or chitosan)
- Liqueurs and cordials

There is a full list available in the annex of the relevant EU [legislation](#).

Goods on this list may still be subject to random or risk-based checks at the EU place of destination, point of release into free circulation or the warehouse of the operator responsible for the consignment.

What checks will be needed on chocolate/biscuits/pasta etc?

Provided that these are shelf stable and do not include meat products (other than gelatine, collagen or highly refined products) these require a private attestation

signed by the EU importer. They are not subject to BCP checks but may be subject to random or risk-based checks in the EU.

The traders' composite product is shelf-stable, and does not contain meat, but the dairy elements do not meet the heat treatment requirements for the private attestation (e.g. chocolate that contains pasteurised milk). What do I do?

The EU has confirmed it is amending the AHR to allow businesses to use a private attestation to export shelf-stable composite products containing dairy that has not undergone UHT or sterilisation, so long as the dairy product originates and is processed in a third country listed for the export of dairy to the EU, such as GB. This does not need to be signed by a certifying officer.

As the legislative amendments was not in place by 21 April 2021 when the new Regulation applied the Commission has agreed an interim arrangement.

The importer, completing the private attestation, may delete Point 10 of Part II of the attestation (which relates to the dairy heat treatment requirement) if:

- dairy products are listed as ingredients in point 4 of Part II of the attestation and;
- the country code inserted in box 1.7 of Part I of the attestation, is that of a third country listed for the export of dairy products to the EU without risk mitigating treatment (such as GB).

The establishment of origin of the dairy product, indicated in point 5 of the attestation, is in a third country listed for the export of dairy products to the EU without risk mitigating treatment (such as GB, or the EU, or Northern Ireland).

This means that shelf stable composite products dispatched from GB to the EU, which contain no meat but do contain dairy products processed in the UK (or another similarly listed third country) or the EU, do not require any specific treatment to use the private attestation document.

Composite products containing honey, gelatine, collagen, snails or highly refined products

If the only processed products of animal origin in a composite product are honey, collagen, gelatine or snails, and the composite produce is shelf stable, then it will need to be accompanied by a private attestation.

If the composite product is not shelf stable, and contains honey, gelatine or snails as the only processed POAO content, then it will need an EHC for the individual product (i.e the honey, gelatine or snails EHC). There is no requirement for a composite product EHC in that specific circumstance.

If the composite product contains meat, dairy, fish or egg *and* honey, gelatine or snails, a composite products EHC is needed (unless the resultant composite product is exempt from certification when a private attestation is required). No additional EHC for honey/gelatine/snails will be needed.

It looks like there is space for 5 composite products to be listed. Is it possible to add more products through a supplementary sheet that accompanies the attestation or is 5 the maximum?

You can add a schedule to the EHC if you need to if you have more products than the information in I.27 will allow you to submit. There are certain restrictions on where you can make use of schedules. Specifically, all of the products have to satisfy the same either/or statements in the EHC and need to be transported at the same temperature.

If it is required an EHC for honey, gelatine from a composite product which is not shelf stable. How these 2 EHC's should be completed to show that it is only one composite product (referring at quantities, manufacturing plants...)? In this case, is it required 2 CHED's?

The Commission has been clear that from the 21 April 2021 that the expectation is if there is honey or gelatine in a non-shelf stable composite product then it doesn't need a separate certificate. The EHC for composite will still cover it.

I've just been looking at the 8350 EHC and the dairy section is only to be filled in for non-shelf-stable dairy still. So, if it contains shelf stable dairy how do I fill it in?

This has been raised with the Commission. It's poorly worded in the model certificate so that the 'not shelf stable' wording in the dairy header should be read as referring to the overall product and not just the dairy component. The EU has clarified that it is referring to the not shelf stable product and not the not shelf stable dairy product within the product. Therefore, you can still fill this in.

Would a FBO that makes shelf stable products health bars, protein bars that contain milk need an EHC and or an attestation?

Assuming this is a composite product it would need a private attestation because it's a shelf stable product not containing any meat.

Would you consider publishing a list of example scenarios??

Notes for guidance already includes some examples. Link to [EHC Form Finder](#) and so does our composite decision tree. Please see link for the [Composite Decision Tree](#).

For a non-shelf stable, composite product containing less than 50% dairy which is chilled - would this have to be signed by an OV. How would this operate via the GEFS - can the manufacturer use an attestation for this and would that also need to be signed by on OV?

Under the new composite rules that came in from the 21 April 2021 the percentage of POAO is not relevant when it comes to whether or not an EHC is needed. It is correct that a non-shelf stable composite product containing dairy will require an EHC and that will need to be signed by an OV.

If an EHC is needed, and the composite product is packaged for the final consumer, and comes from a stable supply chain, the exporter would be eligible for the GEFS

membership. The GEFS membership would enable the certifier signing the EHC to make use of a GEFS support attestation as an additional form of evidence when certifying the product as part of a groupage load at the point of dispatch.

Is an EHC rather than a private attestation required for bread, cakes, biscuits, waffles and wafers if they contain more than 20% dairy and egg products? The guidance only appears to mention a figure of 50%. This references the current composite rules. Under the new rules the percentage of POAO is not relevant and it is products that contain meat or are not shelf stable that need an EHC whereas shelf stable products containing dairy, fish or eggs require a private attestation. Bread, cakes, biscuits etc. are amongst those shelf stable products that are exempted from BCP checks.

Can current products that are being exported using the 8281 EHC be exported using the new 8350 EHC before 15 January 2022 ?

This will depend on the product. Any product that currently used the composite EHC 8281 prior to April 21 can carry on using that until 15 January 2022. If under the new rules the product still requires an EHC (so if it contains meat or is a non-shelf stable product) it could also use the new EHC 8350 from the 21 April 2021.

However, if under the new rules, it needs a private attestation e.g. if it is a shelf stable product and contains no meat, but it currently needs an EHC, then it would not be able to use the new EHC 8350. It could use the private attestation. Please refer to the <http://apha.defra.gov.uk/documents/FCCO-Briefing-Note.pdf>, which includes a link to the EU's table which summarises the transitional arrangements.

Will a shelf stable composite product containing pasteurised dairy produced in the EU be exempt from OV attestation?

If the product has been imported into GB and is being re-exported to the EU, it follows the same basic rules as a GB origin product. If no EHC is required to export the product to the EU from GB (such as is the case for a shelf stable composite product) there will be no requirement for any form of EU veterinary attestation to be provided to enable the EHC for re-export to be signed. The EU importer of the final product will need all the same information from the GB exporter to complete the Private Attestation as they would for a GB origin product. Some of this information may need to originate from the original EU manufacturer.

For snacks which contain processed dairy and fish as ingredients is it only a private attestation that is required as it is a shelf-stable product? What about if the product contains meat flavouring/ processed meat ingredients?

If it contains dairy and fish and is a shelf stable product then yes, it will require a private attestation. If it contains meat (with the exception of gelatine, collagen or highly refined products) then it will need an EHC. Not all meat flavourings contain meat. If the meat flavouring is not a meat product then you don't need an EHC. If the meat flavouring is a meat product then you will need an EHC.

Can LA's issue EHCs for POAO (dairy, eggs, gelatine) which is shelf stable contained in powder or gels? Or does this need to be issued by an OV ?

If the powder or gel is a composite product and contains egg or fish then a Local Authority Food Competent Certifying Officer can sign the EHC. If the product contains meat or dairy then an OV must sign. If the product is not a composite, then the conditions of the relevant certificate determine who can sign the EHC.

On the recommendation to contact BCP's if we have any questions, before to send a consignment, some BCP's refuse to answer our questions. When happens things like that, who should we get in touch with? As nobody is able to advise.

We understand the frustration and the challenge faced by traders. , Equally the challenge that we face within Defra is that we can only interpret the EU rules and check them with the EU. There is always the facility for individual BCPs to interpret things differently. Therefore it makes sense to contact them to understand what they expect, particularly when the rules aren't entirely clear. If you are having problems contacting BCPs please contact APHA.

*****NEW*** The AHR briefing note says that: "I.11 is now 'place of dispatch' (i.e. where the product or animal is being sent from) as opposed to 'place of origin'. The ISO country code of the establishment of dispatch is now needed. But the new EHC 8350 still says in the footnotes for box I.11: Name/address and approval number if available of the establishments of production of the composite product (s) Name of the country of dispatch which must be the same as the country of origin in box 1.7 (The country of dispatch in my example above would be GB which is different from the country of origin in box 1.7, how do we complete this one then on EHC 8350 please?)**

The footnote in the new certificate is incorrect, the requirement for I.11 has changed and it is now the place of dispatch, written to the EU who have advised that the footnote is incorrect and will in time be altered to reflect that.

Private Attestations

What are private attestations?

The private attestation is laid down in EU law. It must be prepared and signed by the importing food business operator (FBO) in the EU. If the product is subject to BCP checks, the EU importer will need to ensure that a physical copy of the attestation meets the consignment at the BCP. For products not subject to BCP checks, the attestation is only required at the point the product is placed upon the EU market.

Who has to sign the private attestation?

The private attestation must be signed by the representative of the importing food business operator. An FCCO or OV does not have to sign a private attestation.

Who checks the private attestation accompanying shelf-stable composite products not containing meat? Where does this check happen?

The checks on shelf-stable composite products not containing meat are carried out the BCP unless the product is exempt. Checks may be carried out at the place of destination, the point of release for circulation in the EU or the warehouses or the premises of the operator responsible for the consignment.

Must a shelf-stable composite product not containing meat always be accompanied by a private attestation?

A private attestation must accompany every consignment of shelf-stable composite products.

Are all of the composite products that are eligible to be accompanied by a private attestation exempt from checks at the border?

No. Only those composite products that are specifically exempted, in the legislation, from the checks at BCPs.

Checks may be carried out at the place of destination, the point of release for circulation in the EU or the warehouses or the premises of the operator responsible for the consignment.

****Updated** Does the private attestation need to be provided in only the official language at BCP where shipment enters the EU or all transit and final destination markets as well?**

The EU have confirmed that the private attestation should be provided in a language accepted by the Member State where the document will be presented. For products subject to BCP checks, this will be the language of the Member State of the BCP of entry. For products not subject to BCP checks it will be the language of the Member State of destination. For products in the latter category, it may be beneficial for an attestation to be provided in the language of the country of entry into the EU as well –the importer should confirm this with the BCP.

Have you got an example of a private attestation you can show us?

This is already available on GOV.UK please click on link [a private attestation](#)

A local business exports baked confectionary products to EU and NI regularly to the same suppliers which will require attestation, is an attestation required for each product for each consignment?

They need an attestation per consignment. They may well be able to put multiple products onto a single attestation because they are all part of the same consignment.

Does a CHED-P need to be created when importing composites with a private attestation?

If the composite is subject to BCP checks then we expect pre-notification and the creation of a CHED-P to be required. Where the composite is not subject to BCP checks, it is important to check with the BCP as to what the expectation is when it comes to pre notification and the creation of a CHED.

Will the private attestation be required to accompany each consignment that is being exported? Does the company exporting apply for the private attestation via EHC Online?

Traders do not apply for the Private Attestation via EHC Online as it is not an EHC. It is the EU importer who completes the private attestation document. The importer completes the document. One private attestation will be needed per consignment.

****New** Is otherwise shelf stable product is being transported at a temperature other than ambient to preserve the product, does it still count as a shelf stable product?**

The EU's FAQs answer to this question is yes, the private attestation should still be applicable if the exporter is choosing to transport the products frozen or chilled temperature rather than it being necessary. That said the private attestation document only allows the importer to identify that the product is transported at an ambient temperature, so in that circumstance, we would recommend that the trader speak with the BCP about this.

****New** Regarding ice-cream, there are a lot of origins of dairy in each batch. Does each dairy producer need to produce batch specific declarations of origin/treatment etc or can they produce statements saying all dairy they produce is treated in the same way?**

I.27 in the private attestation requires the date of production and batch number. The EU has clarified that, for the composite product EHC, the date of production is optional. It would therefore be logical that the date of production would be optional on the private attestation, but the trader should clarify this with the relevant EU BCP. For the batch number, it is acceptable to use a use by date, or a range of use by dates relevant to the consignment.

****New** The exporter declaration regarding risk mitigating treatments for dairy and eggs products presents in the private attestation. Should it be given for each private attestation, for each batch present in the attestation?**

If the composite product contains any dairy products, the GB exporter will need to provide the importer with an attestation evidencing that the dairy products within the composite product have undergone the relevant heat treatment. This heat treatment (or a higher level of treatment) can be applied to the specific dairy product ingredient(s) and/or to the composite product as a whole.

****New**** The last page of the private attestation in English refers to 'Qualifications' of the signing party (importer representative) whereas the Finnish and Swedish versions are much clearer, referring to 'job title' of that person. Can this meaning be made clear in the Guidance?
We have reflected this in our guidance note for the private attestation.

****New**** I am a manufacturer of Baklava using ghee butter as an ingredient. As ghee butter is a highly processed product and it is ambient stable, will a private attestation be enough?
Yes, assuming the baklava itself is a shelf stable product, as what matters is the overall product's shelf stability.

****New**** What rules apply to chocolate transported at a controlled temperature?

If the chocolate is a shelf-stable product transported at a controlled temperature for quality control reasons it should be able to be exported to the EU on a Private Attestation.

Preserves such as lemon curd and curd cheese are products that are shelf stable but are traditionally thickened with egg yolks and may not reach sterilization/UHT. What certificate would they go under?
Shelf stable products containing no meat and where the dairy content has been pasteurised and originates in a third country listed for the export dairy, such as GB, can travel on a private attestation document.

Establishment and Premises Listing

*****NEW***** Can you give more information on how the new 'Confined Establishment' requirements will apply to ungulates with regard to contact with animals outside the establishment? and how does this relate to wild animals.

The rules for confined establishments are extremely similar, almost identical to the rules for Balai approval so it would be the same principles about needing to have perimeter fencing and have the segregation in place that you would be familiar with from the Balai rules that would also apply to confined establishments. This refers to zoos.

For EHC from non-approved premises, what is meant by the Registration No. at 1.11 - will this simply be the LAs Database reference number?

This can be completed as N/A if the premises from which the composite product is being dispatched is a registered premise and not an approved premises. Also, on FCCO's briefing notes available [APHA's Vet Gateway](#).

For a shelf stable product that requires an EHC 8350 can it only be exported from only EU approved premises. As some sites are not EU approved at the moment- do they need an RDC number instead?

Whether or not the premises exporting a composite product requires approval depends on whether or not the product is simply being assembled from pre-processed POAO or whether it's actually manufacturing any of the POAO within the composite.

If it is only assembling a product from pre-processed POAO it does not require approval and whether or not the product requires an EHC doesn't change that. The approval number that can be inserted on the composite EHC is only needed if applicable which means you can leave I.11 blank or fill in n/a when the product is dispatched from a premises that is not approved.

What you do need to do is put the approval number of the establishments that contributed to the pre-processed POAO in Part 2 of the certificate. The change to the EU rules of composite products into the EU does not affect whether a premise in GB needs to be approved or not.

*****NEW*** If the coldstore or the exporter is not on the list of Businesses approved to export to the EU, we still able to make an export from those premises?**

This depends on what you are exporting, composite food products do not need to be exported from an approved establishment, most other products of animal origin do need to be exported from approved establishments, there are some cold stores that are approved, other cold stores that are under a single distribution chain are not generally approved establishments unless they went through a specific process with the Food Standards Agency (FSA) and Defra prior to January 1st to be listed with the EU. The AHR does not change which products need to be exported from approved establishments, so the scenario should remain as it is currently.

POAO

Are products containing flavours which include animal ingredients like whey considered to be POAO?

Whey is a dairy product, based on the commodity codes outlined in EU legislation. Certain substances, as prescribed in Section XVI of Regulation 853/2004 are highly refined products – these include chitosan, glucosamine and rennet.

Can we group all herbs and spices together and provide overall percentage of herbs and spices without a need to breakdown into individual spices on the private attestation?

EU legislation is clear cut on this and says all the POAO and product of plant origin ingredients need to be listed indicating their percentage and nature in descending order. If you have concerns about that it would make sense to speak with the BCP

in the EU to understand what they are willing to accept. Where we have asked individual member states, they are not proscribing a format for this information.

If products have bovine gelatine in them or surrounding them eg health tablets would this need the gelatine certificate?

If your product is a composite, and contains gelatine as the only processed POAO, and it is shelf stable, then it can travel on a private attestation.

*****NEW*** Similar heat treatment composite for egg products - does the heat treatment information about different heat treatments also apply to egg as you have described for dairy products just now?**

This is going back to one composite product that has elements that have been subject to treatment, which means it satisfies multiple either or statements within the EHC and yes we've said we've confirmed with the Commission that in that scenario, it's acceptable to retain multiple either or statements, whether it's the dairy component or the egg content.

Food products – composite products

The composite product the exporter manufactures contains very small amounts of processed products of animal origin, essentially present for technological reasons. Does it have to fulfil all of the relevant requirements for composite products?

Yes. The percentage of ingredients of animal origin in the composite product is irrelevant when determining which rules apply to a composite product.

Are confectionery products composite products?

Not necessarily. Only those confectionery products that contain both products of vegetable origin and processed products of animal origin are composite products.

The trader mixes an unprocessed product of animal origin and technological ingredients derived from a processed product of animal origin (e.g. albumin binder), does it make a composite product?

No. The final product is not a composite product for two reasons: 1) it does not contain any product of plant origin and 2) it contains an unprocessed product of animal origin.

Is it required to only include processed products of plant origin in a composite product?

No. A composite product contains both products of plant origin and processed products of animal origin, but there is no requirement to use only processed products of plant origin in the manufacture of the composite product.

Is a trader allowed to use unprocessed products of animal origin to manufacture a composite product?

You are allowed to start the manufacture of a composite product from an unprocessed product of animal origin as long as the processing of the product of animal origin is part of the manufacture of the final product. The composite product must be manufactured in an approved establishment.

How can I differentiate processed products of animal origin with vegetable content from composite products containing processed products of animal origin?

The addition of a plant product to a processed animal product does not automatically mean that the final food is a composite product. As long as the plant product does not modify the main characteristics of the final product then it's not a composite. For example, a cheese with herbs or a yogurt with fruit are classed as dairy products. Similarly, canned tuna with added vegetable oil is classed as a fishery product.

This is a case-by-case decision considering the variety of product recipes. If unsure then the operator will have to provide details to BCP staff to decide whether it is a composite product or not. The product may be inspected to help that decision.

If a exporter mixes unprocessed products of animal origin and products of plant origin, do it make a composite product?

No. This is not a composite product as it contains an unprocessed product of animal origin.

If a trader adds a plant compound to a processed animal product. Is the final product always considered as a composite product?

The addition of a product of plant origin during the processing of an animal product does not automatically mean that the final product is a composite. As long as the plant product does not modify the main characteristics of the final product then it's not a composite.

In the case of non shelf-stable products containing fresh meat (or meat preparations) but not processed animal products, how should such products be certified?

A product containing fresh meat is not a composite product. The certificate for composite products is therefore not to be used in such cases. An EHC relevant for fresh meat or meat preparations must accompany the consignment.

If a trader wants to export to the EU a shelf-stable composite product that contains gelatine. What needs to accompany the product?

Shelf-stable composite products that contain meat products must be accompanied by an EHC.

However, in the case where the shelf-stable composite product contains no meat product ingredient other than gelatine (or collagen), an EHC is not required but a private attestation will be required.

If a trader wants to export a non shelf-stable composite product that contains gelatine (or collagen or highly refined product) and other meat products. Which certificate is required?

Non-shelf-stable composite products must be accompanied by an EHC.

Composite product examples

Picture	CN code	Product information	Comments
	1604 20 10	Salmon Sweet and Sour salad, 185 gr Ingredients: pink salmon (55gr), sweet and sour sauce (tomato sauce, water, vinegar, soybean oil, sugar, modified starch, salt, vegetable extract), tomato, sweet corn, onion, green bell pepper, baby corn, flavour enhancer (E621), paprika colour (E160c)	Composite product, shelf stable and containing fish. Subject to BCP checks as not listed in Annex and is shelf stable and contains processed fish. Requires a private attestation. As it is produced from unprocessed fish, it must come from an approved establishment.
	1902 20	Beef Lasagne Ingredients: minced beef, vegetables and pasta with a béchamel sauce topping containing milk and cheese. Final product has been cooked. Chilled final product.	Non-shelf stable Composite product containing meat product and dairy. Subject to BCP checks and composite product certificate which must be filled in for meat and dairy content.
	2105 00	Vanilla flavoured ice cream with wafer and hazelnuts Ingredients: water, sugar, milk solids, refined palm kernel oil, glucose syrup, hazelnuts, emulsifier, stabilizers, artificial flavouring, chocolate compound, wafer Composite	Composite product, if dairy is processed. As not shelf stable, requires certificate and BCP checks.
		Mayonnaise made with vegetable oil, egg yolk, vinegar etc. Final product cooked in the jar	Composite product, shelf stable with pasteurised egg. Requires private attestation and BCP checks as not listed in Annex.

	1603 00 10	<p>Granulated Chicken Bouillon Ingredients: food additives (monosodium glutamate, nucleotide seasonings, food flavour, vitamin B2), salt rice powder, chicken meat, egg, curry powder (contains turmeric), chive, garlic, white dextrin. Shelf stable</p>	<p>No pieces of meat, just granules which dissolve in hot water. Composite product, but not subject to BCP checks as in Annex.</p> <p>Must be accompanied by private attestation.</p>
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