HM Government
UK TRANSITION

Animal Health Regulation and Composite Products

Certifiers

Frequently Asked Questions

V6.0 - Final

31st January 2022

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**.

Contents

General

What changes apply to AHR EHCs?
The EU law has changed. 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.

Which EHCs do traders have to use after 15 January 2022?
The old EHCs were withdrawn from EHC Online on 14 January 2022, apart from some specific cases outlined below. From 1pm on that date traders were unable to raise new applications for these EHCs.

Any in-progress exports using the old EHCs will still be valid for entry into the EU as long as the EHC is signed before 11.59 pm on 14 January 2022, and the consignment arrives at the point of entry in the EU by 15 March 2022.

The only old EHCs that will be retained beyond 14 January are those for raw milk, dairy products, hatching eggs of poultry, certain germinal products, meat products, poultry meat and meat preparations.

Can traders still use old EHCs?
The majority of the old EHCs were switched off from 14 January 2022. The EU has requested flexibility from Member States in accepting old EHCs until the end of April 2022.

The EU has not delayed the implementation of the AHR EHCs in law. New EHCs should be used wherever possible and it will be for individual Member States to decide whether they will continue to accept old certificates. Exporters will need to check that the BCP of Entry will accept the EHC.

In what circumstances can traders use old EHCs?
The only old EHCs that will be retained beyond 14 January are those for raw milk, dairy products, hatching eggs of poultry, certain germinal products, meat products, poultry meat and meat preparations.

There is further information in this briefing note on vet gateway.

*****NEW***Will the old EHCs be cancelled on EHC online?**
Most of the old EHCs were withdrawn from EHC Online on 14 January. From 1pm on that date traders were unable to raise new applications for these EHCs. By 1pm on 14 January Certifiers must ensure that they:

a. have printed any old EHCs for use for exports leaving the UK on 14 January, and

b. have recorded certification decisions on EHC Online for consignments which have already departed.

Once withdrawn the old EHCs will no longer be available via the Certifier Dashboard in EHC Online. Any in-progress exports using the old EHCs will be valid for entry into the EU so long as the EHC is signed before 11.59 pm on 14 January, and the consignment arrives at the point of entry in the EU by 15 March 2022.

What about composite products?

Changes to the rules for the certification of composite products which took effect in April 2021 continue to apply. Changes to the rules for the certification of composite products which took effect in April 2021 continue to apply. If you have continued to use EHC 8281 or 8282 to export composite products since April 2021, you will need to begin using EHC 8350 or 8351 from January 15 2022.

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

There is no change for Authorised Traders moving goods from Great Britain to Northern Ireland. In order to give the necessary space for EU-UK engagement on the Northern Ireland Protocol, the Government proposed a “standstill arrangement” whereby both sides would continue to operate the Protocol in line with existing arrangements. Whilst discussions with the EU take place, we will remain in a standstill period as reflected in the UK’s Written Ministerial Statement as of the 6 September.

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 EHCs and Notes for Guidance have been 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.

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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.

For the export of Processed pet food, 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 pet food. 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.

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

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.

Live animals

What is happening with GB's bluetongue status and the live animal EHCs?
The EU has recognised GB as free of bluetongue in legislation. The live animal EHCs 8446, 8447, 8448, 8449 and 8452 for live cattle, sheep and goats, which were removed from EHC online until this was resolved, are now available on EHC online.

What are the requirements for moving breeding sheep and goats from GB to NI.

Breeding sheep and goats can continue to be moved from GB to NI if the flock holder is already part of the Scrapie Monitoring Scheme (controlled or negligible risk status) or has applied to the Scrapie Qualifying Scheme by 31 December 2021 deadline or sheep are of a type 1 resistant genotype (this does not apply to goats). The OV must see documentation to support the certification of the relevant option chosen in the EHC. It is important to note that any sheep/goats moving from GB to NI will require EHC 8220. OVs must certify the scrapie status of the animals to be

moved from GB to NI as part of the EHC. For animals originating from an SQS flock, a complementary attestation is required. II.2.8.1 in the EHC (the scrapie attestation) will be struck out entirely when the complementary attestation is used. The attestation must accompany the animal, alongside the EHC. The Notes for Guidance explain this in detail. There is more information in this briefing note on vet gateway.

Meat

What about the re-export of EU origin POAO using the new AHR EHCs?
A new Export Health Certificate (EHC) for the re-export of EU or Northern Ireland (NI) products of animal origin (POAO) has been published and is now available to use. EHC 8461 can be used for the re-export of EU or NI POAO from GB to the EU or onward movement to NI provided that:

- It is packaged and undergoes no further processing or repackaging
- Remains in an approved or registered premises while the POAO is in GB
- It is not tampered with
- It is loaded under the supervision of an official veterinarian (OV)

Some of the EU EHCs prohibit the re-export of EU products to the EU. This includes meat products like chorizo produced in Spain or Parma ham produced in Italy, dairy products such as French cheese, fishery products, eggs and egg products. However, the new re-export EHC will now allow POAO to return, after storage in GB, to the EU or onward movement to NI. This new EHC will **not** allow re-export of POAO that undergoes further processing or repacking in GB.

As this new certificate does not cater for all types of re-export of EU POAO currently undertaken by GB traders and for certain meat products, we are awaiting technical clarification from the EU as to whether the AHR EHCs can be used. For these products, the old EHCs will still be available to use until April 2022. This includes EHCs 8254 and 8255. Exporters should confirm that the BCP of entry will accept the old EHCs before using them.

8369 new bovine meat export certificate 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.

EHC 8350, Section Meat products, the BSE status refers to the country from where the meat product originates or does it refer to the country from where the fresh meat originate? For ie: 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

Which dairy EHCs should traders use from 15 January 2021?
AHR dairy EHCs 8353, 8354, 8287 and 8356 for raw milk, raw milk products and dairy products are being updated and we expect them to be made available shortly. EHC 8358 and 8280, for colostrum based products will also be made available.

The EHCs will be amended so there is no longer a requirement for animals providing the milk (or milk within the product) to have been resident in GB for three months prior to milking in the following circumstances:

- The animal has been imported into GB from an EU Member State
- The animal has been imported into GB from another third country listed by the EU for the export of raw milk, colostrum or colostrum-based products and spent a combined total of three months in that third country and GB prior to milking

However, the EHCs require the OV to select whether the animal providing the milk has been resident either in GB *or* imported into GB from an EU Member State *or* a relevant third country. OVs may therefore require supporting information from processors to confirm which attestation the product complies with. We are continuing discussions with the EU on this and will be engaging further with the sector directly. In the meantime, traders should consider using the old EHCs if they are unable to provide the relevant supporting information to their OV. We have asked traders to confirm that the BCP of entry will accept the old EHCs before using them.

Composite products with dairy, regarding the processing date, is it the date for the dairy ingredient or for the final product?
That section of the certificate is about the actual dairy product so it would be relevant for the production date of the dairy product would have gone into the composite product, but the notes for guidance do need clarifying and we have raised this with the Commission. We have asked them to clarify the title and section and whether that meant that the shelf stable, dairy products, if they were put in a composite product that was then chilled didn't need to be certified and they said no to that. So basically, that's the bit which links to the final product. That box should refer to the dairy product that has gone into the composite product, rather than the composite product itself. There is a caveat that you could process the dairy product as part of

the creation of the composite product in which case the production date would be the composite product because that would be the processing date, so it can get complicated. There may be multiple correct ways of certifying it.

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.

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.

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.

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?

AHR dairy EHCs 8353, 8354, 8287 and 8356 for raw milk, raw milk products and dairy products have been updated and are now available on EHC online. . EHC 8358 and 8280, for colostrum based products are also available.

The EHCs have been amended so there is no longer a requirement for animals providing the milk (or milk within the product) to have been resident in GB for three months prior to milking in the following circumstances:

- The animal has been imported into GB from an EU Member State
- The animal has been imported into GB from another third country listed by the EU for the export of raw milk, colostrum or colostrum-based products and spent a combined total of three months in that third country and GB prior to milking

However, the EHCs require the OV to select whether the animal providing the milk has been resident either in GB *or* imported into GB from an EU Member State *o*r a relevant third country. OVs may therefore require supporting information from processors to confirm which attestation the product complies with. We are continuing discussions with the EU on this and will be engaging further with the sector directly. In the meantime, traders should consider using the old EHCs if they are unable to provide the relevant supporting information to their OV. We have asked traders to confirm that the BCP of entry will accept the old EHCs before using them.

Fish, crustacean and molluscs

What is defined as further processing?
The EU has clarified the definition of further processing in the EU to include any anatomical change to the fish or shellfish prior to final sale to the consumer – this includes bleeding, gutting, filleting and scaling. The 'Notes for Guidance' for this EHC will be updated to reflect the clarification.

We have informed traders that if the fish, shellfish or fishery products will undergo any further anatomical change that produces waste in the EU, then the 'further processing' box must be checked. If this box is checked, and the consignment contains fish or shellfish listed in the legislation (for example Atlantic Salmon) **and is also** from an aquaculture source or is hand gathered, then the EHC must be signed by an OV.

However, if the fish is wild caught and landed onto a fishing vessel or is not a species listed in the legislation, then it can also to be certified by a Food Competent Certifying Officer (FCCO). If the fish products will not undergo further processing in the EU and are ready for human consumption, then they need to check the box 'products for human consumption'. If this box is checked then the EHC can be signed by a Food Competent Certifying Officer (FCCO) or OV. **Only one of the four options in I.20 must be checked** – for example the 'further processing' box or the 'products for human consumption'.

What if live shellfish are not landed onto a vessel? And, how as FCCOs are we supposed to know this when live shellfish arrive at premises with a registration document (sometimes completed under an express agreement). No vessels are or need to be detailed on these documents.
If the wild caught fish or live bivalve mollusc (LBM) is landed by a fishing vessel then an FCCO can sign the certificate. However, if the fish or shellfish are of aquaculture origin, or hand gathered from the wild, and are listed in EU legislation and are either live or known to be going for further processing in the EU, then an OV must sign the certificate. Obtaining the information needed to certify is something the business operators need to follow back up with the suppliers. As it stands, knowing how the products were landed is a requirement prior to determine whether a signature from an FCCO is permissible.

I am an inland EHO who deals with cold stores who export fish products. This area of work is relatively new to us. I note that some of this information is quite technical which I understand as it is aimed at port health. Are there directions you could provide for those of us who have less knowledge?
We have published briefing notes for local authorities which provides guidance on certification of fish. These can be found on vet gateway. You should also read the Notes for Guidance for the EHC which provide more detail. You should also talk to the Local Authorities involved in certification for advice and guidance.

We have MOWI in our area who farm salmon. Some are killed and bled then sent by tanker to Donegal in Ireland for gutting, degrading, packing and distribution. In future it will go by approved killing vessel. As the local authority we do all the certificates. Is this further processing, requiring OV certification?
If you are sending un-eviscerated fish to Ireland then it will require OV certification going forwards, it will also be required to have a clinical examination prior to departure.

Part I.26 net weight/gross weight - is this either or?
It is not either or it is both.

Does 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**.**

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.

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.

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 an FCCO but it is dependent on situation. On sharing the water system if wild caught it does not apply this is just aquaculture environment.

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.

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

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.

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 wight of the export

Part I – Description of the Consignment:

For I.10, what is the Region of Destination and code?
This is for products where the EU has regionalised itself in legislation. This is not the case for fishery products, so is not applicable. Box I.10 can be certified as N/A for fishery products.

Is box I.12 - Place of Destination mandatory?
Yes, except in the case of transits without storage.

For box I.12, are registration/approval numbers always needed for the Place of Destination?
The legislation states that registration/approval numbers are only required 'if applicable'. If the establishment is registered or approved, we would recommend entering the number. We would also recommend checking this directly with your EU BCP to confirm their requirements.

For box I.12, the completion of this has never been mandatory. Why has this changed?
This has changed because Regulation 2020/2235, which dictates how you complete EHCs issued in line with the Animal Health Regulation, now requires it to be completed, except for in the case of transits without storage

For box I.8, there is a limit of 38 characters, and you can only type in a maximum of 2 production areas. What do we do if there are 3 production areas?
The space available on the AHR EHCs has increased from the old certificates. If schedules were the route taken to overcome character restrictions before, we recommend carrying on with this approach.

For I.17 Accompanying Documents, there is only a small area with limited characters to input information, such as catch and storage information. This information is required at some ports, so how can this be overcome?
For I.17 Accompanying Documents, it is not explicit within the legislation what specifically is required to be included. If the catch and storage information is required by the BCP and there is not enough space on the certificate, if schedules were the route taken to overcome character restrictions before, we recommend carrying on with this approach.

For I.17 Accompanying Documents, what is the purpose of the country and ISO code for this section?
Box I.17 is designed for documents that are required by EU legislation and are checked at BCPs (such as CITES permits). The 'Country' and 'ISO Code' fields would be the country of issue and corresponding ISO code of that document. The EU have confirmed that including references to commercial documentation is optional. They have also confirmed that striking through the box is not an option, so, if you don't have documentation to include here, then the approach would be to certify that as not applicable.

Is it still the same process as the previous EHC with batch codes, weights, processing codes etc.?
Yes, there is no change.

For I.25 - total quantity, is this just for whole animals, rather than fish fillets?
According to the legislation, the requirement for the total quantity of animals only applies to live animals that are exported on EHC 8361 or 8364. An estimated figure is acceptable where appropriate, and this should be calculated based on the total

weight of the consignment and the average weight per animal. In mixed species consignments, we are aware that this estimate will not be completely accurate, but as long as the estimate is reasonable, this should be accepted.

Listing out of batches, will all batches have to be split out?
If the exporter has the batch information at the point of application, then they can input that information, yet this is not mandatory. If the exporter doesn't have that information this info can be added by the certifier at the time of certification.

Can a registered and inspected fishing boat (not approved) use the approval number from an approved fish market to export live fishery products to the EU? This would mean the export certificate will have the fishing vessel details for the company on it, but the approval identification number would be the fish market (two separate companies)? And if not, can you suggest an alternative way so the fishing boat can export to the EU?
No as the EHC cannot have both the fishing vessel company's details and the approval number of the fish market on it.

> **If the above scenario is accepted, can I issue a support attestation for the approved fish market so this activity can be signed off at one of the logistical hubs?**
> N/A due to answer above.
>
> **Is this the same if the exports were for Ireland?**
> Exports to the Republic of Ireland follow the same rules as exports to all other EU Member States.
>
> **Could a non-approved fishing vessel go direct to an approved logistical hub for an export health certificate.**
> Yes.

<u>Part I.20 - What is the product certified for?</u>
For reference, the definition of further processing that is provided in the NFG is: Any type of measure or technique that affects the anatomical wholeness of the fish, such as bleeding, gutting, heading, slicing etc., which produces waste or by-products which could cause risk of disease spread. This does not include wrapping or packaging.

Can 2 boxes be ticked in I.20, so can products for human consumption AND products for further processing go on the same certificate?
The legislation states that only one box can be ticked in I.20. Therefore, if you have products that need separate requirements, they will need to go on separate certificates.

A whole fish going for canning, is this further processing category as it will be gutted prior to be canned, or canning selection?

If the whole fish (un-eviscerated) is going for canning and will be gutted/heading prior to canning, then the box for further processing must be ticked. The canning industry should only be selected for whole (un-eviscerated) frozen fish that will go for canning as a whole fish, with no heading/gutting prior to canning.

I am certifying live lobsters and crabs. Should I select the 'further processing' or 'products for human consumption' box?
More detail is required regarding what the products are intended for. If the live lobsters/crabs are known to be going for further processing in the EU before being sold to the final consumer, then the box for further processing should be ticked. If the lobsters/crabs are being sold directly to the final consumer live, then the box 'live aquatic animals for human consumption' should be selected in I.20.

I understand that as live lobsters/crabs must generate waste in the EU when processed then they should not be ticked as for Human consumption, is that right?
If the live lobsters/crabs are known to be going for further processing as per the definition provided in the NFG, before being sold to the final consumer, then the box for further processing must be ticked. If they are being sold directly to the final consumer live, then the box 'live aquatic animals for human consumption' should be selected in I.20.

For box I.20, the guidance describes 'further processing' as products that have to be further processed before being placed on the market. The many products sent by the exporters in our district are processed further for the canning industry, but they do not have to be as they are ready to eat. Could you clarify what option would be the correct one here, 'products for human consumption' or 'further processing'?
If the product is known to be going for further processing in the EU before being sold to the final consumer, then the box for further processing must be selected.

We may have both whole and gutted, filleted product on an EHC, and both types may be retailed direct on the EU side, as they have been received. In the FSA Approvals guidance, page 12, 'unprocessed products' means "Foodstuffs that have not undergone processing, and includes products that have been divided, sliced, boned, cut, minced, chilled, thawed, frozen etc." Does this mean that all fishery products are assumed to go for human consumption and not for further processing, since processing does not include heading, gutting, etc.
As found in the NFG, further processing means "any type of measure or techniques affecting anatomical wholeness such as bleeding, evisceration, heading, slicing, filleting, which produces waste of by-products which could cause risk of disease spread." This definition therefore does include heading and gutting. The FSA guidance relates to public health matters and does not apply here.

Part II.1 - Public Health Attestation:

In Part II.1 paragraph a), GB should be entered, and this is handwritten. Is it possible for this to be auto completed by the online system to avoid a handwritten entry and stamp and sign?

This field cannot currently be pre-populated. It is not strictly necessary to stamp all hand-written information included in the EHC (as opposed to an optional deletion or correction where stamping is required). As per the guidance here, however, some BCPs may request that hand-written additions are stamped and initialled.

The guidance for Part II.1 a) states to "Insert the applicable region of origin code for example GB. This may be certified based on the GB and crown dependencies." Is it okay to simply put "GB" in the space? Consignments often consist of cockles processed from over 10 different classified beds and there is not space to put this into box I.8 or II.1. Our exporters have been putting all this info into a schedule and will continue to do so, is this still acceptable? Part II.1 will just state 'GB' and the SIN code will be in a schedule.

Yes, in Part II.1 you should just be putting GB and the SIN codes should go in I.8. If they don't fit, we recommend continuing to use a schedule.

Businesses are exporting processed cockles which come from a number of classified beds, so a load can have a mix of A, B and C sourced cockles. We are assuming we delete the bed on the II.1 section that is not applicable. If a consignment is made up of cockles from B and C beds, we cross out A, is this correct? They're of the same health status because they're all a cooked product.

Only one of A, B or C can be selected, and those that do not apply should be deleted. Multiple certificates are therefore required if you are exporting processed cockles from different classified beds.

Part II.2 - Animal Health Requirements:

Are wild caught (non-eviscerated) and aquaculture (non-eviscerated) products now required to be on separate EHCs?

Where the Health Requirements are different, they will need to be on separate EHCs, but if they are the same, they can be on the same EHC. For example, if you had aquaculture products where you could delete part II.2 and part II.1 requirements were the same, then wild caught products can also travel on this EHC. Ultimately, it depends on whether the health requirements through the EHC can match the whole consignment or not.

Part II.2 - Who can certify (FCCO/OV)?

Do the listed species (column 3 of Annex to EU Regulation 2018/1882) include Pacific Oysters as well as European Flat Oysters?

Yes, Pacific Oysters are a listed species.

Please could you advise the status of winkles which are commonly hand gathered?
As winkles are gastropods, part II.2 of the certificate can be deleted and therefore the EHC can be signed by an FCCO.

Please could you advise on the status of scallops in shell but dead for export. Which certificate is required and who is able (OV or FCCO) to certify?
Scallops are now required to travel on EHC 8364. In order to state who is able to certify the certificate (OV or FCCO), more information on where the product is being sold and what it is going for in the destination country, is needed. If the species is listed in Annex to EU Regulation 2018/1882 (e.g. Great Atlantic scallops) and the scallops are to go for further processing before being sold to the final consumer, then the box for further processing must be ticked and an OV is needed to certify the EHC. If the scallop will be sold directly to the final consumer without further processing, such as selling to a supermarket, the box for human consumption can be ticked and an FCCO can certify.

Can an FCCO certify an EHC for live crab or lobsters, if they are wild caught and landed by a fishing vessel?
Yes

For processed scallops, can an FCCO certify EHC 8364 if the product is going for direct human consumption?
If you are exporting processed (dead) scallops which are ready for direct human consumption and will not be going for further processing in the EU, then an FCCO or an OV can sign this certificate.

Un-purified live oysters now certified by an OV. What certificate is required for purified live oysters and should this be certified by an OV rather than an FCCO?
LBMs or their products exported for human consumption will need to travel on EHC 8364. However, it is not whether the oysters are purified or not that determines who certifies them. It is also worth noting that un-purified Class B LBMs can no longer be exported to the EU. If the live oysters are listed species in EU Regulation 2018/1882 (E.g., C gigas and O edulis) and are from aquaculture or wild caught by hand (rather than being landed by a fishing vessel), then an OV will need to certify the certificate.

Can wild caught sea bass being exported whole to France be certified by an FCCO or does it need to be an OV?
If the wild caught sea bass is landed by a fishing vessel, it can be an FCCO or an OV.

Do cockles brought in by a fishing vessel need to be certified by an OV, or can it be an FCCO?
If the cockles are wild caught and landed by a fishing vessel, an FCCO or an OV can sign.

Will there be pragmatic lead in period or just reject if the wrong officer (FCCO or OV) has signed off the correct certificate?
Whilst there will be no official lead in period, we recommend checking this with your EU BCP.

Whose decision is it to delete Part II.2, the FBO or OV?
It is the decision of whoever certifies the certificate whether Part II.2 is deleted. The FBO should have some understanding of which certifying officers should be able to certify their consignments. Yet if the certifying officer, who will be putting their signature to the certificate, is not comfortable deleting Part II.2, they should advise the FBO of that.

Are there any circumstances in which Part II.2 attestation is not completely deleted if it is not applicable, such as labelling & transport requirements? If it doesn't apply and can be signed by FCCO, is the entirety of the attestation always deleted? The whole of Part II.2 should be deleted when exemptions listed in Footnote (2) of the EHC apply. You can strike through the whole section and do not need to leave in the labelling and transport requirements

If the FCCO is to delete the Part II.2 section for fish, then how do they know if the aquatic section for fish diseases would apply being non-fish disease experts. It is difficult to tell from 2020/2235 or 2018/1882?
If you are deleting the whole of Part II.2, there shouldn't be any requirements in the certificate about animal health diseases for fish, so you should be able to disregard those requirements. Part II.1 is just public health requirements.

Does the EHC certification process permit remote certification by OVs or FCCOs?
The introduction of the Animal Health Regulation EHCs for fishery products and LBMs does not substantively alter previous guidance on Risk Based Certification for fishery products (http://apha.defra.gov.uk/external-operations-admin/library/documents/exports/ET196.pdf). FCCOs are still able to certify on a risk basis.

Are there any mechanisms in EHCO to prevent FCCO's being able to sign certificates they are not eligible to certify under the new rules?
No, there is a lot of information that goes into whether an OV or FCCO can sign certificates and EHCO is not equipped to know if a consignment is aquaculture/hand harvested, a listed species and either live or going for human consumption. It is for the certifying officer to determine whether they can sign the EHC, based upon the product in question

Part II.2 - Labelling Requirements:

Can you clarify again the requirement to declare the number of animals in a consignment?

The labelling requirements apply when Part II.2 of the EHC is not deleted. Consignments which are exported to the EU alive, must contain a label that includes the number of animals in each container for each species. The EU has confirmed that where it is impractical to provide an exact figure, such as for a one tonne bag of LBMs, an estimated number of animals can be used, and this should be calculated based on the total weight of animals in the container and the average weight per animal.

For the number of animals, I assume we do not have to count every animal when you have 9 kg boxes of crabs for example?
If the Animal Health Requirements (Part II.2) apply, then a label with the number of animals in each container for each species would be needed. The EU has confirmed that in certain circumstances, such as for a 9 kg box of crabs, it would not be feasible to count all the animals, so an estimate can be calculated, using the total weight of animal in the container and the average weight per animal.

On our EHC we will have velvet crabs, brown crabs, prawns, and lobsters. Do we have we to work out the total number of animals across the full load and put the total in the box or do have we have to state the number of animals per species? The labelling requirement for the consignment is the number of animals in each container for each of the species present. So, you would have to state the number of animals per species.

To clarify, if we score out Part II.2 we don't have to state the number of animals on the EHC?
If you strike through Part II.2, you do not have to comply with the labelling requirement for the consignment. If you are referring to box I.25 - Total Quantity, this only needs to be filled in if you are exporting whole live animals on either EHC 8361 or 8364. An estimated figure is also acceptable here where appropriate, and this should be calculated based on the total weight of the consignment and the average weight per animal. In mixed species consignments, we are aware that this estimate will not be completely accurate, but as long as the estimate is reasonable, this should be accepted.

Stamping requirements:

For the public health attestation, can all strike throughs in this section be covered by 1 stamp and initials?
No, this would not be acceptable at a BCP. Each deletion in Part II of the certificate should be individually stamped and initialled. This should be in addition to the stamp applied to each page of the EHC. As per our Notes for Guidance, we would also recommend checking with the specific BCP regarding their preference when it comes to stamping and initialling of strike throughs.

When a section is deleted, are we required to stamp this section?
Yes, if you are striking through the section on the certificates, you will need to stamp and initial the deletion.

How many official stamps from the CO are required?

This depends on how much information is being corrected, and how many deletions are on the certificate, so it really depends on what products you are certifying

Can you just clarify that striking through an empty box DOES NOT need a stamp and initials? This is how we have always dealt with empty boxes on EHCs.

Yes, that is true, it is not a requirement and the AHR doesn't change that process. So, if you have been doing that successfully since January 2021 it shouldn't mean that anything different is required with the new certificates moving forward. However, the EU have pointed out that striking through an empty box without a stamp and initials may raise questions with the BCPs, and it is within the right of the BCP to request that. We therefore recommend checking this with your EU BCP directly.

Part II.1 does this need to be stamped?

The principles of stamping requirements for the AHR certificates are the same as they were for the old EHCs.

Completed certificates:

Do you have a copy of a completed EHC 8361 to share?

We cannot share a completed EHC due to the nuances between certificates for different products. We would recommend looking at the NFG and the common examples of exports in the Annex, which details who can certify the EHC, if veterinary clinical inspection is needed and if veterinary oversight of the aquaculture establishment is needed.

Please could we have some small case studies with example answers?

We cannot share completed certificates due to the nuances associated with certificates required for the export of different products. We recommend looking at the Annex in the updated NFG for common export examples.

What is a fishing vessel? Is a small boat used to bring in product locally a fishing vessel?

Any commercial fishing vessel which is registered.

Are we pushing back on the EU where they have stated something that does not obviously appear to be in legislation?

We do continue to talk to the EU about technical queries regarding EHCs. Where there is a lack of clarity on requirements, or we believe EHCs/legislation to be unclear or enforcement at BCPs to be incorrect, we will raise this with them. As you will be aware, structures exist under the remit of the TCA to formally negotiate on SPS issues as well. The EU have been cooperative when it comes to resolving technical queries over the last 12 months and continue to be so. If there is a specific point you want to raise, we can look into this if you include details via email.

EHC 8361 has changed since it was published. There are now 14 pages instead of 13. Do the pages marry up for each import country such as France, so that we know where it is?

The EHCs available via EHC Online match those outlined in EU regulations. The Animal Health Regulation has led to amendments to EHCs, and these are reflected in the foreign language versions of the certificates produced by EHC Online

Equines

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.

What is happening regarding the signing of certificates by OVs 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

Which germinal products EHCs should traders use after 15 January 2022?
We are still in discussions with the EU on amendments to the residency requirements for germinal products therefore a small number old EHCs for bovine and ovine germinal products will be still be available to use until 30 April 2022. These include EHCs 8201, 8202, 8203, 8208, 8209, 8210, 8211 and 8212. Exporters should confirm that the BCP of entry will accept the old EHCs before using them.

Are there any changes to VIDA?
For certificates 8404 and 8405 the requirements to certify that animals do not come from holdings and have not been in contact with animals from a holding, in which the diseases listed below were clinically detected, have now been removed. Additionally, requirement for a check whether there have been cases of these diseases within the relevant periods against the APHA's Veterinary Investigation Diagnosis Analysis database (VIDA) have also been suspended. The diseases include:

- Paratuberculosis and caseous lymphadenitis Pulmonary adenomatosis Maedi Visna or caprine viral arthritis/encephalitis, Contagious agalactia of sheep or goats (Mycoplasma agalactiae, mycoplasma capricolum. Mycoplasma mycoides var. large colony.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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?
There is a requirement for straws or other packages containing germinal product to identify the species donor animal in the marking. We have asked the EU if it is acceptable to use the approval number of the establishment rather than species reference and have not received a clear response on this. The EU has suggested there is flexibility for other methods of species identification. However, given that they have refused to confirm that it is sufficient to rely on the establishment approval number our view is that this approach would be high risk and we therefore advise industry not to do so.

We recommend establishments include the species reference on the marking of straws or other packages in any format that is suitable, e.g. POR for porcine, OVI for ovine, BOV for bovine, CAP for caprine or even the first letter for each species if this

would be sufficiently clear. The exporter can choose how to do it subject to the over-arching aim to make the information clear. Some companies have suggested using alternatives to species reference (e.g. breed codes). If the species can be clearly interpreted from this the breed code, we believe this should be sufficient, but it would be sensible for the exporter to check with the individual Border Control Post (BCP) to confirm that it is acceptable.

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.

Has our BTV status with EU been clarified yet? Do embryo donors need to be blood sampled?
The EU has recognised GB as bluetongue freein legislation. . The Notes for Guidance to the certificates which require bluetongue recognition have been updated.

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.

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 formerly 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.

Do bulls originating from other countries require GB tag?
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.

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.

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.

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.

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 plan 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 products are a composite and what type of certification it requires.

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 are a composite or not and what type of certification it requires.

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.

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

Yes. There are 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 from 21 April 2021, 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?

A non shelf-stable composite product needs to be transported or stored under controlled temperature. Shelf-stable composite products can be kept at ambient temperature.

*****UPDATED***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.

*****NEW***What if a trader chooses to transport a shelf-stable product at a controlled temperature for other reasons (e.g. quality control), Can the Private Attestation still be used?**
EU guidance is clear that if the choice is made to transport or store a shelf-stable composite product under controlled temperature, for instance to preserve its quality or for technological reason, such as a transport in liquid form of milk chocolate under hot conditions, **and as long as the temperature is not going below 0°C**, the requirements for a shelf-stable composite product remain applicable.

In such situation, it is important to explain why such controlled temperature are required to clearly distinguish those composite products from non-shelf stable ones. The private attestation could include such a declaration.

This means that a frozen product will always require an EHC, even if it is only frozen for quality control purposes and is otherwise shelf-stable.

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 EU regulations that came in from April 2021 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 Heath 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.

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.

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.

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.

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.

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.

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.

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 2021 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.

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, does it 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 April 2021 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.

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.

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.

*****UPDATED***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 revised the EHC to allow EU produced dairy products or egg products to be used. "And/or” options have been added so the same product could have dairy products manufactured in GB and the EU and the milk therein could be both GB and EU. More detail is in the Notes for Guidance.

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 species names within this statement be deleted, even though they are not individually marked as 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.

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.

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.

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.

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.

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.

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.

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.

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.

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

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 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.

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.

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.

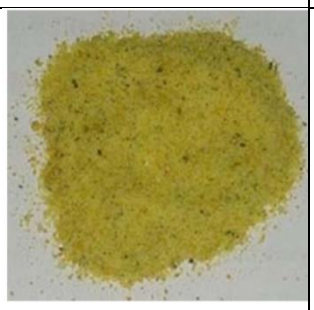
If a trader wants to export to the EU a shelf-stable composite product that contains gelatine. What needs to accompany the product?
Shelf-stable composite products that contain meat products must be accompanied by an EHC.

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	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	No pieces of meat, just granules which dissolve in hot water. Composite product, but not subject to BCP checks as in Annex. Must be accompanied by private attestation.

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