



BREXIT HUB

Exporting Animals and Animal Products

Introduction

The transition period between the UK and the EU will end on 31 December 2020. This means that the UK will no longer be a member of the EU's Single Market nor the Common Customs Union. These changes will result in a series of significant, and depending on the timing, abrupt changes to how rural businesses operate. Arrangements for animals and animal products will change.

This briefing note, and others on different subjects that can be found on the CLA Brexit Hub - <https://www.cla.org.uk/brexit> - provides rural business owners with a detailed framework for the steps which will need to be taken and where you can find more information relating to the export of animals and animal products and has been independently compiled by CLA experts. It covers:

- Registering as an exporter of animals and animal products;
- Export Health Certificates (EHCs);
- Exports to non-EU countries;
- Exports to EU countries;
- Border Control Posts (BCPs);
- Rejected goods;
- UK listing as a Third Country.

Of course, the decision about what actions to take will be unique to every businesses' needs. This guidance is not intended to make a judgement on the specific activities you should be undertaking, or about the longer-term effects of the UK's exit from the EU.

What do I need to do to be able to export animals or animal products to the EU?

You will need to apply for an Economic Operator and Registration Identification (EORI) Number, using the form found online at <https://www.gov.uk/eori>. To apply you will need your:

- VAT number and effective date of registration - these are on your VAT registration certificate;
- National Insurance number if you're an individual or a sole trader;
- Unique Taxpayer Reference (UTR);
- business start date and Standard Industrial Classification (SIC) code;
- Government Gateway user ID and password.

The importer of the goods should also have an EU EORI number.

You will also need to be listed as a registered establishment. Further guidance can be found online at

<https://www.food.gov.uk/business-guidance/listing-of-establishments-to-export-products-of-animal-origin-to-the-eu-or-move-such-products-to-northern-ireland>



Will I need an Export Health Certificate in order to export animals and animal products?

An Export Health Certificate (EHC) will be required from 1 January 2021 if you intend to:

- export live animals, products of animal origin or germplasm from Great Britain (England, Scotland and Wales) to the EU;
- move live animals, products of animal origin or germplasm from Great Britain to Northern Ireland;
- transit through the EU and Northern Ireland.

You will need to have the Export Health Certificate (EHC) signed by an authorised signatory following an inspection of the consignment. The authorised signatory can be found online at <https://www.gov.uk/government/publications/find-a-professional-to-certify-export-health-certificates>

All exports of products need to be labelled correctly. Further guidance can be found online at <https://www.gov.uk/guidance/food-and-drink-labelling-changes-from-1-january-2021>

You will also need to:

- ensure the goods checked at a Border Control Post (BCP) or point of entry in the first country you enter;
- make sure your EU-based import agent has notified the BCP that your consignment is arriving. You will need to check with the BCP how much notice is required; and,
- comply with the HM Revenues and Customs guidance on customs requirements when exporting to the EU. This guidance can be found at: <https://www.gov.uk/prepare-to-export-from-great-britain-from-january-2021>

From 1 January 2021, you will need to make customs declarations when exporting goods to the EU. These rules currently apply to exporting goods to the rest of the world, including Switzerland, Norway, Iceland and Liechtenstein.

You can make the declarations yourself, but most businesses use a courier, freight forwarder or customs agent.

What do I do if I sell my animals and animal products (including dairy) to another UK business for export?

You will need to make sure that they are ready to trade after the end of the transition period. Ask them to tell you how much of the process required for exporting has been completed. If they are not, you might want to look for a business which is.

Check who will pay the tariff if one is put on the export. This is very likely to be taken out of the price that is paid to the producer through the supply chain.

Seek information and advice if a market collapses:

- The government may need to intervene in the market to stabilise prices. If it does, all information will be on the government website (www.gov.uk). The CLA will also monitor the markets and make relevant information available on its website.

You will need to consider taking out invoice insurance for contracts you may have with processors. It is possible that the uncertainty that there will undoubtedly be after transition will lead to increased levels of insolvency so it is important that you are protected.



What do I need to do if I am exporting animal by-products?

If you are exporting or moving animal by-products (ABP), you will need:

- An Export Health Certificate (see above); or,
- a model declaration form

Some ABPs need to go through a BCP in the EU or a point of entry in NI. You can find out if this is needed by checking the EU list of products (<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32007D0275>) which must be inspected by a vet at a BCP in the EU.

If the animal by-products need to go through a BCP in the EU, you will need to ensure that:

- goods are checked at a BCP that can accept your type of goods - this must be in the first EU country you enter;
- EU-based import agent has notified the BCP that your consignment is arriving. Check with the BCP or point of entry for how much notice needs to be given.

It is important that you check which BCP can accept which type of product. At present, there are limited numbers of BCPs in the EU.

If the animal by-products do not need to go through a BCP in the EU you must make sure that your EU-based import agent notifies:

- The competent authority of the EU country that your consignment is going to;
- The EU port or airport, within the time limits set out by the competent authority

Are the rules for exporting to non-EU countries likely to change?

There is unlikely to be any change to the current export rules and processes for countries outside the EU. However, you should check the current arrangements by go to:

<https://www.gov.uk/government/collections/guidance-on-importing-and-exporting-live-animals-or-animal-products>

What happens at the Border Control Post?

Animals and animal products will be checked at an EU BCP from 1 January 2021 in order to protect animal health and welfare as well as public health.

It is important to stress that goods may be refused entry, seized, destroyed or returned to Great Britain if they arrive at:

- a port in the EU without a BCP where checks cannot be carried out;
- an EU BCP that cannot check your type of product;
- an EU BCP without the correct documentation.

It is therefore vital to find a BCP that can actually accept the goods being exported. Although there appear to be more than 400 BCPs, it is important that you check the most viable one for the exported goods. You may need to redirect the export if you cannot find a relevant BCP in the first instance. The full list of BCPs can be found at:

https://ec.europa.eu/food/animals/vet-border-control/bip_en

You will need to give advance notice to the BCP the goods are arriving at and check with the BCP how much notice is required.



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

If the goods fail inspection because of risks to animal or public health, they will be destroyed immediately. If the goods fail for other reasons, the BCP will:

- notify your importer or agent;
- ask them to decide whether your goods should be destroyed or returned to Great Britain.

The BCP is very unlikely to contact the exporter directly.

What will happen to rejected animal and animal products between 1 January and 30 June 2021?

From 1 January to 30 June 2021, consignments rejected at EU BCPs may, subject to a risk assessment, re-enter Great Britain (England, Scotland and Wales) through any point of entry. These products are:

- live animals including equines;
- germinal products;
- products of animal origin;
- animal by products

GB importers must submit an import notification on the Import of Products, Animals, Food and Feed System (IPAFFS).

Rejected goods are consignments rejected by the competent authority in an EU country. Consignments rejected for commercial reasons cannot be returned as rejected goods.

There will be documentary requirements to return rejected goods to Great Britain from the EU. The Animal and Plant Health Agency (APHA) will notify you if the returned consignment needs to enter through a BCP or can enter through any point of entry. This is for the period 1 January to 30 June 2021.

Rejected animal by-products

If the rejected goods are animal by-products and germinal products, you will need to apply to APHA Centre for International Trade (CIT) on IPAFFS to return a consignment.

Submit the notification on IPAFFS one working day in advance. In exceptional circumstances, known as 'logistical constraints', you can submit the notification at least 4 hours before arrival.

The following documents need to be attached to the IPAFFS notification:

- a declaration from the EU BCP describing the reason for refusal of entry;
- full details of destination in Great Britain and the intended use or destruction of the returned consignment from the person responsible for the consignment;
- the original export certificate for the returned product;
- a declaration stating that the consignment has remained sealed with an intact original seal or an official seal applied by the EU BCP.

If the consignment did not require a veterinary certificate or did not have a certificate for export you must present:



- a commercial invoice or similar that verifies the returned consignment corresponds with the one that was exported.

You must have an official declaration from the EU BCP if the products are any of the following:

- have been unloaded, stored, re-loaded in the EU;
- the original seal has been replaced;
- not originally exported in a sealed container.

The official declaration must state the:

- place and date of unloading, storage and re-loading and the seal number put on the container after reloading;
- reasons for unloading and storage.

The official declaration must confirm that the:

- seal on the vehicle or container of the consignment was only broken for the purpose of official controls;
- products were handled only to the extent necessary, and in particular at the appropriate temperature;
- products were handled in a way that prevents cross contamination during the official controls;
- vehicle or container was immediately re-sealed after the official controls.

APHA will assess these documents to decide the conditions of import and if the consignment will have to be returned through any point of entry or a BCP. APHA will give you an authorisation. You must comply with the conditions of the authorisation.

Rejected products for human consumption

If the rejected products are those of animal origin for human consumption, you will need to apply to APHA Centre for International Trade (CIT) on IPAFFS to return a consignment. This is for the period 1 January to 30 June 2021.

You will need to submit the notification on IPAFFS one working day in advance. In exceptional circumstances, known as 'logistical constraints', you can submit the notification at least 4 hours before arrival.

The following documents will need to be attached to the IPAFFS notification:

- a declaration from the EU BCP describing the reason for refusal of entry;
- full details of destination in Great Britain and the intended use or destruction of the returned consignment from * the person responsible for the consignment;
- the original export certificate for the returned product.

If the consignment did not require a veterinary certificate or did not have a certificate for export you must present a commercial invoice or similar that verifies the returned consignment corresponds with the one that was exported.

If the consignment was not originally exported in a sealed container or where the seal is broken for official control purposes, you must have an official declaration from the EU BCP stating the:

- place and date of unloading and reloading of the consignment;
- consignment did not undergo any handling other than unloading, storage and reloading;
- products were handled only to the extent necessary for the purposes of official controls at the appropriate temperature;



- unloading and reloading of the consignment was handled hygienically to avoid cross-contamination;
- consignment was stored under hygienic conditions at the required temperature and not at risk of cross contamination;
- effective measures were put in place to avoid the contamination of the products with disease agents which cause transmissible animal diseases during the unloading, storage and re-loading in the EU country;
- place of any unloading, storage and re-loading in the EU country was not subject to animal health movement restrictions due to transmissible animal diseases during the unloading, storage and re-loading.

If the rejected good was originally exported in a sealed container and maintained an intact original seal, you must have a declaration by the person responsible for the consignment stating:

- since the product was originally exported, the storage and transport conditions have been complied with;
- that the content of the consignment has not been altered.

APHA will assess this information to decide the conditions of import and if the consignment will have to be returned through any point of entry or a BCP and will give you an authorisation. You must comply with the conditions of the authorisation.

Returned live animals

If live animals are rejected at a BCP and need to be returned, you will need to apply to APHA Centre for International Trade (CIT) on IPAFFS. These requirements are for the period 1 January to 30 June 2021.

You will need to submit the notification on IPAFFS one working day in advance. In exceptional circumstances, known as 'logistical constraints', you can submit the notification at least 4 hours before arrival.

The following documents will need to be attached to the IPAFFS notification:

- the original export certificate and related documentation;
- a statement from the EU BCP of the reasons why the returned animals were refused by the EU BCP;
- a statement from the EU BCP with details of the premises in which the animals were kept since leaving Great Britain, for example in quarantine or in isolation;
- a declaration by the person responsible for the returned animals that the import conditions relating to transport have been complied with in relation to the returned animals;
- a declaration by the person responsible for the animals that they have not been in contact with any other animal of a lesser health status since leaving Great Britain.

APHA will assess this information to decide the conditions of import and if the consignment will have to be returned through any point of entry or a BCP and will give you authorisation. You must comply with the conditions of the authorisation.



What happens to rejected goods after 30 June 2021?

From 1 July 2021, returned goods can only enter Great Britain at a designated BCP for checks on entry. These are usually the BCPs for imports to Great Britain. You must notify on IPAFFS and present the relevant documentation to the BCP. The necessary documentation can be found at: <http://apha.defra.gov.uk/official-vets/Guidance/bip/iin/misc-imports.htm>

Will the UK be listed as a third country to allow for exports to continue?

In order for British companies to export to the EU, the UK needs to be listed as a third country. The EU is in the process of deciding whether this listing is to be granted although, in the past when the UK appeared to be leaving the EU, third country status was granted.

In the event that the UK is approved as a third country, exporters will need to be listed as an approved establishment with the EU if any of the following activities are undertaken:

- export products of animal origin including red or white meat, fish and fish products, or dairy and egg products;
- export germplasm;
- export animal by-products;
- supply other UK establishments that export these goods to the EU.

The EU has already confirmed that the current list of UK animal by-product and germplasm premises will be accepted.