

February 2019

Key considerations for importing live animals, product of animal origin and high risk food and feed if the UK leaves the EU without a deal

Introduction

Delivering the deal negotiated with the European Union (EU) remains the government's top priority. This has not changed.

However the Government must prepare for every eventuality, including a No Deal scenario. The Government has been implementing a significant programme of work to ensure that UK is prepared to leave the EU on March 29 2019.

It has always been the case that as we get nearer to that date, preparations for a No Deal scenario would have to be accelerated. We must ensure plans are in place should they need to be relied upon.

This document is to support UK importers prepare for a No Deal EU Exit. For any further queries, relating to the import of live animals, products of animal origin and high risk food and feed please email BFPEUExit.ImportsExports@defra.gov.uk.

Importing after Brexit, what do I need to do?

Imports from third countries (non-EU):

A new UK notification system, Import of Products, Animals, Food and Feed System (IPAFFS), will be in place in the event of a No Deal. You will need to use IPAFFS if you are currently a user of TRACES to import live animals, products of animal origin and high risk feed and food into the UK from third countries. Guidance can be found [here](#).

The Department for Environment, Food and Rural Affairs (Defra) is releasing IPAFFS in phases. For 29 March, IPAFFS will be available to those importing live animals, animal products and high-risk food and feed from countries outside the EU.

Organisations will be able to register and have access to IPAFFS before 29 March. In the meantime, please continue to use TRACES for all consignments arriving in the UK before the 29 March 2019.

A package of training will be available throughout February and March to support organisations. This will include webinars, how-to guidance and face to face training in some cases. In line with best practice, we will roll out the use of IPAFFS gradually. A small number of importers will be invited to register and start using IPAFFS from February. Others will be invited to join gradually with the system going fully live in mid-March. There will be no cost to register on the new system.

Information on how to register will be provided through a range of communication channels including email, GOV.UK updates and via trade associations.

As we currently have with TRACES, a manual solution has been developed for IPAFFS to ensure business continuity in the event of any business as usual system issues.

Imports from the EU:

There are some commodities currently imported from the EU into the UK which currently need to be notified through TRACES.

From 29 March IPAFFS will not be available to those planning to import live animals and animal products from the EU, and importers will initially need to send information electronically to the competent authorities through a different route.

Importers will need to use this process to notify import of:

- Live animals requiring a health certificate
- Live animals, germinal products or equines
- Animal products from EU countries with disease outbreak safeguard measures
- Live animals which do not require a health certificate (but are required under TARP to be notified)

Importers will need to access a notification form from GOV.UK and submit this to APHA, providing details of the consignment. Importers will be provided with a Unique Notification Number (UNN) within 24 hours of notifying APHA and it is the importer's responsibility to ensure this number is quoted on applicable documentation.

For live animals and products of animal origin (POAO) which currently travel on an Intra Trade Animal Health Certificate (ITAHC), this certificate will be replaced with the UK Health Certificate. The UK Health Certificate should include the UNN to be considered complete and valid.

Our teams are working with the EU Commission to ensure all member states, Competent Authorities and Official Veterinaries will have access to these new Health Certificates.

As is currently the case, notification of live animals and germinal product imports is required at least 24 hours prior to arrival.

This route will also be used to notify of imports from Crown Dependencies to the UK.

More detailed guidance will be available shortly.

What processes will change and what will a 'No Deal' scenario mean for the industry and for my organisations?

If you import live animals and germinal products [click here](#)

If you import products of animal origin, [click here](#)

If you import high risk food and feed, [click here](#)

If you import animal by-products, [click here](#)

Importing live animals and germinal products into the UK:

From Third Countries (non-EU)

- There will be no change to current import controls for live animals and germinal products directly imported from Third Countries.
- Live animals will still need to enter through a UK BIP as they do currently and will be subject to the same checks.

- Live animal imports will need to be notified on IPAFFS instead of TRACES from 29 March.

From the EU: For those importing live animals and germinal products from the EU as well as countries such as Norway and Switzerland:

- There will no change to the current import controls for live animals and germinal products.
- On 29 March, IPAFFS will not be available to those planning to import live animals from countries inside the EU. (These are imports currently notified on TRACES using ITAHCs or DOCOM).
- New UK Health Certificates will be made available to EU Competent Authorities.
- Importers will need to send information electronically through a different route to the competent authorities. Detailed guidance on this will be available shortly.
- Notification to APHA will be required for all EU imports of live animals, germinal products and products of animal origin where disease has been declared. Detailed guidance as to how to notify APHA will be available shortly.

Importing products of animal origin (POAO):

From Third Countries (non-EU)

- There are no changes to the import controls for live POAO directly imported from Third Countries.
- POAO imports will now need to be notified on IPAFFS instead of TRACES from 29 March.

From the EU

- POAO (*except for those which originate from a country where a disease is declared*)* imports do not currently need to be notified on TRACES and, in order to ensure a smooth transition, the government would not introduce new requirements at the point the UK leaves the EU.

* *In this case, see the IPAFFS section*

Importing high-risk food and feed:

From Third Countries (non-EU)

- There will be no changes to the import controls of high risk food and feed and they will need to enter the UK via a DPE as they do currently where the relevant checks will take place.
- Imports of high-risk food and feed from Third Countries will still need to be pre-notified from Day 1 in a no deal scenario, but using IPAFFS to do so.
- For more information, see the advice issued by the Food Standards Agency: <https://www.gov.uk/government/publications/importing-high-risk-food-and-animal-feed-if-theres-no-brexit-deal--2/importing-high-risk-food-and-animal-feed-if-theres-no-brexit-deal>

From the EU

- There will be no changes to the import controls of food and feed coming from the EU.
- The Food Standards Agency (FSA) will be introducing pre-notification for high-risk food and feed originating from the EU to mitigate the loss of access to EU systems. This is to ensure the continued protection to UK consumers from imported food.
- It is intended to introduce this functionality within IPAFFS, but it is not a Day 1 requirement as biosecurity and public health risks posed by EU imports will not change immediately upon leaving the EU.
- IPAFFS will not be available for the pre-notification of high-risk food and feed from the EU until summer.
- In the meantime, the FSA will begin to introduce the requirement for pre-notification of EU high-risk food and feed imports from summer 2019 via a separate process and will be providing further information on this in advance.

Importing animal by-products:

- Certain animal by-product imports do not currently need to be notified on TRACES and, in order to ensure a smooth transition, the government would not introduce new requirements at the point the UK leaves the EU.

What do businesses need to do now? 5 steps:

1. Read the high-level [GOV.UK guidance](#) and [IPAFFS guidance](#).
2. Check the relevant notices depending on what type of consignments you import. These are different depending if it is an EU or third country direct import. There is further information in the Annexe.
3. Attend any webinars organised by Defra through Trade Associations.
4. Attend the specific EU imports webinars if your business imports live animals, POAO and high risk food and feed, or your imports require an ITAHC or DOCOM. These will also be arranged through the relevant trade associations but you can request to attend by emailing BFPEUExit.ImportsExports@defra.gov.uk.
5. Take notice of any instructions and invitations from BFPEUExit.ImportsExports@defra.gov.uk. You will receive important updates from this mailbox.

Find out more

There are lots of other useful sources of information across HMG and we have provided links here for your ease of reference.

- [Sign up](#) to DEFRA's regular newsletter which will alert you to updates on the GOV.UK webpages
- Read the FSA guidance on importing food for human consumption [here](#).
- Read [HMRC partnership pack](#) to support businesses prepare for Day 1 No Deal scenario. Contact externalstakeholders.customs@hmrc.gsi.gov.uk for any additional customs policy enquiries at HMRC

Here is a list of DEFRA EU Exit Projects stakeholder contacts if you importing other types of commodities:

- Animal/Animal Products Exports - BFPEUExit.ImportsExports@defra.gov.uk
- Plant & plant products (imports / exports) - Emily.Godfrey2@defra.gov.uk
- Plant and Seed Variety & IP - Harry.Whitby@defra.gov.uk
- Fish - Samantha.DiTalamo@defra.gov.uk
- Access to Labour - Catriona.Low@defra.gov.uk
- Equine Movements – John.Briggs@defra.gov.uk
- Pet Travel - James.Dowler@defra.gov.uk
- Vaccine Banks - Lauren.Boyd@defra.gov.uk
- Reference Labs - James.Clifford@defra.gov.uk
- Audit/ Inspection Capability - Lucie.Wilson@defra.gov.uk

- Third Country readiness - Ozge.Iskit@defra.gov.uk
- Borders (customs) – Hannah Lane Hannah.Lane@defra.gov.uk

Annexe 1: Additional updates

Import Certificates

- There will be no immediate changes to import certificates used by Third Countries in the event of a No Deal. Defra will continue to accept existing certificates from Third Countries (which would now include the EU) for live animals and products of animal origin for an initial 6 month period. After consultation with Third Countries, preference has been given towards the last change possible.

Import Requirements – other things you need to know

UK businesses will have to apply customs, excise and VAT procedures to goods traded with the EU. Importers should:

- Register for an [Economic Operator Register and Identification \(EORI\) Number](#)
- Be aware of changes to trade tariffs. Find out more [here](#)
- Find out the [commodity code](#) of your goods
- Determine the [value of your goods](#)
- Check whether your goods are [prohibited or restricted](#)
- Choose the correct [customs procedure code](#)
- [Declare your import](#) to customs

Approval of Third Countries to Import to the UK

- As a Member State, the UK relies on Santé F to provide top-level audit and assurance for health and food controls, including in third countries. This is primarily achieved through a system of risk-based audits and inspections of Third Countries exporting animal products into the EU.
- Our priority is to maintain the UK's high standards of food safety, animal health and welfare on exit from the EU. Our existing high quality international assurance system will continue to be in place. We will establish a capability to inspect third countries when we leave the EU.
- The Withdrawal Act will convert EU law into UK law as it applies in the UK at the moment of Exit. This means that the existing biosecurity and public health controls that apply to imports of animals, plants, and their products from Third Countries will continue to apply the day after EU Exit. Reflecting this, existing EU approvals of third countries will remain in place in the UK on Exit.

Approval of Third Country Establishments to import to the UK

- The Withdrawal Act will convert EU law into UK law as it applies in the UK at the moment of Exit. This means that the existing biosecurity and public health controls that apply to imports of animals, plants, and their products from Third Countries will continue to apply the day after EU Exit. Reflecting this, existing EU approvals for commodities and establishments will remain in place in the UK on Exit.
- During an implementation period, common rules would remain in place between the EU and UK and market access would continue on current terms. During this period, the UK would continue to accept new EU approvals for commodities and establishments.
- In the case of no implementation period, the UK will continue to accept EU approvals for commodities and establishments until such time as the UK government introduces new import

controls for animals, plants and their products. Trading partners will be kept informed of changes that may impact upon them regarding these.

Third Country Listing

- If the UK leaves the EU in a no deal scenario then it will be treated as a third country.
- In order to be prepared for all possible outcomes, the UK has submitted its application for listing as a third country to continue exporting live animals and animal products to the EU after EU Exit. The Commission's recently published Contingency Action Plan states that: 'On the basis of the EU veterinary legislation, the Commission will – if justified – swiftly 'list' the United Kingdom, if all applicable conditions are fulfilled, so as to allow the entry of live animals and animal products from the United Kingdom into the European Union'.
- We hope that the Commission will quickly process our application, however we cannot be certain of the EU response or its timings.

Food Labelling

- You must make certain changes by 29 March 2019 if your UK food product is placed on the UK or EU market after the UK leaves the EU. The UK government is aiming to allow a transition period by encouraging pragmatic enforcement for these labelling changes in relation to goods produced or imported and placed on the UK market after exit day.
- Country of origin labels: It will be inaccurate to label UK food as origin 'EU'. For the UK market, you should display additional information online and on signage in shops to help clarify the origin of the food. For the EU market UK food should not be labelled as origin 'EU'.
- EU organic logo: You must not use the EU organic logo on any UK organic products, unless the UK and EU reach an equivalency arrangement – where both still recognise each other's standards – before exit day. You can continue to use your approved UK organic control body logo if you qualified to use it before Brexit. The EU organic logo must not appear on UK organic goods. If the UK is able to achieve equivalence with the EU before the UK leaves on the 29 March, then UK organic goods can enter the EU and can continue to use the logo. If the UK does not achieve recognition from the EU, the EU market will be closed to UK organic certified produce from 29 March.
- EU emblem: You must not use the EU emblem on goods produced in the UK unless you have been authorised by the EU to do so.
- For pre-packed products sold in the UK from any origin, the label will need to include the name and a UK address of the responsible food business operator. The food business operator is the business under whose name the food is marketed in the UK. For pre-packed products sold in the UK, the name and address of the responsible Food Business Operator on the label will be required to be in the UK.
- There will be a transition period to December 2020 for labelling changes in relation to goods produced or imported and placed on the UK market after exit day. For further guidance please see

<https://www.gov.uk/guidance/food-labelling-changes-after-brexit>

Transporters

- For an interim period, the UK will continue to recognise Transporter Authorisations, Certificates of Competence, Vehicle Approval Certificates and Journey Logs issued by other EU countries. UK-issued documents would only be valid for use in the UK and not in any other EU member state.
- There are additional requirements when transporting live vertebrate animals for commercial or economic activity. For all journeys, the transporter must hold a valid Transporter Authorisation and drivers and attendants must hold a Certificate of Competence.

- For journeys over eight hours within the EU, vehicles must also have a valid vehicle approval certificate. Transporter Authorisations, Certificates of Competence and Vehicle Approval Certificates must be issued by an EU country. For journeys over eight hours where farm livestock and unregistered horses will be transported, the transporter must also hold a Journey Log.

Animal By-Products

- The UK will transport [EU Regulation \(EC\) 1069/2009 and \(EU\) 142/2011](#) (laying down health rules as regards animal by-products and derived products not intended for human consumption) into national law and/or apply these provisions for a certain period of time post Brexit in case of a no deal scenario.

Research and Diagnostic Samples

- **[The 2014 Facilitation letter:](#)** *Research and Diagnostic Samples, Trade Sample and Display Items from other EU States, Switzerland, Norway, Iceland and Liechtenstein* will still be in place in the event of a no deal but the wording would be updated, changing any EU legislation wording.
- For imports from the EU to UK the same requirements would still be in place and there would be no changes in what we would need importers to comply with. Only if the good is for research and diagnostics sample purposes it is exempt from ITHACs and is an ABP covered by the Facilitation letter and classified to be no longer a "live" product. It cannot go into the breeding chain, it would have to be destroyed or re-exported.

Balai Directive

- In the unlikely event the UK leaves the EU in March 2019 with no deal in place, the UK would become a Third Country and would have to follow the same processes and requirements as those currently in place between the UK and non-EU countries for the import and export of species that currently freely move and are traded between the UK and EU under the Balai Directive. We are confident that the UK meets the animal health requirements to secure listing as a Third Country by the EU.
- There will be no change to existing import controls or notifications for animals and animal products coming to the UK from EU countries for the foreseeable future in a no deal. This will include commodities not specifically listed in the technical notice of 24 September 2018. Therefore, animals that do not now enter the UK through a UK BIP will not be required to do so if we leave the EU without a deal. A health certificate, reflecting what is in the TRACES ITAHC, will be required providing the establishment of origin is Balai registered.
- Please find further information on the Balai Directive here:

<https://www.gov.uk/guidance/balai-directive-moving-live-animals-semen-and-embryos>