Animal &
Plant Health
Agency

Guidance Notes for the Simplified Certification of Consignments Containing a Mix of Categories of Certain Products for Transit and Direct Export to the EU

(Export Health Certificates)

OCT 2019

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Contents

Background

1. The EU requires most animal products exported to and transiting through EU territory, from non-EU countries, to be certified with predetermined EU Direct Export or Transit Export Health Certificate (EHC).[1]

2. Certificates for direct exports and transits provide different levels of assurance. In the case of direct exports (where products will be consumed in the EU) both public health and animal health assurance needs to be provided. In the case of transits, as these products are not to be consumed in the EU only animal assurances are provided.

3. These certificates must be certified by a Certifying Officer (CO) and in most cases this must be an Official Veterinarian (OV).

4. In the event of a no-deal exit from the EU, UK exporters will be obliged to meet these non-EU country (or 'third country') requirements.

5. This guidance describes a scheme to facilitate issuing of Direct Export or Transit Export Health Certificate, for groupage[2] consignments for export to, or transit through, the EU.[3] This guidance covers the export of composite products, meat products and meat preparations for human consumption as well as processed pet food.[4] This also includes other products of animal origin covered by requirements in 853/2004, such as honey, frogs' legs, snails, live bivalve molluscs, fishery products, eggs, egg products where they are included within a composite product

6. It does not cover the direct export or transit of fresh meat, raw milk or products of animal origin (POAO) not for human consumption (except processed pet food).

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[1] Some composite products do not require certification, refer to EU legislation for further guidance

[2] Groupage consignments are consignments containing multiple product types or lines in a single consignment (e.g. multiple composite products, composite products combined with other Products of Animal Origin (e.g. meat products, dairy products, meat preparations etc.).

[3] A transit occurs where the products enter and exit the EU, without the products being received by the EU for entry onto the EU market. A direct export occurs where the products enter the EU and are received by the EU for entry onto the EU market

[4] As defined in EU regulation 854/2004

7. Products not covered by this guidance (e.g. fresh meat and raw milk) may still be included within groupage consignments, however the 30 day support attestations described within this guidance must not be used to provide evidence for the certification of these products

8. This scheme is intended to facilitate the provision of relevant, consignment information to the CO in a manner that meets their professional obligations whilst also accommodating the scale and complexity of some supply chains.

9. The guidance is intended to be used by:

    - Exporters
    - Certifying Officers (COs)
    - Suppliers
    - Vets certifying Support Attestations
    - Certification Support Officers (CSOs) working under the direction of COs

10. This guidance covers the key operating and inspection procedures required under this scheme

11. This guidance notes should be read as a whole. All sections apply to the implementation and operation of the scheme.

12. This guidance does not specify or set out any financial charges that arise from the operation of the scheme.

13. The guidance contained within this document is valid for a maximum of 12 months from the date of a no-deal exit from the EU and will be kept under review. Exporters, suppliers and certifiers using this guidance must ensure that the applied guidance is current by referring to the latest published version.

14. This approach has been approved by the Chief Veterinary Officers within GB and NI, DEFRA and Devolved Authorities, FSA, FSS and agreed to on a time limited basis by the Royal College of Veterinary Surgeons following which it will be reviewed.

EU and UK Certification Requirements

15. Directive 96/93 / EC establishes the minimum inspection requirements for third countries exporting to and transiting through the EU. In the EU the Official Food and Feed Controls Regulation[5] sets out the official inspection procedures, which will be replaced by the Official Controls Regulation[6] (OCR) on the 14 December 2019. Article 88 of the OCR Regulation sets out the basis on which a CO is permitted to sign the relevant Export Health Certificate (EHC), i.e. …'facts and data relevant for the certification which were **obtained from the operators' own control systems, complemented and confirmed by results from regular official controls**, where the CO is thus satisfied that the conditions for issuing the official certificate are met'.[7]

16. The Royal College of Veterinary Surgeons (RCVS), which regulates the professional standards of certification for veterinary surgeons, sets out principles of veterinary certification in its code of practice. This requires that a veterinarian should certify only those matters which:

    a) are within his or her own knowledge;

    b) can be ascertained by him or her personally.

    c) are the subject of supporting evidence from an authorised veterinarian who has personal knowledge of the matters in question; or

    d) are the subject of checks carried out by a registered, trained and competent Certification Support Officer (CSO). (Note: this applies only to certification for export of animal products excluding germinal products)

17. The approach set out in these guidelines must meet EU and UK requirements and be able to withstand external scrutiny through audit. It must also reflect the high standards expected by the UK, in relation to third country imports into the UK.

18. In GB and Northern Ireland a CO acting under this guidance must be suitably qualified and approved by APHA / DAERA. Where CSOs are utilised they also must be trained according to APHA / DAERA requirements and must act under the

[5] Regulation(EC) No 854/2004

[6] Regulation (EU) 2017/625

supervision of CO.[8] The role of the CSO is not to exceed that outlined by APHA in relevant guidance notes.[9]

19. An APHA or DAERA approved veterinary certifying officer (referred to throughout this document as an OV) is able to act as a Certifying Officer (CO) for EHCs covering all POAO exported from the UK. For products where only the fish and egg content need to be certified, the EHC may be signed by an authorised officer as defined in the FSS/FSA Food Law Codes of . For this reason this guidance will refer to COs rather than OV or Local Authority Inspector, as an authorised signatory to the EHC

20. A registered vet, is defined as a member or fellow of the RCVS and may provide evidence to a CO to support export certification. When signing Support Attestation documents, SAs (see guidance below), which have been produced by the exporter, they will do so in their private capacity as registered vet not as a CO on behalf of the Competent Authority if they also have this authorisation. CO stamps must not be used on Support Attestations. However, CSOs may use their stamps (if available), to provide evidence to support official export certification under direction of the CO..

21. This guidance must be read alongside the other legislation, and guidance (EU and UK) related to Export Heath Certification, including (but not restricted to) the notes for guidance for the relevant EHCs.

[8] TCOS in Northern Ireland

[9] http://apha.defra.gov.uk/external-operations-admin/library/documents/exports/ET175.pdf

Trusted Supplier Scheme (TSS)

22. The TSS is intended to provide COs and competent authorities with a sufficient level of confidence in the accuracy of the SAs used within this guidance, and their operation under this guidance.

23. The TSS is administered by APHA in the UK and DAERA in NI.

TSS Guidance for exporting companies

24. All exporters wishing to use this scheme must be listed as members of the Trusted Supplier Scheme (TSS).

25. All exporters using the scheme must source all animal products included in their exports from a documented and stable approved supplier list.[10] This list must be available on request by the CO, CSO or registered vet

26. All suppliers using SAs will be subject to regular veterinary inspections and, at the initial inspection will be required to provide evidence of documented and stable supply chain for the preceding six months (see Annex II)

27. To obtain listing under the TSS, exporters must fully complete the application form in Annex III.

28. Exporters must provide COs with proof of their TSS membership (e.g. official acceptance letter). Confirmation can be received by emailing TSS@defra.gov.uk
29.

30. Where there is evidence of exporter non-compliance with the TSS APHA / DAERA reserve the right to remove an exporter's approval to operate under this scheme.

31. TSS members may use the SA document (Annex II) valid for up to 30 days to facilitate the provision of information from upstream suppliers to COs.

32. If using this SA document, exporters must ensure that their suppliers:
    - Facilitate access by registered veterinarians (or CSOs under the direction of the CO) to the supplying establishment(s) and facilitate their access to relevant records and inspection locations.

[10] Created by the exporter

- Ensure that SAs are signed on behalf of the supplying company by an individual with sufficient knowledge on the plants and processes and with the responsibility and authority (obtained in writing from company director level or equivalent) to sign on behalf of the supplying company
- Ensure that suppliers inform both the exporting company and the registered vet (or CSO) who signed the SA without any delay of any changes which affect the validity of the declarations provided in the SA.

33. Any non-compliance with the above could result in immediate removal of the exporter from the TSS. Removal from the TSS would prevent exporters certifying consignments for export under this guidance.

34. Exporters that have been removed from the TSS may be reinstated on the basis of evidence providing supporting reassurances they and their suppliers will comply with the scheme. The decision to re-admit a removed company will be taken only where the supporting evidence is sufficiently compelling to suggest that the reason for their removal has been rectified and there is a low risk of future non-compliance.

35. Upon readmission of the exporter, any suppliers that failed to meet the conditions of the scheme will be subject to an initial veterinary inspection scrutinising at least the preceding 6 months (from the date of readmission) to demonstrate (to the satisfaction of the registered vet) that their supply chain is sufficiently stable and documented before SAs could be used (see guidance in Annex II on new suppliers).

36. Any serious or repeated failures to abide by the conditions of this scheme are likely to result in permanent exclusion of exporters from this scheme.

Use of Support Attestations (SAs)

Overview

37. TSS members may use time limited (30 calendar days) SAs to provide information from supplier/manufacturing establishments, who are currently approved under EU regulations (Regulation (EU) 853/2004), to COs at the exporting premises.
38. The SA wording from the template in Annex II must be used.
39. This documents may only be used to facilitate export certification of groupage consignments of specific categories of products.
40. These categories are products of animal origin (POAO) for human consumption as listed below and processed pet food that is fully packaged for the final consumer (or purchase in the case of pet food) and produced using only animal content from a traceable network of known suppliers.

Included: Composite products[11], meat products[12], meat preparations[13], processed milk/matured or processed dairy products, fish/fish products, eggs/egg products, processed pet food

Excluded: Live animals, germinal products, fresh meat, raw milk, animal by-products (including raw pet food but excluding processed pet food). These products may be included within a groupage consignment, but they must have been separately certified without the use of a 30 day SAs.

41. A groupage consignment is a consignment containing multiple product types or lines in a single consignment (e.g. multiple composite products, composite products combined with other products)

42. SAs must be fully completed and signed by a suitable representative of the supplying company (see below) and a registered vet.

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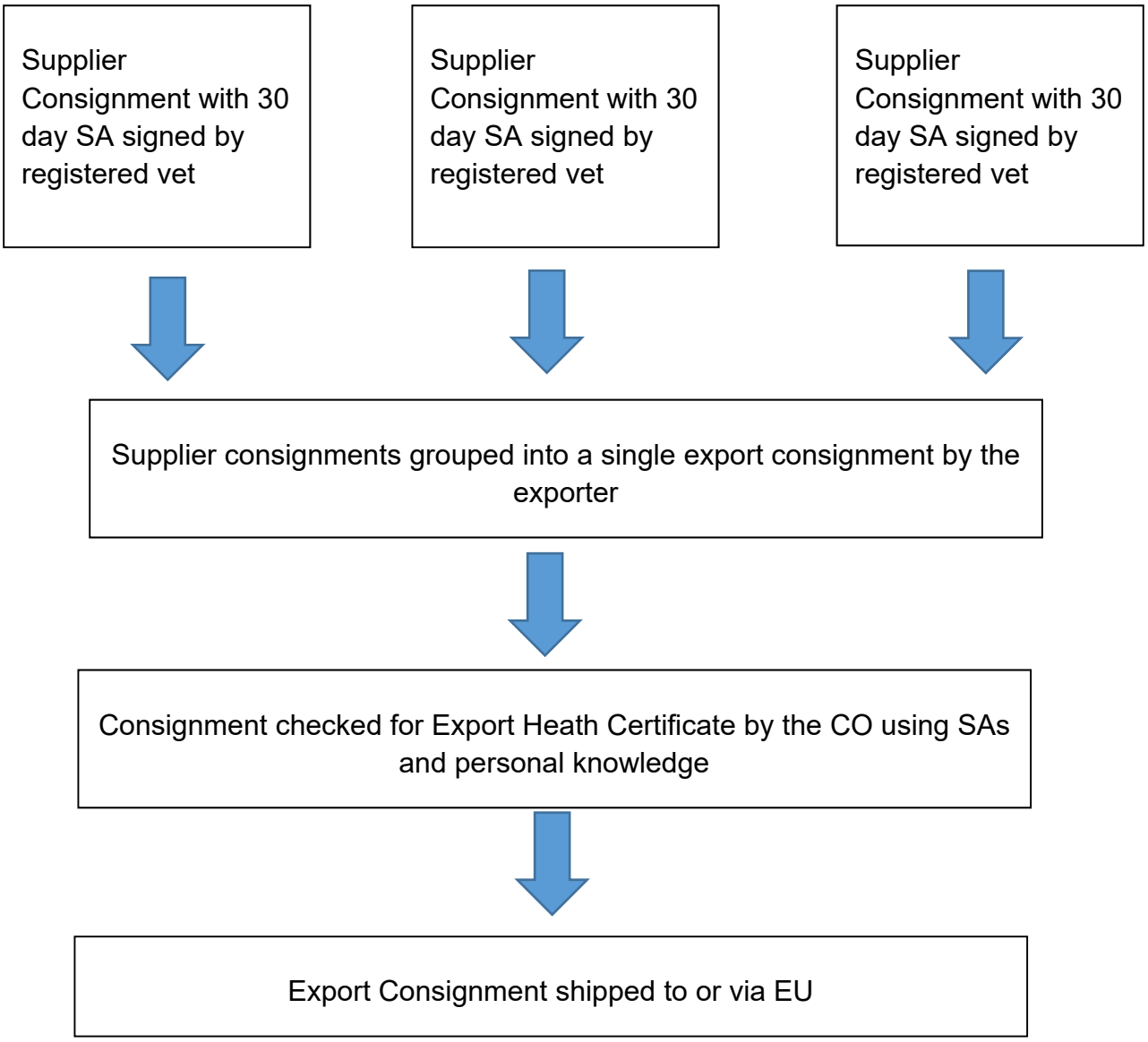
[11] See GOV.UK guidance: https://www.gov.uk/guidance/export-composite-food-products-to-the-eu-in-a-no-deal-brexit

[12] 'Meat products' means processed products resulting from the processing of meat or from the further processing of such processed products, so that the cut surface shows that the product no longer has the characteristics of fresh meat.

[13] 'Meat preparations' means fresh meat, including meat that has been reduced to fragments, which has had foodstuffs, seasonings or additives added to it or which has undergone processes insufficient to modify the internal muscle fibre structure of the meat and thus to eliminate the characteristics of fresh meat.

Scheme Overview



43. A more detailed representation of scheme's operation is provided in Annex I.

SA Guidance for Certifying Officers

44. COs must confirm that the exporters are current TSS members before using SAs. This can be done by emailing the exporter's name, TSS membership number and the address of the exporting premises to TSS@defra.gov.uk.

45. SAs used according to this guidance may be used to confirm aspects such as:

    - The species and origin of animal products
    - The methods used for processing of animal products
    - Confirmation of the approval status of the supplying food establishment(s) made by the Local Authority or FSA in Norther Ireland

46. COs must refer to the relevant EU Export Health Certificate and associated notes for guidance to determine the information they require to be included in the SA (Part IB) and enable them to complete the relevant export certificate(s). This varies by commodity and is subject to review by the EU.

47. The use of SAs does not remove the requirement for the CO to conduct physical inspections of the export consignment as appropriate and when required.[14] The use of attestations also does not negate the need for documentary checks or audits of the consignments as appropriate (see below).

SA Guidance for Suppliers

48. The SA must be signed by an individual who has both sufficient knowledge of and responsibility for the relevant parts of the production, transport and storage processes and who has been authorised in writing by the Managing Director (or equivalent) of the supplying company to sign on behalf of the supplying company.

49. A registered veterinary surgeon must initially inspect the supplying establishment and relevant health/traceability and processing records for animal products before SAs can be validated.

[14] See RCVS guidelines. https://www.rcvs.org.uk/setting-standards/advice-and-guidance/code-of-professional-conduct-for-veterinary-surgeons/supporting-guidance/certification/

50. At the initial inspection suppliers must be able to demonstrate (to the satisfaction of the registered vet or CSO acting under the direction of the CO):

    - That the relevant health/traceability and processing records for the products included are correct
    - That there have been no relevant[15] changes (with exception of changes made specifically to meet new EU-exit dependent requirements) within the preceding 30 calendar days
    - There have been no such changes in at least four of the preceding six months.

51. SAs are time limited, commencing immediately after the point of inspection/re-inspection by the registered vet (or CSO). SAs are valid for use from the day of inspection up to and including the expiry date (inspection date + 30 calendar days).

52. During this time period the supplier must undertake to immediately inform the exporter and the vet who signed the SA of any changes that affect the validity of the SA. In order for this to happen the supplier must have a clear process in place to ensure that such notification takes place without delay.

53. A unique reference number must be given to each original support attestation used. Suggested format: unique supplier number/sequential number/RCVS or CSO number of registered veterinarian* / CSO* signing part II/year (e.g.: 15435/0000001/m159607/2019).

[15] A relevant change is a change that impacts information to be certified in the Export Health Certificate (e.g. addition of a new supplier of POAO, change to processing/heat treatment of product).

Audit and Inspection

Guidance for Certifying Officers

54. COs should undertake sufficient physical and or documentary checks as to ensure the accuracy and validity of the SAs provided by suppliers under this guidance. These checks may be supported by CSO evidence or that of a qualified third party, made under the direction of the CO. These checks may include (but are not limited to):

    - Physical checks of the products
    - Physical inspection of the manufacturing site / processing
    - Documentary inspections

55. Evidence to support the audit process for each supplier must be retained by the CO.

56. Where the CO identifies minor irregularities or noncompliance within a supplier attestation this should be reported to the exporter

57. Examples of minor irregularities or noncompliance may include:

    - Minor documentary errors, such as transposition errors

58. Where the CO identifies serious irregularities or noncompliance within a supplier attestation this should be reported to:

    - APHA / DAERA

59. Examples of serious irregularities may include:

    - Evidence of deliberate deception or falsification of supporting documentation
    - Supplier's failure to immediately inform of any changes that affect the validity of a SA

60. Where there is evidence of a minor irregularity or noncompliance, the relevant inaccurate supporting attestations must not be accepted until they have been corrected.

61. Where there is evidence of a serious or repeated minor irregularities within an attestation attestations from that supplier must no longer be accepted as reliable

evidence by the OV, for the signing of an EHC. Future attestations provided by that supplier may only be accepted for certification purposes where the OV is fully satisfied that they are accurate. For example by conducting physical inspection of the supplier premises or through the provision of relevant traceability information specific to that consignment, provided by another veterinary surgeon.

62. In all cases, a documentary inspection check must be made by the CO for each export consignment covered by EHC. This includes use of:

    a. Support Attestations

    b. Personal knowledge of the consignment where appropriate

    c. Audit history where appropriate

63. Reference should be made to the specific Notes for Guidance applicable to the EHC[16]

64. Physical inspections of the consignment may not be needed where sufficient documentary evidence is available to the CO to make an informed judgement as to the health status of the consignment

65. When relying on time limited SAs, in accordance with this guidance, COs will be expected to perform both random and risk based spot checks to verify the authenticity of the information provided.

66. Where evidence suggests that an upstream supplier of POAO to the exporter presents an increased risk inspections of the exported goods must be more frequent. Examples of increased risk may include:

    - Evidence of minor inaccuracies within the attestations

    - Supply of goods considered to pose a increased risk to animal or human health

67. Where there is evidence of supplier non-compliance under these guidelines, all consignments containing products originating from that supplier must undergo a physical check

[16] Listed within GOV.UK

Guidance for Suppliers and Vets/CSOs providing SAs

68. Vets/CSOs supplying the SAs must make sufficient physical and documentary checks to satisfy themselves of the accuracy of any SAs used.

69. At the initial inspection the vet supplying an SA is required to perform retrospective checks of relevant records covering the previous six months for all products included in the SA. Appropriate evidence may include contractual agreements, invoices, HACCP plans/records, Standard Operating Procedures (SOPs). Copies of this evidence (electronic or hard copies) must be kept by registered vets or CSOs for at least 2 years and made available on request to COs responsible for certifying export consignments (e.g. through an electronic portal).

70. Registered vets must also physically inspect at least a representative sample of the products included to verify that their description matches that declared by the supplier, that they are fully packaged for the final consumer and that any available health marking on such products matches that declared in the SA.

Conflicts of Interest

71. This guidance does not define or prescribe any contractual arrangements between OVs, exporters, suppliers or those certifying the SAs. However, reference should be made to the relevant professional codes of conduct that define conflicts of interest, to ensure that attestations remain impartial.

    For veterinarians this is contained in the RCVS principles of certification.

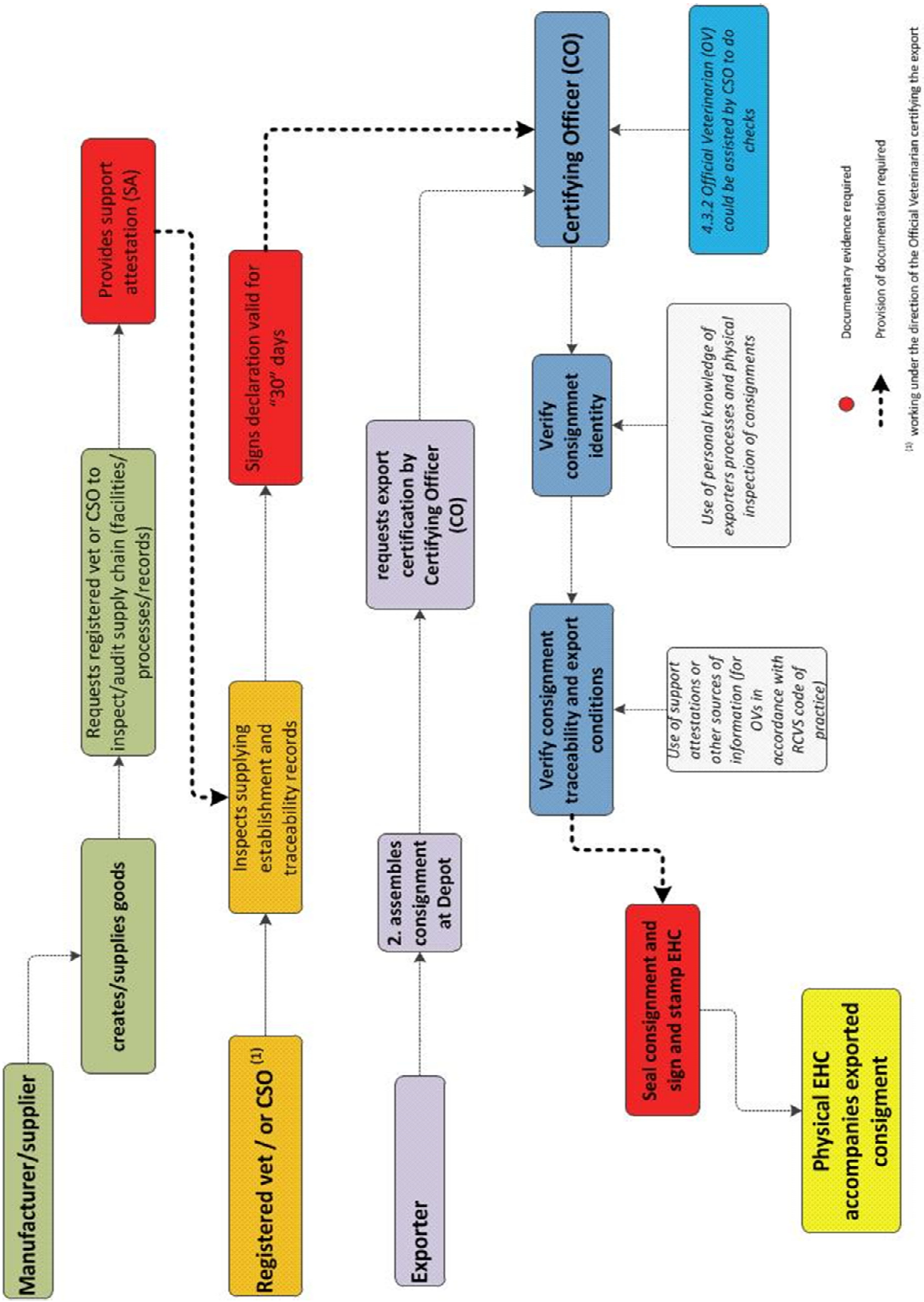
    Vets should consider the following principles:

- Generally speaking, conflicts of interest should be avoided. Veterinarians signing certificates should not allow commercial, financial or other pressures to compromise their impartiality.
- Veterinarians should not certify where they own or part own either a business producing a commodity for export or the commodity to be exported, or are a salaried employee of the business.

- Veterinarians should consider the potential conflict of interest and make their own decision on whether a conflict exists. They may also wish to seek advice from the RCVS or the Competent Authority.

- Veterinarians should make a record of any potential conflict of interest and the advice received.

Annex I: process flow chart



Annex II: Template Support Attestation

IMPORTANT NOTE: THIS SUPPORT ATTESTATION IS NOT AN OFFICIAL EXPORT CERTIFICATE. It is to be used solely to support EU export certification of specific product categories in groupage consignments to the EU in accordance with guidance issued by Defra/APHA or DAERA.

UNIQUE DOCUMENT REFERENCE NUMBER [17] ……

I. Supplier declaration

I …….. (full name), being……..(official position in the company) of …… (name and address of supplying company), have authority and responsibility to sign this declaration on behalf of this supplying company.

I hereby declare that the details in sections A and B below includes a complete list of the products of animal origin contained within the products supplied to …….. (company name of exporter).

I confirm that the information within this support attestation is correct and that no changes will be made to affect its validity prior to its date of expiry.

I will ensure that the registered veterinarian* / CSO (Certification Support Officer)* signing the attestation in section II and the exporter listed above are immediately informed if any changes are made that affect the validity of this document and/or if I leave the employment of the supplying company detailed above. I understand that in such cases this support attestation will immediately become null and void.

I understand that supplying false or misleading declarations that will be relied upon by the exporter in respect of the verifications provided in the relevant export health certificate may result in rejection of the exported product and immediate removal of the exporter from the Trusted Supplier Scheme and risk of liability for costs incurred.

I will ensure that each consignment of products sent to the export depot that is covered by this support attestation is accompanied by a declaration signed on behalf of the supplying company and stating that “The evidence required to facilitate export of the products in this consignment has been provided in Support Attestation …. [insert unique reference number as above]. No changes have been made that affect the validity of the information provided in this Support Attestation.”

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[17] A unique reference number must be given to each original support health attestation used. Suggested format: unique supplier number/sequential number/RCVS or CSO number of registered veterinarian* / CSO* signing part II/year (e.g.: 15435/0000001/m159607/2019)

A. Details of product(s):

1. Origin and Destination

a) Address and, if available, Approval* / Registration Number* of the establishment(s) from which the consignment will be dispatched (e.g. supplier):

.....
.....

b) Address and, if available, Approval* / Registration Number* of the establishment(s) to which the consignment will be dispatched (e.g. exporting depots):

.....
.....

2. Description of the product(s)

Product specific details of all products to which this support attestation relates (this may be attached as a schedule):

.....
.....

B. Traceability information:

[INSERT REQUIRED INFORMATION RELATING TO ALL PRODUCTS LISTED ABOVE (IN A.2) AS AGREED WITH THE CERTIFYING OFFICER RESPONSIBLE FOR EXPORT CERTIFICATION]

Authorised by

Name:

Signature:

Position:

Date:

II. Registered veterinarian or CSO[18] declararation

Either section A (registered vet declaration) or section B (CSO declaration) must be completed and signed

A. Registered vet declaration

I, the undersigned registered veterinarian, hereby declare that I have inspected the supplying premise(s) mentioned in "I.A.1.a" above and, having reviewed the relevant supplier's manufacturing and traceability processes including relevant documentary evidence concerning all products listed in "I.A.2", I can confirm that the attestations provided in section I B (health and traceability details) are currently correct.

I confirm that I have seen written confirmation from the managing director (or equivalent) of the supplying company to verify that the signatory of Part I is authorised to sign this document on behalf of the supplying company.

[To be competed at the first inspection only; delete for subsequent inspections

There have been no additions, removals or alterations to the product health and traceability details relevant to part I.B (above) in the preceding 30 calendar days. And:

*Either** There have been no changes to the product health and traceability details relevant to part I.B (above) in the preceding 6 months

*Or** There have been no changes to the product health and traceability details relevant to part I.B (above) in at least 4 of the preceding 6 months and details, including the date of change(s), are described here……]

Date of inspection: …….
Current Date of Expiry: ……. [30 days from date of inspection above]

This Support Attestation is valid only for 30 days from the above date or until I am notified of any changes of the above supplier's declaration (whichever is the sooner). If I am notified of changes that affect the date of expiry above I will notify the Official Veterinarian responsible for certifying exports from establishment(s) listed in I.A.1.b.

Signature:

Name:..... **[full name of Veterinary surgeon and RCVS number]**
Veterinary practice stamp[19]: Address:

[18] CSOs may only sign and stamp this support attestation if they are working under the direction of the certifying Official Veterinarian at the final exporting depot.

[19] Required to be used on paper copies only (see guidance below)

B. CSO declaration

I, the undersigned CSO have checked documentary evidence and performed physical inspections at the supplying premise(s) mentioned in "I.A.1.a" above under the direction of […….. (name of the certifying officer at the final exporting depot)] to provide assurance to this certifying officer that attestations provided in section I B (traceability details) are currently correct.

I confirm that I have seen written confirmation from the managing director (or equivalent) of the supplying company to verify that the signatory of Part I is authorised to sign this document on behalf of the supplying company.

[To be competed at the first inspection only; delete for subsequent inspections

I have performed checks under the direction of this certifying officer, who, based on these checks, has specifically authorised me to make the following statements:

There have been no additions, removals or alterations to the product traceability details relevant to part I.B (above) in the preceding 30 calendar days. And:

*Either** There have been no changes to the product traceability details relevant to part I.B (above) in the preceding 6 months

*Or** There have been no changes to the product traceability details relevant to part I.B (above) in at least 4 of the preceding 6 months and details, including the date of change(s), are described here……]

Date of inspection: …….
Current Date of Expiry: …… **[30 days from date of inspection above]**

This Support Attestation is valid only for 30 days from the above date or until I am notified of any changes of the above supplier's declaration (whichever is the sooner). If I am notified of changes that affect the date of expiry above I will notify the Certifying Officer responsible for certifying exports from establishment(s) listed in I.A.1.b.

Signature:

Name:.....

[insert full name of and CSO number]

CSO stamp[20]:

Address:

* delete as necessary

[20] Required to be used on paper copies only (see guidance below)

Notes for Guidance for suppliers, exporters and veterinarians/CSOs

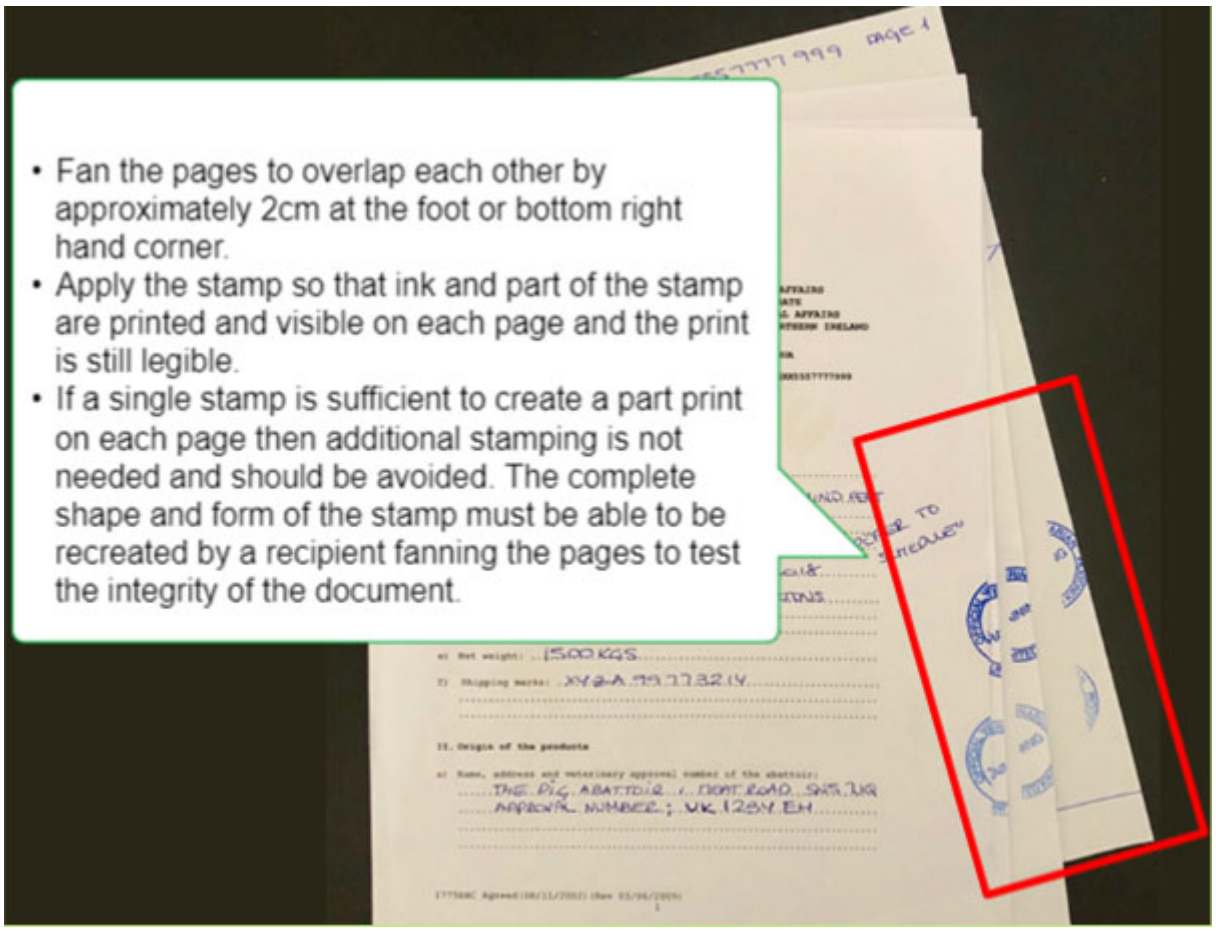
An original version of this support attestation must be supplied to the CO at the exporting depot. This must either be supplied:

- Electronically – directly from the vet/CSO signing part II above to the CO in such a way that document tampering by a third party is not possible.

Or

- As a paper copy – in which case this must be the original signed document (signed in a colour other than black) and must be 'fan stamped' by the CO/CSO to guard against tampering.

How to 'fan stamp' a document:



The supplier must ensure that the commercial document / manifest accompanying (or electronically linked to) each and every consignment moved to the depot during the validity of the Support Attestation is endorsed with words to the following effect: "The evidence required to facilitate export of the products in this consignment has been provided in Support Attestation …. [insert unique reference number of relevant Support Attestation]. No changes have been made that affect the validity of the information provided in this Support Attestation"

ANNEX III: Trusted Supplier Scheme (TSS) application form

II. Exporter details

Name of exporting company ……..

Address and, if available, EU approval number for exporting establishment(s)

……

Name of TSS company representative …….

Phone number:

Email address:

III. Declaration:

I …….. (full name) have authority and responsibility to sign this declaration on behalf of the exporting company.

This exporting company will abide by the conditions on the usage of Support Attestations in accordance with the guidance issued by Defra/APHA/DAERA on simplified certification of groupage consignments of certain products.

I understand and accept that failure of this company (or of companies supplying Support Attestations for exported products) to abide by this guidance may result in immediate removal from the Trusted Supplier Scheme.

Signature:

Position:

Date:

Once fully completed this form should be emailed to TSS@defra.gov.uk