

Summary	
Meeting	Standards Committee
Date	15 December 2020
Title	Amendments to Groupage Export Facilitation Scheme (GEFS)
Summary	Following feedback re: the operation of the GEFS – two amendments are sought to the arrangements as previously approved by RCVS Council.
Decisions required	Standards Committee is asked to consider and to approve: <ol style="list-style-type: none"> a. Extension of the designation of Food Competent Certifying Officers (FCCOs) to individuals designated as such by the Isle of Man Competent Authority (and potentially to such individuals designated by the Competent Authority of other Crown dependencies); b. Extension of the GEFS to allow FCCO's to sign GEFS support attestations for products the FCCO could certify the export of in their own right (such as fishery products).
Attachments	Annex A – proposed amendments re: (b) above
Author	Eleanor Ferguson Registrar / Director of Legal Services 020 7202 0718 / e.ferguson@rcvs.org.uk

Classifications		
Document	Classification¹	Rationales²
Paper	Unclassified	n/a
Annex A	Unclassified	n/a

¹Classifications explained

Unclassified	Papers will be published on the internet and recipients may share them and discuss them freely with anyone. This may include papers marked 'Draft'.
Confidential	Temporarily available only to Council Members, non-Council members of the relevant committee, sub-committee, working party or Board and not for dissemination outside that group unless and until the relevant committee or Council has given approval for public discussion, consultation or publication.
Private	The paper includes personal data which should not be disclosed at any time or for any reason, unless the data subject has agreed otherwise. The Chair may, however, indicate after discussion that there are general issues which can be disclosed, for example in reports to committees and Council.

²Classification rationales

Confidential	<ol style="list-style-type: none"> 1. To allow the Committee or Council to come to a view itself, before presenting to and/or consulting with others 2. To maintain the confidence of another organisation 3. To protect commercially sensitive information 4. To maintain public confidence in and/or uphold the reputation of the veterinary professions and/or the RCVS
Private	<ol style="list-style-type: none"> 5. To protect information which may contain personal data, special category data, and/or criminal offence data, as listed under the General Data Protection Regulation

Background / Changes sought

Issue 1

1. The Committee will recall that in 2019, guidance for the Groupage Export Facilitation Scheme (GEFS) was agreed between the RCVS and Defra. The Committee will also recall more recently that the RCVS also approved changes such that enabled certifying Official Veterinarians (OVs) to accept supporting attestations of a Food Competent Certifying Officer (FCCO) in certain circumstances.
2. The current draft of the GEFS guidance states that only registered vets or Certification Support Officers (CSOs) working under direction of the Certifying Officer can sign GEFS support attestations but does not permit FCCOs to sign these.
3. Animal Plant and Health Agency (APHA) has indicated that it did not initially envisage demand for FCCOs to sign GEFS support attestations as FCCOs are primarily responsible for certification of fishery products and it was not envisaged GEFS being widely used to support fishery product exports.
4. However, since launching the scheme APHA have been made aware that a number of exporters intend to make use of GEFS to support the export of a range of such products which otherwise comply with GEFS scheme requirements (e.g. canned or smoked fishery products that originate from stable supply chains and are fully packaged for the final consumer).
5. Suppliers working with these exporters have pointed out that these production premises are already approved by local authorities (LAs) and where they are exporting directly themselves, certification is provided by a LA FCCO. In many cases, the LA FCCO is very familiar with the production premises. The LAs concerned have challenged why an attestation could be provided by their FCCO in other circumstances for the same product, but not if being exported under GEFS.
6. APHA has indicated that it feels there is a strong argument to update the agreed GEFS guidance to allow an FCCO to provide GEFS support attestation to Certifying Officers **provided** that they do so in compliance with the principles agreed in the RCVS Code of Practice (21.A.5).
7. See **Annex A** for details of the proposed changes.

Issue 2

8. The Isle of Man is a Crown Dependency of the UK but has its own distinct Competent Authority which is separate to the UK Competent Authority.
9. APHA has recently been discussing with the Isle of Man (IoM) Competent Authority how their food products will likely be exported from IoM to the EU following January 1st and they have identified that the majority of products will travel to via Great Britain (GB) for certification instead of being directly exported to the EU.

10. It is therefore likely that vets in the Isle of Man (NB. vets in the Isle of Man are required to be members of the RCVS in terms of the Veterinary Surgeons Act 2005 (Isle of Man)) or FCCOs (who are designated by the Isle of Man Competent Authority) will need to provide supporting attestations to Certifying Officers in GB to enable the onward export of these products to the EU.
11. The RCVS Supporting Guidance enables OVs to accept supporting attestations from FCCO's designated by the '**relevant UK Competent Authority**' where the other conditions of the code / guidance are met. Technically, this does not include FCCOs designated in the Isle of Man.
12. APHA has confirmed that the Isle of Man follows the same designation policy for FCCOs as the UK, and proposes that the following change is made to the Supporting Guidance:

21.A.5 Current UK legislation enables certain professionals who are not veterinary surgeons to be designated as "Certifying Officers". Like OVs, FCCOs are officially designated by the relevant UK Competent Authority (or equivalent Isle of Man Competent Authority) to provide official Export Health Certification.

13. APHA has indicated that it intends to engage with other Crown Dependency Competent Authorities to discuss their position on deployment of FCCOs. If these Competent Authorities also commit to designating FCCOs using the same designation policy as the UK it is proposed that RCVS provide agreement in principle to add reference to these Competent Authorities alongside the Isle of Man in the Supporting Guidance paragraph set out above.

Decisions required

14. The Committee is asked to consider the proposed amendments to RCVS certification requirements and to approve the following:
 - a. Extension of the designation of FCCOs to individuals designated as such by the Isle of Man Competent Authority (and potentially to such individuals designated by the Competent Authority of other Crown dependencies); and
 - b. Extension of the GEFS to allow FCCO's to sign GEFS support attestations for products the FCCO could certify the export of in their own right (such as fishery products).

8. The guidance is intended to be used by:
 - Exporters
 - Certifying Officers (COs) including Official Veterinarians (OVs)
 - Suppliers
 - Vets and Food Competent Certifying Officers (FCCOs) certifying Support Attestations
 - Certification Support Officers (CSOs) working under the direction of COs

17. 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). Suppliers will be required to gather together relevant evidence to present to the inspecting vet, FCCO (or CSO working under OV direction) at these inspections. SAs cannot be signed until this evidence has been inspected and suppliers will need to plan ahead to agree what information will be required with the relevant vet and to collect this information together before inspections. Exporters should factor in the time required to complete this process into their planning.

21. If using this SA document, exporters must ensure that their suppliers:
 - Agree what information will be required with the relevant vet or FCCO and to collect this information together before inspections.
 - Arrange inspection and facilitate access by registered veterinarians, FCCO (or CSO under the direction of the CO) to the supplying establishment(s) and facilitate their access to relevant records and inspection locations.
 - 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, FCCO (or CSO) who signed the SA without any delay of any changes which affect the validity of the declarations provided in the SA.

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

29. SAs must be fully completed and signed by a suitable representative of the supplying company (see below) and a registered vet, FCCO (or a CSO acting under the direction of the CO).

40. Where the CO identifies minor irregularities or noncompliance within a SA this should be reported to the exporter and to the vet/FCCO/CSO (as applicable) who issued the relevant support attestation.

New 48. A Food Competent Certifying Officer may sign the SA in place of a registered vet or CSO in certain circumstances. FCCOs are authorised by the Competent Authority. In line with the RCVS Code/ Supporting Guidance they are able to provide attestations to a certifying Official

Veterinarian on certain matters. An FCCO may only sign a GEFS SA in keeping with the conditions outlined in the RCVS Code / Supporting guidance – e.g. for products the FCCO could certify the export of in their own right such as fishery products.

498. Suitable forms of evidence which registered vets, FCCOs or CSOs may check before signing SAs could include.
50. 49. Suppliers should put Standard Operating Procedures in place to define processes and responsibilities required for stable production of the commodity for export, specifying verification of these processes and then the subsequent issuing of SAs and notification of any relevant changes to COs, inspecting vets or FCCOs and exporters if these occur during the period of validity of the SA.
510. Suppliers will be required to gather together relevant evidence to present to the inspecting vet, FCCO (or CSO working under OV direction). SAs cannot be signed until this evidence has been inspected and suppliers will need to plan ahead to agree what information will be required by the Certifying Officer and to collate this information before inspections. Suppliers should factor the time required to complete this process into their planning.
524. At the initial inspection suppliers must also be able to demonstrate (to the satisfaction of the registered vet, FCCO or of the CO directing CSO to perform checks).
532. Registered vets, FCCOs or CSOs 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, or to be re-packaged directly at the point of sale, and that any available identification marking on such products matches that declared in the SA.
554. Copies of evidence used to support the issue of SAs (electronic or hard copies) and, if used, any checklists completed must be kept by registered vets, FCCOs 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).
565. SAs are time limited, commencing immediately after the point of inspection/reinspection by the registered vet, FCCO or CSO. SAs are valid for use from the day of inspection up to and including the expiry date (inspection date + 30 calendar days).
576. During this time period the supplier must immediately inform the exporter and the vet or FCCO who signed the SA of any changes that affect the validity of the SA.
587. A unique reference number must be given to each original SA used. The format of this numbering system should be determined by the exporter.
- Suggested format: unique supplier number/sequential number/unique number for vet, FCCO or CSO signing part II/year e.g.: 15435/0000001/m159607/2020).

Annexe I –

Preparation process flow: The final box in the flow chart needs FCCO adding

Certification process flow: The third green box and first yellow box need FCCO adding

Annexe II –

Supplier declaration:

I will ensure that the registered veterinarian* / CSO (Certification Support Officer)*/ **Food Competent Certifying 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.

Registered veterinarian **Food Competent Certifying Officer** or CSO declaration:

I assume we would need an additional declaration based on the vet one, see below

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/FCCO/CSO signing part II above to the CO in such a way that document tampering by a third party is not possible.

A. Food Competent Certifying Officer Declaration

I, the undersigned **Food Competent Certifying Officer**, 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. 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. [To be completed at the initial inspection only; delete for subsequent inspections: 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 months¹⁴ 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/FCCO responsible for certifying exports from establishment(s) listed in I.A.1.b.

Signature:

Name:..... [full name of FCCO and authorisation number]

FCCO Stamp:

Address: