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for Environment  
Food & Rural Affairs

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# Border Inspection Post Manual

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Llywodraeth Cymru  
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# 1 Introduction

## Purpose

This manual provides guidance on the implementation of legislation concerning checks on products of animal origin coming from third countries. It covers both EU and national rules applicable at Border Inspection Posts (BIPs). It is intended as a guide only and specific provisions should be checked in the relevant legislation, which can be found in the Compendium of Veterinary Checks. It may be distributed in part or as a whole to persons who would benefit from its content.

The manual is provided on the Defra International Trade Website, which should be referred to for the latest version. OVS information notes will notify BIPs of major changes in guidance and instructions. The local RVL/ROD/DOS will send BIPs the updated manual and OVS notes. [OVS Notes](#) are also on the Defra website. Any OVS notes issued after 28 February 2013 take precedence over this Manual.

## Definitions

**“The Animal By Products Regulations”** or **“ABPR”** means the Animal By-Products Regulations 2011 – the domestic enforcing legislation for Regulation (EC) 1069/2009 and Regulation (EU) 142/2011;

**“Approved rendering premises”** means premises approved in accordance with the Animal By Products Regulations 2011;

**“Article 9 product”** means a product from a third country which is first introduced into the customs territory of the EEA at one border inspection post but is intended for import via another, as described (in relation to consignments) in Article 9(1) of Council Directive 97/78/EC, whether or not the product is transhipped or unloaded at the first border inspection post;

**“Authorised officer”** means a person who is authorised by a central authority, a local authority or the FSA, either generally or specially, to act in matters arising under the TARP Regulations, whether or not they are an officer of that central authority or local authority or of the Agency;

**BIP** means border inspection post approved under Commission Decision 2009/821/EC

**CHIEF** is the Customs computer system, which is used by importers to notify Customs of imports;

**“Customs warehouse”** means a warehouse approved by HMRC in which goods are stored subject to the customs warehousing procedure referred to in the Customs Code

**“CVED”** means Common Veterinary Entry Document, the document issued by the OVS certifying the outcome of the checks and is laid down in EC Regulation 136/2004.

**“Destination establishment”** means the establishment identified in the “delivery address” section of Part 1 of the CVED.

**“EU hygiene regulations”** means Regulations (EC) Nos 852/2004, 853/2004, 854/2004 and 882/2004 and any other implementing legislation made under these Regulations.

**“Fishery products”** means all wild or farmed seawater and freshwater animals, whether or not live, and all edible forms, parts and products of such animals, including:

**Aquaculture animals and aquaculture products** as defined in Article 2 of Council Regulation 2006/88

- (i) Filter-feeding lamellibranch molluscs; and
- (ii) Echinoderms, tunicates and marine gastropods intended for human consumption,
- (iii) But excludes aquatic mammals, reptiles and frogs, and parts of those animals.

**“Free warehouse”** and **“free zone”** have the same meanings as in the Customs Code.

**“FSA”** means the Food Standards Agency

**Import:** The release of animal products for free circulation, or, the intention to release feed or food for free circulation within the meaning of Article 79 of Regulation (EEC) No 2913/92<sup>5</sup> into Union/EEA territory - as referred to in Annex I to Regulation (EC) No 882/2004<sup>6</sup>; reference is also made to Article 2(h) of Directive 97/78/EC, Article 2(15) of Regulation (EC) No 882/2004, to the EEA-Agreement<sup>7</sup> and to the Agreement between the European Union and the Swiss Confederation on trade in agricultural products.

**Non-conforming consignments:** animal products that do not meet public health EU requirements. As they do not meet these requirements, they may not be imported into the Union/EEA or intended for the Union/EEA market. Nonconforming consignments are destined or intended for free zones, free/customs warehouses, ship suppliers or ships leaving the coastal waters of the Union/EEA territory; they may be in transit from one third country to another through the Union/EEA territory by road, rail or waterways or they may be transhipped from an EU port/airport to a third country.

**“Official Fish Inspector”** means an environmental health officer appointed as a fish inspector by the local authority pursuant to Regulation 12 (4) of the TARP Regulations 2011. This relates to a derogation under Commission Decision 93/352/EC which requires that: the competent authority of a Member State shall designate an official agent:, who is specifically trained, to be responsible for the carrying out of checks on fish in border inspection posts located in ports where fish is unloaded.

**“Official Veterinary Surgeon (OVS)”** means a veterinary surgeon appointed as a veterinary surgeon by a local authority as required by Regulation 12 of the TARP Regs. The roles and responsibilities of the OVS are laid down in Section 3 of this manual.

**“Operator”** means

In relation to a border inspection post, the person who provides premises and other facilities for the carrying out of veterinary checks at that BIP; and

In relation to a EU establishment of origin or destination establishment, the person who occupies the same for the purposes of his business.

**“Part consignment”** means a consignment which has been split up into parts in accordance with Article 5 of Regulation (EC) No 136/2004.

**“Product”** means a product listed in Annex I to Commission Decision 2007/275/EC and hay and straw. (See Regulation 2 of the TARP Regs)

**“Returned products”** means products originally exported from the Customs territory of the EU which is returned there because it has been refused by a third country.

**RAS/RASFF** is the Rapid Alert System for Food and Feed which Member States use to communicate public health risks;

**DOS/ROD/ RVL** means Divisional of Operations (Scotland), Regional Office Director or Regional Veterinary Leader in AHVLA

**TARP Regs** means the Trade in Animals and Related Products Regulations 2011.

**TRACES** means the Commission veterinary computer system used to notify veterinary authorities of certain consignments of animals and animal products and generate the CVED.

**Transshipment:** the movement of a consignment from a third country from a vessel/aircraft in an Union/EEA port/airport served by an Union/EEA approved BIP to another vessel/aircraft in the same port/airport within the area of the same customs office responsible for import and export or within the same free zone for onward travel.

**Transit:** the movement of non-conforming consignments or, the movement of live animals conforming to EU requirements across Union/EEA territory by road, rail, or waterway transport from one third country to another. The transit may be direct or indirect (involving a period of storage) as follows:

**Direct transit:** movement of above consignments across Union/EEA territory from the BIP of entry directly to the BIP of exit, or to a ship leaving the coastal waters of the Union/EEA territory.

**Indirect transit:** movement of above consignments from the BIP of entry to a free zone, free/customs warehouse/ship supplier for storage first and then onto the BIP of exit, or a ship supplier, or a ship, leaving the coastal waters of the Union/EEA territory.

## Abbreviations

<b>AHO</b>	Animal Health Office
<b>AHVLA</b>	Animal Health and Veterinary Laboratories Agency (former Animal Health Agency)
<b>APHA</b>	Association of Port Health Authorities
<b>CVED</b>	Common Veterinary Entry Document
<b>IAPPO</b>	Importation of Animal Products and Poultry Products Order
<b>LG Regulations</b>	Local Government Regulation
<b>LNH</b>	London Nobel House
<b>LVI</b>	Local Veterinary Inspector
<b>LVU</b>	Local Veterinary Unit (TRACES unit equivalent to an AHO)
<b>OFFC</b>	Official Food and Feed Controls Regulations 882/2004/EC
<b>SCoFAH committee)</b>	Standing Committee on Food Chain and Animal Health (Brussels legislative committee)
<b>SSCI</b>	AHVLA Specialist Service Centre for Imports
<b>T1</b>	Customs Transit Procedure T1
<b>T5</b>	Customs Transit Procedure T5

## 2 Legislation

### Current EU veterinary checks (product) legislation

<a href="#">Commission Decision 93/352/EEC</a>	- Derogation for fish only BIPs.
<a href="#">Commission Decision 94/360/EC</a>	- Reduced frequency, categories, checks record.

<a href="#">Council Directive 97/78/EC</a>	- Principles of Third Country Vet checks
<a href="#">Commission Decision 97/152/EC</a>	- Rejected consignment record.
<a href="#">Commission Decision 97/394/EC</a>	- Database of cleared consignments.
<a href="#">Commission Decision 2000/208/EC</a>	- Detailed rules under Article 11 transit 3 <sup>rd</sup> country to third country.
<a href="#">Commission Decision 2000/571/EC</a>	- Detailed rules under Article 12 & 13 for warehouses and ship's chandlers.
<a href="#">Commission Decision 2001/812/EC</a>	- Requirements for the approval of BIPs.
<a href="#">Commission Regulation 2004/882</a>	Official Food and Feed Controls (including harmonised fees for BIPs)
<a href="#">Commission Regulation (EC) 136/2004</a>	BIP procedures, CVED, hay and straw
<a href="#">Regulation (EC) No 206/2009</a>	Personal imports
Act of Accession	
<a href="#">Commission Decision 2006/590</a>	Changes to 94/360 and 2001/812
<a href="#">Commission Decision 2007/275</a>	List of products to be checked and composite products
<a href="#">Commission Decision 2009/821/EC</a>	List of BIPs in the EU (as amended) (see web page for latest amendments)
<a href="#">Commission Decision 2011/215/EU</a>	Detailed rules for Article 9 transshipments
<a href="#">Commission Implementing Regulation (EU) 28/2012</a>	Composite Products
<a href="#">Commission Implementing Decision 2012/31/EU</a>	Amendment to list of products to be checked
<a href="#">EFTA Surveillance Decision No 339/12/COL</a>	List of BIPs in Norway and Iceland
<a href="#">Commission Implementing Decision 2013/290/EU</a>	List of BIPs in Croatia

## Current national product legislation

The Importation of Animal Pathogens Order 1980: SI No. 1212.

The Importation of Processed Animal Protein Order 1981: SI No. 677.

The Importation of Processed Animal Protein (Amendment) Order 1982: SI No. 459.

The Importation of Animal Products and Poultry Products (Amendment) Order 1982: SI No. 948.

[The Importation of Animal Products and Poultry Products \(Amendment\) Order 1994: SI No. 2920.](#)

The Importation of Animal Products and Poultry Products Order 1980: SI No. 14.

[The Official Feed and Food Controls \(England\) Regulations 2009: SI No 3255](#)

[The Food Hygiene \(England\) Regulations 2006: SI No 14](#)

[The Food Hygiene \(England\) \(Amendment\) Regulations 2007 SI No 56](#)

[The Food Hygiene \(England\) \(Amendment\) Regulations 2010 SI No 534](#)

[The Trade in Animal and Related Products Regulations 2011 SI No 1197](#)

[The Animal By Products Regulations 2011](#)

Similar legislation has been made in Scotland, Wales and Northern Ireland.

## Other relevant documents

[Compendium of veterinary checks](#) (Animal Products and Fishery Products) which a library of EU and UK legislation relevant to veterinary checks on animal products. It should be held at the BIP and is updated by Animal Health.

[OVS Information Notes](#)

GRAIL <https://grail.foodapps.co.uk/grail/general/home.aspx>

[Importer Information Notes](#)

[Commission guidance documents](#) (Europa website)

## Documents to be kept

The following up-to-date information and documentation **must** be held at the BIP:

Until these elements are incorporated into TRACES, the official veterinarian responsible for checks in the BIP must have at his disposal in the designated central office at least:

- i) an up-to-date list of the third countries or parts of third countries authorised to send products to the EU or, where applicable, to certain Member States;
- ii) copies of the various Decisions of the EU or Member States specifying a specimen health or public/animal health certificate or any other document which must accompany products from third countries dispatched to the EU or, where applicable, to certain Member States;
- iii) an up-to-date list of establishments in third countries authorised to dispatch products to the EU; or of national authorised establishments in the case of non-harmonised products;
- iv) copies of any safeguard Decisions prohibiting or restricting imports of products to the EU;
- v) an up-to-date list of approved BIPs giving all available details of these posts;
- vi) a current list of the free zones, free warehouses, and customs warehouses approved under Article 12.4 of Council Directive 97/78/EC, and of operators authorised under Article 13 of Council Directive 97/78/EC, in all Member States;
- vii) an up-to-date list of establishments approved for the receipt of channelled products for that Member State, in accordance with Article 8(6) of Council Directive 97/78/EC;
- viii) up-to-date relevant EC legislation relating to products and procedures covered by veterinary checks.

**[01/812/EC Annex par. 3]**

## Explanatory notes

1. The documents in points i) – iv) above are provided to BIPs by the Food Standards Agency for fishery and aquaculture products via the GRAIL system. The AHVLA Specialist Service



Centre for Imports provides these documents for all other animal products as amendments to the Veterinary Checks Compendium. The Compendium is now available on the AHVLA [website](#). Contact details for BIPs and warehouses in other countries are available on the Commission's website.

[http://ec.europa.eu/food/animal/bips/index\\_en.htm](http://ec.europa.eu/food/animal/bips/index_en.htm)

2. Access to the lists on the Commission's website meets the legal requirements. Up to date lists of approved countries and establishments for fishery/aquaculture other products are available on the EU Commission website. If internet access is not available in inspection centres, hard copies of the lists of products commonly checked there should be available. This can be accessed via:

[http://ec.europa.eu/food/food/biosafety/establishments/third\\_country/index\\_en.htm](http://ec.europa.eu/food/food/biosafety/establishments/third_country/index_en.htm)

3. The documents in points i) – iv) and viii), including the list of third countries with approved residue plans, should be available at each inspection centre office for the range of products inspected there.

## 3 Division of responsibilities

### Responsibilities of OVS:

1. To ensure that goods (other than fishery products when an OFI has been appointed), that are presented to the BIP concerned are checked as required in Directive 97/78/EC and Regulation 136/2004/EC.
2. To ensure that the necessary equipment and facilities as required by Directive 97/78/EC and Decision 2001/812/EC are available within BIPs to enable veterinary checks to be carried out effectively (See [Appendix A](#) and [Appendix B](#)).
3. To ensure that sufficient appropriate samples (including samples for microbiological examination, e.g. detection of Salmonella) are collected and submitted for laboratory examination under the national monitoring plan and where re-inforced checks are in place.
4. To be present at the BIP when all veterinary checks (including documentary checks) are in progress.

5. To issue CVEDs for all consignments and notifications of rejections (including rights of appeal) in the case of consignments that fail veterinary checks.
6. To ensure that rejected consignments are handled and disposed of in accordance with the Animal By-Products Regulations 2011.
7. To ensure that staff at the BIP are properly managed and trained.
8. To ensure that all required documents/records are held at the BIP and monthly sampling returns are sent to the ROD/RVL/DOS and [itap@defra.gsi.gov.uk](mailto:itap@defra.gsi.gov.uk) .
9. To ensure that TRACES is monitored for incoming messages and to ensure that CVEDs are entered onto to TRACES on the same day they are signed by the relevant authorised officer.
10. To lead in and be present at external audits (e.g. AHVLA, FSA and FVO).
11. To ensure that the BIP is managed in a hygienic manner to respect the EU Hygiene Regulations for the products concerned so as not to pose a risk to the consignments being handled.
12. Liaise with Customs officials to ensure that adequate measures are in place to identify smuggled products of animal origin and prevent unchecked products of animal origin leaving the port/airport and to advise of any increase risks identified from rejected consignments.
13. To ensure that the CVED for channelled goods is recorded in the follow-up register and investigate if no confirmation is received that the consignment has reached its destination.

## Responsibilities of Official Fish Inspectors

Where the derogation is provided for in footnote (1) to Decision 2009/821:

1. To ensure that fishery products that are presented to the BIP concerned are checked as required in Directive 97/78/EC and Regulation 136/2004/EC.
2. To ensure that the necessary equipment and facilities as required by Directive 97/78/EC and Decision 2001/812/EC are available within BIPs to enable veterinary checks to be carried out effectively (See [Appendix A](#) and [Appendix B](#)).

3. To ensure that sufficient appropriate samples of fishery products are collected and submitted for laboratory analysis under the national monitoring plan and where reinforced checks are in place.
4. To be present at the BIP when checks on fishery products are in progress.
5. To issue CVEDs for fishery product consignments and notifications of rejections (including rights of appeal) in the case of consignments that fail veterinary checks.
6. To ensure that rejected consignments are handled and disposed of in accordance with the Animal By-Products Regulations 2011.
7. To ensure that staff at the BIP are properly managed and trained.
8. To ensure that all required documents/records are held at the BIP and monthly sampling returns are sent to the RVL/ROD/DOS and to [itap@defra.gsi.gov.uk](mailto:itap@defra.gsi.gov.uk) .
9. To ensure that TRACES is monitored for incoming messages and to ensure that CVEDs are entered onto to TRACES on the same day they are signed by the relevant authorised officer.
10. To lead in and be present at external audits (e.g. AHVLA, FSA and FVO).
11. To ensure that the BIP is managed in a hygienic manner to respect the EU Hygiene Regulations for the fishery products concerned so as not to pose a risk to the consignments being handled.
12. Liaise with Customs officials to ensure that adequate measures are in place to identify smuggled fishery products and prevent unchecked products of animal origin leaving the port/airport and to advise of any increase risks identified from rejected consignments.
13. To ensure that the CVED for channelled goods is recorded in the follow up register and investigate if no confirmation is received that the consignment has reached its destination.

## **Responsibilities of Port Health Authorities:**

1. To provide sufficient OVS/OFI staff resources to ensure the checks required under Directive 97/78/EC are carried out effectively.
2. To ensure the necessary equipment is available within BIPs to enable all the checks required under Directive 97/78/EC to be carried out effectively.

3. To ensure that the BIP is managed in a hygienic manner so as to respect the EU Hygiene Regulations for the product concerned and not to pose a risk to consignments being handled.
4. To ensure that charges as laid down in Regulation (EC) No 882/2004 are collected before consignments are released by Customs.
5. To liaise with RVL/ROD/DOS where a problem has been detected, either with a consignment or with the facilities.
6. To ensure that controls on international catering waste meet the requirements of the by-products legislation and contact the waste managers if any deficiencies are identified.
7. To ensure that procedures are in place to check that OVS/OFI do not have any conflicts of interest as required by Article 4 (2) (b) of Regulation (EC) 882/2004.
8. To verify the checks carried out meet the requirements of EU legislation in particular the elements covered by Annex II, Chapter II of Regulation (EC) No 882/2004.

## **Responsibilities of AHVLA:**

1. To advise applicants and operators of BIPs concerning the structural and equipment requirements for BIPs as laid down in Commission Decision 2001/812/EC.
2. To audit BIPs to ensure that they are maintained and operated in accordance with Directive 97/78/EC, including detailed rules made under the Directive (see [section 2.1](#)).
3. To ensure that plans sent to Defra meet the requirements of 97/78 and 2001/812 (see [Appendix S](#)).
4. To audit PHA enforcement activity on international catering waste and provide advice on animal health risks associated with catering waste.
5. To provide practical training for new OVS.
6. To provide update training for existing OVS with Defra and the FSA.
7. To issue suspension notices for border inspection posts where there is a serious breach of EU legislation.

## Responsibilities of Defra and Devolved Administrations:

1. To scrutinise plans for new BIPs and amendments to existing BIPs to ensure all necessary information is provided before passing them to the FVO with a recommendation listing.
2. To ensure that BIPs are regularly visited to assess compliance of facilities and operation with EU legislation.
3. To provide policy lead with SG, WAG, DARDNI , RVL/ROD/DOS, Customs and FSA for FVO Missions to BIPs, including co-ordinating UK response to the report.
4. To notify BIPs of changes to legislation that affects veterinary checks.
5. To notify the Commission if a border inspection post is suspended because there is a serious breach of EU requirements.
6. To provide policy advice to AHVLA and assist in the training of new OVS.
7. To contact veterinary authorities in other countries regarding problems with consignments.

## Responsibility of port operators

1. To ensure that facilities are maintained to a suitable standard (see [Appendix A](#)).
2. To ensure any repair or maintenance requested by the OVS or PHA should be carried out promptly.
3. To submit plans for new facilities and changes to existing facilities (see [Appendix S](#)).

## Responsibility of Border Force

1. To enforce import controls when an import has not been notified to a border inspection post.
2. To check customs warehouses and ships' stores for third country animal products which have not been notified to the BIP.

3. To take appropriate action to identify consignments that have not been notified or presented to BIPs.

## **Responsibility of HMRC**

1. To ensure that a CVED has been issued before Customs release products of animal origin.

## **Responsibility of AHVLA Specialist Centre for Imports SSCI**

1. To update compendium to include new legislation on imports of products of animal origin.
2. To issue authorisations to exempt samples from veterinary checks.
3. To provide advice to importers where policy has been agreed.
4. To provide content for complaint letter to CVOs in other countries for Defra to issue.
5. To provide independent scrutiny of local AHVLA staff's audit reports.

## **Responsibilities of the Food Standards Agency**

1. To provide policy advice on public health aspects of imports of products of animal origin.
2. To update BIPs on changes of legislation relating to public health aspects of imports of products of animal origin.
3. To provide training for new Official Fish Inspectors and public policy input into BIP update training.
4. To maintain GRAIL.

## 4 Enforcement authorities

### Enforcement of the Regulations

#### Appointment of official veterinary surgeons and official fish inspectors

1. The Secretary of State must appoint suitably trained veterinary surgeons to be official veterinary surgeons for any border inspection post authorised to import animals.

2. The district council for an area with a border inspection post authorised to import products must appoint suitably trained veterinary surgeons to be official veterinary surgeons for that post.

3. The appointment under paragraph (2) may be made by the Secretary of State rather than the district council if the approval for the border inspection post only permits the importation of animal by-products.

4. If the approval for the border inspection post permits the importation of any product (other than snails) for human consumption listed in Chapter 3 of Annex I to Commission Decision 2007/275/EC the district council may appoint suitably trained environmental health officers to be official fish inspectors for that post in relation to fish and fishery products, and that inspector has all the powers of an official veterinary surgeon in relation to those products.

Regulation 12, TARP Regs

### Powers of entry

An authorised officer of the Secretary of State or an enforcement authority may, on producing a duly authenticated authorisation if required, enter any premises at any reasonable hour for the purpose of enforcing these Regulations; and in these Regulations “premises” includes any place, vehicle, trailer, container, stall, moveable structure, ship or aircraft.

The officer may be accompanied by such other persons as the officer considers necessary, including any representative of the European Commission.

- (1) Admission to any premises used only as a private dwellinghouse may not be demanded as of right unless the entry is in accordance with a warrant granted under this regulation.
- (2) If a justice of the peace, on sworn information in writing, is satisfied that there are reasonable grounds for entry into any premises for any purpose in paragraph (1) and that either—
  - (a) admission to the premises has been refused, or a refusal is anticipated, and that notice of the intention to apply for a warrant has been given to the occupier, or

- (b) an application for admission, or the giving of such notice, would defeat the object of the entry, or that the case is one of urgency, or that the premises are unoccupied or the occupier temporarily absent, the justice may by signed warrant authorise an authorised officer to enter the premises, if need be by reasonable force.
- (3) A warrant granted under this regulation continues in force for one month.
- (4) An officer who enters any unoccupied premises must leave them as effectively secured against unauthorised entry as they were before entry.

Regulation 33, TARP Regs

## **Powers of inspection**

1. An authorised officer of the Secretary of State or an enforcement authority may—
  - (a) inspect and examine any animal;
  - (b) inspect any product, or genetic material, including its packaging, seals, marking, labelling and presentation, and any plant or equipment used for or in connection with it;
  - (c) have access to, and inspect and copy any documents or records (in whatever form they are held), and remove them to enable them to be copied;
  - (d) have access to, inspect and check the operation of any computer and any associated apparatus used in connection with the records; and may require any computer records to be produced in a form in which they may be taken away;
  - (e) seize and retain anything required as evidence in proceedings under these Regulations;
  - (f) open any bundle, package, packing case, or item of personal luggage, or require any person in possession of or accompanying the same to open it and inspect the contents;
  - (g) take samples of any animal or product for laboratory tests, for checking against any relevant document relating to the animal or product or otherwise for checking compliance with these Regulations or any condition of import enforced by these Regulations.

## **Regulation 34 TARP Regs**

2. If further checks are required the OVS, OFI or authorised officer may seize a consignment under Regulation 19 or hold a consignment without issuing a CVED. Costs of storage must be paid by the person responsible for the consignment.



## Explanatory points

1. Legislation places overall responsibility for specific BIPs under the appointed OVS. OVS should ensure that acceptable standards of construction, hygiene and control are maintained to guarantee that animal and public health within the EU is not put at risk. Where matters are not a direct responsibility, the OVS should be able to demonstrate that measures are in place to ensure that action is taken and outcomes recorded: preferably by a log of maintenance issues which records OVS action and the outcome.
2. Where BIPs only handle fishery products, an Official Fish Inspector (OFI) can carry out all the functions of the OVS. The OFI should be a suitably qualified Environmental Health Officer. The BIP listing in Commission Decision 2009/821 must include reference to the derogation under 93/352 (footnote 1) for an OFI to work at the BIP.
3. The OVS, or in exempt fishery BIPs the OFI, is expected to be in command of all animal product health controls at the port where the BIP is situated. OVS do not have to actually carry out the checks themselves but can be “assisted” by trained auxiliaries. However the OVS must be present in the BIP where checks are taking place. In some situations this will require more than one OVS being present in the BIP. The OVS must sign the CVED based on information directly gained by first hand involvement in the checks or based on support documentation, in accordance with the provisions of the *RCVS Guide to Professional Conduct* (['12 Principles of Certification'](#)).
4. Inspection staff availability should extend to time for keeping records up-to-date, liaising with customs services, doing hygiene audits. Although Customs are responsible for enforcement of legislation relating to products not notified/presented to the BIP (including identifying such consignments) and for visits to Customs warehouses or ships' stores, the OVS should ensure that they are familiar with the Customs protocols for this work.
5. As good practice, Defra recommend that the maximum number of consignments that a full-time (40hr/wk) OVS should check in one year is 3,500. The level of OVS cover will be dependent upon the type of consignment imported and any season variations in trade. Ultimately it is for the port health authority to decide the level of OVS cover required and to explain how the cover is appropriate during AHVLA audit checks.
6. The training sessions that OVS are required to undergo have to be based on guidance from the Commission. To date no such guidance has been produced. However the Commission organise training courses for BIPs under the OFFC scheme (Better Training for Safer Food), if you are an active OVS/OFI who wishes to be considered for future courses please contact SSCI (see para 8).

7. OVS must complete the Portal OVS training package which is available from the Royal Veterinary College (RVC). The package should take about 35 hours to complete. The course is available on a CD-ROM or in hard copy. Further information is available from:

Director of Distance Learning Programme

The Royal Veterinary College

University of London

Hawkshead Lane, North Mymms

Hatfield

Herts

AL9 7TA

[DLP@rvc.ac.uk](mailto:DLP@rvc.ac.uk)

8. Once the course has been completed, and prior to appointment, a short period of practical training must be undertaken. Further details can be obtained from the SSCI (tel: 01245 398298, e-mail: [AHITChelmsford@ahvla.gsi.gov.uk](mailto:AHITChelmsford@ahvla.gsi.gov.uk))

9. Defra, FSA and AHVLA hold update training twice a year. We expect appointed OVSs and OFIs to attend an update training course at least once every two years.

10. Brief notes should be kept of internal meetings where information from update training is cascaded to other staff.

11. Port Health Authorities should ensure that contracts with OVSs or companies providing OVSs cover should be flexible enough to react to changes in trade patterns. We therefore recommend that contracts do not refer to a set amount of OVS time per week/year unless this can be changed as throughput of the BIP changes.

12. OFFC requires that inspectors have a mechanism for reporting conflict of interest. Best practice would be an active reporting system with yearly confirmation in writing of any potential conflicts of interest. A brief written protocol of your reporting system should be available at the BIP for AHVLA audit visits and FVO audits.

# 5 Procedures for veterinary checks

## Checks required

1. Council Directive 97/78/EC requires that all consignments of animal products from Third Countries imported into the EU receive a documentary, identity and physical check under the responsibility of the OVS before being cleared for free circulation in the EU. Checks must be carried out before customs clearance is given. The importer must pay the costs of the checks.

[97/78/EC Article 3 (1)]

[97/78/EC Article 4 (1)]

[97/78/EC Article 4 (3)]

2. Directive 97/78/EC provides for certain consignments arriving at a seaport or airport BIP to be transhipped on to another BIP at which some or all of the checks would be carried out. Both BIPs must be approved for the type of product. This is only permitted when consignments do not leave the customs area of the port or airport of the first BIP of arrival and remain there for less than 48 hours for airport or 20 days for seaports and the consignment leaves by the same means of transport. Further details are given in [Section 9](#) of the Manual.

## Products to be checked

1. The list of products that require veterinary checks is laid down in Commission Decision 2007/275. This decision is in the Compendium. This Decision also requires composite products to be checked and hay and straw. The Decision also lists the CN number which should be recorded on the CVED.

2. Products from other EU countries, EEA states and Switzerland do not require checks. A list of these countries is provided in [Appendix C](#). Goods exported from **any other country** should be checked even if the product initially originated in the EU.

3. Specific guidance on the scope of the veterinary checks regime has been provided on a case-by-case basis. Some of this information is available in [Appendix H](#).

4. Checks on avian hatching eggs and SPF eggs may be done at a live animal or product BIP. Semen, embryos and ova of bovine, ovine, caprine, or porcine animals should be checked

at a product BIP. Checks on fish eggs should be carried out at a live animal BIP. Live fish and aquaculture products and snails for direct human consumption should be checked at a product BIP.

## Notification of arrival and presentation requirements

1. Council Directive 97/78/EC requires the person responsible for the load to ensure that all products of animal origin are presented at a BIP approved for that product. The person responsible for the load must notify the OVS or OFI at the BIP **in advance** of the arrival of consignment.
2. The importer is responsible for notifying the BIP and for completing Part 1 of the CVED. BIPs vary in how they manage this requirement so you are advised to check with them (see sub para 6).
3. The consignment shall be presented to the border inspection post “without delay” upon landing in the UK.

### Regulation 15, TARP Regs

4. Where importers fail to pre-notify the OVS should take follow-up action.
5. “Consignment” means a quantity of product of the same type covered by the same veterinary certificate(s) or veterinary document(s), or other document(s) provided for by veterinary legislation, conveyed by the same means of transport and coming from the same third country or part of such country.

### [97/78/EC Article 2(f)]

6. Consignments should be pre-notified by submitting Part 1 of the CVED. Consignments may be pre-notified by the manifest or other electronic means, providing this has been agreed in writing by the OVS and that all the details included in Part 1 of the CVED are included in the manifest. Telephone pre-notifications are not acceptable. Where 8 digit CN codes are available in TRACES these should be used on the CVED.
7. If used for notification, computer systems must actively flag up consignments to alert the OVS. The OVS must consider how legal disputes will be dealt with if written, binding pre-notifications of arrival are not being used.
8. EU legislation is not clear on how sealed trays of mixed products should be treated (i.e. mixed starters such as a combination of meat and prawn spring rolls). Defra guidance is that each element should have its own certificate but these should be treated as one consignment as the tray is impossible to split up if one component is found to be non-compliant. Therefore if either the meat or fish part is non-compliant the whole consignment should be rejected. We have raised this matter with the Commission and will provide further guidance when an EU

policy has been agreed. Similarly if a product contains two elements which need different health certificates (such as raw salmon with herb butter) this should be treated as one consignment as the elements cannot be separated.

## Place where veterinary checks are carried out

**Summary:** All products are to be moved to the BIP facility. Mixed consignments are to be broken down prior to checking.

1. OVS will require all consignments to be presented at the BIP facility with the health documents. All physical and identity checks, except for seal checks (see 5.8.4), must take place at an inspection facility. All checks shall be conducted in such a manner as to avoid the possibility of cross contamination. The checks should also take into account the temperature conditions under which the products are transported. For unpacked products for human consumption, all checks must be carried out under shelter from the weather and provision shall be made for the hygienic handling and protection of such products during unloading and loading. 'Seal checks only' should be in a place specifically approved for this purpose by the RVL/ROD/DOS if not carried out at the BIP.

[01/812/EC Annex par. 5]

2. In very rare cases it may be decided by the OVS that the checks should be done elsewhere if movement to the BIP facility would constitute an animal or public health risk, a health and safety risk, could damage the product, or is, in his professional judgement, impractical. If this is the case, the OVS should contact the AHVLA liaison officer immediately so that the situation can be assessed.

3. OVS will require consignments of products of animal origin presented in containers or packages which are mixed with other products, such as fruit and vegetables, to be broken down into animal products and other products by the importer or the agent (at their expense). Checking will not begin until this has been done.

4. The BIP facility should meet all the requirements laid out in [Appendices A](#) and [B](#). Where facilities do not meet the requirements, the OVS should carefully consider whether using the deficient facilities might affect the integrity of the product. If the OVS is concerned that there is a risk to the integrity of the product, they should carefully consider whether to proceed with the check unless the deficiency has been rectified.

5. The Commission has agreed that other enforcement bodies may use BIP facilities if the other authorities agree to certain conditions. The RVL/ROD/DOS should carry out a risk assessment to ensure that it is appropriate for the facilities to be shared. The conditions of use should be laid down in a memorandum of understanding (MOU). The information on shared use of the BIP and a model MOU is laid down in [Appendix T](#).

## Manifest checks

1. Council Directive 97/78/EC includes a provision allowing Member States to have access to the manifests of ships and aircraft to check that products of animal origin have been correctly notified.
2. In GB HMRC and Border Force are responsible for detecting smuggled animal products (i.e. products not declared to the BIP).
3. The BIP authority should have access to manifest or similar information maintained by the port operator or by port users. Checks on manifests should be allowed as and when the OVS wishes. The OVS should be aware of what checks are made by Border Force to detect undeclared products.
4. Commission inspectors will check thoroughly to ensure that BIPs have in place procedures for checking information sources to ensure that they are aware of all consignments that may contain products of animal origin passing through the port/airport, whether properly declared or not. Procedures for stopping and investigating suspicious consignments should be defined. Whatever method is used, it must allow the OVS free access to information for all consignments carried on the means of transport concerned. These procedures should cover both consignments intended for import and consignments for transit, transshipment or warehousing.

[97/78/EC, Article 3 (3)]

## Removal of products of animal origin from port areas prior to completion of checks

**Summary:** Products may not be allowed to be removed from the port area prior to completion of veterinary checks.

1. The importer must ensure that products subject to veterinary checks are not removed from the port before they have been checked and issued with a completed CVED. Temporary storage in a transit shed within the port or airport area from the time of unloading until the BIP next opens should be permitted. The use of ERTS is not permitted.
2. Consignments discovered inland that have not been checked on entry should be handled by the relevant inland local authority. The consignment should be seized in accordance with Regulation 19 of TARP Regulations (see [Appendix P](#)). Details of the consignment should be passed to the Border Force National Intelligence Hub – Tel 0845 600 4374, [UKBFNationalIntelligenceHub@homeoffice.gsi.gov.uk](mailto:UKBFNationalIntelligenceHub@homeoffice.gsi.gov.uk).

3. If consignments are discovered at the port/airport (including ERTS, and Custom Warehouses in or near the port/airport), which have not been presented or pre-notified a Regulation 32 (6) notice should be served and the OVS should inform Border Force who will be responsible for any enforcement action. A model Regulation 32(6) notice is available in [Appendix P](#).

## Documentary checks

**Summary:** Importers must present import documentation before veterinary checks begin. The documentation of every consignment is to be checked.

1. A documentary check is defined as "the examination of the veterinary certificates or documents accompanying a product". The documentary check will confirm that documents (usually certificates) which are required by EU law (or in the case of a non-harmonised product the law of that Member State) are supplied and that these conform to the detail of the conditions for importation from third countries.

**[97/78/EC Article 2(2)(b)]**

2. Every consignment intended for import must have a documentary check to ensure that the notification and the veterinary health documents agree, and that the documents meet the requirements of the appropriate EU or national rules for the product concerned (see paras 6 to 8 for transits and transshipments). The BIP should retain the original health documents at the BIP. The OVS must provide authenticated copies to the importer or agent on request. The OVS should also check the details provided by the importer in the first part of the CVED. The OVS should check carefully that the correct CN Code and country is selected from the pick-lists. If errors are detected the CVED should be returned to the person responsible for correction otherwise inaccurate data will be recorded on the TRACES system.

**[97/78/EC Article 4(3)]**

3. The importer must provide to the OVS or other PHA staff the necessary veterinary certificates or documents by the time the consignment is presented for checking. Checks will not begin until the certificates or documents are available.

4. Detailed rules for documentary checks are laid down in Annex I of Regulation (EC) No 136/2004. Certificates accompanying the consignment must be the originals, and must be dated, stamped and signed by a person who is an official veterinarian (or if the rules for a particular product allow it, a different representative of the competent authority) of the exporting country. Usually this is confirmed by the title underneath the signature. It is not possible to demand a list of authorised signatories in every third country. Some of the more frequent signatories may be recognised with time, as the original of each health certificate must be retained by the OVS at the BIP. Bills of Lading do not need to be originals. Certificates should



be in English or include an English translation. **Unless the consignment is being transhipped within the maximum time period (see [Section 9](#)), copies are not acceptable.**

5. Certificates must be legible. There is no international convention that requires details to be typed although this is preferable. Any alterations to certificates must be closely examined to detect fraud. Liquid paper (e.g. "Tippex") must not have been used. All alterations to certificates should be crossed through (not obliterated) and stamped and signed by the same person signing the certificate. Changes marked by initials may be accepted at the OVS's discretion. Faxed or photocopied versions of certificates cannot be considered as original documents, as it is not possible to detect alterations made using liquid paper or any other fraudulent changes. If a consignment is presented with a faxed or photocopied certificate, it should be made clear to the importer or his agent that his consignment will not be accepted unless the original certificates are produced.

6. The only exception to the requirement for original certificates is goods being transhipped to another Member States where an **authenticated** copy (i.e. a copy bearing an original signature of the OVS in the exporting country) can be accepted for documentary checks. If the consignment is fully cleared because it is stored for more than the maximum time the original certificate **must** be provided (see [Section 9](#)). If the OVS has any concerns about the consignment or if the consignment is rejected on the initial check the original certificate should be requested.

7. Directive 97/78 requires that the OVS consult the SHIFT database to check the rules for the consignment concerned. [Article 4(2) of Council Directive 97/78/EC concerns the checking of the database.] As the database is not currently available, decisions in the Compendium/TRACES, lists of establishments on the Commission website and information on rejected consignments available on the TRACES system should be consulted.

#### [97/78/EC Article 6 (b)]

8. A documentary check should be carried out on all consignments unless transhipment to another BIP takes place under Article 9 in less than the minimum time intervals laid down in Commission Decision 2011/215/EU apply. This decision establishes the detailed rules for the application of Article 9 of Council Directive 97/78/EC about products transhipping at a BIP where the consignments are intended for eventual import into the European Union. Documentary checks are not required on third country to third country transits, which have been pre-notified and remain within the curtilage of the port or airport for less than 7 days for a seaport or 12 hours for an airport. Member States may (with the agreement of SCOFCAH) extend the minimum period for seaports to 14 days. Defra does not currently intend to apply for such an extension.

9. The importer should be offered an authenticated copy of certificate. If import is refused due to lack of compliance with EU requirements the certificate should be over-stamped to the effect that EU entry is not permitted. The documentary check should be done in the inspection centre where the consignment is held - not a remote office outside the BIP facilities.

10. Best practice: some BIPs find a checklist helpful when carrying out documentary checks and the FVO commended this approach. However BIPs should make sure that all the required elements are included. Where such a document is used to record the outcome of checks and is



then used as evidence to support signing off a CVED by someone who wasn't present at the inspection then it must be signed and dated by the officer who carried out the checks. A model checklist is provided at [Appendix D](#).

11. Where an original certificate has been lost or destroyed, the competent authority of exporting country may provide an authenticated copy of the original certificate. Codex rules allow for replacement certificates to be issued. Commission advice is that these should be used in limited circumstances such as lost or destroyed certificates and for minor mistakes in the original certificate. They should not be used for more fundamental problems such as misrepresentation of the consignment. Replacement certificates should include the reference number of the cancelled certificate. Further guidance on replacement certificates can be found at point 4.2.2 in the transit guidance.

[http://ec.europa.eu/food/animal/bips/docs/guidance\\_transit\\_transshipment.pdf](http://ec.europa.eu/food/animal/bips/docs/guidance_transit_transshipment.pdf)

12. Some health certificates have CN codes printed on the model version in the Commission Decision. These CN codes are for guidance and other codes are acceptable if relevant to the product.

13. The Commission has issued advice on the removal of text from certificates which is not relevant to the country/product. The Commission have advised that the clauses which are not required can be either printed on the certificate and crossed through or can be completely omitted from the certificate.

## Identity checks

**Summary:** All consignments are to be checked. Some containers from each consignment are to be opened unless EU import rules require them to have an official veterinary seal (and they have it).

1. An identity check is defined as "a check by visual inspection to ensure that the veterinary certificate(s) or veterinary document(s) or other document(s) provided for by veterinary legislation tally with the product itself". The purpose of the identity check is to confirm that the products match the information given in the veterinary certificates or documents for the consignment. The detailed rules relating to identity checks are in Article 4(4)(a) of Directive 97/78/EC.

### [97/78/EC Article 2(2)(c)]

2. The OVS should carry out an identity check at the BIP on every consignment except for those exempt under Article 9 of Council Directive 97/78/EC. They include consignments transhipped to another BIP in less than the minimum time intervals described in [Section 9](#). Most New Zealand consignments are also exempt from identity checks under the Equivalence Agreement.

3. An identity check involves checking that the stamps, official marks, official labelling and/or health marks on the product or its packaging match with those recorded in the documents for the consignment. Containers (other than those referred to below) will need to be opened so that these can be seen. The check should not be restricted to boxes immediately visible by the container door.

4. For containers which are required by EU law to be sealed by the competent authority in the country of origin, a simple check that the number on the veterinary seal matches with that on the health certificate may be regarded as an acceptable identity check. The OVS will insist on the container being opened if

- (1) the OVS is not satisfied that the seal number has been recorded by the veterinary authorities (i.e. if it could have been added later by the transporter, exporter or importer) or;
- (2) if there is evidence of lack of control at the time of the certificate was signed or;
- (3) all the information has not been provided (eg number of packages not provided).

Incorrect seal numbers may result in the rejection of the consignment.

[See Appendix L](#)

5. Where a consignment is not transported in a sealed container or the OVS does not feel a 'seal check only' is appropriate, the container or other means of transport should be opened and the OVS should carry out a visual inspection of the packages to check that the description matches that on any document with the consignment. The procedure should include:

- (1) for all types of products, a check for the presence and conformity of the official stamp or health marks identifying the country and establishment of origin and that these matches those on the certificate or document;
- (2) in addition, for wrapped products, inspection of the labelling information where this is required by veterinary legislation.

6. Identity checks should be carried out at approved inspection facilities. Seal numbers may be checked at an alternative and suitable place if agreed with the RVL/ROD/DOS.

7. Selection of consignments/parts of consignments should be done by the inspection team at the BIP - not in advance by shippers or whilst still partially loaded on carriers. Some identity checks should include packages taken from throughout the load: this may require a full or partial turnout of the container.

## Physical checks

**Summary:** Checks are to be carried out according to frequencies laid down in Commission Decision 94/360/EC or equivalence agreements. Higher levels permitted in certain circumstances.

1. A physical check is defined as "a check of the product itself, possibly including sampling and laboratory testing".
2. The detailed rules for carrying out physical checks are set out in Annex III of Directive 97/78/EC, which is attached at [Appendix E](#).
3. OVS have powers to carry out any checks they deem to be appropriate in cases where they suspect that veterinary legislation has not been complied with or there is some other doubt about the consignment or its destination.
4. There may be occasions where it will be necessary to request, for a limited period, a higher level of checking on certain products from certain third countries (e.g. as a result of an outbreak of disease in that third country). In these circumstances, each BIP registered as eligible to handle the product in question will be notified by Defra/FSA in writing of any temporary increase on the level of checking required.
5. Council Directive 97/78/EC requires that 100% documentary, identity and physical checks should be carried out on consignments. However, it also provides for a Decision to be made to derogate certain products from this requirement. Commission Decision 94/360/EEC does lay down reduced physical checking levels for harmonised products and for countries which have concluded equivalence agreements with the European Union. The levels of checks are laid down in [Appendix F](#).
6. The consignments selected for physical inspection should be chosen on a random basis. It should not be every 5<sup>th</sup> consignment imported for group one of 94/360 products. You could consider tossing a coin for group two products or drawing a number 1 – 5 from a hat, a random number generator on the computer could also be used. The level of checks should be assessed occasionally to ensure that the correct level of checks is applied per category (i.e. I.1) and country. The selection does not need to go lower than the category level.
7. Physical checks should be carried out at approved inspection facilities. Selection of consignments/parts of consignments should be done by the inspection team at the BIP - not in advance by shippers or whilst still partially loaded on carriers. Some physical checks should be done on packages taken throughout the consignment: this will require a full or partial turnout of containers. A sample of a frozen consignment should be defrosted and a sample of packaged consignment should be unwrapped so that the full range of organoleptic tests may be carried out. Where consignments consist of multiple containers, the FVO has recommended that the BIP consider carrying out a physical check on more than one container in the load – the detailed rules for physical checks on multiple packages in Annex III of Directive 97/78 ([Appendix E](#)) could be used as a guide.

8. A physical check should be carried out on all consignments **at the BIP facility** unless they are:

- goods transiting to a non-EU State;
- Article 9 products;
- are subject to the reduced frequency of checks provided for in Commission Decision 94/360/EC for fully harmonised goods with full establishment listing; or
- an equivalence agreement has reduced the level of checks.

Under any of the above checking arrangements the OVS must over-ride this where an animal or public health risk could be present.

9. Sampling procedures are laid down in Annex II to Regulation (EC) 136/2004 laying down the procedures for veterinary checks at EU BIPs on products from third countries. BIPs should submit samples to: public analysts appointed by the local authority for food or feed analysis, Health Protection Agency Food, Water and Environmental Microbiology laboratories for food examination or , where appropriate, other laboratories accredited for specific analytical techniques. Results of samples should be included in TRACES when received.

## National Monitoring Plan

### Background

1. Directive 97/78/EC and Regulation 136/2004 require Member States to have a national monitoring plan for residues and other contaminants.

2. The UK National Monitoring Plan for imports of products of animal origin from third countries is at [Appendix K](#). The plan has 4 parts: an introduction which explains the legal base; the matrix which gives relevant legislation and potential contaminants by 94/360 category; further guidance on potential contaminants for specific products; and the spreadsheet to provide the return. When completing the return please use the pick list for the main category.

3. Authorised Officers should use the matrix and the further guidance to target samples that are taken. Overall 1% of consignments which are physically checks should be sampled. The samples should cover the full range of contaminants and products in the plan. Samples may be tested for more than one substance (but it still only counts as one consignment sampled). You may use previous results and RASFF to direct sampling (i.e. which contaminant(s) to sample for) but you should note that this is a monitoring plan rather than safeguard activity so there should be some unpredictability to the choice of consignment to be sampled. Due consideration should also be given to the Food Law Code of Practice and associated Practice Guidance issued by the Food Standards Agency. All BIPs should have a plan however were the throughput is zero or extremely low it is acceptable to have a plan which requires that no samples are taken until throughput rises.

4. The plan does not include samples taken under the VMD's non-statutory surveillance programme. Authorised Officers should not therefore record the results of the non-statutory surveillance programme in the return at the end of the month. However where VMD samples test positive for a banned substance or exceed an MRPL, appropriate regulatory action should be taken in accordance with advice from the Food Standards Agency and you should notify Defra in accordance with [Section 15](#). Similarly, any positive result received from samples taken under the monitoring plan might trigger Article 24 procedures. Samples taken as a result of Article 24 procedures should not be included in the return. The return should include microscopy and samples taken for bacteriological examination as part of the general import controls. Samples taken based on suspicion, where the consignment is not subject to an Article 24 procedure, should also be included in the plan.

5. Reporting arrangements are given in [Section 6](#). Defra and the FSA will be monitoring the returns made and if any of the categories have a shortfall we may ask BIPs to increase the number of samples taken for a particular contaminant.

## Products departing the BIP prior to receipt of test results

**Summary:** Normally products will not be allowed to leave the BIP pending test results. Only in limited cases will detention at the BIP not be necessary.

1. In cases where samples are taken for analysis and the results will not be known for at least a few days, consignments will not be given a CVED and will not be able to leave the BIP if:

- the testing is for a substance or pathogenic agent which presents a direct or immediate animal or public health risk; or
- the testing has been carried out as a result of information on previous unfavourable test results (including those subject to Article 24 procedures).

2. The veterinary authorities for the area of destination (including UK destinations) should be advised of any pending test results by TRACES, or if TRACES is not working by fax.

**[97/78/EC Article 8 (2) 2<sup>nd</sup> para]**

3. Consignments which are sampled as part of the VMD non-statutory sampling plan and those taken as part of routine sampling at the BIP or the national monitoring plan do not need to be detained pending the results of the analysis.

## Common Veterinary Entry Document (CVED)

**Summary:** The CVED is to travel with the load.

1. A requirement exists in Articles 3 and 5 of Directive 97/78/EC for the OVS to provide a certificate confirming that veterinary checks have been carried out. The certificate is known as a Common Veterinary Entry Document. The certificate should be produced via the TRACES system. The certificates must only be signed by the OVS - it is not acceptable for the certificate to be signed by other officers (except for fish and fishery products which may be signed by an OFI). Each certificate will be assigned a serial number by TRACES. The OVS must retain copies of the CVEDs and original third country health certificates or health documents accompanying consignments for 3 years. The CVED is a veterinary certificate and should comply with all the EU and RCVS standards of certification. It must be on a single sheet of paper and must be fully completed.

### [97/78/EC Article 5 (1)]

2. An importer or his representative is required to notify the local authority responsible for the BIP of the impending arrival of a consignment. This notification should include all the elements of Part I of the CVED and should be provided before the consignment is unloaded. Ideally this should be done by the TRACES system.

### Regulation 14, TARP Regs

3. As an alternative to this, it shall be permissible for the necessary details to be received by electronic means and for part 1 of the form to be filled in on the importer's behalf. The OVS may permit pre-notifications to be made via the manifest if all the details contained in Part 1 of the CVED are included in the manifest. Telephone notifications are not acceptable.

4. The OVS must record on the CVED which of the checks have been carried out. For example if the consignment has received only documentary checks and identity checks, the boxes for these checks should be marked and the box for physical check left blank.

5. There is a space on the CVED for the OVS to place a seal on the certificate; this should be interpreted as being an official stamp, and the OVS should have a rubber stamp made up as follows: -

(NAME OF BORDER INSPECTION POST)		
<b>UK</b>	<b>OFFICIAL</b>	<b>UK</b>
<b>VETERINARY SURGEON</b>		
(NAME OF LOCAL OR PORT HEALTH AUTHORITY)		

6. The local authority should provide stamps for this purpose. It is the responsibility of the OVS to ensure that the stamp is kept in a secure place, and is only applied by the OVS. Where checks on fish or fishery products are not the responsibility of the OVS a similar stamp should be used but it must **not** include the wording "Official Veterinary Surgeon". The words "Official Fish Inspector", "Port Health Officer" or "Environmental Health Officer" may be included in the stamp instead.

7. On completion of the veterinary checks with satisfactory results the OVS will complete and sign the CVED. This will be subject to the necessary fees having been paid or a satisfactory guarantee of payment has been received. The OVS must only sign the CVED if all the required checks have been carried out. Veterinary checks clearance must not be given unless the OVS is satisfied that all of the import conditions have been met.

8. The official veterinary surgeon must retain **original** certificates or other health documents accompanying consignments. These must be kept at the border inspection post for 3 years. Authenticated copies of the originals must be provided to importers.

**[97/78 Article 7]**

9. The exceptions to this rule are if the products are destined to be re-exported to another country outside the EU, for example 3<sup>rd</sup> country transits and transhipments to other Member States. In this case copies of the original documents should be made and retained at the BIP for 3 years, the originals travelling with the goods.

10. The CVED shall accompany the consignment/part consignment as long as it remains under customs supervision or in the case of import as far as the first establishment as referred to in Council [Directive 89/662/EEC](#) (concerning veterinary checks in intra-Community trade with a view to the completion of the internal market) or as far as the first centre or organisation of destination as referred to in Council Directive [90/425/EEC](#) (concerning veterinary and zootechnical checks applicable in intra-Community trade in certain live animals and products with a view to the completion of the internal market). Commercial documents will then be used to trace the consignments. CVEDs should not be sent direct to HQ (e.g. LNH, Pentland House or Cardiff).

**[97/78/EC Article 5 (2)]**

11. The definition of "consignment" should be respected when receiving pre-notifications and issuing CVED certificates. Consignments covered by multiple animal or public health certificates should be treated as separate consignments and a charge raised on each. If splitting at the BIP is requested then a master CVED should be issued covering the one charge and daughter CVEDs with linked numbers be issued for each part.

**[97/78/EC Article 5 (3)]**

12. In every case where checks are carried out a CVED should be issued. If import was refused this should be clearly indicated in addition to the original certificates being annotated as not suitable for EU entry. Where transhipment, transit or warehousing is to follow the CVED should indicate this. The CVED should be created by the TRACES system. The information on destination address etc under par. 1 should normally correspond to the certification. If the



delivery address is different to the one on the health certificate, commercial documents may be requested to show the reason for the difference. The BIP should have a contingency plan for producing CVEDs (which should be identical to the model in Regulation (EC) No 136/2004) in case the TRACES system is not available.

13. If the original CVED is not created using the TRACES system, the TRACES entry should be created on the same day. If this is not possible because the system is unavailable it should be created as soon as possible when the system is restored. The TRACES entry should be an accurate record of the CVED. Spelling mistakes and other minor errors should **not** be corrected in the TRACES version. However, OVS should remember that the RCVS principles of certification apply to the CVED and every effort should be made to ensure that the information (including the details provided by the importer) is correct. Where necessary Part 1 of the CVED should be returned to the importer to correct. Time for proof-reading and quality checks should be factored into the time spent to clear a consignment. Errors are sometimes made when selecting an item from a pick list so careful attention should be paid to the third country details and the CN code used. Where 8 digit CN codes are available in TRACES, these should be used to describe the consignment.

14. Where consignments are split at the BIP each part of a consignment must move with a daughter CVED covering only that part of the load. Requests for one CVED per container notified as going to one address should be refused.

15. Commission Regulation 136/2004 provides for consignments to be split after veterinary checks have been completed and before the consignment has been Customs cleared. The legislation allows for the competent authority of the establishment to issue an authenticated copy of the CVED with the revised quantity or weight annotated on it. The competent authority in this case would be the local authority for the establishment and even if it is located within the port an EHO (if they are responsible for domestic enforcement) would be able to do this as it is no longer under the control of the BIP.

16. Where harmonised EU rules have not been laid down for a product, such as animal by-products authorised under Article 41.3 of Regulation (EC) 1069/2009, the consignment should be released for the UK market only. In box 21 of the CVED, "other" should be ticked and the for box 32 which should also be marked to say UK use only. The importer should be advised that before the consignment, or any part of it, is moved to another member state, the veterinary authority of the member state of destination must confirm that they are content for the consignment to be despatched.

## Exceptions from veterinary checks

1. Exceptions from the requirements of the veterinary checks regime are:
  - personal imports which form part of travellers' luggage and small consignments sent to private persons, provided they are for human consumption; come from a



country approved to send such products to the EU. Detailed rules are laid down in Commission Regulation 206/2009. Personal imports of meat, meat products, milk and milk products are not permitted from outside the EU other than Andorra, the Faeroe Islands, Greenland, Iceland, Liechtenstein, Norway, San Marino and Switzerland. Further details are available on the illegal imports website. <https://www.gov.uk/bringing-food-animals-plants-into-uk/pets-and-other-animals>

- incoming ships' or aircraft stores brought in on one vessel or aircraft for direct transfer to another;
- trade, exhibition and research samples, which must be authorised prior to importation.

2. Although the products listed above are not subject to veterinary checks, they are still subject to national controls. Consignments of trade or research samples should be accompanied by an authorisation under the TARP Regulations ([See section 11](#)).

3. Third country military supplies destined for UK or EU bases are **not** exempt from veterinary checks.

## Fresh fishery products immediately landed from a third country-flagged vessel

1. Fresh fishery products which are immediately landed from a third country vessel which have not been landed or stored elsewhere should be checked using the intra-EU trade rules laid down in Directives 89/662/EEC and ([EC](#)) [Regulation 853/2004](#).

## Equivalence/International Agreements

1. The European Commission is negotiating equivalence agreements with our major trading partners. Once in place these are expected to reduce the level of checks on animal products from those countries, to below those set by 94/360/EC. We currently have such agreements with Canada, Chile, New Zealand, Switzerland and USA. The agreements still require documentary checks on all consignments. The New Zealand agreement merges the identity and physical checks and substantially reduces the number of checks. The Canadian agreement requires 100% identity checks but reduces the level of physical checks below the levels in Commission Decision 94/360/EC. Chile and USA are still on the 94/360 level of checks. Levels of checks for equivalence countries are laid down in [Appendix F](#).

2. The Canadian Equivalence Agreement states that in the event of a frontier check revealing non-conformity with the relevant import requirements, importation will be based on an assessment of the risk involved.
  
3. The European Union and the Swiss Confederation adopted an equivalence agreement in December 2008. The Agreement is enacted by [Council Decision 2008/979/EC](#) which came into force on 1 January 2009. This Agreement allows consignments of animal products to be traded under the same conditions as for intra-EU trade. Therefore consignments of animal products from Switzerland do not need to be veterinary checked on entry. The Agreement also applies to products from Liechtenstein which are treated in the same way as Switzerland from a veterinary point of view under an [additional agreement](#). Norway and Iceland are in the same position as signatories of the European Economic Area. A similar agreement has been reached with the Greenland authorities but they are yet to approve any establishments under the agreement.

## 6 Record keeping

### EU legislative provisions

The following records must be kept at the BIP (where this information is not available on TRACES):

1. Up-to-date information on consignments of products for which import or entry into the EU has been refused and which have been re-dispatched; each Member State shall communicate to the other Member States and the Commission all information concerning the re-dispatched consignments; this information shall be communicated to each BIP by the central competent authority (see [Appendix I](#) for further details) – this should be done by TRACES (this should be stored on TRACES);
  
2. A register according to Commission Decision 97/394/EC 'establishing the minimum data required for the database on animals and animal products brought into the EU' (stored on TRACES)
  
3. A register of all consignments either re-dispatched according to Commission Decision 97/152/EC (concerning the information to be entered in the computerised file of consignments of animals or animal products from third countries which are re-dispatched), or destroyed, or authorised by the official veterinarian at the BIP for use other than for human consumption; this register shall record all instances where there is a deadline for action or response by the official veterinarian in the case of goods rejected, sent in transit or channelled, and where follow up

action is required; **This follow-up information can't be stored on TRACES so the register must be maintained.**

4. A register of all samples taken at the BIP for purposes of laboratory tests, together with details of the laboratory test requested and the results (favourable and unfavourable) of such tests; **Although TRACES now includes the results of samples, this information should still be kept separately for the time being. TRACES should be updated with the results of the analysis when this is received.**

5. **Copies of the following information should be retained:**

(i) the CVED (after completion and stamping) for a period of three years. (But also see the section on clearance in [Section 5](#))

(ii) the original of each third country health certificate or document which accompanies a consignment, for a period of three years.

(iii) all submission forms with which samples are sent to laboratories for examination and a record of the results of all such examinations, for a period of one year (electronic or hard copy for the monthly return).

**[01/812/EC Annex par. 4]**

**[06/590 Article 3]**

6. Where the BIP is split into more than one inspection centre, records of the checks carried out in each inspection centre should be kept.

**[01/821/EC Article 5]**

## **Explanatory points**

1. Information on consignments checked at the BIP should be kept in accordance with Commission Decision 97/394/EC (establishing the minimum data required for the databases on animals and animal products brought into the Community). This information is now stored on the TRACES system and a separate register does not need to be kept.

2. Information on rejected consignments should be kept in accordance with Commission Decision 97/152/EC concerning the information to be entered in the computerised file of consignments of animals or animal products from third countries which are re-dispatched. Documentary proof that consignments were re-exported should also be kept. TRACES will hold records of consignments rejected in other Member States. Details of information to be held are at [Appendix I](#). This information is now stored on the TRACES system and a separate register does not need to be kept however the support documents should be kept at the BIP.

3. Full traceability of samples through to result notifications to importers must be available. Specimens should be referenced with the CVED reference number for ease of reference.
4. Commission Decision 2001/812 requires that a register of ...”all instances where there is a deadline for action of response by the official veterinarian in the case of goods rejected, sent in transit or channelled, and where follow up action is required”. There should be a mechanism for monitoring deadlines for action. Follow up action taken should be recorded in the register together with date such action was taken. Documentary proof that the rejected consignments have been destroyed or re-exported should be kept.
5. Commission Decision 2001/812 requires information to be kept on the products checked in each inspection centre. TRACES can't identify which inspection centre is used for each check so this record will still need to be maintained. However the Decision does not specify what information is required. We believe that a simple register such as product/country/CVED Number would be sufficient. In addition information on samples taken to enable Defra to forward to the Commission in the appropriate format and consignments where follow-up action is required (i.e. channelled or rejected consignments) also need to be maintained.
6. UK domestic requirements are no longer included in the TARP Regulations however returns are still needed as BIPs will still need to meet the EU requirements.
7. The requirement for a return has been removed from Decision 1994/360 as this information can be obtained from TRACES. BIPs will need to check these records to ensure that they are meeting the physical check levels laid down in that Decision.

## Non-statutory records

1. When FVO inspectors audit the BIP they will also expect the BIP to have the following records on the day-to-day operation of the BIP.
  - (i) Food hazard warning information sent to food authorities under the RASFF system should be available at BIP.
  - (ii) A copy of the national residue sampling plan should be available.
  - (iii) Copies of all documents relating to control procedures, verification checks and audits should be kept so that these procedures can be related to FVO inspectors.
  - (iv) A list containing addresses and contact numbers for animal and public health sample laboratories, animal waste facilities under The Animal By-Products Regulations 2011 and the local RVL/ROD/DOS.
  - (v) The official veterinarian must have an adequate knowledge of any free zones, free warehouses, customs warehouses or ship suppliers within, or closely associated with, the border inspection post area.

**[01/812/EC Annex par. 5]**

(vi) Records relating to checks carried out on disposal facilities for catering waste. The official veterinarian must have at least an adequate knowledge of the arrangements for the disposal of waste products of animal origin unloaded from transports in the area under his jurisdiction. Where disposal arrangements are further under his responsibility, records of checks made and anomalies found must be kept. Where disposal is under the responsibility of another competent authority, the official veterinarian shall liaise closely with this body, and have available all necessary relevant information.

**[01/812/EC Annex par. 5]**

(vii) Documented procedures for dealing with maintenance and cleaning deficiencies – including any letters sent to the port operator requesting action to correct deficiencies.

(viii) Copies of information passed to local customs services to make clear what products should be directed to the BIP. Information regarding any meetings held locally with Customs or information passed to Border Force on concealed/illegal consignment identified by the Port Health Staff or increased animal health risks.

(ix) Cleaning protocols.

(x) Details of training undertaken by OVS, official fish inspectors and authorised officers, including any meetings to discuss best practice at the BIP and cascade training from officers who attended Commission, AHVLA, Defra or FSA update training.

(xi) Contact name and address for the local Border Force office.

## Submission of returns

1. The sampling return should be sent to the RVL//ROD/DOS and The Import and EU Trade Team ( e-mail [ITAP@defra.gsi.gov.uk](mailto:ITAP@defra.gsi.gov.uk).) every month: it should arrive within **10 working days** of the end of the month, using the spreadsheet to be found at [Appendix M](#). Where possible these returns should be made electronically in the excel spreadsheet provided.

2. The form at [Appendix M](#) should be completed for any samples taken as part of the national monitoring plan and any safeguard samples taken during the month.

(i) Country of origin should be recorded by name not ISO code.

(ii) There should be a description of the product (fresh red meat, cooked prawns).

(iii) “Main category” should be selected from the pick list of sample groups

(iv) “Sampled For” should include more specific information on the contaminant sampled for e.g. Chloramphenicol.

3. All samples taken in the month should be recorded. Results of the analysis should be backfilled when they are received. The whole spreadsheet should be sent each month.

## 7 TRACES

1. The TRACES computer system has replaced ANIMO and SHIFT. The system is a web-based system. There is a user manual available on the TRACES website

<https://sanco.ec.europa.eu/traces/> There is also more information on the Defra website: [TRACES section](#)

2. Some consignments will require a TRACES control message (see below). In practice this simply requires the routine creation of a CVED. Where boxes 33, 34, 35 or 36 are used the destination address must be specified in box 37.

### When to send a TRACES message

1. There are seven circumstances under which a message should be “sent” by a BIP, and these are:

(i). To notify onward movement of third country products from a BIP to a Member State having special requirements or where the results of samples taken are outstanding;

**[97/78 Article 8]**

(ii) When channelled goods such as raw material for the manufacture of animal feedingstuffs and pharmaceutical or technical products are imported into the Union. The OVS is to notify the OVS responsible for the processing plant, storage warehouse/facility, using TRACES, telex or fax – see [Appendix J](#);

(iii) When the checks at a BIP show that the consignment does not comply with the rules which would allow its entry into the Union but the OVS authorises its importation for another use. In this case the product must go to a plant registered under The Animal By-Products Regulations 2011, under strict supervision, part of which will entail sending a message to the RVL/ROD/DOS responsible for the plant;

**Reg 22, POAO**

(iv) To notify the movement of products between customs free zones/warehouses in one Member State and those in another;

(v) To notify the transiting across the Union territory, via customs free zones/warehouses, of products that do not comply with EC rules;

(vi) To notify the RVL/ROD/DOS responsible for an establishment when goods are re-imported following rejection by a third country;and

- (vii) When a rejected consignment is re-dispatched to a third country a TRACES message should be sent.
- 2. The TRACES system does not actually send a message – all CVEDs are stored on a database. In the above cases, the OVS should ensure that one of the control boxes 33 – 36 are used.
- 3. To enable AHOs to receive e-mail notifications via TRACES of all channelled consignments into their Division, the notification related to CVEDP validation (specific warehouse procedure) box must be checked under the 'modify user profile' section.

## When you should receive a TRACES message

- 1. There are a few cases when TRACES messages will be received by a BIP:
  - (i) When a third country consignment is in transit to another third country, the BIP of exit receives a TRACES message;
  - (ii) When rejected consignments are redispached to a third country a TRACES message will be received; and
  - (iii) Confirmation of receipt of channelled goods - the control part of the CVED should be used by AHOs to record receipt.

## Entering data

If CVEDs are issued manually rather than by TRACES, the TRACES system should be updated as soon as possible and at least on the same day or the day the system is back on-line (where TRACES is not available). The TRACES record should accurately reflect the original CVED so any minor errors should not be corrected when the data is entered.

## 8 Special cases

### Import of furred (i.e. unskinned) wild game

**Summary:** Deferral of checks to place of destination. Customs controls apply.

1. The health check and residue analysis on imported unskinned furred wild game is to be carried out in the establishment of destination.
2. Such consignments will only be permitted to leave the BIP if they are in sealed leak-proof containers (a CVED will not be provided unless this is the case).
3. T5 procedures apply during transit and the premises of destination, if it is in the UK, must be approved by customs as a place of temporary storage.
4. The results of any further checks carried out at destination should be sent to the OVS. If the results show a serious infringement or that maximum level of residues has been exceeded, Article 24 procedures should be instigated. ([See section 15](#))

### Consignments for which EU law requires the journey from the BIP to the premises of destination to be monitored

**Summary:** Example of such consignments include: raw materials for the manufacture of animal feed and raw material for purposes outside the food chain. Customs controls apply.

1. EU law provides for the transportation of certain consignments to be monitored from the BIP to the premises of destination, or to an intermediate cold store. By-products establishments should be specifically approved to accept channelled goods. In the UK all by-products establishments approved for the relevant product/category are approved to accept channelled goods. If consignments are destined for another Member States, OVS may wish to check that the destination establishment is approved for channelled goods, please contact the SSCI if you require any assistance.
2. For such consignments the following rules apply:
  - the products must be transported to the establishment of destination, or to an intermediate store in sealed leak-proof containers or vehicles (with completed CVED).



- customs T5 supervision apply from the BIP until arrival at the premises of destination, or to the intermediate premises. Customs guidance on T5 procedure is provided in [Appendix V](#).
3. The authorities responsible for the premises of destination or the intermediate cold store will be notified of the consignment at the time of departure from the BIP.
  4. The ROD/RVL/DOS should confirm receipt of the consignment at the establishment of destination within 15 days. Where no confirmation is received within 15 days you should contact your local Animal Health liaison officer and ask him/her to seek confirmation from the relevant ROD/RVL/DOS that the consignment has been received.
  5. If the ROD/RVL/DOS for the plant of destination is able to confirm that the consignment never arrived the OVS for the BIP concerned should contact the person responsible for the load and seek an explanation. Any unsatisfactory explanation should be treated as a non-compliance with the TARP Regulations.

### Regulation 19, TARP

6. The OVS should record all action taken in the register for channelled goods (see [section on record keeping](#)).
7. Further details are available on channelled goods in [Appendix J](#).

## Microscopy testing of fishmeal

1. In addition to the animal health import conditions laid down in the Animal By-products Regulation 142/2011 (including relevant salmonella testing), Annex XIV of the TSE Regulations requires that imported fishmeal consignments must be analysed by microscopy before release in accordance with Commission Regulation [152/2009](#).
2. The consignment must be held at the BIP pending the results of the sample.
3. Samples must be representative of the consignment. Containerised consignments may be treated as packaged and sampled as per the protocol applicable for bagged consignments. A summary of the protocol, which is based on [Commission Regulation \(EC\) No 152/2009](#), is at [Appendix R](#) with the sample submission form. OVS should contact ROD/RVL/DOS for guidance on the sampling strategy if required.
4. The OVS should send samples to the VLA Newcastle Whitley Road, Longbenton, Newcastle Upon Tyne, NE12 9SE for fishmeal microscopy and any additional tests as appropriate. The submission form POAO 1 (10/02) can be obtained from the ROD/RVL/DOS via the on-line Forms catalogue. The CVED reference number and address of destination

establishment must be stated on the form. Each sample should weigh at least 500g. Further instructions/guidance on sampling and submission procedure can be obtained from the ROD/RVL/DOS. AHVLA will send results to the originating BIP. If the result is unsatisfactory, it will be copied to Imports and EU Trade Team, Defra.

5. The OVS should clearly state on the TRACES message/CVED that microscopy has been carried out and the result of microscopy.
6. The PHA should recover the charges for microscopy and other tests from the importer.
7. If the consignment is destined for an intermediate store, its onward movement to the feed mill will be subject to official controls as set out in national feed audit programme.
8. The same protocol may be used for salmonella sampling of processed animal protein but for packages up to 15 the increments should be 5 and the sample sent to Newcastle should be 500g.

## Salmonella positive fishmeal for reprocessing

1. If a consignment of imported fishmeal tests positive for salmonella, the OVS may allow the consignment to be moved inland for re-treatment provided the other import conditions in Regulation 142/2011 have been met. In this case the consignment should be treated under Regulation 22: therefore no rejection notice should be issued. The CVED should be issued with Box 35, option 3 (transformation) completed. The reprocessing plant should be included in box 37. The destination of the consignment must be agreed with the enforcement authority for animal feed (usually Trading Standards) for the reprocessing establishment as they may not be able to provide personnel for the sampling required after the treatment. The enforcement authority must arrange for the consignment to be sampled after reprocessing to ensure that the treatment has been successful. Treatment of the material prior to use could include the decontamination by chemical treatment. Sampling, clearance and the collection of fees should be done in accordance with the Animal Feed Regulations. The OVS should be informed of the result of the sample so that the register of non-conforming consignments can be updated.

## Photographic gelatine

1. Imports of photographic gelatine are subject to special import conditions as it is made from vertebral column. These are laid down in Regulation (EU) [142/2011](#). Consignments may only be imported through specifically approved BIPs: in the UK Felixstowe, , Heathrow and

Liverpool are approved to handle photographic gelatine. The destination establishment must also be approved. There is one establishment in the UK, which is Kodak Ltd in Harrow. For photographic gelatine, the original certificate should accompany the consignment to destination. Consignment must be channelled to destination – instructions are given in [Appendix J](#).

## Brazilian Beef

1. Following a review of their sanitary certification system, the Brazilian authorities introduced a verification procedure for their certificates to increase transparency and confidence and combat fraud. The certificates for products of animal origin have a 32 alpha-numeric code. The OVS should check the code on the Brazilian website, <http://www.agricultura.gov.br/csi> to verify the authenticity of the certificate. A copy of the Brazilian instructions issued in June 2008 should be kept at the BIP.

## Labelling requirements for animal by-products

1. Regulation 1069/2010 requires that a label be attached to the vehicle, container, carton or other packaging to indicate the category of the animal by-products or the animal by-products which the product was derived from;

- Category 3 material should be marked “Not for human consumption”;
- Category 2 material, other than manure and digestive tract content, should be marked “Not for animal consumption” unless intended for feeding to animals referred to in Article 18(1) of Regulation (EC) No [1069/2009](#) then the label shall instead indicate “for feeding to...” Completed with the name of the specific species of those animals of those animals for the feeding of which the material is intended;
- Category 1 material should be marked where they are destined for - disposal - “For disposal only.
- The manufacture of petfood – “for manufacture of petfood only”
- The manufacture of a derived product referred to in Article 36 of Regulation (EC) No [1069/2009](#) – “for the manufacture of derived products only. Not for human or animal consumption or for application to land.”

These requirements may be supplemented by detailed rules for specific products.

2. Bones and bone products must be in sealed containers bearing the name and address of the technical plant of destination. The term container is not further defined and therefore Defra

are content for individual bags to bear this label rather than the outer shipping container (as labels can easily fall off or be damaged in transit).

3. Dried mealworms for feeding to wild birds – Annex XIV, Chapter IV, Section 2 of Regulation (EU) No [142/2011](#) permits imports of terrestrial invertebrates and their larvae for purposes other than feeding to farmed land animals and we are content for these to be imported provided they are dispatched in ready to sell packages bearing a label that they are for feeding to birds or this purpose is clear from the packaging.

## Composite Products

Detailed rules for imports of composite products (that is products which are a mixture of products of animal and plant origin) have been laid down in Commission Decision 2007/275/EC. Additional guidance for importers and enforcement agencies on the Defra website.

<http://www.defra.gov.uk/animal-trade/imports-non-eu/iins/animal-products-hc/>

## 9 Transhipments to another Member State

The Commission have provided detailed guidance on transits and transhipments which is available on their website:

[http://ec.europa.eu/food/animal/bips/docs/guidance\\_transit\\_transhipment.pdf](http://ec.europa.eu/food/animal/bips/docs/guidance_transit_transhipment.pdf)

## Circumstances in which checks may be deferred to a subsequent EU entry point

**Summary:** Checks are to be carried out on transhipments depending on time spent at the BIP of entry.

1. Article 9 of Council Directive 97/78/EC provides for certain consignments arriving at a seaport or airport BIP to be transhipped on to another BIP at which some or all of the veterinary checks would be carried out. (But note that BIPs at which checks are carried out must be approved for the products concerned). These provisions relate only to consignments which do not leave the customs area of the port or airport of the first BIP of arrival and which remain there for less than a pre-determined maximum period of time and leave by the same means of transport (i.e. ship to ship or aircraft to aircraft).
2. The type of checks (if any) carried out at the first BIP depend on whether the products are unloaded onto the quayside or airport tarmac and on the length of time they remain in the port or airport.
3. At the time of arrival, the person responsible for the consignment must notify the OVS of the estimated time of unloading, the BIP of destination and if necessary the exact location of the consignment.
4. If other checks reveal that the consignment should not be accepted for import into the EU, the OVS should carry out the checks and reject the consignment at the first point of entry rather than allowing the consignment to be transhipped.

[2011/215/EU Art. 1]

## Products which are transferred directly from vessel to vessel or aircraft to aircraft

**Summary:** OVS are permitted to allow direct transhipments to another BIP without carrying out veterinary checks.

1. The OVS may allow consignments to be transhipped to another BIP without any veterinary checks having been carried out if transfer is directly ship-to-ship or aircraft-to-aircraft. The agent must, however, provide the BIP Authority with a notification of arrival.
2. An OVS can carry out documentary, identity and/or physical checks on direct transhipments if they have reason to believe that the consignment may pose an animal or public health risk.
3. Procedures should be in place to ensure that the consignment does leave the BIP within the minimum time period so that the OVS can check consignments if they go over the time periods set out in Decision 2011/215/EU.

## Products which are transhipped to another BIP within 12 hours (airports)/7 days (seaports) of arrival at the BIP

**Summary:** OVS are permitted to allow transhipments to another BIP without carrying out veterinary checks if transhipment is within 12 hours (airports)/7 days (seaports).

1. An OVS may allow products to go on to a second BIP unchecked if they are unloaded and stored on the quayside at a seaport for 7 days or airport tarmac for less than 12 hours prior to the transhipment.
2. But the OVS will carry out any checks they deem necessary in cases where they have reason to believe that the consignment may pose an animal or public health risk.
3. If, during other checks e.g. manifest checks, it is apparent that the consignment does not meet the import rules and would not be permitted entry into the EU, the OVS should carry out a full veterinary check and take any enforcement action necessary.
4. There is an option in 2011/215/EU to extend the period before checks are required to 14 days but the UK has decided not to take this option up.

## Unloading and storage for more than 12 hours but no more than 48 hours at an airport/more than 7 days but no more than 20 days at a seaport prior to transhipment to another BIP

**Summary:** A documentary check is required.

1. Consignments to be transhipped to another BIP more than 12 hours but no more than 48 hours (airports) or more than 7 days but no more than 20 days (seaports) after arrival will be subject to at least a documentary check. An OVS may allow the identity and physical check to be deferred to the second BIP, provided the consignment remains within the port or airport during that time. See [Section 5.7](#) for further information on documentary checks.
2. The OVS will, however, carry out any checks deemed necessary in cases where they have reason to believe that the consignment may pose an animal or public health risk.
3. Documentary checks can be carried out on **authenticated** copies of the health certificates for products which are at the port for less than 48 hours (airports)/20 days (seaports). The Commission guidance advises that original certificates/documents are forwarded to the second BIP together with the CVED (see section 9.4.2.)

## Unloading and storage for more than 48 hours/20 days

**Summary:** Full veterinary checks are required.

1. In cases where consignments are unloaded and stored at the BIP for more than 48 hours (airports) or 20 days (seaports) they must undergo full veterinary checks there (documentary, identity and, if appropriate, physical check plus completion of the CVED), regardless of subsequent destination. Documentary checks must be made on original certificates if the consignment has remained in the airport for more than 48 hours or seaport for more than 20 days.

## CVEDS

**Summary:** CVEDs will be completed for products subject to some veterinary checks. No CVED is required in cases where no checks are carried out.

1. CVEDs should be completed for consignments that are subject to at least a documentary check at the BIP of transshipment. No CVED is required for consignments which are not checked because they have remained at the first BIP for less than the minimum 12 hours (airports)/7 days (seaports). Where a CVED is issued, the costs of the check can be recovered. If only a documentary check has been carried out, box 30 should be completed on the CVED.

## 10 Transits across EU territory

The Commission have provided detailed guidance on transits and transshipments which is available on their website:

[http://ec.europa.eu/food/animal/bips/docs/guidance\\_transit\\_transshipment.pdf](http://ec.europa.eu/food/animal/bips/docs/guidance_transit_transshipment.pdf)

## General conditions for transit of consignments sent from one third country to another via EU territory

**Summary:** Transit will only be permitted if the country of origin is approved to send the type of product to the EU market.

1. Products which are to transit EU territory must originate in a country which is, in principle, able to send the same type of product to the EU and meet the **animal health conditions** for import into the EU. The establishment of origin does not need to be approved for exports to the EU, nor is it necessary for the actual products to be in accordance with EU import rules. Specific transit health certification is required for animal products in transit across the EU. See [Importer Information Notes](#) for further details. If a transit certificate is in place, the certificate must be in accordance with the model laid down in the transit rules. If a transit certificate has not been laid down, it is not necessary for the certificate to meet the normal EU health certification.
2. Entry into, and exit from, the EU must be via a BIP and transit time must not exceed 30 days. Containers or vehicles must be sealed (which should be done by the port health authority). The BIPs of entry and exit must be approved to handle the category of product transiting the EU.
3. To ensure that customs controls are maintained during the transit, T1 procedures apply.

## Undertaking to dispose of rejected consignments returned to EU territory

**Summary:** Written undertaking is required prior to entry.

1. The person responsible for the load (importer/agent) must agree to dispose of the products should they return to the Union following rejection by the authorities in the country to which they are being sent. A written undertaking to this effect must be provided at the BIP of entry. Without this, permission to transit will be refused. This undertaking is included in the CVED.

## Presentation at a BIP and veterinary checks on consignments transiting EU territory

**Summary:** Documents must be available. Documentary and identity checks are to be carried out except on direct transshipments. EU transit certificates are required for some animal products.

1. Entry for transit will not be permitted if veterinary certification or documentation, and, if necessary, an English language translation, is not available. Where a transit certificate has been laid down in EU legislation this must be provided.
2. Documentary and identity checks will be carried out. Physical checks will also be carried out in cases where the OVS at the BIP suspects irregularities or has reason to believe that the



consignment may pose an animal or public health risk. A CVED will be completed with Box 31 completed to indicated third country of destination. The OVS should check that the proposed BIP of exit is approved for the category of product transiting the EU.

## Controls on consignments transiting EU territory by road, rail or inland waterway

**Summary:** T1 controls apply.

1. All consignments transiting EU territory by road, rail or waterway will be subject to T1 procedure. Consignments must depart the BIP of entry accompanied by the necessary veterinary certification or other documents and the CVED.

## Communications between BIPs

**Summary:** Control through communication between the BIP of entry and the BIP of exit.

1. To ensure products transiting EU territory are not diverted onto the EU market, the BIP of entry will inform the proposed BIP of exit, that the consignment has been allowed to transit EU territory on its way from one third country to another. The BIP of exit will notify the BIP of entry when it has left EU territory. If this fails to happen, an investigation would ensue.

2. Notification should be by the TRACES system or fax where this is not available.

3. If an entry BIP has not received confirmation that a consignment has left the Union after 30 days, the entry BIP should contact the exit BIP first to check that the consignment has not been exported. If the consignment has gone astray, the OVS at the BIP of entry must inform Customs and should also contact Veterinary Checks team in Nobel House on [ITAP@defra.gsi.gov.uk](mailto:ITAP@defra.gsi.gov.uk). If the BIP of entry is in another Member State but the BIP of exit is in the UK, then the BIP of exit should notify the vet checks team that they have not received the consignment.

## Consignments remaining within the port or airport curtilage

1. Consignments which remain within the airport or port curtilage should be pre-notified to the OVS and should be authorised by the OVS.

2. However, consignments which are not unloaded or which are transhipped from one vessel or aircraft to another within the customs area of a port or airport within the 12 hours (airports) or 7 days (seaports) referred to in the section on transhipments may be allowed to

proceed without the need for any veterinary checks. However the OVS should check the on-board manifest.

3. If the consignment exceeds the storage limits given in paragraph 2, the consignment should be checked in accordance with the cross-Union transit rules given in the information on presentation at the BIP on the previous page.

## 11 Trade, display, research and diagnostic samples & IAPPPO licences

### Trade Samples

1. Article 16 of Council Directive 97/78 exempts authorised samples from veterinary checks. This is implemented in England by Schedule 3, case 3 of the TARP Regulations (similar legislation is in place in other countries in the UK). The sample must be authorised in writing before landing. The Specialist Service Centre (Imports) now issue the authorisations for samples. Their contact details are telephone 01245 398298 and e-mail [AHITChelmsford@ahvla.gsi.gov.uk](mailto:AHITChelmsford@ahvla.gsi.gov.uk). The application is available on the [Defra website](#). Trade samples of animal by-products are subject to the EU ABP Regulations 1069/2010. There are [IINs on trade samples](#) setting out the requirements on the Defra website (also see below). The rules introduced by the Animal Byproducts Regulations mean that in some situations samples will need to be checked.

2. When samples are imported into the UK, the PHA should check that the sample has an authorisation issued by the Specialist Service Centre. This check will be a simple check between supporting paperwork such as airway bill and the authorisation. The importer should normally provide the original authorisation. However, if the authorisation is valid for multiple consignments or if they are using a General Authorisation, the original may not be available. If the authorisation has been issued at the last minute, the PHA may accept a fax sent, on their request, from the Specialist Service Centre. Faxes from the importer should not be accepted. If an authorisation is in place then the consignment should not be veterinary checked and may be released. No charge should be made under the TARP Regulations and no CVED should be issued. Samples often enter through a port or airport which has an approved BIP although there may be occasions when import is permitted via a non-BIP. Samples do not however need to be moved to the BIP facility: they may remain in the transit shed until cleared.

3. If no authorisation is in place or the consignment does not meet the conditions on the authorisation, the consignment should be subject to a full veterinary check and the appropriate documentation (i.e. health certification should be provided). A CVED should be issued and the importer should be charged for the check under the TARP Regulations.

4. Samples which are destined for another Member State would normally be authorised by the country of destination. In some cases we may exempt the sample on their behalf. A sample should not be exempt from veterinary checks unless an authorisation is provided either by the UK or the country of destination. Samples of animal by-products must come in through a BIP if they are destined for another member state.

5. In some cases we may not wish to exempt the product or the importer may wish to have the consignment checked, for example where a consignment is going to be taste-tested. The consignment should be checked against the normal import rules. The consignment should be cleared for free circulation. Even if the importer states that the sample of raw material (such as red meat) is for “technical use” on the CVED, it should not be cleared for “technical use” in box 32. This is because consignments raw material for technical use must be channelled to a plant approved under the By-Products Regulations as a technical plant.

6. The OVS does, however, have the power to check any consignment if they feel that there is a risk to public or animal health.

### **Action for OVS**

7. OVS should

- ensure that samples are covered by an authorisation.
- check consignments which are not authorised or do not meet the authorisation’s conditions against normal import rules.
- note that samples may be authorised by Member State of destination rather than the UK.
- not clear samples of raw material for technical use unless they are destined for an approved technical plant.

## **Animal By-Products: Research and Diagnostic Samples, Trade Samples and Display Items**

1. Research and diagnostic samples, trade samples and display items, as defined in Annex I of Regulation (EU) No 142/2011 now fall within the scope of the animal by-product rules.

3. Consignments of the materials referred to above coming from non-EU countries must be authorised by the Member State of destination. The general licences have been published on the Defra [website](#).

4. Imports of trade samples and display items from non EU countries will also be subject to veterinary checks.

5. Research and diagnostic samples from Third countries which are intended to be imported via a Member State other than the MS of destination must come in at an approved Border Inspection Post (BIP). They will not be subject to veterinary checks but the BIP must inform the MS of destination of the introduction of the sample by means of the TRACES system.
6. Food for machine testing should be imported in accordance with Regulation EU No 142/2011.

## IAPPPO Licences

1. Where animal products fall outside of the veterinary checks regime, Defra may issue an import licence to control the import under the Importation of Animal Products and Poultry Products Order 1980. In some cases we may restrict importation to BIPs. This would not mean that consignments need to be called to the BIP to be inspected. Enforcement of IAPPPO licences is the responsibility of AHVLA however the ROD/RVL/DOS may ask for your assistance in identifying consignments which should have a licence. All licence applications should be sent to SSCI (Chelmsford).

## 12 Channelling

The channelling requirements are set out in Article 8 of Council Directive 97/78/EC shown in [Appendix G](#). The Article 8 “channelling” procedure must be applied in the cases listed in [Appendix J](#). The appendix also sets out the action required by the PHA and AHVLA in each case. AHVLA confirmation of receipt of the goods should be anticipated within 15 days of release. If confirmation of receipt is not provided, the BIP should contact their local AHVLA liaison officer who should investigate with the relevant LVU (ROD/RVL/DOS). If a consignment is channelled to another Member State and no confirmation of receipt is provided then the OVS should contact the veterinary checks team at [ITAP@defra.gsi.gov.uk](mailto:ITAP@defra.gsi.gov.uk). The e-mail should include:

- CVED number
- Commodity
- Full address of destination
- Date of dispatch from BIP
- Any other identifying information you think may be helpful to the competent authority of destination.

## 13 Referral procedure

1. The OVS should consult with the Specialist Service Centre (Imports) SSCI in cases where there is doubt whether a particular consignment may be acceptable in terms of meeting the relevant conditions of import appropriate to that product.

### Possible circumstances

1. It is unlikely that referral to SSCI will be necessary in those cases where it is clear that an outright rejection must be made, other than where required to do so by the guidance.

2. In a limited number of cases, consignments may be presented with documentation which does not fully meet the requirements of the import conditions. Although in most cases it will be necessary to reject the consignment, there may be occasions where the discrepancies in the certification are of a relatively minor nature. The SSCI may be consulted as to what further action needs to be taken. This should be done without delay to avoid criticism from the importer or his/her agent should the consignment be subsequently rejected. A full written log should be kept of the circumstances surrounding the referral in the event of a future dispute with the importer or his/her agent. OVS should consult the SSCI who have experience of dealing with such irregularities and this means that national consistency can be achieved in the way that these cases are handled at BIPs throughout Great Britain. OVS should also keep their local RVL/ROD/DOS informed of discussions. If you need to update AHVLA on an issue that affects the operation of your BIP, you should contact your liaison officer at the local AHVLA office. Contact numbers are provided on the [AHVLA website](#).

## 14 Rejected consignments

**Summary:** Re-dispatch or destruction permitted for rejected consignments. Processing under The Animal By-Products Regulations also allowed providing there is no health risk. Costs to be met by the importer.

### Legal base

1. In cases where the veterinary checks at a BIP show that the consignment does not meet the requirements for entry into EU territory, the TARP Regulations provide for the following:

- provided it poses no risk to public or animal health, re-dispatch to a destination outside the EU,

- for consignments for which re-dispatch is not possible, or is the importer's chosen option, destruction.
- CVEDs should indicate only one further action for rejected consignments. The OVS should not issue the CVED until the importer had identified whether the consignment is to be re-exported or destroyed.

2. Re-dispatch should be from the same BIP and should take place within 60 days of informing the importer of the decision. The OVS/inspector will invalidate all certification and documentation and other EU Member State competent authorities should be informed.

3. Destruction should take place at an approved animal waste processing plant (i.e. incinerator or rendering plant) nearest to the BIP. If rendered, the residual material must then be destroyed or, if there is no risk to public or animal health, used for some other purpose in accordance with the rules for rendered animal waste. If the product is not capable of being handled at an approved rendering plant, another form of destruction will be ordered by the OVS. Rejected consignments should be treated in accordance with the Animal By-Product legislation and therefore should be accompanied with a commercial document which includes the following information:

- the date on which the material was taken from the premises (i.e. the BIP) ,
- the description of the material
- the quantity of the material
- the place of origin of the material
- the name and address of the carrier
- the name and address of the receiver and, if applicable, its approval number.

4. All port health costs relating to consignments which do not meet EU import requirements (this includes storage, transport, re-dispatch, re-processing or disposal) should be charged to the importer in accordance with the TARP Regulations by the PHA/local authority. If a commercial store is used pending re-export or destruction the importer should pay the store directly.

5. In accordance with Regulation 20, the above shall not apply where an authorisation has been given by the competent authority in order to permit the use of products in accordance with The Animal By-Products Regulations provided that there is no risk to animal or human health. The FVO have advised that this would not apply to non-compliant animal by-products as by-products which fail to comply with the rules are category 2 material.

6. Consignments that have not been checked on entry or are presented at a BIP not authorised to handle that product should be rejected under Regulation 19.

7. The OVS may also serve a notice under Regulation 21 to order the immediate destruction of a consignment if they consider that the consignment presents a risk to animal or public health. This is also required by the OFFC Regulations 882/2004 – Article 19 refers.

## Rejection procedures

1. Consignments may be rejected if they are non-conforming products (Regulation 20), are presented at an incorrect BIP (Regulation 19), or if there is another “irregularity (Regulation 20) or if there is a serious risk to animal or public health (Regulation 21).
2. When it has been decided that the consignment should be rejected, the import should be notified of the OVS’s decision and any rights of appeal. Models enforcement notifications are provided in [Appendix P](#). The OVS should consult the person responsible for the consignment. The person responsible should be given details of the reason for rejecting the consignment, the action required by the notice and that a time limit of 60 days is set for the action to be taken.
3. The notification should be given in writing and must give details of the reason for rejection and right of appeal against the notice (including the procedure (magistrate court or judicial review and time limits applicable).
4. It is not the responsibility of the local authority to make arrangements for the re-export of the consignment where the importer or his agent chooses this option. However, the local authority must take reasonable steps to ensure the security of the consignment until suitable arrangements have been made. The arrangements for storing the consignment pending re-export/destruction can be specified in the notification.
5. When a consignment has been rejected and the importer has decided to redispach the consignment, the certification should be stamped “unacceptable for entry to the EU” on all pages in such a way as to prevent the certification being presented on a future occasion. This stamp should be provided by the local authority.
6. The requirements in Article 21 of [Regulation 882/2004](#) should also be taken into account. The destination should be agreed with the person responsible for the consignment. The person responsible for the load should advise the destination authorities of the reason for rejection and circumstances preventing the consignment being place on the EU market. If the consignment is being redispached to a country other than the country of origin the competent authority of destination should notify the BIP of its preparedness to accept the consignment.
7. BIPs should ensure that the details of the rejected consignment are entered onto the TRACES system so that other BIPs may access the information. Details of the information required by Commission Decision 97/152 are given in [Appendix I](#) of this manual. A register should be kept of consignments rejected, which should include details of the follow-up action taken. Documentary proof of re-export or destruction should be kept. Defra will draw information from the TRACES database and therefore rejection notices do not routinely need to

be provided. However where Article 24 provisions apply notification of positive samples should still be provided.

8. If the reason for rejection is because a serious or repeated infringement has been found (including excess residues) then Article 24 procedures should be initiated (see [Section 15](#)).

## Products dangerous to animal or public health

1. Where veterinary checks reveal that the consignment presents a risk to public or animal health, the OVS should take charge of the consignment and arrange for its destruction. The importer should be notified of the rejection, the reasons for it and the right of appeal by judicial review. Headquarters should be informed that the notice has been served, giving reasons for rejection so that, if necessary, other BIPs and Member States may be informed. Where a consignment has been rejected because it is a risk to public health a Rapid Alert System for Food and Feed (RASFF) message should be sent to notify other BIPs of the hazard. Guidance on sending RASFF messages has been issued by the FSA.

2. Where EU safeguard measures are in place and consignments have been rejected, as they do not meet the conditions laid down in the safeguard measures, these consignments should normally be destroyed, e.g. consignments from regions with active FMD.

## Consignments contaminated with residues

### *Issue*

1. The FSA has reviewed and revised its advice to enforcement authorities at BIPs relating to control of consignments found to be contaminated with pharmacologically active substances for which no maximum levels can be fixed (this includes chloramphenicol and nitrofurans metabolites) and those with a current minimum required performance limit (MRPL). That is all substances listed in Annex IV of Regulation 2377/90, Regulation (EU) No 37/2010 and those for which a MRPL has been established by Decision 2002/657/EC. ([Appendix O](#)).

### *Advice*

2. FSA advice is that authorised enforcement officers at BIPs may, **at their discretion** and subject to conditions described in this section, allow re-dispatch of consignments found to be contaminated with these veterinary drug residues as a viable regulatory option, **provided that they consider this to be an appropriate measure to protect human and animal health.**



## **Background**

3. Commission Decision 2005/34/EC set out the interim position as regards the re-dispatch of contaminated consignments pending the application of Articles 19-22 of Regulation 882/2004.
4. Regulation 882/2004 took effect in the UK on 1 January 2006. Subsequently the FSA considered the application of Article 19(2) of that Regulation and in September 2006 they advised authorities that consignments found to be contaminated with veterinary drug residues should be destroyed without allowing re-dispatch.
5. Having considered this position further in the context of general food law and in the light of experience, it is now the FSA view that Article 21 of Regulation 882/2004 may be considered to be an appropriate measure to protect public health for the purposes of Article 19(2) of Regulation 882/2004.
6. Nonetheless, the FSA continues to be of the view that substances that are considered to be genotoxic carcinogens, such as nitrofurans, have no safe level of exposure. Consignments found to be at or above the MRPL (where established) would be regarded as injurious to health.
7. Advice is in relation to Articles 19 to 22 of Regulation (EC) 882/2004 which, as indicated by Article 3(2) of Commission Decision 2005/34/EC, provide enforcement options to be taken as regards non-compliant consignments. Article 19 of Regulation 882/2004 sets out the measures that can be taken. As Article 19(2) sets out the options available for products which are deemed to be injurious to health or unsafe, the FSA view is that this measure would be applicable for consignments that are found at or above the MRPL (where established).
8. The FSA's current interpretation of Article 19(2) is that contaminated consignments may be destroyed or subject to Article 21 of Regulation 882/2004 procedures where this is considered to constitute an appropriate measure to protect human health. For example it may be an appropriate measure to protect public health in cases where a third country competent authority wishes to analyse the consignment in more detail and trace contamination back to source in order to prevent further use of the prohibited substance or where the product does not comply with EU law, but could legitimately be sold in the third country.

## **Process**

9. When acting on adverse veterinary drug residue results, officers are recommended to:
  - i) **Legal requirement:** Consider if re-dispatch could be considered an appropriate measure to protect public health having heard from the food business operator responsible for the consignment and agreeing with them the destination of the consignment outside of the European Union.
  - ii) **Legal requirement:** Verify that the conditions of Article 21 of Regulation 882/2004 are met.

**Guidance:** The FSA has issued advice on Article 21 procedures (IFD/08/004). Authorities may wish to consider exchange of the attached pro-forma with the competent authority in the third

country concerned. NB Article 21 of Regulation 882/2004 requires the feed/food business operator to inform the third country competent authority and therefore, once you have completed section 1, you may wish to pass this form to them to carry out the work to identify the recipient and ensure that it is returned to you (Please refer to [Appendix O](#)).

iii) **Legal requirement:** Issue a Notice under the appropriate legislation.

**Guidance:** The FSA view is that Regulation 21 of the Products of Animal Origin (Third Country Imports) (England) Regulations 2006 would be appropriate.

iv) **Legal requirement:** Ensure that the action is reported to the Commission via the FSA by way of the Rapid Alert System for Food and Feed.

v) **Legal requirement:** Ensure that HM Revenue and Customs are notified of the decision.

## 15 Serious or repeated infringements

1) Article 24 of Directive 97/78/EC requires competent authorities to take certain action where a serious or repeated infringement has been identified during veterinary checks. The Commission should be informed and the next ten consignments should be subject to “more stringent checks”. The Directive also specifies that consignments that exceed maximum residue limits must be subject to Article 24 procedures.

2) The Commission have issued specific guidance on Article 24 enforcement (see link below)..

[http://ec.europa.eu/food/food/biosafety/animalbyproducts/guidance\\_article\\_24\\_1125\\_5\\_2012\\_en.pdf](http://ec.europa.eu/food/food/biosafety/animalbyproducts/guidance_article_24_1125_5_2012_en.pdf)

## Serious or repeated infringements

3) In the case of serious or repeated infringements, the procedure laid down in Regulation 22 of the TARP Regs should be followed. OVS<sup>1</sup> should use their professional judgement on which infringements should trigger Article 24 procedures. In such cases details of the infringement(s) must be notified to Defra who will consider authorising use of Article 24

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<sup>1</sup> In relation to fishery products the OFI is the official agent as provided for in the derogation under Decision 93/352/EEC and Article 3 of Regulation 136/2004/EC

procedures either specifically by the notifying BIP or on a national basis, depending on the likely throughput.

Serious infringements could include for example:

- Faecal contamination of meat
- Microbiological failures
- Excessive histamine levels in certain fish
- Excessive contaminants such as heavy metals
- Any breach of residue limits in Regulation 2377/90/EC resulting in rejection of a consignment
- Any breach of an established MRPL for substances that have a related MRPL published and indicated as an action level for enforcement
- Any breach of import conditions that poses a risk to public health and in particular results in a RASFF notification being submitted to the Commission
- Any rejection on grounds of risk to animal health

Microbiological contamination in poultry meat preparations which require further cooking would not normally result in additional checks under Regulation 22.

4. Repeated infringements could include repetition of positive results from routine samples taken from consignments of the same nature from the same country eg Salmonella or Enterobacteriaceae in excess of guarantees on health certification and meat products certified with the wrong heat treatment.

5. Legislation is not clear whether the checks should be applied to the next ten consignments from the third country or the particular establishment concerned. When reporting such infringements it would be useful if the OVS could indicate whether in their opinion controls should be applied to all imports from the third country concerned e.g. presence of heavy metals, or whether the problem is likely to be establishment-specific e.g. microbiological contamination.

## **Excessive or non-permitted residues**

6) Where the maximum residue limit laid down in EU legislation has been exceeded or the presence of an unauthorised substance has been detected, the procedure laid down in

Regulation 22 of the POAO Regs should be followed. In such cases Article 24 procedures should be invoked immediately by the BIP concerned following the procedure laid down in the Commission guidance.. Excessive or non-permitted residue controls apply to products originating from the establishment and cannot be applied by country. However OVS may choose to target monitoring samples towards imports from other establishments in a country which has had a previous positive result.

*Note: Where there is already current EU legislation covering the problem concerned e.g. chloramphenicol in shrimps from Myanmar, Article 24 procedures will not be introduced.*

### **Action for the OVS**

7. Article 24 procedures are now controlled via the TRACES system. Notifications of serious or repeated infringements should be notified using the instructions in the Commission guidance.
8. If you take samples under Article 24 you should notify the person responsible for the consignment of the additional control using the template in Appendix P. The person responsible for the consignment is required to lodge payment with the OVS for the cost of additional examination including any sampling and laboratory costs.
9. Such consignments should be held at the BIP until the result of the analysis has been received. If the consignment does not comply with the import conditions, it should be treated in accordance with Section 14.
10. As notifications of Article 24 procedures are now made via the TRACES system it is important that you check to see if a sample is required before releasing the consignment.

## **16 Returned consignments**

### **Re-importation of consignments rejected by a third country**

**Summary:** Returned consignments must be sent to the premises of origin or to a plant for destruction. Documentary requirements must be met.

1. Returned consignments must arrive at an approved BIP and are subject to the same advance notification and checking requirements which apply to other imported consignments.
2. Returned consignments will be allowed to leave the BIP only if they are for direct delivery to the establishment from which they were originally exported. The only exception would be for consignments which are to be destroyed.
3. In order to be allowed to proceed from the BIP back to the premises of origin, consignments refused entry into a third country must be accompanied by:
  - i) the original health certification or a copy authenticated by the competent authority of the Member State of origin.

The importer/agent must also provide in writing:

- ii) reasons why entry into the third country was refused;
- iii) a guarantee that satisfactory conditions of transport and storage have been complied with;

and either

- iv) if the consignment has not been exported in a sealed container a declaration provided by the person responsible for the product that the products have not been handled other than, in the case of package products unloading or unloading;

or

- v) for products in sealed containers, a certificate provided by the carrier confirming that the contents have not been unloaded from the container in which it was exported or otherwise handled.

*In the absence of such certification, returned consignments will only be released for destruction. Where no export certification was required, this would not be required for re-import.*

4. When completing Part 1 of the CVED the importer should not complete box 6 (country of origin) and box 10 (veterinary documents). In box 1 the commercial organisation in the third country dispatching the consignment should be indicated.
5. Consignments to be transported from the BIP under T5 procedure directly to the establishment of origin and should only be allowed to leave the BIP in leak-proof means of transport which have been sealed by the port health or other BIP authority.

6. On the CVED the control boxes 33 and 37 should be completed. The Local AHVLA Office will receive a copy of the CVED and will confirm receipt at destination. If confirmation is not received, contact your local liaison officer who will investigate. Movements should be recorded in the register of consignments where follow up action is required.

## 17 Imports bound for Customs warehouses and ships' stores

There are no approved stores in the UK but BIPs need to be aware of the procedures as they may be asked to clear consignments destined for warehouses in another Member State or stores that are to be moved directly to a ship however it is possible that a ships' store will be approved shortly. BIPs will be informed if this does occur.

## Products destined for a Customs warehouse or ships' store: pre-import declaration

**Summary:** Importers must specify that the products are for entry into a warehouse or store otherwise full checks will be carried out. Warehouses and ships' stores must be approved under Article 12 or 13 of Directive 97/78.

1. In the case of products destined for a customs warehouse or ships' store, the importer must declare before their arrival at a BIP:
  - i) that they are intended to go to a warehouse or ships' store; and
  - ii) that they are intended for:
    - a) release into free circulation; or
    - b) re-export to a third country; or
    - c) for ships' supplies.
  - iii) whether they comply with the conditions for import for release into free circulation or not.
2. This declaration is now contained in Part 1 of the CVED, which is used as advance notification of the consignment's arrival.
3. Consignments for which no declarations are made will be checked on the assumption that they are for free circulation within the EU and accepted or rejected by the OVS accordingly.
4. Stores destined for oil rigs in international waters can be considered ships' stores.

## Consignments destined for a Customs warehouse or ships' store and subsequent release into free circulation

**Summary:** no limitations on the destination of products fit for release on to the EU market.

1. Consignments which are found to meet EU requirements following the normal documentary, identity and, if appropriate, physical checks at a BIP will be given a CVED in the normal way, regardless of their destination.

## Consignments destined for a Customs warehouse or ships' store but which are not fit for subsequent release into free circulation

**Summary:** entry permitted only if the warehouse or store is approved.

1. Only consignments originating in a country which is, in principle, permitted to export the products concerned to the EU will be permitted entry for storage in a warehouse or ships' store. Where appropriate the consignment must be accompanied by the EU certificate for goods in transit (see [Importer Information Note](#) for relevant product).

2. An OVS/OFI will only issue a CVED for non-compliant products (with the section "Acceptable for specific warehouse procedure" (Box 34) suitably completed) in cases where veterinary certification or other relevant documentation and, if necessary, an English language translation, is available. Entry will be refused if these documents are not available.

3. An OVS will not normally carry out physical checks on consignments which are known not to meet the requirements for release into free circulation within the EU, unless an animal or public health risk is suspected. If physical checks indicate that transit and/or storage of the products would constitute an animal or public health risk, entry will be refused.

4. Consignments not fit for free circulation will only be permitted to proceed to a warehouse or ships' store if it is an approved warehouse or store. **At present, there are no approved customs warehouses or ships' stores in the UK but one may be approved shortly.** Lists of approved warehouses or stores in other Member States are available on the [EU Commission website](#). Consignments may be sent directly to a third country vessel under Commission Decision 2000/571. The consignment should be accompanied by a certificate (as laid down in [Commission Decision 2000/571](#)) issued by the OVS. The ROD/RVL/DOS responsible for the port where the vessel of destination is docked should be informed.

5. Consignments not fit for free circulation which are destined for an approved warehouse or ships' store must have seals acceptable to H M Revenue and Customs/Border Force applied to the vehicle or container on departure from the BIP.

6. The costs of all BIP operations relating to consignments not fit for free circulation may be recovered from the importer or agent.

## Exit of consignments not fit for free circulation from a Customs warehouse or ships' store

**Summary:** Exit from the EU must be within 30 days.

1. Consignments not fit for free circulation that have been held in an approved customs warehouse must leave the EU via a BIP within 30 days of departure from the zone or warehouse. Consignments exiting a ships' store do not need to go out via a BIP.

## Movement from a warehouse to a ship in the UK

1. Consignments may be moved from an approved ships' store to a ship docked in a UK port. Generally there would be no need for the BIP to be involved in such movements. The ships' store will issue a certificate based on the model in Decision 2000/571/EC and the ship's captain will return the certificate when the goods are received. The competent authority for the port, which will be the port health authority, may complete the certificate instead of the captain.

## 18 Specified risk material

1. Imported animals and animal products must meet the requirements of [Regulation \(EC\) No 999/2001](#) (as amended) which lays down rules designed to prevent, control and eradicate Transmissible Spongiform Encephalopathies (TSEs). Regulation (EC) 999/2001 applies to production and placing on the market of live animals, embryos, ova, and products of animal origin and in certain specific cases to exports. The Regulation does not apply to

- Cosmetic or medicinal products or medical devices, or to their starting materials or intermediate products;
- Products which are not intended for use in human food, animal feed or fertilisers, or to their starting materials or intermediate products;
- Products of animal origin intended for exhibition, teaching, scientific research, special studies or analysis, provided those products are not eventually consumed or used by humans or by animals other than those kept for the research projects concerned.
- Live animals used in or intended for research.



It is up to importers to satisfy the OVS that the import of the products listed above will not eventually be consumed and sufficient safeguards are in place to prevent this happening.

2. Specific parts of bovine, ovine and caprine animals are regarded as Specified Risk Material (SRM) see Annex V of 999/2001. TSEs are found in SRM, which is why as a precautionary measure they are removed at abattoirs.

3. Consignments should be accompanied by the additional BSE attestation defined in Annex IX of the TSE Regulations. [Decision 2007/453/EC](#) categories third countries as either a negligible, controlled or undetermined BSE risk. Dog chews do require a BSE attestation. Material from a negligible risk country is not considered to be SRM.

## 19 Provision of further advice addresses and contacts

The following contacts may be useful for importers and BIPs alike. However for OVS, the SSCI should be the first point of contact regarding queries about veterinary import conditions for products of animal origin.

### ***Rural Payments Agency (RPA)***

1. The RPA issue import licences for certain animal products to which quotas may apply. To find out about licensing requirements and obligations as well as quota arrangements, please contact the RPA on the numbers below.

#### Contact:

Milk and milk products	0191 226 5153
Oils and fats	0191 226 5207
Beef, veal and sheepmeat	0191 226 5153
Pigmeat, eggs and poultry	0191 226 5048

Further information can be obtained from: [The Rural Payments Agency website](#)

## HM Revenue and Customs

1. Customs approve a range of procedures by which goods may be imported into the UK. Although not an exhaustive list, and importers will need to check prior to importation, some of the points importers may need to consider when importing those goods are:

- the need to make a formal declaration to Customs which gives details of the goods being imported either at importation, or if approved, subsequently.
- Payment of Customs duty and/or VAT on the goods being imported
- in addition to the animal health requirements goods may also be subject to other import controls such as those on endangered species (this includes their horns, furs and skins etc) which require the presentation of separate documentation

To seek advice on these or any other aspects of Customs procedures you are advised to contact the National Advice Service on 0845 010 9000 which is available Monday to Friday from 8.00am to 6.00pm. In addition they also operate a specialist Tariff Classification helpline on 01702 366077 which is available from 9.00am to 5.00pm Monday to Thursday and 9.00am to 4.30pm on Friday. Details of Commodity Codes and Import Duties can also be obtained from the following e-mail address: [classification.tso@HMRC.gov.uk](mailto:classification.tso@HMRC.gov.uk)

Website: [www.HMRC.gov.uk](http://www.HMRC.gov.uk)

## **CITES**

1. For further information on the import controls on endangered species you can contact The CITES Licensing Team in Bristol on 0117 372 8774 or [wildlife.licensing@ahvla.gsi.gov.uk](mailto:wildlife.licensing@ahvla.gsi.gov.uk) or the [CITES website](#)

## **Department for Environment Food and Rural Affairs (Defra)/AHVLA**

1. Products of animal origin entering the UK must do so under the conditions of the Trade In Animals and Related Products Regulations 2011 or an animal health import licence. In the case of animal products intended for human consumption, public health certification may be required. Failure to comply with legislative requirements can result in the loss of consignments, without compensation, and possible prosecution. Further information can be obtained from the Specialist Service Centre (Imports):

Telephone: 01245 398298

Fax: 01245 398299

E-mail: [ahitchelmsford@ahvla.gsi.gov.uk](mailto:ahitchelmsford@ahvla.gsi.gov.uk)

**N.B.** for imports of fish and fishery products contact The Food Standards Agency on 020 7276 8018. FSA website: <http://www.foodstandards.gov.uk/>

## 20 Maintenance of BIP facilities

### OVS responsibilities

1. One of the responsibilities of OVS is to ensure that the necessary equipment and facilities, as required by Directive 97/78/EC and Decision 2001/812/EC, are available within BIPs to enable veterinary checks to be carried out effectively. The requirements are given in [Appendix A](#) and [Appendix B](#).
2. OVS must therefore regularly inspect the BIP to ensure that
  - The facilities are maintained to the appropriate hygiene standards.
  - The structural facilities are maintained to a good standard. Any rust/damage should be noted.
  - The facilities remain adequate for the volume of trade and there is no spill over from the storage into other areas of the BIP.
  - Nothing other than products of animal origin is stored in the BIP.
  - Cleaning supplies are kept in the store and are kept well stocked.
  - Equipment is available in all inspection centres and is clean and ready for use.
3. Any problems should be brought to the attention of the port operator. Problems should be confirmed in writing and a plan must be agreed with the operator to correct the deficiencies. The letter should include a warning that the Secretary of State may delist the BIP if there is a serious breach of requirements (see preamble to [Appendix A](#)). All letters should be copied to the ROD/RVL/DOS. OVS may want to consider clearing the letters with the ROD/RVL/DOS or AHVLA liaison officer. Timescale for providing the action plan will depend on the problem but should be between one and four weeks.
4. If no plan is provided by the deadline then a further letter should be sent to the port operator requiring a response within a fortnight. If the operator fails to provide a plan then the

ROD/RVL/DOS should be informed so that further action (including suspension) can be considered.

5. Action plans should be checked to ensure they address all the deficiencies raised with the port operators. If the plan fails to cover all the required points then a further letter should be sent to the port operator as above.

6. An extension to the action plan may be considered if there are justified circumstances but this should be cleared with the ROD/RVL/DOS. The amended timetable should be confirmed in writing to the port operator.

7. If the port operator does not take the necessary corrective action within the agreed timescale, the ROD/RVL/DOS should be informed so that further action (including suspension) can be considered.

## PHA Verification Checks

1. Council Regulation 882/2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules (OFFC) requires competent authorities to both audit and verify that veterinary checks meet the requirements of EU legislation. The existing compliance visits by AHVLA will form the audit aspect required by Article 4(6) of OFFC. Article 4(6) states that “competent authorities shall carry out internal audits or may have external audits carried out, and shall take appropriate measures in the light of their results, to ensure that they are achieving the objectives of this Regulation. These audits shall be subject to independent scrutiny and shall be carried out in a transparent manner”.

2. There is also a requirement in Article 6 that the competent authorities have documented procedures for carrying out the official controls, including all the information in Annex II, Chapter II. They should also have procedures in place to verify the effectiveness of official controls they carry out. BIP enforcement authorities should carry out these verification checks.

3. The verification procedures should ensure that the checks carried out in accordance with the EU requirements and the documented procedures. Therefore they should cover all the relevant aspects in Annex II, Chapter II. This is included in [Appendix Q](#) together with some guidance from Defra on what could be checked under each element. BIPs may wish to use a checklist for the verification checks a model checklist will be provided when instructions are updated later this year.

4. BIPs do not necessarily need to set up an additional layer of controls but existing systems should be reviewed to ensure that they cover all aspects of Annex II, Chapter II. The frequency of these checks will depend on the circumstances at the border inspection posts – contact your local liaison officer if you require further advice on frequency of verification checks..

5. The results of the verification checks should be recorded together with the follow-up action taken to address the findings of the checks. These should be made available to AHVLA during their audit visits. Where training needs are identified which could be included in the AHVLA update training, these should be sent to the Specialist Service Centre for Imports.

## AHVLA audit visits

1. **The OVS/OFI should lead in and be present at AHVLA audit visits.** At the visit the OVS should be able to provide details of action taken to correct deficiencies identified in the previous visit and any correspondence with the port operator to correct any subsequent deficiencies identified during the OVS's regular inspections.

2. AHVLA use the checklists to assess compliance with EU law. The visits will be carried out by regional officers and will be independently scrutinised by the Specialist Service Centre for imports. We are reviewing procedures for AHVLA audits to make these more system focused as PHAs are now responsible for verification checks. If a BIP has good verification procedures in place which are actively followed up, then the frequency of AHVLA audits may be reduced for that BIP.

## FVO inspections

1. The Food and Veterinary Office (FVO) of the European Commission carry out regular missions to inspect BIPs to ensure that BIPs are operating to the required standards and there is a consistent approach across the EU.

2. When Defra are informed that UK BIPs are to be inspected Defra will notify the ROD/RVL/DOSs and OVS/OFI of the relevant BIPs. The FVO will need access to the BIP facilities, equipment and records. OVS/OFI should ensure that these are all available to the inspectors on the day. The OVS/OFI must also be available to explain how the BIP is operated. The OVS/OFI should contact Customs to check that someone will be available, if required. Inspections, especially at large BIPs, can be quite lengthy affairs, which may take all day. FVO inspectors work to a tight itinerary so it is advisable to have someone available who can look up information/CVEDs while the OVS is discussing issues with the inspectors. The FVO may also wish to discuss controls on international catering waste and the relevant people should be available on the day.

3. Defra/AHVLA will arrange transport to and from the BIP but the OVS should arrange all internal transport and any necessary security passes.

4. Before the mission the ROD/RVL/DOS will arrange for a liaison visit to be carried out to run through the itinerary for the day, to check the facilities and to discuss any concerns that the OVS may have.

# Appendix A – structural requirements

## ***Border Import Posts structural requirements***

Where facilities seriously breach the EU requirements laid down in Commission Decision 2001/812 and Directive 97/78 the Secretary of State has a duty under Regulation 11 of the TARP Regs to suspend the operation of the border inspection post. Once a BIP has been suspended, Defra must notify the European Commission and other Member States. Commission Decision 2009/821/EC, which lists all approved BIPs, is then amended to reflect the suspension. The premises concerned may not operate as a BIP for the categories of product suspended from the date that notice has been given to the operators of a BIP to suspend it, unless and until the suspension is lifted. Suspension will only be lifted if the deficiencies at the BIP have been rectified, if the European Commission's Food and Veterinary Office has inspected the BIP and agrees that it meets the required standards, and finally if the Standing Committee on the Food Chain and Animal Health votes in favour of amending Commission Decision 2009/821/EC to reinstate the premises' approval as a BIP. This process may take several months.

Following an FVO inspection BIPs have three months to correct equipment and procedural problems, six months to correct structural problems. Potentially serious animal or public health risks may need to be corrected in a shorter timescale.

## ***A. BIP location***

### **EU legislative provisions**

1. The BIP inspection facilities must be located in the immediate vicinity of the point of entry and be in an area designated by the customs authorities in accordance with Article 38(1) first sub-paragraph, points (a) and (b), of Council Regulation (EEC) 2913/92, establishing the EU Customs Code. Article 38(1), points (a) and (b) require that goods brought into the customs territory of the EU shall be conveyed without delay to the customs office or to a free zone. Where necessary, because of geographical constraints, agreement under SCoFCAH procedure may be given for the BIP to be some distance from the point of introduction. For railways the BIP can be at the first station designated by the competent authority.

**[97/78/EC Art 6(1)(a)]**

2. Where geography or size of the border location demands, or for the efficient management of border checks, a BIP may provide more than one inspection centre.

**[01/812/EC Article 1.3].**

## ***Explanatory points***

1. The BIP inspection facilities must be within the curtilage of the port of import and its customs boundary. Any variation from this would need Commission approval.
2. The BIP inspection facility may be split up into sub units handling specific products only. There may be as many of these as circumstances require.

### ***B. BIP structure***

#### ***EU legislative provisions***

1. The BIP must be sufficiently large to enable checks to be carried out on the number of consignments passing through.

**[97/78/EC Annex II, 4th indent]**

2. A BIP consists of facilities dedicated to veterinary checks, placed under the responsibility of the OVS, or in the case of fishery products either the OVS or the official fish inspector referred to in Commission Decision 93/352/EEC, and localised in a manner so that the facilities constitute one complete working unit. In the case where a BIP is made up of more than one set of facilities but located on the same site, the geographical location of the group will qualify the BIP, which shall bear a single name.

**[01/812/EC Article 1.1].**

3. The BIP must have within effective working distance of each other:
  - i) an office with communication equipment including a telephone, a fax, a computer with internet access to the TRACES system, a photocopier, all necessary documentation, and archiving capacity to store documents relating to the inspection of products;
  - ii) social rooms consisting of changing rooms, toilets, and hand washing facilities for the use of the personnel working in the BIP, which may be shared only with other personnel involved in official controls;
  - iii) an area for unloading the means of transport of consignments which should be enclosed or covered by a roof, except in the case of consignments of non-containerised wool, loose bulk processed animal protein not fit for human consumption, loose manure or guano, or bulk liquid oils and fats, which are transported in boats, for which the roof requirement may not apply;
  - iv) for products under temperature control intended for human consumption the junction between the transport and unloading areas should be protected or sealed from

the external environment, except in the case of fish where during unloading and landing, contamination of fishery products must be avoided (derogation referred to in Article 2 of Commission Decision 93/352/EEC and Annex III, Section VIII, Chapter 2 will apply);

v) an inspection room where the products are to be inspected and samples taken for further tests; the sampling area need not be separate from the inspection room;

vi) appropriate storage rooms or areas, to permit detained consignments to be held at chilled, frozen or ambient temperatures at the same time, under the control of the official veterinarian pending the results of laboratory or other investigations.

**[01/812/EC Article 4.2]**

4. The BIP must have appropriate hygienic facilities for carrying out routine analyses and for taking and processing samples in order to check on compliance with EU rules.

**[97/78 Annex II, indents 5&6]**

5. Where a BIP is only approved for restricted categories of products, the facilities provided at the BIP may be limited as appropriate to those necessary to carrying out veterinary checks on these restricted categories of products only.

**[01/812/EC Article 3.3]**

6. In the case of deep frozen semen, embryos, by-products or blood products for pharmaceutical or technical use which may be transported at ambient temperatures in sealed, self contained, temperature regulating containers, these may be inspected in BIPs listed for products not for human consumption that are at ambient temperatures only.

**[01/812/EC Article 3.4]**

7. The BIP must have premises and cold stores for the storage of part-consignments taken for analysis and products whose release for free circulation has not been authorised.

**[97/78 Annex II, 8th indent]**

8. BIPs approved to handle chilled, frozen and ambient categories of product, must be able to simultaneously store adequate volumes of product in each temperature category. Immediate access to an adequate volume of storage shall be available at all times as necessary for the official veterinarian.

9. The use of commercial storage facilities close to the BIP and within the same port or customs area is permitted under the control of the official veterinarian, and provided that the detained product is stored in a separate lockable room, chamber, or zone clearly fenced off from all other products.

10. Storage in separate stand-alone containers permanently placed by the unloading area is permitted provided that the containers are linked to the unloading area in such a manner that the unloading process is under shelter from the weather. Additional storage for each product category in the means of transport in which a consignment was brought to the post is permitted



exceptionally under the control of the official veterinarian for BIPs situated at road, rail or port locations.

**[01/812/EC Article 4.3]**

11. Products for human consumption and products not for human consumption should be handled in separate unloading areas, inspection rooms and storage facilities. By derogation from this requirement in the case BIPs officially approved as restricted to packed products only, unloading areas may be common, provided then that during and after unloading, there is clear separation of products for human consumption and those not for human consumption, with a view to prevent cross contamination.

**[01/812/EC Article 4.4]**

12. By derogation from paragraph (k) above, BIPs having a limited throughput for one category of product (i.e. HC or NHC) may utilise the same facilities provided for unloading, inspection and storage for all products for which the post is approved, provided that a time separation of consignments is implemented, and that adequate cleansing and disinfection of the premises between arrivals of different consignments is undertaken as necessary. The competent authority must do a risk assessment prior to approval to use the same facilities for both categories of product. The Commission must also be notified of the approval.

**[01/812/EC Article 4.5]**

**[2006/590 Article 2.2]**

13. To be approved and listed BIPs must be constructed to provide an adequate degree of hygiene, and avoid cross contamination.

14. In rooms where products are to be unloaded, inspected or stored, the BIP or inspection centre must have:

- walls finished with smooth washable surfaces, which together with the floors, should be easy to clean and disinfect, and with adequate drainage;
- a clean and easily cleaned ceiling;
- adequate natural and artificial lighting;
- an adequate hot and cold water supply in all inspection rooms;

**[01/812/EC Annex]**

### ***Multiple inspection centres (ICs)***

1. Additional inspection centres in already approved BIPs, may be proposed by Member States after the competent authority has checked that they comply with this Decision, for listing in the Official Journal. The facilities at any centre should be appropriate to the volume and type of various products passing through the centre.

**[01/812/EC Article 5.1]**

2. When a BIP is split into different inspection centres, these shall:

- be located within the same customs designated area or district as the BIP under which the centres are listed;
- be located within a reasonable working distance from the designated central office of the BIP and be demonstrably under the control of the official veterinarian;
- keep a specific record of the consignments examined at the centre.

**[01/812/EC Article 5.2]**

3. Inspection centres do not have to provide:

- archiving facilities, a TRACES system terminal, or a photocopier;
- all veterinary checks legislation and documentation but only documents relevant and necessary for the veterinary checks carried out in the centre.

**[01/812/EC Article 5.3]**

### ***Explanatory points***

1 Each BIP must have evidence that the BIP is approved by local customs as a customs controlled shed. (Exact customs approval category to be stated). This should be made available to Defra/AHVLA if required.

2 Copies of the approved plans for the BIP should be available in the BIP. These plans should show the position of the BIP in the overall context of the port/airport and the customs designated area and details of the facility and the flow of products and personnel through it. There should also be a clear indication of any other control boundaries in relation to the BIP, e.g. the airside/landside boundary at airports.

3 When considering whether the size and layout of a BIP is adequate it is necessary to take into account the number, size and flow pattern of consignments, together with the type of products to be handled.

4 The layout and organisation of the BIP must be considered to ensure that the flow of products and personnel cannot result in cross contamination.

5 Storage facilities should be capable of holding at least one average sized consignment of each category of goods passing through the BIP. There is some flexibility in where stores should be, but this basic amount must be permanently reserved for the BIP by physical structure. Where consignments of bulk product such as PAP, wool or fishery products in excess of the average, use of commercial stores on an emergency basis may be permitted, provided they are within the same customs controlled area as the BIP and the goods remain under the control of the OVS.

6 If ambient, chilled or frozen consignments are handled by the BIP it must be possible to store each at the appropriate temperature at the same time. It should be possible to store fit, detained and rejected goods separately. Subject to acceptable cleansing and disinfection between uses, each store may be used flexibly provided it has temporary labelling as to the purpose. This does not reduce the number of stores required but does mean that stores of differing sizes could be used appropriately or contaminated stores set aside for overnight deep cleaning.

7 The use of separate stand-alone containers for storage is acceptable provided they are sited permanently and linked by covered/enclosed walkways as appropriate to the product category. The BIP should have a contingency plan for emergency additional storage for exceptional circumstances.

8 The inspection area or office facilities should include a fridge/freezer for holding of samples awaiting transmission to the laboratory or retained reference samples. This applies to ambient-only BIPs as well.

9 Other than BIPs with a limited throughput of one category of product (HC/NHC) there should be separate facilities for changing, unloading, inspection and storage for products for human consumption and those not for human consumption. Although no definitive figure is given in the Decision, in the preamble to 2006/590 it indicates that generally BIPs handling

more than 500 consignments should have separate facilities unless the risk assessment shows that there is no chance of cross-contamination and no risk to public or animal health. The PHA should contact the ROD/RVL/DOS to arrange for a risk assessment. The risk assessment should include a site visit where the OVS should explain the protocols covering the use of the facilities for both HC and NHC. The information should include frequency of imports of each category of product, measures to avoid cross-contamination and protocols for cleansing and disinfection. If the ROD/RVL/DOS agrees to the shared use, he will inform Defra who will ask for the Commission to include these categories in the BIP approval. Where use of the same facilities has been agreed there must be a time separation and the facilities must be washed and disinfected between use for the two product categories. A copy of the approval from the ROD/RVL/DOS should be kept at the BIP.

10 The BIP must be constructed so that the hygiene requirements and any temperature requirements appropriate for the product concerned set out in the hygiene Regulations can be met. Consideration needs to be given to the construction materials used to ensure that the structure is easily cleanable and does not have dirt traps, gaps etc that could result in contamination of consignments for inspection.

11 For reasons of confidentiality phone lines must be independent of private operators. Photocopiers should be capable of copying A3 double page certificates. However in low throughput premises combined fax/copiers are acceptable provided there is local access to better facilities should heavier workloads require it.

12 Consideration needs to be given to the need for separate sinks for equipment and hand washing and the need for non-hand operable taps in the latter case, taking into account health and safety requirements. Hot water, hand soap, and disposable towels must be available. We recommend that a hand sanitizer is provided as best practice.

13 Consideration should be given to the need for temperature control in the loading, inspection and storage areas; depending on the cold chain requirements of the products inspected at the BIP. If loading bays are purely quick transfer corridors then no chilling will be necessary. However if temperature controlled products are to be held in this area it must be chilled. Where products are stored under temperature-controlled conditions for over 24 hours a recording thermometer should be installed.

14 Toilets and changing facilities for exclusive use of BIP inspection staff must be present. Sharing with BIP company employees working in offices, drivers and loaders is not permitted. Port staff involved in BIP work may use these facilities. The Commission expect clothing worn for inspection to be stored in a locker or cupboard; not openly in the changing room. Port staff working in the BIP should also wear protective clothing and either share or have a separate changing room available. There is no laid down requirement for showers now, but where bulk

products not intended for human consumption are to be inspected a shower should be available.

- 15 A boot wash should be provided to allow washing and disinfection of boots on exit from an inspection area for goods not fit for human consumption.
- 16 A storage room or cupboard should be provided for cleansing and disinfecting materials.
- 17 General areas should include sufficient storage for archived documents.
- 18 The BIP should have a documented maintenance plan, as it is important that the fabric of the BIP is kept in a satisfactory condition. Requests for maintenance and outcomes should be documented for audit.
- 19 In order that the necessary hygiene standard in line with hygiene Regulations can be demonstrated water supplies should be tested 6 monthly for potability and a pest control programme should be in place.

[Return to Section 3](#)

[Return to Section 5](#)

[Return to Section 20](#)

# Appendix B – required equipment

## *Equipment*

1. Each BIP must have appropriate equipment for the rapid exchange of information, particularly with other BIPs through the TRACES system. The TRACES system is the electronic system to facilitate the exchange of information between regions and Member States regarding the issue of health certificates, CVED and products of animal origin.

**[97/78, Annex II, indent 9]**

2. BIPs and inspection centres must have as a minimum the items noted below available at all times:

- -equipment (or access to equipment) capable of weighing consignments subject to controls;
- -any equipment needed to open and examine consignments presented for examination;
- -cleansing and disinfection equipment adequately housed and appropriate to the needs of the post, or an effective and documented system of cleansing and disinfection by an external agent;
- -equipment to maintain the temperature at the appropriate level in controlled environment rooms.

3. In inspection rooms there must be available as a minimum:

- -a table to work on with smooth washable surfaces easy to clean and disinfect;
- -sampling equipment - saw, knife, tin opener, a means of sampling consignments and sample containers;
- -sealing tape and numbered seals or labels, clearly marked to ensure traceability;
- -a thermometer to measure surface and also core temperature, weighing scales, and for fresh products, a pH meter;
- -thawing equipment or microwave oven;
- -facilities for the temporary storage of samples under temperature control, pending their dispatch to the laboratory. Suitable containers for transport of these samples should also be available.

4. BIPs and inspection centres with restricted listing must have those articles listed in 2 and 3 above as appropriate for the products to be handled in the BIP.

**[01/812/EC Annex par. 1]**

5. The BIP must have the services of a specialised approved laboratory able to carry out specialised analyses on samples taken at the BIP.

**[97/78/EC, Annex II, indent 7]**

6. The BIP must have the address of rendering or incineration premises which can carry out treatment of products for disposal in accordance The Animal By-Products Regulations 2011 laying down the veterinary rules for the handling, disposal and processing of animal by-products.

**[97/78/EC Article 17 (2) (b) and Annex II indent 10]**

### ***Explanatory points***

1. Where a BIP has separate inspection rooms for products intended for human consumption and for products not intended for human consumption each should have its own set of inspection tools.

2. The laid down list of equipment should be seen as a minimum. Any other tools which will help in the examinations should also be present i.e. scissors, seal tools, salt meter, crate opening tools etc. The tools should be held in the BIP at all times – not car boots!

3. Sampling equipment should include a range of containers, labels and seals.

4. The inspection equipment should be stored hygienically in the area where it is used.

5. Where there are separate inspection centres at the BIP, each must have its own equipment.

6. BIPs approved for handling semen and embryos must have appropriate safety equipment, container opening tools and access to a nearby source of liquid nitrogen. Where BIPs are listed for unpackaged products and no hanging equipment is available within the BIP, a contingency plan should be in place for handling carcasses/whole fish even if this is not part of the BIP's regular trade.

7. A computer must be provided on which TRACES can be accessed. Passwords must be kept up-to-date so that access is possible. Where messages are to be sent by TRACES and the system does not function then fax facilities may be used as an alternative. We recommend a broadband connection (otherwise it could take some time to access and update the system).

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## Appendix C – countries exempt from checks

Including overseas territories and islands with EU status

Austria  
Belgium  
Bulgaria  
Croatia  
Cyprus  
Czech Republic  
Denmark  
Estonia  
Finland  
France  
Germany  
Greece  
Hungary  
Ireland  
Italy  
Latvia  
Lithuania  
Luxembourg  
Malta  
Netherlands  
Poland  
Portugal  
Romania  
Slovakia  
Slovenia  
Spain, including the Canary Islands  
Sweden

Some areas geographically located outside the Europe are part of Member States, for example the French Overseas Territory of Martinique. You can check the status of these areas on the European Union website: [http://europa.eu/about-eu/countries/index\\_en.htm](http://europa.eu/about-eu/countries/index_en.htm)

Norway  
Iceland  
Faeroe Islands  
Andorra  
San Marino  
Switzerland  
Liechtenstein

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## Appendix D – CVED Checklist

<b>Documentary Check.</b>		<b>CVED No.</b>					
		<b>Container No.</b>					
<b>Areas of Responsibility.</b>							
(To be completed immediately on receipt of Documents from Agent / Importer and in all cases <b>before</b> arrangements are made to call the consignment for Vet Checks).							
<b>Name of Vessel</b>		Date & Time of arrival					
<b>Action</b>			<b>Tick</b>				
			RP	Y	N	N/A	Signature
<b>1</b>	Manifest Check.		PI				
<b>2</b>	Date and Time of Pre-Notification		Date		Time		
<b>3</b>	Pre-notification to be lodged at the BIP, may be in the form of the CVED as at 4.		I/A				
<b>4</b>	Notification. The CVED, with Part one completed, to be lodged at the BIP accompanied by all relevant Original Health Certificates or other required documentation.		PI				
<b>5</b>	BIP OVS to be advised of any Consignment identified as having landed at the Port / Airport but no Pre-notification / Notification.		PI				
<b>6</b>	Safeguard Decisions checked to ensure product is permitted		PI				
<b>7a</b>	Details on CVED checked against the Health Certificate						
	Discrepancies identified.						
<b>7b</b>	Health Certificate to be checked to confirm that it:						

	Is in English or English translation provided	PI				
	Is an original certificate					
	Is fully completed with no unauthorised deletions					
	Signed, dated & stamped by the OVS					
	Signed in a colour other than black					
	Certificate printed on a single sheet or linked pages					
<b>8a</b>	Relevant Decision in the BIP Compendium identified	PI				
	For Harmonised Products, the Health Certificate and the Model Health Certificate checked for comparison.					
<b>8b</b>	SRM statement provided, if required	PI				
<b>8c</b>	Approval Nos. of establishments checked against Third Country Lists Approval lists.	PI				
<b>9</b>	BIP OVS advised of any discrepancies.	PI				
<b>10</b>	Importing Country has Approved Residue Plan	PI				
<b>11a</b>	Harmonised Products. Audit of PI checks action points 4 - 9.	OVS				
<b>11b</b>	Non-Harmonised Products. National rules apply.	OVS				
<b>12</b>	BIP OVS to make a decision on whether the consignment has completed Documentary checks satisfactorily.	OVS				
<b>13</b>	All Check Lists to be filed with that CVED.	PI				

RP = Responsible Person I/A = Importer/Agent

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# Appendix E – physical checks

## *Detailed rules for physical checks on products*

Directive 97/78/EEC: Annex III

The aim of the physical check of the animal products is to ensure that the products still meet the purpose mentioned on the veterinary certificate or document: the guarantees of origin certified by the third country must accordingly be verified while ensuring that the subsequent transport of the product has not altered the original guaranteed condition, by means of.

- (a) sensory examinations: smell, colour, consistency, taste;
- (b) simple physical or chemical tests: cutting, thawing, cooking;
- (c) laboratory tests to detect:
  - residues,
  - pathogens,
  - contaminants,
  - evidence of alteration.

Whatever the type of product, the following must be carried out:

- (a) a check on the conditions and means of transport to identify in particular any shortcomings or breaks in the cold chain;
- (b) the real weight of the consignment and that indicated on the veterinary certificate or document must be compared, and the whole consignment weighed where necessary;
- (c) the wrapping materials and all markings (stamps, labels) thereon must be checked to ensure their conformity with Community [EU] legislation;

(d) the temperature required by Community[EU] legislation must be checked to ensure compliance during transport;

(e) an entire set of packages, or samples in the case of bulk products must be examined before undergoing sensory examination and physical, chemical and laboratory tests.

The tests must be carried out on a whole range of samples drawn from the entire consignment, which may be partially unloaded where necessary to ensure that all parts of it are reached.

The examination must cover 1 % of the items or packages in a consignment, from a minimum of two items/packages to a maximum of ten.

However, depending on the products and the circumstances, the veterinary authorities may insist on more extensive checks.

In the case of bulk goods, at least five samples must be taken from various parts of the consignment;

(f) where random laboratory tests are undertaken which cannot provide immediate results, and there is no immediate danger to public or animal health, the consignment may be released.

However, where the laboratory tests have been carried out because of a suspicion of irregularity or previous tests have given positive results, the consignments may not be released until the test results are negative;

(g) the means of transport must be fully unloaded only in the following cases:

- loading was done in such a way as to make access to the entire consignment impossible by partial unloading alone,
- sample checks have revealed irregularities,
- the previous consignment has shown irregularities,
- the official veterinarian suspects irregularities;

(h) once the physical check has been completed, the competent authority must certify the check by closing and officially stamping all the opened packages and by resealing all the containers, the number of the seal being then entered on the border transit document (now the CVED).

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## Appendix F – level of checks

### *List of products subject to veterinary checks and the levels of such checks*

#### **Category I**

Fresh meat including offal, and products, of bovine, ovine, caprine, porcine and equine species;

Fish products in hermetically sealed containers (stable at ambient temperature), fresh/frozen fish, dried/salted fishery products;

Whole eggs, hatching eggs;

Lard and rendered fats;

Animal casings.

**Documentary and identity checks** - 100 per cent of consignments

**Physical checks** - Not less than 20 per cent of consignments

#### **Category II**

Poultry, rabbit, game (farmed or wild) - meat and products;

Processed animal protein for human consumption;

Egg products;

Milk and milk products for human consumption;

Other fisheries products (other than those in category I) and bi-valve molluscs;

Honey.

**Documentary and identity checks** - 100 per cent of consignments

**Physical checks** - Not less than 50 per cent of consignments

#### **Category III**

Milk and milk products not for human consumption;

Semen, embryos, manure;

Gelatin;  
Frogs' legs and snails;  
Bones and bone products;  
Hides and skins;  
Bristles, wool, hair and feathers;  
Horns and horn products, hooves and hoof products;  
Hunting trophies;  
Processed pet food, raw material for the manufacture of pet food;  
Raw material, blood, blood products, glands and organs for pharmaceutical use;  
Blood products for technical use;  
Pathogens;  
Apiculture products;  
Hay and straw.

**Documentary and identity checks** - 100 per cent of consignments

**Physical checks** - Not less than 1 per cent and not more than 10 per cent of consignments

### ***Equivalence agreements***

#### **Canada**

100% documentary and identity check except live crustaceans and headed and gutted fish

10% of physical check on all products of animal origin except;

Bulk processed animal protein – 100% physical check for first 6 consignments then 20%

Fish, fishery products and bivalve molluscs – 15% physical check

Live crustaceans and headed and gutted fish (without further processing) – combined identity and physical check – 2%

#### **New Zealand**

100% documentary check

2% identity and physical check of all animal product consignments for human consumption

1% identity and physical check of all other consignments

20% identity check of consignments of processed animal protein not for human consumption

List of products to be checked by CN Code is contained in Commission Decision 2007/275

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# Appendix G – channelling excerpt from 97/78

## **Channelling - Excerpt from Council Directive 97/78/EC Article 8**

### 1. Where:

products are intended for a Member State or an area having obtained specific requirements in the framework of Community [EU] legislation,

- samples have been taken but the results are not known when the means of transport leaves the BIP,

- imports authorised for specific purposes are involved, in the cases provided for by Community [EU] legislation,

additional information must be communicated to the competent authority of the place of destination by means of the ANIMO (now TRACES) network referred to in Directive 90/425/EEC.

2. Each consignment of products referred to in the first and third indents of paragraph 1 and destined for another Member State shall undergo the documentary, identity and physical checks laid down in Article 4(3) and (4) at the BIP situated in the territory of the Member State where the products are introduced, to verify in particular whether the products concerned comply with the Community [EU] rules applicable to the Member State or area of destination.

However, furred wild game imported unskinned shall undergo an identity or physical check, apart from the health check and residue search provided for in Council Directive 96/23/EC of 29 April 1996 on measures to monitor certain substances and residues thereof in live animals and animal products (13), which should be carried out in accordance with Council Directive 92/45/EEC of 16 June 1992 (replaced by Regulation 853/2004) on public health and animal health problems relating to the killing of wild game and the placing on the market of wild game meat (14) in the establishment of destination where the meat must be delivered under customs supervision in accordance with the first indent of paragraph 4 of this Article and in conjunction with the certificate referred to in Article 5(1).

The results of the checks should be forwarded to the veterinary authority responsible for the BIP at which the products entered. Depending on the outcome, the measures laid down in Article 24 shall if necessary be implemented.

**3.** Member States shall ensure that, in the case of products referred to in the first and third indents of paragraph 1 and introduced into a Member State other than the Member State of destination, all measures shall be taken to ensure that the consignment involved reaches the intended Member State of destination.

**4.** Products which are to be monitored pursuant to Community [EU] legislation from the BIP of arrival to the establishment at the place of destination shall be forwarded under the following conditions:

the consignments in question shall be dispatched from the BIP of arrival to the establishment at the place of destination under the supervision of the competent authority in leak-proof vehicles or containers sealed by the competent authorities. The products referred to in the third indent of paragraph 1 shall remain under customs supervision until they reach the place of destination in accordance with procedure T5 as laid down in Commission Regulation No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) 2913/92 establishing the Community [EU] Customs Code (15), in conjunction with the certificate provided for in Article 5(1) stipulating the authorised destination and if appropriate citing the type of processing intended, the official veterinarian at the BIP concerned shall inform the veterinary authority in charge of the establishment at the place of destination of the consignment of the place of origin and the place of destination of the product via the ANIMO (now TRACES) network, the products shall undergo, in the establishment at the place of destination, the treatment defined in the relevant Community [EU] legislation, the official veterinarian at the place of destination or, in the cases provided for in Chapter 10 of Annex I to Directive 92/118/EEC (now Annex VIII, Chapter II of Regulation 142/2011), the official veterinarian responsible for an intermediate warehouse, shall be informed by the management of the establishment of destination or of the intermediate warehouse of the arrival of the product at its destination, and shall within 15 days notify the official veterinarian at the BIP who notified them of the shipment . The OVS shall carry out regular checks to ensure that the products have arrived at the establishment of destination, in particular by checking the entry records.

**5.** If proof is given to the competent authority of the BIP of entry, without prejudice to the provisions of Article 20, that the products declared as being intended for an approved establishment never arrived at their destination, the authority shall take appropriate measures vis-à-vis the person responsible for the load.

**6.** Member States shall submit to the Commission the list of approved establishments as referred to in paragraph 4 for the products concerned in accordance with the relevant Community [EU] legislation. Where an establishment fails to comply with the notification requirements, the Member State may withdraw its approval and shall impose the necessary

penalties in keeping with the nature of the risk incurred. The Commission shall publish the list of approved establishments and shall arrange for its updating and communication to the Member States.

7. Detailed rules for the application of this Article, drawn up after consultation with the customs authorities, shall be adopted in accordance with the procedure laid down in Article 29.

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## Appendix H – Scope of the veterinary checks regime

### By-products

Included	Excluded
Processed feathers (CN 0505)	Raw game trophies not from bird or ungulates
Processed horse hair (unless in an end product) (CN 0503 00 00)	Fully tanned or taxidermied game trophies
Crushed seashells for animal feed (i.e. birds) (CN 0508) – all countries no certificate	Clean dry seashells not for animal feed
Dead oysters for pearl extraction (if originally caught for HC) (CN 0511 91)	Bone Glue
Fish bait (CN 0511 91 or 0511 99 90)	Processed wool
Beeswax for technical use (CN 1521 90 (99))	Clean egg shells for decoration
Raw gelatine for pharmaceutical use (CN 3503 00)	Pharmaceutical gelatine (with kite mark)
Invertebrates for feeding to wild birds (CN 0511 99 90)	Collagen in cosmetics
Bee pollen (apiculture product) (CN 1521 90 (99))	Skin (bongo) drums
Bone charcoal	Finished leather goods
Fish maws for technical uses	Horn buttons
Lanolin/wool grease	Badger and squirrel hair
Biodiesel if caught by Regulation 142/2011	
Sponges if for human consumption or animal feed	

For blood products see decision tree on next page

### Miscellaneous

Included	Excluded
Hay & straw for rodent bedding (CN 1213 0000 or 1214(90))	
Military supplies (CN various)	Stock cubes –provided no fragments of meat
Canned insects/Insects in lollipops (CN 0410 00 00) (all countries no cert)	Food supplements packed for the final consumer containing chitosan, chondroitin or glucosamine

Land snails for human consumption (0307 60 00)	Maize products
Propolis (check as honey) (CN 0410 00 00)	Isinglass
Bulk chitosan, chondroitin & glucosamine (CN 2106909260 or 3001)	
Fish maws for isinglass	
Brine shrimps/sea monkeys	

# Appendix I – Information required by 97/152

Included for information – however no separate register is required as this data is held in TRACES.

**Commission Decision 97/152 - information to be entered in the computerised file of consignments of animals or animal products from third countries which are re-dispatched**

## 1. Border inspection post

- (a) Name and code of inspection post (ANIMO [now Decision 2009/821])
- (b) Name of veterinarian responsible

## 2 Consignment

- (a) Nature and code of goods
- (b) Number/quantity/units
- (c) Health certificate:
  - (i) serial number,
  - (ii) date,
  - (iii) name and service of veterinarian signing certificate,
  - (iv) service of origin of veterinarian
  - (v) country of origin
- (d) Serial number of CVED

## 3 Traders

- (a) Name and address of holding and/or establishment of origin (authorisation number where appropriate)
- (b) Name and address of exporter
- (c) Name and address of importer

#### 4. Consignment movements

- (a) Third country of origin
- (b) Third country of dispatch
- (c) Region of origin (where appropriate)
- (d) Member State of destination/country of destination
- (e) Consignee and address of destination (authorisation number where appropriate)
- (f) means of transport:
  - (i) air: - Flight number,
  - (ii) road and rail:
    - registration number of vehicle,
    - number of wagon.
  - (iii) sea: - name of ship
  - (iv) number of container (if applicable)

#### 5. Re-dispatch

- (a) Day and time (if possible) of re-dispatch
- (b) Departure point (if different from BIP of entry)
- (c) Destination (if possible)
- (d) Means of transport:
  - (i) air: - flight number,
  - (ii) road and rail: - registration number of vehicle,
    - number of wagon,
  - (iii) sea: - name of ship.
  - (iv) number of container

#### 6. Reason for re-dispatch

- (a) Documentary checks:

- (i) outside competence of inspection post
  - (ii) absence of certificate/licence,
  - (iii) invalid certificate/licence,
    - copy rather than original.
    - other formal errors,
  - (iv) documentary errors,
    - third country,
    - region,
    - establishment
    - additional guarantees
    - protective clause
- (b) Identity checks
- (i) discrepancy between certificate/licence and goods.
  - (ii) absence of regulatory mark or brand
  - (iii) results of visual examination negative,
    - goods,
    - means of transport
    - animal welfare
- (c) Physical checks.
- Goods not complying with rules,
  - examination by veterinarian,
  - laboratory tests,
  - animal welfare

7. comment

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# Appendix J – channelled goods

## *Consignments requiring post import notifications or controls*

### *Summary of legal position and its implications*

97/78/EC - ARTICLE 8

Article 8(1) & 8(2) Post import notification from BIP to destination

- Products imported for a specific Member State under special conditions – there are none for the UK\*.
- Consignments where samples are taken but the result is not known.
- Imports for specific purposes permitted under EU legislation – where it is specified in import rules\*.
- Unskinned game.
- Bivalve molluscs for human consumption or processing
- Intermediate products
- Processed animal protein
- Greasy wool

### *Customs procedure*

No customs control required.

### *Action for OVS*

Ensure that boxes 33 and 37 are completed (except for consignments released pending test results). For these consignments completion of box 29 will be sufficient. There is no need to fax or e-mail through to the RVL/DOS/ROD.

### *Action for AHO*

No follow-up action required.

### **Article 8(3)**

Member States should ensure that products, marked with an asterisk above, in transit to another Member State reach the intended destination: action detailed above should achieve this.

### **Article 8(4) – details of procedures for channelling**

Article 8(4) lays down general channelling arrangements. The requirements of this Article are laid out under each relevant product type.

## **Article 11 - transits**

*Products in transit across the EU from one third country to another by road, rail or waterway.*

*Require movement by road, rail or waterway under Customs T1 procedure and TRACES message.*

### **Customs procedure**

Consignments should move under Customs T1 controls.

#### **Action for OVS (Entry)**

Ensure that box 31 is completed.

Record consignment in register of consignments to be followed-up.

The container/vehicle should be sealed by the PHA.

Ensure the consignment travels under Customs control - the OVS should complete box 42 on the CVED which requires the reference number of the T1 document. Therefore OVS should see the T1 document before the consignment is released.

Follow up any consignments where confirmation of exit has not been received after 30 days.

Record outcome in register.

#### **Action for OVS (Exit)**

Confirm receipt of consignment to Entry BIP.

If the consignment does not arrive within 30 days, contact the Entry BIP.

#### **Action for AHO**

Message goes to exit BIP therefore no action necessary unless contacted by the OVS.

If no exit confirmation received, ROD/RVL/DOS should be involved in investigation although enforcement action lies with PHA or LA.

## **Article 12 – movements to a free zone or free warehouse**

*Movement from a free-zone or warehouse is under Custom control and TRACES message is required.*

### **Customs procedure**

Consignments should move under Customs T1 controls.

### **Action for OVS**

Ensure that boxes 34 and 37 are completed.

Record consignment in register of consignments to be followed-up.

Ensure the consignment travels under Customs control - the OVS should complete box 42 on the CVED which requires the reference number of the T1 document. Therefore OVS should see the T1 document before the consignment is released.

Follow up any consignments where confirmation of arrival has not been received.

Record outcome in register.

### **Action for AHO**

There are no approved free zones or warehouse in the UK therefore no action should be need by the Animal Health.

### ***Article 13 – movement to ships' stores or directly to a vessel***

Requires:

- Notification of arrival,
- Deliveries by T1 procedures,
- Operator confirmation that products have reached destination and
- TRACES message.

### ***Customs procedure***

Consignments should move under Customs T1 controls.

### ***Action for OVS***

Ensure that boxes 34 and 37 are completed. Fax or e-mail a copy of the CVED and the 2000/571 certificate to the relevant Local Authority with a request for confirmation that the authority ensures that part 2 of the certificate is completed and returned by them or the captain.

Record consignment in register of consignments to be followed-up.

Ensure the consignment travels under Customs control - the OVS should complete box 42 on the CVED which requires the reference number of the T1 document. Therefore OVS should see the T1 document before the consignment is released.

Issue certificate required by Commission Decision 2000/571.

Follow up any consignments where confirmation of arrival has not been received.

Record outcome in register.

### ***Action for receiving LA***

There are no approved ship stores' in the UK at the moment.

Consignments sent directly to a vessel at a UK port will be notified to the relevant local authority. The LA/PHA or Captain are responsible for confirming receipt of the consignment so they will need to notify the Captain to ensure that they are aware of the consignment and of their obligation to confirm receipt or arrange confirmation themselves.

## **Article 15 – re-imports**

*Channelling as laid down in Article 8(4) required.*

### **Customs procedure**

Consignments must be moved under T5 controls.

### **Action for OVS**

Ensure that boxes 33 (Re-Import of EU Product) and 37 are completed on the CVED. Send a copy of the CVED by fax or e-mail to the ROD/RVL/DOS asking for confirmation of receipt of consignment.

Record consignment in register of consignments to be followed-up.

Ensure the consignment travels under Customs control - the OVS should complete box 42 on the CVED which requires the reference number of the T5 document. Therefore OVS should see the T5 document before the consignment is released.

Follow up any consignments where confirmation of arrival has not been received.

Record outcome in register.

### **Action for AHO**

The operator of the destination establishment must send confirmation of receipt; therefore they should be contacted if this not received.

AHOs should ensure that the “control” section of the TRACES message of a channelled consignment is completed as soon as possible and that the BIP of origin is informed of the completion of the message as the system does not inform the OVS that the controls have been completed.

Enforcement action for non-compliance with channelling arrangements lies with the PHA/LA but if the consignment had not been received, the ROD/RVL/DOS should be involved in the investigation.

## **Article 19 – head-on, non-gutted frozen tuna**

*Can be moved to destination under channelling arrangements laid down in Article 8(4).*

### **Customs procedure**

Consignments must be moved under T5 controls.

### **Action for OVS**

Ensure that boxes 33 and 37 are completed on the CVED. Send a copy of the CVED by fax or e-mail to the ROD/RVL/DOS asking for confirmation of receipt of consignment.

Record consignment in register of consignments to be followed-up.

Ensure the consignment travels under Customs control - the OVS should complete box 42 on the CVED which requires the reference number of the T5 document. Therefore OVS should see the T5 document before the consignment is released.

Follow up any consignments where confirmation of arrival has not been received.

Record outcome in register.

### **Action for AHO**

The operator of the destination establishment must send confirmation of receipt; therefore they should be contacted if this not received.

AHOs should ensure that the “control” section of the TRACES message of a channelled consignment is completed as soon as possible and that the BIP of origin is informed of the completion of the message as the system does not inform the OVS that the controls have been completed.

Enforcement action for non-compliance with channelling arrangements lies with the PHA/LA but if the consignment had not been received the ROD/RVL/DOS should be involved in the investigation.

## ***Animal By-products Regulations 1069/2009 and 142/2011***

### ***Article 48 – by-products sent to other Member States***

*TRACES message on dispatch and confirmation (via TRACES) on receipt: AHO should do this.*

### ***Annex XIV, Chapter 2, Table 2, Row 11 – bones other than those intended for feed, fertiliser or soil improver***

*Article 8(4) procedures apply and consignment must go to a registered establishment or plant of destination.*

#### ***Customs procedure***

Consignments must be moved under T5 controls.

#### ***Action for OVS***

Ensure that boxes 33 and 37 are completed. Send a copy of the CVED by fax or e-mail to the ROD/RVL/DOS asking for confirmation of receipt of consignment.

Enter consignment in register of consignments to be followed-up.

Ensure the consignment travels under Customs control - the OVS should complete box 42 on the CVED which requires the reference number of the T5 document. Therefore OVS should see the T5 document before the consignment is released.

Follow up any consignments where confirmation of arrival has not been received.

Enter outcome in register.

#### ***Action for AHO***

The operator of the destination establishment must send confirmation of receipt; therefore they should be contacted if this not received.

AHOs should ensure that the “control” section of the TRACES message of a channelled consignment is completed as soon as possible and that the BIP of origin is informed of the



completion of the message as the system does not inform the OVS that the controls have been completed.

If the consignment had not been received this should be followed up with the portal OVS.

**Annex XIV, Chapter 2, Table 2: Row 2 – blood and blood products (excluding blood from equidae) for derived products for uses outside the food chain**

*For blood of Artiodactyla, Perissodactyla and Proboscidea and their cross breeds:*

- *If there is an official vaccination for foot-and-mouth disease, or*
- *if there has been an outbreak of vesicular stomatitis or a vaccination programme for VS in the last 12 months*
- *or if there has been an outbreak of bluetongue or a vaccination programme in the last 12 months (excluding suidae and tayassuidae).*

*Article 8(4) procedures required and must go to a technical plant, intermediate plant or an authorised and registered user or collection centre.*

**Customs procedure**

Consignments must be moved under T5 controls.

**Action for OVS**

Ensure that boxes 33 and 37 are completed on the CVED. Send a copy of the CVED by fax or e-mail to the ROD/RVL/DOS asking for confirmation of receipt of consignment.

Enter consignment in register of consignments to be followed-up.

Ensure the consignment travels under Customs control - the OVS should complete box 42 on the CVED which requires the reference number of the T5 document. Therefore OVS should see the T5 document before the consignment is released.

Follow up any consignments where confirmation of arrival has not been received.

Enter outcome in register.

**Action for AHO**

The operator of the destination establishment must send confirmation of receipt; therefore they should be contacted if this not received.

AHOs should ensure that the “control” section of the TRACES message of a channelled consignment is completed as soon as possible and that the BIP of origin is informed of the completion of the message as the system does not inform the OVS that the controls have been completed.

If the consignment had not been received this should be followed up with the portal OVS.

**Annex XIV, Chapter 2, Table 2, Row 14 – by-products for feed for fur animals, pet food (other than raw petfood) or derived products for uses outside the feed chain for farmed animals**

*Article 8(4) procedures required and must go to*

- *a pet food plant or*
- *establishment/plant (with guarantees of intended use) or*
- *an plant approved for handling animal by-products (such as sorting and cutting) or*
- *plant approved for processing by pressure sterilisation (see Article 15(1)).*

**Customs procedure**

Consignments must be moved under T5 controls.

**Action for OVS**

Ensure that boxes 33 and 37 are completed on the CVED. Send a copy of the CVED by fax or e-mail to the ROD/RVL/DOS asking for confirmation of receipt of consignment.

Enter consignment in register of consignments to be followed-up.

Ensure the consignment travels under Customs control - the OVS should complete box 42 on the CVED which requires the reference number of the T5 document. Therefore OVS should see the T5 document before the consignment is released.

Follow up any consignments where confirmation of arrival has not been received.

Enter outcome in register.

**Action for AHO**

The operator of the destination establishment must send confirmation of receipt; therefore they should be contacted if this not received.

AHOs should ensure that the “control” section of the TRACES message of a channelled consignment is completed as soon as possible and that the BIP of origin is informed of the completion of the message as the system does not inform the OVS that the controls have been completed.

If the consignment had not been received this should be followed up with the portal OVS.

***Annex XIV, Chapter 2, Table 2, Row 17 – rendered fats for certain purposes outside the feed chain for farmed animals***

*Article 8(4) procedures required and must go to a registered establishment or plant of destination.*

***Customs procedure***

Consignments must be moved under T5 controls.

***Action for OVS***

Ensure that boxes 33 and 37 are completed on the CVED. Send a copy of the CVED by fax or e-mail to the ROD/RVL/DOS asking for confirmation of receipt of consignment.

Enter consignment in register of consignments to be followed-up.

Ensure the consignment travels under Customs control - the OVS should complete box 42 on the CVED which requires the reference number of the T5 document. Therefore OVS should see the T5 document before the consignment is released.

Follow up any consignments where confirmation of arrival has not been received.

Enter outcome in register.

***Action for AHO***

The operator of the destination establishment must send confirmation of receipt; therefore they should be contacted if this not received.

AHOs should ensure that the “control” section of the TRACES message of a channelled consignment is completed as soon as possible and that the BIP of origin is informed of the completion of the message as the system does not inform the OVS that the controls have been completed.

If the consignment had not been received this should be followed up with the portal OVS.

**Annex XIV, Chapter 2, Table 2, Row 18 – fat derivatives**

*Article 8(4) procedures channel to a registered establishment or plant of destination.*

**Customs procedure**

Consignments must be moved under T5 controls.

**Action for OVS**

Ensure that boxes 33 and 37 are completed on the CVED. Send a copy of the CVED by fax or e-mail to the ROD/RVL/DOS asking for confirmation of receipt of consignment.

Enter consignment in register of consignments to be followed-up.

Ensure the consignment travels under Customs control - the OVS should complete box 42 on the CVED which requires the reference number of the T5 document. Therefore OVS should see the T5 document before the consignment is released.

Follow up any consignments where confirmation of arrival has not been received.

Enter outcome in register.

**Action for AHO**

The operator of the destination establishment must send confirmation of receipt; therefore they should be contacted if this not received.

AHOs should ensure that the “control” section of the TRACES message of a channelled consignment is completed as soon as possible and that the BIP of origin is informed of the completion of the message as the system does not inform the OVS that the controls have been completed.

If the consignment had not been received this should be followed up with the portal OVS.

## ***Annex XIV, Chapter 2, Table 2, Row 19– photographic gelatine***

*Article 8(4) procedures channel to a specifically approved plant – for UK there is only one which is Kodak Ltd in Harrow. Photographic gelatine should only come through a specifically approved BIP. There are 3 in the UK: Felixstowe, Heathrow and Liverpool.*

### ***Customs procedure***

Consignments must be moved under T5 controls.

### ***Action for OVS***

Ensure that boxes 33 and 37 are completed on the CVED. Send a copy of the CVED by fax or e-mail to the ROD/RVL/DOS asking for confirmation of receipt of consignment.

Take a copy of the certificate for the file and send the original certificate to the destination establishment.

Enter consignment in register of consignments to be followed-up.

Ensure the consignment travels under Customs control - the OVS should complete box 42 on the CVED which requires the reference number of the T5 document. Therefore OVS should see the T5 document before the consignment is released.

Follow up any consignments where confirmation of arrival has not been received.

Enter outcome in register.

### ***Action for AHO***

The operator of the destination establishment must send confirmation of receipt; therefore they should be contacted if this not received.

AHOs should ensure that the “control” section of the TRACES message of a channelled consignment is completed as soon as possible and that the BIP of origin is informed of the completion of the message as the system does not inform the OVS that the controls have been completed.

If the consignment had not been received this should be followed up with the portal OVS.

***Annex XIV, Chapter 2, Table 2, Row 20 – horns and hooves and their products (excluding horn meal and hoof meal) intended for the production of organic fertilisers or soil improvers***

*Article 8(4) procedures channel to a registered establishment or plant of destination.*

***Customs procedure***

Consignments must be moved under T5 controls.

***Action for OVS***

Ensure that boxes 33 and 37 are completed on the CVED. Send a copy of the CVED by fax or e-mail to the ROD/RVL/DOS asking for confirmation of receipt of consignment.

Enter consignment in register of consignments to be followed-up.

Ensure the consignment travels under Customs control - the OVS should complete box 42 on the CVED which requires the reference number of the T5 document. Therefore OVS should see the T5 document before the consignment is released.

Follow up any consignments where confirmation of arrival has not been received.

Enter outcome in register.

***Action for AHO***

The operator of the destination establishment must send confirmation of receipt; therefore they should be contacted if this not received.

AHOs should ensure that the “control” section of the TRACES message of a channelled consignment is completed as soon as possible and that the BIP of origin is informed of the completion of the message as the system does not inform the OVS that the controls have been completed.

If the consignment had not been received this should be followed up with the portal OVS.

## ***Annex XIV, Chapter 3, Section 2 – Trade samples***

Article 8(4) procedures channel to the registered establishment or plant indicated in the authorisation.

### ***Customs procedure***

Consignments must be moved under T5 controls.

### ***Action for OVS***

Ensure that boxes 33 and 37 are completed on the CVED. Send a copy of the CVED by fax or e-mail to the ROD/RVL/DOS asking for confirmation of receipt of consignment.

Enter consignment in register of consignments to be followed-up.

Ensure the consignment travels under Customs control - the OVS should complete box 42 on the CVED which requires the reference number of the T5 document. Therefore OVS should see the T5 document before the consignment is released.

Follow up any consignments where confirmation of arrival has not been received.

Enter outcome in register.

### ***Action for AHO***

The operator of the destination establishment must send confirmation of receipt; therefore they should be contacted if this not received.

AHOs should ensure that the “control” section of the TRACES message of a channelled consignment is completed as soon as possible and that the BIP of origin is informed of the completion of the message as the system does not inform the OVS that the controls have been completed.

If the consignment had not been received this should be followed up with the portal OVS.

[Return to section 8](#)

[Return to section 12](#)



# Appendix K – The National Monitoring Plan

## ***Part A - Introduction***

EU law (Commission Regulation 136/2004) requires that Member States must submit imported products of animal origin (POAO) to a monitoring plan, with the objective to monitor conformity with EU legislation or, where applicable, national rules, and in particular to detect residues, pathogenic organisms or other substances dangerous to humans, animals or the environment. Application of the monitoring plan at each BIP should be based upon the nature of the products and the risk they represent, taking into account all relevant monitoring parameters such as frequency and number of incoming consignments and results of previous monitoring.

The National Monitoring Plan (NMP) sets out products to be sampled for hazards under broad categories of animal products based on specific EU requirements. In certain cases the hazard is more likely to be found in specific products rather than the broad category given. Specific products are set down in legislation and such legislation should be consulted.

The specific EU requirements are set out below. However, Regulation (EC) 178/2002 also requires that food imported into the EU for placing on the market complies with the relevant requirements of food law and is not unsafe. Checks for compliance form part of the NMP.

The NMP matrix is below in Section B. Individual BIPs should use this to inform their decisions on their annual sampling plans and taking into account the volume and nature of their trade ensure that they take samples and test product handled by the BIP for relevant contaminants.

Further guidance on the products that should be sampled and tested for hazards listed in the NMP matrix is given at Table 1.

## ***Legislation***

### ***Directive 97/78/EC – veterinary checks directive***

Article 4(4) (b) – provides for samples to be taken.

Annex III – lays down the requirements for physical checks which includes:

(c) laboratory tests to detect:

residues,

pathogens,

contaminants

evidence of alteration.

### ***Regulation 136/2004 - Annex II, paragraph 1 – procedures for veterinary checks***

Member States must submit consignments of products presented for importation to a monitoring plan, with the objective to monitor conformity with EU legislation or, where applicable, national rules, and in particular to detect residues, pathogenic organisms or other substances dangerous to humans, animals or the environment.

### ***Regulation 2073/2005 – microbiological standards***

Regulation (EC) No 2073/2005 as amended by Regulations 1441/2007 and 365/2010 sets down obligations for food business operators, who must ensure that foodstuffs are in compliance with the microbiological criteria of this Regulation. Although these microbiological criteria are mainly intended to be used by food business operators in the context of their good hygiene practice and HACCP procedures, the criteria apply also to samples taken for official controls to verify that the criteria laid down for food are met.

### ***Directive 96/23 – veterinary residues monitoring directive***

Council Directive 96/23 lays out the requirements that must be met in relation to the planning and execution of national residue control plans for live animals and products of animal origin. The principal objective of the legislation is to detect illegal use of substances in animal production and the misuse of authorised veterinary medicinal products and to ensure the implementation of appropriate actions to minimise recurrence of all such residues in food of animal origin.

Residue monitoring requirements for third countries wishing to export food of animal origin to the EU are outlined in Articles 29 and 30 of Council Directive 96/23/EC. Article 29 (1) of the Directive states that a third country must submit a plan setting out the guarantees which it offers as regards the monitoring of the groups of residues and substances referred to in Annex I to Council Directive 96/23/EC. The guarantees must have an effect at least equivalent to those provided for in the Directive for Member States.

### ***Commission Regulation 1881/2006 setting maximum levels for certain contaminants in foodstuffs***

Sets maximum levels for certain contaminants.

### ***Sampling Procedures***

Sampling procedures for veterinary checks at EU BIPs on products from third countries are laid down EU legislation. BIPs should submit samples to: public analysts appointed by the local authority for food or feed analysis, Health Protection Agency Food, Water and Environmental Microbiology laboratories for food examination or , where appropriate, other laboratories accredited for specific analytical techniques.

Consignments which are sampled as part of the VMD non-statutory sampling plan and those taken as part of routine sampling at the BIP do not need to be detained pending the results of the analysis.

### ***Specific safeguard measures***

Where there are specific Commission Decisions requiring the sampling of products for contaminants covered by the national monitoring plan these will be counted as part of the plan.

### ***Cost recovery***

Samples taken under the national monitoring plan are to be incorporated in the general cost for veterinary checks by each authority. These should be recovered from importers as part of the overall cost of the checks.

Where samples are taken under safeguard measures: either because the Commission have discovered a problem in a third country or because a UK BIP has detected a prohibited residue or harmful substance in a previous consignment the cost of the sample is to be recovered from the individual importer.

### ***Returns***

The form at Appendix M (excel version distributed annually) should be completed for any samples taken during the month please note the following:

- (i) Country of origin should be recorded by name not ISO code,
- (ii) The 94/360 code can be selected by a drop down menu,

(iii) Product type this should be a description of the product (fresh red meat, cooked prawns)

(iv) Main category can be selected from a drop down menu

Microbiological

Heavy metal

chemical (other)

Microscopy

Safeguard measures

Other

Vet residue

Toxins

Mycotoxins

(v) "Sampled for" should include details of the substance sampled for

**B The Matrix**

NATIONAL MONITORING PLAN									
<b>Category</b>	<b>I.1</b>				<b>I.2</b>	<b>I.3</b>	<b>I.4</b>	<b>I.5</b>	<b>I.6</b>
Food covered by the plan	Bovine	Ovine / Caprine	Swine	Equine	Fish products	Whole eggs	Lard and Rendered fats	Animal casings	Hatching eggs
Listeria monocytogenes			a						
salmonella	a	a		a	a				
Staphylococcal enterotoxins									
Enterobacter sakazakii									
Histamine					a				
E.coli	a				a				

Aerobic colony count	a	a	a	a					
Enterobacteriaceae	a	a	a	a					
Coagulase-positive staphylococci					a				
Lead	b	b	b		b				
Cadmium	b	b	b	b	b				
Mercury					b				
Stilbenes									
Thyrostats									
Synthetic steroids (with androgenic, estrogenic or progestagenic activity)	c								
Resorcylic acid lactones									
Beta agonists	c		c						

Chloramphenicol					c				
Nitrofurans					c				
Nitroimidazoles									
Antibacterial substances			c		c				
Anthelmintics	c								
Anticoccidials						c			
Carbamates and pyrethroids									
Sedatives									
Non steroidal anti-inflammatory drugs				c					
Phenylbutazone									
Carbadox, olaquinox									
Organochlorine compounds	c	c	c	c	c	c			

including PCBs									
Orgnophosphorus compound									
Chemical elements									
Mycotoxins									
Dyes (malachite green) (leucomalachite green) (Chrystal Violet) (leucocrystal violet)					c				
PAH	c	c	c		c				
Radiocaesium in products from certain countries									

(a) Commission Regulation 2073/2005 on microbiological criteria in food stuffs, as amended by Commission Regulation 1441/2007

(b) Commission Regulation 1881/2006 setting maximum levels for certain contaminants in foodstuffs

(c) Council Directive 96/23 on measures to monitor certain substances and residues in live animals and animal products



(d) Commission Regulation 854/2004 laying down specific rules for the organisation of official controls on POAO for human consumption

(e) Council Regulation 737/1990, Commission Regulation 1609/2000 & Commission Regulation 1635/2006 in live animals and animal products including dairy -  
See regulation for detail

Category	II.1	II.2		II.3	II.4	II.5	II.6	II.7
Food covered by the plan	Poultry and poultry products	Rabbit meat	Game meat	Milk and milk products	Egg products	Processed animal protein	Other fishery products	Honey
salmonella	a			a	a		a	
Staphylococcal enterotoxins				a			a	
Enterobacter sakazakii				a				
Histamine							a	
E.coli				a			a	
Enterobacteriaceae				a	a			
Coagulase-positive staphylococci				a			a	

Lead				b				
Cadmium	b						b	
Mercury							b	
Stilbenes								
Synthetic steroids (with androgenic, estrogenic or progestagenic activity)								
Resorcylic acid lactones								
Beta agonists								
Chloramphenicol	c			c			c	c
Nitrofurans							c	
Nitroimidazoles	c							
Antibacterial substances				c			c	c

Anthelmintics								
Anticoccidials								
Carbamates and pyrethroids								
Non steroidal anti-inflammatory drugs								
Phenylbutazone								
Organochlorine compounds including PCBs								
Organophosphorus compounds								
Chemical elements								
Mycotoxins				b				
Dyes (malachite green) (leucomalachite green) (Chrysal Violet) (leucocrystal violet)							c	

PAHs	c	c	c	c			c	
Marine biotoxins								
Radiocaesium in products from certain countries								

(a) Commission Regulation 2073/2005 on microbiological criteria in food stuffs, as amended by Commission Regulation 1441/2007

(b) Commission Regulation 1881/2006 setting maximum levels for certain contaminants in foodstuffs

(c) Council Directive 96/23 on measures to monitor certain substances and residues in live animals and animal products

(d) Commission Regulation 854/2004 laying down specific rules for the organisation of official controls on POAO for human consumption

(e) Council Regulation 737/1990, Commission Regulation 1609/2000 & Commission Regulation 1635/2006 in live animals and animal products including dairy - See regulation for detail

Food covered by the plan	Semen Embryos	Manure	Milk and milk products (NHC)	Gelatin	Frog legs and Snails	Bones and bone products	Hides and Skins	Bristles, wool, hair feathers Horns hooves	Apiculture products	Hunting trophies	Petfood	Raw material for petfood/pharm	Blood products for technical use	Pathogens	Hay and straw	PAP	Collagen
salmonella					a						f					f	
Staphylococcal enterotoxins																	
Enterobacter sakazakii											f						
Histamine																	
E.coli																	
Enterobacteriaceae																	
Coagulase-positive staphylococci																	
Mycotoxins																	

Lead				h														h	
Cadmium				h															h
Mercury				h															h
Stilbenes																			
Synthetic steroids (with androgenic, estrogenic or progestagenic activity)																			
Resorcylic acid lactones																			
Beta agonists																			
Chloramphenicol																			
Nitrofurans																			
Nitroimidazoles																			
Antibacterial substances																			

Anthelmintics																	
Anticoccidials																	
Carbamates and pyrethroids																	
Non steroidal anti-inflammatory drugs																	
Phenylbutazone																	
Organochlorine compounds including PCBs																	
Organophosphorus compounds																	
Other chemical elements/compounds				h*													h*
Dyes (malachite green) (leucomalachite green) (Chrystal Violet)																	



(leucocrystal violet)																	
PAHs																	
Radiocaesium in products from certain countries																	
Terrestrial Bone																g	

(a) Commission Regulation 2073/2005 on microbiological criteria in food stuffs, as amended by Commission Regulation 1441/2007

(b) Commission Regulation 1881/2006 setting maximum levels for certain contaminants in foodstuffs

(c) Council Directive 96/23 on measures to monitor certain substances and residues in live animals and animal products

(d) Commission Regulation 854/2004 laying down specific rules for the organisation of official controls on POAO for human consumption

(e) Council Regulation 737/1990, Commission Regulation 1609/2000 & Commission Regulation 1635/2006 in live animals and animal products including dairy - See regulation for detail

(f) Council Regulation 1774/2002 laying down health rules concerning animal by-products not intended for human consumption

(g) Commission Directive 2006/126 on the analytical method for the determination of constituents of animal origin for the official control of feedingstuffs

(h) Regulation (EC) 853/2004 laying down specific hygiene rules for food of animal origin

\* Arsenic, Chromium, Copper, Zinc, SO<sub>2</sub>, H<sub>2</sub>O<sub>2</sub>

## **C Guidance to support the National Monitoring Plan Matrix**

1. The purpose of this guidance document is to support the National Monitoring Plan Matrix by giving further guidance on the products that should be sampled and tested for hazards listed in the National Monitoring Plan (NMP) Matrix.
2. The NMP Matrix sets out sampling levels for hazards under broad categories of animal products. However, in certain cases the hazard is more likely to be found in more specific products than the categories given in the Matrix. The guidance below therefore identifies where it is more appropriate to sample and test more specific products for the hazard named. In particular the Annexes of Regulations (EC) 1881/2006 and 2073/2005 (as amended) list products that should be sampled and this legislation should be consulted.
3. BIPs should also note that Regulation (EC) 178/2002 requires that food imported into the EU for placing on the market complies with the relevant requirements of food law and not be unsafe. Checks for compliance form part of the NMP.

**Note:** In the case of the Microbiological Criteria for foodstuffs Regulation (EC) No 2073/2005, Annex 1, Chapter 1.

(<http://eurlex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32005R2073:EN:NOT>) this is as amended by [Commission Regulation \(EC\) 1441/2007](#) and 365/2010. The BRC/CFA Guidance on the practical implementation of the EC Regulation 2073/2005 provides some specific examples of products for each of the categories included in Regulation 2073/2005.  
<http://www.chilledfood.org/Content/home.asp>

*Note: veterinary medicines to be considered, however samples taken under the VMD's non-statutory surveillance programme do not form part of the plan.*

**Table 1: Guidance to support the National Monitoring Plan Matrix**

Product category	Hazard	Guidance on specific products to sample
Bovine		
	<i>Salmonella</i>	Minced meat and meat preparations intended to be eaten raw (Criterion 1.4) Minced meat and meat preparations

		<p>intended to be eaten cooked (Criterion 1.6.)</p> <p>Mechanically separated meat (MSM) (Criterion 1.7)</p> <p>Meat products intended to be eaten raw, excluding products where the manufacturing process or the composition of the product will eliminate the salmonella risk (Criterion 1.8.)</p>
	Lead	Include offal
	Dioxins plus dioxin-like PCBs	Level of contamination would be lower than in lamb. Checks should include liver.
	BaP (or PAHs)	The regulation only covers smoked meats. Raw meats are not susceptible to BaP contamination.
	Mycotoxins – Hazard: aflatoxin B1	Bovine liver
	Radiocaesium i.e. with radioactive isotopes caesium 137 and caesium 134 in excess of 600 Bq/kg (Annex II of Regulation 1635/2006 lists the applicable countries)	<p>Meat and edible meat offal.</p> <p>Sausages and other similar products, of meat, offal or blood; food preparations based on these products.</p> <p>Other prepared or preserved meat, meat offal or blood.</p>
Ovine / Caprine	<i>Salmonella</i>	<p>Minced meat and meat preparations intended to be eaten raw (Criterion 1.4)</p> <p>Minced meat and meat preparations intended to be eaten cooked</p>

		<p>(Criterion 1.6)</p> <p>Mechanically separated meat (MSM)</p> <p>(Criterion 1.7)</p> <p>Meat products intended to be eaten raw, excluding products where the manufacturing process or the composition of the product will eliminate the salmonella risk</p> <p>(Criterion 1.8)</p>
	Dioxins plus dioxin-like PCBs	Lamb is a meat known to accumulate dioxin, and there should be greater emphasis on lamb than on beef or pig. Checks should include liver.
	BaP (or PAHs)	The regulation only covers smoked meats. Raw meats are not susceptible to BaP contamination.
	Mycotoxins – Hazard: aflatoxin B1	Ovine liver
	Radiocaesium i.e. with radioactive isotopes caesium 137 and caesium 134 in excess of 600 Bq/kg (Annex II of Regulation 1635/2006 lists the applicable countries)	<p>Meat and edible meat offal.</p> <p>Sausages and other similar products, of meat, offal or blood; food preparations based on these products.</p> <p>Other prepared or preserved meat, meat offal or blood.</p>
Porcine		
	<i>Salmonella</i>	<p>Minced meat and meat preparations intended to be eaten raw</p> <p>(Criterion 1.4)</p> <p>Minced meat and meat preparations intended to be eaten cooked</p>

		<p>(Criterion 1.6)</p> <p>Mechanically separated meat (MSM)</p> <p>(Criterion 1.7)</p> <p>Meat products intended to be eaten raw, excluding products where the manufacturing process or the composition of the product will eliminate the salmonella risk</p> <p>(Criterion 1.8)</p>
	Dioxins plus dioxin-like PCBs	Level of contamination would be lower than in lamb. Checks should include liver.
	BaP (or PAHs)	The regulation only covers smoked meats. Raw meats are not susceptible to BaP contamination.
	Radiocaesium i.e. with radioactive isotopes caesium 137 and caesium 134 in excess of 600 Bq/kg (Annex II of Regulation 1635/2006 lists the applicable countries)	<p>Meat and edible meat offal.</p> <p>Sausages and other similar products, of meat, offal or blood; food preparations based on these products.</p> <p>Other prepared or preserved meat, meat offal or blood.</p>
Equine	<i>Salmonella</i>	<p>Minced meat and meat preparations intended to be eaten raw</p> <p>(Criterion 1.4)</p> <p>Minced meat and meat preparations intended to be eaten cooked</p> <p>(Criterion 1.6)</p> <p>Mechanically separated meat (MSM)</p> <p>(Criterion 1.7)</p> <p>Meat products intended to be eaten raw, excluding products where the manufacturing process or the</p>

		composition of the product will eliminate the salmonella risk.  (Criterion 1.8)
Fish products & crustaceans  (as in Annex I of 94/360/EC)		<i>(Note - definition of this category in Annex I of Decision 94/360/EC is – fish products in hermetically sealed containers intended to render them stable at ambient temperatures, fresh and frozen fish and dry and/or salted fishery products)</i>
	Histamine	Fishery products from fish species associated with a high amount of histidine.  (Criterion 1.26.)  Fishery products which have undergone enzyme maturation treatment in brine, manufactured from fish species associated with a high amount of histidine.  (Criterion 1.27)
	Lead	Checks should include cephalopods, which are included in Regulation 1881/2006.
	Cadmium	Shellfish are well known for accumulating cadmium. Checks should include molluscs and cephalopods.
	Mercury	Mercury accumulates in all fish, particularly predator species, and mercury in fish is a common RASFF report for environmental contaminants.
	Dioxins plus dioxin-like PCBs	Fish and shellfish are included in 1881/2006. Fish, particularly oily fish are known to accumulate dioxins and PCBs, e.g. to a higher level than white fish.
	BaP (or PAHs)	Shellfish are prone to contamination.

		Smoked fish is also subject to regular RASFF alerts and should be monitored more than fresh fish.
Eggs	<i>Salmonella</i>	Egg products, excluding products where  the manufacturing process or the composition of the product will eliminate the salmonella risk.  (Criterion 1.14)  Ready-to-eat foods containing raw egg, excluding products where the manufacturing process or the composition of the product will eliminate the salmonella risk.  (Criterion 1.15)
	Dioxins plus dioxin-like PCBs	Free range eggs in particular are known to accumulate dioxins.
	Radiocaesium i.e. with radioactive isotopes caesium 137 and caesium 134 in excess of 600 Bq/kg (Annex II of Regulation 1635/2006 lists the applicable countries)	Birds' eggs
Poultry		
	<i>Salmonella</i>	Minced meat and meat preparations made from poultry meat intended to be eaten cooked.  (Criterion 1.5)  Meat products made from poultry meat intended to be eaten cooked.  (Criterion 1.9)  * Meat preparations – FSA advice is that BIPs focus their examination activities on imports of cooked poultry and other ready to eat



		products rather than looking for microbiological contaminants in poultry meat preparations that are to be cooked prior to consumption. It would be preferable for BIP resources to be used to target higher risk commodities, given the critical control steps that meat preparations will go through.
	Dioxins plus dioxin-like PCBs	Free range birds, including ratites, show evidence of accumulating dioxins. More so than those that are intensively produced.
	BaP (or PAHs)	1881/2006 only covers smoked meats. Raw meats are not susceptible to BaP contamination.
	Radiocaesium i.e. with radioactive isotopes caesium 137 and caesium 134 in excess of 600 Bq/kg (Annex II of Regulation 1635/2006 lists the applicable countries)	Meat and edible meat offal.  Sausages and other similar products, of meat, offal or blood; food preparations based on these products.  Other prepared or preserved meat, meat offal or blood.
Milk & Milk Products	<i>Salmonella</i>	Cheeses, butter and cream made from raw milk or milk that has undergone a lower heat treatment than pasteurisation  (Criterion 1.11)  Milk powder and whey powder.  (Criterion 1.12.)  Ice cream containing milk ingredients, excluding products where the manufacturing process or the composition of the product will eliminate the salmonella risk  (Criterion 1.13.)  Dried infant formulae and dried dietary foods for special medical

		<p>purposes</p> <p>intended for infants below six months of age. (Criterion 1.22)</p> <p>Dried Follow-on formulae (Criterion 1.23)</p>
	Coagulase-positive staphylococci	<p>Cheeses made from raw milk (Criterion 2.2.3).</p> <p>Cheeses made from milk that has undergone a lower heat treatment than pasteurisation. (Criterion 2.2.4)</p> <p>Ripened cheeses made from milk or whey that has undergone pasteurisation or a stronger heat treatment. (Criterion 2.2.4)</p> <p>Unripened soft cheeses (fresh cheeses) made from milk or whey that has undergone pasteurisation or a stronger heat treatment . (Criterion 2.2.5)</p>
	<p>Staphylococcal enterotoxins</p> <p>To be carried out on samples with coagulase positive Staphylococci test results greater than <math>10^5</math> cfu/g</p>	<p>Cheeses as above, milk powder and whey powder. (Criterion 1.21)</p>
	<i>Enterobacter sakazakii</i>	Dried infant formulae and dried dietary foods for special medical

		purposes intended for infants below six months of age. (Criterion 1.24)
	Mycotoxins – Hazard: aflatoxin M1	Raw milk, heat treated milk and milk for manufacture of milk-based products
	Mycotoxins – Hazard: aflatoxin M1	Infant formulae and follow-on formulae, including infant milk and follow-on milk.
	Radiocaesium i.e. with radioactive isotopes caesium 137 and caesium 134 in excess of 370 Bq/kg (Annex II of Regulation 1635/2006 lists the applicable countries)	Dairy produce  Including foodstuffs intended for infants i.e. labelled “food preparation for infants”.
Other fishery products		<i>(Note - definition of this category in Annex I of Decision 94/360/EC is – other fishery products than those mentioned above, and bivalve molluscs)</i>
	<i>Salmonella</i>	Cooked crustaceans and molluscan shellfish. (Criterion 1.16.)  Live bivalve molluscs and live echinoderms, tunicates and gastropods. (Criterion 1.17.)
	<i>E.coli</i>	Live bivalve molluscs and live echinoderms, tunicates and gastropods  (Criterion 1.25)
	Lead	Checks should include molluscs and cephalopods, which are included in Regulation 1881/2006. Live bivalve molluscs could be tested.

	Cadmium	Shellfish are well known for accumulating cadmium. Checks should include molluscs and cephalopods. Live bivalve molluscs could be tested.
	Mercury	Mercury accumulates in all fish, particularly predator species, and mercury in fish is a common RASFF report for environmental contaminants.
	Dioxins plus dioxin-like PCBs	Fish and shellfish are included in 1881/2006. Fish, particularly oily fish are known to accumulate dioxins and PCBs, e.g. to a higher level than white fish.
	BaP (or PAHs)	Shellfish are prone to contamination. Smoked fish is also subject to regular RASFF alerts and should be monitored more than fresh fish. Molluscs are included in 1881/2006. Live bivalve molluscs could be tested for BaP.
Animal fats and marine oils	Dioxins plus dioxin-like PCBs	Animal fats and marine oils are included in 1881/2006 and are liable to dioxin contamination.
Gelatine	<i>Salmonella</i>	Gelatine and collagen (Criterion 1.10)
Honey	Radiocaesium i.e. with radioactive isotopes caesium 137 and caesium 134 in excess of 600 Bq/kg (Annex II of Regulation 1635/2006 lists the applicable countries)	Natural honey

[Return to Section 5.10](#)

## Appendix L – Seal Checks

The identity check may be a check on the seal applied to the container where the seal is required by EU legislation. Seals numbers are required on the products listed below where applicable:

### ***Products not intended for human consumption***

Animal By-products which require health certificate

Hatching Eggs

SPF Eggs

Genetic material

### ***Products for human consumption***

Fish and fishery products from list 1 countries

Bivalve Molluscs

Milk products for human consumption

Poultry meat, including ratites

Wild game meat

Table eggs and egg products

Frogs' legs & snails

Gelatine & raw materials for gelatine

Collagen & raw materials for collagen

Honey & apiculture products

Red meat

Meat products\*

Meat preparations

\*The certificate contains a box for seal number but does not have the footnote to say that it "should be included". However we feel that as there is a specific box for the seal number, if this is completed it is eligible for a seal check.

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# Appendix N – ISO country codes

## *ISO codes for third countries*

<b>Country</b>	<b>ISO Code</b>
Afghanistan	AF
Albania	AL
Algeria	DZ
American Samoa	AS
Angola	AO
Anguilla	AI
Antigua and Barbuda	AG
Argentina	AR
Armenia	AM
Aruba	AW
Australia	AU
Azerbaijan	AZ
Bahamas	BS
Bahrain	BH
Bangladesh	BD
Barbados	BB
Belarus	BY
Belize	BZ
Benin	BJ
Bermuda	BM

Bhutan	BT
Bolivia	BO
Bosnia-Herzegovina	BA
Botswana	BW
Brazil	BR
Brunei	BN
Burkina Faso	BK
Burundi	BI
Cambodia	KH
Cameroon	CM
Canada	CA
Cape Verde	CV
Cayman Islands	KY
Central African Republic	CF
Chad	TD
Chile	CL
China, Peoples Republic of	CN
Colombia	CO
Congo, Democratic Republic (formerly Zaire)	CD
Congo, Republic of	CG
Costa Rica	CR
Cote D'Ivoire	CI
Croatia	HR
Cuba	CU
Djibouti	DJ
Dominica	DM
Dominican Republic	DO



Ecuador	EC
Egypt	EG
El Salvador	SV
Equatorial Guinea	GQ
Eritrea	ER
Ethiopia	ET
Falkland Islands and Dependencies	FK
Fiji	FJ
Gabon	GA
Gambia	GM
Georgia	GE
Ghana	GH
Gibraltar	GI
Greenland	GL
Grenada	GD
Guadeloupe	GP
Guam	GU
Guatemala	GT
Guinea	GN
Guinea-Bissau	GW
Guyana	GY
Haiti	HT
Honduras	HN
Hong Kong	HK
Iceland	IS
India	IN
Indonesia	ID

Iran	IR
Iraq	IQ
Israel	IL
Ivory Coast	CI
Jamaica	JM
Japan	JP
Jordan	JO
Kazakhstan	KZ
Kenya	KE
Kiribati	KI
Korea	KR
Kuwait	KW
Kyrgyzstan	KG
Laos	LA
Lebanon	LB
Lesotho	LS
Liberia	LR
Libya	LY
Macau	MO
Macedonia, Former Yugoslav Republic of	MK
Madagascar	MG
Malawi	MW
Malaysia	MY
Maldives	MV
Mali	ML
Martinique	MQ
Mauritania	MU

Mauritius	MU
Mayotte	YT
Mexico	MX
Micronesia, Federated States of	FM
Moldova	MD
Mongolia	MN
Morocco	MA
Mozambique	MZ
Myanmar	MM
Namibia	NA
Nepal	NP
New Zealand	NZ
Nicaragua	NI
Niger	NE
Nigeria	NG
Oman	OM
Pakistan	PK
Panama	PA
Papua New Guinea	PG
Paraguay	PY
Peru	PE
Philippines	PH
Pitcairn	PN
Puerto Rico	PR
Qatar	QA
Reunion	RE
Russia	RU

Rwanda	RW
Saint Helena	SH
Saint Kitts and Nevis	KN
Saint Lucia	LC
Saint Pierre and Miquelon	PM
Saint Vincent and the Grenadines	VC
Samoa	WS
Sao Tome and Principe	ST
Saudi Arabia	SA
Senegal	SN
Serbia and Montenegro	CS
Seychelles	SC
Sierra Leone	SL
Singapore	SG
Solomon Islands	SB
Somalia	SO
South Africa	ZA
Sri Lanka	LK
Sudan	SD
Suriname	SR
Swaziland	SZ
Switzerland	CH
Syria	SY
Taiwan	TW
Tajikistan	TJ
Tanzania	TZ
Timor-Leste	TL

Thailand	TH
Togo	TG
Tokelau	TK
Tonga	TO
Trinidad and Tobago	TT
Tunisia	TN
Turkey	TR
Turkmenistan	TM
Turks and Caicos Islands	TC
Tuvalu	TV
Uganda	UG
Ukraine	UA
United Arab Emirates (Abu Dhabi & Dubai)	AE
United States of America	US
Uruguay	UY
Uzbekistan	UZ
Venezuela	VE
Vietnam	VN
Western Samoa	WS
Western Sahara	EH
Yemen	YE
Zambia	ZM
Zimbabwe	ZW

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# Appendix O – consignments with excess residues

Section 1: Certificate Template for use by UK Border inspection Posts

REFERENCE: [TO BE INSERTED BY THIRD COUNTRY COMPETENT AUTHORITY]

## **Article 21 Regulation 882/2004**

### **Regulation 20 Trade In Animals and Related Products Regulations 2011**

#### **Notification of Preparedness to Accept a Re-dispatched Consignment of Food Contaminated with Veterinary Drug Residues**

##### **Part 1 (for completion by the BIP):**

CVED number: ..... Health certificate number: .....

Certificate of Analysis ref:..... Production establishment number:.....

Sea/Air Port of Re-dispatch: ..... Container number:.....

EU Food Business Operator: BIP Seal number:.....

.....  
.....  
.....

Description of Goods (e.g. type of product/brand name/packaging): .....  
.....

Quantity of Goods: (Gross or net weight (kgs)/Number and type of cartons/packages/totes  
.....

##### **Part 2 (for completion by third country competent authority)**

###### **Attestation**

I, the undersigned, being a suitably authorised official of [INSERT NAME OF THIRD COUNTRY COMPETENT AUTHORITY], being the competent authority responsible for regulatory controls on food of animal origin under the national rules of [INSERT THIRD COUNTRY NAME] CERTIFY THAT:

1. I am aware from [INSERT NAME OF EU FOOD BUSINESS OPERATOR AND/OR THIRD COUNTRY EXPORTER ] that the consignment referred to has been rejected at the EU border having been found to be contaminated with veterinary drug residues;
2. There are laws in place in [INSERT THIRD COUNTRY NAME] to address this issue;

3. I am prepared to accept the consignment for official control at the sea/air port of [INSERT PORT NAME] in [INSERT THIRD COUNTRY NAME];

4. Confirmation of receipt of the consignment will be issued to the [INSERT BIP NAME]; and,

5. The [INSERT THIRD COUNTRY COMPETENT AUTHORITY NAME] will take all necessary measures to ensure that no part of the returned consignment will be reintroduced into the European Union.

**Signed:**

Name: [OFFICER NAME]

Being a duly authorised official of [THIRD COUNTRY COMPETENT AUTHORITY]

Date of issue: \_\_\_/\_\_\_/\_\_\_

**Official Stamp:**

Note: The issue of this notification by a third country competent authority does not compel the EU BIP authority to allow re-export of the consignment and is without prejudice to other regulatory options available to enforcement officials. Responsibility for compliance with the law remains the responsibility of the food business operator responsible for the consignment.

---

Section 2: List of substances currently included in Annex IV of [Regulation 2377/90](#) and those with an MRPL vis. [Decision 2002/657/EC](#).

NB Both lists of substances are updated from time to time by the European Commission. Please ensure that you make reference to the latest version when considering the most appropriate course of action.

***Annex IV substances***

- Aristolochia spp. and preparations thereof
- Chloramphenicol
- Chloroform
- Chlorpromazine
- Colchicine
- Dapsone
- Dimetridazole
- Metronidazole
- Nitrofurans (including furazolidone)
- Ronidazole

***Substances with a current MRPL***

Chloramphenicol

Nitrofurans

Medroxyprogesterone

Malachite green.



# Appendix P – template enforcement letters and notices

## *Trade In Animals and Related Products 2011*

### **Regulation 15: Notice to present consignment at the border inspection post**

To: (person responsible for the consignment listed in Part 1 of the Schedule)

.....

Address: .....

.....

.....

I, being \*[an official veterinary surgeon/an official fish inspector] acting under Regulation 15(2) of the Trade in Animals and Related Products Regulations 2011 (TARP Regs), hereby give notice to you, being the person responsible for the consignment described in Part 1 of the Schedule, that you should present the consignment described in the schedule at:

[specify location]

on[specify time and date].

Failure to comply with this notice is an offence under the Trade in Animals and Related Products Regulations 2011.

Words and phrases used in this Notice bear the same meaning as they do in the TARP Regulations.

Dated.....

Signed.....

Name (caps).....

Position held .....

Official address .....

.....  
\* Delete as appropriate

**Schedule**

Type of product

Quantity

Health certificate

CVED

Establishment/Country of Origin

Airway Bill/Bill of Lading/UCN

**TRADE IN ANIMALS AND RELATED PRODUCTS REGULATIONS 2011**

**Regulation 20: Products which fail veterinary checks**

To: (person responsible for the products listed in the Annex/person appearing to have charge of the products listed in the Annex)

.....  
.....

Address: .....  
.....  
.....

1. I, being \*an [official veterinary surgeon/official fish inspector]/[an authorised officer for \*[local authority]/Department for Environment Food and

Rural Affairs / Food Standards Agency] am notifying you that following a veterinary check I have decided that the consignment listed in the Annex has failed to meet the requirements of EU legislation listed in Schedule 1 of Trade in Animals and Related Products Regulations 2011 (TARP Regs).

In particular the consignment does not comply with the following import conditions:

.....  
.....  
.....  
.....

2. In accordance with Regulation 20 you must

\*i) re-dispatch the products specified in the Annex from the border inspection post at[ ] to [ ] by the mode of transport by which they were introduced into England within a period of sixty days commencing from the day following rejection of the consignment or

\*ii) destroy the products specified in the Schedule without undue delay by incineration in accordance with (EC) Regulation 1069/2009 in the facilities provided for that purpose at [ ] or.

\*iii) providing there is no risk to human or animal health, use the consignment in accordance with (EC) Regulation 1069/2009 as a category 2 animal by-product.

\* Delete as applicable.

3. Pending the re-dispatch or destruction of the products specified in the Schedule they must be stored under my supervision at [ ] under the following conditions:

.....  
.....  
.....

4. Under Regulation 24 of the TARP Regs you may appeal against my decision within one month of the date of this notification by way of complaint for an order to a magistrate's court. If you wish to appeal you are advised to consult a solicitor immediately.

Dated this .....day of .....

Signed .....

Name (caps) .....

Position held .....

Official address .....

.....

Distribution: 1. Importer, 2. Agent, 3. Airline/shipping line, 4. HMRC, 5. Local Authority,

Annex

Type of Product –

Quantity –

Health certificate –

CVED –

Country of Origin –

Means of transport –

**The Trade in Animals and Related Products 2011**

**Regulation 21: consignments likely to constitute a risk to animal or human health**

**To:** (person responsible for the consignment listed in Part I of the Schedule)

.....  
.....

**Address:** .....

.....  
.....

I, being \*[an official veterinary surgeon/official fish inspector] acting under Regulation 21 of the Trade in Animals and Related Products Regulations 2011 (TARP Regs), am notifying you, being the person responsible for the consignment described in Part I of the Schedule, that the checks carried out under the TARP Regs indicate that the consignment is likely to constitute a danger to animal or human health for the reasons outlines in Part II of the Schedule.

I am therefore taking charge of the consignment or product and I am going to destroy it in accordance with the EC Regulation 1069/2009 in appropriate facilities provide for that purpose at [specify location].

In accordance with Regulation 21, the person responsible for the consignment or product shall be required to pay or reimburse on demand the costs incurred.

Words and phrases used in the notification bear the same meaning as they do in the TARP Regulations.

You may appeal against this decision by way of judicial review. If you wish to appeal you are advised to consult a solicitor immediately.

Dated:.....

Signed.....

Name (CAPS).....

Position held .....

Official address .....

Schedule

Part 1

Type of product

Quantity

Health certificate

CVED

Establishment/Country of Origin

Airway Bill/Bill of Lading

Part 2

[Outline of reasons for considering the consignment or product presents a risk to animal or human health

**The Trade in Animals and Related Products 2011**

**Regulation 22: serious or repeated infringements and breach of maximum residue limits**

**To:** (person responsible for the consignment listed in Part I of the Schedule)

.....  
.....

**Address:** .....  
.....  
.....

1. I, being \*[an official veterinary surgeon/an official fish inspector] acting under regulation 22 of the Trade in Animals and Related Products Regulations 2011 (TARP Regs), hereby notify you, being the person responsible for the consignment described in Part I of the Schedule, that the Secretary of State/Agency has concluded that products from [.....] are implicated in serious or repeated infringements of EU legislation relating to public or animal health or breach of maximum residue limits laid down in EU legislation.

2. I am notifying you that I am taking charge of the consignment described in Part I of the Schedule and I am going to carry out a physical check, including the taking of samples and laboratory tests and analyses.

3. You are required by Regulation 22 to lodge a deposit or guarantee sufficient to assure the payment of all charges payable in accordance with Regulation (EC) 882/2004 for veterinary checks carried out on the consignment, including the taking of samples, and any laboratory test or analysis carried out on any sample taken.

4. Words and phrases used in this notification bear the same meaning as they do in the TARP Regulations.

Dated this .....day of .....

Signed .....

Name (caps) .....

Position held .....

Official address .....



.....  
Distribution: 1. Importer, 2. Agent, 3. Airline/shipping line, 4. HMC&E, 5. Owner, 6. Local Authority,  
7. ROD/RVL/DOS, 8. Food Standards Agency

\* Delete as applicable

**Schedule**

Type of Product

Quantity

Health Certificate

CVED

Country of Origin

Establishment of Origin

[Insert name, address and telephone number of Authority]

**REGULATION 32(6)**

**DETENTION OF PRODUCTS OF ANIMAL ORIGIN WHICH MAY HAVE BEEN  
INTRODUCED IN BREACH OF REGULATION 13**

**THE TRADE IN ANIMALS AND RELATED PRODUCTS REGULATIONS 2011("the  
Regulations")**

TO (Person appearing to have charge of the products): **[insert name]**

OF: **[insert full postal address and postcode]**

Country of origin:

Country arriving from (if different to country of origin:

Identifying number (of container/airways bill etc):

I, being an authorised officer of **[insert authority]** acting under regulation 32(6) of the above Regulations **hereby notify you**, being the person appearing to me to have charge of the consignment or products described in the Product Details Schedule overleaf, that I am detaining the products listed in the Product Details Schedule overleaf until a Customs officer takes charge of them, because I consider that they may have been introduced into England in breach of the Regulations.

**Signed:** \_\_\_\_\_

Dated this \_\_\_\_\_ day of \_\_\_\_\_ [year]

Name (in BLOCK LETTERS) \_\_\_\_\_

Title/Position Held: \_\_\_\_\_

Official Address: (if that different to address at the head of this Notice)

\_\_\_\_\_

Telephone number: (if different to number at the head of this Notice): \_\_\_\_\_

Authority  
logo

Ref No:

**THE TRADE IN ANIMALS AND RELATED PRODUCTS REGULATIONS 2011 (“the Regulations”)**

**DETENTION OF PRODUCTS OF ANIMAL ORIGIN WHICH MAY HAVE BEEN INTRODUCED IN BREACH OF REGULATION 13**

Product Details Schedule

Product Details					
	Description	Date and time detained by Local Authority	Date and Time notified to Customs	Storage location	Date and time Customs attended
1					
2					
3					

4					

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# APPENDIX Q – Verification Checks

## *REGULATION 882/2004/EC – ANNEX ii, CHAPTER ii*

- **The organisation of the competent authority and relationship those carrying out delegated tasks.**
  - All officers are clear of line of authority
  - Are there appropriate numbers of officers for the work?
  - Are tasks distributed appropriately within the team?
  - Are officers adequately trained for their tasks?
  - Have training needs identified previously been addressed?
  
- **The relationship between competent authority and control bodies to which they have delegated tasks**
  - Roles and responsibilities
    - Labs
    - Cleaners
    - Contractors/Maintenance Engineers
    - Portal Staff
  - Liaison with Customs – notes of meetings/intelligence sharing
  
- **A statement on the objectives to be achieved**
  - Do all officers and technicians know what the “big picture” is and how they contribute?
  - Should be available in writing
  
- **Tasks, responsibilities and duties of staff.**
  - Written Roles & Responsibilities & desk instructions for work
  
- **Sampling procedures, control methods and techniques, interpretation of results and consequent decisions**
  - Protecting integrity of sample
  - Maintaining temperature controls,
  - resealing,
  - mechanism for dispatch,
  - reference samples,
  - decisions on Article 24 procedures
  
- **Monitoring and surveillance programmes.**
  - Are officers aware of
    - The National Monitoring plan
    - Article 24 procedures
    - FSA surveillance programmes

- **Mutual assistance in the event that official controls require more than one Member State to take action.**
  - How to find contact details
  - When to refer to CCA

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## Appendix R – microscopy testing

### POAO 1: sampling protocol for fishmeal microscopy

#### A. Introduction:

The following protocol is based on Commission Regulation 152/2009 concerning EU methods of sampling for the official control of feedingstuffs. The aim is to obtain representative samples from a consignment for the analysis of contamination in the laboratory. It is assumed that the target contaminants are non-uniformly distributed within the consignment.

#### B. Collection of samples from ‘sampled portion’<sup>1</sup>:

The number of “incremental samples<sup>2</sup>” and aggregates<sup>3</sup> required are:

Loose Bulk Consignments		
Tonnage	Increments	Aggregates for final samples
0 - 2.5	7	2
>2.5 -10	square root of 20 times no. of tonnes, up to a max. of 15	2
>10 - 40	square root of 20 times no. of tonnes, up to a max. of 29	3
>40	square root of 20 times no. of tonnes, up to a max. of 40	4

Packaged consignments (bags and/lined shipping containers)		
Number of Packages	Increments	Aggregates for final samples
1 - 4	1 from each	1



5 - 16	4	1
17 - 200	Square root of no. of packages, up to a maximum of 15	2
201 - 800	Square root of no. of packages, up to a maximum of 29	3
> 800	Square root of no. of packages, up to a maximum of 40	4

<sup>1</sup>Sampled portion: A quantity of product constituting a unit, and having characteristics presumed to be uniform. For practical purposes this will normally be the whole consignment.

<sup>2</sup>Incremental sample: A sample taken from one point in the sampled portion.

<sup>3</sup>Aggregate sample: An aggregate of incremental samples taken from the same sampled portion.

<sup>4</sup>Final sample: A part of the homogenised aggregate sample.

### ***C. Production of final samples:***

Aggregates must be at least 4kg and should be produced by combining incremental samples together, if necessary by including a splitting reduction step, and mixing to obtain an homogenised sample. From each aggregate, a final sample of 500 gm should be produced. From this, at least 200gm should be sent to AHVLA Newcastle for microscopy.

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**Sample Submission and Report Form**

Please complete electronically or use a ball point pen and BLOCK letters.

Border Inspection Post (BIP) of entry

Quantity in tonnes (net)

BIP: • telephone no.

• fax no.

CVC/Annex B Reference No.

AHDO for BIP

Name and address of destination establishment

• date

• by

Country of Origin

Date sent to Luddington

For Portal OVS use		For VLA Use					
Sample reference/ Security seal number	Packaged (bagged or containerised) or Bulk. (If packaged, state number of bags/containers)	Date samples received			ELISA results		
		VLA Reference No.	Microscopy results		POS = Positive NEG = Negative		
			Non-terrestrial (e.g. fish)	Terrestrial	Ruminant	Porcine	Avian

Signature

Telephone No.

Please now send this form and samples to:  
• Mike Ansfield, VLA Luddington

AHVLA Newcastle,  
• POAO 1 / 2 1AHD

Overall result: • Satisfactory  • Unsatisfactory

Comments:

Signature

Name in BLOCK letters

Date

Charges  Farmfile

Completed form to be returned to BIP of origin.  
If result UNSATISFACTORY, please fax a copy to 020 7904 6508

If unsatisfactory, notify VST (Imports) by e-mail:

# Appendix S - submission of plans

## ***Submission for approval of plans or alterations at animal product BIPs***

### **1. General:**

- Border Inspection Posts (BIPs) for products of animal origin should only be built or significantly altered in line with a plan which has been approved by the Commission's Food and Veterinary Office (FVO) in Dublin. If this is not done, future FVO audits may result in major criticisms of the facilities.
- Layout plans for new BIPs, and any subsequent structural changes will be sent to the FVO for comment following acceptance by the ROD/RVL/DOS and VST, Imports and EU Team of Defra. In order that officials are able to understand fully what is proposed it is imperative that certain details are provided, as set out below. Plans for BIPs in Scotland should be submitted via Scottish Government.

### **2. Procedure for submission**

- Before plans are submitted to ROD/RVL/DOS for onward transmission to Defra/SG, operators should discuss them with the ROD/RVL/DOS and, where necessary, the Port Health Authority.
- Copies should be provided electronically to the ROD/RVL/DOS. Where this is not possible, 3 hard copies of the plans should be provided.
- Only those plans which meet the criteria below will be forwarded to the FVO by Defra. Those which do not will be returned to the ROD/RVL/DOS.

### **3. Information to be submitted:**

#### **A. Background:**

- Brief overview of the volume and nature of trade at the port/airport where the BIP will be situated.
- Outline of any known proposed developments in the port/airport which might affect future throughput or product type.

- Description of the geography of the port/airport, its port authority and Customs boundaries.
- Anticipated BIP Throughput:
- The product range for which approval is being sought, including whether at:
  - ambient                      • chilled or      • frozen temperatures and whether for/not for human consumption.
- ii) information on anticipated volumes of the above, nature and size of individual packages and any bulk consignments.
- (f) whether the same facilities will be used for human consumption and not for human consumption products.

***B. Plans:***

- Site plan of port to show the port boundary, location of all proposed BIP facilities, including detached inspection centres (which must be within effective working distance of the main BIP), security points and Customs boundaries.
- Floor plan at scale of between 1:100 and 1:250 showing the layout of the BIP with each of the facilities required under Commission Decision 2001/812/EC clearly labelled using the terms in the Decision and including:
  - office                      • social rooms                      • area for unloading with appropriate cover,
  - inspection room      • storage rooms                      • archive room.
- Detailed room plan at 1:50 to show details such as position of handwash basins and sterilisers where the above plan is not able to show this clearly.
- Elevations of such areas as unloading areas where they contribute to understanding the proposal.

*All plans must include a reference number and revision date.*

***C. Description of flow lines:***

The following should be described and illustrated on an additional copy of the outline plan:

- Flow lines for consignments (human consumption and non human consumption separately) and rejected consignments;
- Flow lines for personnel (inspection staff and dedicated staff working in the BIP and drivers etc if applicable);

#### ***D. Description of premises***

- Location of entrances and details of unloading arrangements and how it will be assured that the vehicle docking arrangement complies with requirements to protect against entry of pests and environmental contamination (minimum of a roof for packaged only products – but see exceptions in Commission Decision 2001/812).
- Details on how adequate storage will be achieved including reference to the floor areas and volumes of storage at each proposed temperature and status. Details of any stand-alone reefers to be used and how they are linked to the BIP. Details of any commercial storage facilities to be used and how the storage area used by the BIP will be separated from commercial storage areas.
- Details of inspection rooms, samples rooms/laboratory (if present) and changing facilities. This should include provision for the hygienic handling (washing, sterilisation etc as appropriate) and storage (rooms, cupboards and lockers) of inspection equipment and protective clothing, measures to ensure that washrooms etc are only used by dedicated BIP staff and provision of additional facilities (if appropriate) for non-inspection staff, e.g. vehicle drivers and ancillary workers.
- Details of any temperature control arrangements in unloading areas and inspection rooms.
- The finish of walls, floors, ceilings, drainage, lighting in each room.
- Description of water supply to include such matters as hot water supplies, waste water control and drainage.
- Description of sampling arrangements and storage.
- Description of equipment storage arrangements.
- Description of cleaning procedures and frequency and storage arrangements for cleaning materials and equipment.
- Details of any container seal check areas to be used.

***E. Other facilities outside the BIP:***

- Location of Port Health Authority office, if not in the BIP
- Location of Port/Airport Authority office
- Location of Border Force office
- Location of laboratories that will be used for testing samples
- Location of waste/rejected consignment facilities which comply with Regulation 1069/2009.

***F. Other information:***

- Have HMRC indicated their willingness to provide Customs approval for the facility?
- Will fishery products be inspected by Port Health staff in the absence of an OVS?

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## Appendix T – shared use of the BIP facilities

### *Operating procedures for sharing facilities at Border Inspection Posts*

European legislation provides for checks on food not of animal origin but is not prescriptive on the type of facilities required for these checks. At some ports there may be no suitable, hygienic facilities available for such checks which could lead to food safety being compromised. Therefore there is a need in such circumstances to ensure that suitable facilities are used in order to safeguard the food during examination. In certain circumstances the BIP facilities may be used for the examination of other commodities.

BIP facilities may be shared with Customs officials (Border Force/HMRC), Local Authorities, Horticultural Marketing Inspectors and FERA for official checks with the prior agreement of the OVS/OFI and in accordance with these procedures. The ROD/RVL/DOS or his appointed liaison officer must also be informed of the arrangement.

Veterinary checks inspections, required under Directive 97/78/EC, must take precedence over any other examinations that may be carried out in the BIP facilities. Where inspections of other foods may conflict in any way with checks, the OVS/OFI remain in complete control of the BIP and use of the BIP by other inspectors does not affect this.

The OVS/OFI shall determine the times other inspectors may use the facilities and the areas of the BIP that may be used.

The arrangements for sharing should be set out in a memorandum of understanding (MOU) between the Local Authority responsible for veterinary checks and the other authorities involved. There is a model MOU attached to these instructions, which can be adapted according to local need.

The MOU should include precautions which must be taken by non-BIP inspectors to prevent cross contamination, to ensure that hygiene is not compromised and who is responsible for any additional costs incurred as a result of shared use. The MOU should also set out who is responsible for arranging, supervising and paying for any additional cleaning required between inspection of products covered by 97/78/EC and other products.

The range of products that may be inspected under these arrangements can be decided locally but should only be products of animal origin or food not of animal origin and must not compromise the hygiene of the BIP.

Packaged products do not require time separation. Spatial separation is adequate.

The arrangements may be suspended or terminated by the Local Authority at any time if BIP hygiene rules are not respected or the other inspections interfere with veterinary checks (e.g. delays to veterinary checks caused by the other checks).

Equipment used by other inspectors should be subject to local agreement. Any BIP equipment used should be cleaned after use as necessary and appropriate as determined by the OVS/OFI.

### ***Checks on products of animal origin***

Facilities approved for checks on products for human consumption should only check food: products not intended human consumption should not be checked there.

All personnel entering the BIP must abide by the hygiene rules laid down by the OVS/OFI, including hand washing, hair, clothes and/or boot covers.

They should wear clean dedicated clothing for the checks.

After the checks, the normal cleansing routine operated by the BIP should be carried out between consignments.

Storage should be in other facilities at the port/airport or in the transport container. The BIP storage must not be used for storing goods if the reason for detention is other than veterinary checks.

### ***Checks on food not of animal origin***

Ideally separate (non-BIP) facilities should be provided for these checks, however where this is not possible the BIP may be used.

Deep cleansing and disinfection as necessary and appropriate should be carried out at the end of any single period of inspection of food not of animal origin.

The OVS/OFI should be consulted before each consignment. The OVS/OFI should advise on any additional hygiene precautions required.

The OVS/OFI should ensure that the disinfection has been carried out satisfactorily.

The rules set out above for products of animal origin also apply to other products.

Continue for MOU or click on link to [Return to Section 5](#)



# Memorandum of understanding between enforcing authorities at (enter the name of the BIP) Border Inspection Post regarding the shared use of the facilities for the inspection of food

## ***Purpose***

The purpose of this Memorandum of Understanding (MoU) is to manage the shared use of the Border Inspection Post facility for the inspection of **foods** by different enforcement agencies. Non-food consignments which are not of animal origin are not to be examined at the facility.

The following enforcement agencies have responsibility for inspecting foods or food packaging products at the port.

- Local Authority/Port Health Authority (official veterinary surgeons, official fish inspectors and port health officers)
- DEFRA (Horticultural Marketing Inspectorate (HMI) and FERA)
- Border Force/HMRC
- Trading Standards

The MoU sets out broad principles and:

- Describes the roles and responsibilities of the enforcement authorities
- Identifies areas where roles and responsibilities overlap
- Lays out the priorities for the use of the facility
- Identifies the working arrangements to ensure that the hygiene of the facility is maintained

## ***Background***

The port operators and the trade have expressed concerns about restricting the use of the BIP facility solely to veterinary checks. DEFRA have reviewed this situation and are willing to permit the shared use of the BIP facility if the arrangement is effectively managed.

The reasons that the shared use of the facility is desirable relate to the effective use of resources and the efficient inspection of consignments.

There are a number of enforcement authorities, with responsibilities for imported food, who operate at ports of entry. There are certain consignments that may be targeted for inspection by more than one authority, shared use will promote joint inspection and minimise *multiple presentations* of consignments.

Where checks are carried out on food this has to be under hygienic conditions. For some ports the BIP facility is the only hygienic inspection facility available on the dock/airport.

The shared use of the BIP facilities has been a matter of discussion between Defra and the Commission. Commission Decision 2001/812/EC (Article 1) states that *a border inspection post consists of facilities dedicated to veterinary checks*. It is the interpretation of dedicated that has been under scrutiny. A broad interpretation has been put forward that makes the use of the BIP facilities for multiple inspections possible.

The Commission has made concessions for low throughput BIPs (generally <500 entries/annum but see guidance in [Appendix A](#) (explanatory point j)). On larger BIPs Defra has confirmed that the wording *dedicated* facilities does not have to mean *exclusive* facilities.

The BIP facility has been provided for the purpose of carrying out veterinary checks. The agreement that the BIP facility may be shared depends on the arrangements ensuring that hygiene standards are maintained and that BIP operations are not compromised.

### ***Roles and responsibilities – in relation to the BIP facility***

The responsibility for ensuring that the BIP facility is provided and maintained is the responsibility of the Port Operator. The OVS/OFI is responsible for ensuring that the BIP is managed and operated in a hygienic manner. Animal Health and Veterinary Laboratories Agency (AHVLA) and Defra oversee hygiene and compliance with BIP requirements.

### ***Responsibilities Of Defra***

- To ensure that facilities and operation at BIPs are regularly visited by the AHVLA to assess compliance with EU legislation and to take appropriate action in relation to BIPs that do not meet required standards.

### ***Responsibilities Of ROD/RVL/DOS***

- Advice to applicants and operators of BIPs concerning the structural and equipment requirements for BIPs as laid down in Commission Decision 2001/812/EC.
- Ensuring that BIPs are maintained and operated in accordance with Directive 97/78/EC.
- Making recommendations to Defra in relation to failing BIP standards.

### ***Responsibilities of OVS/OFI***

- Ensure that the BIP has all the facilities and equipment laid down in Commission Decision 2001/812/EC
- To ensure that the BIP operates in accordance with Directive 97/78/EC on a day-to-day basis.

### ***Responsibilities of Port Health/Local Authorities***

- Ensuring the necessary equipment is available within BIPs to enable all the checks required under Directive 97/78/EC to be carried out effectively.
- Ensure that the BIP is managed in a hygienic manner so as to respect the EU hygiene Regulations for the products concerned and not to pose a risk to product being handled.

### ***Responsibility of port operators***

- Ensuring that facilities are maintained to a suitable standard.
- The port operator is responsible for any additional costs incurred as a result of shared use.

### ***Roles and responsibilities – examination of food***

#### ***Port Health and Local Authorities***

##### *Veterinary Checks*

Local Authority Veterinary Surgeons and Official Fish Inspectors, with suitably trained assistants, are responsible for enforcing the EU Veterinary Checks Regime and carry out veterinary checks on products of animal origin at the BIP facility.

##### *Checks Non-animal origin (NAO) foods*

The Local Authority enforcement officers are responsible for carrying out statutory checks on high-risk foods as well as well as monitoring checks on all other foods. These checks need to be carried out in appropriate conditions for the inspection of food.

#### ***Defra***

##### *Horticultural Marketing Inspectorate (HMI)*

Enforce EU Marketing Standards in relation to imports for fresh fruit, vegetables, salad crops, nuts, flowers and bulbs

##### *Food and Environment Research Agency (FERA)*

Enforce the *EU Plant Health Regime*. Carry out import, export, monitoring and survey inspections, issue phytosanitary certificates, and oversee import controls, plant passport arrangements and eradication campaigns. FERA also carry out work on seed certification and enforcement for Defra's Plant Variety and Seeds Division.

### ***HMRC/Border Force***

Enforce the requirements in relation to illegal imports of POAO (in Customs approved areas other than BIPs). Carry out conformity checks on foods to ensure that appropriate import duty is paid and that any sanctions, restrictions or prohibitions are enforced or controlled appropriately. Checks are also carried out on export consignments.

### ***Objective***

The objective of this memorandum is to establish the arrangements that have been determined to permit the shared use of the BIP facility and to establish the background to the development of this agreement.

### ***Implementation***

These arrangements take effect from (insert date).

The arrangements may be terminated by the OVS/OFI if BIP hygiene is not respected or the other inspections cause delays to veterinary checks.

### ***Working arrangements***

(See Operating Procedures)

EU legislation and principles in relation to BIP facility infrastructure and operation must be complied with the ensure standards that are suitable for the inspection of food are maintained. In particular, consideration should be given to relevant principles and/or applicable articles of 97/78/EC, 2001/812/EC, 852/2004/EC, 853/2004/EC and 854/2004/EC. Suggested procedures are laid out in the Annex however these should not be taken as a definitive list and the OVS/OFI may require any conditions considered necessary.

### ***Review***

### ***Arrangements***

The local working arrangements are to be reviewed as part of the port enforcing authority liaison meeting in order to:

- Promote co-ordination and co-operation between the parties involved,
- Aid understanding of roles and responsibilities,
- Agree working arrangements,
- Resolve local problems.

### ***MoU***

The MoU will be reviewed after six months and thereafter annually to ensure that the arrangements are still sufficient to maintain the standards of hygiene required and permit effective BIP operation. The review should also take account of any legislative or administrative changes.

### ***Signatories***

### ***Dated***

## **Annex to memorandum of understanding on shared use of BIP facilities**

### ***Hygiene precautions***

#### ***Risk of contamination***

The risk posed by the foods varies greatly depending on its nature. For example packaged foods such as canned fish or vegetables pose little or no risk. The risk presented by different foods can be categorised as follows:

- Raw meat (pathogenic organisms are likely to be present)
- Raw NAO foods (pathogenic organisms and/or other contaminants such as mycotoxins may be present)
- Ready to eat foods (the risk posed by these products is minimal but various contaminants may be present and cross contamination from raw products is to be avoided). Ready to eat foods must never come into contact with raw products.
- Canned and bottled products (where the contents are commercially sterile).

Sterile or heat-sealed packages opened as part of an examination should be disposed of rather than being returned to the consignment. If financial considerations preclude this, appropriate techniques, including aseptic technique should be used where sampling is considered necessary.

### ***Equipment***

Equipment used by other inspectors should be subject to local agreement. Where equipment is shared, training in the use and cleaning of equipment is recommended. Where other agencies are intending to use their own equipment requirements relating to the cleaning and disinfection of this equipment should be stipulated.

### ***Training***

It is recommended that all personnel using BIP facilities should have received training in basic food hygiene principles to ensure that they understand the reasons for and are effectively able to follow the hygiene rules at the facility. Consideration to providing guidance regarding hygienic sampling and examination techniques so as not to cause contamination to the consignment is also recommended.

### *Cleaning and Disinfection*

Any spillages are to be cleaned up immediately and in any case prior to the commencement of the cleaning and disinfection process.

Where cleaning and disinfection is required it is recommended that an appropriate food grade hard surface sanitiser is used or a food grade disinfectant and detergent. Chemicals are to be used in accordance with manufacturer's instructions.

### ***Checks On Food Not Of Animal Origin***

Ideally separate facilities should be provided for these checks. Where separate facilities are not provided cleansing and disinfection of the examination room and unloading facility (where necessary and appropriate) should be carried out between consignments of POAO and Food NAO and vice versa.

The OVS/OFI should be consulted before each consignment, unless specifically agreed as part of the MoU. The OVS/OFI should advise on any additional hygiene precautions required for example following the examination of dirty consignments such as sweet potatoes or coconuts, where additional cleaning will be required.

**Specific requirements (this is not a prescriptive list)**

	<b>Raw meat/ fish</b>	<b>Ready to eat and pre-packed (e.g. canned goods)</b>	<b>Raw fruit and vegetables</b>
Inspectors	Over clothing to be worn. Protective overshoes/ disinfect shoes Hair to be tied back Hands to be washed before and after checks	Over clothing to be worn. Protective overshoes/ disinfect shoes Hair to be tied back Hands to be washed before and after checks	Over clothing to be worn. Protective overshoes/ disinfect shoes Hair to be tied back Hands to be washed before and after checks
Equipment	To be used exclusively for raw meat/ fish	To be used exclusively for ready to eat foods/ pre-packed foods	To be used exclusively for raw fruit vegetables
Between consignments	Surfaces to be wiped down and equipment sterilised (chemically or using a steriliser unit 82°C for 2 mins.)	Surfaces to be wiped down and equipment sterilised (chemically or using a steriliser unit 82°C for 2 mins.)	Surfaces to be wiped down and equipment sterilised (chemically or using a steriliser unit 82°C for 2 mins.)
Between Checks (Where separate facilities not provided)	Cleansing and disinfection to be carried out of food contact surfaces and equipment.	Cleansing and disinfection to be carried out of food contact surfaces and equipment.	Cleansing and disinfection to be carried out of food contact surfaces and equipment.



In the interests of hygiene the following are not permitted in the BIP facility:

Dogs or other live animals, including Customs dogs.

Vehicles, unless specifically designated for use in food rooms and suitably sanitised.

Outdoor clothing and footwear unless covered by protective clothing.

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## Appendix V – T5 procedures

### ***Additional Guidance – T5 Procedure for certain POAO Imports – Channelled Goods***

1. Importer/agent completes T5 in duplicate, filling in all relevant boxes - Copy 1 (original which accompanies goods to place of destination) and Copy 2 (customs control copy) and in addition:

- endorses both copies boldly with 'Veterinary Checks' in red at the top of the form
- inserts National Clearance Hub (NCH) address in Box B
- inserts delivery address in Box 8 (Consignee)
- completes Box 104 by inserting 'X' in the box marked 'Other (specify)' and annotating with the words 'Products of Animal Origin under Customs supervision'
- completes Box 107 with the words 'Council Directive 97/78/EC Article 8.4'
- *inserts customs entry number in Box 7*

2. Importer/agent submits both copies of T5 with copy of Customs entry to UK Border Force at port/airport where goods are physically located who then authenticate T5 by:

- confirming entry details match those on T5
- checking T5 has been completed in accordance with 1 above
- stamping section D with round transit stamp on both copies (in accordance with Article 912b Customs Code EC regulation 2454/93)
- insert in Box D next to 'seals affixed' the text 'waiver (article 357 regulation 2454/93)'
- add any local reference numbers if appropriate in Box D
- return copy 1 to importer/agent for submission to Port Health at the Border Inspection Post
- send copy 2 by post to HM Revenue and Customs, National Clearance Hub, Custom House, 5th Floor, Furness Quay Salford Quays, M50 3XX

3. *Importer/agent submits copy 1 T5 (faxed copy is acceptable), CVED and other animal health documentation with goods to Border Inspection Post*

**4. Port Health/Animal Health action:**

- Identify if goods require T5
- match relevant CVED (part 1) with Copy 1 of T5 (they must see the T5 or a faxed copy)
- complete Boxes 33 (Channelled goods) and 37 (Details of controlled destinations) on Part 2 of CVED
- complete Box 42 of CVED (Part 2) with the unique T5 reference number and any local Border Force reference number if appropriate
- *copy 1 of T5 returned to importer/agent to accompany goods to approved destination establishment*

**5. Customs Clearance Procedure**

Goods can be cleared on CHIEF in line with current agreed clearance procedures for POAO goods at NCH. Clearance of the goods is not dependant on presentation of T5.

6. Importer/agent then arranges for Border Force endorsed Copy 1 T5 (in accordance with Article 912c regulation 2454/93) and CVED Part 2 to accompany goods until they arrive at destination establishment.

7. On arrival of goods at destination establishment, consignee/operator of destination establishment to send T5 Copy 1 to HM Revenue and Customs, National Clearance Hub, Custom House, 5th Floor, Furness Quay Salford Quays, M50 3XX with evidence of delivery/arrival of the goods.

(Evidence that goods have arrived: examples of suitable evidence include cleared Customs import entry and a delivery note or copy of the written arrival notification which is sent by operator of destination establishment to the veterinary officer)

8. As part of their follow-up action, HMRC local staff may carry out verification checks, including a possible visit to the destination establishment, to verify arrival of the goods.