

# *BREXIT*

## *TRADE IN PRODUCTS OF ANIMAL ORIGIN*

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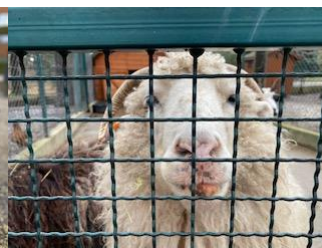
5 November 2020





# PLAN OF THE PRESENTATION

- ◉ Legal status
- ◉ Northern Ireland
- ◉ Import of animals and POAO to the EU
- ◉ Export of animals and POAO from the EU to the UK
- ◉ Challenges

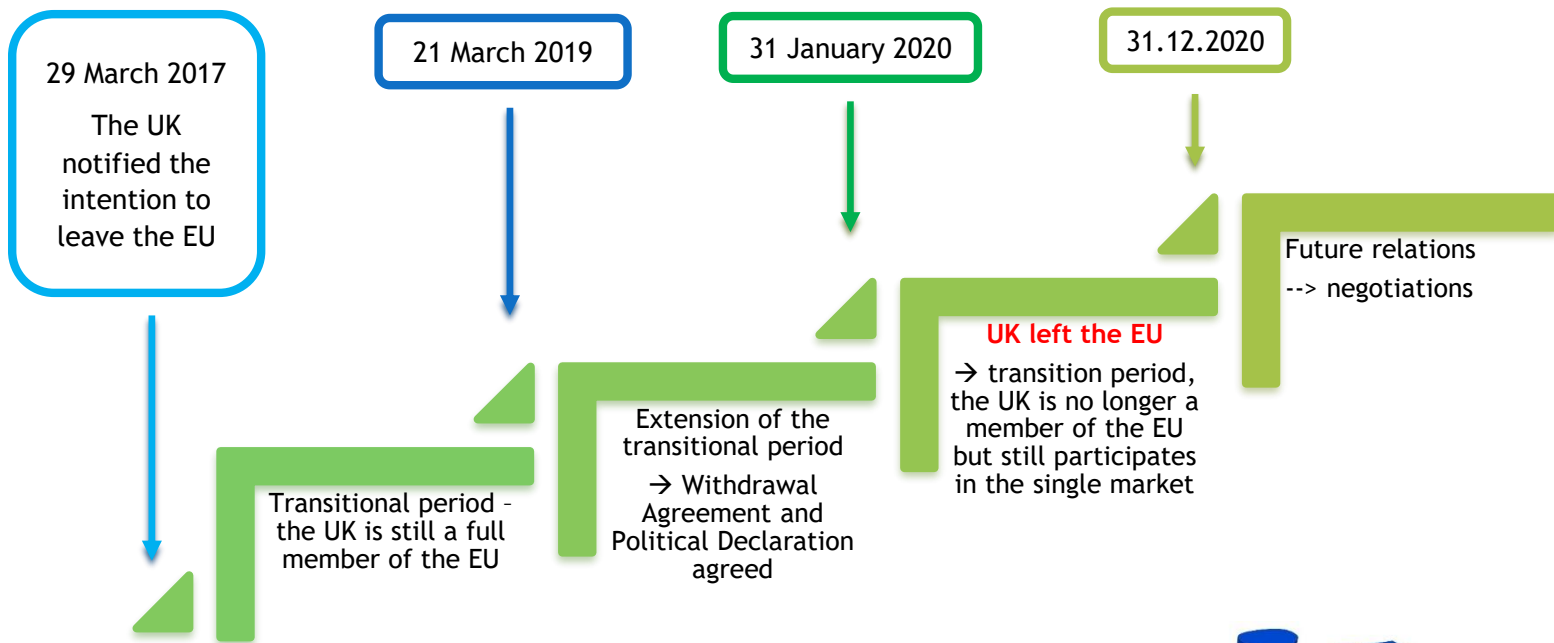




# LEGAL STATUS



# BREXIT STEPS





- ◉ The United Kingdom's choice to cease to participate in the EU's Single Market and Customs Union and put an end to the free movement of persons, goods and services with the EU as of 31 December 2020 means that the EU-UK relationship will change significantly for businesses on both sides from that date onwards.
- ◉ These changes are inevitable, **regardless of the outcome of the ongoing EU-UK negotiations**



# EU-GB TRADE AFTER 01.01.2021

- Great Britain becomes the non-EU country (third country)



- Traders become importers/exporters



# EU-GB TRADE AFTER 01.01.2021

## **UK** import requirements

BOM v.2 (step-by-step approach)

- Prenotification of import of animals and POAO in IPAFFS
- Health certificates
- Inspections in designated BIPs/BCP
- CITES

## **EU** import requirements

EU regulations (as of 01.01.2021)

- Prenotification of import in TRACES
- EU health certificates
- EU approved establishments
- Inspections in designated BIPs/BCP
- CITES





# NORTHERN IRELAND

## The Withdrawal Agreement ➡ Protocol on Ireland and Northern Ireland

- ◉ It provides a legally operative solution that avoids a hard border on the island of Ireland.
- ◉ Northern Ireland will remain aligned to a limited set of Union rules, notably related to goods, and the Union Customs Code, VAT and excise rules will apply to all goods entering or leaving Northern Ireland. **This avoids any customs checks and controls on the island of Ireland.**
- ◉ Checks and controls will take place on goods entering Northern Ireland from the rest of the United Kingdom, for example on food products and live animals to ensure adherence to sanitary and phytosanitary ('SPS') requirements. All goods entering or leaving Northern Ireland must fully comply with relevant Union rules and standards.
- ◉ These regulations will apply as of the end of the transition period, alongside any agreement on a future partnership - subject to the consent, **four years after the end of the transition period**, by the Northern Ireland Legislative Assembly to the continued application of the Protocol





# IMPORT OF ANIMALS AND POAO TO THE EU



# TRADE IN GOODS



## Importer/ exporter obligations

Importer/exporter obligations Under EU law, businesses have different responsibilities depending on where they are situated in the supply chain (e.g. manufacturer, importer, wholesale distributor, etc.).

As of **1 January 2021**, EU businesses that currently buy goods from the UK and place them on the EU market will become importers while those that currently distribute products to the United Kingdom will become exporters. This means that they will need to comply with a new set of obligations according to the applicable Union rules.



# TRADE IN GOODS



## **Customs formalities, checks and controls on goods**

As of **1 January 2021**, customs rules required under EU law will apply to all goods entering the customs territory of the EU from the United Kingdom or leaving the EU for the United Kingdom.

Even if an ambitious free trade area is established with between the EU and the UK, providing for zero tariffs and zero quotas on goods, and with customs and regulatory cooperation, all products traded between the EU and the United Kingdom will be subject to any applicable regulatory compliance checks and controls on imports for safety, health and other public policy purposes.



# TRADE IN GOODS



**Customs formalities, checks and controls on goods**

As of **1 January 2021**, SPS rules required under EU law will apply to all goods entering the customs territory of the EU from the United Kingdom or leaving the EU for the United Kingdom.

- ◉ Prenotification of import in TRACES
- ◉ Import through designated BIPs/BCPs
- ◉ Veterinary certificates
- ◉ Approved non-EU establishments



# TRADE IN GOODS



## Certificates, authorisations markings or labelling

As of **1 January 2021**, marketing authorisations issued by UK authorities will no longer be valid for placing products on the Union market.

Similarly, markings or labelling of goods placed on the Union market, which refer to bodies or persons established in the United Kingdom, will no longer comply with Union labelling requirements.

*EG. The health mark or the identification mark is no longer to include the "EC" abbreviation, but is to include the name of the country (in full or with the ISO two-letter code) where the establishment is located and the approval number of this establishment*



# TRADE IN GOODS



## Professional qualifications

As of 1 January 2021, the UK will no longer be covered by EU rules on the recognition of professional qualifications. UK nationals, irrespective of where they acquired their qualifications, and EU citizens with qualifications acquired in the United Kingdom will need to have them formally recognised in the relevant Member State, based on that country's rules for recognition of third-country qualifications.

*EG. animal welfare at slaughter qualifications*





# IMPORT OF ANIMALS AND POAO TO THE EU

Additional guidance can be found in the Commission Communication ‘Getting ready for changes’, as well as in sectoral stakeholder ‘readiness notices’ (for all goods, services and other aspects) published by the Commission services and available here:

[https://ec.europa.eu/info/european-union-and-united-kingdom-forging-new-partnership/future-partnership/getting-ready-end-transition-period\\_en#readiness-notices](https://ec.europa.eu/info/european-union-and-united-kingdom-forging-new-partnership/future-partnership/getting-ready-end-transition-period_en#readiness-notices)

Additionally, Polish Veterinary Service publishes information specifically for import of animals and POAO on our website (in Polish):

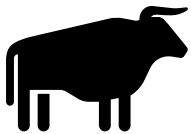
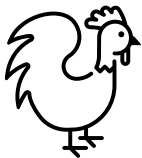
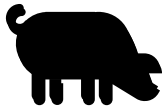
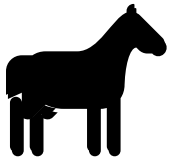
<https://www.wetgiw.gov.pl/handel-eksport-import/import-zwierzat-zywnosci-i-produktow-pochodzenia-zwierzecego-z-wielkiej-brytanii-do-ue>



# EXPORT OF ANIMALS AND POAO FROM THE EU TO THE UK



# EXPORT OF ANIMALS



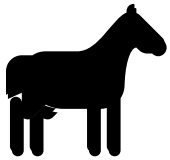
From **1 January 2021** live animals, including equines and germinal products imported from the EU, will be subject to new import controls (by APHA) at the place of destination (until end June 2021).

Goods must be:

- accompanied by a health certificate instead of the intra-trade animal health certificate
- pre-notified by the importer using IPAFFS at least one working day before the expected time of arrival at the point of entry



# EXPORT OF ANIMALS

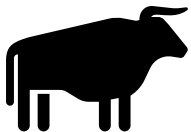
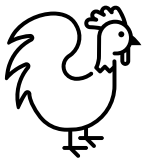


From **1 July 2021** live animals, including equines and germinal products imported from the EU, will be subject to new import requirements.



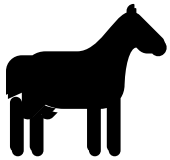
Goods must:

- be accompanied by an EHC so they can have documentary checks
- be pre-notified by the importer using IPAFFS
- enter at an established point of entry with an appropriate BCP so they're available for documentary, identity and physical checks



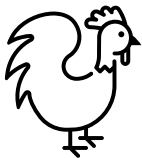


# EXPORT OF ANIMALS



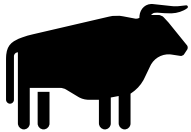
## British importer's obligations

- pre-notify the consignment in IPAFFS (from 01.01.2021)
- give the EU exporter or official veterinarian the unique notification number (UNN) produced by IPAFFS (from 01.01.2021)
- import the consignment through designed UK BIPs (from 01.07.2021)



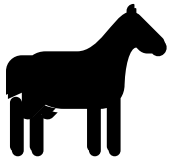
## Polish exporter's obligations

- notify the official veterinarian of the UNN to add it to the health certificate (from 01.01.2021)
- export through designed EU BIPs for animal welfare checks (from 01.01.2021)





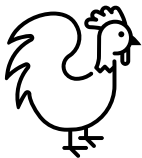
# EXPORT OF ANIMALS



## Documents to transport live animals

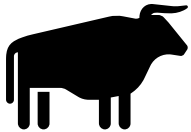
To transport live animals from the EU to GB, or to NI via GB, EU-issued versions of the documents will not be accepted. Transporters will need to apply for GB-issued:

- Transporter Authorisation
- Certificate of Competence
- Vehicle Approval Certificate



You'll need to apply for 2 journey logs for live animal movements from the EU to, or through, GB:

- one approved by APHA
- one approved by the EU member state of origin

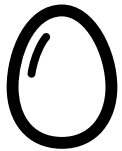
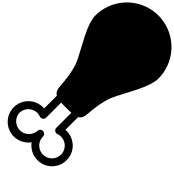


For more information email APHA: [CITCarlisle@apha.gov.uk](mailto:CITCarlisle@apha.gov.uk).





# EXPORT OF FOOD



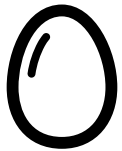
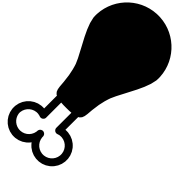
From **1 April 2021** POAO (including food) imported from the EU, will be subject to new import controls (by APHA) at the place of destination (until end June 2021).

Goods must be:

- accompanied by a health certificate so they can have remote documentary checks
- pre-notified by the importer using [IPAFFS](#)



# EXPORT OF FOOD



From **1 July 2021** POAO (including food) imported from the EU, will be subject to new import requirements.

## Goods must:

- be accompanied by an EHC so they can have documentary checks
- be pre-notified by the importer using IPAFFS
- enter at an established point of entry with an appropriate BCP so they're available for documentary, identity and physical checks

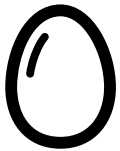


# EXPORT OF FOOD



## British importer's obligations

- pre-notify the consignment in IPAFFS (from 01.04.2021)
- give the EU exporter or official veterinarian the unique notification number (UNN) produced by IPAFFS (from 01.04.2021)
- import the consignment through designed UK BIPs (from 01.07.2021)



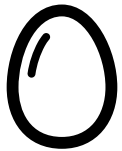
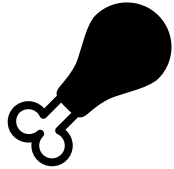
## Polish exporter's obligations

- request DVO for export health certificate (EHC) (from 01.04.2021)
- notify the official veterinarian of the UNN to add it to the health certificate (from 01.04.2021)





# EXPORT OF POAO UNDER SAFEGUARD MEASURES



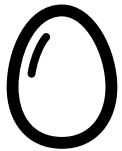
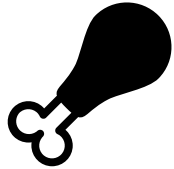
From **1 January 2021** POAO (including food) which are subject to safeguard measures (eg due to animal disease occurrence) imported from the EU, will be subject to new import requirements.

Goods must be:

- accompanied by a health certificate
- pre-notified by the importer using [IPAFFS](#)



# EXPORT OF POAO UNDER SAFEGUARD MEASURES



From **1 July 2021** POAO (including food) which are subject to safeguard measures (eg due to animal disease occurrence) will be subject to additional import requirements.

Goods must:

- be accompanied by an EHC so they can have documentary checks
- be pre-notified by the importer using IPAFFS
- enter at an established point of entry with an appropriate BCP so they're available for documentary, identity and physical checks

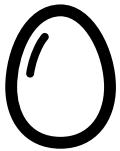


# EXPORT OF POAO UNDER SAFEGUARD MEASURES



## British importer's obligations

- pre-notify the consignment in IPAFFS (from 01.01.2021)
- give the EU exporter or official veterinarian the unique notification number (UNN) produced by IPAFFS (from 01.01.2021)
- import the consignment through designed UK BIPs (from 01.07.2021)



## Polish exporter's obligations

- request DVO for export health certificate (EHC) (from 01.01.2021)
- notify the official veterinarian of the UNN to add it to the health certificate (from 01.01.2021)





# EXPORT OF ABP



## From 1 January 2021

- GB importer must get pre-authorisation from Defra for high-risk ABPs (SRM) under [Category 1 and Category 2](#) before any imports take place.
- GB importer must use [IPAFFS](#) to pre-notify the arrival of high-risk ABPs and category 3 processed animal protein (PAP). The Euexporter shall notify the official veterinarian of the UNN to add it to the commercial documents.
- ABPs will continue to be accompanied by commercial documentation when importing them from the EU.

## From 1 July 2021

- Notification and certification requirements will apply to certain low-risk ABP
- High-risk ABP and certain low-risk ABP will enter GB at an established point of entry with an appropriate BCP



# EXPORT OF ANIMALS AND POAO TO THE GB

Additional guidance can be found in the UK Guidance 'Importing animals, animal products and high-risk food and feed not of animal origin from 1 January 2021' available here:

<https://www.gov.uk/guidance/importing-animals-animal-products-and-high-risk-food-and-feed-not-of-animal-origin-from-1-january-2021#import-from-an-eu-country-from-1-january-2021>

Additionally, Polish Veterinary Service publishes information specifically for export of animals and POAO to the GB on our website (in Polish):

<https://www.wetgiw.gov.pl/handel-eksport-import/brexit---wazne-informacje>



# EKSPORT Z UE DO WIELKIEJ BRYTANII

- ◉ Niezależnie od procedur weterynaryjnych BREXIT spowoduje konieczność dopełniania przez przedsiębiorców **standardowych formalności celnych**: składania zgłoszeń i deklaracji celnych oraz płacenia należności celnych i podatkowych (VAT i akcyza).
- ◉ Podmioty, które aktualnie nie dokonują obrotu towarowego z krajami spoza UE, będą zobowiązane do **zarejestrowania się w usłudze e-Klient** na Platformie Usług Elektronicznych Skarbowo-Celnych (PUESC).

Informacje:

<https://www.podatki.gov.pl/clo/brexit/>



# CHALLENGES



# PRESENT UNCERTAINTIES

- ◉ *What are the contact points for questions concerning UK requirements and EU-UK trade after Brexit?*
- ◉ *Will all UK food establishments be approved for the EU import? What will be the procedure for future listing?*
- ◉ *How to organise re-export of products originating in the EU but refused by the British imported due to commercial reasons in the period of 01.01-01.04.2021?*
- ◉ *Where and when will the required EHC be available?*
- ◉ *Since import checks are to be performed on-line until 01.07.2020, will the export certificates (when required) have to be issued in electronic form also?*
- ◉ *Will it be required to approve food establishments for exports to UK or all EU-approved establishments will be allowed to export to UK? What about new food establishments? Will there be any establishments export approval procedure?*
- ◉ *Will UK recognise and maintain the EU regionalisation rules and trade requirements presently binding in the EU? In particular will the pork trade rules due to ASF (COM Decision 2014/709) be changed and ALL pork from Poland will be subject to veterinary certification since 01.01.2021?*
- ◉ *Where will the export restrictions due to animal diseases be published (safeguard measures)? How it will be communicated to trading partners in the EU? How will they be lifted, eg. in case of HPAI outbreaks in the EU in 2021? Where and when can the competent authorities of EU Member States learn about trade restrictions? Will it be communicated directly to MS or to the Commission?*
- ◉ *Will food of animal origin packed in packages intended directly for the final consumer, shipped to the UK market by retailers (wholesalers, supermarket distribution centers, etc.), will be required to receive health certificates?*
- ◉ *If the answer is affirmative, whether the above-mentioned certificates will have to be issued by official veterinarians, or will it be enough if they are signed by official inspectors?*



# BREXIT INFLUENCE IN LONGER PERSPECTIVE

- ◉ Possible consequences for entrepreneurs
  - Border controls: customs, phytosanitary, veterinary, product safety checks, etc.
  - Difficulties in exporting animals and animal commodities if the UK does not recognize regionalization and animal diseases status, such as African swine fever or avian influenza.
  - The need to follow different technical standards, sanitary and phytosanitary rules. This can result in significant costs, often higher than the customs rates themselves.



# Thank you for your attention!



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