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By email only;

Food and Farming  
Food Sector Resilience Working Group  
Animal Health and Welfare Stakeholder Group

## Preparing for the end of the transition period

As we approach the end of the transition period, the outcome of the negotiations with the EU remain uncertain. The worst situation would be a “no deal” outcome involving tariffs on key exports but regardless of whether or not there is a deal there will be significant non-tariff barriers. There are already costs to be met as a result of EU exit, such as export health certification (EHC) and Border Control Post (BCP) fees, and the addition of tariffs on top of those costs would be a devastating blow to businesses at the end of an incredibly difficult year.

With or without a deal, Great Britain (GB) will be required to achieve third country listing and categorisation to allow export of Sanitary and Phytosanitary commodities to the EU from the end of the transition period. We do not expect the final assessment to be communicated by the EU to UK government until mid to late December.

Despite all of the uncertainty, the Scottish government is doing everything possible to ensure that businesses have the best available information to help them prepare for 1 January 2021.

## Prohibitions and conditions for imports and exports between GB and EU – Animals and Products of Animal Origin

Trading as a third country invites stricter trading conditions than those applicable to Member States, in addition to some prohibitions on trade altogether. These stricter conditions reflect that GB will no longer be required to harmonise its Sanitary and Phytosanitary (SPS) rules with the EU and will no longer enjoy access to the customs union and single market.

Although the negotiations between the UK and EU are ongoing, the current requirements applicable to third country exports into the Union are laid out in the EU’s existing legislation. If the negotiations end without a deal then these standard third country trade requirements will automatically apply to imports to GB and exports to the EU from 1 January 2021 due to existing EU law and retained law in GB. Even if there is a deal, the default position is that the same standard third country requirements would automatically apply unless the deal included specific provisions to disapply them. You will be aware of the UK government’s stance in the

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negotiations that its ability to set its own rules unilaterally is paramount, and of the EU's view that in that case the UK must expect to be treated like a standard third country in many respects. It follows from these positions that the standard third country requirements would be likely to apply even in the event of a deal unless one or both of the negotiating parties were to shift from their fundamental position. Ideally we would have wished to wait for the outcome of the negotiations so as to be able to give you definite information about the requirements, but with the end of the transition period now so close we consider it important to alert you to the possible outcomes in the hope that, despite the uncertainty, this is helpful for your planning.

A draft list of prohibitions and conditions for animals and their products is included at Annex A. This list is not exhaustive. Export requirements for different commodities can be found in the model export health certificate for entry into the Union. Model health certificates are available to view on the gov.uk webpages. The EHC finder allows users to find certificates of interest using the search function and by selection EU as the destination country; [Find an export health certificate - GOV.UK \(www.gov.uk\)](#). We would urge traders to familiarise themselves with the required EHC health attestations and conditions for export. Certificates for exports are still being uploaded to the gov.uk webpages.

## Trade between GB and Northern Ireland

The [Protocol on Ireland/ Northern Ireland](#) ('the Northern Ireland Protocol') seeks to avoid a hard border between the Republic of Ireland and Northern Ireland (NI) and to uphold the Good Friday Agreement of 10 April 1998. The Scottish government is absolutely committed to the implementation of the Northern Ireland Protocol and upholding international law.

The Northern Ireland Protocol includes NI in the EU's SPS zone and requires NI to align with EU SPS law for as long as the protocol is in place. This means that movements of SPS goods from GB to NI will have to meet the same SPS requirements as GB to EU movements, unless alternative arrangements are agreed by the UK government and EU Specialised Committee.

At the [November Specialised Committee](#) meeting the EU made clear that the full array of third country checks and controls will need to be in place in NI for 1 January. The [updated UKG guidance](#) on trading under the Northern Ireland Protocol also reflects these requirements; entry through BCP, pre notification and EHC or phytosanitary certification.

The Scottish government has requested that the UK government negotiates an outcome that allows the continuation of trade without barriers. Requirements for trade under the Northern Ireland protocol are subject to ongoing negotiations, however Scottish agri-food businesses should prepare for the barriers in Annex A to apply to GB to NI movements from 1 January 2021.

The UK government has committed to unfettered access for NI businesses to the rest of the GB internal market, which means that trade of SPS goods from NI to GB should continue as they do now from 1 January 2021.

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## System registration for importing and exporting

The high level model for importing and exporting to the EU from the end of the transition period is outlined in the [UKG border operating model](#). To export animals and animal products to EU or NI from the end of the transition period, the exporter must register with the new EHC online system. Your certifier must also be registered on the system; [How to register for export health certificate \(EHC\) online - GOV.UK \(www.gov.uk\)](#)

Importers must register to use the Import Products, Animals, Food and Feed System (IPAFFS); [Import of products, animals, food and feed system \(IPAFFS\) - GOV.UK \(www.gov.uk\)](#).

For advice on plants and plant products, please visit <https://www.sasa.gov.uk/eu-exit-guidance-plant-health>.

SPS exports to EU and NI must pre notify and enter through a BCP which is designated for the commodity type. Information on Designated BCPs in the EU, Norway and Iceland can be found on the Commissions website; [Designated Border Control Posts \(BCPs\) | Food Safety \(europa.eu\)](#).

A phased approach to SPS checks on imports from the EU will apply to GB, as outlined in the border operating model. Information on UK animal and animal product BCP's can be found here; [UK border control posts: animal and animal product imports - GOV.UK \(www.gov.uk\)](#). For plants and plants products visit; [Plant imports: authorised border control posts in the UK - GOV.UK \(www.gov.uk\)](#).

I hope this information is helpful in outlining the current position. The Scottish Government will ensure any changes are communicated swiftly.

Animal Health and Welfare Division  
Scottish Government  
3 December 2020

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## Annex A – Prohibitions and EHC Conditions – Animals and Animal Products

	<b>Currently Available EHCs for EU and NI - click on link, find certificate and then 'specimen certificate'</b>
<b>Live Animals</b>	<a href="http://www.gov.uk">Find an export health certificate - GOV.UK (www.gov.uk)</a>
<b>Livestock</b>	<a href="http://www.gov.uk">Find an export health certificate - GOV.UK (www.gov.uk)</a>
<b>Pets</b>	<a href="http://www.gov.uk">Find an export health certificate - GOV.UK (www.gov.uk)</a>
<b>Germplasm</b>	<a href="http://www.gov.uk">Find an export health certificate - GOV.UK (www.gov.uk)</a>
<b>Fish ( Aquaculture and Fishery products)</b>	<a href="http://www.gov.uk">Find an export health certificate - GOV.UK (www.gov.uk)</a>
<b>Equines</b>	<a href="http://www.gov.uk">Find an export health certificate - GOV.UK (www.gov.uk)</a>
<b>Products of Animal Origin</b>	<a href="http://www.gov.uk">Find an export health certificate - GOV.UK (www.gov.uk)</a>
	<b>GB to EU/NI and vice versa [ unfettered access applicable NI to GB]</b>
<b>Sheep, goats and their semen and embryos</b>	<p>Domestic ovine and caprine animals intended for breeding or production to the European Union: certificate 8220</p> <p><a href="https://www.gov.uk/export-health-certificates/export-domestic-ovine-and-caprine-animals-intended-for-breeding-or-production-to-the-european-union-certificate-8220">https://www.gov.uk/export-health-certificates/export-domestic-ovine-and-caprine-animals-intended-for-breeding-or-production-to-the-european-union-certificate-8220</a></p> <p>Domestic ovine and caprine animals intended for immediate slaughter to the European Union: certificate 8221</p> <p><a href="https://assets.publishing.service.gov.uk/media/5f6863128fa8f51063ce4f09/Draft-8221_English_v1.pdf">https://assets.publishing.service.gov.uk/media/5f6863128fa8f51063ce4f09/Draft-8221_English_v1.pdf</a></p>
<b>Cattle</b>	<p>Domestic bovine animals intended for immediate slaughter to the European Union: certificate 8224</p> <p><a href="https://assets.publishing.service.gov.uk/media/5f68657ed3bf7f72306ab6c1/Draft-8224_English.pdf">https://assets.publishing.service.gov.uk/media/5f68657ed3bf7f72306ab6c1/Draft-8224_English.pdf</a></p> <p>Domestic bovine animals intended for breeding or production to the European Union: certificate 8223</p> <p><a href="https://assets.publishing.service.gov.uk/media/5f6864cbe90e0759fb86c32b/Draft-8223_English_v1.pdf">https://assets.publishing.service.gov.uk/media/5f6864cbe90e0759fb86c32b/Draft-8223_English_v1.pdf</a></p>

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<p><b>Pig &amp; Pork products</b></p>	<p>Domestic porcine animals intended for breeding or production to the European Union: certificate 8228  <a href="https://assets.publishing.service.gov.uk/media/5f6868808fa8f5106b23aab8/Draft-8228_English_V1.pdf">https://assets.publishing.service.gov.uk/media/5f6868808fa8f5106b23aab8/Draft-8228_English_V1.pdf</a></p> <p>Domestic porcine animals intended for immediate slaughter to the European Union: certificate 8219  <a href="https://assets.publishing.service.gov.uk/media/5f6861a38fa8f510664dc4ac/Draft-8219_English_V1.pdf">https://assets.publishing.service.gov.uk/media/5f6861a38fa8f510664dc4ac/Draft-8219_English_V1.pdf</a></p> <p>Trichenella Testing - Commission Regulation 206/2010 requires third countries to be listed as applying controlled housing in order to avoid Trichenella testing requirements. Only frozen exports are permitted unless testing is completed.</p> <p><a href="https://legislation.gov.uk/eur-lex/regulation/2010/0206/eng/full">Commission Regulation (EU) No 206/2010 of 12 March 2010 laying down lists of third countries, territories or parts thereof authorised for the introduction into the European Union of certain animals and fresh meat and the veterinary certification requirements (legislation.gov.uk)</a></p>
<p><b>Day old chicks and hatching eggs</b></p>	<p>Need to be held in quarantine for a period of time for up to 2 months as per article 28 and 29 of 2009/158.</p> <p>EU requires day old chicks to be subject to monitoring for 6 weeks/hatched from eggs from flocks kept for at least six weeks.</p> <p>Day-old chicks of ratites to the European Union and Northern Ireland: certificate 8238  <a href="https://assets.publishing.service.gov.uk/media/5f686db78fa8f51064e88ac1/Draft-8238_English_V1.pdf">https://assets.publishing.service.gov.uk/media/5f686db78fa8f51064e88ac1/Draft-8238_English_V1.pdf</a></p> <p>Hatching eggs of poultry to or transit through the European Union and Northern Ireland: certificate 8294  <a href="https://assets.publishing.service.gov.uk/media/5f68b720d3bf7f7232e7e734/Draft-8294_HEP.pdf">https://assets.publishing.service.gov.uk/media/5f68b720d3bf7f7232e7e734/Draft-8294_HEP.pdf</a></p> <p>Hatching eggs of ratites to, or transit through, the European Union and Northern Ireland: certificate 8295  <a href="https://assets.publishing.service.gov.uk/media/5f68b7a7d3bf7f72306ab6dc/Draft-8295_English_V1.pdf">https://assets.publishing.service.gov.uk/media/5f68b7a7d3bf7f72306ab6dc/Draft-8295_English_V1.pdf</a></p>
<p><b>Equine</b></p>	<p>Equine animal for breeding or production to the European Union and Northern Ireland: certificate 8335  <a href="https://assets.publishing.service.gov.uk/media/5f68d7b28fa8f5076adc46bf/Draft-8335_English_V1.pdf">https://assets.publishing.service.gov.uk/media/5f68d7b28fa8f5076adc46bf/Draft-8335_English_V1.pdf</a></p> <p>Equine certificates still to be uploaded. General search link;  <a href="https://www.gov.uk/export-health-certificates?keywords=equine&amp;destination_country%5B%5D=eu">https://www.gov.uk/export-health-certificates?keywords=equine&amp;destination_country%5B%5D=eu</a></p>

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<p><b>Poultry Meat with optional indicators</b></p>	<p>UKG website states that guidance on poultry meat optional indication certificates is to be published.</p> <p>Preparing for third country requirements; <a href="https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:02008R0543-20130701&amp;qid=1551180984367&amp;from=EN">https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:02008R0543-20130701&amp;qid=1551180984367&amp;from=EN</a></p> <p><a href="https://www.gov.uk/guidance/poultry-meat-marketing-standards-when-the-uk-leaves-the-eu">https://www.gov.uk/guidance/poultry-meat-marketing-standards-when-the-uk-leaves-the-eu</a></p> <p>Poultry meat to the European Union and Northern Ireland: certificate 8296;  <a href="https://assets.publishing.service.gov.uk/media/5f68b887e90e077f5fd1a3bb/Draft-8296_English_V1.pdf">https://assets.publishing.service.gov.uk/media/5f68b887e90e077f5fd1a3bb/Draft-8296_English_V1.pdf</a></p>
<p><b>Mechanically Separated Meat &amp; rattie bird mince</b></p>	<p>In relation to poultry meat, since no import certificate having been established according Commission Regulation (EC) No 798/200813, imports of poultry MSM is prohibited; <a href="https://www.legislation.gov.uk/eur/2008/798/contents">https://www.legislation.gov.uk/eur/2008/798/contents</a></p>

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<p><b>Honey bees and Bumblebees</b></p>	<p>Third countries can only export queens and 20 attendant worker bees</p> <p>Third countries can export a maximum of 200 bumble bees from a recognised establishment.</p> <p>The Commission Regulation (EU) No 206/2010 laying down lists of third countries, territories or parts thereof authorised for the introduction into the European Union of certain animals and fresh meat and the veterinary certification requirements  <a href="https://www.legislation.gov.uk/eur/2010/206/pdfs/eur_20100206_adopted_en.pdf">https://www.legislation.gov.uk/eur/2010/206/pdfs/eur_20100206_adopted_en.pdf</a></p>
<p><b>Animal By Products</b></p>	<p>EU prohibition on the import of category 1 and 2 animal by-products which are not intended for the manufacture of certain derived products unless in accordance with rules for their import in implementing Regulation (EC) No. 142/2011.</p> <p><a href="https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32011R0142&amp;from=EN">https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32011R0142&amp;from=EN</a></p>
<p><b>Processed Animal Protein not for human consumption</b></p>	<p>EU requires mammalian PAP to be processed through Method 1 (pressure sterilisation), in accordance with regulations (EU) 142/2011 and (EC) 1069/2009.</p> <p><a href="https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2011:054:0001:0254:EN:PDF">https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2011:054:0001:0254:EN:PDF</a></p> <p><a href="https://www.legislation.gov.uk/eur/2009/1069/article/43#:~:text=Regulation%20%28EC%29%20No%201069%2F2009%20of%20the%20European%20Parliament,in%20the%20content%20and%20are%20referenced%20with%20annotations.">https://www.legislation.gov.uk/eur/2009/1069/article/43#:~:text=Regulation%20%28EC%29%20No%201069%2F2009%20of%20the%20European%20Parliament,in%20the%20content%20and%20are%20referenced%20with%20annotations.</a></p> <p>Processed animal protein (PAP), other than types derived from farmed insects to the European Union and Northern Ireland: certificate 8333</p> <p><a href="https://assets.publishing.service.gov.uk/media/5f6a1902d3bf7f7239aa147b/Draft-8333_English_V1.pdf">https://assets.publishing.service.gov.uk/media/5f6a1902d3bf7f7239aa147b/Draft-8333_English_V1.pdf</a></p> <p>Processed animal protein (PAP) from insects not intended for human consumption, including mixtures and products other than pet food containing such protein to the European Union and Northern Ireland: certificate 8300</p> <p><a href="https://assets.publishing.service.gov.uk/media/5f68bb49e90e077f6304c876/Draft-8300_English_v1.pdf">https://assets.publishing.service.gov.uk/media/5f68bb49e90e077f6304c876/Draft-8300_English_v1.pdf</a></p>
<p><b>Rendered fats (tallow) not for human consumption to be used outside the feed chain</b></p>	<p>Rendered fats not for human consumption to be used outside the feed chain to the European Union and Northern Ireland: certificate 8301</p> <p><a href="https://assets.publishing.service.gov.uk/media/5f68be018fa8f5076eb285fe/Draft-8301_English_V1.pdf">https://assets.publishing.service.gov.uk/media/5f68be018fa8f5076eb285fe/Draft-8301_English_V1.pdf</a></p> <p>GTH and separation requirements.</p>
<p><b>Wild Harvested Live Bivalve Molluscs</b></p>	<p>No EHC for wild harvested live bivalve molluscs which are not fit for human consumption at the point of export [ LBMS from B, C or unclassified waters].</p> <p>Live bivalve molluscs, echinoderms, tunicates and marine gastropods intended for human consumption to the EU and Northern Ireland: certificate 8249;</p>

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[https://assets.publishing.service.gov.uk/media/5f8458d6d3bf7f6b9db606ec/Draft-8249\\_English\\_V1.pdf](https://assets.publishing.service.gov.uk/media/5f8458d6d3bf7f6b9db606ec/Draft-8249_English_V1.pdf)

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