



Department
for Environment
Food & Rural Affairs

Animal Health Regulation and Composite Products

Narrative – Certifying Officers

April 2021

Slide 1



- Welcome to the narrative for the Animal Health Regulation (AHR) and composite products webinar
- The following narrative should be used alongside the AHR and composite products presentation included in the pack of information we have provided to you
- Please note that information on AHR and composite product rules will be updated in the following months and we will be issuing updated guidance and information

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Agenda

- Introduction
 - Animal Health Regulation
 - From April 2021
 - Composite Products
 - Contact details and further information links
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- This narrative will provide you with an overview of the AHR and new rules on composite products
 - This narrative includes a section on where you can get further information with some useful links

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Introduction of Animal Health Regulation

- EU adopted the 'Animal Health Law' (AHR) in 2016
 - Will be applied from 21 April 2021
 - Establishes new rules for third countries exporting to the EU
 - EHCs will be updated to reflect the new legislation – most won't need to be changed until August 2021
 - EU is also introducing new rules for the export of composite products
 - Five new EHCs and a Private Attestation are needed from 21 April – these are available on EHC Online and Form Finder
 - All EU Export Health Certificates (EHCs) and Notes for Guidance are being updated to reflect the new rules by August 2021
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- The EU adopted the Animal Health Law in March 2016 and this will be applied from 21 April 2021
 - It replaces a number of existing EU legal acts covering all aspects of animal health
 - This new EU law establishes new rules for third countries exporting to the EU
 - The changes provide guarantees to ensure that certain animals, germinal products and products of animal origin entering the EU or Northern Ireland do not present an animal health risk
 - This means the current Export Health Certificates (EHCs) and Notes for Guidance will need to be updated to reflect the new legislation
 - Most of the new EHCs won't need to be used until August 2021 and we will introduce them – the ones not needed now - closer to the time
 - The EU is also introducing new rules for composite products for use from 21 April
 - Five new EHCs will need to be used from 21 April and are available on EHC online and Form Finder

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Northern Ireland - Animal Health Regulation

- AHR will apply in Northern Ireland
 - Traders moving goods from Great Britain to Northern Ireland will need to ensure that they meet the new requirements
 - Businesses on the Authorised Trader list moving goods from GB to NI will not be required to complete new EHCs or private attestations
 - STAMNI declarations will meet these requirements
 - However, all goods moved by Authorised Traders from GB to NI must comply with the regulatory requirements for composite products
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- The AHR will apply in Northern Ireland
 - Traders moving goods from Great Britain to Northern Ireland will need to ensure that they meet the new requirements
 - Businesses on the Authorised Trader list moving goods from Great Britain to Northern Ireland will not be required to complete new composite EHCs or private attestations until the relevant phase of compliance comes into effect from 1 Oct 2021
 - Instead, the STAMNI declarations will meet these requirements in the meantime, in line with the movement criteria
 - However, all goods moved by Authorised Traders from Great Britain to Northern Ireland must comply with the regulatory requirements, including composite products

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What does this mean for April 2021?

- You can view the new EHCs, and the accompanying Notes for Guidance, via form finder including:
 - Three new products of animal origin (POAO) EHCs
 - Two new composite EHCs
 - A private attestation document for composites exempt from certification
 - You should familiarise yourselves with the new EHCs
 - The changes to the export of composite products does not alter who can sign a composite product EHC
 - New EHCs for certain live animals and germinal products
 - We will continue to keep certifiers and businesses informed about the phasing of the new EHCs and will provide guidance and information
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- From the 21 April there will be three new products of animal origin EHCs, two new composite EHCs and a private attestation document for composite products that are exempt from certification
 - These new EHCs and private attestation and accompanying Notes for Guidance are now available for you to view on [form finder](#)
 - You should familiarise yourself with the new EHCs
 - The changes to the export of composite products do not affect the circumstances in which a local authority Food Competent Certifying Officer can sign a composite product EHC and when the EHC must be signed by an Official Veterinarian
 - FCCOs can sign composite product EHCs when the product contains processed fish and/or egg
 - If the product contains meat or dairy products the EHC must be signed by an OV
 - The new regulation also introduces EHCs for certain live animal species and germinal product exports for which there is currently no EU EHC
 - The final legislation has now been published and we will make these certificates available at the earliest opportunity.
 - We will continue to keep you informed about the phasing of the new EHCs and will provide guidance and information on this

Composite Definitions

- **Composite product** (defined in Article 2 of Delegated Regulation (EU) 2019/625)
 - “...food containing both products of plant origin and **processed** products of animal origin”

 - **Shelf-stable composite products** (Article 2 of the draft legislation)
 - “...products that do not need to be transported or stored under controlled temperatures”

 - **Controlled temperature**
 - “... products have been produced in a way that does not allow their transport and storage at ambient temperature.
- This slide includes information on definitions of composite products, shelf-stable composite products and controlled temperature

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Phased Approach

- EU's new rules will allow exporters to the EU to use the current EHCs for a short period of time - the EU's phased approach means that:
 - If they export a composite product that currently requires an EHC they will be able to keep using the current EHC until August 2021 or they may choose to use the new documentation
 - If a product does not currently require an EHC, but under the new rules will need one, traders will need to use the new composite EHC from 21 April 2021
 - If composite products are currently exempt from certification, but under the new rules will need a private attestation, traders will need to use this new document from 21 April 2021
 - There will be composite goods that are currently exempt from the requirement to have an EHC which will require either an EHC, or a private attestation under the new rules
- The EU's new rules allows for a phased approach and exporters will be able to use the current EHCs for a short period of time
 - If they currently need an EHC for a composite product they can carry on using the current EHC until August OR they can choose to switch to the new EHC
 - If traders don't need an EHC now, they may need one under the new rules
 - Even if they don't need an EHC under the new rules they will need a private attestation for exempt composites
 - To reiterate - if a product DOES NOT currently require an EHC but under the new rules will need one – traders will need to use the new composite EHC from 21 April and if the product still doesn't need an EHC it will need a private attestation
 - We will circulate further information on the [EU's phasing of the changes](#):
 - The new EHC will be needed for ambient or chilled products that were previously excluded from certification. If the product is shelf-stable, then you need to use the private attestation
 - The Composite Product Decision Tree will help traders and certifiers determine if a products is a composite products and what type of documentation is needed to export composite products to the EU or move it from Great Britain to Northern Ireland
 - You should be aware that there will be composite goods that are currently exempt from the requirement to have an EHC but will no longer be exempt under the EU's new rules - i.e. chilled and frozen products containing no meat so for example vegetarian quiche or cheesecake

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New Composite EHCs

- Chilled and frozen products, as well as any product containing meat (except gelatine etc), will need the new EHC
 - Shelf stable products, aside from those including meat, will need the attestation
 - Within the shelf stable group, certain products are excluded from checks at the BCP. For these the attestation is only needed at the point the product is placed on the market
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- There are two new composite EHCs
 - Any composite product containing meat products - except gelatine, collagen and highly refined products is subject to checks at Border Control Post (BCP) or Points of Entry (PoE) for Northern Ireland and requires an EHC
 - Chilled or frozen composite products containing processed dairy, egg or fish require BCP/PoE checks and an EHC
 - Shelf stable composite products containing processed dairy, egg or fish and where the dairy or egg components meet certain heat treatment requirements will require a private attestation and BCP/PoE checks
 - The attestation is the responsibility of the EU or Northern Ireland importer.
 - If the composite product is listed in the EU's list of lower risk products then it is not subject to BCP/PoE checks but will still require a private attestation and may be subject to checks in the EU or Northern Ireland when the product is placed on the market
 - These checks may take place at the place of destination, the point of release for free circulation, or the warehouses or premises of the operator responsible for the consignment of the composite product
 - The exporter will need to provide details of the ingredients of the composite product to the agent or importer

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Composite products subject to BCP/PoE checks and requiring a private attestation

- The private attestation does not have to be signed by an OV or FCCO and must be prepared and signed by the importing food business operator in the EU/NI
 - Exporters role – familiarise themselves with attestation requirements to provide their EU based trading partner or agent with the product information they need to complete the form.
 - Traders will need to provide a breakdown of ingredients of composite products
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- For composite products that are subject to BCP or PoE checks and require a private attestation
 - The private attestation does not have to be signed by an OV or FCCO and must be prepared and signed by the importing food business operator in the EU or Northern Ireland
 - The EU or Northern Ireland importer or agent should provide the original private attestation to the EU BCP or PoE
 - The EU importer will require a declaration from the exporter of the composite products
 - This declaration will need to attest that the dairy products and egg products contained in the composite products have undergone the required heat treatment.
 - There is no set model for providing this declaration and it does not have to be signed by an OV or FCCO

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Composite products subject to risk-based destination checks and requiring a private attestation

- Shelf-stable composite products not containing processed meat and is listed in legislation (including bread, pasta, olives, sweets) are exempt from BCP/PoE checks, provided the products meet certain requirements.
 - Exporters role - familiarise themselves with attestation requirements to provide their EU based trading partner or agent with the product information they need to complete the form.
 - They will need to provide a breakdown of ingredients of composite products.
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- For composite products subject to risk-based destination checks and requiring a private attestation
 - Shelf-stable composite products not containing processed meat and are listed in legislation – this includes bread, pasta, olives and sweets – are exempt from BCP or PoE checks, provided the products meet all of the following requirements:
 - Any dairy and egg products in the product have been subjected to the required heat treatment
 - They are identified/labelled as intended for human consumption
 - They are securely packaged or sealed
 - Again, the private attestation must be prepared and signed by the importing food business operator in the EU or Northern Ireland and must be available with the product at the point it is placed on the EU market
 - The EU or Northern Ireland importer will need the same exporter declaration regarding the heat treatment of the dairy and/or egg components of the product as they would if the product was subject to BCP checks

Heat treatment of dairy

- Shelf-stable composite products containing no meat require the private attestation under the EU rules introduced from April 2021
- This requires the dairy and egg content to meet specified heat treatment requirements
- EU confirmed amending AHR to allow dairy not heat treated to be exported using private attestation – interim arrangements will allow trade to continue

Composite products containing honey, gelatine, collagen, snails or highly refined products

- There are different rules for composite products containing honey, gelatine or snails
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- The private attestation for shelf-stable composite products requires the product – or the dairy and egg components within it - to have undergone specific heat treatment. As currently drafted, the EU model document restricts the treatment of the dairy element of the product to UHT or sterilisation.
 - The European Commission has confirmed it is amending the AHR to allow businesses to use a private attestation to export shelf-stable composite products containing dairy that has not undergone UHT or sterilisation, so long as the dairy product originates and is processed in a third country listed for the export of dairy to the EU, such as GB.
 - As the legislative amendments will not be in place by 21 April 2021 when the new Regulation applies the Commission has agreed an interim arrangement.
 - The importer, completing the private attestation, may delete Point 10 of Part II of the attestation (which relates to the dairy heat treatment requirement) if:
 - dairy products are listed as ingredients in point 4 of Part II of the attestation and;
 - the country code inserted in box 1.7 of Part I of the attestation, is that of a third country listed for the export of dairy products to the EU without risk mitigating treatment (such as GB).
 - The establishment of origin of the dairy product, indicated in point 5 of the attestation, is in a third country listed for the export of dairy products to the EU without risk mitigating treatment (such as GB, or the EU, or Northern Ireland).

- This means that shelf stable composite products dispatched from GB to the EU, which contain no meat but do contain dairy products processed in the UK (or another similarly listed third country) or the EU, do not require any specific treatment to use the private attestation document.
- If the country of establishment of origin of the dairy product is one listed only for the export to the EU of dairy products that *are* subject to risk mitigating treatment (e.g. Argentina) Point 10 of the attestation cannot be struck through. Instead, the reference in Point 10 to 'Column B' can be amended to read 'Column A'. This broadens the range of heat treatments that the product can have been subject to and still utilise the private attestation document, although it does not remove the need for heat treatment altogether, as is the case for GB origin product.
- If the country of the establishment of origin of the dairy product is not listed for the export of dairy products to the EU at all, Point 10 of the attestation cannot be amended and UHT or sterilisation is required.
- More details will be made available in the relevant guidance documentation on [EHC Form Finder](#).

For composite products containing honey, gelatine, collagen, snails or highly refined products there are different rules for composite products containing honey, gelatine or snails

- If the only processed products of animal origin in a composite product are honey, collagen, gelatine or snails, and it is shelf stable then it will need to be accompanied by a private attestation
- If the composite product is not shelf stable and contains honey, gelatine or snails as its only processed products of animal origin, then it will need an EHC for the individual product so the honey, gelatine or snails EHC. It would not require a composite product EHC
- If the composite product contains meat, dairy, fish or egg and honey, gelatine or snails it will just travel with the appropriate certificate for the composite product - either the composite EHC or private attestation. No additional EHC for honey, gelatine or snails will be needed

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Useful Links

| Description | Useful Link |
|----------------------------|---|
| Traders mailbox | traders@defra.gov.uk |
| Export Health Certificates | https://www.gov.uk/guidance/get-an-export-health-certificate |
| GOV.UK Form Finder | www.gov.uk/export-health-certificates |
| Vet Gateway | http://apha.defra.gov.uk/official-vets/index.htm |
| EU Commission guidance | https://ec.europa.eu/food/safety/international_affairs/trade/special-eu-import-conditions-composite-products_en |

- This slide includes useful links that will help you when exporting composite products to the EU or moving them to Northern Ireland
- It also includes the [trader mailbox email](mailto:traders@defra.gov.uk) for questions about the Animal Health Regulation and composite products