

Trade Specialised Committee on Sanitary and Phytosanitary Measures: minutes of the meeting

22 to 23 September 2021 (a virtual meeting hosted by the UK)

Item 1 and 2: greetings and opening remarks and adoption of the agenda

The UK Co-Chair opened the meeting and welcomed participants to the inaugural Trade Specialised Committee (TSC) on Sanitary and Phytosanitary Measures (SPS) under the UK-EU Trade and Cooperation Agreement (TCA).

The Parties agreed to the adoption of the agenda, with minor amendments to the running order.

Item 3: general (Article 87)

The Parties discussed and shared a common understanding of the purpose of the SPS Chapter of the TCA, and the functions of the SPS Committee under Article 87.

The UK and EU reiterated their shared commitment to high SPS standards, and to acting transparently and in good faith.

They also committed to working together on items of mutual high priority, such as antimicrobial resistance (AMR) and animal welfare, and to further collaborative work on regionalisation and notification and information sharing.

Both Parties agreed to hold at least one TSC SPS per year, as well as a review point meeting between Co-Chairs before the end of 2021.

Item 4: official certification (Article 74)

Issues in relation to the certificates for animals and animal products for import into Great Britain (England, Wales and Scotland) and the EU

The Parties discussed areas in which they can work together to ensure suitable processes for certification, and agreed to share further information on certificates.

The EU raised specific points relating to certain requirements in the forthcoming health certificates for import into Great Britain and requested more clarity with regard to distinguishing retained EU legislation references in the certificates from actual EU legislation.

The EU also requested that the UK ensure model certificates covering certain products that were still not published to be made available sufficiently in advance of UK certification requirements coming into force.

The UK and EU agreed to further exchanges to take forward issues relating to Great Britain certificates. The UK explained that it is working towards changes to certificates being published on the UK Government's website, GOV.UK, which will include an index highlighting the amendments.

The Parties also agreed to further technical exchanges regarding EU certification requirements related to Fish Health Inspectors, and germinal products.

SPS electronic certification for trade between the EU and Great Britain

The Parties discussed the importance of e-certification as a trade facilitation measure, including progress on e-Phyto certificates, as well as on wider e-certification. The UK and EU committed to continue technical exchanges on readiness to introduce e-certificates for consignments between EU and Great Britain.

The UK confirmed that health certificates for import into Great Britain issued by Member States using EU's TRACES system will be acceptable despite minor differences in format compared to the models published on its official website, as long as their contents remain the same.

The EU agreed to share with the UK copies of the versions of model certificates for import into Great Britain uploaded to the TRACES system, to confirm that the formatting differences would be acceptable and identify any changes required to align them with new versions.

Item 5: cooperation (Articles 82, 84, 85 and 86)

The Parties discussed their mutual priorities on the cooperation articles of the SPS Chapter. They confirmed the importance of the fight against AMR and agreed to further joint working on this important issue.

On animal welfare, the Parties agreed to identify shared priority areas, with a view to further technical discussions.

The UK presented evidence of its Echinococcus multilocularis free status, in relation to animal welfare and the current requirements around pet travel.

The UK agreed to provide further information on its plans for the recognition of tapeworm free status of third countries, and both Parties agreed to discuss these plans and the UK's evidence on its Echinococcus multilocularis free status.

The EU pointed out that its current legislative framework does not foresee the recognition of Echinococcus multilocularis free status for non-EU countries.

The EU presented its work on sustainable food systems which is part of its Farm to Fork Strategy. The UK outlined its work on a National Food Strategy. The Parties agreed to further exchanges in this area.

The Parties presented their joint priorities in international fora and reaffirmed their commitment to working together on mutual priorities. The UK agreed to consider the EU's initiative at the World Trade Organisation on the global transition towards sustainable food systems.

Item 6: import conditions and procedures (Article 75) and general principles (Article 73)

State of play in relation to the introduction of SPS border controls and certification requirements for products entering Great Britain from the EU

The UK presented its updated SPS border controls and certification requirements. The UK noted that it would publish an update to its Border Operating Model in due course.

The EU sought clarification on how UK's border control posts would handle cases where, due to a change, the means of transport of a consignment is different than the one identified on the export health certificate.

Requirements for the transit through Great Britain of animal products moved between continental EU Member States and Ireland

The UK provided an update on requirements for the transit through Great Britain of animal products moved between EU Member States, particularly in reference to the UK's updated timeline for the implementation of border controls.

The EU signalled the issue of requirements for the transit of Live Bivalve Molluscs (LBMs) through Great Britain as one that it would like to follow-up with the UK at technical level.

Both Parties agreed to further technical exchanges on conditions and procedures for import and transit.

SPS import conditions and procedures for certain items, namely: LBMs, seed potatoes, and chilled meats

The Parties discussed the current prohibition on exports to the EU of both aquaculture and wild-harvested LBMs from Class B waters.

The UK presented a paper on this issue, and invited the EU to review the UK's proposals, and to discuss a way of resuming this trade, under the framework provided by the TCA.

It was agreed further technical exchanges to explain the rationale for the current rules applicable to imports for those commodities into the EU would take place.

The Parties also discussed the EU's prohibition on imports of seed potatoes from non-EU countries, affecting Great Britain, recognising that seed potatoes are a priority for both Parties in terms of plant health and biosecurity.

The UK presented a paper on the issue and noted its aim for an agreement based on high standards, which would build on long standing designations and requirements in relation to plant health and marketing.

The UK asked the EU to share the relevant risk assessments pertaining to its prohibition. The EU proposed a technical meeting to explain the rationale for the import ban for this commodity into the EU.

The Parties also discussed the prohibition to trade in chilled meats. The UK offered to share scientific risk assessments. The Parties agreed to further technical exchanges on the issue.

Item 7: lists of approved establishments (Article 76)

The Parties discussed the practical implementation of listing of approved establishments for the export of animal products. The EU provided a technical update on the tool in TRACES NT for transmission to the UK of establishments Member States register.

The Parties agreed on the need for a robust, automated system for sharing updated lists of establishments, and committed to agreeing a timeline for its implementation as part of further technical exchanges.

The UK clarified that exporting establishments will be required to be listed for export to Great Britain at the time pre-notification of consignments from the EU will apply.

Item 8: transparency and exchange of information (Article 77)

Notification and information sharing processes

The Parties reaffirmed their commitment to the timely notification and sharing of information under Articles 77, 80, 81, and 83 of the TCA.

The Parties noted the positive joint working so far and agreed to further technical exchanges on notifications and information exchange, in particular on timeframes and mechanisms for notification.

Further discussions were also agreed regarding the exchange of questions and answers through European Commission's Market Access Database (MADB) and the possibility of its use also for updates on market authorisations

The EU requested the UK adopt the practice of making available consolidated versions of SPS legislations integrating as soon as possible any amendments.

The UK confirmed that consolidated versions of legislation are publicly available on www.legislation.gov.uk, although the National Archives is still working through some backlog relating to the volume of secondary legislation enacted during 2020.

UK (Great Britain) requirements for the import of certain plants in relation to *Xylella fastidiosa*

In the context of the UK's current emergency measures on *Xylella fastidiosa* the EU asked for the UK to consider further dialogue and early engagement with the EU on emerging biosecurity concerns in future. The UK undertook to send to the EU its *Xylella* Contingency Plan.

Item 9: adaptation to regional conditions (Article 78)

Stocktaking of the technical discussions on the information required by the two Parties for the recognition of Highly Pathogenic Avian Influenza (HPAI) regionalisation measures

The UK noted the EU's agile approach to regionalisation on HPAI in the context of the 2020 to 2021 epidemic, which supported ongoing trade.

The Parties discussed joint working on facilitating regionalisation for HPAI since 1 January 2021 and committed to strengthen this work as needed in future. Both Parties agreed to further technical meetings, where necessary.

Agree an understanding of the process for animal disease outbreaks

The Parties agreed to further joint working on regionalisation, building on the strong cooperation on HPAI.

Information sharing on disease freedom declarations for aquatic animal health

The Parties discussed the exchange of information in relation to aquatic animal health, and agreed to regular technical discussions, covering exchange of information on disease freedom and aquatic animal health disease notifications.

Recognition of UK compartments for the trading of poultry breeding stock

As foreseen within the TCA, the Parties agreed to hold exchanges on the concept of compartmentalisation for animal diseases.

Item 10 and 11: conclusions and next steps and closing remarks

The UK and EU welcomed the positive discussions throughout the committee.

Approved by the Joint Secretariat of the
Trade Specialised Committee on
Sanitary and Phytosanitary measures

Annex A

Participants of the first meeting of the Trade Specialised Committee on Sanitary and Phytosanitary Measures (TSC SPS)

UK Delegation (70)

- UK Co-chair of the TSC SPS
- UK Government officials from Defra and the Cabinet Office
- UK Mission to the European Union official
- Scottish Government officials
- Northern Ireland Executive official
- Welsh Government officials

EU Delegation (50)

- EU Co-Chair of the TSC SPS
- European Commission officials
- Delegation of the European Union to the UK officials
- Representatives of EU Member States