

# A description of the UK system of controls on imports of live animals and products of animal origin and evaluation of its performance to protect public and animal health

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April 2014 – March 2016

September 2017



Department  
for Environment  
Food & Rural Affairs



Department of  
**Agriculture, Environment  
and Rural Affairs**  
[www.daera-ni.gov.uk](http://www.daera-ni.gov.uk)



Llywodraeth Cymru  
Welsh Government

A description of the UK system of controls on imports of live animals and products of animal origin and evaluation of its performance to protect public and animal health (April 2014 – March 2016)

Presented to Parliament pursuant to section 10A of the Animal Health Act 1981 (as amended by the Animal Health Act 2002)

September 2017



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# Executive Summary

We are pleased to present our twelfth Annual Report in accordance with section 10A of the Animal Health Act 1981 (as amended by the Animal Health Act 2002) which describes the steps being taken by Government and others to prevent the introduction of animal disease into the UK. The regulatory landscape for import controls is complex and it continually needs to adjust to reflect changing global disease risks and an ever expanding pattern of international trade.

This report explains the specific outcomes, policy and operational developments; The structures of the key agencies across central and local government that are involved in this work and the legal basis for the controls remain unchanged so to reduce the length of this report they have not been listed separately but can be accessed in the review covering 2012-2014 at <https://www.gov.uk/government/publications/review-of-controls-on-imports-of-animals-and-animal-products-april-2012-to-march-2014>

## Scope of the Report

This report covers two years April 2014 – March 2016.

This review has been prepared by the Department for Environment, Food and Rural Affairs (Defra) with contributions from the Food Standard Agency (FSA), the Agriculture and Rural Affairs Departments in the Devolved Governments, Animal and Plant Health Agency (APHA) and Border Force.

The report gives details of:

- Global disease surveillance and horizon scanning (Chapter 1)
- Effectiveness of controls at the border (Chapter 2)
- Measures taken inland (Chapter 3)
- Cooperation between agencies (Chapter 4)

Whilst care has been taken to ensure that the web links contained in this report are correct at the time of publication, changes may occur.

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## Achievements/Updates

### • **Commission Audits**

In May 2014 the European Commission's Food and Veterinary Office (now called the Health and Food Audits and Analysis, DG Health and Food Safety) carried out an audit to evaluate the system in place for the verification of the appropriateness and the effectiveness of official controls related to imports and transits of products of animal origin and live animals and to ensure compliance with EU legislation.

The audit covered a number of issues including:

- Coordination between competent authorities and their procedures for monitoring, reporting, corrective and preventative actions taken where shortcomings were identified;
- Official controls carried out at Border Inspection Posts (BIPs) and the procedures in place to ensure that controls are implemented as expected;
- Monitoring/measurement of performance of official import controls and how the Competent Authority (CA) uses that information to evaluate achievement of objectives; and
- The use of results for future planning and improvement of the import control system.

The overall conclusion of the audit was that:

- The CA had put in place procedures to verify compliance and effectiveness of official import controls in respect of legal requirements and planned arrangements at BIPs.
- Verification activities included evaluation of the appropriateness of import controls when shortcomings are identified.
- The results of the verification activities are used for updating the relevant documented procedures and also lead to targeted training of the personnel.
- Improvements following verification on the official import controls and the operations of the Food Fraud team are evident.

This was a fact finding mission so no recommendations were made to the CA.

A copy of the audit report can be found on the European Commission's website: [http://ec.europa.eu/food/audits-analysis/audit\\_reports/details.cfm?rep\\_id=3314](http://ec.europa.eu/food/audits-analysis/audit_reports/details.cfm?rep_id=3314)

- **Imports of dogs and cats**

Towards the end of the reporting period the Animal & Plant Health Agency amended the risk assessment for post import checks on commercial dog shipments as a response to changes in trade patterns from dogs entering Great Britain from other European Union Member States and intelligence on the disease risk of consignments.

- **Risk Assessment – understanding the risk**

Defra monitors the international disease situation and produces Preliminary Outbreak Assessments on a range of global outbreaks. Defra communicated the new outbreaks to the BIPs and Border Force to enable regulatory and anti-smuggling controls at the border to be responsive to new or changing animal health risks.

- **Biosecurity (England)**

During the period of the report Ministerial Monthly Biosecurity Meetings were held to enable timely escalation of potential biosecurity risks and provide strategic oversight and direction. A new risk assessment methodology enabled animal and plant health risks to be assessed together, in terms of likelihood and impacts.

- **Defra and Border Force ‘Strategy’**

Building on the refreshed Enforcement Strategy covering products of animal origin, Defra and Border Force have been looking at a consistent framework for co-operation to ensure effective enforcement of the legislative framework governing the import of plants and animals, and also products of plant and animal origin. This will bring together all of Defra interests, that require enforcement at the border under one umbrella agreement. This includes:

- Commercial and personal imports of Products of Animal Origin (POAO).
- Live (including aquatic) animals commercial and personal imports and the EU Pet Travel Scheme.
- Plant health - commercial and personal imports of Plant and Plant products, including wood, wood products and bark.
- Protection of biodiversity and endangered species with the Management of trade in endangered species (CITES) and the EU Forest Law Enforcement, Governance and Trade (FLEGT) regulations.

- Control of Invasive Alien Species under new EU Regulations which came into force on 1 January 2015, where these are not already covered by CITES, Animal Health or Plant Health regimes.
- Veterinary Medicines - commercial and personal import of illegal veterinary medicines.
- POAO, CITES and Plant Health are included within the current Border Force Control Strategy.

### **Changes in organisation and structure of competent authorities and other enforcement bodies**

During this reporting period the Animal and Plant Health Agency (APHA) was created. The agency was launched on 1 October 2014. It merged the former Animal Health and Veterinary Laboratories Agency (AHVLA) with parts of the Food and Environment Research Agency (FERA) responsible for plant and bee health to create a single agency responsible for animal, plant and bee health. Further information can be found at: [gov.uk/government/organisations/animal-and-plant-health-agency](http://gov.uk/government/organisations/animal-and-plant-health-agency).

The APHA germinal product operational team are based at the Centre for International Trade in Carlisle. The team coordinates inspections of semen collections centres and stores, and embryo collection teams.

Though outside the period of this report the roles and responsibilities of DARD (Dept of Agriculture & Rural Development), absorbed additional responsibilities in respect of environmental controls during May 2016 and became the Department of Agriculture, Environment & Rural Affairs (DAERA). The role in respect of import controls remains unchanged.

### **Overall effectiveness of import controls**

- **Commercial trade**

There is free movement between EU Member States, however a random proportion of consignments undergo checks based on an assessment of disease risk. Physical checks were carried out on most consignments of live animals and a prescribed percentage of products from third countries. The amount of formal enforcement action necessitated at BIPs has remained at a consistently low level concerning both products of animal origin and live animals. Informal enforcement action to improve certification standards has resulted in an improvement in most areas. The number of consignments of animal products imported in 2015/16 was only slightly lower compared to 2014/15 (by 0.7%). In the case of live animals the number of imports in 2015/16 rose by 7.3% compared to the previous year.



For third country imports of animals and animal products compliance remained very high. During both 2014/15 and 2015/2016 only 1.3% of all consignments of animal products were rejected. In 2014/15 0.3% consignments of live animals were rejected and 0.4% in 2015/16.

If an animal product presented a public or animal health risk, destruction of the consignment remained the most common enforcement action. For live animals most consignments were quarantined until they presented negligible disease risk.

During the period May to August 2015, Belfast BIP applied veterinary checks on 271 consignments of POAO from the USA; these consignments were destined for cruise ships unable to berth at Dublin port as a consequence of port development works.

- **Personal imports**

A close working relationship between Defra and Border Force ensured effective and risk based interventions.

Most illegal imports detected by Border Force were for small amounts and continued to be typically gifts by travellers visiting family or seizures from tourists, business people and students travelling to the UK for the first time. Most did not involve deliberately smuggled goods but were from passengers who, in spite of publicity campaigns, were not aware of current EU prohibitions in place.

Border Force and Defra share responsibility for communicating clearly to the public what the current EU importation rules are and why the controls are needed. Broadly Border Force have responsibility for entries at the border, and Defra imported products where they are inland. Opportunities to collaborate to improve communication are also continually explored e.g. when visas are issued, and via the travel industry.

## Chapter 1 Risk Assessment/Global disease surveillance

1.1 Between 1 April 2014 and 31 March 2016 Defra conducted and published Preliminary Outbreak Assessments on outbreak of diseases such as African Swine Fever (ASF), Bluetongue (BTV), Foot and Mouth Disease (FMD), Highly Pathogenic Avian Influenza (HPAI), Chronic Wasting Disease (CWD) and Lumpy Skin Disease (LSD) as well as other notifiable diseases of animals. Further information can be found at: [gov.uk/government/collections/animal-diseases-international-monitoring](http://gov.uk/government/collections/animal-diseases-international-monitoring). We have also published Qualitative Risk Assessments on LSD, CWD and BTV to inform specific policy questions about the increased risk following disease outbreaks occurring in Europe.

## Chapter 2 PROTECT AND RESPOND: UK border controls

### PROTECT: COMMERCIAL TRADE

2.1 Imported live animals and products of animal origin may present a risk as they can transmit serious human and animal diseases. Veterinary border control is a key factor to ensure that the live animals and products of animal origin entering to the UK from third countries are safe and meet the specific import conditions laid down in the Community legislation. Therefore they are subject to specific controls at their point of entry at the Border Inspection Posts (BIPs) <sup>1</sup> where they undergo veterinary checks by an Official Veterinary Surgeons (OVS) or Official Fish Inspectors (OFIs). <sup>2</sup>

2.2 BIP control activities include:

- the checking of manifests to confirm that live animals and products of animal origin have been correctly notified;
- 100% documentary checks to ensure that any required health certification and pre-notification documents are present and correctly completed;
- 100% identity checks to ensure the animals or goods are the same as those described on the accompanying paperwork; and

All consignments of animals and a proportion of animal products (between 1% and 50% of consignments) are subjected to physical checks which may include sampling and laboratory testing to ensure that the shipment does not pose a threat to animal or human health.

2.3 For products of animal origin OVS and Official Fish Inspectors 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 where there is some other doubt about the consignment or its destination. There may be occasions where it will be necessary to request, for a limited period, a higher level of checks on products from certain third countries (eg as a result of an outbreak of disease). In these circumstances, each BIP registered as eligible to handle the product in question will be notified by Defra in writing of any temporary increase on the level of analysis required.

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<sup>1</sup> Ports and airports in the UK which have a BIP have specialist facilities and trained staff that deal with high-risk food imports such as meat, dairy and fishery products

<sup>2</sup> employed by the relevant Port Health Authority

2.4 Physical checks are undertaken on packages taken throughout the consignment this may require a full or partial turnout of containers. Sampling procedures are laid down in Annex II to Commission Regulation 136/2004.<sup>3</sup> BIPs submit samples to: public analysts appointed by the local authority for food analysis Public Health England, Water and Environmental Microbiology laboratories for food examination where appropriate, other laboratories accredited for specific analytical techniques.

2.5 Physical checks are carried out according to the perceived risk level of specific products and their origin. The percentage of consignment checking is set by law. Council Directive 97/78/EC requires 100% documentary and identity checks on imported animal products and Commission Decision 94/360/EC lays down the levels of physical checks. Council Directive 91/496/EEC requires that all imported animals are checked on entry to the EU.

2.6 Animals and products of animal origin must be certified by recognised authorities in the originating countries. These countries are approved on an EU-wide basis. Further checks on the products may also be carried out at the final destination. A consignment of live animals or products of animal origin can only enter into the UK, if it has satisfactorily undergone the specific checks and a Common Veterinary Entry Document has been issued. Each consignment must:

- come from an approved establishment in an approved country.
- be accompanied by agreed animal and/or public health certification
- enter the EU at an approved BIP where checks are carried out to ensure that the consignment meets import conditions.

2.7 EU legislation<sup>4</sup> recommends that advance notification<sup>5</sup> is provided to the BIP for the consignments of products of animal origin and live animals before their physical arrival on EU territory:

- in airports – four hours before the arrival of the plane for long haul flights and from take-off at the previous airport for short haul flights<sup>6</sup>
- for road and rail BIPs – twelve hours before arrival
- for live animals – at least one working day.

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<sup>3</sup> [eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2004:021:0011:0023:en:PDF](http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2004:021:0011:0023:en:PDF)

<sup>4</sup> Article 3(3) of Directive 97/78/EC and Article 2(1) of Regulation 136/2004/11

<sup>5</sup> requested in the first part of the CVED

<sup>6</sup> as in Commission Regulation 2454/1993/12

2.8 The National Monitoring Plan reflects current levels of sampling of throughput of products of animal origin. This is in order to ensure that no predictive element can be made as to what products may or may not be sampled at any BIP. The National Monitoring Plan is implemented in accordance with European legislation.<sup>7</sup>

2.9 All imported animal products for human consumption must be accompanied by animal and public health certification unless they are personal consignments or licenced products for taste testing. EU legislation allows taking appropriate safeguard action, which may include a ban on imports of products of animal origin of susceptible species from all or parts of a country, if there is an outbreak of disease likely to present a risk to human or animal health.

2.10 Information regarding non-compliant products and the onward movement of third country products from BIPs is passed to control authorities in other Member States using the TRACES computer system. When a serious or repeated infringement of EU harmonised veterinary legislation is identified and confirmed by the European Commission a programme of reinforced checks will apply to consignments of the same establishment of origin in the third country for which the notification is made.

2.11 Safeguard measures on certain imported foods may apply to all or part of a third country, suspend imports of all or particular products or set special conditions and requirements for particular products. These measures, whether national or EU, are implemented in England by Emergency Declarations made under Regulation 29 of The Trade in Animals and Related Products Regulations 2011 and the equivalent provisions in Welsh, Scottish and Northern Ireland law. Failure to comply with the provisions of a declaration is an offence.

## **RESPOND: SUMMARY OF IMPORTED CONSIGNMENTS OF LIVE ANIMALS, PRODUCTS OF ANIMAL ORIGIN & ANIMAL BY-PRODUCTS**

2.12 The level and nature of import controls are laid down in EU legislation. There were no significant changes in the level of controls concerning imports of products of animal origin. The number of consignments of animal products imported fell slightly from 58,906 in 2014-15 to 58,498 in 2015-16. In the case of live animal imports from 3<sup>rd</sup> countries the number of consignments increased from 9,046 in 2014-15 to 9,708 in 2015-16.

2.13 For third country imports of animals and products of animal origin compliance remained very high. For animal products the 2014-15 and 2015-16 periods figures are the same with 1.3% of consignments being rejected. The major non-compliances were documentary errors, in particular absence of a health certificate or an invalid health certificate. This is likely to be

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<sup>7</sup>Article 8(1) of EC Directive No 97/78/EC

because of a lack of understanding or knowledge of the EU rules in the third country of origin or by the importer. For live animals 30 consignments were rejected in 2014-15 compared with 40 in 2015-16.

2.14 If the consignment of animal products presented a public or animal health risk, it was destroyed. Otherwise the decision to re-export or destroy rejected consignments was made by the importer. For live animals most consignments were, quarantined until they posed negligible animal health risk or complied with the import conditions.

2.15 Tables below show details of consignments checked and non-compliances found.

**Table 1 - Products of Animal Origin & Animal By-Products**

Year (update)	Certificates			Rejects		Reject conclusion		
	Total No	Number controlled	% controlled	No	% of total	Re-exported	Transformed	Destroyed
2014-15	58,906	58,906	100.00%	793	1.3%	240	5	541
2015-16	58,498	58,498	100.00%	788	1.3%	282	2	500

Data source: APHA

**Table 2 - Live Animals**

Year (update)	Certificates			Rejects		Reject conclusion		
	Total No	Number controlled	% controlled	No	% of total	Re-exported	Slaughter	Euthanasia <sup>8</sup>
2014-15	9,046	9,046	100.0%	30	0.3%	28	0	2
2015-16	9,708	9,708	100.0%	40	0.4%	26	0	14

Data source: APHA

## RESPOND: Summary of Germplasm imported consignments

Year(update)	TRACES Certificates issued			Rejects		Reject conclusion		
	Total No	No controlled	% controlled	No	% of total	Re-exported	Transformed	Destroyed
2014-15	432	432	100.0%	7	1.6%	7	0	0
2015-16	519	519	100.0%	1	0.2%	1	0	0

Data source: APHA

<sup>8</sup> Fish and Gastropoda.

2.16 Overall compliance levels have remained relatively static over the reporting period. Non-compliant consignments are either re-exported or destroyed. Issues arising with paperwork checks from other EU Member States are raised with the Competent Authority responsible for providing the health certification.

## Associated work – Authorisation and licencing of Animal By-Products not intended for human consumption

Authorisations and licences issued for the import of ABPs not intended for human consumption (April 2014 – March 2016) update			
England	Wales	Scotland	NI
702	7	34	278

Data source: APHA and DAERA

2.17 The rules for trade and import of animal by-products not for human consumption (ABP) are mainly laid down in harmonised EU legislation which sets out model commercial documentation, health certificates and declarations as appropriate, especially with regards ABP which is intended for feed use.

2.18 The Regulations<sup>9</sup> also provide for certain commodities to be authorised by the Competent Authority of destination prior to importation from a non EU country or movement from another Member State.

2.19 However, due to the vast array of ABPs and amount of uses it has throughout industry and around the world, rules for trade in some animal products are not covered by harmonised EU legislation. To facilitate trade the Regulations permit Competent Authorities to lay down their own National Rules where harmonised conditions are not in place.

2.20 From 2014 to 2016 50 authorisation templates and 28 licence templates were created to permit certain ABP and their derived products to be imported to the UK under EU and National Rules. Nine General licences/ authorisations were created to permit imports without the need for a specific licence/ authorisation to be issued.

## PROTECT: PERSONAL IMPORTS<sup>10</sup>

Import rules for personal consignments of products of animal origin from non-EU countries

2.21 Commission Regulation 206/2009<sup>11</sup> lays down the import rules for personal consignments of products of animal origin from non- EU countries. The Regulation applies to

<sup>9</sup> Commission Regulation (EC) 1069/2009 and Commission Regulation (EU) No 142/2011

<sup>10</sup> [gov.uk/personal-food-plant-and-animal-product-imports](http://gov.uk/personal-food-plant-and-animal-product-imports)

<sup>11</sup> [eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX:32009R0206](http://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX:32009R0206)

personal consignments of a non-commercial nature which form part of travellers' luggage, or are sent as small consignments to private persons, or are ordered remotely and delivered to the customer. In England these are enforced nationally by the Trade in Animals and Related Products (TARP) Regulations. Scotland, Wales and Northern Ireland have their own but very similar regulations.

2.22 Border Force delivers risk-based anti-smuggling controls to combat illegal imports of products of animal origin at points of entry into GB from non-EU countries. These include controls on imports which breach the concessions amounts applicable to goods carried in travellers' baggage for personal consumption and personal consignments sent by post to private individuals, as well as freight. Anti-smuggling activity and tactics are reviewed on a regular basis to ensure Border Force remain focused on responding to the most serious disease outbreaks and that the levels of resources deployed are proportionate to latest risk assessments and in line with organisational operational priorities. DAERA is responsible for controls in Northern Ireland.

2.23 Border Force are employed as multi-functional anti-smuggling staff, with a responsibility to tackle a range of risks at the border, including dealing with illegal imports of products of animal origin.

2.24 Border Force staff are deployed on a mobile and flexible basis to cover all points of entry. At major ports and airports they are supported by the use of x-ray technology and detector dogs specifically trained to detect products of animal origin. Detector dogs are flexibly deployed in Customs Channels and baggage reclaim areas in accordance with latest risk assessments. Detector dogs also work in freight sheds, car halls and lorry lanes. Dogs are particularly successful in identifying products of animal origin concealed in baggage and have proven effective in quickly reviewing large numbers of passengers and their baggage. The number of dogs available for deployment can fluctuate depending on the need to replace dogs through retirements and ill-health and numbers of dogs and handlers in training.

2.25 Although passenger import of products of animal origin from most non-EU countries is illegal, this is a risk pathway where passengers intentionally or unintentionally break the rules.



## RESPOND: SUMMARY OF ILLEGAL IMPORTED PRODUCTS OF ANIMAL ORIGIN

2.26 Border Force operates intelligence-led customs controls at designated ports of entry. Detection activity at ports is proportionate to risk, and covers a range of commodities and threats. There is currently no target for Products of Animal Origin (POAO) but Border Force has a remit to seize relevant material when encountered.

2.27 The number of seizures of illegally imported products of animal origin made by Border Force is set out in Annex A. Between the reporting period 2014-2015 at airports and sea ports the number of seizures of illegally imported product decreased by 2% compared with the previous year (2013-14 – 14,071, 2014-15 – 13,790); and between 2015 and 2016 by 40.5%, compared with 2014-15 figures (2014-15 – 13,790, 2015-16 – 9,810).

2.28 The primary threat to animal and human health comes from illicit meat (including bush meat) and dairy products, and this is potentially driven by an increasing demand from ethnic food outlets to supply a variety of specialist and traditional produce. Some of these consignments are relatively large for the passenger mode of transport: recent examples have included 600kg of POAO on a private flight into Farnborough from Saudi Arabia, 32.5kg of POAO carried in the baggage of a passenger from Albania, and 58.8kg of POAO in the hold baggage of a passenger who had travelled from Cameroon.

2.29 During this reporting period most illegal imports detected by Border Force were for small amounts typically gifts by travellers visiting family (or returning from visiting family abroad) or seizures from tourists, business people and students travelling to the UK for the first time with foodstuffs for a special occasion or simply as 'a taste of home'. Most did not involve deliberately smuggled goods but were from passengers who, in spite of government publicity campaigns, were simply not aware of the current rules and prohibitions in place for products of animal origin imports.

2.30 The greatest number of seizures was from passengers returning from Southern and Eastern Asia, Near and Middle East and West Africa. Cultural and sporting events (including celebrations) represent times when the level of seizures might be expected to increase. These have varied in size and product type, from unpackaged raw meat and fresh cheese to milk drinks and stock cubes. Most seizures continued to be less than 20 kgs and follow the typical pattern of small family groups, business people and students travelling to the UK.

Although the Northern Ireland figures are amalgamated into the BF seizure figures, seizures by DAERA inspectors of illegally imported product increased significantly; between 2013-14 and 2014-15 seizures increased by 125% and between 2014-15 and 2015-16 by 28%. During 2013, DAERA gave renewed emphasis on personal imports by diverting staff resource and deploying the services of a food detection dog.

## Chapter 3      ASSURANCE: UK post-border controls

### INLAND IMPORT CONTROLS: MONITORING AND SURVEILLANCE

#### FSA - Enforcement and Intelligence

3.1 Between 1 April 2014 and 31 March 2016, the UK issued 647 'alert' and 'information' notifications through the EU RASFF system. This includes cases where food products from non-EU countries breach public and animal health safety requirements and were rejected. The European Commission has a standard operating procedure in place to alert non-EU countries of problems affecting food. RASFF automatically alerts Port Health Authorities and Local Authorities at ports and airports to assist them in targeting their checks on incoming consignments of imported food.

3.2 The level, focus and frequency of the FSA inland import controls are risk based and informed by specific factors. These include:

- EU safeguard measures.
- Rapid Alert System for Food and Feed (RASFF) notifications.
- Local intelligence or priorities.

3.3 This may include historical port health sampling results from the National Coordinated Food and Feed Risk Based Sampling programme.

3.4 The FSA Incidents Branch is the UK contact point for RASFF notifications – a key tool to ensure the cross-border flow of information to swiftly react when risks to public health are detected in the food chain. The EU RASFF system is used by the FSA to inform and prompt for action to be taken by the European Commission or other Member States.

3.5 Food Alerts provide the FSA with information to communicate to Local Authorities and consumers about problems associated with feed and food and, in some cases, provide details of specific action to be taken. The different categories of alerts and information notices issued are as follows:

- **Food Alerts for Action** – are issued when an incident requires enforcement action from Local Authorities.
- **Product Withdrawal Information Notices and Product Recall Information Notices** – bring an incident to the attention of Local Authorities.
- **Allergy Alerts** – are issued when foods have to be withdrawn or recalled and there is a risk to consumers, because the label is missing or incorrect or there is a risk of severe allergic response.

## Local Authorities Implications

3.6 All importers must be identified and registered as Food and Feed Business Operators. They should be included in the food and feed intervention programme for the relevant Local Authority. Establishments that are the first destination after import should be identified and recorded. These may include establishments used for storage, processing, and/or handling, buying or selling products of animal origin.

3.7 Procedures relating to import control work should be developed in line with The Framework Agreement on Local Authority Enforcement, the Food Law Code of Practice (and Practice Guidance) and the associated Defra guidance documents. Authorised officers should consider imported food that is offered for sale by food businesses as a routine component of food hygiene and standards inspections. They should also investigate and take appropriate actions relating to (suspect) illegal imports, imports that may pose a risk to public or animal health and imports that fail to meet food safety requirements.

3.8 There are intelligence sharing protocols in place, for Border Force to pass on seizure details destined for commercial establishments to FSA, who analyse the information. This intelligence is passed on to the relevant local authority where appropriate. The results of the local authority investigations are passed back to Border Force and FSA to inform future targeting and Defra for statistical purposes.

## APHA – Enforcement

3.9 For animal health purposes there is a distinct difference in how EU movements (commonly referred to as intra EU trade) and imports from third countries are treated.

3.10 There are a wide range of harmonised animal and public health requirements which each Member State must adhere to. For live animals there is normally a requirement that each consignment is accompanied with a health certificate validated by an Official Veterinarian in the originating country.

3.11 Free trade movement means that consignments from other Member States travel straight to their destination address without veterinary checks. In most cases (other than equine health attestations) a health certificate is entered onto EU's Trade Control and Expert System (TRACES) 24 hours prior to dispatch.

3.12 Part of the APHA role is to check a proportion of online documentation and where appropriate animals at destination. This involves carrying out routine post import surveillance and sampling on animals and animal products as part of international disease monitoring to prevent the risk of import and spread of disease into and throughout the UK.

3.13 DAERA has been involved with both enforcement agencies in Northern Ireland and the rest of the UK in sharing intelligence and agreeing ways forward to both identify and halt the illegal trade in puppies. This has included introducing additional checks at Northern Ireland ports on shipments of dogs being transported to Great Britain.

## Trade impacts of outbreaks within EU

There were three incidents of Avian Influenza in poultry in England and one in Scotland over the period 2014-2016. These involved separate incursions of different viruses into domestic poultry in regions known to be at risk of wild bird incursion. They were: Yorkshire in November 2014 (H5N8 HPAI), Hampshire in February 2015 (H7N7 LPAI), Lancashire in July 2015 (H7N7 HPAI and Dunfermline in January 2016 (H5N1 LPAI).

The United Kingdom was able to regain freedom at the earliest opportunity from all the outbreaks of avian influenza, without any spread detected to other UK premises or to other Member States. In all cases, the most likely source of disease was direct or indirect contact with infected wild birds. Suspension of EU trade was limited to the time period specified in EU legislation (21 days after the final cleansing and disinfection, when zones are lifted) and third country trade to three months after secondary C&D.

Avian Influenza outbreaks have also occurred in other Member States. There was a large Avian Influenza epizootic in France in fattening ducks predominantly in the autumn of 2015 which led to a control zone covering South West France and prevented the export of high value poultry products for several months. The epizootic of Bluetongue disease (both BTV-8 in France and BTV-4 in Southeast Europe) has some impact on trade, but generally for germplasm and live animals only, from regions where vaccine is not used, but these outbreaks put the UK ruminant livestock population at risk and Defra worked hard with industry to manage the risk through pre-emptive vaccination. No impacts were therefore felt by the UK.

Lumpy Skin Disease has spread from Turkey into Southeast EU in the summer of 2015 and then into the Balkans in 2016. Emergency licensing of a live vaccine was granted to affected countries for control. The UK is currently updating our disease contingency plan to take into account the change in risk for this disease.

African Swine Fever spread from Belarus into the Eastern EU in 2014 caused an import ban of EU pork into Russia. This ban remains in place due sanctions imposed on Russia by the EU in response to the Ukrainian situation, and there is currently a WTO case being brought by the EU.

# Chapter 4

## WORKING TOGETHER - CO-ORDINATION AND CO-OPERATION

### Changes

#### Legislation

4.1 Over this period there have been no major changes in legislation. Defra have continued to work on draft EU Animal Health Regulations and Official Food and Feed Controls legislation.

#### Procedures

4.2 Defra and Border Force worked together to move from a service level agreement to a new “Enforcement Strategy”. This defines shared objectives to reduce the risk posed by illegally imported products of animal origin to the lowest possible level. The Enforcement Strategy was finalised in October 2014. The objective of the strategy is to continually improve the ability to carry out effective analysis and reporting. This is to ensure a better reporting-mechanism for intelligence and for management information. The Enforcement Strategy is supported by a Delivery Agreement.

4.3 Defra is reviewing the BIP Manual<sup>12</sup> to take account of changes to EU legislation and incorporate instructions from the OVS notes issued in the previous year.

This ensures that the Official Veterinarians responsible for carrying out inspections at the border have all the necessary information and guidance to allow them to carry out this work.

<https://www.gov.uk/government/publications/border-inspection-post-bip-manual>

<http://ahvla.Defra.gov.uk/official-vets/Guidance/bip/ovs-notes.htm>

#### Training programmes

4.4 BIPs courses – 49 (2014/15) and 53 (2015/16) UK Official Veterinary Surgeons and Official Fish Inspectors responsible for carrying out import checks at BIPs attended four BIP workshops organised by APHA. Some training requirements were identified during BIP audits

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<sup>12</sup> The BIP Manual provides guidance on implementation of legislation concerning checks on products of animal origin imported from third countries. It covers both EU legislation and national rules applicable at BIPs and sets out the division of responsibilities and the procedures for the enforcement authorities carrying out veterinary checks.

e.g. new and changed legislation, areas of controls where issues were arising because of inconsistent application of the veterinary checks rules. Pre-training questionnaires were sent out prior to the training day and these provided valuable information on the level of knowledge of attendees and future training events were then planned to address any deficiencies noted. Representatives from each BIP are required to attend once every two years and cascade the information to colleagues.

4.5 The FSA - provides a range of imported food training courses for inland and Port Health Authorities. During the reporting period the FSA coordinated and delivered:

- Between April 2014 and March 2015, 11 courses to 177 authorised officers in the UK. The courses included a course on the i-RASFF system to train authorised officers in the use of the RASFF system and how notifications are raised and reported. The FSA delivered six of these courses to inland authorities to ensure that authorised officers inland understand the enforcement required and the hazards associated with imported foods. The programme continues to train and educate smaller ports to educate these ports in areas of food policy and explain the latest restrictions.
- Between April 2015 and March 2016, 12 courses to 205 authorised officers in the UK. The FSA worked in partnership with APHA to update Border Inspection Posts and explain enforcement and policy on fishery products for human consumption.
- The FSA continues to support and coordinate applications from authorised officers to attend courses run by the Better Training for Safer Food Team. This ensures authorised officers understand official controls at a deeper level and build relationships internationally to harmonise controls with other Member States.

4.6 European Commission's Better Training for Safer Food (BTSF) - 32 UK representatives attended BIP training courses organised through the BTSF programme<sup>13</sup>. These workshops aim to improve knowledge on the legislative requirements and spread best control practices amongst Member States' border control personnel. The BIP BTSF learning materials were cascaded to staff involved in official controls through in-house courses.

## **Safety, quality and information campaigns**

4.7 Border Force lead on publicity to the public on current products of animal origin import rules within ports and airports and work closely with Defra on coordinated communications and marketing strategies:

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<sup>13</sup> BTSF programme is a European Commission initiative that organises training in the areas of European food and feed law, plant and animal health, and welfare regulations [ec.europa.eu/food/training\\_strategy/index\\_en.htm](http://ec.europa.eu/food/training_strategy/index_en.htm) and [ec.europa.eu/chafea/food/index.html](http://ec.europa.eu/chafea/food/index.html)

4.8 During reporting period the FSA:

- issued a total of 127 notices to authorised officers in England to provide guidance on enforcement issues involving public and animal health. The central register of enforcement-related correspondence is available at: [food.gov.uk/enforcement/enforcework/centralref/enf-england](http://food.gov.uk/enforcement/enforcework/centralref/enf-england)
- maintained a dedicated homepage for imported food [food.gov.uk/enforcement/enforcework/enforce authorities](http://food.gov.uk/enforcement/enforcework/enforce_authorities). This is a comprehensive source of information on imported food controls that is continuously updated.

## BIP audit programme

Product BIPs

4.9 APHA carry out audits to check for compliance with the EU and domestic legislation with regards to procedural and facilities.

4.10 During the reporting period the audits carried out included:

- Full assessment of the procedures followed by BIP staff in delivery of the official import controls.
- Assessment of the suitability of the facilities for carrying out the required controls.
- Assessment of the effectiveness of the verification checks by the local enforcement authority. The verification checks are essential as a first step in ensuring that the facilities are in compliance with the legislation and that veterinary checks are carried out in accordance with the instructions in the BIP Manual, EU and domestic legislation.

4.11 Risk based audits and liaison visits (informal visits to BIPs between formal audits) at BIPs were carried out by the APHA as follows:

- Product BIPs - all high and medium throughput BIPs received one audit for procedures and one for facilities per year. All low throughput BIPs received one audit visit a year and both facilities and procedures were audited at this visit.
- Live animal BIPs – -Independent internal assurance inspections are completed once a year by the Operations Quality Assurance (OQA) Team assisted by technical and veterinary experts from the Centre for International Trade – Carlisle (CITC).

4.12 The aim of the annual inspection is to provide assurance that the BIPs are being operated to the national agreed standards in the Operations Manual, and that the facilities and staffing levels are sufficient for the effective operation of the BIP. The Inspection Team will verify that checks are completed appropriately and correctly, in line with APHA's Operations Manual instructions and the relevant legislation.

4.13 The annual inspection will consist of two parts:

- part 1 - checking of the CVEDs using the questions on the 'CVED checks' tab Summary Report of Live Animal BIP Self-Assurance Checks (BI04).
- part 2 - checks on the:
  - o structure
  - o facilities
  - o training and
  - o sampling.

All annual checks have been completed for the period of this report.

## **Border Force/Defra Co-operation**

4.14 Defra's biosecurity interests cover animal, plant, and aquatic animal health and invasive non-native species, including products of animal origin. The Department has assessed our approaches to the risks and issues related to biosecurity across the continuum of activities on biosecurity – pre-border, at the border and within the UK.

4.15 Ministerial Monthly Biosecurity Meetings (MBMs) were held during the reporting period to enable timely escalation of potential biosecurity risks and provide strategic oversight and direction. A new risk assessment methodology enabled animal and plant health risks to be assessed together, in terms of likelihood and impacts.

4.16 As part of wider work on biosecurity, Defra aims to continue to enhance awareness of, and compliance with, UK biosecurity rules relating to plant and animal imports, backed by effective enforcement to tackle non-compliance. During 2014-15, a strategic relationship with Border Force was deepened to improve joint working. This was achieved through an agreement to co-ordinate future tasking activity in line with operational priorities and information sharing. Going forward we are looking to formalise this arrangement in the form of a cooperation agreement. Defra and Border Force also worked together to make Plant Health a distinct priority within Border Force's control strategy, raising the profile of the issue and enabling co-ordinated multi-agency activity against threats to Plant Health to be planned and delivered at the border.

## **New developments**

4.17 Following a veterinary risk assessment in 2015 and 2016, the UK authorities determined that due to the risk from Chronic Wasting Disease (CWD) the import of unprocessed deer urine/faeces and lures obtained from deer for commercial or personal use for deer hunting or other deer attracting activities which contain the above animal by-products should be prohibited.

4.18 Imports would only be permitted from countries free from CWD under certain conditions. The import of products manufactured in or produced from products from the USA, Canada, South Korea and Norway where CWD is present were prohibited.



4.19 To assist importers an Importer Information Note was created to advise of the prohibition of such unprocessed material and lures and the procedure to follow to import processed products.

## **Forward Look 2016-17**

### **Border Force and Defra**

Border Force has recently revised its national tasking and co-ordination structures, enabling a more strategic approach to be taken in the planning and execution of national operations. Defra and other agencies are key to the effectiveness of these operations, and are represented in strategic, tactical and practitioner structures. The aim with all national operational activity is to deliver continuous improvement to the detection and interdiction of threats to the UK border. Future national operations in the sphere of biosecurity will tackle those threats which are high on Defra's list of priorities, and where meaningful intervention at the border can make a strategic difference in the nature of the threat.

While Border Force's executive functions with regards to biosecurity threats are necessarily bounded by statutory scope and powers, the co-ordination of multi-agency activity at the border enables the fullest possible use of partners across government to meet those threats.

### **Trade in Animals and Related Products Regulations 2011 (England) (TARP)**

The [Trade in Animals and Animal Products Regulations 2011 SI 1197 \(TARP\)](#) implement EU law on veterinary border controls to ensure that the live animals and animal products entering England from other Member States and third countries are safe and meet specified EU import conditions. Defra has a statutory obligation to review the regulations every five years to confirm that it is achieving its objective. The first review is currently in progress.

### **Animal Health Regulations**

Regulation (EU) 2016/429 on transmissible animal diseases and amending and repealing certain acts in the area of animal health:

- Was published 31 March 2016
- Enters into force – 21 April 2016
- Application date – 21 April 2021

In the coming months/years, the European Commission will be presenting draft legislation introducing the detailed rules that will apply to trade and imports of animals and animal products. Defra and APHA will work together to assess and negotiate these detailed rules.

## **Official Controls review**

New Official Controls Regulations which lay down the performance of official controls and other activities by Competent Authorities will be introduced in the next few years. The expected timetable is:

- Adopted early 2017
- Enters into force – April 2017
- Application date – December 2019

As with the Animal Health Regulation, the European Commission will be presenting draft legislation introducing the detailed rules that will apply to trade and imports of animals and animal products. Defra, APHA and the FSA will work together to assess and negotiate these detailed rules.

## **EU Exit**

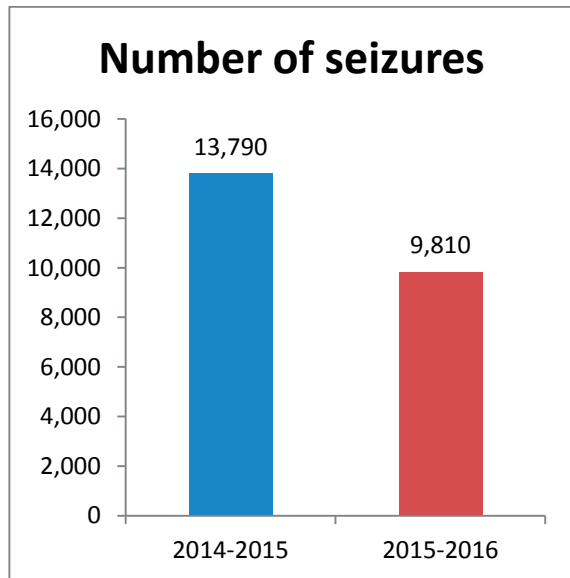
On 23 June 2016, the EU referendum took place and the people of the United Kingdom voted to leave the European Union. Until exit negotiations are concluded, the UK remains a full member of the European Union and all the rights and obligations of EU membership remain in force. During this period the Government will continue to negotiate, implement and apply EU legislation. The outcome of these negotiations will determine what arrangements apply in relation to EU legislation in future once the UK has left the EU.

## Annex A: Statistics on imports of illegal products

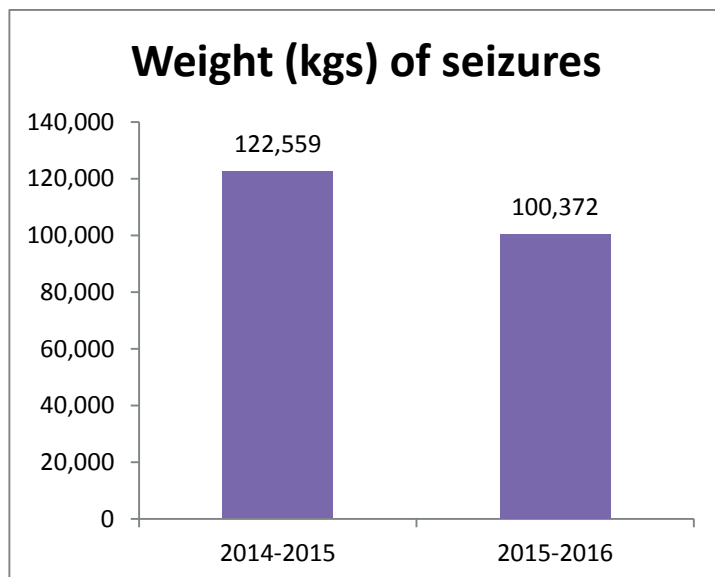
For the purposes of these statistics 'illegal' refers to products of animal origin seized as items from individuals being in contravention of the personal concessions permitted or commercial consignments that have sought to evade correct entry procedures by not being declared at a Border Inspection Post. These statistics also include items voluntarily surrendered by passengers at ports and airports.

Figures show the number and weigh of seizures by Border Force, DAERA and those made by inland Local authorities and Port Health Authorities at relevant points of entry.

### Graphs illustrating total number of seizures including weight (2014-2016)



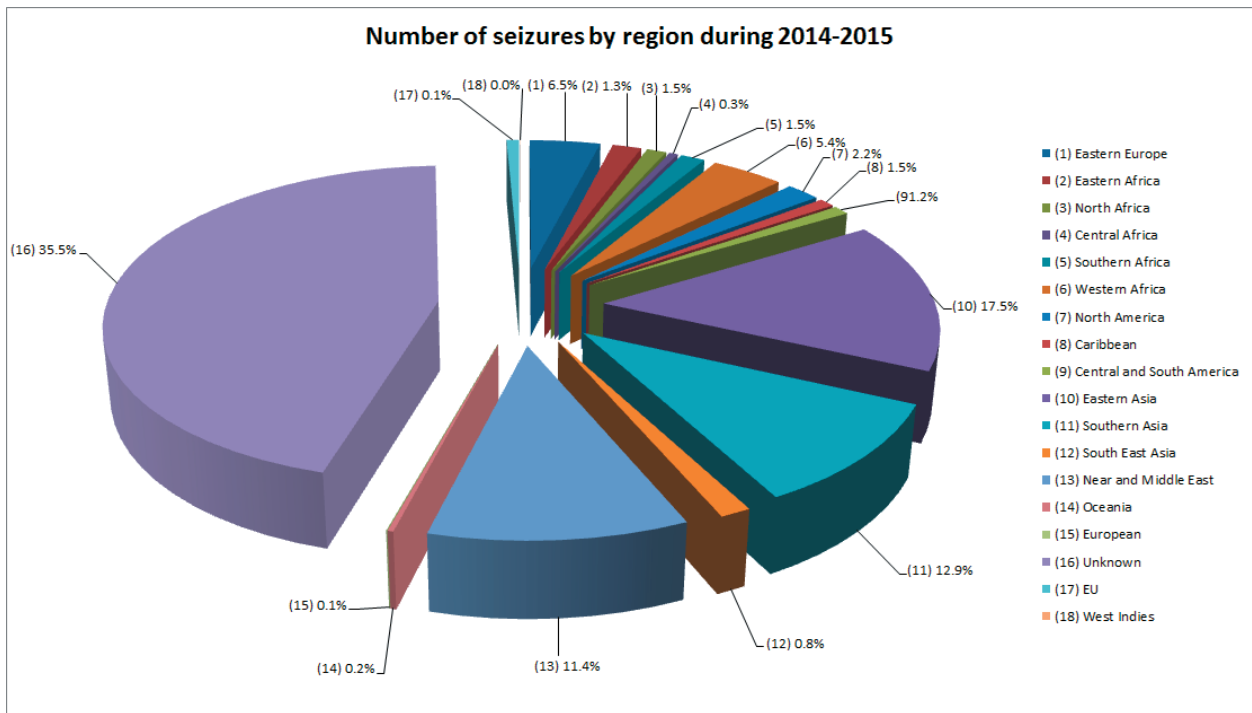
### Freight seizures



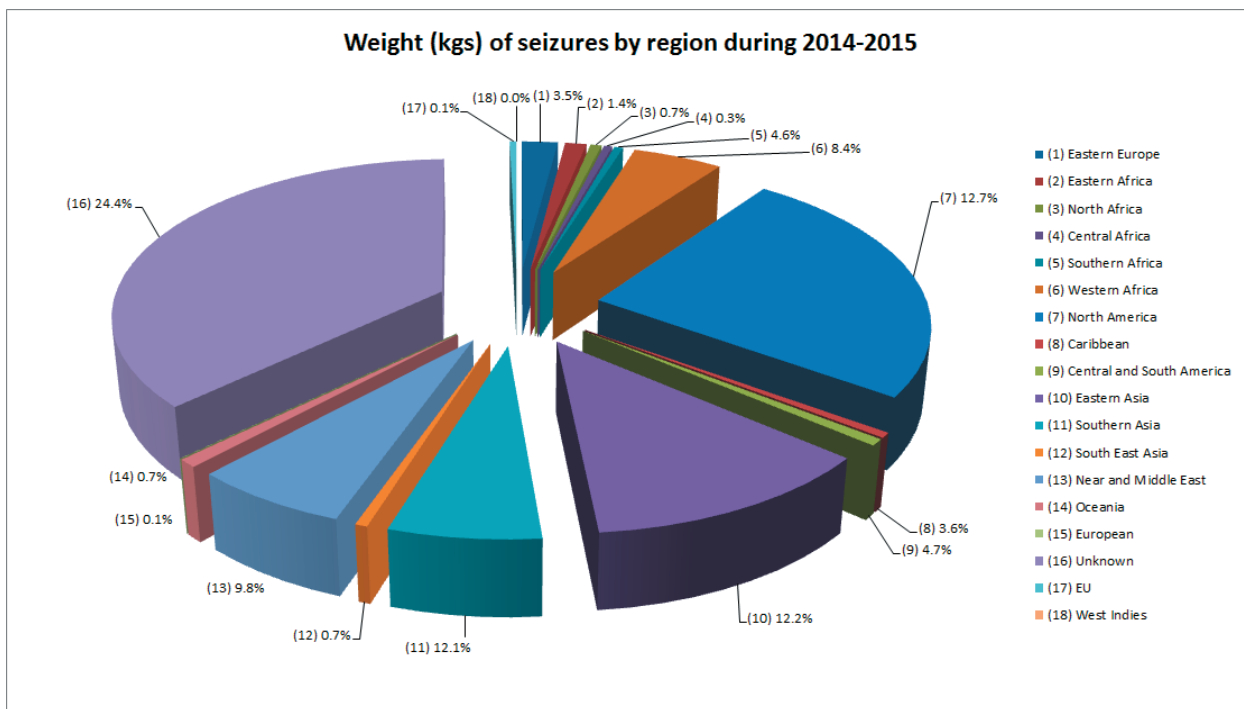
**Number of seizures including weight by region during 2014-2016**

Region ID/Name	Table 1: Number of Seizures (including weight) by region 2014-15		Table 2: Number of Seizures (including weight) by region 2015-16	
	No. of Seizures	Weight (kg)	No. of Seizures	Weight (kg)
Eastern Europe	552	2,516	509	2,637
Eastern Africa	227	1,500	145	1,341
North Africa	154	768	70	210
Central Africa	66	589	36	375
Southern Africa	190	616	110	266
Western Africa	566	6,272	394	6,977
North America	263	30,602	195	8,393
Caribbean	122	633	101	1,904
Central & South America	128	815	66	4,245
Eastern Asia	2,114	15,200	1,437	18,927
Southern Asia	1,431	7,728	795	4,139
South East Asia	179	638	155	327
Near and Middle East	1,466	8,053	902	10,005
Oceania	34	1,007	36	3,829
European	3	15	6	23
Unknown	6,197	45,137	4,551	35,535
EU	97	471	302	1,241
West Indies	1	0	0	0
<b>Total</b>	<b>13790</b>	<b>122,560</b>	<b>9,810</b>	<b>100,374</b>

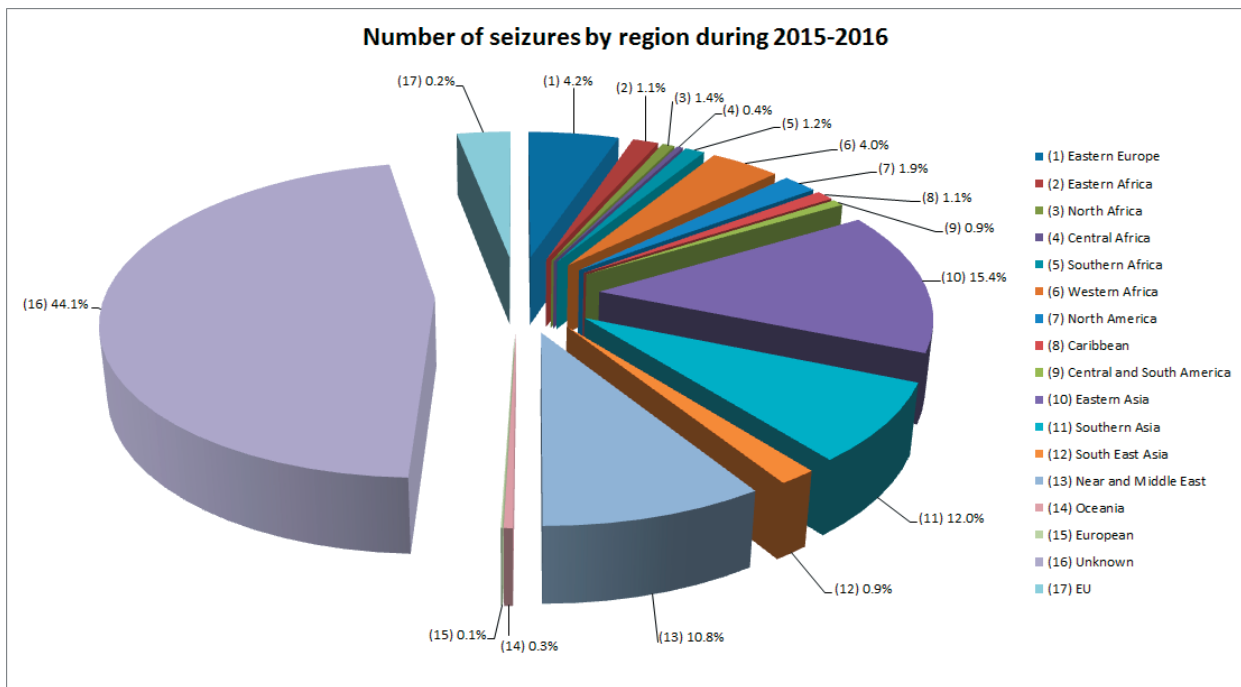
**Pie Chart 1 for Table 1: number of products of animal origin seized by region during 2014-2015**



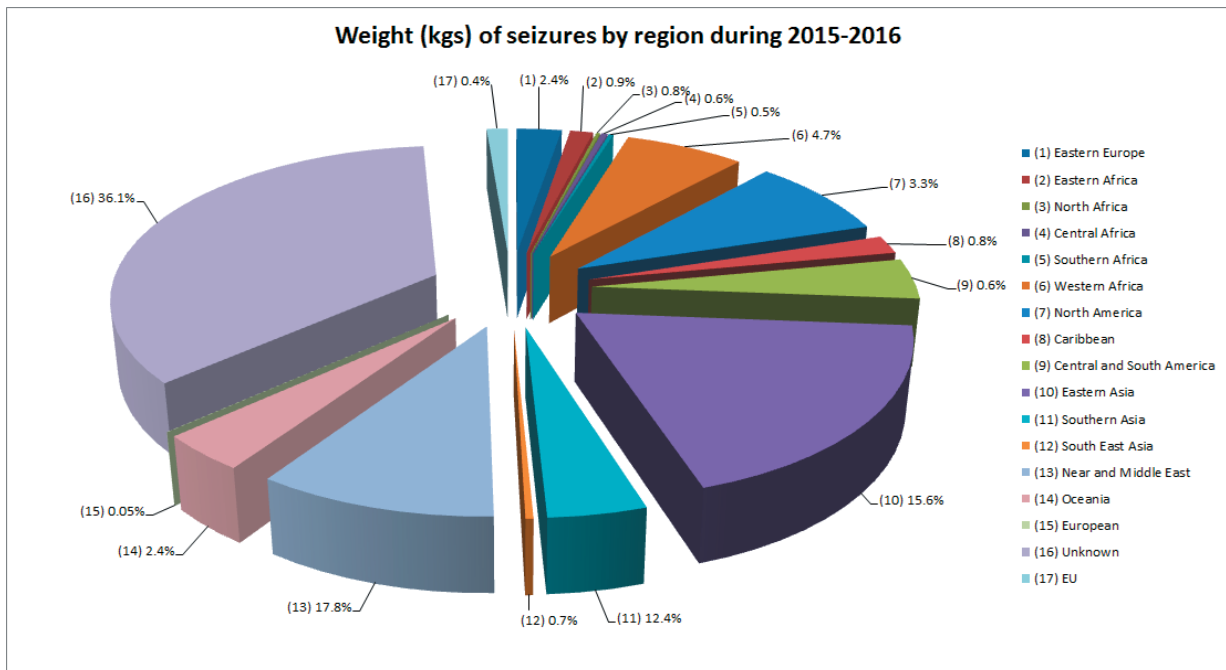
**Pie Chart 2 for Table 1: Weight of products of animal origin seized by region during 2014-2015**



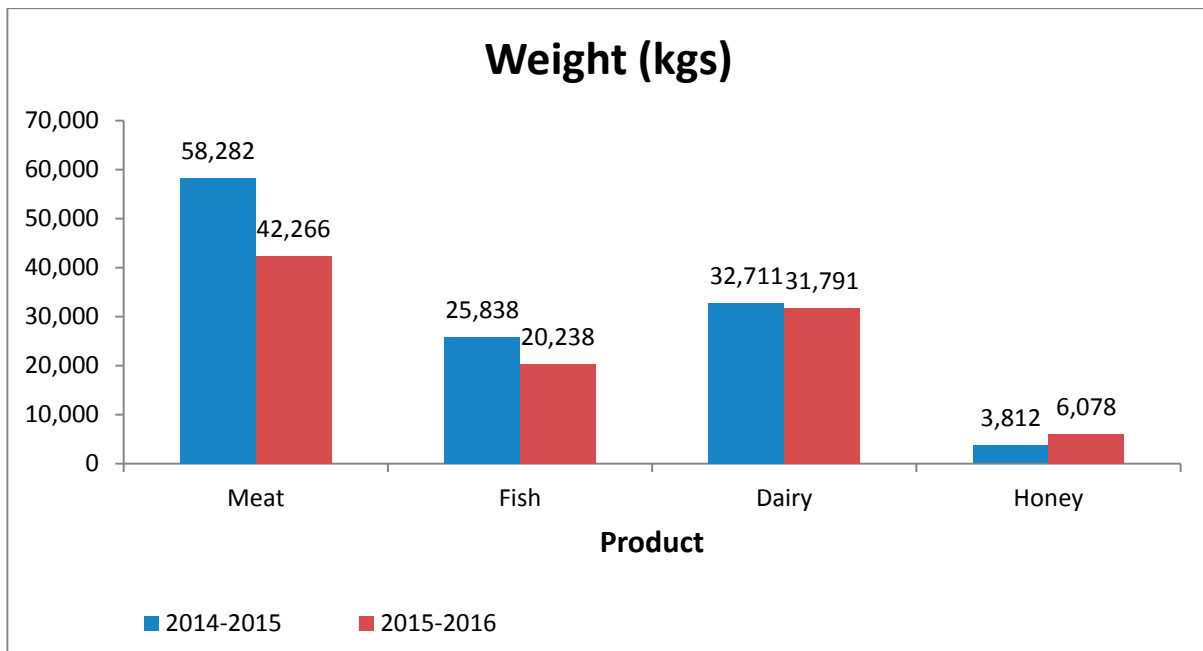
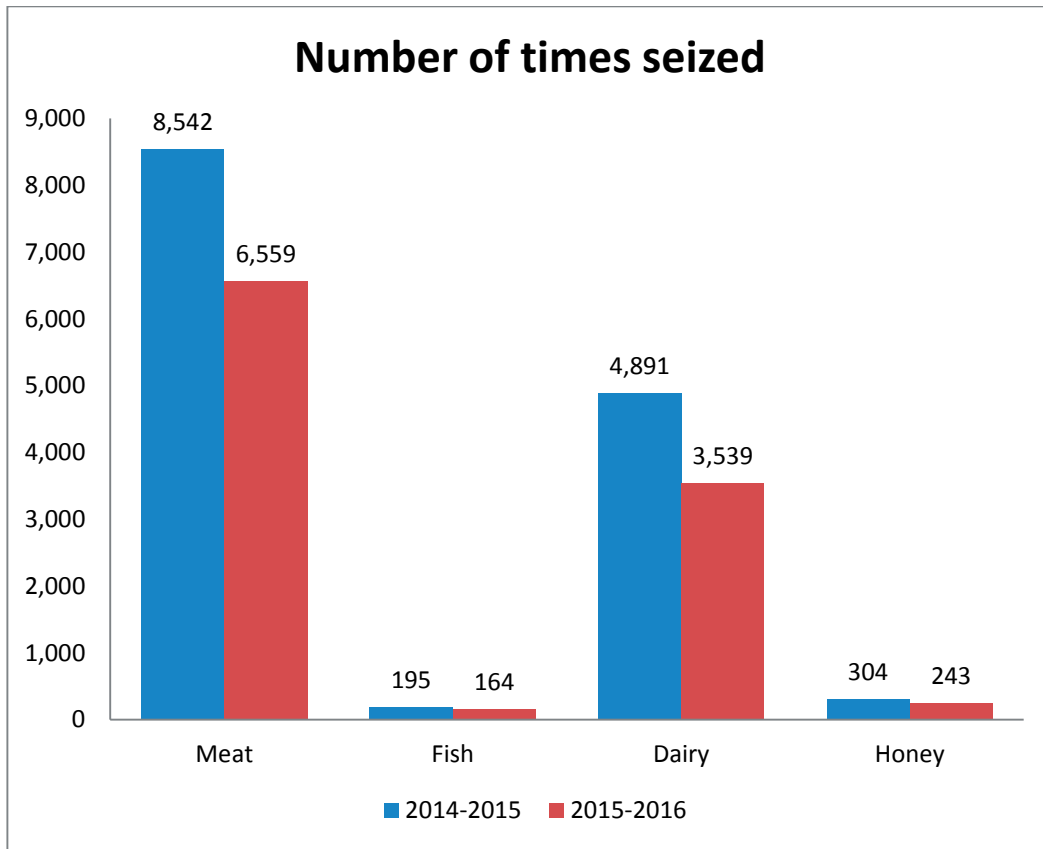
**Pie Chart 3 for Table 2: Number of products of animal origin seized by region during 2015-2016**



**Pie Chart 4 for Table 2: Weight of products of animal origin seized by region during 2015-2016**



**Graphs illustrating number of seizures and weigh by product (2014-2016)**



Data Source for above graphs: BF, DAERA and Local Authorities

## Annex B Glossary of commonly used abbreviations and acronyms

<b>ABPs</b>	Animal by-products
<b>ASF</b>	African Swine Fever
<b>AHVLA</b>	Animal Health and Veterinary Laboratories - now known as the Animal and Plant Health Agency (APHA)
<b>BIP(s)</b>	Border Inspection Post(s)
<b>CA</b>	Competent Authority
<b>CVED</b>	Common Veterinary Entry Document
<b>DARD NI</b>	Department of Agriculture and Rural Development for Northern Ireland
<b>DAERA</b>	Department of Agriculture, Environment and Rural Affairs for Northern Ireland outside the period of this report DARD NI as of May 2016 has become DAERA
<b>Defra</b>	Department for Environment, Food and Rural Affairs
<b>EC</b>	European Commission
<b>EU</b>	European Union
<b>FMD</b>	Foot and Mouth Disease
<b>FSA</b>	Food Standards Agency
<b>FVO</b>	Food Veterinary Office
<b>GB</b>	Great Britain
<b>HMRC</b>	Her Majesty's Revenue and Customs
<b>HPAI</b>	Highly Pathogenic Avian Influenza
<b>ID checks</b>	Identity checks
<b>LAs</b>	Local Authorities
<b>NI</b>	Northern Ireland
<b>OIE</b>	World Organisation for Animal Health
<b>OVS(s)</b>	Official Veterinary Surgeon(s)
<b>PAFF Committee</b>	Standing Committee on Plants, Animals, Food and Feed – formerly known as SCoFCAH (Standing Committee on the Food Chain and Animal Health)
<b>PHA</b>	Port Health Authorities
<b>RASFF</b>	EU Rapid Alert System for Food and Feed



<b>SG</b>	Scottish Government
<b>TARP</b>	Trade in Animals and Related Products Regulations
<b>TRACES</b>	EU Trade Control and Expert System
<b>WG</b>	Welsh Government
<b>UK</b>	United Kingdom

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