EXPORT OF RAW MILK AND MILK PRODUCTS FROM CLOVEN-HOOFED ANIMALS TO JAPAN - 8015EHC

NOTES FOR THE GUIDANCE OF THE OFFICIAL VETERINARIAN AND EXPORTER

Associated Documents: 8015EHC and 618NDC

IMPORTANT

These notes provide guidance to Official Veterinarians (OV) and exporters. The NFG should have been issued to you together with export certificate 8015EHC. The NFG should not be read as a standalone document but in conjunction with certificate 8015EHC. We strongly suggest that exporters obtain full details of the importing country's requirements from the veterinary authorities in the country concerned, or their representatives in the UK, in advance of each consignment.

1. **Scope**

This certificate may be used for the export of raw milk and certain milk products derived from cloven-hoofed animals to Japan for human consumption, animal consumption or other uses.

This certificate is based on specific animal health requirements issued by the Japanese authorities. Accordingly, some of the terms used in the certificate are defined within the Japanese animal health requirements as follows:

(a) **"Raw milk"** means the mammary secretion of cloven-hoofed animals as milked;

(b) **"Milk product"** means the product obtained by any processing of raw milk, which is categorized in any of the following HS codes(*****):

0401(Milk and cream, etc.)
0402(Milk and cream, etc.)
0403(Buttermilk, etc.)
0404(Whey, etc.)
0405(Butter, etc.)
0406(Cheese, etc.)
3502.20, 3502.90 (Milk albumins, etc.)
2309.10, 2309.90(Feed and pet food, etc.)

*****The following items are excluded from the above definition:

Evaporated milk, evaporated skim milk, yoghurt, butter oil and processed cheese;

(c) **"Listed countries"** means the following countries, regions and zones recognized by the Ministry of Agriculture, Forestry and Fisheries of Japan where exporting raw milk and un-heat-treated milk products to Japan is allowed:

Australia, Austria, Belarus, Belgium, Belize, Brazil (State of Santa Catalina only), Bulgaria, Canada, Chile, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, El Salvador, Estonia, Finland, France, Germany, Greece, Guatemala, Honduras, Hungary, Iceland, Ireland, Italy (Including Sardinia island), Latvia, Liechtenstein, Lithuania, Luxembourg, Mexico, Netherlands, New Caledonia, New Zealand, Nicaragua, Northern Mariana Islands, Norway, Panama, Poland, Portugal, San Marino, Singapore, Slovakia, Slovenia, Spain, Sweden, Switzerland, United Kingdom (Great Britain and Northern Ireland only), U.S.A. (Mainland, Hawaii and Guam only) and Vanuatu

(d) **"UHT"** means a process applying a minimum temperature of 132°C for at least one second (ultra-high temperature [UHT]) in liquid form;

(e) **"HTST"** means a process applying a minimum temperature of 72°C for at least 15 seconds (high temperature -short time pasteurisation [HTST]) in liquid form.

2. **Certified Copy Requirements – England, Wales and Scotland**

Guidance concerning return of certified copies of EHCs has changed and only specific certified copies are required to be returned to the APHA. Certifying OVs must return a certified copy of EHCs only for the following EHC types:

- if the exported commodity is cattle, pigs, sheep, goats or camelids;
- if the certificate was applied for manually and the application documents have been emailed to APHA and not applied for via the Exports Health Certificates Online (EHCO) system.

Certified copies should be emailed on the day of signature to the Centre for International Trade Carlisle (CITC) at the following address: certifiedcopies@apha.gov.uk.

For certificates that have been issued to the Certifying OV via the EHCO system, the Certifying OV must complete the certifier portal with the status of the certificate and the date of signature.

A copy of all EHCs and supporting documentation certified must be retained for two years.

Certifying OVs are not required to return certified copies of other EHCs issued, however CITC may request certified copies of EHCs and supporting documentation in order to complete Quality Assurance checks or if an issue arises with the consignment after certification.

DAERA Export Health Certificates: provision of certified copies

Authorised Private Veterinary Practitioners (aPVPs) certifying DAERA Export Certification On-Line (DECOL) produced EHCs must return a legible, scanned copy of the final EHC to the relevant DAERA Processing Office within 1 working day of signing.

Good quality photographic copies will be accepted by the Department where obtaining a scanned copy is not feasible - for example, where 'on site' certification is undertaken and scanning facilities are not available.

For record purposes, a copy of the final Export Health Certificate and associated Support documents should be retained by the aPVP for a period of 2 years from the date of certification.

The Department will carry out periodic audits of all aspects of export certification to ensure that a high standard of certification is being maintained.

3. **Paragraph II – Identification of Products**

If necessary, a separate schedule may be used to identify the full consignment. In such cases this paragraph must be annotated "See Attached Schedule".

The schedule must, as a minimum, contain the same information required in **Paragraph II** of the certificate.

An example of a schedule is reproduced in the **Annex** for ease of reference.

Each page of the schedule must bear a page number (e.g., page x of y) and the certificate serial number and must be signed, dated and stamped by the Official Veterinarian.

The schedule must be stapled inside the health certificate and the Official Veterinarian should "fan" and stamp over the pages of the schedule and certificate. The top stapled corner of the schedule and certificate should be folded over and stamped also.

(a) **Paragraph II(a) – Type of products**
The Japanese definition of "milk product" quoted in paragraph 1(b) above may be used as a guide for completing this paragraph.

The numbers referred to in paragraph 1(b) above relate to the Harmonised System (HS) Code which is a commodity classification system used as a basis for customs tariffs and for international trade statistics.

Further information on HS Codes can be found online at:

https://www.gov.uk/trade-tariff/sections

and

http://madb.europa.eu/madb/euTariffs.htm

The OV should confirm with the exporter that any HS Code entered correctly describes their products and that the products being consigned fall within the scope of Japan's definition of a milk product.

This certificate should not be used for the export of milk products other than those defined by the Japanese authorities at paragraph 1(b) above.

(b) **Paragraph II(d) – Date of production**
If the raw milk and milk products present in the consignment were collected or produced over a period of time then the date range should be entered.

(c) **Paragraph II(f) – Country of origin**
This should be completed with the country or countries in which the milk was originally collected.

(d) **Paragraph II(g) – Establishment Number**
Establishments producing raw milk and milk products may be approved or registered as follows:

Either
(i) (for human consumption)
in accordance with the EU Hygiene package which includes Regulations (EC) 852/2004 on the hygiene of foodstuffs, 853/2004 laying down specific hygiene rules for food of animal origin and 854/2004 laying down specific rules for the organisation of official controls on products of animal origin intended for human consumption.
In England, the EU Hygiene package is implemented and enforced by the Food Safety and Hygiene (England) Regulations 2013 (as amended). Similar legislation exists in Scotland, Wales and Northern Ireland.

Or
(ii) (for animal consumption and other uses)
in accordance with Regulation (EC) 1069/2009 laying down health rules as regards animal by-products and derived products not intended for human consumption and repealing

Regulation (EC) No 1774/2002 (Animal by-products Regulation) (as amended).
In England, this is enforced by the Animal By-Products (Enforcement) (England) Regulations 2011 (as amended). Similar legislation exists in Scotland, Wales and Northern Ireland.

Certifying OVs are advised that, in accordance with Articles 54 and 55 of Regulation (EC) 1069/2009, references to Regulation (EC) 1774/2002 shall be construed as references to Regulation (EC) 1069/2009 and that establishments, plants and users approved or registered in accordance with Regulation (EC) 1774/2002 before 4 March 2011 shall be deemed to be approved or registered, as required, in accordance with Regulation (EC) 1069/2009.

Or

(iii) (for animal consumption)
in accordance with Regulation (EC) 183/2005 laying down requirements for feed hygiene.
In England, this is enforced by the Feed (Hygiene and Enforcement) (England) Regulations 2005 (as amended). Similar legislation exists in Scotland, Wales and Northern Ireland;

The approval or registration number may be confirmed on sight of a valid approval or registration document or by reference to the enforcement authority (the Local Authority or FSA, FSS or DAERA)

(e) **Paragraph II(h) – Purpose of use**
A tick should be placed in the appropriate box to confirm the intended use of the products in the consignment.

If 'Other' is selected then this should be expanded upon in the space provided.

The 'Remarks' space may be used to further clarify the intended use of the products in the consignment.

4. Paragraph III – Equivalence Statement
Based on recognition of equivalence between Japan's and UK's Food Safety Standards, as communicated by MHLW in February 2020, the Certifying Officer may sign 8105EHC provided the products' are in full compliance with relevant retained EU Food Hygiene legislation.

This allows milk which has been imported into the UK to be certified.

5. **Paragraph IV - Certification**
Taking into consideration the additional guidance below, paragraph IV may be certified on the basis of the OV's familiarity with the sourcing, processing, handling and storage arrangements in place at the processing establishment and/or examination of relevant records and documentation including applicable laboratory test results, veterinary certification and commercial documents. Any references to compliance with importing country legislation can be certified on the basis of equivalence with UK food hygiene regulations.

(a) **Paragraph IV.1 – Raw milk and milk products**
Paragraph IV.1 must be certified in all cases, irrespective of how/whether the product has been processed.

(i) **Paragraph IV 1.1. – Foot and mouth disease**

This paragraph requires that the exporting country (i.e. UK) is free from foot and mouth disease (FMD) and that the vaccination against FMD is prohibited at the time of certification.

Notifiable Disease Clearance for OVs in Great Britain
Where it is possible for the OV in Great Britain to obtain disease clearance themselves, the Centre for international Trade – Carlisle (CITC) will not issue a 618NDC notifiable disease clearance.

OVs must check the following sources of disease information for the United Kingdom immediately prior to certification, to ensure disease freedom statements can be certified:

- the Notifiable Disease Occurrence List for Great Britain (ET171) available on the Exports > Certification Procedures page of the APHA Vet Gateway
- the UK Status for Non-Notifiable Diseases Relevant to Export Certification (ET152) available on the Exports > Certification Procedures page of the APHA Vet Gateway. http://apha.defra.gov.uk//External_OV_Instructions/Export_Instructions/Certification_Procedures/index.htm

In the absence of a specific Notifiable Disease Clearance (618NDC) from CITC: OVs may certify that the UK has disease free status or region free status for those diseases mentioned in the health certificate, once they have checked the disease list(s) for the last occurrence of the disease and have ensured it complies with the time frames in the certificate.

In the event of a disease outbreak that affects an OV being able to obtain their own disease clearance, CITC will notify OVs to make it clear which disease freedom statements should not be certified and where necessary, will issue a 618NDC if the EHC can continue to be issued for certain regions that retain free status.

In the event of a disease outbreak after the EHC has been issued that affects the disease clearance, OVs must not certify the EHC and must contact CITC immediately for advice on whether certification can still take place. If a disease outbreak affects the OV disease clearance procedures for this EHC, a 618NDC will be reinstated by CITC which will be issued with the EHC until a time when OV disease clearance can be reinstated.

Notifiable Disease Clearance for OVs in Northern Ireland
That the UK is currently free from FMD may be certified on behalf of the Department provided written authority to do so has been obtained on form **618NDC** from the DAERA issuing office in Northern Ireland.

That vaccination against FMD is prohibited in the UK may be certified on the basis of the Foot-and-Mouth Disease (Control of Vaccination) (England) Regulations 2006 which prohibit the routine suppressive or protective vaccination of animals against the FMD virus. Similar legislation exists in Scotland, Wales and Northern Ireland.

(ii) **Paragraph IV 1.2. – Importation of FMD-vaccinated animals**

This may be certified on the basis that the veterinary certification requirements for the import of live bovine, ovine and caprine animals into the UK and other EU Member States laid down under Regulation (EC) 206/2010 require that the animals must have come from a third country territory where vaccination against FMD is not carried out. If emergency vaccination is carried out in an EU Member State to control an outbreak, and a 'vaccination to live' policy is opted for, then vaccinates cannot be traded under the FMD control legislation.

(iii) **Paragraph IV 1.3. – Quarantine system**
This paragraph may be certified as written, on the basis of the animal disease controls laid down under UK and EU legislation, with respect to cloven-hoofed animals and their products, including milk and milk products. These are intended to ensure milk which presents an FMD risk cannot be traded, or the risk is mitigated, through a process which will inactivate the virus, and the process is officially certified.

(iv) **Paragraph IV 1.4. – Healthy animals and infectious diseases**
This paragraph may be certified on the basis of oval marks which demonstrate compliance with EU and UK food hygiene legislation. This legislation requires that raw milk must come from animals:

(a) that do not show any symptoms of infectious diseases communicable to humans through milk;

(b) that are in a good general state of health, present no sign of disease that might result in the contamination of milk and, in particular, are not suffering from any infection of the genital tract with discharge, enteritis with diarrhoea and fever, or a recognisable inflammation of the udder;

(v) **Paragraph IV 1.5. – Contamination by pathogens**
This may be supported by the fact that the raw milk and milk products were handled in suitably approved establishments such as those referred to in paragraph 3(d) above.

(iv) **Paragraph IV 1.5. – Commingling with lesser status milk**
The requirements of Articles 5, 6-1 and 6-2 of the "Animal Health Requirements for raw milk and/or milk products to be exported to Japan from Listed countries" are reflected within other clauses contained in the EHC. Japan has also agreed that its own legislation is equivalent to relevant UK legislation.

This paragraph may therefore be certified on the basis that the raw milk and/or milk products present in the consignment satisfy the requirements of the rest of the certificate and has been produced in adherence with the relevant domestic legislation.

(v) **Paragraph IV. 1.6. – Packaging**
This paragraph can be certified based on adherence to the requirements for safe and hygienic packaging laid out under domestic and EU legislation.

(vi) **Paragraph IV. 1.6 – Origin of milk and treatment**
Either 1.6 (a) OR 1.6 (b) should be selected, by ticking the box corresponding to the option being certified. The non-selected option should be struck through, and the deletion signed and stamped in the usual manner.

Where 1.6 (b) is selected, the appropriate treatment option should also be ticked, and the non-selected options struck through with the deletions stamped and signed in the usual manner.

Note that box 1.6 (a) may only be selected in the case of products derived from milk originating from the UK or a listed country (see 1.c above). For consignments containing milk or products produced from milk imported into the UK from non-listed countries,) box (b) must be ticked, and the product must have undergone one of the listed treatments.

(b) **Paragraph IV.2 – Processed milk**

This paragraph as written gives the option for deletion. However, since all sections should apply to any milk or milk product being exported from the UK, this paragraph should still be certified in all cases.

(i) Paragraph IV. 2.1 – oval marks

This paragraph can be certified on the basis of oval marks on the finished products, or records demonstrating that the milk ingredients used in the finished product were sourced from an EU approved production plant

(ii) **Paragraph IV. 2.2 – Listed diseases**

This paragraph may be certified on the basis that the establishment from which the milk was derived is not under movement restrictions due to confirmation of the presence of a notifiable disease which can be transmitted through milk. This may be supported by a declaration from the producer, the familiarity of the OV with the procurement procedures of the exporting establishment, and any other evidence that the OV considers necessary. Note that there is a missing footnote, which should refer to OIE listed diseases, specifically FMD, RP, CBPP and LSD. Pasteurised milk from establishments under movement restrictions due to tuberculosis (TB) will be eligible for export as TB is not transmitted in pasteurised milk.

(iii) **Paragraph IV. 2.3 – 2.6**

These paragraphs can be certified on the basis that the production or processing plant is approved by the competent authority, and is therefore compliant with UK and EU legislation under which these conditions must be met.

(iv) **Paragraph IV. 2.7 – Radioactivity**

This paragraph may be signed on the basis of the Terrestrial Radiation Monitoring Programme for radioactivity in food and the environment carried out by the Food Standards Agency (FSA) in the UK, in accordance with Article 1 of the Euratom Treaty. Surveillance includes routine sampling and analysis of all food types. The results of this programme show that radiation levels in products of animal origin return average figures of less than 1 Bq/Kg, which is below the accepted and agreed maximum exposure tolerances.

6. **DECLARATIONS**

If declarations are relied upon to support the completion of this certificate, these must be signed by someone who has knowledge of, and responsibility for, the relevant parts of the production process. The managing director (or equivalent) of the company should provide a letter giving the name(s) and job title(s) of those authorised to give the declaration, and the basis on which the declaration is made.

The declaration should include a clause indicating that the signatory is aware that making a false declaration is an offence, and that he/she accepts full responsibility if any problems arise with the export, should there be any dispute relating to the matters being declared.

Where possible, supporting evidence should be called for and put on file.

7. **DISCLAIMER**

This certificate is provided on the basis of information available at the time, and may not necessarily comply fully with the requirements of the importing country. It is the exporter's responsibility to check the certificate against any relevant import permit or any advice provided by the competent authority in the importing country. If these do not match, the exporter should contact the APHA Centre for International Trade, Carlisle or DAERA, via the link or e-mail address below:
https://www.gov.uk/guidance/contact-apha
DAERA – Email: vs.implementation@daera-ni.gov.uk

Annex

IDENTIFICATION OF PRODUCTS Certificate No. : .....

Type of products (e.g. Cheese, Butter)	**Net weight**	**Number of packages**	**Date of production**	**Animal species of dairy ingredients**	**Country of origin**	**Establishment number, name, and address.**
Total			Purpose of use	☐Human consumption ☐Animal consumption (☐cloven-hoofed animals / ☐other animals / ☐pet food) ☐To be determined (likely to use for cloven-hoofed animal consumption) ☐Other (.....)		

Remarks : .....

Competent Authority:.....

Date:..... Signed:.....RCVS

Stamp: Name in block letters:.....

Official Veterinarian