Department for Environment, Food and Rural Affairs

Export of rendered fats not intended for human consumption to be used for certain purposes outside the feed chain, intended for dispatch to or for transit through the European Union or Northern Ireland

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Contents

No: 8301NFG

For export of rendered fats not intended for human consumption to be used for certain purposes outside the feed chain, intended for dispatch to or for transit through the European Union or Northern Ireland.

NOTES FOR GUIDANCE (NFG) FOR THE CERTIFYING OFFICIAL VETERINARIAN, CERTIFICATION SUPPORT OFFICER AND EXPORTER

1. APPLICABLE LEGISLATION

Council Regulation (EC) No 1069/2009 and Commission (EU) Regulation 142/2011 (as amended)

Any other EU legislation referenced in the certificate must be complied with and can be accessed on the following link:

https://eur-lex.europa.eu/homepage.html

IMPORTANT

These notes provide guidance to Certifying Officers and exporters. The NFG should have been issued to you together with the relevant export certificate applicable for exports of rendered fats not intended for human consumption to be used for certain purposes outside the feed chain intended for dispatch to or transit through the EU or Northern Ireland. The NFG should not be read as a standalone document but in conjunction with the veterinary certificate.

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 GB, in advance of each consignment.

[Please note, policies are being reviewed. NFG will be further amended to provide specific guidance. Traders should look at NFGs regularly for any updates]

2. SCOPE OF THE CERTIFICATE

This Model 8301 veterinary certificate may be used for the export of rendered fats not intended for human consumption to be used for certain purposes outside the feed chain intended for dispatch to or transit through the EU or Northern Ireland, in accordance with the relevant requirements described in Regulation (EU) No 142/2011.

Rendered fats is defined in Annex I of Regulation (EU) No 142/2011 as either fats derived from the processing or animal by-products or products for human consumption, which an operator has destined for purposes other than human consumption.

In the case of materials destined for the production of biodiesel or oleochemical products: Category 1, Category 2 and category 3 materials referred to in Articles 8, 9 and 10 of Regulation (EC) No 1069/2009 may be used.

In the case of materials destined for the production of renewable fuels referred to in point J of Section 2 of Chapter IV of Annex IV of Regulation (EU) No 142/2011: Category 2 and 3 materials referred to in Article 9 and 10 of Regulation (EC) No 1069/2009 may be used.

In the case of materials destined for organic fertilisers and soil improvers:

Category 2 materials referred to in Article 9, points (c) and (d) and Article 9 point (f)(i) and Category 3 materials referred to in Article 10, other than in points (c) and (p) of Regulation (EC) No 1069/2009 may be used.

In the case of materials destined for other purposes:
Category 1 materials referred to in Article 8, points (b), (c), and (d), Category 2 materials referred to in Article 9, points (c), (d), and (f)(i)

If category 1 and 2 derived products are used then GTH marking is required as laid down in Chapter V, Annex VIII of Regulation (EU) No 142/2011 to ensure the feed ban is enforced. The OV should refer to routine test results to verify that the requirements of at least 250mg/kg has been achieved.

Additional information can be found here:

https://www.gov.uk/guidance/validate-your-animal-by-product-abp-processing-facility

3. CERTIFICATION BY AN OFFICIAL VETERINARIAN (OV)

In **England, Scotland and Wales**, this certificate must be signed by a Government Veterinary Officer or by an Official Veterinarian (OV) appointed by the Animal and Plant Health Agency on behalf of Ministers in Defra, the Scottish Government or the Welsh Government and who hold the appropriate Official Controls Qualification (Veterinary) (OCQ (V)) authorisation.

OVs must sign and stamp, with the OV stamp, the health certificate in ink of a different colour to that of the printing of the Export Health Certificate (EHC). There is no requirement to sign and stamp in a specific colour.

The OV should keep a copy of the signed certificate and any supporting documents for at least three years after signature or receipt/dispatch of the consignment, whichever is later. These can be electronic copies.

EHC in foreign language/s of the EU Member States (MSs).

EHC should be in English and the foreign language/s of the Border Control Post (BCP) of entry in the EU, as well as in the language of the EU MS of destination if this a different country from the point of entry to the EU. The required EHC must accompany the consignment.

Listing of the EU MS BCPs can be found here:

https://ec.europa.eu/food/animals/vet-border-control/bip-contacts_en

The foreign language certificate as received from the APHA Centre for International Trade at Carlisle or via the Export Heath Certificates on-line system (EHCO) and bearing the same unique reference number as the English certificate, should be considered an official and accurate translations of the English, as published in EU legislation.

The (sub-) paragraphs / options and how they are numbered and formatted is identical in the English and foreign language editions and to the legislation published by the EU Commission. Therefore, when the same phrases/sentences in the foreign language versions/s as in the English version are struck through, both versions can and must be signed (as opposed to being initialled) by the OV as a genuine and properly authorised translation of the English.

This also applies to any instructions in the guidance notes to strike out certain paragraphs or to certify statements that the country is free of certain notifiable diseases etc.

Signing, stamping and pagination

The foreign language version/s and any schedules (if any) may be stapled to the English version but doing so and then fan stamping the multiple sheets is not enough to create one indivisible single document according to the EU Commission.

Therefore, each page (including schedules) should be individually signed and stamped and bear the reference number of the certificate. The pages comprising the complete document should be sequentially numbered so they are part of a finite sequence which covers the English, foreign language version/s and any schedule pages.

For example, if the certificate consists of four A4 pages printed back to back on two sheets of A4 paper with a schedule that is three A4 pages long, all 11 pages must be stamped and **signed** (as above) and numbered 1/11 to 11/11.

COs will have to make handwritten corrections to page numbering as may be required. E.g. 1/4 to 4/4 (if present) on the foreign language parts in the example given above will need to be crossed out and the 1/11 to 11/11 entered.

The EHC accompanying the consignment will then comprise the original English EHC and any required additional foreign language/s. These should be arranged in order with the English version on the top, followed by the foreign language/s version/s, and finally the page(s) of the schedule (if any) at the bottom.

As per general guidance for certifiers on APHA's Vet Gateway, any hand written corrections or permitted deletions to a certificate should be stamped and **initialled**. This includes the deletion of optional statements in Part II of the certificate and alterations to content in Part I. The same applies if a pre-populated text in a box in Part I of the EHC needs to be amended. (E.g. if Box I.7 which is pre-populated as 'United Kingdom' 'GB', needs to be amended for triangular trade where third country origin 'Products Of Animal Origin' are being certified in the original third country packaging with the original third country Identification Marks, in which case the country of origin will be the third country in question and not the United Kingdom). Please follow the guidance on corrections in the link below:

http://apha.defra.gov.uk/External_OV_Instructions/Export_Instructions/Certification_Procedures/index.htm

We advise that individual stamping and initialling of diagonal lines drawn through blank boxes in Part I is not necessary. This is to reduce excessive stamping on the certificate. However we are aware that some BCPs advise otherwise and request stamping and initialling of manually crossed out blank boxes in Part I of the certificate. In such cases OV should conform to the BCPs request to facilitate the clearance of the goods.

You can find further information on Export Health Certificates (EHC) Online Guidance for Certifiers in the link below:

http://apha.defra.gov.uk/documents/exports/guidance-ehc-certifiers.pdf

UK approved establishments will be uploaded to Europa website in due course, until the establishments are in Europa website you can find the list of UK approved establishments in the link below:

https://www.gov.uk/government/publications/businesses-approved-to-export-to-the-eu

Please check the guidance on completion of Part I of the EHC at the bottom of the EHC and in the links provided in the NFG. For completion of Box I.8 - Region of Origin Code, if applicable; the territory code should be as listed in the relevant legislation that is provided under the notes at the bottom of the EHC. This is only for species or products affected by regionalisation measures or by the setting up of approved zones in accordance with a European Community Decision. The approved regions or zones must be indicated as described in the Official Journal of the European Union.

Part I: DETAILS OF THE CONSIGNMENT

Please complete all the boxes in Part I of the certificate.
The Harmonised System (HS) Code is a commodity classification system used as a basis for customs tariffs and for international trade statistics.

It is the exporter's responsibility to ensure that the HS code is entered correctly and accurately reflects the product(s) being consigned.

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

PART II: CERTIFICATION
Animal Health Attestation

II.1 The OV signing the certificate must have read and understood Regulations (EC) No 1069/2009 (in particular Articles 8, 9 and 10), and Commission Regulation (EU) No 142/2011, in particular Chapter II of Annex XIV and must ensure that the products meet the requirements of the certificate.

The following specific guidance in conjunction with the RCVS Principles of Certification may be followed: **The OV must have familiarity with sourcing, procurement, segregation, processing, and handling and storage arrangements in place at the establishment and ensure that the consignment meets the conditions required in the certificate. Where the OV is required to certify conditions outside of their personal knowledge, they must request and be provided with appropriate supporting documentation from another veterinarian (if appropriate) and/or the exporter.**

II.1 This can be certified on the basis of a declaration from the exporter confirming

that the rendered fats are not intended for human consumption and where it is established that the health requirements are met.

II.2 Starting/source material

The starting material used must be relevant for the intended purposes of the rendered fats and the correct sub-category or sub-categories of ABP, and the other sub-categories deleted.

OVs should develop due familiarity with the sourcing, procurement, segregation, processing, handling and storage arrangements in place at the establishment. This should be supported by physical inspection and by examination of relevant documentation or other records including commercial documentation, veterinary statements, and valid declarations.

II.2.1 This can be certified where the rendered fats for export have been derived from category 1, 2 or 3 animal by-products and are being exported for the production of either renewable fuels through the Method 1 Pressurised Steam process, or for the production of biodiesel or oleochemical products.

Category 1 and 2 rendered fats being exported for the production of biodiesel must have been processed by Method 1 (pressure sterilisation) prior to export.

Delete this attestation if it does not apply.

The OV must be familiar with the plant operations, complete a documentary check of the records and obtain a written declaration from the exporter stating the by-product categories and intention for export conditions.

II.2.2 This can be certified where the rendered fats for export have been derived from category 2 or 3 animal by-products and are being exported for the production of renewable fuels through one of Methods 2-7. Delete this attestation if it does not apply.

The OV must be familiar with the plant operations, complete a documentary check of the records and obtain a written declaration from the exporter stating the by-product categories and intention for export.

II.2.3 This attestation can be deleted only where the rendered fats are being exported for the purposes of the production of cosmetic, pharmaceuticals or medical devices. Otherwise- the specific source materials from which the consignment of rendered fats have been derived must be established and the options in relation to source material that are definitely not applicable within this attestation deleted.

The OV must be familiar with the plant operations, complete a check documentary check of the records and obtain a written declaration from the exporter stating the by-product categories from which the rendered fats were derived and the intention for export.

II.2.4 This attestation can be deleted only where the rendered fats are being exported for the purposes of the production of organic fertilisers or soil improvers, cosmetics, pharmaceuticals or medical devices. Otherwise, the specific source materials from which the consignment of rendered fats have been derived must be established and the options in relation to source material that are definitely not applicable within this attestation deleted.

The OV must be familiar with the plant operations, complete a check documentary check of the records and obtain a written declaration from the exporter stating the by-product categories from which the rendered fats were derived and the intention for export.

II.3 Processing method

This can be certified on the basis of familiarity with processing arrangements at the processing establishment and examination of relevant records, including the approval document. Establishment approval can be confirmed through the process detailed in Section 6 - GB APPROVED ESTABLISHMENTS TO EXPORT TO THE EU.

II.3 (a) This can be certified if the rendered fats has been treated by one of the Methods 1-7 as set out in Chapter III of Annex IV of Regulation (EU) No 142/2011. An establishment that is approved under ABPR to manufacture and export rendered fats to the EU will have been assessed to ensure this process is applied, but the OV may seek documentary evidence. The appropriate treatment method applied should be entered.

Where the rendered fats were derived from category 1 materials (permitted where they are intended for the production of biodiesel or renewable fuels referred to in point D or L Section 2 Chapter IV of Annex IV respectively) method one must have been applied here. Where rendered fats from category 2 material are intended for production of biodiesel as referred to in point D, method one also must have been applied here.

In the case of rendered fat intended for the production of renewable fuels referred to in Point J of Section 2 of Chapter IV of Annex IV: **Category 1 material cannot be used**.

This may be certified on the basis of familiarity with processing arrangements at the processing establishment and examination of relevant records, including the approval document.

II.3.(b) This is only required for Cat 1 and Cat 2 material which requires rendered fats derived from those two categories of ABP to be marked with GTH. The concentration of GTH to be achieved is the same as that for fat from Category 1 and 2 ABP, which is a statutory requirement for the approval of ABP 1 and 2 ABP processing establishments 250mg GTH/kg.
For Cat 3 material this statement should be crossed out.

The OV must be familiar with the plant approval and operations, complete a documentary check of the records and should obtain a written declaration from the exporter stating that the rendered fats in the consignment have been marked as per the approved protocol.

II.3.(c) Processing establishments handling fat of ruminant origin are approved on the basis that the product must be filtered to have 0.15% (by weight) insoluble impurities or less.

The OV must establish that the plant is appropriately approved, be familiar with the plant operations and obtain a written declaration stating that the rendered fats in the consignment have been filtered to this standard.

II.3(d) may be certified on the basis of a declaration from the establishment.

II.3.(e) The OV should ensure appropriate labelling of the transit container indicating "NOT FOR HUMAN or ANIMAL CONSUMPTION" is in place.

II.4 BSE risk status

NOTE - This attestation is only applicable where the rendered fats are destined for organic fertilisers, cosmetics, pharmaceuticals, medical devices or soil improvers and so should be deleted if the rendered fat is destined for other uses

Ruminant species material other than bovine, caprine or ovine only

The first "either" option should be signed for and all other subparagraphs should be deleted.

The OV must obtain a written declaration from the exporter confirming the species of the source materials and their BSE risk classification. The OV must be familiar with the plant sourcing procedures, and complete a documentary check of the records.

Bovine, caprine or ovine species material only

GB sourced material

If GB sourced ABP material or ABP products are used only the second "or" subparagraphs (a) to (c) can be signed for. All other subparagraphs should be deleted.

In relation to the second "or" subparagraph (a) this subparagraph may only be signed for if the EHC permits the use of such material. The OV should check that such source material is permitted to be used as stated in Section 2 - SCOPE OF THE CERTIFICATE above and must obtain a written declaration from the exporter confirming the species of the source materials and their BSE risk classification. The OV must be familiar with the plant sourcing procedures, and complete a documentary check of the records.

Imported material

If imported ABP material can be used then the OV should refer to Section 5 - CONSIGNMENTS OR PARTS OF THE CONSIGNMENT ORIGINATING FROM, NI, EU MEMBER STATES OR FROM THIRD COUNTRIES for advice on obtaining the necessary certification to be able to determine the correct subparagraphs to sign. Once obtained then the accompanying certificate or attestation should be consulted to determine which sub paragraph is applicable and the OV should delete any non-relevant sub paragraphs accordingly.

4. COLLECTION OF EVIDENCE

Personnel may be authorised to collect evidence which may be used to support veterinary certification. In GB, the Certification Support Officer (CSO) role has been developed by APHA.

CSOs can be utilised by OVs for gathering evidence relating to this certificate. The CSOs must be authorised by APHA and they must hold the appropriate Official Controls Qualification (Animal Health Professional) (OCQ (AHP)-CSO) qualification.

The OV must direct the CSO as to how and where any necessary evidence relevant to the requirements of the Export Health Certificate (EHC) should be obtained. CSOs may not carry out any functions that require the exercise of veterinary judgement, and are restricted to the execution of administrative checks.

They may only carry out such inspections, factual verification and evidence collection as specified by the directing OV, who remains responsible for the certification of the product. CSOs are not authorised to sign an EHC in their own right or on behalf of an OV.

Any documentary evidence collected by the CSO must be stamped, signed and dated by the CSO, before being submitted by them as supporting evidence to the OV. It is required that the OV is familiar with the product process and evidence required to start with, before directing the CSO to provide future evidence on an ongoing basis.

Additional guidance and principles of implementation are provided in the OV Instructions Exports section of the APHA Vet Gateway.

5. CONSIGNMENTS OR PARTS OF THE CONSIGNMENT ORIGINATING FROM, NI, EU MEMBER STATES OR FROM THIRD COUNTRIES (TRIANGULAR TRADE)

NI origin:

Consignment could potentially contain animals or animal products which have originated in Northern Ireland. For raw materials which have then been processed into a final product in GB, or are presented in their original state and bearing a UK(NI) identification mark, the Certifying Officer (CO) can certify certain matters relating to EU compliance at a national level.

Where the EHC refers to matters of compliance indicated by EU approval status of the premises of origin or manufacture in NI, compliance can be certified on the basis that from 1st January 2021, under the terms of the Withdrawal Agreement between the EU and UK and the Ireland / Northern Ireland Protocol, approved and registered premises in Northern Ireland will implement the full requirements of Regulation (EC) Nos. 852/2004, 853/2004, 2017/625 and all relevant supporting EU legislation as set out in Annex 2 to the Protocol.

This compliance is indicated by the presence of the EU oval health and identification marks applied to the products in the required EU format, for products placed on the market in NI.

Some examples, but not a complete list, of how assurance can be established at national level are listed below.

Compliance with the microbiological criteria set out in Regulation (EC) No. 2073/2055 can be certified if the products originate in an EU approved premises in NI, and bearing the EU oval ID mark.

Public health statements referring to compliance with EU requirements for testing for residues as set out in Directive 96/23/EC, (repealed by OCR Regulation 2017/625) 96/22 (EC) and 470/2009 (EC) can be certified by the CO on the basis of a national residue surveillance programme implemented in NI under The Animals and Animal Products (Examination for residues and maximum Residues Limits) Regulation (NI) 2016. This forms part of the UK national surveillance programme.
With regards to controls for Transmissible Spongiform Encephalopathies, guidance provided in this document relating to statements about the method of slaughter of animals in GB also applies to animals slaughtered in NI and can be certified by the CO on that basis.

Disease clearance for animals or products originating in NI can be completed using auto-clearance NDC found here:

https://www.daera-ni.gov.uk/articles/notifiable-diseases-northern-ireland

Where regional or local level disease clearance is required, this can be certified upon request on the basis of information from NI in the form of a declaration or a supporting health attestation.

Animal health statements which refer to the prohibition of certain vaccination programmes e.g. against FMD or CSF or ASF can be certified at a national level by the CO on the basis that NI also enforces a ban on such vaccinations in accord with EU regulations.

Statements relating to implementation of a national system for identification and registration of bovine animals can be certified on the basis of the requirement to register all bovine animal births, moves and deaths on the DAERA database.

Animal welfare statements can be certified by the CO on the basis that relevant inspections, monitoring and controls are implemented in NI through The Welfare of Animals at the Time of Killing Regulations (NI) 2014 as amended, in compliance with Regulation (EC) No. 1099/2009.

Animal By Products are handled in accordance with EU Control Regulation 1069/2009, which is implemented by the EU Implementing Regulation 142/2011, and ABP statements for materials originating in NI, can be certified on that basis.

When the certificate requires specific information to be included, such as the date of slaughter or the date of introduction into NI, the exporter must also request this information from the exporter in NI. The NI exporter may forward the request to the relevant NI CO to provide the necessary information requested by the GB exporter/ CO. This supporting information must be in writing and kept by the GB CO. The CO is not required to attach it as

a supporting document to the EHC, unless requested by the EU Border Control Post or told otherwise.

EU origin:

It is possible that some consignments may contain animal products that are of EU origin and were exported to GB on a Commercial Document or Intra-Trade Animal Health Certificate (ITAHC). The Commercial Document may not contain enough information to allow the Certifying Officer (CO) to sign an EHC.

In such cases, the CO will need further information from the EU member state regarding particular attestations on the EHC that cannot be signed by the CO without further information. Thus, the GB exporter must request from the EU exporter a written declaration or a replica 'Third Country to EU' certificate completed to the extent possible that will provide the required information to the CO to certify the relevant attestations on the EHC. The exporter may wish to obtain these directly from the EU CO who has inspected the animal products before export from the EU.

When the certificate requires specific information to be included, such as the date of slaughter or the date of introduction into the EU member state, the exporter must also request this information from the EU member state exporter. The EU exporter may forward the request to the relevant EU CO to provide the necessary information requested by the GB exporter. This supporting information must be in writing and kept by the GB CO. The CO is not required to attach it as a supporting document to the EHC, unless requested by the EU Border Control Post or told otherwise. Exporters/COs must be aware that in some cases, the certificate does not provide an option to re-export EU origin products eg EU origin meat being re-exported as meat.

Third country origin:

It is also possible that some consignments may contain animal products that are of non-EU (Third Country) origin, which GB exporters intent to export to EU (known as Triangular Trade). In these cases Certifying Officers may obtain the necessary supporting information from a copy of the original EHC used for import of these products into the UK.

The CO in GB is not required to attach a copy of the Third Country EHC as a supporting document to the GB-EU EHC, unless requested by the EU Border Control Post or told otherwise.
It is the GB exporter's responsibility to ensure timely request of information from the EU member state exporter/Third Country exporter, to allow the EHC to be signed and stamped in good time before export to the EU.

6. GB APPROVED ESTABLISHMENTS TO EXPORT TO THE EU

The exporting establishment must be authorised and listed by the GB as a 'GB approved establishment' for animal by- products not for human consumption (ABP). A list of approved establishments can be found on the European Commission's list of approved establishments' link below:

https://ec.europa.eu/food/safety/international_affairs/trade/non-eu-countries_en

Please note that the list is updated regularly and ONLY establishments on the list are approved to export to the EU, and does not include establishments with pending applications for approval/registration.

If the final product contains animal products from other establishments, or products were previously processed in different establishments in the production chain, then these establishments should also be listed on the EU website as GB approved establishments.

For approved establishments in Northern Ireland the "EC" suffix which is present in the health/ID mark of approved food establishments, should not be included when referring to establishment approval numbers in the certificate. This may also be relevant to certain ABP consignments – e.g. where the ABP is generated at an approved slaughterhouse without separate ABP approval.

7. CERTIFIED COPIES OF EXPORT HEALTH CERTIFICATES

When completing export certification, the CO and, if applicable, FCCO must make photocopies of, or scan and save all documents they certify. OVs must retain copies of certification documents in accordance with RCVS Certification principles:

https://www.rcvs.org.uk/setting-standards/advice-and-guidance/code-of-professional-conduct-for-veterinary-surgeons/supporting-guidance/certification/

COs must retain copies of all export documentation for a period of two years. A certified copy of this EHC does not need to be returned to the APHA CITC. For the purposes of completing routine Quality Assurance checks on export certification, CITC may request certified copies of certification from COs.

Further details on Post Certifying Procedures, 'certified copies' of certification and the types of documents that should be retained by COs can be found on the APHA Vet Gateway.

8. LEGAL STATEMENT

The existing EU legislation that the UK already complies with will be incorporated into our domestic law as "retained EU law" under the European Union (Withdrawal) Act 2018. References in our guidance and certification to such EU instruments should be taken to be references to this "retained EU law". Under the Withdrawal Act we will ensure that current EU standards remain in force, without amendment, in the immediate months after our EU exit as part of UK domestic law (apart from corrections to make the EU legislation fully operable).

9. 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 Animal and Plant Health Agency (APHA) in Carlisle, via the link below: https://www.gov.uk/government/organisations/animal-and-plant-health-agency

This publication is available at: www.gov.uk/government/publications

Any enquiries regarding this publication should be sent to us at

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