

EXPORT OF MILK, MILK PRODUCTS AND PRODUCTS CONTAINING MILK
INGREDIENTS TO THE UNITED STATES OF AMERICA - 3496EHC

NOTES FOR THE GUIDANCE OF THE CERTIFYING OFFICER AND THE EXPORTER

Associated document: 3496EHC

IMPORTANT

These notes provide guidance to Certifying Officer and exporters. The NFG should have been issued to you together with export certificate 3496EHC. The NFG should not be read as a standalone document but in conjunction with certificate 3496EHC. 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 OF THE CERTIFICATE

Export health certificate 3496EHC may be used for the export of milk and milk products from the United Kingdom to the United States of America.

A pre-certificate may be certified by the Official Veterinarian on the basis of a declaration from the exporter in accordance with all restrictions and precautions specified in the USDA import permit and awareness of the requirements of 9 CFR 94.

These can be accessed via the link below:

<https://www.gpo.gov/fdsys/granule/CFR-2011-title9-vol1/CFR-2011-title9-vol1-part94>

2. IMPORT PERMIT

It is the responsibility of the exporter to check in advance from USDA/APHIS/VS to see if an import permit is required for the consignment. If an import permit is required the **original must** accompany the consignment along with **3496EHC** to the United States of America.

Also, the Certifying Officer must ensure that all requirements of the Import Permit are met (on the basis of verifiable evidence) prior to signing and stamping the EHC.

3. CERTIFICATION BY AN VETERINARY OFFICER (VO)

This certificate may be signed by a full-time salaried Veterinary Officer (VO) of the Department for Environment, Food and Rural Affairs (Defra), Scottish Government, Welsh Government or Department of Agriculture, Environment and Rural Affairs (DAERA) Northern Ireland).

VOs should sign and stamp the health certificate with their official stamp in any colour **OTHER THAN BLACK**.

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.

The VO should keep a copy for his/her own records.

Each shipment must be accompanied by an ORIGINAL certificate endorsed by a full-time salaried veterinarian of the agency responsible for animal health of the GOVERNMENT OF THE UNITED KINGDOM. This certification must CLEARLY correspond to the shipment by means of an invoice number, shipping marks, lot number or other identification method.

The exporter must supply a declaration including exactly the same wording as the matters to be certified.

Additional assurances not contained in the Export Health Certificate can be inserted at paragraph IV (iv). If there are no additional assurances the VO **must** cross through paragraph IV (iv).

This must be signed by someone who has knowledge of and responsibility for the relevant parts of the production process and is aware of the requirements of 9 CFR 94.1(a) (2) and 94.16.

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.

Where possible, supporting evidence (for example, health certificates for raw materials showing their country of origin) should be called for and put on file.

The RCVS Guide to Professional Conduct 2000 states that [Veterinary Surgeons] "must not recklessly confirm what other people have stated".

4. Countries/Areas listed in 9 CFR 94.1(a) (2) include:
Australia, Austria, The Bahamas, Barbados, Belgium, Bermuda, the Brazilian State of Santa Catarina, British Honduras (Belize), Canada, Channel Islands, Chile, Costa Rica, Czech Republic, Denmark, Dominican Republic, El Salvador, Estonia, Fiji, Finland, France, Germany, Greece, Greenland, Guatemala, Haiti, Honduras, Hungary, Iceland, Ireland, Italy, Jamaica, Latvia, Lithuania, Luxembourg, Mexico, Namibia (excluding the region north of the Veterinary Cordon Fence), The Netherlands, New Caledonia, New Zealand, Nicaragua, Norway, Panama, Papua New Guinea, Poland, Portugal, Spain, Territory of St. Pierre and Miquelon, Sweden, Switzerland, Trinidad and Tobago, Trust Territory of the Pacific Islands, and the United Kingdom. (correct at footer date)

It must be noted that the USDA constantly updates its list of Foot and Mouth Disease and Rinderpest free countries/areas. The list above is updated by Defra as and when required and may not therefore correspond with the USDA's current list.

5. As stated at paragraph 2 above, Paragraph IV (iv) of the certificate has been left intentionally blank, and can be used to certify additional requirements not included in the certificate, if necessary, based on a declaration. If not necessary, this **MUST** be crossed out.
6. A certified copy of this certificate, the original declaration from the manufacturer, a copy of the import permit and any other relevant correspondence must be retained by the AHDO for audit purposes.
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