

EXPORT OF HEAT TREATED MILK AND MILK PRODUCTS NOT FOR HUMAN CONSUMPTION TO NEW ZEALAND - 5964EHC

NOTES FOR THE GUIDANCE OF THE OFFICIAL VETERINARIAN AND EXPORTER

Associated Document: 5964EHC

IMPORTANT

These notes provide guidance to Official Veterinarians (OVs) and exporters. The NFG should have been issued to you together with export certificate 5964EHC. The NFG should not be read as a standalone document but in conjunction with certificate 5964EHC. 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

This certificate may be used for the export from the United Kingdom of heat-treated milk and milk products to New Zealand for uses other than human consumption.

2. Certification by an Official Veterinarian (OV)

This certificate may be signed by an OV appointed by the Department for Environment, Food and Rural Affairs, the Scottish Government, Welsh Government or the Department of Agriculture, Environment and Rural Affairs (DAERA) Northern Ireland, who is on the appropriate panel for export purposes or who holds the appropriate Official Controls Qualification (Veterinary) (OCQ(V)) authorisation.

OVs should sign and stamp the health certificate with the OV 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

aPVPs certifying DECOL produced Export Health Certificates 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(b) - Approval number

Establishments handling unprocessed animal by-products or manufacturing products derived from unprocessed animal by-products must be approved in accordance with Regulation (EC) 1069/2009 (as amended). In England, this is enforced by the Animal By-Products (Enforcement) (England) Regulations 2013 (as amended). Similar legislation exists in Scotland, Wales and Northern Ireland.

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

Alternatively, establishments producing pet food or animal feedingstuffs from processed ingredients of animal origin require approval in accordance with Regulation (EC) 183/2005 laying down requirements for feed hygiene. In England, this is enforced by the Animal Feed (Hygiene, Sampling etc. and Enforcement) (England) Regulations 2015 (as amended). Similar legislation exists in Scotland, Wales and Northern Ireland.

It is also acceptable for the heat-treated milk and milk products to have been manufactured or sourced from a food business premises approved in accordance with the EU Hygiene package as retained in UK law which includes Regulations (EC) 852/2004, (EC) 853/2004 and (EC) 854/2004. 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.

The approval number may be confirmed on sight of a valid approval document, or by reference to the enforcement authority (APHA, DAERA or Local Authority) responsible for the manufacturing establishment.

4. Paragraph IV - Health information

Paragraph IV may be certified on the basis of the following specific guidance in conjunction with any necessary evidence resulting from the OV's familiarity with the sourcing, procurement, segregation, processing, handling and storage arrangements in place at the facility. This should be supported as necessary by physical inspection and examination of relevant documentation and/or records including commercial documentation, veterinary statements and valid declarations.

(a) Paragraph IV 1 - Compliance with EU and New Zealand standards

This may be certified on the basis of compliance with UK requirements which have been deemed equivalent to New Zealand standards.

(b) **Paragraph IV 2 - Eligibility for intra-Union trade**

This can be certified by the OV if the following applies:

For UK origin products - including those prepared containing EU products - directly exported to NZ;

- I. The UK has not imposed any sanitary measures expressly to manage known animal health/food safety risks or hazards which would restrict the products sale or distribution within the UK.
- II. The products were derived from animals and farms that are not subject to animal disease control measures being applied by the UK competent authority. Animal disease in this context means an exotic disease or a disease listed in Annex III of the UK/NZ Vet Agreement.
- III. For EU product the EU has not applied any sanitary measures which would prohibit the sale or distribution of the product within the EU. Sanitary measures in this context means a Commission Decision (or other legal instrument) authored/instigated by SANTE to expressly manage known animal health/food safety risks or hazards.

This clause includes EU exports to the UK that are subsequently re-exported - directly or after processing and/or mixing within UK origin product - to New Zealand. This clause can be signed by the OV if it meets the above requirements based on the OV's knowledge of the exporting business and documentary checks.

(c) **Paragraph IV 3 - Non-UK origin product or ingredients**

In the case of exclusively UK-origin ingredients or products:

This paragraph may be deleted in its entirety and the deletion signed and stamped in the usual manner.

In the case of non-UK origin ingredients or products:

This entire paragraph must be certified to confirm that the type of products in the consignment can be legally imported into New Zealand directly from the third country of origin and that it was legally imported from a third country into the UK.

To verify if there is an Import Health Standard in place for the product to enable it to be exported directly from the third country of origin to New Zealand, the website of New Zealand's Ministry of Primary Industries may be consulted:

<http://mpi.govt.nz/law-and-policy/requirements/import-health-standards/>

5. Where 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.

6. **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