Department for Environment, Food and Rural Affairs

Notes For Guidance: Export Health Certificate for entry into the European Union or Northern Ireland of consignments of stocks of *in vivo* derived embryos of bovine animals collected, processed and stored before 21 April 2021 in accordance with Council Directive 89/556/EEC, and dispatched by the embryo collection team 8420

July 2024

Contents

No: 8420 NFG

EHC for entry into the EU of consignments of stocks of *in vivo* derived embryos of bovine animals collected, processed and stored before 21 April 2021 in accordance with Council Directive 89/556/EEC, and dispatched by an embryo collection team by which the embryos were collected.

NOTES FOR GUIDANCE (NFG) FOR THE CERTIFYING OFFICERS (CO) AND EXPORTERS

1. APPLICABLE LEGISLATION

Commission Implementing Decision 2006/168/EC as amended

Commission Implementing Decision 2011/630/EU

Council Directive 89/556/EEC

Implementing Regulation (EU) 2024/351 - Model EHC amending Implementing Regulation (EU) 2021/403

Any EU legislation referenced in the EHC must be complied with and EU legislation can be accessed on the following link: https://eur-lex.europa.eu/homepage.html

Further guidance for completion of the certificate can be found in Chapter 4 of Annex I to Commission Implementing Regulation (EU) 2020/2235.

Consolidated legislation

Consolidated texts, which integrate the basic instruments of EU legislation with their amendments and corrections in a single, non-official document, are available. Each consolidated text contains a list of all legal documents taken into account for its construction.

You can search for consolidated texts by using the 'find results by document number' option on the European Commission website. Once you have selected the relevant legislation, click 'document information', and then scroll down to 'all consolidated versions' and select the most recent version.

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

Please note that the consolidated text may not contain the latest amendment to the legislation, as it takes several weeks for this to be updated.

Texts provided in this section are intended for information only. Please note that these texts have no legal value. For legal purposes please refer to the texts published in the 'Official Journal of the EU'.

IMPORTANT

These notes provide guidance to COs and exporters. The NFG should have been issued to you together with the relevant export certificate applicable for entry into the

EU of consignments of stocks of *in vivo* derived embryos of bovine animals collected, processed and stored before 21 April 2021 in accordance with Council Directive 89/556/EEC, and entered into the EU after 20 April 2021, and dispatched by an embryo collection team by which the embryos were collected.

The NFG should not be read as a standalone document but in conjunction with the health 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 the UK, in advance of each consignment.

2. SCOPE OF THE CERTIFICATE

This EHC may be used for entry into the EU of consignments of stocks of *in vivo* derived embryos of bovine animals collected, processed and stored before 21 April 2021 in accordance with Council Directive 89/556/EEC, and entered into the EU after 20 April 2021, and dispatched by an embryo collection team by which the embryos were collected**. This certificate includes transits through the EU.**

This certificate is to be completed according to the notes for the completion of certificates provided for in Chapter 4 of Annex I to Implementing Regulation (EU) 2020/2235.

3. CERTIFICATION BY AN OV

In **England, Scotland and Wales**, this certificate must be signed by a Government Veterinary Officer (e.g. APHA, FSA or FSS employed veterinary officers) or by an OV appointed by the APHA 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 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 two 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 of the Border Control Post (BCP) of entry in the EU. The original copy of the required EHC must accompany the consignment to the BCP of entry.

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 Online 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 European Commission. Therefore, the same phrases/sentences in the foreign language versions as in the English version should be struck through and these deletions should be stamped and initialled in both versions. Both versions must also be signed (as opposed to being initialled) and stamped by the OV, the foreign language certificate is deemed to be a genuine and properly authorised translation of the English version.

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.

Additional information can be found in APHA Vet Gateway:

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

SIGNING AND STAMPING

When signing a certificate, the CO should ensure that the certificate contains no deletions or alterations, other than those which are indicated on the certificate to be permissible and any corrections to permitted entries, subject to such changes being initialled and stamped (in the margin) by the CO. Permissible deletions are normally indicated in the 'Notes' section at the end of the certificate, with the instruction 'Keep as appropriate' or 'delete if not applicable'.

- Where the certificate contains optional or contextual statements, the statements which are not relevant shall be crossed out, individually initialled, and stamped by the CO, or completely removed from the certificate.
- Permitted paragraphs and sections may be crossed out by applying a 'Z' across the section or paragraph rather than crossing out line by line.
- There is no requirement for a date and time to accompany each stamp. The date is only entered at the required entry field in Part I of the certificate, and at the end where the CO signs, stamps and dates that action.
- We are aware of some BCPs demanding that all handwritten information in Part 1 of the EHC is initialled and stamped, including handwritten scoring out of otherwise blank boxes. There is no legal requirement in EU legislation that all the hand-written information entered in the certificate must be signed and stamped. It is only in the case of correction, in any part of the certificate, or in the case of statements to be crossed out, that the certifier must add signature (or initials) and stamp. This has been confirmed by the European Commission. The Commission noted however, in the case of a hand-written certificate, it is expected that the same one person completes the document. If not, the BCP might suspect that empty boxes were completed by another person after the certificate has been signed by the official

You should consider checking with the specific BCP regarding their preference when it comes to the stamping and initialling of handwritten scoring out of otherwise blank boxes in Part I of the EHC.

- **Clarification from the European Commission means that all pages (as opposed to sheets of paper) are signed and stamped once individually in place of fan stamping and in addition to any permitted alterations. There is no requirement to fan stamp.**
- COs are reminded to consult the NFG prior to the certification of each EHC. NFG will be updated with this new information in due course.

Further Information COs should make sure they are familiar with all relevant guidance and other documents relating to EHCs and that they discuss requirements with exporters in advance.

See http://apha.defra.gov.uk/official-vets/Guidance/exports/ehc-online.htm

You can also contact APHA's Centre for International Trade (CIT) on 03000 200 301.

PART I: DETAILS OF THE CONSIGNMENT

All boxes in Part I of the certificate must be completed. When a box is not applicable/optional, and not filled, please score it through.

Please use schedule to be attached to the certificate if there is not enough space to fill the information. See Section 'Addition of Schedules' below.

Please complete all the boxes in Part I of the certificate in accordance with the guidance laid down in Chapter 4 of Annex I to Commission Implementing Regulation (EU) 2020/2235, Amended by Implementing Regulation (EU) 2023/2744.

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

https://www.unece.org/fileadmin/DAM/cefact/recommendations/rec21/rec21_Rev10e_Annex-V-VI_2019.xls

PART II: CERTIFICATION

II.1 Health Attestation

The OV signing the EHC must ensure that the animal health information set out in Part II of the health certificate have been complied with.

They must ensure that they are aware of the provisions of Council Directive 89/556/EEC, which set out the animal health conditions for trade with and dispatch into the EU or NI of bovine embryos.

Commission Implementing Decision 2011/630/EU lists the competent authorities of countries approved to collect, process and or store semen in approved semen collection or storage centres that is used to conceive the embryos by artificial insemination.

Enter the territory code. The relevant regulation is Implementing Regulation (EU) 2021/404. This regulation have been amended by Implementing Regulations (EU) 2021/634 adding the GB and the Crown Dependencies to the relevant lists.

II.1.1 – This can be certified based on the disease status as per Section 4 NOTIFIABLE DISEASE CLEARANCE below.

II.1.1.2 – The relevant section may be deleted based on the disease status as per Section 4 NOTIFIABLE DISEASE CLEARANCE below and the fact that vaccination against Foot-and-Mouth Disease and Lumpy Skin Disease is not permitted in the UK.

II.1.2 - This attestation can be signed provided the embryo collection team appears on the list of UK approved teams published on the following EU webpage: https://ec.europa.eu/food/animals/semen/bovine_en

II.1.3 – This can be certified based on the disease status as per Section 4 NOTIFIABLE DISEASE CLEARANCE below.

II.1.4 – This can be certified based on the disease status as per Section 4 NOTIFIABLE DISEASE CLEARANCE below.

II.1.5 – This can be certified by the OV on the basis of his/her personal knowledge and/or based on support certification from a veterinarian with relevant knowledge of the herd(s) and premise(s), clinical status and disease status of the animal(s) and operating procedures of the collection team (e.g., a certificate from a vet on the approved embryo collection team which collected the embryos). The attestations relating to disease freedom can be certified based on the disease status as per Section 4 NOTIFIABLE DISEASE CLEARANCE below.

II.1.6 – This can be certified based on the approval of the embryo collection team which collected the embryos and provided the semen used came from an approved semen collection or storage centre in the EU or a third country listed in Annex I to Implementing Decision 2011/630/EC. The UK is so listed.

4. NOTIFIABLE DISEASE CLEARANCE

Some export certificates for animals and animal products will include statements that will require the OV to certify that specified zones or the entire country of origin are free from certain diseases.

COs 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.

For Great Britain:

In the absence of a specific Notifiable Disease Clearance (618NDC) from CITC: COs may certify that GB 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 a CO being able to obtain their own disease clearance, CITC will notify COs to make it clear which disease freedom statements should not be certified and where necessary, will issue a 618NDC notifiable disease clearance 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, COs 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 disease clearance procedures for this EHC, a 618NDC will be reinstated by CITC which will be issued with the EHC until a time when disease clearance can be reinstated.

NOTE: This does not apply to Transmissible Spongiform Encephalopathies (TSEs) or Bovine Tuberculosis (TB) freedom statements.

5. COLLECTION OF EVIDENCE

Certification Support Officers may not be utilised for gathering evidence relating to this certificate.

6. UK APPROVED ESTABLISHMENTS ELIGIBLE TO EXPORT TO THE EU

The exporting establishment must be listed as a ‘UK approved establishment’ and a list of UK approved establishments for import of germinal products to the EU, can be found on the European Commission’s list of approved establishments’ link below:

https://ec.europa.eu/food/animals/semen-oocytes-embryos_en

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

If the final product contains germinal products from other establishments, then these establishments should also be listed as UK and/or EU approved establishments.

7. ADDITION OF SCHEDULES

When the space in Part I or Part II of the certificate is insufficient to accommodate full details of the consignment a schedule may be used. In the relevant section of the certificate the CO should annotate the certificate 'see attached schedule'. A new schedule should be created (typed or clearly written) containing the same information as that required in the certificate. The schedule must include the certificate reference number on each page and must be

signed, dated, and stamped by the CO in a colour other than the printed text on each page and under the last entry. The schedule forms part of the certificate. All pages of the certificate, including the schedule, must be sequentially numbered. Any blank spaces in the schedule or the certificate should be struck through with diagonal lines.

Further guidance is available here:
http://apha.defra.gov.uk/External_OV_Instructions/Export_Instructions/Certification_Procedures/index.htm

8. CERTIFIED COPIES OF EHCs

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.

9. LEGAL STATEMENT

The existing EU legislation that the UK complied with prior to the end of the Transition Period has been incorporated into our domestic law as "assimilated EU law" under the EU (Withdrawal) Act 2018. References in our guidance and certification to such EU instruments should be taken to be references to this "assimilated EU law". The EU standards that this legislation includes continue to remain in force, without substantive amendment, as part of UK domestic law (apart from corrections to make the EU legislation fully operable.

10. DISCLAIMER

This certificate and NFG are 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 APHA in Carlisle.

This publication is available at Search - GOV.UK (www.gov.uk) Any enquiries regarding this publication should be sent to us at farmandgermcarlisle@apha.gov.uk

PB 8420 NFG

Version History:

EHC

Notes -
Box I.6: Guidance removed
Box I.11: Guidance expanded
Box I.12: Guidance added
Box I.21 and **I.22**: Guidance removed
Box I.27: Guidance added

NFG

Version 3: Published 31 July 2024

Applicable Legislation: Implementing Regulation (EU) 2024/351 added
Part I: Commission Implementing Regulation (EU) 2020/2235, amended by Implementing Regulation (EU) 2023/2744 added

Version 2 Published 27 November 2023

Notifiable Disease Clearance: This paragraph is updated to align with other NFGs.