



Department
for Environment
Food & Rural Affairs



Llywodraeth Cymru
Welsh Government



Scottish Government
Riaghaltas na h-Alba

helpline@defra.gov.uk
www.gov.uk/defra

1 October 2024

Dear Sir/Madam,

Stakeholder engagement on the second technical review of plant health regulated goods in Annex 11

Thank you for submitting views on the above stakeholder engagement of the proposed changes to Annex 11 in the retained [Implementing Regulation 2019/2072](#). This letter is to notify you of the outcome.

Background

As outlined in the [Border Target Operating Model](#) (BTOM), we will ensure that biosecurity risks are appropriately targeted, by assessing risks from all origins and ensuring that regulated goods are subject to the most relevant and up to date category as regards their regulation (or deregulation). Defra and the Scottish and Welsh Governments have already re-categorised a large number of goods according to their risk, in accordance with the timetable detailed in the BTOM, via [The Official Controls \(Extension of Transitional Periods\) \(Miscellaneous Amendments\) Regulations 2024](#) ([legislation.gov.uk](#)).

Plant health controls apply to any goods that are regulated to prevent the introduction or movement of harmful pests into, and within, Great Britain:

Part A of Annex 11 lists high- and medium-risk A goods posing a known threat, that require a phytosanitary certificate and are subject to 100% checks on import (except where reduced checks are applied).

Part B of Annex 11 lists those medium-risk B goods that require a phytosanitary certificate, as they pose a potential threat, but with insufficient evidence currently to categorise in Part A or Part C of Annex 11.

Part C of Annex 11 includes a list of low-risk plant products which are not subject to plant health controls, such as fruits of banana and pineapple.



INVESTORS
IN PEOPLE

Proposal

Based on a review of goods in Annex 11, we proposed to:

- Move goods assessed as lower phytosanitary risk when imported from certain countries (i.e. grapes) from Part A to Part B of Annex 11 so they have a lower level of checks, though still require a phytosanitary certificate,
- allocate goods assessed as negligible risk when imported from certain countries (such as apples and pears) from Part A to Part C of Annex 11; the list of plant products which are not subject to plant health controls,
- move goods assessed as higher phytosanitary risk when imported from certain countries (i.e. asparagus) from Part B to Part A of Annex 11 so they have a higher level of checks.

The full list of goods and the proposed changes can be found [here](#).

Summary of responses

Three responses were received on this engagement, these were from:

- Fresh Produce Consortium (FPC)
- Horticultural Trades Association (HTA)
- A UK-based business

The FPC and the UK-based business fully supported the proposed changes, both noting the trade that will be facilitated by this proposal. The HTA supported the risk-based approach to establish the proposed categorisations, though it had no specific comments on the changes to individual plants and plant products.

The HTA and the FPC urged for the confirmed changes to be communicated as soon as possible to give enough time for industry to adjust. The FPC stated that at least four months' notice was required before the implementation of the Annex 11 products subject to SPS checks. The FPC suggested 1st July 2025 as the implementation date for these changes, alongside the ending of the fruit and vegetable easement and the Transitional Staging Period. The HTA were also supportive of a coordinated implementation.

Stakeholders were engaged in the extension of easements related to the Transitional Staging Period separately. The UK Government confirmed [here](#) that the fruit and vegetable easement would be extended to 1st July 2025.

In September 2024 (see [here](#)), we confirmed that Defra and the Scottish and Welsh Governments intend to implement the proposed changes to Annex 11. These changes, for the EU, Switzerland and (where relevant) Liechtenstein, will have a practical impact on 1st

July 2025 once the current easement for such medium risk products has expired. This provided over four months' notice for industry to adjust, as requested.

Once a decision is made, the HTA asked for clear tabulated information detailing the risk categorisation by product and origin, inspection rate and fees. They suggested that this format be adopted for future consultations.

We are happy to provide this information. Please see the Appendix published alongside this letter.

The FPC also suggested that the products listed under Annex 11, Part B (deemed "medium-risk B goods") should have inland monitoring at 1% before requirements for a phytosanitary certificate and pre-notification are determined.

These medium-risk goods will require a phytosanitary certificate and 1% checks as they pose a potential threat to GB biosecurity. No pre-notification will be required. The impact on trade should be limited however as only the fruit of Prunus, Cydonia and (pending the proposed changes) Vitis are under Annex 11, Part B, for goods being imported from the EU and Switzerland.

The FPC and the HTA appealed for more data to be made publicly available to allow clear analysis, such as the point of arrival, total number and volume of consignments, total number of inspections and interceptions.

The UK Plant Health Service is planning a review of what trade data is published. Informal stakeholder engagement on the data published in the Plant Health Official Statistics will be launched alongside the 2024 data on October 10 2024: [Plant Health – international trade and controlled consignments, 2019-2023 - Official statistics announcement - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/news/plant-health-international-trade-and-controlled-consignments-2019-2023-official-statistics-announcement).

The HTA raised several points concerning transparency around the capacity of APHA and EU Member State NPPOs. The FPC recommended that an impact assessment be carried out with Member States to assess their capacity and costs to the UK.

GB plant health services have significantly increased the number of plant health inspection staff to service the demand for import checks in England and Wales of EU plants and plant products. Inspector levels are being monitored to ensure these meet demand and deliver checks in line with set Service Level Agreements (SLA) and ensure minimal trade disruption. 34 new plant health inspectors have joined since September 2023, with a further 26 currently going through onboarding.

The UK Government has also been engaging closely with EU Member States. There have not been any formally reported issues over the past 3 months and EU Member States have a high level of confidence in their overall capacity. We will continue to raise any issues with EU Member States when we are made aware of them.

An impact assessment has been carried out as part of the wider analysis for the BTOM. Please see [here](#) for details.

The HTA also asked for a clear plan to improve the current border IT systems.

IT queries are out of scope of this stakeholder engagement, which focuses on the categorisation of plant health regulated goods in Annex 11.

Finally, the HTA requested that a clear review process and timeline be in place for all risk categories and products and tied into fee or inspection rate reviews.

These measures, in addition to any changes to inspection/fee rates, will be kept under review following any new or revised risk assessments, pest interceptions, changes in pest distributions and other developments. GB risk assessments are carried out in line with the processes set out in the GB Plant Health Regulation under Articles 72 and 73 and Annexes II and VI. Data informing the categorisation is constantly monitored and the allocation of commodities to categories is dynamic and subject to change in the analysis of risk.

Next steps

The responses received were completely supportive in making the proposed changes. Defra and the Scottish and Welsh Governments intend to implement the changes to Annex 11. These will impact trade from 1st July 2025.

I would like to thank those responding for taking the time to submit views on the stakeholder engagement. Your comments have been very valuable in working to develop a policy position.

If you have any views about how this review was handled, or its outcome, please let me know.

Yours faithfully,

Richard McIntosh
Assistant Chief Plant Health Officer
Defra

T: +44 (0)208 026 2396

M: +44 (0)7767 357817

richard.mcintosh@defra.gov.uk