

## Pre-notification of Article 73 Goods

Goods detailed in Article 73 of the retained Plant Health Regulation “PHR” (Regulation (EU) 2016/2031 of the European Parliament of the Council on protective measures against pests of plants) are required to be inspected at a minimum 1% frequency. The UK customs IT system (Customs Handling of Import and Export Freight (CHIEF)/Customs Declaration Service (CDS)) will select 1% of consignments due to enter Great Britain and these will be subject to phytosanitary (plant health) import checks. The relevant consignees will be automatically informed by CHIEF/CDS that they should make a pre-notification on PEACH (Procedure for Electronic Application for Certificates)/IPAFFS (Import of Products, Animals, Food and Feed System) (the UK SPS imports IT system).

The GB competent authorities intend to make this pre-notification via PEACH/IPAFFS a mandatory requirement under the retained Official Controls Regulation “OCR” (Regulation (EU) 2017/625), such that consignees must pre-notify on PEACH/IPAFFS when requested to do so by CHIEF/CDS. This will be done using the power in Article 45(4) of the retained OCR.

### **Q. What is the new measure?**

A pre-notification requirement is being introduced for 1% of goods detailed in Article 73 of the retained PHR. The 1% will be selected by the IT system CHIEF for inspection. Article 73 goods are currently listed in Annex 11, Part B of the retained Phytosanitary Conditions Regulation “PCR” (Commission Implementing Regulation (EU) 2019/2072) - see [here](#). This measure will apply to imports into Great Britain from all countries.

### **Q. Why are you introducing this?**

This measure is being introduced to provide data on the import of these goods, which will allow for better targeting of risk-based import checks. 100% of other regulated plant and plant product commodities need to be pre-notified before arriving in Great Britain.

### **Q. What sectors will be affected?**

The full list of Article 73 goods is provided in the link above. Sectors most likely to be affected by this measure are importers of fresh produce, such as supermarkets, as well as importers of seeds for forestry or agriculture.

### **Q. Why has this measure not been introduced before?**

There is no requirement in the retained OCR for Article 73 goods to be pre-notified. Announcing a general pre-notification requirement from 1 March 2022 ensures consistency between the approach to Rest of World “RoW” and EU, Liechtenstein and Switzerland.

Currently, 1% of Article 73 goods arriving in Great Britain from RoW countries are inspected, using a bespoke process. Article 73 goods from the EU, Liechtenstein and Switzerland, will be subject to physical checks from 1 March 2022, as announced in the [Border Operating Model](#), on the [Plant Health Portal](#) and at stakeholder events. From this date we will improve the process used to select Article 73 consignments for inspection, from all third countries. From 1 March, to align with other

changes linked to the Transitional Provisions<sup>1</sup>, we will use the customs IT system to select 1% of Article 73 goods. That 1% will need to be pre-notified and will then be subject to documentary, identity and physical checks on a risk-basis.

**Q. Why are these measures proposed for GB and not to the whole of the UK?**

Under the terms of the Northern Ireland Protocol, Northern Ireland “NI” will maintain alignment with EU Sanitary and Phytosanitary-related regulations. However, Great Britain and NI administrations will continue to work closely together on plant health issues and NI will continue to play a full and comprehensive role in technical and policy decisions affecting the UK as a whole.

**Q. What fees apply for pre-notification?**

There are no fees associated with pre-notification of goods on PEACH/IPAFFS.

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<sup>1</sup> Provisions put in place at the end of the Transition Period to introduce import controls on goods from the EU, Liechtenstein and Switzerland in a phased manner, to support international trade and to avoid border disruption. This phased approach will end on 1<sup>st</sup> March 2022.