

## EXTERNAL PLANT AND FORESTRY Q&A

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<https://www.gov.uk/guidance/importing-and-exporting-plants-and-plant-products-from-1-january-2021>

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## PLANTS AND PLANT PRODUCTS:

### GENERAL PLANT HEALTH

#### **Will you introduce plant quarantine as set out in the Tree Health Resilience Strategy?**

Later this year we will be launching a formal consultation on quarantine measures for high risk hosts and commodities post-entry. Quarantine is currently used by some horticultural businesses as part of strong biosecurity measures against some high-risk tree species. We have recently completed an informal phase of stakeholder engagement on this issue and are now conducting research to help shape the formal consultation. The research aims to increase the evidence base for the volume and

type of plants which enter the UK and identify what specific pest/host combinations pose the highest risk and may be suitable for quarantine measures.

**Why are we importing the majority of our plant products? Is this not an opportunity for domestic growers and nurseries to grow more UK plants and trees?**

The UK has a strong plant sector, producing goods for domestic consumption as well as for export across the world. We want to take opportunities after the Transition Period to support UK businesses, including domestic growers and nurseries, whilst improving UK biosecurity and ensuring that UK consumers continue to enjoy access to a wide range of products as currently.

**Will there be less robust protection against pests and diseases?**

Our plant health biosecurity arrangements will protect the environment from pests and diseases, and we will continue to protect the nation's plant health biosecurity after the end of the Transition Period. Our work to prepare for the end of the Transition Period will ensure that biosecurity standards will continue to be met and strengthened in ways that support trade and the smooth flow of goods while minimising new burdens on businesses.

**What preparations have been made to ensure that plant health services are ready for the end of the Transition Period?**

Our priorities for the end of the Transition Period are to maintain UK biosecurity; to keep trade as frictionless as possible; and to minimise new burdens on businesses. At the end of the Transition Period, services will be in place to deliver the required checks on exports to the EU, and to manage changes to requirements on EU imports.

**Currently, there are no border controls on EU plants and plant products – but what about all the inspectors that you have recently hired and trained?**

At the end of the Transition Period, GB will be treated as a third country by the EU, and vice-versa. This means there will be an increased requirement to conduct plant health inspections of goods imported from the EU to GB, and inspect and issue phytosanitary certificates for exports of goods to the EU. We want to ensure that businesses can continue to trade with the EU, and we have taken steps to increase the number of plant health inspectors in order to support this.

**PLANT EXPORT PROCESS AT THE END OF THE TRANSITION PERIOD**

**How can I continue to export plants and plant products to the EU after the end of the Transition Period?**

The UK will become a third country and will need to meet EU third country import requirements to export regulated plants and plant products to the EU from 1 January 2021.

For exports to the EU, third-country rules will apply on:

- all plants for planting;
- root and tubercle vegetables;
- most fruits;
- cut flowers;
- some seeds;
- leafy vegetables;
- wood packaging material; and

- used agricultural machinery

The process for sending regulated plants and plant products to the EU will be the same as the current process for sending them to third countries. When you export regulated plants and plant products to third countries, you need to:

- check whether a phytosanitary certificate (PC) is required by contacting the plant health authority in GB or a plant health inspector in the destination country;
- apply for a PC from the relevant GB plant health authority before export;
- check if your plants require laboratory testing of samples to ensure they are free from pests and diseases or inspections during the growing season - contact your local plant health inspector to find out if your plants need these tests before applying for a PC.

These services are subject to fees and charges.

Regulated plant and plant products exports to the EU from GB may be subject to checks at the EU border.

### **What do I need to do to meet EU import requirements for goods I export at the end of the transition period?**

If you want to export a commodity that is subject to EU third country controls at the end of the transition period, you will need to follow the current process used by businesses wishing to export controlled commodities to third countries (countries outside the European Union).

You will need to ensure that the commodity meets the EU's plant health import requirements. The EU's requirements are broadly the same as the UK's current import controls on plants and plant products from third countries. You can find out what requirements apply to particular commodities by visiting [gov.uk](https://www.gov.uk).

You will need to provide a phytosanitary certificate (PC) to accompany your consignment. In order to obtain a phytosanitary certificate, the operator will need to apply to the relevant plant health authority: the Animal and Plant Health Agency in England and Wales; the Scottish Government in Scotland; and for wood, wood products and bark only, the Forestry Commission in England, Wales and Scotland.

The plant health services will check that the consignment meets the EU's import requirements. Prior to export some commodities require laboratory testing of samples to ensure freedom from pests and diseases, while others may also require an inspection during the growing season in order to meet the EU's third country requirements. Once they are satisfied that the commodity meets the EU's requirements, they will issue a PC. You will need to pay a fee to the plant health authority for this service.

Your consignment may be subject to checks at the EU border.

### **What are the requirements for exports to Northern Ireland?**

All plants and plant products moved from Great Britain to Northern Ireland will need to:

- be pre-notified by the NI importer via the relevant IT systems in advance of arrival;
- enter Northern Ireland via an appropriate point of entry; and
- be accompanied by a phytosanitary certificate (PC).

The GB operator intending to move regulated plants and plant products to NI, will need to secure a phytosanitary certificate prior to the goods departing GB with sufficient time to allow for inspections and any testing which may be required. A phytosanitary certificate is an official document that certifies that the material has been inspected, is considered free from quarantine and other pests, and that it conforms to the plant health requirements of the place of destination.

In order to obtain a phytosanitary certificate, the operator will need to apply to the relevant plant health authority: the Animal and Plant Health Agency in England and Wales; the Scottish Government in Scotland; and for wood, wood products and bark only, the Forestry Commission in England, Wales and Scotland.

Physical inspections for the sake of securing a phytosanitary certificate can take place inland, prior to movement to NI.

Fruit and vegetables that have been processed, such as packaged salad, may not be subject to plant health control depending on the degree of processing. A selection of fruits (pineapple, coconut, durian, bananas and dates) are already exempt from specific phytosanitary controls, and do not therefore need to be accompanied by a phytosanitary certificate. These products will continue to not be subject to any phytosanitary requirements.

Further guidance can be found [here](#).

For movements of regulated plants and plant products, the GB operator will need to have registered with the appropriate plant health authority in GB to obtain a phytosanitary certificate through the relevant IT systems.

#### **Will there be checks between GB and NI?**

There will be some practical or administrative changes for traders in Northern Ireland. We want to work with NI businesses and the Executive to ensure new admin procedures are streamlined and do not affect the flow of trade.

#### **I need a growing season inspection to meet EU third country import requirements at the end of the transition period, but it is already too late. What can I do to facilitate the export on from January 2021?**

You should contact your local plant health inspector, who will be able to advise you further. You may already have met EU requirements through regular plant passport inspections that were carried out on plants during their active growth.

#### **Will we still have plant passporting?**

Plant passporting will no longer apply to movements to and from the EU, if a commodity is subject to EU third country controls at the end of the Transition Period, you will need to follow the current process used by businesses wishing to export controlled commodities to third countries (countries outside the European Union). Businesses importing plants and plant products from the EU that are currently managed under the EU plant passport regime together with certain other high-risk goods, will need to ensure that the goods enter the UK with a phytosanitary certificate from January 2021. From April 2021, this requirement will extend to all regulated plants and plant products. A UK plant passporting system will still apply to the movement of plants and plant products which are currently passported for movement in GB. Further guidance can be found [here](#).

**Does the Government have sufficient resources in place to ensure that the relevant plant health authorities will be able to issue in a timely and efficient manner the necessary Phytosanitary Certificates for exports of controlled plant goods from GB, including exports to the EU?**

At the end of the transition period, the EU will apply third country controls on exports from the UK. This means there would be increased requirements on plant health inspectors to issue phytosanitary certificates for exports of regulated commodities to the EU.

We must make sure that our biosecurity is protected and trade is enabled; we are undertaking significant recruitment to increase the number of plant health inspectors in order to support this. Recruitment is ongoing. We are confident that we will have sufficient resources to meet demand from 1 January 2021, and ensure minimal disruption to trade.

**Will exporting to the EU cost me more?**

At the end of the transition period, businesses exporting controlled goods to the EU will need to utilise the same export services as they would for exporting to third countries. Details of requirements and fees can be found on gov.uk. This guidance refers to exporting 'outside of the EU', but will apply to exporting to the EU from the end of the transition period.

Traders should also check to see what your customers will need to pay (for example tariffs) in the countries you are exporting to, more information can be found [here](#).

**How do I obtain a phytosanitary certificate for export to the EU?**

You should contact your local plant health inspector to determine the plant health requirements for the goods that you are exporting. For regulated plants and plant products, you will need to have registered via the relevant IT system. Further information will be available shortly.

**Will I need a phytosanitary certificate if I'm travelling to the EU and I have plants in my personal baggage, car or van?**

Yes, from the 1 January 2021 a phytosanitary certificate will be required for all regulated plants and plant products entering the EU. Upon arrival your goods may be subject to checks. For further information on what goods require a phytosanitary certificate please contact your local plant health inspector.

**Can I still export potatoes to the EU?**

The EU has stated that after the UK leaves the EU, GB exports to the EU would be subject to EU import requirements, including existing prohibitions on seed and ware potatoes from third countries. This means that GB seed and ware potatoes will **not** be able to be exported to the EU. Defra has resubmitted its third country equivalence application. This means that from 1 January 2021, you will not be able to export ware and seed potatoes, or market UK certified seed potatoes or other certified propagating material (including pre-basic and basic) in the EU. Defra is aware of the implications of this for businesses and we will continue to engage with the Commission to complete an expedited approvals process in order to gain equivalence and the plant health changes as quickly as possible.

**When will GB be authorised to export seed and ware potatoes to the EU?**

Defra understands the position that businesses who export seed and other propagating material to the EU are in. The UK has requested that the EU Commission expedites the approvals process. However, it can take 1-2 years for equivalence to be granted. This will leave a gap where businesses will be unable to export seed and ware potatoes to the EU.

**What steps is the UK Government taking to guarantee that GB exports of seed and other propagating material will be accepted by the EU?**

The UK has resubmitted its third country equivalence application to include responses following requests for additional information from the European Commission.

We know from other third country applications that this approval process could take up to 2 years and while we hope as an ex-Member State the EU will be able to approve the UK more quickly, you should plan on the basis that you will not be able to export most types of seed and propagating material to EU countries. We are acutely aware of the issues this will cause the industry, so we have asked the EU to expedite the process however, it is their decision to take.

Preparations are ongoing to ensure UK Government and the industry are ready for exporting agricultural seed under OECD certification, with an accompanied ISTA certificate, so that the UK has capability to export to the EU once our application is approved.

We will continue to keep you updated of any progress on our listing.

**What will be process for returning my plants and plant products to GB if they are rejected on arrival at a BCP in the EU?**

Between 1 January – 30 June 2021, your rejected goods can re-enter GB through any point entry. You will be required to submit a pre-notification if your goods are returning to England or Wales on the relevant IT system. Pre-notification must be submitted:

- for Roll-On Roll-Off and air movements, at least 4 working hours prior to arrival
- by all other modes of transport, at least one working day prior to arrival

For rejected goods returning to Scotland go to the Science and Advice for Scottish Agriculture (SASA) site.

You must include a copy of the original phytosanitary certificate with your pre-notification. If your consignment was exported without a phytosanitary certificate please contact APHA on 0300 1000 313 before returning your goods or SASA on 0131 244 8890.

APHA will assess this information to decide the conditions of import and if the consignment needs further checks on entry to Great Britain. If further checks are required someone from APHA in England and Wales or Science and Advice for Scottish Agriculture (SASA) in Scotland will contact you.

**We export fruit salad pots to the Republic of Ireland. Each pot has several different types of fruit in it. What documents do I need to export these?**

We encourage traders to contact the plant health authority in the destination country to clarify their import requirements. Further information on exporting plant products to the EU can be found at: <https://www.gov.uk/guidance/importing-and-exporting-plants-and-plant-products-from-1-january-2021>

At the end of the transition period, the EU will apply third country controls on imports from GB. This means there would be increased requirements on plant health inspectors to issue phytosanitary certificates for exports of regulated commodities to the EU. The UK's interpretation and application of the EU's current third country controls are that phytosanitary certificates should not be required for plant products such as fruit and vegetables that have been processed and packaged to the point that they no longer pose a biosecurity risk. Composite products like nut and seed butters containing processed fruit or vegetables generally do not fall within plant health import controls or require a phytosanitary certificate

Examples of these processed products are:

- Ready to eat sandwiches containing sliced fresh/fruit vegetables such as tomato, cucumber, lettuce
- Stir fry packs with sliced up fresh vegetables that are intended for cooking in a wok or similar
- Lettuce and salad packs for consumption e.g. packs of fresh sliced up lettuce leaves, rocket leaves, mixed salad leaves
- Salad pots e.g. Chicken salads, pasta salads etc. with fresh sliced salads in
- Snack boxes containing cubes of fresh fruit and sliced grapes
- Fruit and nut mixes for snacking
- Packs of prepared vegetables containing sliced up carrot, broccoli florets, diced onions, sliced runner beans, sliced onions, potato slices etc. intended for cooking
- Coleslaw packs

Exempted food includes processed food or food products, for example prepared salads, sandwiches and stir-fry mixes.

### **Are there any plants or plant products that can't be exported?**

The EU has stated that after the transition period, GB exports to the EU will be subject to EU third country import requirements, including existing plant health prohibitions on seed potatoes and ware potatoes from third countries. This means that, on the 1<sup>st</sup> January 2021, some prohibited commodities, UK high-risk plants, seed potatoes and ware potatoes will not be able to be exported to the EU.

These prohibitions and requirements fall into **two** categories:

1. Prohibited Commodities  
Some commodities will be prohibited on plant health grounds, this includes current EU third country prohibitions and certain genera of high-risk plants covered by implementing regulation [2018/2019](#). These commodities cannot be exported to the EU unless the prohibition is lifted.
2. Seed and other propagating material requiring third country equivalence.  
Most seed and other propagating material cannot be exported to the EU until the EU has recognised the UK as equivalent. As part of the UK's post transition planning, Defra, on behalf of the UK, has re-submitted an application to the European Commission for third country equivalence for certification of seed and other propagating material. This also requests the EU to address the plant health prohibitions which would ensure exports continue as now. The European Commission have responded to our latest application requesting additional information, we are preparing a response.

Until this application is progressed and confirmed, you will not be able to export these commodities in the EU.

### **What are high-risk plants?**

High-risk plants are plants and other objects that have been assessed by the EU as presenting a pest

risk of an unacceptable level for the Union territory and whose introduction in the Union territory shall be prohibited pending a risk assessment

**Where can I find a list of high-risk plants?**

The list of high-risk plants can be found on [GOV.UK](https://www.gov.uk).

**Who decided which plants would be listed as high-risk?**

The list of high-risk plants has been developed by plant health experts at the EU Commission working groups since 2017. The UK was present in these working groups and voted in favour of the current list.

**Where can I find a list of prohibited plants?**

The list of prohibited commodities can be found in the Phytosanitary Conditions Regulation ([2019/2072](https://eur-lex.europa.eu/eli/reg/2019/2072)). Annex VI lists the prohibitions, commodities they apply to and the countries to which the prohibitions apply to.

**Do spices, rice and flour require a phytosanitary certificate for export to the EU?**

The [Border Operating Model](#) outlines the processes for moving goods between GB and the EU from 1 January 2021 onwards.

Rice for consumption should not require a phytosanitary certificate when being exported from GB to the EU post-transition period. However, rice seed and rice ‘plants for planting’ (intended to be planted, remain planted or to be replanted) are regulated for plant health purposes and will require a phytosanitary certificate. Regarding spices and flour, there are no phytosanitary controls on these goods.

**Is a single phytosanitary certificate required for each commodity I want to export?**

No, a single phytosanitary certificate can be issued for multiple product lines and indeed multiple commodities in a single consignment, provided the goods meet the import requirements of the destination country.

**If a single commodity is exported to multiple Member States in the EU, is a phytosanitary certificate required for each consignment?**

Yes, if you export material that is regulated by the EUI then a phytosanitary certificate will be required for each and every consignment that is exported.

**PLANT IMPORT Q&A**

**What plant health controls will be in place for EU material imported into GB at the end of the Transition Period?**

From January 2021, there will be the requirement for pre-notification and phytosanitary certificates for plants and plant products that pose a high risk to GB biosecurity (primarily plants for planting and small number of other plants and plant products as well as other objects) and they will also be subject to checks.

An exhaustive list of the ‘high priority’ plants and plant products which will require a phytosanitary certificate and pre-notification of import from 1 January 2021 is available at [GOV.UK](https://www.gov.uk). It includes all plants for planting; ware potatoes; some seed; some timber; and used agricultural/forestry



machinery. In addition, for solid fuel wood not otherwise regulated, pre-notification will be required but a phytosanitary certificate will not.

From April 2021, the requirement for pre-notification and phytosanitary certificates will be extended to include all regulated plants and plant products.

From July 2021, an increased number of physical checks will be carried out on plants and plant products on a risk basis.

Regulated plants and products include:

- all plants for planting;
- root and tubercle vegetables;
- some common fruits other than fruit preserves by deep freezing;
- some cut flowers;
- some seeds;
- leafy vegetables other than vegetables preserved by deep freezing;
- potatoes from some countries;
- machinery or vehicles which have been operated for agricultural or forestry purposes.

These will be subject to checks at a frequency determined according to the biosecurity risk they pose to the UK.

The level of checks will also take account of the level of checks imposed by the EU on GB goods of similar risk status.

#### **Do these changes apply to all third countries?**

GB is phasing in checks in relation to trade from the EU. Notwithstanding this phasing in of controls, any changes to GB's import requirements from the end of the transition period will apply to all third countries (including the EU).

#### **Does each consignment require a phytosanitary certificate and who will issue them?**

For EU imports from January 2021, there will be the requirement for pre-notification and phytosanitary certificates for 'high priority' plants and plant products, that is those which pose a high risk to GB biosecurity (primarily plants for planting and small number of other plants and plant products), and they will also be subject to checks.

An exhaustive list of what will require a phytosanitary certificate and pre-notification of import from 1 January 2021 can be found on [GOV.UK](https://www.gov.uk). It will include all plants for planting; ware potatoes; some seed; some timber; and used agricultural/forestry machinery. In addition, for solid fuel wood not otherwise regulated, pre-notification will be required but a phytosanitary certificate will not.

From April 2021, the requirement for pre-notification and phytosanitary certificates will be extended to include all regulated plants and plant products.

Phytosanitary certificates should be issued by the country of origin from the relevant plant health competent authority.

### **What species will need a phytosanitary certificate?**

From January 2021, there will be the requirement for pre-notification and phytosanitary certificates for 'high priority' plants and plant products, that is those which pose a high risk to GB biosecurity (primarily plants for planting and small number of other plant products), and they will also be subject to checks.

An exhaustive list of what will require a phytosanitary certificate and pre-notification of import from 1 January 2021 is available at [GOV.UK](https://www.gov.uk). It includes all plants for planting; ware potatoes; some seed; some timber; and used agricultural/forestry machinery. In addition, for solid fuel wood not otherwise regulated, pre-notification will be required but a phytosanitary certificate will not.

From April 2021, the requirement for pre-notification and phytosanitary certificates will be extended to include all regulated plants and plant products.

From July 2021, an increased number of checks (physical and ID) will be carried out on plant products.

Regulated plants and products include;

- all plants for planting;
- root and tubercle vegetables;
- some common fruits other than fruit preserves by deep freezing;
- some cut flowers;
- some seeds ;
- leafy vegetables other than vegetables preserved by deep freezing;
- potatoes from some countries;
- machinery or vehicles which have been operated for agricultural or forestry purposes.

### **Will plants and plant products from the EU need to be pre-notified?**

From April 2021, all regulated goods will require a phytosanitary certificate when entering GB and will follow the same process as for goods imported from third countries currently. A list of goods that will require pre-notification is available at [GOV.UK](https://www.gov.uk).

Any goods that require pre-notification will need to pre-notify the relevant authorities of the consignment before it reaches the border in GB. As part of the pre-notification, they will need to provide scanned copies of relevant documents, including the PC. They will then need to send the original copy of the PC to the relevant authority. In England and Wales this is APHA for plants and products, and Forestry Commission for the forestry sector.

### **What are the pre-notification requirements?**

Importers must provide at least four working hours pre-notification for consignments arriving via air freight or RoRo freight, and at least one working day notification for consignments arriving by sea freight.

### **What IT system is being used to pre-notify for imports of plants and plant products in England and Wales?**

From 1st of January 2021, the IT system used to pre-notify for imports of plants and plant products will change in England and Wales. Notifications will need to be submitted onto the relevant IT system. Further information on how to register for this system, guidance on how to use it and details of training will be released in due course. Further information will follow in respect of Scotland.

### **Is PEACH being replaced by IPAFFS for pre-notifications of plant health imports?**

The IT systems used to facilitate the pre-notification of imports of plants and plant products will be changing, moving from the current PEACH system to a new service building on IPAFFS technology. However, you should continue to use the existing system until you are directed to register and use the new service. The timing and sequencing of this migration will ensure a smooth and orderly transfer between systems, and will allow sufficient time for you to become familiar with the new service. We will be providing comprehensive training and support before during and after migration.

### **Will there be any training offered for the new service as there was with PEACH?**

Yes. Guidance on how to use the new service and training will be released in due course. Further information will follow in respect of Scotland.

### **What IT system do I need to use to apply for exports phytosanitary certificates?**

The IT systems used to apply for an export phytosanitary certificate for plants and plant products will be changing, moving from the current eDomero system to a new service. You should continue to use eDomero until you are directed to register and use the new service. The timing and sequencing of this migration will ensure a smooth and orderly transfer between systems and will allow sufficient time for you to become familiar with the new service. We will be providing comprehensive training and support before during and after migration.

### **Where can I find a list of goods that can continue to move freely into GB from the EU?**

A selection of plants and plant products (pineapple, coconut, durian, bananas and dates) are already exempt from the specific phytosanitary controls outlined for most imports. These consignments will continue to not be subject to any border requirements. There may also be some additional plants and plant products, which do not pose a risk to UK biosecurity, which will be exempt from import controls, the work to review this is on-going and will be published in due course.

### **Where can I find a list of goods that will require a PC when importing from the EU to GB?**

From January 2021, there will be the requirement for pre-notification and phytosanitary certificates for 'high priority' plants and plant products, that is those which pose a high risk to GB biosecurity (primarily plants for planting and small number of other plant products), and they will also be subject to checks.

An exhaustive list of what will require a phytosanitary certificate and pre-notification of import from 1 January 2021 is available at [GOV.UK](https://www.gov.uk). It includes all plants for planting; ware potatoes; some seed; some timber; and used agricultural/forestry machinery. In addition, for solid fuel wood not otherwise regulated, pre-notification will be required but a phytosanitary certificate will not.

From April 2021, the requirement for pre-notification and phytosanitary certificates will be extended to include all regulated plants and plant products.

From July 2021, an increased number of checks (physical and ID) will be carried out on plant products.

Regulated plants and products include;

- all plants for planting;
- root and tubercle vegetables;
- some common fruits other than fruit preserves by deep freezing;
- some cut flowers;
- some seeds ;
- leafy vegetables other than vegetables preserved by deep freezing;
- potatoes from some countries;
- machinery or vehicles which have been operated for agricultural or forestry purposes.

**Will there be plant health checks at the border on EU goods?**

From January 2021, there will be the requirement for pre-notification and phytosanitary certificates for 'high priority' plants and plant products, that is those which pose a high risk to GB biosecurity (primarily plants for planting and small number of other plants and plant products), and they will also be subject to checks primarily at place of destination.

An exhaustive list of what will require a phytosanitary certificate and pre-notification of import from 1 January 2021 is available at [GOV.UK](https://www.gov.uk). It includes all plants for planting; ware potatoes; some seed; some timber; and used agricultural/forestry machinery. In addition, for solid fuel wood not otherwise regulated, pre-notification will be required but a phytosanitary certificate will not.

From April 2021, the requirement for pre-notification and phytosanitary certificates will be extended to include all regulated plants and plant products.

From July 2021, an increased number of checks (physical and ID) will be carried out on plant products.

Regulated plants and products include;

- all plants for planting;
- root and tubercle vegetables;
- some common fruits other than fruit preserves by deep freezing;
- some cut flowers;
- some seeds ;
- leafy vegetables other than vegetables preserved by deep freezing;
- potatoes from some countries;
- machinery or vehicles which have been operated for agricultural or forestry purposes.

Checks will be carried out by Plant Health and Seed Inspectors (PHSI) from the Animal and Plant Health Agency (APHA) and the Forestry Commission (FC) in England and Wales, and SASA in Scotland. Physical inspections will take place at destination or another authorised premises. Guidance on what this entails will be available in due course.

### **What documents will I need from 1 January to be able to import into GB?**

From 1 January:

Pre-notification and phytosanitary certificates will be required for 'high priority' plant imports which will include plants of high biosecurity risk currently covered by the EU's plant passporting regime together with a limited range of plant produce not in scope of that regime. A comprehensive list of 'high priority' plants requiring pre-notification and certification from 1 January is available at [GOV.UK](https://www.gov.uk).

Further detailed guidance on import controls, including certification requirements and how to pre-notify these goods will follow.

### **What checks will be carried out when?**

From 1 January:

Documentary checks on phytosanitary certificates will take place for all 'high priority' plants and plant products that pose a high risk to UK biosecurity

Physical checks of 'high priority' plants and plant products will take place at destination or other authorised premises. These checks will be carried out by plant health services in GB

From April 2021:

Pre-notification and phytosanitary certificates will be required for all regulated plants and plant products, not just those categorised as 'high priority'.

From July 2021:

The number of physical and identity checks on plant products will increase, and these checks will move to Border Control Posts.

Further detailed guidance will follow.

### **Can I Import Potatoes?**

Ware potatoes: imports of ware potatoes to GB from the EU will be permitted in relation to plant health requirements, and the normal import requirements for regulated produce will apply.

Seed potatoes: there is no plant health prohibition on the import of seed potatoes to GB from the EU, however marketing regulations may impact your ability to import these. Further information will be provided in due course.

### **What do you mean by a "risk-based approach" to checks at the border?**

The UK intends to ensure that its SPS regime remains appropriate to address the risks it faces. The plant health services already conducts risk-based checks at the border. The checks undertaken are determined according to an assessment of the risk presented by the import of different plants and goods from different origins.

This risk assessment and risk management approach will apply to SPS goods from the EU from 1 January 2021. Therefore, 'high priority' plants and plant products will be subject to import checks to protect GB's biosecurity. Any risk-based checks will be in line with WTO/SPS principles.

For plants, Defra policy and risk management experts from all UK plant health administrations are developing a staged regime for imports from the EU:

From January 2021, 'high priority' plants and plant products, that is those which pose a high risk to GB biosecurity (e.g. plants for planting), will be subject to the requirement for a phytosanitary certificate and pre-notification;

From April 2021, the requirement for pre-notification and phytosanitary certificates will be expanded to include all regulated plants and plant products, not just those categorised as 'high priority'.

From July 2021, additional plant products will be subject to import checks at a frequency commensurate with the risk posed.

**What do physical checks actually look like of these goods? Will every good be checked, or a sample from a consignment of goods?**

Physical checks on 'high priority' plants and plant products from the EU will take place away from the border initially. The level of checks will increase for plants and plant products where there is an opportunity to better mitigate existing risks from the EU.

Plants and plant products will be physically checked by examining the contents of consignments to ensure there is no evidence of the presence of harmful plant pests and diseases. Goods subject to physical checks will not always be sampled for lab testing but may be sampled on a random basis or if non-compliance is suspected, such as for the presence of pests and diseases.

**Will importers incur any additional charges because of these new checks?**

Fees will be applied for checks on EU imports, as is the case for imports from non-EU countries now.

**What does this announcement mean for the EU Future Trade Agreement (FTA) negotiations on SPS?**

We stand by our CFTA proposal, this is not undermined by our implementation of import controls in 2021.

**Do I need to pre-notify all goods being imported from the EU?**

From January 2021, there will be the requirement for pre-notification and phytosanitary certificates for 'high priority' plants and plant products, that is those which pose a high risk to GB biosecurity (primarily plants for planting and small number of other plants and plant products), and they will also be subject to checks.

An exhaustive list of what will require a phytosanitary certificate and pre-notification of import from 1 January 2021 is available [here](#). It includes all plants for planting; ware potatoes; some seed; some timber; and used agricultural/forestry machinery. In addition, for solid fuel wood not otherwise regulated, pre-notification will be required but a phytosanitary certificate will not.

From April 2021, the requirement for pre-notification and phytosanitary certificates will be extended to include all regulated plants and plant products.

From July 2021, an increased number of checks (physical and Identity) will be carried out on plant products.

Regulated plants and products include;

- all plants for planting;
- root and tubercle vegetables;
- some common fruits other than fruit preserves by deep freezing;
- some cut flowers;
- some seeds ;
- leafy vegetables other than vegetables preserved by deep freezing;
- potatoes from some countries;
- machinery or vehicles which have been operated for agricultural or forestry purposes.

**Will there be delays to my goods at the border?**

Plants and plant products will not generally be stopped at the border, instead moving on to destination or other approved premises for physical inspection, preserving the flow of goods from EU to GB until the infrastructure is in place to perform checks at the border.

**Will I need a phytosanitary certificate if I'm arriving in GB from the EU and I have plants in my personal baggage, car or van? and if so, from when?**

From 1 January 2021, passengers arriving from the EU with plants in their personal baggage, must ensure that they are accompanied by a phytosanitary certificate if they are included in the list of high-priority plants and plant products, which can be found on GOV.UK. Your goods may be subject to checks upon arrival in GB.

**What charges are associated with importing from the EU?**

Fees will be applied for checks on EU imports, as is the case for imports from non-EU countries now.

For more information visit [gov.uk](https://www.gov.uk)

**I currently import EU goods subject to national measures. Will anything change for the way those imports work at the end of the transition period?**

Plants which are currently covered by national measures will be subject to the same arrangements at the end of the transition period as other regulated plants concerning phytosanitary certification and import notifications and inspections. The specific import requirements (in terms of pest freedom etc) for such plants will be set out in regulations to come into force at the end of the transition period.

**I currently import EU goods that require a scientific licence. Will anything change for the way those imports work at the end of the transition period?**

No. The rules and processes for importing goods that require a scientific licence are the same regardless of the origin of the commodity. There will be no change at the end of the transition period for these consignments, therefore you will need to apply for a scientific licence as per existing processes.

### **Can I still import regulated products by post from the EU?**

Regulated plants and plant products being imported by post will need to meet the same requirements as all other imports of plants and plant products.

### **What about the online trade of plants, how will we turn this into an opportunity for increased biosecurity measures?**

Online plant sales are a complicated area including mail-order via papers/magazines, internet auction sites and direct to customer trade, each sector presenting its own challenges. Online trading will continue to feature as a significant means of selling plants and will need to meet the same requirements as all other imports of plants and plant products.

## **IMPORTING FROM THIRD COUNTRIES**

### **Will there be changes to the way I import third country goods?**

From January 2021, there will be some changes to the goods that require a phytosanitary certificate, further information will be available shortly. Importers will also need to be registered with the relevant IT System. Further information will be available shortly

### **What is a place of destination?**

Until new BCPs are available in July 2021, physical inspections of 'high priority' plants and plant products will take place at destination or another authorised premises. Guidance on what this entails is available at [GOV.UK](https://www.gov.uk).

## **MOVING GOODS WITHIN THE UK**

### **When will I require a UK Plant Passport?**

The UK will continue to maintain a domestic plant passport system for internal movements. More details on this system, including on the format of the UK plant passport, has been released on the [Plant Health Portal](https://www.gov.uk/plant-health-portal).

### **What about moving plants and plant products into Protected Zones?**

For movements of relevant goods into EU Protected Zones you will need a phytosanitary certificate in future. While Protected Zones will no longer apply within GB, some areas are being designated as Pest Free Areas. Specific requirements will apply to the movement of controlled plants and plant products into and within such areas, and confirmation that such requirements have been met will need to be provided through including the relevant Pest Free Area code on the UK plant passport. For details of the materials covered by these requirements, the Pest Free Areas codes will be published in due course. These codes will be either the scientific name or the EPPO code for the relevant PFA pests, as is current practice for codes on Protected Zone plant passports.

### **How do I obtain a UK Plant Passport?**

If you are already authorised under the EU plant passport regime, you will not need to reapply.

For new businesses, the process for becoming authorised to issue plant passports and the required visits and assurance process will remain the same as they are now. Further information is available on [gov.uk](https://www.gov.uk).

### **Will there be changes to how I move my goods within the UK?**

There may be changes to the way in which plants and plant products are moved within the UK. Information regarding the Plant Passport regime from 1<sup>st</sup> January 2021 is available on the Post Transition Guidance page of the [Plant Health Portal](https://www.gov.uk/plant-health-portal).



**What about movements of controlled goods to and from the Channel Islands and Isle of Man?**

Such movements will be covered by UK plant passports, rather than phytosanitary certificates. Additional requirements may apply to move certain material to the Channel Islands and Isle of Man from the UK and you will need to check with the authorities in those territories for details.

**Will I still need to use a plant passport for movements within the UK?**

Yes, the UK intends to maintain a domestic plant passport regime, there may be changes to the way in which plants and plant products are moved within the UK.

Further information on the format of UK plant passports has been made available on the Post Transition Guidance page of the [Plant Health Portal](#).

**Will I still need to be authorised to issue plant passports?**

Yes. If you are already authorised to issue plant passports under the EU regime, you will not need to reapply. The process for becoming authorised to issue plant passports and the required visits and assurance process will remain the same post-transition period as part of requirements under the UK plant passport regime. Further information is available [here](#).

**Will the UK plant passport be a straight replacement as in all movement of plants within the UK must have a UK passport or is it only for movements within the UK that fall into the new Pest Free Areas?**

A standard UK plant passport will be needed for all movements of regulated plants and plant products within GB, not just movements in and out of PFAs. A UK PFA plant passport will be needed for commodities which are hosts of pests for which GB has PFA status, and would be required for movements within, and in and out of the PFA.

**Will we need to add a PFA code to the passport for specific quarantine pests for hosts at risk or only for the published list of PFAs?**

A PFA plant passport should only be used for commodities which are hosts of pests for which GB has PFAs, and then only for movements within, or in and out of PFAs. This is similar to the current system of 'Protected Zone' plant passports under the EU regime.

The PFA codes for the relevant pests will be the same as a PZ code now, i.e. either the EPPO code or the scientific name of the pest.

**Is the format of the UK Plant Passport to be exactly the same as the EU Plant Passport with the exception of the GB flag and GB letters?**

Information on the new format of the UK Plant Passport is available on the Post Transition Guidance page on the [Plant Health Portal](#), this includes pictured examples.

A summary of the new format is as follows:

- There will be no requirement for a flag;
- 'Plant Passport' will become 'UK Plant Passport';
- Guidance on Section A on botanical names will remain the same as currently;
- Section B will simply require the unique registration number of the operator in question, the prefix of 'GB' will no longer be required. This is because this was only needed to differentiate between plant passports issued in different EU Member States under the EU regime.
- Guidance on Section C on traceability codes will remain the same as currently;

- Guidance on Section D (Country of Origin) will change for those commodities for which we have National Measures. Those commodities will need to be in the UK for a year before a PP could be issued which lists 'GB' as Country of Origin. GB is the ISO code for the whole UK. Those commodities are:
  - Hosts of *Xylella fastidiosa*:
    - Plants, other than fruit or seeds of *Olea europaea* (olive), *Coffea* (coffee), *Polygala myrtifolia*, *Prunus dulcis* (almond)
    - Plants, other than seeds, intended for planting, of *Lavandula sp.* (lavender), *Nerium oleander*, *Rosmarinus officinalis* (rosemary).
  - Hosts of *Ceratocystis platani*:
    - For plants of *Platanus L.*, intended for planting, other than seeds.
- The UK cannot designate all or parts of the UK as an EU Protected Zone (PZ) from 1 January 2021. Therefore, we will replace PZ PPs with Pest Free Area (PFA) PPs. More details on PFAs are available on [GOV.uk](https://www.gov.uk).
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**For imported plants from the EU will they be able to travel under their EU Passport and PC or must they be repassported with a UK passport? As we import directly from some EU suppliers direct to customer how would this work?**

From January 1<sup>st</sup> 2021, the UK will no longer participate in the EU plant passport system. All imported plants from the EU will need to meet certain phytosanitary requirements. There will be the requirement for pre-notification and phytosanitary certificates for 'high priority' plants and plant products, that is those which pose a high risk to GB biosecurity (primarily plants for planting and small number of other plants and products), and they will also be subject to checks. An exhaustive list of what will require a phytosanitary certificate and pre-notification of import from 1 January 2021 is available [here](#). It includes all plants for planting; ware potatoes; some seed; some timber; and used agricultural/forestry machinery. In addition, for solid fuel wood not otherwise regulated, pre-notification will be required but a phytosanitary certificate will not.

From April 2021, the requirement for pre-notification on the relevant IT system and phytosanitary certificates will be extended to include all regulated plants and plant products.

From July 2021, an increased number of physical checks will be carried out on plant products on a risk basis. For more information, please consult the import section of this Q&A.

Plant passports should replace phytosanitary certificates at the First Place of Destination, this is current practice for goods arriving with phytosanitary certificates from 3<sup>rd</sup> countries now.

**As some labels will be directly printed on the pot with an EU passport it could be the case that a product has an EU passport printed directly on it but a UK passport attached to the box/trolley/trading unit.**

The EU plant passport will be invalid once in GB and will have been imported with a phytosanitary certificate. A valid UK plant passport will need to be provided when the consignment arrives at the first point of destination.

**What do I need to change at the end of the Transition Period to move plants and plant products within the UK?**

The process and requirements for moving plants and plant products that are currently managed under the EU plant passporting regime within the UK will broadly stay the same.

Further information regarding the UK plant passport regime from 1<sup>st</sup> January 2021 is available on the [Plant Health Portal](#).

## FEES AND CHARGES

### **Will I need to pay for export services for EU exports?**

Yes. Plant Health services operate on a basis of full cost recovery. Fees will be charged as they currently are for exports to third countries.

### **Will I be charged a fee for checks on regulated EU imports?**

Yes. Fees will be applied for checks on EU imports, as is the case for imports from non-EU countries now. More information on fees and charges can be found at [GOV.UK](#).

### **Will I be charged a fee for inland checks on third country imports?**

Yes. Fees will be applied for checks on EU imports, as is the case for imports from non-EU countries now. More information on fees and charges can be found at [GOV.UK](#).

## EU PROTECTED ZONES

### **Will we still have EU Protected Zones at the end of the Transition Period?**

No. We will lose the ability to designate EU Protected Zones. We will replace the biosecurity protections provided by EU Protected Zones by designating quarantine pests or Pest Free Areas (PFAs) in accordance with international standards.

There are unlikely to be any major changes to import and movement requirements as a result of this change. Further information and Pest Free Areas will be made available in due course.

### **What is the difference between a Protected Zone and a Pest Free Area?**

Both EU Protected Zones and Pest Free Areas allow countries to restrict movements of plants and plant products which may carry plant pests and diseases, where the whole country or an area within the country are free from those pests or diseases.

Protected Zones allow Member States to place controls on intra-EU movements in order to avoid the introduction or spread of pests which are present elsewhere in the EU. Pest Free Areas are declared under recognised international standards and can be applied to both internal and international movements.

### **What do I need to change if I am moving goods into a Pest Free Area as opposed to a Protected Zone?**

There are unlikely to be any major changes to import and movement requirements as a result of this change. Further information about controlled commodities and Pest Free Areas will be made available in due course.

Areas are declared under recognised international standards and can be applied to international movements.

## NORTHERN IRELAND AND DEVOLVED ADMINISTRATIONS

### **Is the post transition period approach the same across all the devolved administrations?**

Great Britain (and to some extent the UK) functions as a single epidemiological unit for plant health purposes. Within this context, plant health is an area of devolved competency; the Government has committed to preserve the existing decision making powers of the devolved administrations. We have established a UK devolution working group for plant health. This working group enables us to

discuss end of transition planning with the Devolved Administrations, including establishing where a framework for biosecurity policy might be needed when we leave the EU.

## FORESTY, WOOD, AND TIMBER (INCL WPM)

### FORESTRY AND WOODLANDS GENERAL

#### **Will the current EU legislation/regulation still be in place after the end of the transition period?**

Felling licence regulations are covered under the Forestry Act 1967 which is domestic legislation and will not be affected by exit from the EU

#### **Do I still need to apply for a felling licence at the end of the transition period?**

Yes, felling licence regulations are covered under the Forestry Act 1967 which is domestic legislation and will not be affected by the end of the transition period.

#### **Will the FC's commitment to woodland wildlife and conservation change at the end of the transition period?**

No, existing UK environmental law and commitments will continue unchanged. The Forestry Commission remains committed to the government's objectives to protect, improve and expand England's woodlands.

#### **Will there be less robust protection against pests and diseases?**

There is no change to the biosecurity threat as a consequence of the end of the transition period. We are working hard to ensure we have a robust regime in place which protects biosecurity while maintaining the flow of trade.

#### **What about Wood Packaging Materials (WPM)?**

Our biosecurity arrangements will continue to cover WPM at the end of the transition period.

At the end of the transition period, all WPM moving from GB to the EU and from the EU to GB must meet ISPM15 international standards by undergoing heat treatment and marking.

As there will be no immediate change to the WPM biosecurity threat as a result of the UK leaving the EU, the UK will continue to take a risk-based approach to checks on WPM as we do now, and will not routinely conduct checks at the border.

#### **Will we still have EU Protected Zones at the end of the transition period?**

No. We will lose the ability to designate EU Protected Zones. We will replace the biosecurity protections provided by EU Protected Zones by designating quarantine pests or Pest Free Areas (PFAs) in accordance with international standards.

There are unlikely to be any major changes to import and movement requirements as a result of this change. Further information about controlled commodities and Pest Free Areas will be made available in due course.

#### **What preparations have been made to ensure that plant health services are ready for the end of the transition period?**

Our priorities for the end of the transition period are to maintain UK biosecurity; to keep trade as frictionless as possible; and to minimise new burdens on businesses.

At the end of the transition period, the right services will be in place to deliver the required checks on exports to the EU, and to manage changes to requirements on EU imports. More information is available on [GOV.UK](https://www.gov.uk).

## FORESTRY INCENTIVES

### **Will I lose my current grant at the end of the transition period?**

No. The Government has confirmed that existing Rural Development Programme England (RDPE) grants, Countryside Stewardship and legacy grants (e.g. EWGS) will be honoured for the duration of agreements.

Your payments and all terms of your agreement will continue unchanged. The Forestry Commission will continue to administer legacy grants.

### **Can I still apply for woodland management, tree health and woodland creation, grants after the end of the transition period?**

Yes. The Government has confirmed that basic payments and Countryside Stewardship in its current form will continue to be offered to 2020, any EU funded contracts entered into by the end of December 2020 will be. This applies to Countryside Stewardship woodland grant support.

### **What grant support will be available for woodlands from the end of the Transition Period?**

The government have communicated that Countryside Stewardship (CS) will remain until the future environmental land management (ELM) scheme is fully up and running by 2025 with final agreements for CS offered in 2024. From 2021 this may be a simplified CS offer, and some customers may be able to enter into ELM contracts as it is piloted from 2021. [A more detailed timeline can be found on Gov.uk, [here](#)]

The [Woodland Carbon Fund](#), [HS2 Woodland Fund](#) and [Woodland Creation Planning Grant](#) are not EU funded and therefore remain unaffected (in terms of lifespan and scheme offer).

### **Why should I apply for CS now rather than wait until it's further simplified or the much better ELM comes along?**

The government has [given assurances](#)\* that no one entering a CS agreement will be unfairly disadvantaged when transitioning to new arrangements.

The government have communicated that Countryside Stewardship (CS) will remain until the future environmental land management (ELM) scheme is fully up and running by 2025 with final agreements for CS offered in 2024. From 2021 this may be a simplified CS offer, and some customers may be able to enter into ELM contracts as it is piloted from 2021. [A more detailed timeline can be found on Gov.uk [here](#)]

*\*See the section entitled 'managing change' in the speech by Michael Gove at the Oxford Farming Conference on 4 January 2018: <https://www.gov.uk/government/speeches/farming-for-the-next-generation>*

### **If I enter into a new CS agreement now, will that stop me taking part in ELM?**

Tests and trials for ELM are underway. It is planned that the new arrangements will come fully on stream at the end of 2024/start of 2025, following 3 years of being piloted nationally. Getting into a CS agreement now provides a viable, long term source of income for delivering environmental benefits for the lifetime of the agreement or until you enter into an ELM agreement.

As Defra develops the new ELM system and evolves the CS offer they will work to ensure a smooth transition from CS to ELM. Defra have said that no one in a CS agreement will be unfairly disadvantaged when we transition to new arrangements under ELM.

### **Can I terminate a CS agreement early if ELM is piloted in my area for 2024?**

The national pilot of ELM is planned to start in late 2021 and run for 3 years. Initially it will involve limited numbers of farmers and land managers in the national pilot, growing to 15,000 by the end of the 3<sup>rd</sup> year of the pilot. Defra will confirm eligibility in due course so that it is clear what options are available. Defra need to make sure the new system is working well before we make it generally available.

## **FORESTRY AND TIMBER TRADE**

### **Will there be new plant health controls on imports and exports to the EU at the end of the transition period?**

Yes.

The UK will become a third country to the EU. The EU's current third country controls are the same as the UK's third country controls. Exporters can therefore find out what controls might apply to plants and plant products moving to the EU, and what they need to do to meet third country requirements, by visiting the plant health information on [GOV.UK](https://www.gov.uk).

There will also be changes to imports. From January 2021, there will be the requirement for pre-notification and phytosanitary certificates for plants and plant products that pose a high risk to GB biosecurity (primarily plants for planting and small number of other plant products) and they will also be subject to checks.

An exhaustive list of what will require a phytosanitary certificate and pre-notification of import from 1 January 2021 is available [here](#). It includes all plants for planting; some seed; some timber; and used forestry machinery. In addition, for solid fuel wood not otherwise regulated, pre-notification will be required but a phytosanitary certificate will not.

From April 2021, the requirement for pre-notification and phytosanitary certificates will be extended to include all regulated plants and plant products.

From July 2021, an increased number of checks (physical and ID) will be carried out on plant products.

Regulated plants and products include;

- all plants for planting;
- conifer wood with bark and isolated conifer bark
- some seeds ;
- machinery or vehicles which have been operated for forestry purposes.

These will be subject to checks at a frequency determined according to the risk they pose.

The level of checks will also take into account the level of checks imposed by the EU on GB goods of similar risk status

Specific queries should be emailed to: [plant.health@forestrycommission.gov.uk](mailto:plant.health@forestrycommission.gov.uk)

### **Will there be Day 1 trade tariffs that could impact my forestry business?**

At the end of the transition period there will be immediate changes to the procedures that apply to businesses trading with the EU. Negotiations with the EU are on-going and a trade agreement may be reached,

If an acceptable trade agreement cannot be reached, free circulation of goods between the UK and EU would cease.

Businesses importing and exporting goods from the EU will be required to follow customs procedures in the same way that they currently do when importing goods from a country outside the EU, including the potential payment of duty.

Trade with the EU will be on non-preferential, World Trade Organisation (WTO) terms. This means that Most Favoured Nation (MFN) tariffs and non-preferential rules of origin would apply to consignments between the UK and the EU.

### **Will the end of the transition period relax the rules governing timber imports which aim to prevent illegal logging and global deforestation?**

- No. The Government's 25 Year Environment Plan, published last year, sets out our ambition to support and protect the world's forests, support sustainable agriculture and work towards zero-deforestation supply chains.
- The UK was instrumental in the EU's adoption of the EU Forest Law Enforcement Governance and Trade (FLEGT) Action Plan, which aims to improve forest governance, reduce illegal logging and encourage trade in legally sourced timber. This consists of two regulations:
- The EU Timber Regulation (EUTR), a demand side measure which prohibits the placing on the UK market of illegally harvested timber. Businesses must exercise due diligence on timber imports to demonstrate legality of harvest when products are placed on the UK market for the first time.
- The FLEGT Regulation, a supply side measure to improve the supply of legal timber. Once a timber producing country has agreed a Voluntary Partnership Agreement (VPA) with the EU and has subsequently met sufficient standards, they can issue FLEGT licences to verify legality of timber harvest.
- The UK Government will maintain its commitment to tackling the trade in illegal timber after we leave the European Union. The Timber Regulations and FLEGT will become retained EU law within the UK at the end of the transition period.

### **Do the Timber Regulations apply to all timber and timber products?**

- No – you can find more information about the scope of these regulations [here](#): or contact [OPSS.enquiries@beis.gov.uk](mailto:OPSS.enquiries@beis.gov.uk)

Exempt products include:

- Recycled timber: timber that has completed its lifecycle and would otherwise be disposed of as waste e.g. timber from buildings that are demolished;

- Packaging which is used exclusively as packing material to support, protect or carry another product placed on the market or is specially shaped or fitted to contain a specific article or set of articles for which they are intended.

#### **How can I keep up to date with changes as they happen?**

- You can sign up to the Office for Product Safety and Standards (OPSS) newsletter via email [here](#).
- You can sign up for updates on gov.uk: <https://www.gov.uk/guidance/importing-and-exporting-plants-and-plant-products-from-1-january-2021>

#### **Will UK businesses still be able to import FLEGT licenced timber at the end of the transition period?**

- Yes, FLEGT will become retained EU law within the UK if we leave the EU without a deal. Currently, the only country with an operationally approved FLEGT Voluntary Partnership Agreement (VPA) is Indonesia. The UK has replicated this agreement bilaterally with Indonesia to ensure that we can continue to accept their FLEGT licenced timber. The UK will continue to replicate VPAs with other producer countries as they develop robust FLEGT licensing systems.

#### **Why do we only import FLEGT licenced timber from Indonesia?**

- In 2016 Indonesia became the first country capable of issuing FLEGT licences, which verify the legality of timber harvest. Many countries are working towards being able to issue FLEGT licences, but to date no other country is able to issue these licences. The UK will continue to replicate Voluntary Partnership Agreements (VPA) which enable FLEGT licencing with other producer countries as appropriate as they develop robust FLEGT licensing systems.

#### **Will there be delays for forestry material and timber at the border?**

- No – the Timber Regulations do not require checks of imported timber or timber products at the border. Compliance checks are conducted retrospectively, predominantly at the business premises.
- While there are checks of FLEGT licenced timber shipments, the level of checks conducted will remain as they have been since November 2016 when FLEGT licences were first issued.

#### **I import timber and timber products from the EU – how will this affect me?**

- ‘Operators’ (those who place timber on the UK market for the first time), are required to conduct due diligence checks to ensure the timber was legally harvested.
- UK operators importing timber from the EU or EEA will become subject to the due diligence requirement for the first time after the end of the transition period as we move from an EU



to a UK market place; there is already a pre-existing due diligence requirement on timber imported from 3rd countries.

Due diligence consists of:

- gathering information on the timber - its species, quantity, supplier, country of harvest and how it complies with relevant laws;
- assessing the risk of illegally harvested timber entering the supply chain;
- mitigating any identified risk.

Where the supply chain is complex, further information and actions may be required. Further guidance relating to the requirements of the Timber Regulations and due diligence can be found [here](#). Or contact [OPSS.enquiries@beis.gov.uk](mailto:OPSS.enquiries@beis.gov.uk)

**The timber and timber products I import into the UK are covered by a CITES import permit – do I still need to carry out the due diligence requirement of the Timber Regulations?**

- CITES listed timber and timber products which are imported to the UK and covered by a valid CITES import permit are considered legally harvested for the purposes of the UK Timber Regulations; this means operators do not have to conduct due diligence.

**The timber and timber products I import into the UK are covered by a FLEGT licence from Indonesia – do I still need to carry out the due diligence requirement of the Timber Regulations?**

- If the timber or timber product is imported directly to the UK from Indonesia and is covered by a valid FLEGT licence from Indonesia, which is verified before the goods are released from Customs, it is considered to be legally harvested for the purposes of the UK Timber Regulations and operators do not have to conduct due diligence on it. If, however, it goes through a third country (including the EU/EEA) and then is placed on the UK market, the operator will need to undertake the due diligence requirement.

**I buy timber and timber products from other businesses within the UK – how will this affect me?**

- Businesses who buy/sell timber that has already been placed on the UK market are referred to as 'traders' in the Timber Regulations.
- Traders are already subject to the requirement to keep supply chain records for timber transactions within the UK. Further guidance relating to the requirements of the Timber Regulation on traders can be found [here](#).

**I export timber and timber products to the EU or EEA – how will this affect me?**

- UK based businesses that export timber products to the EU and EEA will need to supply additional information to the EU/EEA operators (those who place timber on the EU/EEA market for the first time) to enable them to comply with the EU Timber Regulations.
- Due diligence systems will vary business by business and you should check what the EU operator requires. The following list provides examples of the type of information which may be required:

- unique identification, trade name or description of the product;
- scientific and common name for the species of timber;
- country of harvest and where applicable subnational region and concession of harvest;
- volume of timber or timber products;
- name and address of the organisation that supplied the timber;
- documents or other information indicating compliance of the company's timber with the applicable legislation in the country, sub national region and/or concession of harvest.

### **Can I use UK based monitoring organisations?**

- The UK will still recognise monitoring organisations based in the UK. These are independent bodies which carry out due diligence on timber. They'll still support UK timber standards.
- The UK will not automatically recognise EU or EEA monitoring organisations if there's no deal.

You can find a list of UK monitoring organisations [here](#)

### **I import and/or export timber and timber products around the world (but not in the EU/EEA) – how will Brexit affect me?**

- The Timber Regulations and FLEGT will continue to have the same requirements and operate in the same way as they did prior to Brexit. Further guidance relating to the requirements of the Timber Regulation and FLEGT can be found [here](#). Or contact [OPSS.enquiries@beis.gov.uk](mailto:OPSS.enquiries@beis.gov.uk)

### **If I import or export timber and timber products are there any other changes I need to be aware of?**

- Businesses should also make themselves familiar with any separate requirements relating to [plant health legislation](#), which may also apply.

### **Most of the timber sector is made up of small and medium sized enterprises. How will you support SMEs which trade in timber and timber products across the EU with the associated costs of implementing the UK Timber Regulations?**

- We want to make sure SMEs are supported in being compliant with the UK Timber Regulations. The Office for Product Safety and Standards (OPSS) already enforces the timber regulations in the UK, checking that appropriate records are maintained by traders and operators and ensuring that the due diligence systems of operators are fit for purpose.

- This will continue to be the case when we leave the EU. OPSS will support and advise businesses on their due diligence systems and how to ensure costs are minimised.
- Businesses importing goods using a FLEGT licence will experience no change.

Where can I get further information?

- Further guidance relating to the requirements of the Timber Regulation and FLEGT can be found [here](#). Or contact [OPSS.enquiries@beis.gov.uk](mailto:OPSS.enquiries@beis.gov.uk)

## Where can I get further information?

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- You can sign up for updates on gov.uk: <https://www.gov.uk/guidance/importing-and-exporting-plants-and-plant-products-from-1-january-2021>

## WOOD PACKAGING MATERIALS

### What is ISPM15?

International Standard for Phytosanitary Measures 15 (ISPM 15) sets out measures required to reduce the risk of the introduction and spread of pests associated with wood packaging material (WPM). For the UK, this requires all WPM moving between the UK and third countries to be treated and marked.

At the end of the transition period, all WPM moving from the GB to the EU and from the EU to the GB must meet ISPM15 international standards by undergoing heat treatment and marking. As there will be no immediate change to the WPM biosecurity threat as a result of the UK leaving the EU, the UK will continue to take a risk-based approach to checks on WPM as we do now.

### How do I ensure my WPM is compliant?

Contact your supplier or TIMCON if you need more advice about the steps you can take to prepare the end of the transition period.

### Will there be new checks on WPM moving into the UK?

As there will be no immediate change to the WPM biosecurity threat as a result of the end of the transition period, the UK will continue to take a risk-based approach to checks on WPM as we do now, and will not routinely conduct checks at the border on EU WPM.

### Will there be new checks on WPM moving to the EU?

We continue to work with the Commission and will liaise, as appropriate, with other Member States to ensure we all remain focussed on achieving our aims of protecting biosecurity and minimising impacts on trade and the environment. We cannot predict any changes to checks happening outside of the UK but we hope the EU will reflect our pragmatic approach to WPM checks.

### What happens if my WPM is not compliant?

There will be no change to the way that we treat WPM checks when we leave the EU. WPM which is low phytosanitary risk won't be checked for compliance and checks on higher risk WPM will be risk based as currently. Where high-risk material is detected it should be removed from use and destroyed in a way that eliminates any phytosanitary risk. Our inspectors will serve statutory plant health notices on those responsible for the non-compliant WPM and these notices will specify the remedial action.

### Will there be new controls on imports from the EU?

Yes, from January 2021, there will be the requirement for pre-notification and phytosanitary certificates for plants and plant products that pose a high risk to GB biosecurity (primarily plants for planting and small number of other plant products) and they will also be subject to checks.

An exhaustive list of what will require a phytosanitary certificate and pre-notification of import from 1 January 2021 is available [here](#). It includes all plants for planting; ware potatoes; some seed; some timber; and used agricultural/forestry machinery. In addition, for solid fuel wood not otherwise regulated, pre-notification will be required but a phytosanitary certificate will not.

From April 2021, the requirement for pre-notification and phytosanitary certificates will be extended to include all regulated plants and plant products.

From July 2021, an increased number of checks (physical and ID) will be carried out on plant products.

Regulated plants and products include;

- all plants for planting;
- root and tubercle vegetables;
- some common fruits other than fruit preserves by deep freezing;
- some cut flowers;
- some seeds ;
- leafy vegetables other than vegetables preserved by deep freezing;
- potatoes from some countries;
- machinery or vehicles which have been operated for agricultural or forestry purposes.

These will be subject to checks at a frequency determined according to the risk they pose.

The level of checks will also take into account the level of checks imposed by the EU on GB goods of similar risk status

**How will we be carrying out physical inspections at the border between GB and the EU? Is it not crucial to intensify our biosecurity at borders, especially seeing as we may not be as involved with the sharing of information on pathogens once we leave the EU.**

Our plant health biosecurity arrangements protect the environment from pests and diseases and we will continue to protect the nation's plant health biosecurity during and after the end of the transition period. Physical inspections on high risk goods will take place between January and July 2021. The frequency of physical inspections will then expand to all regulated goods.

**What do I need to do to meet the new requirements for regulated EU imports at the end of the transition period?**

From January 2021, there will be the requirement for pre-notification and phytosanitary certificates for plants and plant products that pose a high risk to GB biosecurity (primarily plants for planting and small number of other plant products) and they will also be subject to checks.

An exhaustive list of what will require a phytosanitary certificate and pre-notification of import from 1 January 2021 is available [here](#). It includes all plants for planting; ware potatoes; some seed; some timber; and used agricultural/forestry machinery. In addition, for solid fuel wood not otherwise regulated, pre-notification will be required but a phytosanitary certificate will not.

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- machinery or vehicles which have been operated for agricultural or forestry purposes.

These will be subject to checks at a frequency determined according to the risk they pose.

The level of checks will also take into account the level of checks imposed by the EU on GB goods of similar risk status

#### **Where can I find out what the import requirements for EU goods will be?**

We have set out our plans the end of the transition period in guidance published on [GOV.UK](https://www.gov.uk). This page is regularly updated and you can sign up for email alerts to get the latest information.

#### **I have never imported from a third country before. Do I need to register with a plant health authority?**

Yes. You will need to register with the relevant plant health authority in England, Wales, Scotland or Northern Ireland. Details of how to register can be found on [gov.uk](https://www.gov.uk).

#### **I have never imported from a third country before. Do I need to register on a plant health system so that I can pre-notify my consignment?**

Yes. You will need to register with the relevant plant health authority in England, Wales, Scotland or Northern Ireland. For wood and bark, you will need to register with the Forestry Commission.

#### **Industry is not set up to carry out ISPM15 marking on all wood packaging material. How will you address this?**

It is essential that we are able to maintain protection against plant pests and diseases while ensuring as frictionless trade as possible at the border. At the end of the transition period, the biosecurity threat doesn't change so we will continue to take a risk-based approach to checks on WPM as we do now. We (Defra and The Forestry Commission) are working closely with industry to identify the options to ensure movements of WPM which are vital for trade continue uninterrupted after the end of the transition period.

#### **Will we still have plant passporting?**

Businesses importing plants and plant products from the EU that are currently managed under the EU plant passport regime will need to ensure that the goods enter the UK with a phytosanitary certificate. UK plant passporting will still apply to the movement of plants and plant products which are currently passported for internal movement. (Plant passporting will no longer apply to exports to the EU, if a commodity is subject to EU third country controls at the end of the transition period, you will need to follow the current process used by businesses wishing to export controlled commodities to third countries (countries outside the European Union)).

**Will plant based packaging be affected?**

Due to the highly processed nature of these plant-based packaging products, there is no risk of spread of pests and disease, therefore there will be no plant health restrictions on the movement of these products.

After the end of the transition period, all wood packaging material (WPM) moving between GB and the EU must meet ISPM15 international standards and be marked.

WPM includes pallets, crates, boxes, cable drums, spools and dunnage and may be subject to official checks either upon, or after entry to the EU.

More information on importing and exporting wood based packaging can be found at:

<https://www.gov.uk/wood-packaging-import-export>