



Department for Environment Food & Rural Affairs

Dear Stakeholder,

Leaving the EU with a deal remains the UK Government's top priority. This has not changed. However, a responsible government must plan for every eventuality, including a no deal scenario. The Government is continuing with our no deal preparations to ensure the country is prepared for every eventuality. It is the responsible thing to do.

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 our exit from the EU. Our work to prepare for EU Exit will ensure that biosecurity standards will continue to be met in ways that support trade and the smooth flow of goods.

Importing into and marketing in the UK

The majority of plants and plant products (including fruit, vegetables and cut flowers) **imported** from the EU will continue to enter the UK freely, as currently, in a no deal scenario. Any plants and plant products currently managed under the EU plant passport scheme will be subject to UK import controls and need to enter the UK with a phytosanitary certificate (PC). This replaces the EU plant passport's assurance and traceability, and maintains biosecurity.

Importers of EU plants and plant products will need to pre-notify the relevant authorities of the consignment before it reaches the UK border. As part of the pre-notification, they will need to provide scanned copies of relevant documents, including the PC. They then need to send the original copy of the PC to the relevant authority. This is the same process as for goods imported from third countries currently.

Consignments of EU plants and plant products will not be stopped at the border, preserving the flow of goods from the EU to the UK. The relevant plant health authority (APHA in England and Wales) will carry out a documentary and identity check remotely in order to provide assurance that import requirements have been met. These checks will be charged for by the relevant plant health authority.

You will still be able to import and market EU certified material of seed and other propagating material in the UK, of varieties listed on the EU Common Catalogue, for a period of 2 years after leaving the EU. For seed potatoes, varieties on the EU Common Catalogue can be marketed for a one year period after leaving the EU, as set out in the table below. The specific arrangements vary depending on the crop group, so please use the table below to determine what the requirements are for each group.

During a two-year interim period, UK businesses can continue to use official EU labels in order to onward market certified material coming from the EU and producers of UK certified material can continue to market material in the UK using official EU labels in order to use up any pre-printed stocks.

Crop Group	Marketing Requirements
Agricultural seed (except seed potatoes)	The UK will accept EU certified seed for a two-year interim period of varieties on the EU's Common Catalogue.
Seed potatoes	<p>England, Wales and Northern Ireland will accept EU certified seed potatoes for a one-year interim period of varieties on the EU's Common Catalogue.</p> <p>Scotland will continue to operate its voluntary arrangement with industry on sourcing seed potatoes locally to maintain Scotland's higher phytosanitary status.</p>

Vegetable seed and propagating material	The UK will accept varieties on the EU Common Catalogue for a two-year interim period.
Fruit propagating material and planting material	<p>The UK will continue to recognise EU-certified and Conformitas Agraria Communitatis (CAC) material for a two-year interim period.</p> <p>Varieties accepted for marketing in the EU will continue to be marketable in the UK.</p>
Ornamental species	You can continue to market EU material in the UK, including after the two-year interim period.
Forest Reproductive Material (FRM)	The Forestry Commission will treat basic material registered as FRM in EU member States as equivalent to basic material registered in the UK

Please also check whether any of these species managed under the plant passport scheme will require a phytosanitary certificate and pre-notification for entry into the UK.

Exporting to and marketing in the EU

In the event of no deal, **the UK will need to meet EU plant health import requirements and gain 3rd country equivalence to export controlled plants and plant products to the EU.**

As part of the UK's no deal planning, Defra, on behalf of the UK, submitted an application to the European Commission for third country equivalence for certification of seed and other propagating material and to address related plant health issues concerned with existing prohibitions on seed and ware potatoes from third countries. This would ensure exports continue as now.

However, the European Commission has informed the UK Government that they will not consider this application before the ongoing withdrawal negotiations have been completed. This means that in the event of no deal, **you will not be able to market UK certified seed or other certified propagating material (including pre-basic and basic) in the EU.** Defra is aware of the implications of this for businesses and will resubmit the UK's application as a top priority following completion of negotiations.

The UK's application to the European Commission covers agricultural species, forest reproductive material and plant health requirements for seed potatoes. It excludes certification requirements for seed potatoes and fruit propagating material, because the EU recently extended the facility for individual member States to make their own decisions to recognise the equivalence of a third country's certification requirements. Defra will be approaching individual member States to discuss bilateral agreements, although the necessary plant health changes, included in the UK's wider application to the EU (discussed above), will also need to be agreed to allow movement of seed potatoes into the EU.

It will still be possible to market standard vegetable seed and ornamental species in the EU, but please also check whether the species will need a phytosanitary certificate for export to the EU. Please use the table below to determine what the EU marketing requirements are:

Crop group	Marketing Requirements
Vegetable Standard Seed	<ul style="list-style-type: none"><li data-bbox="619 1585 1310 1682">• You must make sure that the labelling and quality assurance requirements of the receiving member State are met.<li data-bbox="619 1711 1310 1742">• Varieties must be on the EU Common Catalogue.<li data-bbox="619 1771 1310 1839">• Varieties must be traceable to an address in the EU and labelled as such.

Ornamental species	<ul style="list-style-type: none">• Varieties must have EU Plant Variety Rights, or be registered in any member State, or be 'commonly known' before September 2012.• You must make sure that the labelling and quality assurance requirements of the receiving Member State are met.
--------------------	--

For more information on plant health requirements when importing plants and plant products after Exit, please visit:

<https://www.gov.uk/guidance/importing-and-exporting-plants-and-plant-products-if-theres-no-withdrawal-deal>.

For more information on plant health requirements when exporting plants and plant products after Exit, please visit:

<https://www.gov.uk/guidance/importing-and-exporting-plants-and-plant-products-if-theres-no-withdrawal-deal#exporting-plants-and-plant-products-to-the-eu>

For more information on marketing requirements of seed and other propagating material after Exit, please visit:

<https://www.gov.uk/government/publications/plant-variety-rights-and-marketing-of-seed-and-propagating-material-if-theres-no-brexite-deal/plant-variety-rights-and-marketing-of-seed-and-propagating-material-if-theres-no-brexite-deal>

Regards

Andy Mitchell