



Department  
for Environment  
Food & Rural Affairs

**SMARTER RULES FOR SAFER FOODS – OFFICIAL CONTROL REGULATIONS**

**Plant Health Regulations and Official Control Regulations**

**Contents**

1. SRSF General Information
2. Official Controls Regulation (OCR)
3. BIP Re-designation
4. Documentation
5. IT
6. OCR changes for Plants
7. PPPs

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## **1. General Information**

### **1.1 What is Smarter Rules for Safer Food?**

The [smarter rules for safer food \(SRSF\) package](#) is a set of EU regulations for the protection against animal disease, plant pests, and for the organisation and performance of official controls. The package modernises, simplifies and improves the former health and safety standards for the agri-food chain. It takes a risk-based approach to animal, plant and public health protection, introducing more efficient pest and disease control measures.

The package includes 3 principal EU regulations:

- Official Controls Regulation (EU) 2017/625 (OCR): how controls across the agri-food chain will be organised and performed. This regulation has applied to the UK and EU member states since 14 December 2019
- Plant Health Regulation (EU) 2016/2031 (PHR): controls for protecting plants from disease and pests. This regulation has applied to the UK and EU member states since 14 December 2019
- Animal Health Regulation (EU) 2016/429 (AHR): a framework for the principles of European animal health. This regulation will become applicable to EU member states from the 21 April 2021

### **1.2 What types of businesses will these changes affect?**

The main impacts of the OCR are on the national authorities performing official controls, but also includes new requirements for businesses to assist and cooperate with the staff of the enforcement authorities and the obligation to give access to equipment, premises, computes, etc.

The OCR affects businesses involved in the agri-food chain, particularly those importing goods or animals into the UK and EU. Products covered by the OCR include animals and livestock, animal products, plants, timber and fish catches. We have provided guidance on [GOV.UK](#) and the [UK Plant Health Portal](#).

The PHR affects any business that handles plants, timber and seeds at a commercial scale. It also impacts charities such as botanical gardens who maintain plant collections and share plants with other botanical collections and/or research institutions.

## **2. Official Control Regulation (OCR)**

### **2.1 What has changed under the Official Control Regulation?**

Whilst the majority of the OCR rules are for enforcement authorities, the OCR has also impacted on businesses involved in the agri-food chain; in particular those importing products of animal origin, animals and animal by-products, plants, plant products, food and feed.

Changes have occurred in the following areas:

- Border Control Posts
- Pre-Notification deadline
- Common Health Entry Document
- New pre-notification IT system

### **2.2 Does the OCR cover import controls for organics?**

Yes. Organics is within the scope of the OCR and import controls on organics need to comply with its rules.

The EU Regulations were adopted in 2016 and 2017. They set the general principles and gave powers to the European Commission to draw up additional Implementing and Delegated Regulations, which detail how these general principles should be implemented. It is these additional Implementing and Delegated Regulations that we have been waiting for to be able to communicate with stakeholders.

### **2.3 Will there be any additional charges for businesses or operators due to OCR?**

The OCR provides for some mandatory fees for official controls. However, this reflects the current practice. Mandatory fees apply for example for official controls performed at Border Control Posts (BCP) on animals and goods imported from third countries, official controls carried out in slaughterhouses, cutting plants, on milk production and on the production and placing on the market of fishery and aquaculture products.

### **2.4 What does the risk-based approach mean in practice?**

It means that competent authorities in planning the frequency of their controls need to take into account a number of factors like the risk associated with animals and goods, the business operator's past record of compliance, the activities under his/her control, the reliability and results of controls performed by the operator, etc.

### **2.5 Where can I get further guidance and advice on the OCR?**

Further Information is available [here](#).

In addition, information is provided on the Commission website at [https://ec.europa.eu/food/safety/official\\_controls/legislation\\_en](https://ec.europa.eu/food/safety/official_controls/legislation_en) and

[https://ec.europa.eu/food/sites/food/files/safety/docs/oc\\_qa\\_ocregulation\\_20170407\\_en.pdf](https://ec.europa.eu/food/sites/food/files/safety/docs/oc_qa_ocregulation_20170407_en.pdf)

### **2.6 What are the penalties if businesses don't comply with the OCR?**

There's no change to what penalties businesses can be liable for in the UK if they don't comply with the OCR. While rules have changed at an EU level there is little change to previous UK arrangements as they're in line with both the old and new EU rules.

### **2.7 Does the OCR also apply to animals from within the EU?**

Yes, the movement of animals within the EU is recorded on TRACES-Classic, as present.

There's some guidance on using 'ITAHCs', that Official Vets submit through TRACES, on this gov.uk page: <https://www.gov.uk/guidance/moving-live-animals-or-animal-products-as-part-of-eu-trade>

Further information can be found in the Import Information Notes on APHA Vet Gateway website: <http://apha.defra.gov.uk/official-vets/Guidance/bip/iin/live-animals-gene-mat.htm>

## **3 BIP Re-designation**

### **3.1 What is a Border Control Post?**

All Border Inspection Posts (BIPs) and Designated Points of Entry (DPE) have automatically been re-designated as Border Control Posts (BCPs). The re-designation does not impact on the activities at the BCP as it simply involves change of terminology.

### **3.2 Why have Border Inspection Posts, Designated Points of Entry (DPE) and First Points of Introduction (FPI) been re-designated as Border Control Posts (BCPs)?**

The OCR aims to harmonise rules that apply to import controls to overcome the current fragmentation and duplication of requirements. As a result, all the different terminology in place, i.e. BIP, DPE, FPI has been replaced with Border Control Post (BCP). In addition, common minimum requirements apply to BCPs regardless of the type of commodities that they control.

### **3.3 What are the minimum requirements for BCPs?**

BCPs must comply with certain minimum requirements in order to be designated. Those requirement will include for example the need for the BCP to have a sufficient number of suitable qualified staff, premises and facilities adequate to the nature and volume of the consignments handled, access to the service of official laboratories, arrangements to comply with biosecurity standards, etc.

### **3.4 I run a BIP, DPE or FPI. How will I know that it has been changed to a BCP?**

A list of BCPs is available online. The new list of BCPs for Animals/Animal Products is available here: <https://www.gov.uk/government/publications/uk-border-inspection-posts-contact-details>.

The new list of Plant BCPs is available here:

<https://www.gov.uk/government/publications/plant-imports-authorised-points-of-entry-to-the-uk>

### **3.5 What if a BCP doesn't fulfil standards – is there a penalty to not meeting requirements?**

If a BCP does not meet the relevant requirements, its designation could be withdrawn in full or in part for all or certain categories of animals and goods or it can be suspended until the shortcomings are addressed. This would mean they would no longer be allowed to import or export goods in those categories. No penalties will be imposed on non-compliant Border Control Posts.

### **3.6 Are there any changes to the pre-notification deadlines?**

Importers of live animals and animal products, plants/plant products, food and feed of non-animal origin subject to increased controls need to give the relevant BCP at least one working day prior notification of arrival of the consignments. Due to transport-related logistical constraints that make it impossible to comply with the one working day minimum time, prior notification may be given at least four hours before the arrival

## **4 Documentation**

### **4.1 What changes are there to documentation?**

Importers will soon need to complete a new Common Health Entry Document (CHED) for all animals and goods subject to import controls at BCPs, which replaces the Common Veterinary Entry Document (CVED) and the Common Entry Document (CED) on TRACES-NT.

However, as we maintain access to TRACES Classic CVED and CED modules, importers may continue to use CVEDs/CEDs on TRACES-Classic system until this is switched off, if necessary.

#### **4.2 Are there any additional commodities that need certificates?**

Yes. Reptile meats, rendered animal fats and insects, now require an official certificate.

#### **4.3 What differences are there between the CHED and the CVED and CED?**

The CHED is an upgraded version of the existing entry documents which incorporates the additional requirements introduced by the OCR and the associated tertiary legislation.

#### **4.4 How do I know if my import needs a model certificate or not?**

Implementing regulation 2019/628 details the categories of animals and goods requiring an export health certificate when exported to the EU. The format of some certificates has changed and these are set out in the annexes to that Regulation.

The commodities referred to in Articles 7-11 and 14 of Regulation 2019/628 can be imported using the existing model certificates.

#### **4.5 Does the model official certificate change in relation to certain animals and animal products imported from third countries for both paper and electronic certificates?**

Implementing Regulation 2019/628 sets out updated formats for model health certificates that must accompany certain animals and animal products entering the EU from third countries and to be placed on the market. These certificates can be issued in paper or electronic format.

The commodities referred to in Article 12, 13 and 15-27 must be imported using the model certificates in that Regulation. Until 13 March 2020 consignments of products of animal origin accompanied by the relevant certificates issued in accordance with Regulation (EC) No 2074/2005 and Implementing Regulation (EU) 2016/759 can be accepted for the entry into the Union provided the certificate was signed before 14 December 2019.

Until 13 March 2020, consignments of rendered animal fats and greaves may enter the Union-using the certificate for meat products set out in Annex III to Decision 2007/777/EC and consignments of reptile meat, insects and other products of animal origin referred to in Article 26 may enter the Union without a certificate

The commodities referred to in Articles 7-11 and 14 of Regulation 2019/628 can be imported using the existing model certificates.

Certificates submitted using IMSOC shall be based on the certificates laid down in Annex I of Regulation 2019/628. More information on IMSOC can be found in question 17.1.

## **5 IT**

### **5.1 What is IMSOC?**

IMSOC is the Information Management System of Official Controls. It brings together a number of functions from existing information systems across plants, animal and food health (such as EUROPHYT, TRACES). It is designed to help share data between EU IT systems,

reducing the need for multiple data entry and improving biosecurity through processes such as predictive risk analysis.

## **5.2 Will there be a new pre-notification IT system for animals and animal products?**

From 11pm on the 13<sup>th</sup> December 2019, TRACES NT became the new EU system used for notifying imports from outside the EU.

The UK has not fully switched from using TRACES Classic to TRACES NT. The system and documentation you need to use depends on what you are importing. Please see below:

- **Importers of live animals and high risk food and feed:** You should use TRACES NT to pre notify imports.
- **Importers of products of animal origin including meat and dairy:** The introduction of TRACES NT for these products is being delayed. You should continue to use the current TRACES Classic system and documentation. We will provide further information shortly, again ahead of switchover time to give you chance to get ready.
- If you use **TRACES Classic for intra EU Trade**, you must continue to do so.

## **5.3 My consignment has already been shipped and notified on Traces Classic – what happens now?**

No further action would be required for consignments notified on TRACES-Classic where all controls have been performed and a final decision has been made before the date that you are required to use TRACES-NT (see 17.2).

## **5.4 Do IT changes effect horses/bloodstock?**

There are no changes at present for live animals being transported within the EU and therefore the stakeholder should carry on using the current system for transporting horses until informed otherwise.

## **5.5 Does the delay to TRACES NT also apply to fishery products until further notice?**

Yes, this delay does also apply to fishery products.

## **6. OCR changes for Plants**

**More information on PHR can be found on the factsheets and PHR Q&A on the [Plant Health Portal](#).**

### **6.1 What does IMSOC mean for plant good imports from third countries?**

IMSOC is being used across the EU, working in conjunction with TRACES-NT to exchange information in relation to plant health controls.

There will be no change to current IT systems and processes to import plants and plant products from non-EU countries. The UK will continue to use the domestic system, PEACH, for the pre-notification and control of regulated plants and plant products. For transshipments, different procedures will apply, please contact the APHA Imports Helpdesk on 0300 100 0313 or email: [Apha\\_srsfmailbox@apha.gov.uk](mailto:Apha_srsfmailbox@apha.gov.uk).

### **6.2 Do I need to register for IMSOC to import plant goods into the UK?**

No. If you wish to import third country plant goods into the UK, you will need to be registered on PEACH. The UK continues to use the domestic system, PEACH, for the pre-notification of imports of regulated plants and plant products. Information on how to register on PEACH, including what information you need to provide, is available [here](#).

An interface between PEACH and IMSOC is in development.

### **6.3 What is a CHED-PP?**

A CHED-PP is a Common Health Entry Document for Plants, Plant products and plant propagating material.

Plant consignments entering the EU from third countries through designated border control posts need to be accompanied by a CHED-PP. This document has been introduced by the EU to improve traceability of the consignment to:

- provide information on the consignment and its final destination
- pre-notify the competent authorities of the consignments arrival
- allow competent authorities to record the outcome of any official controls performed, including any action taken
- used to communicate information through the Information Management System of Official Controls (IMSOC)

The UK will continue to use the current domestic PEACH system to allow operators to pre-notify consignments and to capture the data required to complete a CHED-PP for the import of third country goods into the UK.

An interface is in development between PEACH and IMSOC to automatically transfer information between the systems.

### **6.4 What is TRACES-NT?**

TRACES-NT is a new system that is intended to be used across the EU for third country plant imports from 14 December 2019 and will host the CHED-PPs. It is a component of the IMSOC and was developed to allow the use of electronic certification.

For the pre-notification of imports of third country plant goods from 14 December, the UK will continue to use the domestic system, PEACH. An interface between PEACH and IMSOC is in development.

### **6.5 For plant third country imports do I need to use a CHED-PP / IMSOC / TRACES-NT?**

No. There has been no changes to current IT systems and processes to import plants and plant products from non-EU countries. The UK will continue to use the domestic system, PEACH, for the pre-notification and control of regulated plants and plant products. Operators will not be required to use TRACES-NT for plant health control for the foreseeable future. . An interface is in development to exchange relevant electronic information between PEACH and TRACES-NT/IMSOC. For transshipments, different procedures will apply, please contact the APHA Imports Helpdesk on 0300 100 0313 or email: [Apha\\_srsfmailbox@apha.gov.uk](mailto:Apha_srsfmailbox@apha.gov.uk).

### **6.6 What if my goods are a transshipment through the UK before travelling on to a destination in an EU MS?**

If your consignment is being transhipped through the UK onwards to another EU MS the data must be entered into TRACES-NT using the CHED-PP, for more information on the procedure to follow, please contact the APHA Imports Helpdesk on 0300 100 0313 or email: [Apha\\_srsfmailbox@apha.gov.uk](mailto:Apha_srsfmailbox@apha.gov.uk).

### **6.7 Why is there a 100% frequency of checks for some commodities and only a 1% frequency for others?**

The system of checks for plants a plant products is risk based, with those presenting a known risk requiring a high frequency of checks to maintain UK and EU biosecurity by preventing the introduction and spread of harmful plant pests. A much lower frequency of checks has been introduced under the PHR for those commodities for which there is insufficient data to determine the plant health risk. This has been introduced to monitor for potential pest and disease pathways on previously unregulated plant goods, to improve our domestic biosecurity. The 1% frequency is a minimum and may be reviewed in future, once a baseline dataset has been generated to reflect interception and non-compliance trends.

## **7. PPPs**

### **7.1 What are PPPs?**

Plant protection products are 'pesticides' that protect crops or desirable or useful plants. They are primarily used in the agricultural sector but also in forestry, horticulture, amenity areas and in home gardens. They contain at least one active substance and have one of the following functions:

- Protect plants or plant products against pests/diseases, before or after harvest
- influence the life processes of plants (such as substances influencing their growth, excluding nutrients)
- preserve plant products
- destroy or prevent growth of undesired plants or parts of plants
- They may also contain other components including safeners and synergists.
- EU countries authorise plant protection products on their territory and ensure compliance with EU rules.

### **7.2 How does the new Official Controls Regulation 2017/625 (OCR) affect PPPs?**

The OCR makes it clear that PPPs are within the scope of the Regulation together with other sectors of the agri-food chain like food and feed safety, animal health and welfare, plant health, etc.

This means that enforcement authorities must follow the OCR rules when performing official controls and other official activities to verify compliance with PPP legislation.

The OCR sets out some general obligations for businesses like for example the obligation to give access to the staff of the enforcement authorities to the equipment, means of transport, computers, documents, etc. and requires businesses to cooperate with those authorities during controls.