



Department for Environment Food & Rural Affairs

Smarter Rules for Safer Foods Plant Health Regulation – Third Country Import and High Risk Plants Updated 13 January 2020

The new Plant Health Regulation (PHR) and Official Controls Regulation (OCR) became applicable on 14 December 2019 and apply directly in the UK. This factsheet outlines what has and has not changed for importers of plants, plant products and other objects from countries outside of the European Union, and what action UK businesses need to take to meet the new requirements.

These changes apply to UK businesses involved in the agri-food chain including activities such as the production, manufacture and supply of plants, seeds, timber and plant products.

What are the Plant Health and Official Controls Regulations?

- The EU PHR and OCR apply to EU member states from 14 December 2019.
- The regulations are part of a wider set of changes which are being introduced in the EU under the Smarter Rules for Safer Food (SRSF) package.
- Plant health helps agriculture and forestry sectors remain sustainable and competitive, as well as protecting domestic biodiversity and ecosystems.
- Globalised trade and climate change now present a greater risk to these sectors. The new EU PHR sets out controls and restrictions that will apply to imports and internal movement within the UK and the EU of certain plants, plant pests, and other materials like soil; helping to reduce these risks.
- The new regulation applies to the UK while we are a member of the EU and during any transition period. If the UK were to leave the EU without a deal, the regulations will be retained by the Withdrawal Act and will continue to apply subject to any amendments Parliament may agree.

Changes will happen in these areas:

- 1. New classification of High Risk Plants**
- 2. A greater number of products will need a Phytosanitary Certificate**
- 3. Border control terminology**
- 4. Minimum notification requirement**
- 5. Pre-notification of regulated plants and plant products**

What will be changing?

1. New classification of ‘high risk’ plants:

- The PHR introduces a new category of high risk plants. The import of any high risk plants and plant products to the EU from all third countries is prohibited until a full risk assessment is conducted by the European Food Safety Authority (EFSA).
- These plants and plant products have been listed as high risk on the basis of a preliminary risk assessment, taking into account pest pathways.

2. Increased scope of Phytosanitary Certificates (PC)

- Under the new regulation, more plants and plant products need a PC. All plants and living parts of plants, including seeds intended for planting, need to be accompanied by a PC for import into the EU, unless they are listed as exempt from this requirement.
- There are currently five tropical fruits listed that do not require a PC for import into the EU: pineapple, coconut, durian, banana (*Musa* sp.) and dates.
- Not all commodities which require a phytosanitary certificate have to be pre-notified on the PEACH system, but the list of commodities which require pre-notification is expanding too (see section 5 below).
- The UK's interpretation and application of the EU's third country import controls is that PCs are not required for plant products, such as fruit and vegetables, which have been processed and packaged. This includes items like packaged salads and frozen material. Composite products like nut and seed butters containing processed fruit or vegetables generally do not fall within plant health import controls or require a PC.

3. Border Control Terminology

- Designated Points of Entry (DPE) have been re-designated as Border Control Posts (BCPs).
- Plants and plant materials that require plant health controls for entry to the EU will continue to be inspected at BCPs as per current procedure.

4. Minimum notification requirement

- There is a change in the minimum time required to notify of a consignment arrival.
- Minimum period for prior notification of a consignment is now one working day, or four hours for air imports.

5. Pre-notification of regulated plants and plant products

- From 16 January 2020, there will be an additional number of plant products and other commodities that require prior-notification of import through the [PEACH system](#).
- There are approximately 60 additional commodities, which include sweet potato, sugar beet, ginger and carrots, these are listed in Annex XI Part A of [Implementing Regulation 2019/2072](#). PEACH will be updated to accept notifications for these new commodities on 16 January.
- It is a legal requirement to pre-notify these imports to ensure that your goods can be inspected appropriately. If you do not pre-notify the arrival of your goods, then they may be stopped, delayed or rejected at the border.

What will not be changing?

UK Plant health IT systems

There is 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. Operators will not be required to use TRACES-NT for plant health control purposes. For transshipments, different procedures apply, please contact the APHA Imports Helpdesk on: **0300 100 0313**; or email: Apha_srsfmailbox@apha.gov.uk for more information.

What do I need to do now?

If you import plants and plant products from countries outside the EU?

- Ensure that your supplier is aware of the new requirements for PCs [here](#).
- Check that the products you import from third countries are not prohibited under the new high risk plants list [here](#).

- If goods that you import are now prohibited, encourage your supplier to contact their National Plant Protection Organisation as soon as possible. Request they submit an application for exemption from the high-risk prohibition by providing specific information in a technical dossier to the European Commission.
- Check that you are aware of the pre-notification requirements of newly regulated goods, which will apply from 16 January 2020. They are listed in Annex XI Part A of [Implementing Regulation 2019/2072](#).

What if my business exports plants and plant products to countries outside the EU?

- There will be no changes to existing requirements and processes, more information can be found on GOV.UK.
- Exporters are always advised to check with the relevant plant health authority in the importing country to find out exactly what controls will apply when exporting plants and plant products.

For any technical help, you can email your questions to: Apha_srsfmailbox@apha.gov.uk. You can find further information about the regulations on the UK Plant Health Portal or on [GOV.UK](#).