#### **Q&A: Place of Destination (PoD)**

#### **USEFUL ONLINE GUIDANCE**

<u>Post transition period</u> guidance on the Plant Health Portal – see the <u>Imports</u> section

Gov.uk guidance on Importing and exporting plants and plant products from 1 January 2021

Gov. uk guidance on registering as a PoD

#### **ACRONYMS**

PoD - Place of Destination

PoE – Point of Entry

BCP - Border Control Post

POFA – Place of First Arrival

ADs - Additional Declarations

PC - Phytosanitary certificate

PEACH - Procedure for Electronic Application for Certificates

IPAFF - Imports of Product Animals Food and Feed System

APHA – Animal and Plant Health Agency

FC - Forestry Commission

#### **LEGISLATION**

The Plant Health Regulation (EU) 2016/2031

https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32016R2031

The Official Controls Regulation (EU) 2017/625

https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32017R0625

The Plant Health (Phytosanitary Conditions) (Amendment) (EU Exit) Regulations 2020:

https://www.legislation.gov.uk/uksi/2020/1527/contents/made

- Pests not known to occur in GB, Schedule 2, Part A page 7-15
- Pests known to occur in GB, Schedule 2, Part B page 16
- Provisional GB QPs and EPPO codes, Schedule 2A page 16-17
- List of PFA QPs and GB PFAs, Schedule 3 page 17-19

- List of GB RNQPs and hosts, Schedule 4 page 19-42
- Measures to prevent RNQPs, Schedule 5 page 42-81
- Prohibited list, Schedule 6, Part A page 81-83
- Prohibited list pending risk assessment, Schedule 6, Part B page 83-85
- Additional Declarations, Schedules 7-10 page 85-233
- Article 72 products, Schedule 11, Part A page 234-295
- Article 73 products, Schedule 11, Part B page 295-303
- Unregulated list, Schedule 11, Part C page 303-304

#### **PLACE OF DESTINATION FACILITIES**

#### How long will the PoD scheme be in place?

The place of destination (PoD) scheme has been introduced in conjunction with the phased EU-GB plant health import regime and will apply until 30 June 2021. This means that until 30 June 2021, business may use a registered place of destination for inspections on EU high priority goods. From 1 July 2021, plant health official controls on regulated EU goods must be conducted at designated BCPs or plant health control points.

### What will happen when the use of PoDs for EU high priority plants comes to an end on 30 June 2021?

PoDs will no longer be permitted to facilitate plant health import inspections on regulated goods. From 1 July 2021, your regulated goods will need to be presented for inspection at a BCP, inspection centre or control point. We are working with stakeholders and membership organisations to look at how PoDs could transition to being a designated BCP, inspection centre or control point if this is a model which suits business, and is operationally expedient.

#### Why are we not continuing the use of PoDs past July?

It will be a regulatory requirement for plant health controls on EU regulated plants and products at designated BCPs and control points from 1 July 2021, to make sure high standards of biosecurity are maintained at the GB border once adequate infrastructure is in place to accommodate the necessary inspections.

#### Why should I apply to be a PoD?

The PoD scheme has been developed by Defra to facilitate plant health import checks post customs clearance on EU regulated goods inland, to prevent delays and disruption at the border. Defra would encourage business to register as PoDs, to provide industry with upmost flexibility in where the physical checks are conducted. It means plant health import inspections can be conducted at a premise most suitable for industry in regards to resource and logistics.

#### Can I use more than one PoD?

Yes, you may use more than one PoD if this suits your business model. If as an importer, you operate more than one premises and you would like to register each as a PoD, you will need to submit a PoD

registration form for each separate premises which you would like to use. If as an importer, you would like to use the services of another PoD not owned or operated by yourself, then the PoD will need to submit the registration form to notify APHA that you (the importer) intend to use their premise. This provides business with additional flexibility to choose which place of destination best suits their trade, and means PoDs can be assured of who intends to use their premise.

#### What material can be inspected at PoDs?

Only EU high priority plants and products may be inspected at places of destination from 1 January to 30 June 2021.

#### Is there enough inspector resource to do physical checks at PoD?

A number of recruitment campaigns have been conducted to ensure that adequate resource is in place to conduct official inspections at place of destination. In addition, physical checks on high priority plants will be conducted on a risk basis, therefore not every high priority commodity will be subject to 100% physical inspections. Please see the plant health portal for more details.

#### Who can I call to check when an inspector is likely to arrive at my site?

Upon submitting your pre-notification for the EU high priority goods, you will be notified whether your goods have been selected for physical inspection. Please ensure the inspection details you supply in your pre-notification are accurate, so that delivery teams can resource your required inspection effectively.

If you have any questions regarding the import of your goods:

- For plants and products inspected by APHA, please call the dedicated imports helpdesk at 0300 100 0313 (available between 07.00 until 23.59), or you can email the PHSI Importers helpdesk mailbox <a href="mailto:phsi-importers@apha.gov.uk">phsi-importers@apha.gov.uk</a>
- For wood and timber products inspected by the Forestry Commission, please call the Cross Border Plant Health Service on 0300 067 5155, or alternatively email plant.health@forestrycommission.gov.uk

#### Will there be delays to my goods at the border due to the place of destination scheme?

Plants and plant products will not be automatically stopped at the border for plant health purposes, instead they can be moved on to a place of destination for physical inspection, preserving the flow of goods from EU to GB with minimal trade disruption until the infrastructure is in place to perform checks at the border.

#### What are the minimum requirements my premise must meet to qualify as a PoD?

An operator who wants to act as a commercial place of destination for physical inspections on EU regulated goods from 1 January 2021 must meet certain requirements:

- The operator should make sure that during transport to, and storage at, the place of destination, the consignment is:
  - not tampered with or subject to any alteration or change of packaging
  - o closed and sealed properly to reduce the risk of pest infestation and contamination
- The consignment must not leave the place of destination before the competent authority decides whether the import passes all of its document, identity and physical checks.

- Inspectors must have access to a safe, demarcated area on site to conduct the inspection and there must be systems for safe working in place.
- Staff have to be available to present the consignment for inspection.
- You must have suitable equipment available for the type and volume of physical inspection required, including:
  - handling equipment to enable regulated material to be unloaded or loaded as necessary
  - inspection table
  - adequate light source
  - o equipment to enable fumigant gas testing for forestry sector consignments
  - o access to toilets and handwashing facilities for inspectors (where appropriate)

#### Why must my PoD meet certain requirements?

There are certain minimum requirements in place that must be met in order for a premise to qualify as a PoD. These requirements are relatively light touch with the key aim of making sure inspectors can perform the necessary official controls in a safe, bio secure manner whilst minimising the burden on business.

# What will happen if I move my goods onwards from the PoD before the plant health inspection has taken place?

If you move your goods away from the place of destination premises as supplied on your import notification, prior to the required official plant health control, this will be classed as a non-compliance. The plant health authority may issue you a notice of statutory action requiring you to move the goods back to the PoD, or other appropriate remedial action depending on the type/volume of goods.

#### Do I have to use a PoD?

The PoD scheme has been developed by Defra to facilitate plant health import checks post customs clearance on EU regulated goods inland, to prevent delays and disruption at the border. Defra would encourage business to register as PoDs, to provide industry with upmost flexibility in where the physical checks are conducted.

Business may also arrange for the plant health controls on EU goods to be conducted at existing BCPs and control points post customs clearance. However, Defra is unable to reassure business that the existing BCPs and controls points will have the capacity to facilitate these checks at the border. You will need to make arrangements with the BCP/control point as appropriate. The list of UK plant health BCPs and controls points, including contact details, is available on gov.uk.

#### Why is the PoD scheme restricted to imports of EU high priority plants and products only?

The PoD scheme has been developed and introduced as part of post-transition period planning, to make sure the trade is not disrupted at the GB border once the transition period ends. It has been introduced in conjunction with the EU-GB phased plant import regime, which introduces the official controls on EU regulated goods in stages from 1 January 2021 to help business adapt to the changes. The EU high priority goods will not be included on the HMRC customs-controlled list until 1 July 2021, and therefore will not automatically get held at the border. This means the goods can be moved inland for plant health purposes, provided minimum requirements around the PoD scheme are met.

# Are there any restrictions on the distance that a place of destination is located inland from a point of entry from the EU involving a RoRo ferry, rail or plane terminal?

No, there are no restrictions on the distance of a PoD in relation to the point of entry of the goods.

# What is the protocol for me to use a BCP or control point rather than a PoD for inspections on EU high priority goods?

The PoD scheme has been developed by Defra to facilitate plant health import checks post customs clearance on EU regulated goods inland, to prevent delays and disruption at the border. Defra would encourage business to register as PoDs, to provide industry with upmost flexibility in where the physical checks are conducted.

Defra is unable to reassure business that the existing BCPs and controls points will have the capacity to facilitate these checks at the border from 1 January 2021. Cross government infrastructure projects are in development to expand existing BCPs and develop new fit for purpose inland BCPs, to ensure adequate capacity at the border from 1 July 2021. As a result, EU plant goods will not be included on the HMRC customs-controlled list until 1 July 2021, although they may still be screened at the border by Border Force during import on a risk basis.

If you wish to use a BCP/control point for the purpose of physical inspections on EU high priority goods, you will need to make handling arrangements as appropriate with the premises or associated customs agents. The list of UK plant health BCPs and controls points, including contact details, is available on gov.uk.

# Do my goods have to stay in the lorry at place of destination until they have been physically inspected?

No, you may unload your plant consignment from the lorry at the place destination and store it in a safe and bio-secure manner on site. The PoD requirements concerning transport to, and storage of the consignment, at the place of destination is to reduce the risk of pest escape, and make sure inspectors can conduct identity inspections accurately.

### When stock is held in isolation at place of destination, does it need to be isolated from other imports?

Yes, the key thing is that you keep consignments separate where possible because if we do find a pest or disease related problem and the separate consignments are in close proximity, they are at further risk of pest contamination. We recommend keeping the at-risk stock separate from other imports or consignments, until the plant health import checks have been performed.

### If consignments are flagged for inspection, does a member of staff have to wait with the goods before the inspector arrives?

A member of staff does not need to wait with the consignment before the inspector arrives. However, a member of staff must be available upon the inspector arriving to make sure the goods are presented effectively, to guide the inspector to the inspection point and remain available until the inspection has been completed. What we are trying to achieve is the right balance between biosecurity and ease of trade. We may ask you to hold consignments securely overnight and into the next day if we have a particular interest in carrying out a physical inspection. The inspector would be able to call and book in for the next day.

Provided the PoD minimum requirements are heeded in regards to maintaining a safe and bio secure working area, and the inspection area remains well within the boundary of the PoD location, then it would be possible to 'move' the inspection area of the PoD to best suit business need. You must make sure that a member of staff is present on site to inform the inspectorate where the plant health inspection can be performed. If the inspector deems the site as below the required standards, they will operate a 'walk away' policy until necessary change is made on site to resolve the issue.

# Who is responsible for the consignment at Point of Entry (PoE) and what are the disposal mechanisms if it fails checks?

The importer, or the agent acting on behalf of the importer, would have responsibility for the stock at a point of entry. If disposal of a consignment were required due to non-compliance etc, it would be the responsibility of the person in control of the consignment to organise disposal of the goods and notify the competent authority that appropriate action has been taken; this may be the importer themselves or a shed operator.

# What are the timescales involved between plants being unloaded from a lorry and undergoing physical checks by the relevant authorities?

We are undertaking significant recruitment to increase the number of plant health inspectors in order to support trade for import and export inspections. 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.

APHA can inspect consignments at registered places of destination 7 days a week, 7am to 7pm. APHA will aim to inspect your consignment within 4 working hours of the time the importer gave for inspection in their pre-notification. You must use the PEACH system to give pre-notification of import at least 4 working hours before the goods arrive into a point of entry in GB via RoRo or air freight. You should aim to provide as much pre-notification as you are able to in order to receive a decision on whether a physical check will be required as soon as possible. You must give an accurate time for inspection. If APHA are unable to inspect the goods within 4 working hours, they will release the goods, except in some limited cases such as where they identify a risk with a specific consignment. APHA will be providing a flexible approach to operations where possible from 1 January 2021 to help manage demand. For example, it will provide some out of hours cover where possible.

# Is it possible for trucks containing plants and plant products arriving at a PoE to be taken to a holding area near the PoE where they can wait for APHA inspections before being released to stores across the country?

Until July 2021 (the point at which all goods must be inspected at a BCP), it would be possible for a holding area near the port to be registered as a place of destination for import checks on high priority EU goods, provided that the place of destination is registered with the relevant competent authority and the minimum requirements are met and maintained.

# At a Place of Destination can a consignment (for example a lorry load of plants on pallets) be unloaded from a lorry and watered if necessary?

Regarding watering to keep plants healthy and not damage the products, this is fine, provided the below points regarding the consignments are reasonably fulfilled:

The operator should make sure that during transport to, and storage at, the place of destination, the consignment is not tampered with or subject to any alteration or change of packaging, and closed and sealed properly to reduce the risk of pest infestation and contamination as reasonably possible.

#### What is the anticipated clear time at PoDs?

#### APHA:

- Consignments can be inspected at registered places of destination 7 days a week. APHA will
  aim to inspect your consignment within four working hours of it becoming available
  provided you have given four working hours pre-notification of arrival in GB for goods
  arriving via Roll-on-Roll-off or air freight.
- APHA will be providing a flexible approach to operations where possible following the end of transition period to help manage demand e.g. some out of hours coverage where resource allow.
- APHA will regularly review the service standard provided at PoDs to make sure it stays fit for purpose and in order to facilitate trade as much as possible. Physical checks will be conducted at place of destination on a risk-basis specific to GB biosecurity objectives.

#### Forestry Commission:

- Forestry Commission's Service Level Agreement will continue to be the standard three-day turnaround period regardless of freight type, provided you have given four working hours pre-notification of arrival in GB for goods arriving via Roll-on-Roll-off or air freight. However, FC will aim to conduct inspections on the day of arrival, or the next working day, where possible. If delays are anticipated, FC will notify the importer. Forestry Commission standard working days are Monday - Friday 9am to 5pm.
- Forestry Commission will regularly review the service standard provided at PoDs to make sure it stays fit for purpose and in order to facilitate trade as much as possible.
- Physical checks will be conducted at place of destination on a risk basis specific to GB biosecurity objectives.

The Service Level Agreement for each authority starts when the goods have arrived at place of destination and are presented ready for inspection to the relevant competent authority. The importer is responsible for ensuring the goods are presented and available for inspection as per the pre-notification. If your goods arrive outside of the working hours of the competent authority, your goods may be held overnight pending a physical inspection. However, APHA and FC will take a pragmatic and proportionate approach to holding goods based on biosecurity risk.

#### What hours are PoD inspections going to operate?

APHA can inspect consignments at registered places of destination 7 days a week, 7am to 7pm. APHA will aim to inspect your consignment within 4 working hours of the time the importer gave for inspection in their pre-notification. You must use the PEACH system to give pre-notification of import at least 4 working hours before the goods arrive into a point of entry in GB via RoRo or air freight. You should aim to provide as much pre-notification as you are able to in order to receive a decision on whether a physical check will be required as soon as possible. You must give an accurate time for inspection. If APHA are unable to inspect the goods within 4 working hours, they will release the goods, except in some limited cases such as where they identify a risk with a specific consignment. APHA will be providing a flexible approach to operations where possible from 1

January 2021 to help manage demand. For example, it will provide some out of hours cover where possible.

Forestry Commission will inspect consignments of wood, wood products and isolated bark at places of destination throughout GB, including Scotland. Forestry Commission will continue to provide the standard 3-day turnaround regardless of freight type. You must give 4 working hours pre-notification of arrival in GB for goods arriving via RoRo or air freight. Forestry Commission standard working days are Monday to Friday 9am to 5pm. Forestry Commission will aim to tell businesses if their goods had been selected for inspection before the end of our 3 day turnaround period. If goods arrive outside of the working hours, then the Forestry Commission may hold goods overnight until they can be physically inspected. If they arrive on a Friday out of hours they may be held until the following Monday.

### How will I know if my goods are going to be inspected or not. Do I have to wait 4 hours before they are released if they are not inspected?

You will be notified by the relevant competent authority as to whether your EU high priority goods have been selected for a risk based physical inspection within 4 hours of your pre-notification being submitted. If your goods are not selected for inspection, they will be released.

#### How will I know that I am able to move my goods once the inspection has been completed?

If your EU high priority goods are selected for a physical inspection, an inspector will attend your place of destination premise to conduct the physical inspection. You will be notified at the point of inspection by APHA as to whether your goods have passed all of the necessary plant health controls and therefore can be released. For Forestry Commission inspections, you will be issued a certificate of clearance to confirm that your goods have passed the relevant import controls and have been released for plant purposes.

If your goods are detained due to non-compliance (such as pest presence), you will be issued a statutory notice to hold the goods on site until a decision is taken on the consignment (this may require sampling results from laboratory testing). You will be notified accordingly as to whether the goods may be released, or whether further statutory action is required.

# Will my goods be held at the PoD if a suspect quarantine pest or disease is intercepted during the inspection?

If an inspector encounters a suspect quarantine pest or disease during the physical inspection, the inspector will issue a statutory notice to the importer/PoD to hold the goods. Goods will be held at the PoD until laboratory diagnosis is received to verify the presence of a quarantine pest or disease, at which point the importer/PoD will be notified of the outcome and any further action needed.

# Will I have to hold my seed potatoes at a PoD until latent sampling test results have come back as negative?

If your seed potatoes are selected for latent sampling testing, you do not have to hold the consignment at the place of destination until the laboratory results are returned. Only goods with symptoms would be held at PoD pending laboratory diagnosis.

#### What are the repercussions of non-compliance with the PoD scheme?

If the goods are not presented for required plant health official controls, the importer would be in breach of plant health legislation and so the inspectorate could issue a notice of statutory action for

the non-compliance. This could be a notice obligating the goods get presented at a registered place of destination or could be destruction/re-export of the goods if the non-compliance is biosecurity related.

# Has Defra considered operating Government owned PoDs to try reduce the number of total PoDs, particularly those potentially very far from where your delivery teams are based?

The PoD scheme has been developed and designed to facilitate import inspections on EU high priority goods away from the border. PoDs will be in use until the build of new BCPs, and expansion of existing BCPs, has been completed as part of Government infrastructure building, to make sure GB has adequate capacity to conduct official controls at the border. Defra is working closely with colleagues across HMG to factor in SPS requirements into the infrastructure planning to advise, design and deliver suitable and effective builds. As this is a short term measure, Defra will not implement or operate PoDs on behalf of industry.

### I have one PC covering the contents of a lorry, can I drop off different loads at different places of destination?

Yes, this is possible. Please see detailed guidance on the <u>place of destination multidrop policy</u> available on the plant health portal, and how this may affect your business.

The lorry used to transport the goods is not obligated to remain at each place of destination until the official inspection has been undertaken, which reduces the risk of logistics companies breaching workers driving limits or issues with lorry parking. However, this means that if a non-compliance is detected, it is the importer/PoD responsibility to arrange for any necessary logistics to destroy/re-export the consignment depending on the statutory action required by the inspectorate.

# I plan to import a consignment of high priority plants and products across three lorries, for inspection at place of destination. Can I use one phytos anitary certificate to cover the contents of all three lorries?

In practice, you may use one phytosanitary certificate to account for the contents of multiple lorries. However, in this circumstance, all three lorries must arrive at the same place of destination at the same time for the relevant official controls. The inspection cannot be split across different places of destination. Inspectors must have access to the whole consignment covered by the PC at the first place of destination in order to conduct a proportionate, representative physical inspection. If one of the lorries is delayed, the contents of the two remaining lorries must remain on site, unsplit and untampered with, until the full consignment is presented for inspection. If a non-compliance is detected on the contents of one lorry, the non-compliance will apply to the contents of all three lorries. As part of your pre-notification supporting information, you will also need to provide identifying details of the three lorries, to assist the inspector in performing identify checks on the consignment, to verify the contents of the lorries. Detailed guidance on the place of destination multidrop policy is available on the plant health portal.

# My business model resembles Scenario 4 of the multidrop policy. Do I have to make only 1 PEACH declaration for the first PoD? This would mean that the other shipments could be imported without PEACH?

If scenario 4 of the multidrop policy applies to your business model, this means that for a consignment imported to GB in <u>one lorry</u>, instead of having to submit a PC and prenotification for every drop along the route of that one lorry, Defra will permit the use <u>of one PC and one prenotification</u> at the first PoD, provided the PC covers the contents of the whole lorry. In practice, this

means the inspector will arrive at the required place of destination, as notified on PEACH by you the importer. They will conduct a physical inspection on the part of the consignment present at the first place of destination, but the inspector will be able to check the PC to have visibility of the whole consignment. If the inspector suspects a non-compliance, they will ask you, the importer, to provide them details of the remaining PoDs which the rest of the consignment has been sent and subsequent inspections may be carried out. If your shipments are split across multiple lorries, then you will need to submit multiple PCs and pre-notifications accordingly, against Scenario 4.

The phytosanitary certificate will need to be presented with the consignment at only one PoD. In principle this could be the first PoD location, however you will need to ensure that the original phytosanitary certificate or a copy of it travels with the rest of the consignment until the final delivery site to ensure traceability. It is crucial that you ensure that the original phytosanitary certificate is returned to APHA within three days of the goods landing in GB either by yourself the importer, or sent by the PoD operator.

# My business model resembles Scenario 4 of the multidrop policy. How can I indicate that a shipment goes to a specific PoD while I do not have to make a PEACH declaration?

Under scenario 4, you are only required to submit one PC and one prenotification for one PoD per lorry (if this reflects your business model). As detailed above, an inspector will perform the necessary inspection and if there are any biosecurity concerns will contact the importer for details of the subsequent PoD drops, if further inspections are deemed necessary. The multidrop policy has been developed to provide business flexibility, reduce the costs in obtaining PCs and reduce admin resources for submitting pre-notifications. If your business wishes to submit a pre-notification for each PoD in the multidrop, that is also possible.

### What if my consignment of logs with bark can't be covered/contained? Will it still be able to travel inland to a PoD?

Operators should, where reasonably possible, make sure that your consignment is covered and contained in a bio-secure manner that reduces the risk of any pest escape during its journey from the border to an inland PoD.

#### What if my consignment needs to stop on the way to the PoD?

Operators are required to make sure that goods travelling to a PoD are handled and stored in a safe and bio secure manner, to reduce the risk of any pest escape. The operator is also obliged to accurately inform the inspectorate as to when the goods will be presented ready for inspection at the place of destination. The lorry may stop on route to the place of destination for reasons such as driver working hours limits, however the goods must not be unloaded, tampered with, or subject to any change in packaging or marking.

#### How long have I got to get my consignment from the BCP to the PoD?

There are no explicit time restrictions on the travel time between the BCP/point of entry of the goods to the GB, and arrival of the goods at the PoD. The importer is obliged to pre-notify the competent authority in advance of the goods landing on GB soil, and to provide accurate information detailing when and where the goods will be presented at place of destination for inspection. The consignment should arrive in a reasonable time frame from landing on GB soil, however Defra recognises the logistical challenges in transporting goods from the border inland and so has not set explicit requirements.

### Please confirm if there is any chance that inspections for high priority plants will be reduced from 100%?

The plants and plant products which have been identified as high priority pose the greatest threat to GB biosecurity. Physical inspections on the high priority plants will be conducted on a risk basis, with some goods of highest concern subject to 100% checks and others subject to 5% checks. Within four hours of submitting your import pre-notification on PEACH, you will be notified whether your goods have been selected for a physical inspection. Detailed guidance on the inspection regimes for high priority plants is available on the plant health portal.

# Will you allow inland import inspections at PoDs once the inland BCPs are up and running, after 1 July 2021?

The use of PoDs for conducting physical inspections on EU regulated goods will not be permitted once the inland BCPs are up and running after 1 July 2021. Business may consider registering their premise as a customs bonded control point inland if they wish to continue conducting import inspection on plant goods away from the border. However, the minimum requirements in order to qualify as a control point are more intensive than the PoD requirements and will include a physical site visit and audit to confirm that the requirements are in place.

Contact <a href="mailto:bcp.enquiries@apha.gov.uk">bcp.enquiries@apha.gov.uk</a> for more information on how to apply as a customs authorised control point for plant health purposes.

#### Will plant health checks in Northern Ireland be permitted at place of destination?

DAERA are currently planning to implement the default position of the NI protocol, that is to continue directly applying the legislation listed in Annex II of the NI protocol (including the Plant Health Regulation and Official Controls Regulation). In practice, this means that NI will continue to apply official plant health controls on regulated goods at NI designated points of entry or at approved control points. The place of destination scheme is to be introduced in GB (England, Wales, Scotland) for the purpose of facilitating checks on EU high priority goods away from the GB points of entry.

There is the opportunity for NI businesses to apply to become an approved control point, for the purpose of facilitating plant health official controls. In order to be granted control point status, a premise will need to undergo an official application process and meet certain minimum requirements, including customs authorisation. For further guidance on control point requirements in NI, please contact planthealth.info@daera-ni.gov.uk

#### **Pod REGISTRATION**

#### Is there a deadline to register to become a PoD?

There is no deadline, however Defra would advise business to register PoDs as soon as reasonably possible in preparation for the end of the transition period. New applications for PoDs are still being accepted and will continue to be accepted until 30 June 2021, as we recognise that not all importers will be importing goods immediately in January 2021 and may want to register in the new year. However, we would urge business to register as early as possible as part of post transition period preparation. APHA and FC are currently processing all the PoD applications they have received so far.

#### How can I register my premise as a PoD?

Plant Health - To act as a place of destination for plant health physical inspections on EU-regulated high priority goods in England and Wales, you'll need to register the details of your place of destination premises with the Animal and Plant Health Agency (APHA). For plants and plant products complete the place of destination registration form and email it to PODRegistrations@apha.gov.uk.

This registration process includes your registration as a professional operator. You'll need to use the registration process to notify APHA of any importer you wish to be linked to for the supply of your goods.

To register as an importer for plants and products use the PEACH system.

Forestry Health - To act as a place of destination for plant health inspections on EU-regulated high priority wood and timber products, you need to:

- <u>register as a professional operator</u> with the Forestry Commission.
- <u>register a place of destination</u> with the Forestry Commission

For detailed guidance on the place of destination registration process, see the Plant Health Port al.

#### How will I find out if I have been successfully registered as a PoD?

Upon submitting your PoD registration form to the APHA email address, you will receive an automated email confirming receipt of your application. Your information will be processed and input on the IT system. Unless otherwise informed, your application will be approved, and you will be automatically granted PoD status. APHA will only get in touch directly if there are any issues that require resolving.

During registration with the Forestry Commission, the applicant receives automatic confirmation that their application has been received. The system also outlines the next steps and the contact point for any further questions. The FC administrative team will send an email to the applicant confirming that an acceptable application has been received and that PoD status has been granted.

### I haven't received any automatic reply after submitting a PoD registration form to the APHA email address?

Upon submitting your PoD registration form to the APHA email address, you will receive an automated email confirming receipt of your application. Your information will be processed and input on the IT system. Unless otherwise informed, your application will be approved, and you will be automatically granted PoD status. APHA will only get in touch directly if there are any issues that require resolving.

In the first two weeks following launch of the PoD registration scheme in October, approximately 100 clients did not receive the automatic reply confirming application receipt, due to a system error. The error has now been resolved.

#### Will there be a list on gov.uk of all the PoDs registered with APHA and FC?

The total list of all registered PoD premises will not be published on gov.uk, due to GDPR requirements associated with the publication of private business details.

#### Why did the PoD registration scheme launch so late?

The use of PoDs is a new scheme developed by Defra to facilitate physical inspections on regulated EU goods inland at place of destination until 1 July 2021. This means checks can be done away from the border, inland, thereby reducing the risk of trade disruption as the UK-EU transition period ends.

The PoD scheme has been developed and thoroughly tested across government and with trusted stakeholders to ensure a fit for purpose end-to-end process which maintains high GB biosecurity standards during the phased EU-UK import regime, whilst providing trade with flexibility in where checks are conducted. The PoD registration scheme launched in October, enabling business to register PoDs in advance of 1 January 2021.

#### As an importer, can I register more than one PoD?

Yes, you may register more than one PoD if this suits your business model. If as an importer, you operate more than one premises and you would like to register each as a PoD, you will need to submit a PoD registration form for each separate premises which you would like to use. If as an importer, you would like to use the services of another PoD not owned or operated by yourself, then the PoD will need to submit the registration form to notify APHA that you (the importer) intend to use their premise. This provides business with additional flexibility to choose which place of destination best suits their trade, and means PoDs can be assured of who intends to use their premise.

#### Should all our customers be registered as 'Place of destination'?

If you intend for plant health inspections to take place at these premises, then yes, the premises will need to register as a Place of Destination. Guidance on how to do this is available on gov.uk.

#### Where will the GB central spreadsheet be held?

Defra do not intend to publish a central list of all GB premises registered with APHA and FC, as this may be in breach of GDPR requirements around data handling of personal information, as many of the PoDs are privately operated independent sites.

An importer may register to use more than one PoD owned or operated by themselves, in order to do so they would have to submit separate PoD registration forms to the relevant competent authority to provide information for each PoD address. If as an importer, you would like to use the services of another PoD not owned or operated by yourself, then the PoD will need to submit the registration form to notify APHA that you (the importer) intend to use their premise. This will enable business to choose from a range of PoD premises, to best suit industry requirements.

# We import Onion sets from Holland and deliver to a number of growers in GB. Should we, as the importer register the farms as PoD's or should the growers themselves register?

The growers will need to register themselves as a PoD using the online PoD registration form, and indicate in their application that they intend to facilitate inspections on your (the importers) behalf. This will allow APHA to build the necessary links in the IT system so that you, as an importer, are able to select the growers PoD during the import pre-notification process. We encourage the growers to register as a PoD, because we are aware that some growers may want to act as a PoD for multiple importers, and so this process allows that. If as an importer, you would like to register your importer premises as a PoD, then you would need to submit your own PoD registration form (as some of our importers have their own sites for inspection, and so need to register themselves as a PoD)

#### Pod PRE-NOTIFICATION AND DOCUMENTATION

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

From January 2021, all 'high priority' plants and plant products will require a phytosanitary certificate and pre-notification via the relevant IT system. A full list of 'high priority' plants and plant products can be found at gov.uk

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.

Any goods that require pre-notification will need to be notified to the relevant authorities before it reaches the border in GB. As part of the pre-notification, importers 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, Forestry Commission for the forestry sector, and SASA in Scotland.

#### What advance notification do I need to give if using a PoD for plant physical inspections?

Based on feedback from stakeholders, we have recently reviewed our pre-notification time for Roll on Roll off (RoRo) freight.

Importers must provide at least four working hours' pre-notification for consignments arriving via air or RoRo freight, and at least one working day's notification for consignments arriving by all other modes of transport.

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

In early 2021, the IT system used to pre-notify for imports of plants and plant products will change. From 1 January 2021 notifications, for EU imports to England, Wales and Scotland, you will need to use PEACH, until you are directed to change to the new service. Further information on how to register for PEACH can be found at gov.uk. Further guidance on the new system and details of training for the new IT system will be released in due course.

#### What are the details/requirements regarding pre-notification of arrival of imports?

From 1 January 2021, importers must submit pre-notification for all 'high priority' plants and plant products via the relevant IT system. A full list of 'high priority' plants and plant products is available at gov.uk.

From 1 April 2021, importers must submit pre-notification for all regulated plants and plant products, not just those categorised as 'high priority' via the relevant IT system. A list of regulated plants and plant products is available on the plant health portal.

From 1 July 2021, imports of all regulated plants and plant products will be subject to increased checks occurring at BCPs.

Will the IT systems for pre-notifying high priority goods be available for GB importers and GB-agents only, or can EU companies also use this system?

All importers and exporters can register for an account, providing they have also created a government gateway account as part of the process. If you are an importer based in the EU, you will require the services of a GB based proxy agent, to act on your behalf during the importation process.

#### Should the PC accompany the high priority consignments physically?

All high priority plants and plant products imported from the EU will need to be accompanied by a phytosanitary certificate and may be checked upon entry into GB. A scanned copy of the PC may be submitted to the competent authority as per import notification requirements, provided the original PC is posted to the competent authority within three days of the consignment reaching GB.

# What address should we put on the required paperwork for pre-notification for high priority goods?

As part of the pre-notification requirements, you will need to declare the location at which the goods will be presented for inspection. If your goods are deemed high priority and require a check at place of destination, then you will need to register the desired premise as a place of destination provided certain minimum requirements are met and declare the place of destination as the point of inspection for the plant health controls. These requirements are in place to ensure biosecurity is not at risk and that standards for inspectorate health and safety are maintained. The address of the consignee, or importer, is required for the phytosanitary certificate.

#### Who is responsible for making sure the original PC is returned to the GB plant health authorities?

Ultimately, the importer is responsible for making sure the original PC is sent to the GB plant health authorities. However, the importer may make business arrangements with the PoD, to arrange for the PoD to send the PC. It is the importers discretion how the PC is sent to the GB plant health authority.

# What address is required on an import PC for high priority goods, does the final destination of the consignment need to be listed?

The 'consignee' address included on an import PC should be that of the importer/consignee who is responsible for importing the goods into GB. Traders importing plants and plant products must have established a registered GB business premises or office and supply a valid name, address and contact details. In the event that an importer in GB does not have a registered GB business premises, they may use the services of a Customs agent to act as their proxy. If the importer is using a customs agent as their proxy, the PC should state the name of the importer (based outside GB); the name of the customs agent and the address of the customs agent; in the following format:

Anon Exporter Third Country Produce

C/o Joe Smith Freight Services

Nowhere Industrial Estate

1 Unknown Road

Some Town

City

SWXX 3XX

For further information on proxy addresses please visit the <u>Plant Health Portal</u>.

# Will a grace period be applied for documentary check non-compliances on EU imports from 1 Jan 2021 e.g. material has moved with a plant passport on 31/12/20 but then arrives in GB on 01/01/21 without a PC?

We acknowledge the challenges that industry are facing adapting to the changes following the end of the transition period. We are working to ensure we have a robust plant health regime in place which protects biosecurity while maintaining the flow of trade. We will continue to take a stepped and proportionate approach to enforcement and aid businesses in becoming compliant with the new import requirements throughout January.

# Can the truck containing my goods already leave to GB after phytosanitary control, sending consignment, custom declaration, or do we have to wait?

You must take all the necessary steps before exporting your goods to GB, such as arranging for a phytosanitary inspection and certificate in the exporting country, arranging export customs declarations and arranging with the importer to submit an accurate plant health PEACH prenotification and so forth. Once the necessary export steps have been taken, you will be able to transport your goods. We acknowledge the challenges that industry are facing adapting to the changes following the end of the transition period. We are working to ensure we have a robust plant health regime in place which protects biosecurity while maintaining the flow of trade. We will continue to take a stepped and proportionate approach to enforcement and aid businesses in becoming compliant with the new import requirements following 1st January 2021.

# Sending the consignment/PEACH 24h in advance, does that mean that the truck can't arrive earlier at the border, that we have to wait to arrive as close as possible to the estimated time of arrival?

As an importer, you are responsible for pre-notifying your arrival of the consignment at the border, or place of destination, as accurately as possible. Your goods may arrive at the border, or the place of destination, earlier than the time you have pre-notified on your PEACH application. However, the GB plant health inspectors may not be immediately available to inspect your goods, as they will have planned their workload based upon the times notified by each importer. Therefore, it is in your best interest to try and notify the correct time, to make sure GB plant health inspectors can arrive on site and inspect your goods as quickly as possible.

#### How will PoDs be linked to PEACH?

This is an important part of the PoD registration process. The online PoD registration form is sent to APHA, whom build the link between the importer and the PoD within the PEACH system. Therefore it is important to supply accurate information on your PoD registration form, to allow these system links to be made effectively. All registered PoDs will be added to PEACH as a drop down list available to the importer to choose from during the pre-notification process.

## Is it enough that the plants are available/kept at the point of destination + or -4h from estimated time of arrival, for DEFRA to be able to check the plants?

As an importer, you are responsible for pre-notifying your arrival of the consignment at the border, or place of destination, as accurately as possible. Provided you have submitted an accurate pre-notification time, GB inspectors will aim to inspect and take a decision on your goods within 4 hours of their arrival at place of destination. However, if your goods arrived a significant amount of time before or after the time you have submitted on your pre-notification, then GB inspectors may hold

your goods for longer than four hours. Full details of the Service Level Arrangements for plant health are available on gov.uk.

#### **PoDS AND PLANT PASSPORTS**

I will be importing high priority plants and products from the EU from 1 Jan and will arrange for the plant health import inspection to be done at my registered place of destination. I want to move my goods onwards from the first place of destination, will I need a plant passport?

The plant health import physical inspections for EU high priority goods may be conducted at first place of destination. You do not need to issue a UK plant passport if your goods will be sold directly at retail from the first place of destination e.g. if your place of destination is a garden centre. If you intend to move your goods onwards e.g. your place of destination is a depot, and you want to move them to a garden centre, please check whether they are subject to <a href="UK plant passporting">UK plant passporting</a> requirements. Detailed guidance on the new plant passporting process is available <a href="here">here</a>.

If you import EU goods to the UK under a phytosanitary certificate, you only need to issue a UK plant passport for your goods if:

- you're moving them to another professional operator
- you're selling them to final users (those buying for personal use) by means of distance contract, for example online
- you're moving them to another of your own premises which is more than 10 miles from the premises where the consignment arrived
- the phytosanitary status of the consignment changes, for example, if it has been grown on, or if it has been reconfigured, for example, 2 plants in separate pots have been planted in a new pot together

# Will we be authorised to label plants with a UK Plant Passport in here in Belgium? This is very important in case of bigger retail clients?

UK plant passports can be attached in an EU member state for the first 6 months of 2021, providing the format and attachment is correct. This will be reviewed in June 2021. However, an EU operator can't legally issue a UK plant passport under GB plant health rules. Further guidance on the new GB plant passporting requirements is available on gov.uk

#### **PoD FEES AND CHARGES**

#### Will I be charged for inspections at PoDs?

From 1 January 2021, there will be the requirement for pre-notification and phytosanitary certificates for plants and plant products that pose the greatest potential risk to GB biosecurity and which are already subject to regulation within the EU. They will also be subject to import checks away from the border at places of destination, until July 2021 when checks will move to Border Control Posts.

DEFRA have taken the decision to delay the introduction of inspection fees for these imports until 1 April 2021. This will give businesses time to adjust to the new fee arrangements. Guidance will be released on gov.uk early next year regarding the new fees applied from 1 April 2021.

This will enable a more accurate calculation of the fees and will allow businesses and government to successfully implement the change. The methodology used to calculate fees for plant health services was agreed with trade following a fees review and consultation in 2017. We will consider the impact on SMEs again in our next fees review and subsequent consultation.

In arriving at the decision to delay the introduction of plant health import inspection fees for goods arriving from the EU, officials have had to balance the need to support affected businesses, against legal considerations and the rules around managing public money. Delaying these fees until 1 April 2021, strikes the right balance between these competing demands.

#### Do I have to pay to register my PoD with APHA or FC?

There is no direct cost in registering your premise as a PoD with APHA or the FC. However, in order to qualify as a PoD, you must meet certain requirements in order to maintain high biosecurity standards and inspectorate safety and welfare on site. There may be set-up and maintenance costs associated with meeting the minimum requirements, such as supplying a demarcated inspection area for plant health inspections to be conducted.

Details on the PoD minimum requirements have been published on gov.uk.

#### **PoDs IN SCOTLAND**

#### My goods will enter GB via England, can I use a Scottish PoD?

Yes, if you're goods are landing in England, but your intended place of destination is in Scotland, this is possible. EU goods imported into Scotland, both directly into Scottish ports and via England, will need to be pre-notified on the <a href="PEACH system">PEACH system</a>. The Scottish Government's Horticulture and Marketing Unit (HMU) will carry out all inspections. Contact <a href="https://horticulture.needing.org/">horticulture.needing.org/</a>.

To act as a place of destination for plant health physical inspections on EU-regulated high priority goods in Scotland, complete the <u>registration form</u> and email it to <u>hort.marketing@gov.scot</u>. You'll also need to register on the <u>PEACH system</u>, to be able to submit your import pre-notification. Find more information on the place of destination scheme in Scotland on the <u>Plant Health portal</u>.

### If something arrives in England but will go to a PoD in Scotland, who will check the phyto if it is not selected for physical inspection?

For the EU high priority goods, SASA will conduct the necessary documentary checks. For the increased scope of regulated plants and products requiring a PC from April 2021, APHA have committed to conducting the required documentary checks, in close collaboration with SASA, to ensure documentary checks across GB are performed quickly and efficiently.

#### When will Scottish inspectors inspect my consignment at place of destination?

Consignments, if selected for a physical check, will typically be inspected between 8:30am and 5pm from Monday to Friday (except Scottish Government bank holidays). SASA are introducing some

weekend service to provide additional coverage. The Scottish Government will inspect your consignment within one working day of it becoming available. You must give 4 hours' notice of landing for arrival by RoRo or air, and 1 day for sea.

#### **BCPs, Inspection Centres and Plant Health Control Points**

#### What is the difference between a BCP, inspection centre and a plant health control point?

A 'Border Control Post' (BCP) as defined in Regulation (EU) 2017/625, is a place, and the facilities belonging to it, designated by the UK for the performance of official plant health import controls on regulated goods. BCPs are customs authorised premises typically located at the UK border which must comply with a range of minimum requirements to qualify for plant health designation status.

On occasion, a BCP may require more than one inspection point for plant health purposes within the perimeter of the BCP, due to trade volumes or private business operations. In these cases, multiple 'inspection centres' can be listed against a plant health designated BCP, provided each inspection centre complies with set minimum requirements.

Business can also apply to be a 'control point', to facilitate plant health import inspections on regulated goods away from the border at inland locations. There are strict requirements that a premise must implement and maintain in order to apply for, and qualify as, a control point, similar to the BCP minimum requirements, including customs authorisation.

#### Where can I find the list of plant health BCPs, inspection centres and control points?

Defra has published the list and contact details of UK plant health designated BCPs, inspection centres and control points on gov.uk: <a href="https://www.gov.uk/government/publications/plant-imports-authorised-points-of-entry-to-the-uk">https://www.gov.uk/government/publications/plant-imports-authorised-points-of-entry-to-the-uk</a>

# How do I find more information about registering my premises as a BCP, inspection centre or control point?

Please contact <u>BCP.Enquiries@apha.gov.uk</u> for more information about the process of registering your premise as a BCP, inspection centre or control point.

#### What are the minimum requirements for registering as a BCP, inspection centre or control point?

The minimum requirements are set out in detail in legislation:

- Official Control Regulation (OCR) 2017/625 Article 64: Minimum Requirements for Border Control Posts (BCPs) and Control Points (CPs)
- Implementing Regulation (EU) 2019/1014: Detailed rules on minimum requirements for Border Control Posts (BCPs) and Control Points (CP)
- Delegated Regulation (EU) 2019/1012: Derogations from the BCP minimum requirements due to geographical constraints