Brexit FAQ

Official approval of ports, products subject to checks and expected procedural requirements

* + What is the list of products subject to health checks?

Cf. COMMISSION DECISION 2007/275 of 17 April 2007 concerning lists of animals and products to be subject to controls at border inspection posts under Council Directives 91/496/EEC and 97/78/EC.

Important note: Animal feed of animal origin not listed in the above decision must nevertheless be inspected at DPEs (Cf. dried products, etc.).

With regard to products for inspection at DPEs: any consignment of animal feed excluded from this decision.

* + What is the detailed list of plants subject to plant health checks? (This question is frequently confused with that relating to import checks on plants by officers of the directorates responsible for competition policy, consumer affairs and fraud control (CCRF) and protection of the public (DDPP)

Cf. Council Directive 2000/29/EC of 8 May 2000 on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community

and

The official order of 24 May 2006 on health requirements applicable to plants, plant products and other items.

* + What documents are to be provided for pre-notification or on arrival of the vehicle? (Health Certificate + CVED Part 1)
* The Health Certificate is required for imported animals and animal products plus a duly completed CVED Part I.

For more information on this, go to the alim’agri website.

Along with all ancillary documents required for each certificate specific to the products carried.

* For feedstuffs of non-animal origin intended for animals (DPE): all accompanying documentation. A Health Certificate is required only for products subject to safeguard provisions.

For more information on this, go to the alim’agri website: checks at DPEs.

* + Will pre-notification be mandatory? If so, how far in advance?

Yes – advance notice of at least 24 hours for animals and before arrival of the consignment in all other cases.

Cf. The official order of 5 May 2000 laying down the arrangements for veterinary import checks on products from third countries:

\*2 Art. 4. – The person responsible for the consignment is obliged to notify to border inspection post officers, before the physical arrival of the consignment on EU territory, the information concerning that consignment to be presented by means of the common veterinary entry document as based on the model contained in Annex III of the aforementioned regulation (EC) no. 136/2004. From 1 January 2005, this notification has been made using the integrated veterinary IT system as provided by Decision 2003/24/EC.

* + How can I obtain business access to TRACES?

Cf. The alim’agri website: “User Manual for the Common Entry Document, Part I, Account Creation”

* + How should I complete the pre-notification?

Cf. The alim’agri website: “User Manual for the Common Entry Document, Part I”

* + How is the ‘person responsible for the consignment’ defined? Can the driver of the vehicle be the person responsible for the consignment?

Cf. The official order of 5 May 2000 laying down the arrangements for veterinary import checks on products from third countries:

“Person responsible for the consignment”: any natural person or legal entity which, in compliance with the provisions of the aforementioned Council regulation (EEC) no. 2913/92, is responsible for dealing with the various situations covered by the said regulation and possibly applying to the consignment, also the representative to which reference is made in Article 5 of the said regulation, said person accepting responsibility with regard to the results of the checks defined in the present official order”

* + Can the same health certificate list more than one type consignment of products (e.g. shrimp, cod, scallops on the same certificate)?

No, the certificate must cover consignments of the same type in compliance with regulations.

Cf. The official order of 5 May 2000 laying down the arrangements for veterinary import checks on products from third countries.

“Consignment”: a quantity of products of the same type covered by the same certificates and veterinary documentation, or any other documents for which provision is made in the veterinary legislation, such products being carried by the same means of transport and coming from the same third country or the same part of the third country.”

* + What approvals apply to ports? (live animals, packaged/unpackaged products: e.g. Dunkirk cannot process live animals, Calais can process only live horses and domestic carnivores, checks on domestic carnivores will take place on the UK side at Calais-Tunnel, Dieppe can process horses, and so on).

Cf. The official order of 18 May 2009 listing the border posts for veterinary and phytosanitary border checks.

Cf. alim’agri website.

* Does this mean that imports of animals other than equidae and domestic carnivores will be prohibited? (e.g. zoo animals)

No, imports of animals other than equidae and domestic carnivores are authorised but require entry via a border inspection post possessing the relevant approvals and will depend on the regulatory provisions applicable to the different species categories.

Cf. alim’agri website.

* + What about checks on plants intended for human consumption? What about “organic” checks? How will “SIVEP” checks interface with DGAL checks? And how will they be organised?

With regard to plants intended for human consumption, checks relating to control of the entry of pests will be carried out by CPEs and the other types of inspection will be performed by the DGCCRF (General Directorate for Competition Policy, Consumer Affairs and Fraud Control).

The same applies to organic products.

Inspection procedures

* + How will checks actually proceed? What is the percentage of physical inspections according to N product types?
* Stage 1: Document check
* Stage 2: Identity check
* Stage 3: Physical check

COMMISSION DECISION of 20 May 1994 on the reduced frequency of physical checks of consignments of certain products to be implemented from third countries, under Council Directive 90/675/EEC.

* + Need for goods security seals: when should seals be affixed?

Seals are not mandatory but strongly recommended. They are not in fact a security seals, but can simplify checks.

* + Must all trucks be opened and unloaded for identity checks and physical inspection?

With regard to identity checks, this may involve no more than a verification of seal reference numbers.

Where physical inspections are concerned, these require the goods to be unloaded. It is for the officer concerned to decide whether it is appropriate or not to unload the goods.

* The average time taken by checks?

Five minutes or more according to document compliance, size of consignment, ease of access to the goods carried, etc.

* + What about non-compliant outcomes to checks: detention location, average time detained? Re-despatch or destruction: who does what?

Where checks reveal non-compliance, the goods will be detained under SIVEP authority, with the detention location being determined by the SIVEP ordering detention. This will normally be at the location where the checks were conducted, but may be at another location depending on the volume to be detained.

The duration of detention will depend on the time taken to normalise the situation and will therefore depend entirely on the operator. The longer the time taken to provide requested documents, the longer the goods will be detained.

If correction of the non-compliance is not possible, the goods will be either destroyed (at operator’s expense) or sent back (at operator’s expense)

* What is the average rate of non-compliance?

In 2017, rejection rates were as follows (Cf. SIVEP Activity Report 2017, alim’agri website):

* 0.89% for animals
* 0.83% for products of animal origin
* 0.30% for feedstuffs of non-animal origin intended for animals
* 1.39% for plant health checks
* What is the cost of the health inspection fee? Who does it go to? And if an export health certificate and CVED contain more than one line (i.e. several consignments), there will be a customs declaration for each line: a single CVED, a single health inspection fee but several declarations => copies of CVED to be made? By whom?

Cf. The official order of 25 June 2012 as amended by the order of 18 July 2012 laying down tariffs for the veterinary and phytosanitary import inspection fee:

* For plants, depending on the plant category, the fees will be added together and the same will apply to products of animal origin, depending on the consignments involved.
* The CHED will correspond in all cases to a certificate that matches a consignment of the same type; cf. Definition of “consignment”.
  + Can a vehicle carry more than one category of product (HC/NHC, BIP/DPE/CPE)?

Cf. Regulation (EC) no. 852/2004 of the European Parliament and of the Council of 29 April 2004 on the hygiene of foodstuffs:

“3. Where conveyances and/or containers are used for transporting anything in addition to foodstuffs or for transporting different foodstuffs at the same time, there is, where necessary, to be effective separation of products.”

AND

Regulation (EC) no. 853/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific hygiene rules on the hygiene of foodstuffs.

Inspection of horses

* + Can all horses be imported?

Yes, if they meet EU regulatory conditions for importation (directive 2009/156 – regulation 2018/659)

* + What documents are needed for inspections?

As a minimum, documentation identifying the animal and, in the case of registered equidae the document evidencing their entry in a studbook, and in all cases health certificates and pre-notification in TRACES (CVED Part I).

AND any other documents possibly required as part of the health certificate (the results of testing, for example).

For horses intended for breeding, a zootechnical certificate may be added to this documentation (R. 2016/1012 and 2017/1940).

Zootechnical inspections are requested by owners.

* + Must horses be accompanied by persons capable of unloading them (some vehicles apparently have drivers incapable of handling the horses)?

Yes, horses must be handled by competent individuals. SIVEP staff will not restrain horses for checks.

* Will horses be unloaded in all cases?
  + What happens where a horse is detained (Where? What about watering? And feeding? And supervision of the animal?)

SIVEP posts authorised to inspect equidae are equipped with facilities for housing and feeding horses. Those responsible for them may in fact provide feed as necessary or better-suited to their animals (the feed must however be of EU provenance).

With regard to supervision, SIVEP posts are secure.

Domestic carnivores

* + Who performs the checks and where?

For private individuals travelling with their pets, checks are performed by customs officers at passenger entry points.

Private individuals may make their journey up to five days before or five days after their pet.

After this period of five days, entry via a BIP is mandatory.

In excess of five animals (all species taken together) entry via a Border Inspection Post is mandatory unless the animals are registered (requiring a certificate from the organisers) for a sporting, cultural or other event.

Checks are carried out in that case at Border Inspection Posts possessing the approval required for the relevant species. Cf. the alim’agri website.

* + What happens if the animal is non-compliant?

If the animal is non-compliant it will be detained at the livestock centre until the situation is normalised. If normalisation is impossible the animal will be either sent back or euthanised.

Fisheries products travelling via Calais and intended for inspection at Boulogne (information additional to the questions listed above)

* + Which fisheries products will be inspected in Boulogne (= definition of fisheries products = fish, molluscs, crustaceans, etc. – wild or farmed)?

Regulation (E) no. 853/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific hygiene rules on the hygiene of foodstuffs of animal origin, Annex I.

* + What specific procedure should be put in place for these products?
* The procedure is identical to that for the other products; security seals are mandatory for these goods.
* Request for a customs transit procedure up to Boulogne.
* Indication of a code on the CVED Part I to identify these goods at the BIP at the point of entry: either Calais port code or Calais Tunnel code.
  + If a vehicle is carrying both fish and meat, etc., where will the checks be performed? (in Calais)?

For mixed vehicle loads the checks will be carried out at Calais.

Details of the locations and opening times of border control points for France as a whole

Cf. alim’agri website for locations.

Opening times: in progress.