

# Chapter 3 Imported and Exported Meat and Animals

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# 1. Introduction

## 1.1 Legislation

## 1.2 FBO responsibilities

### 1.1 Legislation

#### 1.1.1 Applicable regulations

- Regulation (EC) 852/2004 (as amended)
- Regulation (EC) 853/2004 (as amended)
- Regulation (EC) 854/2004 (as amended)
- The Food Hygiene (Wales) Regulations 2006 (as amended)
- The Food Safety and Hygiene (England) Regulations 2013
- Regulation (EC) 882/2004 (as amended)
- Regulation (EC) 999/2001 (as amended)
- The TSE (England) Regulations 2010
- The TSE (Wales) Regulations 2008 (as amended)
- Regulation (EC) 99/2002
- Regulation (EC) 1760/2000
- Regulation (EC) 178/2002
- The General Food Regulations 2004
- The Official Controls (Animals, Feed and Food) (England) Regulations 2006
- The Official Controls (Animals, Feed and Food) (Wales) Regulations 2007
- The Trade in Animals and Related Products Regulations 2011
- The Trade in Animals and Related Products (Wales) Regulations 2011
- Regulation (EC) 1069/2009
- Regulation (EC) 142/2011
- The Animal By-Products (Enforcement) (No 2) (Wales) Regulations 2011

- The Animal By-Products (Enforcement) (England) Regulations 2013
- The Cattle Identification Regulations (England) / (Wales) 2007 (as amended)
- The Disease Control (England) / (Wales) Order 2003 (as amended).

### **1.2 FBO responsibilities**

#### **1.2.1 Duties of the FBO**

It is the Food Business Operator's (FBO) duty to ensure that imported meat and meat products, and meat and meat products for export entering the establishment comply with all relevant legislation.

FBO's must have appropriate food safety management systems in place to ensure that imported carcasses and carcasses for export meet requirements for removal of SRM

#### **1.2.2 Notification of imported beef**

The FBO must contact their Inspection Team Leader (ITL) 72 hours in advance of an imported beef delivery from countries with a controlled or undetermined BSE risk containing vertebral column.

The ITL will arrange appropriate FSA verification of the process and controls in place, as required.

## 2. FSA Role: Checks on Imported Fresh Meat

- 2.1 Imports from Member States
- 2.2 Consignments returned from Member States
- 2.3 Third country imports

### 2.1 Imports from Member States

#### 2.1.1 Background

Within the Single Market, trade in animal products and live animals between Member States is subject to harmonised EU rules.

All Member States must operate a system of intensified checks at the point of origin, to ensure that only those consignments complying with EU rules may enter intra-EU trade.

Single market rules dictate that there are no routine animal or public health checks at ports of entry from other EU Member States, but random and non-discriminatory spot checks at the place of destination are permitted.

Most products of animal origin consigned to the UK from other Member States must originate in an approved establishment and be accompanied by an official health certificate or commercial document (depending on the product). The certificate or document would contain information on the origin and destination of the products and may include public or animal health attestations.

#### 2.1.2 Reason for checks

The OV carries out random verification that the meat complies with the EU rules. These checks are to ensure that fresh meat, poultry meat and other animal products comply with animal and veterinary public health conditions relating to trade. For example, checks are made on health marking or identification marking and accompanying documentation.

**Regulation:** Regulation (EC) No. 853/2004, Article 5

Random checks should be made to ensure:

- SRM controls have been fully complied with
- the meat is properly health marked or identification marked
- accompanying documentation is correct and has been completed accurately
- hygiene rules have not been breached
- any seals on packaging are intact
- the consignment has not come from a restricted region subject to specific animal health controls

**Note:** The FSA is no longer required to carry out 100% checks on compliance with SRM removal requirements. However, the OV must verify that the FBO has robust systems in place to ensure that meat entering the food chain is free from SRM.

### 2.1.3 Action post check

If the initial checks on health marking or identification marking and documentation raise suspicion that rules have been breached, the OV is to use professional judgement on what further action is appropriate.

**Reference:** See section 4 on 'Action for unsatisfactory consignments' in this chapter for additional OV guidance.

## 2.2 Consignments returned from Member States

### 2.2.1 Meat returned from Member State

Consignments of meat and other animal products which originated in GB can be rejected by a competent authority of another Member State for failure to comply with the regulations. For example, meat incorrectly or inadequately health marked or identification marked.

These consignments may only be returned to GB if authorisation is granted by the following authorities:

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England	Wales
Defra Imports and EU Trade Team Nobel House Area 46 17 Smith Square London SW1P 3JR  020 7238 6000 ITAP@defra.gsi.gov.uk	James Gibbs Exotic Animal Diseases Branch Office of the Chief Veterinary Officer Department for Environment and Sustainable Development Welsh Government Cathays Park Cardiff CF10 3NQ  02920 823831 james.gibbs@wales.gsi.gov.uk

### 2.2.2 FSA OV action

The licence from the competent authority of the Member State will provide the reason for return. Upon receipt at the GB plant, the OV should establish whether the meat:

- poses a risk to human or animal health
- fails to comply with the relevant regulations, or
- needs to be placed under restrictions, for example pending further decisions for salmonella cases

If the OV suspects that the returned meat or animal products are unsatisfactory, then action should be taken.

**Reference:** See section 4 on 'Action for unsatisfactory consignments' in this chapter for additional information.

## 2.3 Third country imports

### 2.3.1 Background

Each import consignment must:

- come from a country approved to export that type of product to the EU
- be accompanied by animal health and public health certification
- come from EU-approved premises
- enter the EU through a Border Inspection Post (BIP) where veterinary checks must be carried out

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Remember that general EU regulations will also apply.

Link to lists of third country Product Establishments:

[http://ec.europa.eu/food/safety/international\\_affairs/trade/non-eu-countries\\_en](http://ec.europa.eu/food/safety/international_affairs/trade/non-eu-countries_en)

### 2.3.2 Border inspection posts (BIPs)

BIPs operate under the responsibility of a Portal OV. The designation for a Portal OV is different to the designation of OV by the FSA. Portal OVs are appointed by a Local Authority and designated by Defra after completion of a specific Defra led training course.

### 2.3.3 Checks on third country imports

The table below outlines the checks on third country imports.

Step	Details
1	Meat from third countries outside the EU is checked at an authorised BIP on the EU's external border. This could be a BIP in GB or elsewhere within the European Union.
2	After satisfactory inspection at the BIP, the Portal OV issues a certificate confirming that veterinary checks have been carried out. The certificate is known as a Common Veterinary Entry Document (CVED). <b>Reference:</b> See Annex 1 in this chapter.
3	The original health certificates issued by the originating country are retained at the BIP and an authenticated copy is given to the transporter.
4	CVED travels with the consignment to the first approved establishment whilst under customs bond. There is no need for the authenticated copy of the CVED to accompany the load.
5	From the first approved establishment, the meat then travels with commercial documents only.
6	The FSA OV at any subsequent approved establishment will make random checks on consignments and accompanying paperwork. These checks include: EU rules on the origin of the product (authorised country and establishment) <ul style="list-style-type: none"><li>• health marking, or</li></ul>

	<ul style="list-style-type: none"><li>• identification marking</li><li>• documentation</li><li>• transport</li><li>• wrapping and packaging.</li></ul>
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### 2.3.4 Legislation relating to inspection and checking of imports

#### Regulations:

- Regulation (EC) 999/2001 Annex IX, Chapter C, (as amended)
- Regulation (EC) 882/2004, Articles 14 and 18
- The Official Controls (Animals, Feed and Food) (England) Regulations 2006, Regulation 17
- The Official Controls (Animals, Feed and Food) (Wales) Regulations 2007, Regulation 17
- The Trade in Animals and Related Products Regulations 2011, Regulations 15 and 19
- The Trade in Animals and Related Products (Wales) Regulations 2011, Regulations 15 and 19

### 2.3.5 Documentation missing

All third country meat, regardless of the point of entry, should arrive at the first point of destination accompanied by a CVED.

If documentation for a consignment selected for checking is missing, contact Operations at York.

### 2.3.6 UK meat returned from third country

UK meat and animal products returned from outside the EU are subject to the conditions laid down in:

- the Trade in Animals and Related Products Regulations 2011, Regulation 27 (in England)
- the Trade in Animals and Related Products (Wales) Regulations 2011, Regulation 27



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Import will only be permitted if there is evidence that the product has not lost its EU status. The normal requirements are:

- the consignment is returned with the original export health certificate
- a statement giving the reasons why the consignment is being returned
- a guarantee that the conditions governing storage and transport have been observed and that the product has not been handled
- in the case of products in a sealed container, a certificate from the carrier stating that the contents have not been handled or unloaded
- in the case of products not in a sealed container, a declaration that it has not undergone any handling other than, in the case only of packaged products, loading and unloading of unopened packages

The OV should check to see that all such consignments are accompanied by a CVED and the necessary third country guarantees, and that EU requirements concerning marking are still met.

## 3. Additional Duties for Imported Beef

- 3.1 FSA duties at cutting premises: Imported beef
- 3.2 SRM Definition and inspection duties
- 3.3 SRM Bovine vertebral column labelling requirements

### 3.1 FSA duties at cutting premises: Imported beef

#### 3.1.1 Overview of OV responsibilities

The OV must carry out random inspection of consignments of imported meat to verify FBO compliance with SRM controls to ensure that imported beef is free from SRM (spinal cord).

#### 3.1.2 Verification checks

The FSA is no longer required to carry out 100% checks on compliance with SRM removal requirements. However, the OV must verify that the FBO has robust systems in place to ensure that meat entering the food chain is free from SRM.

The level of checks will depend on the meat being imported. Random unannounced verification inspections should be carried out by an authorised officer, with further intelligence based inspections as appropriate (taking into account status of the country of origin).

Full checks on the FBO's procedures must be carried out as part of the audit process (see chapter 4 on 'Audit, HACCP and verifying operator's own checks'). As part of the audit, the OV must verify that the FBO has robust systems in place to ensure that meat entering the food chain is free from SRM.

### 3.2 SRM definition and inspection duties

#### 3.2.1 Regulations

Imported animals and animal products must meet the requirements of Regulation (EC) 999/2001 (as amended) which lays down rules designed to prevent, control and eradicate Transmissible Spongiform Encephalopathies (TSEs).

Regulation (EC) 999/2001 applies to production and placing on the market of live animals and products of animal origin, and in certain specific cases to exports.

#### 3.2.2 Definition of SRM in imported beef

SRM in beef imported from countries with a controlled or undetermined BSE risk is defined as:

<b>All ages</b>	<ul style="list-style-type: none"> <li>• tonsils</li> <li>• intestines from the duodenum to the rectum</li> <li>• mesentery</li> </ul>
<b>Over 12 months</b>	Skull excluding the mandible and including the brain and eyes, and spinal cord
<b>Over 30 months</b>	Vertebral column including the dorsal root ganglia, but excluding: <ul style="list-style-type: none"> <li>• vertebrae of the tail</li> <li>• spinous and transverse process of the cervical, thoracic and lumbar vertebrae</li> <li>• median sacral crest and wings of the sacrum</li> </ul>

**Note:** Before reporting SRM, remember to check the age of the animals on the documentation. Only the intestines, tonsils and the mesentery in imported beef from animals under twelve months of age are designated as SRM.

#### 3.2.3 Permitted cuts containing SRM vertebral column

It is permitted to import from other Member States:

- whole carcasses

- half carcasses
- half carcasses cut into no more than 3 wholesale cuts
- quarter carcasses

with the vertebral column remaining, providing that they are sent directly to a licensed cutting plant which holds an additional approval to remove bovine vertebral column.

**Reference:** See chapter 2.7 on 'SRM' for further details on additional approvals to remove bovine vertebral column.

### 3.2.4 Non-permitted cuts containing SRM vertebral column

Smaller cuts of beef containing vertebral column are not permitted to be imported into GB from countries with a controlled or undetermined BSE risk and are an illegal import of SRM, unless accompanied by a declaration stating they are derived from animals which are under 30 months at the time of slaughter.

**Reference:** See topic 4.5 on 'Unsatisfactory consignments: SRM' in this chapter for additional information.

### 3.2.5 Operator responsibility for beef from countries with a controlled or undetermined BSE risk containing vertebral column

The FBO must contact their ITL 72 hours in advance of an imported beef delivery from countries with a controlled or undetermined BSE risk containing vertebral column.

The ITL will arrange appropriate FSA verification of the process and controls in place.

### 3.2.6 Commercial document

A commercial document must accompany the load specifically indicating the number of bovine carcasses or cuts:

- from which removal of the vertebral column is required
- from which removal of the vertebral column is NOT required

**Reference:** Regulation (EC) 999/2001 (as amended) Annex V, 11 3 (b).

### 3.3 SRM bovine vertebral column labelling requirements

#### 3.3.1 Vertebral column

The vertebral column does not need to be removed from bovine animals less than 30 months of age.

#### 3.3.2 Blue stripe

EU legislation requires that carcasses or parts of carcasses that do not require the vertebral column to be removed as SRM must be identified by a blue stripe on the label as described in Regulation (EC) 1760/2000.

**Reference:** Regulation (EC) 999/2001 (as amended), Annex V, 11 3 (a).

#### 3.3.3 Action if no blue stripe label

Bovine carcasses, or parts of carcasses, containing vertebral column from countries with a controlled or undetermined BSE risk without a blue striped label attached must be treated as over 30 months of age and the vertebral column must be removed at a cutting plant which holds an approval for its removal.

#### 3.3.4 Action if blue stripe label

Where bovine carcasses or parts of carcasses containing vertebral column are marked with a blue striped label the vertebral column is not designated SRM.

#### 3.3.5 Information on label

EU legislation requires the label to indicate:

- the ID number for the animal (or relevant group of animals)
- the approval number for the slaughterhouse / cutting establishment and / or
- the Member State of slaughter, cutting or export

**Reference:** Regulation (EC) 1760/2000, Article 12 requires the label to be attached to the meat, pieces of meat or to the packaging material.

## 4. Action for Unsatisfactory Consignments

- 4.1 Types of unsatisfactory consignments of imported meat
- 4.2 Unsatisfactory consignments from Member States: public health
- 4.3 Unsatisfactory consignments from third countries: public health
- 4.4 Unsatisfactory consignments: unchecked consignments
- 4.5 Unsatisfactory consignments: animal health
- 4.6 Unsatisfactory consignments: SRM
- 4.7 Disposal of unsatisfactory consignments

### 4.1 Types of unsatisfactory consignments of imported meat

#### 4.1.1 Categories

Unsatisfactory consignments can be classified into the categories listed below:

- Public health:
  - wrapping and packaging
  - contamination
  - health marking
  - identification marking
  - labelling / health certificates / commercial documents
  - temperature
  - disease / animal health
  - SRM presence

- Unchecked consignments:
  - that have not been brought into GB through an approved BIP
  - that have been removed from a BIP without a CVED or the authority of the OV at the BIP
  - that were transferred from the BIP to a destination not specified in the CVED
- Animal health:
  - notifiable disease detected
  - identified as likely to cause a serious hazard to humans or animals
  - an uncertified product comes from an area infected by an epizootic disease
  - documentation fails to certify the consignment is free from disease

### 4.1.2 Action

The action taken for the unsatisfactory consignments will depend upon the severity of the problem and instruction given by the FSA.

It is necessary that any unsatisfactory consignments are reported in accordance with this chapter.

### 4.1.3 Provisions applicable to the wrapping and packaging of foodstuffs

Wrapping and packaging must conform to the requirements of Regulation (EC) 852/2004 Annex 2, Chapter X.

Checks should be made to ensure the integrity of the packaging and that the packaging fully protects the meat from the risk of contamination.

### 4.1.4 Health marking / identification marking

Imported consignments received in approved establishments must bear the appropriate health mark / identification mark.

**Reference:** Regulations (EC) 853/2004 Annex II, Section I and (EC) 854/2004 Annex I, Section I, Chapter III.

### 4.1.5 Documentation

Consignments received in approved establishments must be accompanied by the appropriate documentation.

**Reference:** See the section 2 'FSA role: checks on imported fresh meat' in this chapter for additional information.

### 4.1.6 Temperature limits

Fresh meat must not be exported from the country of origin, including EU Member States, unless it has been chilled to a specified internal temperature, and maintained at that temperature throughout the period of transport. The internal temperature that the meat must not exceed is listed in the tables below:

Type of meat	Part of meat	Maximum temperature (°C)
Fresh meat (red)	Carcases and cuts	+7
	Offal	+3
White meat	Poultry carcase	+4
	Poultry offal	+4
Wild game	Large	+7
	Small	+4
Type of meat	Maximum temperature for storage and transport (°C)	
Mince meat	Fresh	+2
	Frozen	-18
Meat preparations	Fresh	+4
	Frozen	-18
Mechanically separated meat	Fresh	+2
	Frozen	-18

### 4.1.7 SRM

**Reference:** See section 3 on 'Additional duties for imported beef' in this chapter for action on SRM finds.

## 4.2 Unsatisfactory consignments from Member States: public health

### 4.2.1 Legislation

Action may be taken for any import which does not meet animal or public health conditions relating to the legislation.



### Regulations:

- Regulations (EC) 852, 853 and 854/2004
- The Food Hygiene (Wales) Regulations 2006
- The Food Safety and Hygiene (England) Regulations 2013
- Regulation (EC) 178/2002, Article 14
- The General Food Regulations 2004
- Regulations (EC) 1069/2009 and 142/2011
- The Animal By-Products (Enforcement) (No 2) (Wales) Regulations 2011
- The Animal By-Products (Enforcement) (England) Regulations 2013

### 4.2.2 Unsatisfactory consignment from Member States: OV action

The OV is to take the action detailed in the following table in the event of an unsatisfactory consignment from a Member State due to a public health issue.

**Note:** Operations will advise the OV in writing, by fax or e-mail, of the action required for any unsatisfactory meat.

**Reference:** See topic 4.5 on 'Unsatisfactory consignments: SRM' in section 4 for additional guidance.

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Step	Action
1	<p>Serve either:</p> <ul style="list-style-type: none"> <li>• a Section 9, Food Safety Act 1990 Detention of Food Notice (ENF 11/1) or</li> <li>• a Regulation 9 (5) Food Hygiene (Wales) Regulations 2006 Detention Notice (ENF 11/26 (S)/(W)) or</li> <li>• a Regulation 10(1) Food Safety and Hygiene (England) Regulations 2013 Detention Notice (ENF 11/26 (E))</li> </ul> <p>to detain unsatisfactory meat, until an FSA decision is provided.</p> <p>The costs incurred to comply with any Notices issued are borne by the owner or his agent.</p>
2	<p>Copy completed notice to the Corporate Support Unit (CSU) York Transactions Team by email or fax (access contact details in chapter 1 on 'Introduction').</p>
3	<p>Complete a form IMP 8/1 Imported meat: Unsatisfactory consignments from Member States / third countries, as fully as possible. Email or fax the completed form to the Operations team (contact details as above), then send it by post to Operations, Food Standards Agency, York.</p> <p><b>Reference:</b> See chapter 9 on 'Forms' for form IMP 8/1.</p> <p>Operations will inform the relevant technical and policy team(s).</p>
4	<p>Take photographs of the non-compliant consignment and email or post these to CSU York Transactions Team.</p>
5	<p>Email or fax copies of the commercial documentation, where available, to CSU York Transactions Team.</p>
6	<p>Operations will contact the OV when a decision is made on the action to take, so the OV can require the consignment to be:</p> <ul style="list-style-type: none"> <li>• destroyed as an animal by-product, or</li> <li>• used for petfood, or</li> <li>• returned to country of origin, or</li> <li>• released for sale.</li> </ul> <p>Where the product must be destroyed as an animal by-product, request voluntary surrender and oversee staining (where required) and disposal.</p> <p>Where the FBO refuses to dispose of a consignment, the OV should require its disposal in accordance with the Animal By-Products</p>

	(Enforcement) (England)/ (Wales) Regulations. A Notice for the Disposal of Animal By-Products (ENF 11/12) should be served for its disposal, if required.
7	Confirm to the CSU York Transactions Team when the consignment has been disposed of, released or returned. <b>Reference:</b> See topic 4.6 on 'Disposal of unsatisfactory consignments' in this section for additional information.

### 4.2.3 Communication with exporting country

It may be necessary for the FSA or Defra to raise the matter with the exporting country. This will be done by the Chief Veterinary Officer (CVO).

**Caution: The OV must not take the matter up directly with the exporting country.**

## 4.3 Unsatisfactory consignments from third countries: public health

### 4.3.1 Legislation

Where meat imported from a third country is suspected to be unfit for human consumption, the OV has powers to require destruction or re-export.

**Note:** The OV should not exercise these powers, but should follow the process below. Operations will advise the OV (in writing, by fax or email) of the action for any unsatisfactory meat.

#### **Regulation:**

- Regulation (EC) 882/2004, Articles 18 to 21
- The Official Controls (Animals, Feed and Food) (England) Regulations 2006, Regulation 17
- The Official Controls (Animals, Feed and Food) (Wales) Regulations 2007, Regulation 17
- The Trade in Animals and Related Products Regulations 2011, Regulation 20
- The Trade in Animals and Related Products (Wales) Regulations 2011, Regulation 20
- Regulations (EC) 1069/2009 and 142/2011

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- The Animal By-Products (Enforcement)(No 2)(Wales) Regulations 2011
- The Animal By-Products (Enforcement) (England) Regulations 2013.

### 4.3.2 Unsatisfactory consignment from third country: OV action

The OV is to take the following action in the event of an unsatisfactory consignment from a third country:

Step	Action
1	Serve a detention notice under Regulation (EC) 882/2004, Article 18 (Form ENF 11/32).
2	Copy completed notice to the CSU York Transactions Team by email or fax (access contact details in chapter 1 on 'Introduction').
3	<p>Complete a form IMP 8/1 Imported meat: Unsatisfactory consignments from Member States / third countries, as fully as possible. Email or fax the completed form to the CSU York Transactions Team (contact details as above), then send it by post to Operations, Food Standards Agency, York.</p> <p><b>Reference:</b> See chapter 9 on 'Forms' for form IMP 8/1.</p> <p>Operations will inform the relevant technical and policy team(s).</p>
4	Operations will notify the OV if further information is required. For example, photographs, copies of commercial documentation.
5	Take relevant photographs wherever possible and email or post these to the CSU York Transactions Team.
6	<p>Operations will contact the OV when a decision is made on the future of the consignment. Operations cascades information to the OV, so that they:</p> <ul style="list-style-type: none"> <li>• may order the consignment to be destroyed</li> <li>• allow the consignment to be used for purposes other than originally intended</li> <li>• allow re-despatch of the consignment outside the community, provided that: <ul style="list-style-type: none"> <li>• the destination is agreed with the FBO responsible for the consignment <b>and</b></li> <li>• the FBO responsible for the consignment has informed the Competent Authority of the third country of origin, or destination of the reasons why the food cannot be placed on the market within the community, <b>and</b></li> </ul> </li> </ul>

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	<ul style="list-style-type: none"> <li>where the third country of destination is not the third country of origin, the Competent Authority of the third country of destination has informed the Competent Authority of its willingness to accept the consignment.</li> </ul>
7	<p>Details of any non-conforming products or illegally imported products from third countries must be entered on an IIT1 form. Contact Operations (contact details as above) for a blank copy of form IIT1 for completion.</p> <p>Completed IIT1 forms should be sent to:</p> <p>England: <a href="mailto:iit@defra.gsi.gov.uk">iit@defra.gsi.gov.uk</a></p> <p>Wales: <a href="mailto:james.gibbs@wales.gsi.gov.uk">james.gibbs@wales.gsi.gov.uk</a></p> <p>Also send a copy of the completed IIT1 to CSU York Transactions Team.</p>
8	<p>Confirm to Operations when the consignment has been disposed of, released or returned.</p> <p><b>Reference:</b> See topic 4.6 on 'Disposal of unsatisfactory consignments' in this section for additional information.</p>

### 4.3.3 Communication with exporting country

It may be necessary for the FSA or Defra to raise the matter with the exporting country. This will be done by the Chief Veterinary Officer (CVO).

**Caution: The OV must not take the matter up directly with the exporting country.**

### 4.3.4 UK BIP imports

In the case of meat imported through a UK BIP, the OV should immediately notify Operations who will inform the appropriate body.

Meat imported	Operations contact
Through a UK BIP	APHA official responsible for the BIP
Through another Member State BIP	FSA to contact Member State

### 4.3.5 Unchecked consignments

Where evidence exists that consignments may have been:

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- imported into GB other than through an authorised BIP
- removed from a BIP without a CVED or the authority of the BIP OV
- transported from a BIP to a destination other than the one specified in the CVED, the OV should follow the steps in the following table:

Step	Action
1	<p>Detain the consignment under Regulation (EC) 882/2004, Article 18 (form ENF 11/32) to conduct further checks.</p> <p><b>Regulation:</b></p> <ul style="list-style-type: none"> <li>• The Trade in Animals and Related Products Regulations 2011, Regulations 13 and 19</li> <li>• The Trade in Animals and Related Products (Wales) Regulations 2011, Regulations 13 and 19.</li> </ul>
2	Copy completed notice to the CSU York Transactions Team by email or fax (access contact details, Chapter 1, page 1-5).
3	<p>Complete form IMP 8/1 as fully as possible. Email or fax the completed form to Operations (contact details as above), then send it by post to Operations, Food Standards Agency, York.</p> <p><b>Reference:</b> See chapter 9 on 'Forms' for form IMP 8/1.</p> <p>Operations will inform the relevant technical and policy team(s).</p>
4	Operations will notify the OV if further information is required. For example, photographs, copies of commercial documentation.
5	Take relevant photographs wherever possible and email or post these to Operations.
6	<p>Once the OV has clarified whether the product constitutes an unchecked consignment, they should await an FSA policy decision via Operations.</p> <p>Operations cascades the information to the OV, so that the OV may:</p> <ul style="list-style-type: none"> <li>• allow the consignment to be used as an animal by-product in accordance with Regulation (EC) 1069/2009, provided there is no risk to human or animal health</li> <li>• permit the person in charge of the consignment to re-despatch the product outside the Community from the same BIP, to a destination agreed with the person responsible for the consignment, using the same means of transport, within 60 days, or</li> <li>• if the person responsible for the consignment gives immediate agreement, re-despatch is impossible or the 60 day time limit</li> </ul>

	<p>has elapsed, destroy the product.</p> <p>Where the FBO refuses to deal with the consignment in accordance with the OV's instructions, the OV may formally seize the consignment in accordance with the Trade in Animals and Related Products Regulations 2011 (and equivalent legislation in Wales), and require it to be disposed of, consigned outside the EU, or destroyed under the same conditions as above.</p> <p>Failure to comply with the official detention of the OV will constitute a contravention of The Official Controls (Animals, Feed and Food) (England) Regulations 2006, Regulation 17/ The Official Controls (Animals, Feed and Food) (Wales) Regulations 2007, Regulation 17.</p> <p>An importer whose products are liable for seizure may also have breached Regulation 13 and 16 of TARP 2011 in England and Wales.</p> <p><b>Reference:</b> See chapter 7 on 'Enforcement' for additional information.</p>
7	<p>Details of any non-conforming products or illegally imported products from third countries must be sent to Defra, Scottish Government or Welsh Government, as appropriate. Use the IIT1 form- see page 4-10 of this Chapter for details of where to obtain the form and where to send it once completed.</p>
8	<p>Confirm with Operations when the consignment has been disposed of, released or returned.</p> <p><b>Reference:</b> See topic 4.6 on 'Disposal of unsatisfactory consignments' in this section for additional information.</p>

### 4.4 Unsatisfactory consignments: animal health

#### 4.4.1 Causes

A consignment may be considered unsatisfactory:

- if the presence of an agent responsible for a notifiable disease is detected
- if any cause likely to constitute a serious hazard to humans or animals is present
- that uncertified product comes from an area infected by an epizootic disease.

#### Examples:

- consignments imported from countries or regions that are not permitted due to disease outbreaks
- meat from FMD vaccinating countries.

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### 4.4.2 Defra responsibility

Defra and APHA take responsibility for all animal health aspects of imports.

### 4.4.3 OV action

The OV is to take the following action in the event of an unsatisfactory consignment due to an animal health issue.

**Note:** Operations will advise the OV in writing, by fax or e-mail, of the action required for any unsatisfactory meat.

Step	Action
1	<p>Detain the meat until further advice is given by APHA via Operations.</p> <p><b>Meat from other Member States:</b></p> <p>Detain under the Food Hygiene (Wales) Regulations 2006, Regulation 23 or 9(5) – form ENF 11/1 or ENF 11/26 / Food Safety and Hygiene (England) Regulations 2013, Regulation 25 or 10(1) – form ENF 11/1 or ENF 11/26 respectively.</p> <p><b>Meat from a third country:</b></p> <p>Detain using the official detention provisions in Regulation (EC) 882/2004; Article 18- form ENF 11/32.</p>
2	<p>Copy completed notice to the CSU York Transactions Team by email or fax (access contact details in chapter 1 on 'Introduction').</p>
3	<p>Complete form IMP 8/1 as fully as possible. Email or fax the completed form to CSU York Transactions Team (contact details as above), then send it by post to Operations, Food Standards Agency, York. Also fax the form to the local APHA office.</p> <p><b>Reference:</b> See chapter 9 on 'Forms' for form IMP 8/1.</p>
4	<p>APHA contacts Operations when a decision is made on the future of the consignment. Operations cascades the information to the OV, so that they may release it for human consumption or:</p> <p><b>From Member States:</b></p> <p>require destruction of the consignment as an animal by-product. If the FBO refuses, serve an ENF 11/12 to require its disposal.</p> <p><b>From third countries:</b></p>



	<p>require destruction of the consignment as an animal by-product, or any other appropriate measures necessary to protect human or animal health.</p> <p><b>Reference:</b> See chapter 7 on 'Enforcement' for additional information and chapter 9 on 'Forms' for the ENF notices.</p>
5	<p>Details of any non-conforming products or illegally imported products from third countries must be sent to Defra, Scottish Government or Welsh Government, as appropriate. Use the IIT1 form: see topic 4.3.2 on 'Unsatisfactory consignment from third country: OV action' in this section for details of where to obtain the form and where to send it once completed.</p>
6	<p>Confirm to Operations when the consignment has been disposed of, released, or re-despatched.</p> <p><b>Reference:</b> See topic 4.6 on 'Disposal of unsatisfactory consignments' in this section for additional information.</p>

### 4.5 Unsatisfactory consignments: SRM

#### 4.5.1 Procedure

The steps below explain the OV role when SRM is identified.

**Note:** Operations will advise the OV in writing, by fax or e-mail, of the action required for any unsatisfactory meat.

**Reference:** See section 3 on 'Additional duties for imported beef' in this chapter for additional information.

Step	Action
1	<p>Inform the FBO of the situation and ensure the entire consignment is unloaded and inspected.</p>
2	<p><b>Consignments from other Member States:</b></p> <p>Detain the product under the Food Hygiene (Wales) Regulations 2006, Regulation 23 or 9(5) / Food Safety and Hygiene (England) Regulations 2013, Regulation 25 or 10(1) – form ENF 11/1 or ENF 11/26 respectively – until the FSA decision is given.</p> <p><b>Consignments from third countries:</b></p> <p>Detain the product under Regulation (EC) 882/2004, Article 18- form ENF 11/32.</p>

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3	Copy completed notice to Food Incidents Team and Imported Food Team by email or fax (access contact details in chapter 1 on 'Introduction').
4	Complete form IMP 8/1 as fully as possible. Email or fax the completed form to the Food Incidents and Imported Food teams (contact details as above) then send by post to the Food Incidents and Imported Food teams.  <b>Reference:</b> See chapter 9 on 'Forms' for form IMP 8/1.
5	Email or fax copies of commercial documentation, where available, to the Food Incidents and Imported Food teams.
6	Take relevant photographs and email or post to the Food Incidents and Imported Food teams.
7	<p>The Food Incidents Team and / or the Imported Food Team will contact the OV when a decision is made on the future of the consignment. The Food Incidents and Imported Food teams will cascade information to the OV, so that they can:</p> <p><b>Consignments from other Member States:</b></p> <ul style="list-style-type: none"> <li>• arrange for the removal of the SRM and release the meat for sale, or</li> <li>• arrange for the destruction of the consignment as an animal by-product, setting out the appropriate method of disposal; serve an ENF 11/12 in the event that the FBO refuses to dispose of the consignment</li> </ul> <p>(See chapter 2.8 on 'Animal by-products' for additional information)</p> <p><b>Consignments from third countries:</b></p> <ul style="list-style-type: none"> <li>• where health conditions permit, require the re-despatch of the product outside of the European Union, from the same BIP to an agreed destination, using the same means of transport, within a maximum time limit of 60 days, or</li> <li>• destroy the product in accordance with Regulation (EC) 1069/2009 and the domestic ABP Regulations.</li> </ul>

8	Details of any non-conforming products or illegally imported products from third countries must be sent to Defra, Scottish Government or Welsh Government, as appropriate. Use the IIT1 form: see topic 4.3.2 on 'Unsatisfactory consignment from third country: OV action' in this section for details of where to obtain the form and where to send it once completed.
9	Confirm to the Food Incidents and Imported Food teams when the consignment has been disposed of or released. <b>Reference:</b> See topic 4.6 on 'Disposal of unsatisfactory consignments' in this section for additional information.

### 4.6 Disposal of unsatisfactory consignments

#### 4.6.1 Permitted disposal routes

APHA will be able to advise on the approval status of plants receiving all categories of by-products from approved establishments, or see: Guidance for the animal by-product industry - GOV.UK

**Reference:** See chapter 2.8 on 'Animal by-products' for additional information.

#### 4.6.2 Despatch

To prevent diversion of unfit consignments back into the human food chain, the OV must supervise the despatch of such consignments. The product must be removed from the establishment as detailed in this section, depending on the category of ABP.

#### 4.6.3 Category 3 animal by-product

It may be possible for disposal at an approved petfood plant as a Category 3 ABP. In such a case the OV is to:

- check the consignment is sent to an approved (registered) plant
- obtain an estimate of the weight of by-product despatched
- obtain confirmation of receipt at the pet food plant

**Note:** this may require liaison with a local authority; contact Operations for assistance in making arrangements

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- forward a copy of the receipt by fax or post to Operations

## 5. Checks on Imported Live Animals

- 5.1 General conditions and checks applicable to live animals entering GB from EU Member States
- 5.2 General conditions and checks applicable to live animals entering GB from a third country
- 5.3 General conditions and checks applicable to live animals entering GB from a third country via other Member States
- 5.4 Imported cattle identification
- 5.5 SRM controls
- 5.6 Welfare issues for imported animals
- 5.7 Incorrect certification or identification of import animals
- 5.8 Detained animal arrangements

### **5.1 General conditions and checks applicable to live animals entering GB from EU Member States**

#### **5.1.1 Introduction**

Importers are required to give at least 24 hours' notice in writing (including by fax) to the APHA office responsible for the place of destination of the animals of their intention to import from another Member State.

The Notice should state:

- name, full postal address and telephone number of the importer
- name, full postal address and telephone number of the place destination
- date and time of arrival at place of destination
- details of the animal(s) being imported including quantity, breed, sex, passport number (if applicable), name (if applicable)

- name and full postal address of the premises of origin where the animal(s) are being imported from
- signature and date

**Regulation:** The Trade in Animals and Related Products Regulations 2011- Part 2 (England and Wales).

### 5.1.2 Delivery of imported livestock

The animals must be taken directly to the place of destination which must be the place of destination given on the export health certificate. The appropriate health certificate must accompany the consignment to its place of destination where it must be retained by the consignee for a minimum period of 12 months. The route plan or animal transport certificate must also accompany the consignment.

All consignees must, before the consignment is divided up or subsequently marketed:

- check either that each animal is identified and that they are accompanied by certification in accordance with community or national rules, or
- notify APHA of any irregularity or anomaly in either identification or in certification of the animals, or
- where an irregularity or anomaly in the certification is found, isolate the animals or products in question until a veterinary inspector has authorised their release in writing

### 5.1.3 General conditions and checks applicable to live animals entering Great Britain from a third country

**Note:** For background information only – this relates to the work of Portal OVs.

The following conditions apply in respect of animals originating in a third country which are either imported directly into Great Britain or are imported via another Member State:

- live animals may only be imported into Great Britain through an approved BIP, which must be approved to handle the category of animal being imported; further information is supplied on Defra's website at: <https://www.gov.uk/government/publications/border-inspection-post-bip-manual>

- importers must provide one working day's advance notice in writing (fax or email is acceptable) to the APHA official responsible for the BIP, of their intention to import; they must include the information contained in Part 1 of the CVED
- under Regulation (EC) 1/2005 and the Welfare of Animals (Transport) (England) Order 2006 and the Welfare of Animals (Transport) (Wales) Order 2007, importers must comply with the rules of animal welfare during transport
- on arrival, the animal(s) must be conveyed directly to the BIP where they will be subject to documentary and identity checks and, in most cases, to a physical examination
- importers must notify the APHA official responsible for the BIP if, for any reason, the arrival of a consignment is cancelled, postponed or delayed
- the animals will not be permitted to leave the BIP or the HMRC clearance area, except with a CVED provided by the Portal OV, confirming that all the veterinary checks have been carried out; the animals must be taken directly to the place of destination which must be the destination given on the CVED
- on arrival at the destination after leaving the BIP, animals for breeding and production may not be moved from the establishment unless authorised in writing by APHA

## **5.2 General conditions and checks applicable to live animals entering Great Britain from a third country via other Member States**

### **5.2.1 Introduction**

The following conditions apply in respect of animals originating in a third country which are imported into Great Britain via another Member State and where the veterinary checks at a BIP have been carried out in the Member State of entry.

- The animal must, on arrival in Great Britain, be accompanied by a CVED and an authenticated copy of the original health certificate, issued by the Portal OV of the BIP. These documents must be retained by the consignee for at least 12 months and be made available, on request, to an officer of Defra, Scottish Government, Welsh Government or LA.
- Importers must notify APHA, in writing (fax or email is acceptable), at least 24 hours in advance of the expected date of arrival in Great Britain. Details

provided must include the nature of the consignment and the anticipated arrival date.

### **5.3 Imported cattle identification**

#### **5.3.1 Non-direct to slaughter cattle**

All cattle born or imported (not direct to slaughter) into GB since 1 July 1996 must be registered with British Cattle Movement Service (BCMS) within 15 days of arrival at the holding. They must be moved to the licensed slaughterhouse accompanied by an official GB passport.

For imported animals with BCMS-issued passports, the passport will provide details of the country from which the animal was imported.

#### **5.3.2 Direct to slaughter: Member States**

All cattle imported from EU Member States or from Northern Ireland, Isle of Man or the Channel Islands and sent direct for slaughter must be accompanied by:

- a passport issued by the Member State or island authority
- an export health certificate
- a Permit Authorising Movement Of Cattle (BT1) issued by DAERA (for cattle from Northern Ireland only)

#### **5.3.3 Direct to slaughter: third countries**

Animals imported since 1 July 1996 from third countries, will be accompanied by a GB passport unless they are presented for slaughter within 15 days of import, in which case they will be accompanied by an export health certificate.

#### **5.3.4 FSA action**

Chapter 2.5 on 'Animal identification' sets out all FSA action required including:

- FSA responsibilities in relation to checking cattle ID
- action to take when cattle are not properly identified



### 5.4 SRM

#### 5.4.1 Cattle from EU Member States and countries with a controlled or undetermined BSE risk

Cattle imported live from all EU Member States and countries with a controlled or undetermined BSE risk are subject to SRM controls when slaughtered in GB. These controls may vary from those for cattle born, reared and slaughtered in the UK and involve the removal of additional SRM from the carcass.

Example: Vertebral column in an approved cutting plant.

#### Regulation:

Regulation (EC) 999/2001 (as amended), Annex IX, Chapter B on Imports of bovine animals.

Commission Decision 2007/453/EC for lists of countries or regions by BSE risk category.

#### 5.4.2 Cattle from the Isle of Man and the Channel Islands

Cattle imported live from the Isle of Man and the Channel Islands are subject to the same SRM controls as the UK.

### 5.5 Welfare issues for imported animals

#### 5.5.1 Resting

The animals may be rested prior to slaughter, provided that the health certificate is valid at the date of slaughter.

#### 5.5.2 Legislation

- Regulation (EC) 1/2005 and
- The Welfare of Animals (Transport) (England) Order 2006, or
- The Welfare of Animals (Transport) (Wales) Order 2007 (WATO).

### 5.5.3 Documentation required during transportation

The person transporting animals must carry with them documentation stating:

- the origin of the animals and their ownership
- the place, date and time of departure
- the intended destination
- the expected duration of the intended journey

which must be made available to the Competent Authority on request.

**Reference:** Regulation (EC) 1/2005, Article 4, Paragraph 2.

### 5.5.4 OV duties

The OV should check that consignments have been transported in accordance with the legislation quoted above.

The OV at the slaughterhouse should carry out checks as part of their animal welfare inspections under Regulation (EC) 854/2004 to ensure that water and feeding intervals, journey times and resting periods comply with Regulation (EC) 1/2005, Annex I, Chapter V.

A model document setting out the journey details that must be recorded is contained in Regulation (EC) 1/2005, Annex II.

**Note:** Journey time begins when the first arrival is moved. A 'long journey' will be any journey exceeding 8 hours.

Additional provisions relating to long journeys are contained in Regulation (EC) 1/2005, Annex I, Chapter VI. Certain derogations from these provisions exist for journeys less than 12 hours.

**Reference:** WATO, Part 3.

Where the haulier breaches these provisions, the OV should refer such matters to APHA / LA.

**Reference:** See chapter 2.3 on 'Animal welfare' for additional information.

### 5.6 Incorrect certification or identification of import animals

#### 5.6.1 Confirmation to APHA

All the animals that are imported must be accounted for.

The OV should confirm to APHA that all the animals certified have arrived and have been slaughtered.

#### 5.6.2 Unidentified animals

If the OV identifies that imported animals are accompanied by incorrect certification or cannot be readily identified, the animals must not be slaughtered, and they must immediately notify APHA, who will arrange for the animals to be examined by a VO.

#### Regulations:

Regulation (EC) 853/2004, Annex II, Section II, Para 2(a) and Annex III, Section I, Chapter IV, Para 3

The Trade in Animals and Related Products Regulations 2011

The Trade in Animals and Related Products (Wales) Regulations 2011

#### 5.6.3 APHA action

After examination, the APHA VO will either certify that the animals are:

- fit to be slaughtered and used for their intended purpose, or
- by notice in writing served on the person in charge of the animals, require the animals to be slaughtered and destroyed or re-exported (in exceptional circumstances), in each case at the expense of the importer.

#### Regulations:

The Trade in Animals and Related Products Regulations 2011, Regulations 5 and 15

The Trade in Animals and Related Products (Wales) Regulations 2011, regulations 5 and 15

Disease Control (England) (Wales) Order 2003.

### 5.7 Detained animal arrangements

#### 5.7.1 Detention method

The various methods of detention available to the OV are detailed in chapter 7 on 'Enforcement'. To summarise, detention is possible under:

- the Food Hygiene (Wales) Regulations 2006, Regulation 9 (5) / Food Safety and Hygiene (England) Regulations 2013, Regulation 10 (1) for consignments from other Member States (form ENF 11/26 – Detention Notice)
- Regulation (EC) 882/2004, Article 18 for consignments from third countries (form ENF 11/32 – Letter of Official Detention).

#### 5.7.2 Protocol

As best practice the OV and the FBO should agree a detention procedure within the establishment.

# 6. Exports

- 6.1 Introduction
- 6.2 Authorisations and approvals
- 6.3 Certification

## 6.1 Introduction

### 6.1.1 Purpose

In certain situations, FBOs may decide to trade their products outside of the UK.

Depending on the country of destination and the type of product, the FBO may be required to take additional actions. Additional official controls may also be required.

### 6.1.2 Intra community trade

Member States may allow dispatch of heads or of un-split carcasses containing SRM to another Member States only after prior agreement from that state.

**There are currently no agreements in place relating to bovine heads for GB.**

Carcasses, half carcasses or half carcasses cut into no more than three wholesale cuts, and quarters containing no SRM other than the vertebral column, including dorsal root ganglia, may be despatched from one Member State to another without the latter's prior agreement.

However, certain exceptions apply.

**Note:** Exports outside the Community of heads and of fresh meat from bovine, ovine or caprine animals containing SRM is prohibited.

### 6.1.3 Third country exports

Meat and products of animal origin intended for export to third countries (Non-EU Countries) must comply with the requirement of the importing country.

These requirements may differ between countries and it is the exporter's responsibility to be aware and comply with any requirements.

Such additional requirements may include the specific approval of the establishment ('Third country approval'), continuous compliance with the requirements of the approval, and certification issued by the competent authority.

## 6.2 Authorisations and approvals

### 6.2.1 Authorisation of OVs

Export certification is carried out by OV on behalf of Defra.

The authorisation of OVs to sign Export Certificates is different from the authorisation of OVs under The Food Hygiene (Wales) Regulations 2006 / The Food Safety and Hygiene (England) Regulations 2013 to enforce (EC) 854/2004.

Training and authorisation of OVs for export purposes must be arranged with APHA.

**Note:** OVs must not complete export certificates unless they are authorised to do so. If in doubt you should seek technical guidance.

### 6.2.2 Approval of plants

Some third countries require formal approval of establishments before they accept their products. It is the exporter's responsibility to be aware of such requirements and obtain approval before any export takes place.

Third country approvals are issued by the Food Standards Agency.

The OV should be aware of all third country approvals currently held by the establishment and keep copies in the premises file.

### 6.3 Certification

#### 6.3.1 Supporting certification

'The 12 principles of certification' require that veterinarians should only certify matters within his or her knowledge and that can be verified.

In order to do so, the OV may need supporting certification issued by another OV from the establishment of origin of the meat or from APHA.

- Annex 3 for a copy of 'The 12 principles of certification'
- Annex 4 for RCVS / Defra guidance on the application of principle 12
- Annex 5 for APHA checklist and additional guidance on completion of official export certification

#### 6.3.2 Internal movement certificates

When the certification takes place at the end of the chain of establishments, a certifying OV needs support certification issued by the OVs from previous establishments that have handled the product.

This supporting certification takes the form of 'Internal Movement Certificates'.

#### 6.3.3 Disease clearance certificates

Some certificates require the OV to certify that the country or a region is free of certain animal diseases. In order to be able to certify that statement, the OV need supporting certification issued by APHA.

This supporting certificate takes the form of 'Disease clearance certificates'.

It is the exporter's responsibility to obtain any Disease Clearance Certificates required.

#### 6.3.4 Issue of blank certificates

Export or Internal Movement Certificates are issued by APHA.

There are specific certificates for different products and destinations.

It is the exporter's responsibility to order certificates and ensure that they are available at the time of certification.

**Reference:** For further information, see APHA website at <https://www.gov.uk/government/collections/guidance-on-importing-and-exporting-live-animals-or-animal-products>

### 6.3.5 Security of blank certificates

APHA will send blank certificates directly to the OV.

Blank certificates must be kept secure until used. Unused certificates must be returned to APHA if they are not expected to be needed.

### 6.3.6 Completion of certificates

Each certificate is accompanied by the current guidance notes on completion issued by Defra. OVs must adhere to these instructions.

**Note:** It is advisable for the OV to retain relevant guidance notes with completed certificates.

### 6.3.7 Application of official stamps

The OV must ensure that the correct official stamp is applied to documents, depending on the designation under which their signature is applied.

### 6.3.8 Record keeping

A register must be kept indicating when blank certificates are received, used or returned to APHA and details of their use.

### 6.3.9 Copies of certificates

Two copies must be made of each certificate issued. These copies must be signed by the OV and certified as 'Certified copy of the original'.

One copy must be returned to the issuing APHA office and the other filed.

Additional instructions may be found in the guidance notes issued with the blank certificates.



## 7. Annexes

Annex 1	Mode common veterinary document (CVED)
Annex 2	Sample document: IIP1 form
Annex 3	The 12 principles of certification
Annex 4	Additional guidance on principle 12
Annex 5	Export certification: Guidance for OVs