



HM Government

UK TRANSITION

Animal Health Regulation and Composite Products

Traders

Frequently Asked Questions

V2.0 – Final

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The following FAQs will attempt to clarify some of the key changes surrounding the changes to the Animal Health Regulations.

This document is intended to be continually edited and updated as and when new questions are received. The date on which the document was last updated, and version number is included for ease of reference. Any new chapters or questions that have been added since the last version are identified by ****New****.

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General

What are the changes happening to EHCs on 21st April?

There are changes to EU law, which apply from April 2021 that will impact on traders who export certain animals, germinal products and products of animal origin. These changes will impact the export of certain animals, germinal products and products of an animal origin to the EU and movements to Northern Ireland. Export Health Certificates (EHCs) and Notes for Guidance are being updated to reflect the new rules.

The change to EU law is called the Animal Health Regulation (AHR).

What does this mean for traders?

You will need to follow these new rules to be able to continue to export to the EU and move goods to Northern Ireland.

There are new EHCs that businesses will need to use.

What about composite products?

The EU are introducing new rules for the export of composite products. These changes introduce new EHCs for composite products as well as new documentation for composite products exempt from certification.

Defra will make the new composites EHCs available for use from 21st April 2021 but exporters who currently use composites EHCs can continue to use the old certificate until August 2021.

The new rules mean that certain composite products that do not currently require an EHC will need one after 21st April 21. Other composite products that are currently exempt from certification will require a new document, called a 'private attestation'.

Which new EHCs will traders have to use from 21st April?

The changes to the EU law and the new rules for the export of composite products means that from 21st April 2021 there are five new EHCs and one new model private attestation document that exporters will now need to use to export the relevant goods to the EU.

Specifically, there are three new products of animal origin (POAO) EHCs, two new composite EHCs and a private attestation document for composites exempt from certification.

The three new POAO EHCs include meat of certain wild game and farmed large game and mechanically separated pork meat. The new POAO EHCs and Notes for guidance are available to view on form finder from, and for use from 21 April 2021.

Private attestations do not need to be signed by an Official Veterinarians (OV) or a Food Competent Certifying officer (FCCO). It must be prepared and signed by the importing food business operator in the EU.

The new regulations also introduce EHCs for certain live animal species and germinal product exports for which there is currently no EU EHC. These will be made available when required.

Why have you given businesses so little time to get ready for these changes?

The EU only recently published much of the information about the new rules, including some of the technical details exporters need to know.

Since then Defra has been working through the legislation with industry to understand the impact and we will continue to provide information to businesses as soon as the EU makes it available.

When will the other new EHCs be introduced?

Unless goods need to be exported with the new documentation, we plan to take full advantage of provision within the EU's legislation to continue using old certificates until August 2021, when the switch to the new certificates needs to be complete, to allow exporters the maximum time to prepare.

We will continue to keep businesses informed about the phasing of the new EHCs and will provide guidance and information, so they are prepared for these changes.

I export composite products, do the transitional arrangements apply to me.

Yes. If you currently export a composite product that requires an EHC you will be able to continue to use the current EHC until August 2021. You can also choose to use the certificate appropriate to your product under the new rules.

If the composite product was previously exempt from certification it may need an EHC under the new rules. If this is the case, you will need to use the *new* composite EHC from 21st April 2021.

If your composite goods are exempt from certification, you will now need to use the new private attestation. More details [here](#).

How many new EHCs will there be in total that are being introduced because of the EU rule change?

The AHR contain 111 EHCs for products of animal origin, live animals and germinal product exports that are relevant to GB-EU trade. The AHR does not affect the EHCs for animal by product exports, which will remain the same as they are now.

109 will eventually be available for EHC Online and they include 47 animal products EHCs and 62 EHCs for live animals and germplasm. Two EHCs are for live aquatic animals and will be available from CEFAS.

Why is the EU introducing these changes?

The European Parliament and the Council adopted the Regulation on transmissible animal diseases (“Animal Health Law”) in March 2016 and it will apply from April 2021. It streamlines a number of legal acts.

This new EU law establishes new rules for third countries exporting to the EU. The current EHCs and Notes for Guidance are being updated to reflect new rules.

Do these changes apply to movements of goods from GB to Northern Ireland?

The Animal Health Regulation will also apply in Northern Ireland. Traders moving goods from Great Britain to Northern Ireland will need to ensure that they meet the new regulatory, documentary, and certification requirements for composite goods.

Specifically, composite goods being moved from GB to NI will need to conform to new requirements for composite products as set out above. These goods will need to be accompanied with the appropriate composites EHC. If the products are exempt, they will need to be accompanied by a private attestation prepared and signed by the importing food business operator in Northern Ireland.

Businesses on the Authorised Trader list moving goods from GB to NI will not be required to complete new composites EHCs or private attestations until the relevant phase of compliance comes into effect from 1st Oct 2021. Instead, their STAMNI declarations will meet these requirements in the meantime, in line with the movement criteria. However, all goods moved by Authorised Traders from GB to NI must comply with the regulatory requirements for composite products set out above.

****New** Please clarify the difference between being placed on the market or the point of importation?**

The point of importation takes place at the Border Control Post (BCP). Whereas, the EU legislation defines that the goods are placed on the market at the following the warehouse of the operator responsible for the consignment; the point of release of free circulation in the Union; or the place of destination.

****New** If in UK Trader Scheme, when does the EHC/Attestation requirement apply?**

The UK Trader Scheme is an HMRC run scheme predominantly for customs purposes. The UKTS has no bearing on when the AHR requirements will apply to you.

****New** If we have different establishment numbers on the retail pack to other packaging what should we put on the support attestation?**

The support attestation is there solely to provide information to support the certification of that product. As long as it's clear in the support attestation what information is being provided, and it can include the approval number of the establishment that processed the relevant POAO within the composite, then there should be no issue for the final certifier who will be able to enter the correct information onto the EHC.

****New** After 21st April, can Support Attestation documents, e.g. ET199, be used for completion of EHC for composite products. This where an export load is consolidated at one location with product originating from several manufacturing sites.**

Yes, but the support attestation documents are for use within the UK only. ET199 is a template that allows a /Vet/FCCO to provide information to a certifier signing an EHC at a different premises. It can be adapted for different consignments, including a composite product that requires an EHC.

Composite products

What is a composite product?

Composite products are foods containing both plant products and processed animal products.

Traders need to distinguish between composite products and processed animal products. Please refer to the Composite Product Decision Tree to help you determine whether your product is a composite and what type of certification it requires from 21st April 2021.

What isn't a composite product?

Adding a plant product during the processing of an animal product does not automatically mean that the final food is a composite. If the addition of the plant product does not modify the main characteristics of the final product then adding this plant product does not make the product a composite.

For example, a cheese with herbs or a yogurt with fruit are classed as dairy products. Similarly, canned tuna with added vegetable oil is classed as a fishery product.

Please refer to the Composite Product Decision Tree to help you determine whether your product is a composite or not and what type of certification it requires from 21 April 2021.

I understand that the rules for exporting Composite Products will also be changing at the same time the new AHR is introduced?

New rules for the export of composite products will be introduced at the same time as the Animal Health Regulation, which introduces new composite product EHCs.

These rules mean that some products that did not previously require an EHC to be exported to the EU or moved to Northern Ireland will need an EHC from 21 April 2021. There is also a new document – a private attestation - for the export of composite products which remain exempt from certification.

What are the main differences between exporting composites previously compared to the new rules?

It is easier to determine whether your products require a composite EHC or not. Some products that don't need an EHC will now require a private attestation.

However, there are some composite products that will be exempt and don't require an EHC or private attestation.

Please refer to the [Composite Product Decision Tree](#) to help you determine whether your product is a composite or not and what type of certification it requires from 21st April 2021.

Are there differences in the categories of composite products exported to the EU after 21 April 2021?

Yes. There will be three categories of composite products:

1. Non shelf-stable composite products
2. Shelf-stable composite products that contain any quantity of meat products, except gelatine, collagen and highly refined products
3. Shelf-stable composite products that do not contain meat products, except gelatine, collagen and highly refined products

The requirements on traders and the guarantees accompanying the composite products depend on their category. However, the requirements for processed animal products in the composite products are the same for the three categories.

When will these new EHCs for composite products be ready for businesses to view them?

The new EHCs are available now.

I understand that under this new system, all animal products within a composite product will require an EHC, where previously just the composite product needed an EHC.

No, this is wrong. The new EHC for composite products, introduced by the EU enables the certification of the meat, fish, dairy and egg elements of a composite product on the same EHC in a similar way to the current composite EHC.

The range of composite products that require an EHC is changing and a new private attestation document for exempted composites is being introduced.

What is the difference between non shelf stable and shelf stable composite products?

Shelf stable animal composite products are products that do not need to be transported or stored under controlled temperatures e.g. chilled or frozen.

What is meant by “controlled temperature”?

“Controlled temperature” means that the products have been produced in a way that does not allow their transport and storage at ambient temperature.

If traders are transporting or storing a shelf-stable composite product under controlled temperature, for example to preserve its quality, the requirements for a shelf-stable composite product apply.

Which composite products need an EHC?

Shelf stable and non-shelf stable composite products for human consumption containing processed meats need an EHC (gelatine, collagen and highly refined products are not included in this)

Composite products that are not shelf stable and contain other processed animal products i.e. fish, dairy or egg need an EHC.

****New** Should export health certificates be used for shelf stable composite products containing pasteurised dairy (no meat) where dairy does not meet the heat treatment requirements specified?**

The European Commission has confirmed it is amending the AHR to allow businesses to use a private attestation to export shelf-stable composite products containing dairy that has not undergone UHT or sterilisation, so long as the dairy product originates and is processed in a third country listed for the export of dairy to the EU, such as GB.

As the legislative amendments will not be in place by 21 April 2021 when the new Regulation applies the Commission has agreed an interim arrangement.

The importer, completing the private attestation, may delete Point 10 of Part II of the attestation (which relates to the dairy heat treatment requirement) if:

- dairy products are listed as ingredients in point 4 of Part II of the attestation and;
- the country code inserted in box 1.7 of Part I of the attestation, is that of a third country listed for the export of dairy products to the EU without risk mitigating treatment (such as GB).

The establishment of origin of the dairy product, indicated in point 5 of the attestation, is in a third country listed for the export of dairy products to the EU without risk mitigating treatment (such as GB, or the EU, or Northern Ireland).

This means that shelf stable composite products dispatched from GB to the EU, which contain no meat but do contain dairy products processed in the UK (or another

similarly listed third country) or the EU, do not require any specific treatment to use the private attestation document.

****New** After April 21st - If products contain >50% milk, will they no longer be classed as a composite product? Would they now be classed as a dairy product?**

The definition of what is or isn't a composite product is not changing. The rules on which composite products need EHCs and checks are changing. The percentage of POAO within the product will no longer be relevant to determining whether it needs an EHC.

****New** What do I need to do to transit composites via the EU**

There are specific transit EHCs which require less information than export EHCs and no public health information. The establishment number is required for dairy in Part II of the EHC but isn't in the other elements of the composite product. You do need to provide details of the manufacturing plant as in i27 but that doesn't necessarily need to be an approval number or an approved premises.

****New** For composite products containing excipients like sunflower oil, does this fall under the same requirements as composite products containing gelatine?**

Sunflower oil is not a POAO. The addition of sunflower oil wouldn't necessarily make something a composite product. E.g. The oil surrounding canned fish wouldn't necessarily make that a composite product. It could continue to be a fishery product. Please refer to the composites guidance for more information.

- ****New** Is banding for weights or percentage of ingredients acceptable for ingredient declarations?**

EU legislation is clear in that it says all the POAO and products of plant origin ingredients need to be listed indicating their percentage and nature in descending order of weight. If you have specific questions about the format of the information it would make sense to speak with the BCP.

****New** Government page indicates that composite products are defined by >50% of content being of untreated POAO ingredients, however latest letter from APHA mentions that will depend on "shelf stability". which is it and how to define it?**

All POAO in a composite need to be processed so have undergone some form of treatment. The definition of a composite product is not changing. The rules indicating when an EHC is needed are altering, however. GOV.UK page still includes the current definitions of when rules outlining when certification is required hence the reference to the 50% threshold. From April 21st 2021 shelf-stability, and whether a product contains meat, will be the determining factor for whether an EHC is needed.

****New** Does the STAMNI for shelf stable composite products have to be uploaded to TRACES for all products or only for products subject to BCP checks?**

Authorised traders using STAMNI declarations should continue doing as they have been for now.

Certification requirements and Border Control Post checks

What are the border control checks for composite products?

Unless specifically exempt from border checks, all consignments of composite products exported to the EU will be subject to veterinary checks at an EU Border Control Post (BCP), including those exempt from certification where a private attestation is also required.

Composite products subject to checks and requiring an EHC

Non-shelf stable (such as chilled and frozen) composite products or shelf stable (ambient) composite products that contain processed meat must be subject to BCP/ Points of Entry (PoE) for Northern Ireland on entry into the EU/NI and be accompanied by an EHC.

If the composite product is not shelf stable and contains meat products and/or other processed animal products (e.g. fish, dairy, egg) then it's subject to BCP checks and requires an EHC.

There are two composite product EHCs in the Regulation:

- Entry into the EU (or Northern Ireland) of not shelf-stable composite products and shelf stable composite products, containing any quantity of meat products except gelatine, collagen and highly refined products, and intended for human consumption
- Transit through the EU to a third country either by immediate transit or after storage in the Union of not shelf-stable composite products and shelf-stable composite products containing any quantity of meat products and intended for human consumption

Composite products that are subject to BCP checks and requiring a private attestation

If the final composite product is shelf stable and does not contain processed meat products but is not on the EU's list of lower risk products it must be subject to BCP/PoE checks and accompanied by a private attestation.

The private attestation does not have to be signed by an OV or FCCO and must be prepared and signed by the importing food business operator in the EU/NI.

- It is recommended a copy of the private attestation must accompany the consignment to the EU BCP or NI PoE.
- The EU/NI importer or agent should provide the original private attestation to the EU BCP/NI PoE.
- The importer completing the private attestation will require a declaration from the exporter of the composite products, attesting that the dairy products and

egg products contained in the composite products have undergone the required heat treatment. There is no set model for providing this declaration and it does not have to be signed by an OV or an FCCO.

Composite products subject to risk-based border or destination checks and requiring a private attestation

The final shelf-stable composite products not containing processed meat and is listed in legislation (includes bread, pasta, olives, sweets) is exempt from BCP/PoE checks, provided the products meet all of the following requirements:

- Any dairy and egg products contained in the shelf-stable composite products have been subjected to the required heat treatment
- They are identified/labelled as intended for human consumption
- They are securely packaged or sealed

The private attestation must be prepared and signed by the importing food business operator in the EU/NI and must accompany the products at the time of the placing on the market.

The consignment must also be accompanied by a declaration of the exporter of the composite products, attesting that the dairy products and egg products contained in the composite products have undergone heat treatment.

The consignment maybe subject to random or risk-based checks at the point of destination in the EU/NI.

What are the foods listed in the legislation as exempt from certification and exempt from BCP checks?

These foods include:

- Confectionery (including sweets), chocolate and other food preparations containing cocoa
- Pasta, noodles and couscous
- Bread, cakes, biscuits, waffles and wafers, rusks, toasted bread and similar toasted products
- Olives stuffed with fish
- Extracts, essences and concentrates, of coffee, tea or maté and preparations with a basis of these products or with a basis of coffee, tea or mate
- Roasted chicory and other roasted coffee substitutes, and extracts, essences and concentrates thereof
- Soup stocks and flavourings packaged for the final consumer
- Food supplements packaged for the final consumer, containing processed animal products (including glucosamine, chondroitin or chitosan)
- Liqueurs and cordials

There is a full list available in the annex of the relevant EU [legislation](#).

Goods on this list may still be subject to random or risk-based checks at the EU place of destination, point of release into free circulation or the warehouse of the operator responsible for the consignment.

What checks will be needed on chocolate/biscuits/pasta etc?

Provided that these are shelf stable and do not include meat products (other than gelatine, collagen or highly refined products) these require a private attestation signed by the EU importer. They are not subject to BCP checks but may be subject to random or risk-based checks in the EU.

Composite products containing honey, gelatine, collagen, snails or highly refined products

If the only processed products of animal origin in a composite product are honey, collagen, gelatine or snails, and the composite produce is shelf stable, then it will need to be accompanied by a private attestation.

If the composite product is not shelf stable, and contains honey, gelatine or snails as the only processed POAO content, then it will need an EHC for the individual product (i.e the honey, gelatine or snails EHC). There is no requirement for a composite product EHC in that specific circumstance.

If the composite product contains meat, dairy, fish or egg *and* honey, gelatine or snails, a composite products EHC is needed (unless the resultant composite product is exempt from certification when a private attestation is required). No additional EHC for honey/gelatine/snails will be needed.

****New** It looks like there is space for 5 composite products to be listed. Is it possible to add more products through a supplementary sheet that accompanies the attestation or is 5 the maximum?**

You can add a schedule to the EHC if you need to if you have more products than the information in i27 will allow you to submit. There are certain restrictions on where you can make use of schedules, and all of the products have to satisfy the same either/or statements in the EHC. If you are considering adding a schedule to a private attestation, you may wish to check with the EU BCP to understand if they have any formatting expectations.

****New** What documents will a composite product containing fish ingredients require a private attestation or a veterinary export health certificate document?**

If the product is chilled or frozen and containing fish then it will require an EHC but if it is shelf stable composite product then it will need the private attestation.

****New** Where a veterinary certificate is needed for a composite product, is there a need to have a trace linking back to production date of dairy ingredient?**

Yes, it is referenced in the footnotes of the EHC that the date of production of dairy is needed in the certificate. It doesn't have to be a specific date, it can be a date range.

****New** I currently inspect/look after an approved fishery products premises who wish to export their uncooked 3 fish product, this product is topped with a cheese sauce to the EU, the cheese sauce is made from UHT milk and only forms a small part of the product. Which certificate should be used and may this be signed by an FCCO?**

This will require multiple certificates. The fish is unprocessed, so will require a fishery products certificate (which can be signed by an FCCO). A different certificate will be required for the dairy based sauce. If the sauce contained no plant products then this would be a dairy EHC, signed by an OV. Assuming it does contain plant products, it would likely be a composite. If a composite, what certificate it will need depends on its shelf stability - If it is a chilled composite product it would need the composite EHC which an FCCO can't sign. If it is shelf stable it would need the private attestation signed by the importer.

****New** Guidance for EHC 8351 Composites says it is not necessary to include "Slaughterhouse", "treatment type" or "Date of collection/production" in box I27 These fields can be certified as "not applicable" as the relevant information is provided in Part II of this certificate. However, there is no section in part II for slaughterhouse or date of production (other than for the milk component) so is just information provided such as treatment and origin/zone sufficient?**

The certificate in the legislation has several boxes in i27 which were standardised across many different certificates but it was very clear to us that not all of these boxes are relevant for, in the particular case of composite products because where information was required on traceability and health information relevant it was already included in the part 2 of the certificate so the purpose of box i27 is to identify the consignment and they advised us that certain fields within that box don't need to be completed for composites in particular so that is reflected in the notes for guidance.

****New** Fully cooked (ready to eat) doughnuts (which contain a small amount of milk powder) are currently transported/exported frozen. Will they now require an export health cert from 21st April?**

If the product is not shelf stable and is a composite it will require an EHC, regardless of the percentage of POAO. If it is a shelf-stable product you are opting to transport at a controlled temperature for quality preservation purposes, you should be able to use a private attestation. However, we suggest you liaise with the BCP to explain to them that you are transporting a shelf-stable product at a controlled temperature.

****New** In the guidance in 2020/2235 for completion of EHCs it states that only 1 option can be selected from ambient, chilled or frozen....as retailers have mixed temperature vehicles per consignment, does this mean that vets will need to complete multiple EHCs per consignment for multiple transit temps?**
Yes, that is what it means. Consignments travelling at different temperatures will require different EHCs.

****New** For composite EHCs, the list of egg treatments both on the certificate and in the legislation does not include all egg products which could be used, e.g. what would Vet select for products containing Dried whole egg?**

Our understanding is that the treatments for whole egg would also apply for dried whole egg.

****New** If a product contains honey powder does it require an EHC or private attestation if ambient stable?**

You would need to look at the whole product to see whether or not it is a composite product or not. If it is a composite product that doesn't contain any meat and it's ambient stable, then the private attestation would cover it.

****New** How does this work (EHCs and PAs) for ecommerce parcels? Are individual parcels required to have their own EHCs/PAs?**

We have asked the Commission for clarity, especially on private attestations direct to consumer parcel movements so we will publish further information on that as soon as we have it.

****New** Is anyone aware of issues at BCPs with regard to Vitamin D being classed as POAO and therefore needing a PA/EHC?**

We have written to the European Commission asking the specific question about Vit D and the certification it requires. I am of the understanding that these rules won't necessarily change how it will be treated but once we have that clarification, we will provide an update to you.

****New** Is it a legal requirement that each time we ship frozen cookie dough (non shelf-stable and containing less than 50% POAO but edible raw) that we have a vet present? Vet fees are extortionate for something that is arguably very low risk.**

If the product is not shelf stable under the new rules it is going to need an EHC regardless of the percentage of POAO within the product. Whether or not that certificate needs to be signed by a vet depends on the specific content of the composite. A composite product that contains only fish or egg can be signed by a FCCO or an OV. If the composite product contains any dairy or meat it needs to be signed by an OV.

****New**** In relation to EHCs, the list of egg treatments, does not include all egg products which could be used, e.g. unpasteurised egg products (egg white specifically) & egg yolk (currently states salted egg yolk). Will these products get added to the list?

The list is set out in the EU regulations. We would hope that you may be able to classify your product within the existing list of options available even if it doesn't specifically talk about that product there might be another category like whole egg that could be used depending on what is included in the product. If there are significant issues with the current list we would need to request that the EU change their legislation.

****New**** Please note that Albania is not listed as a country of destination in the transit through the EHC certificate available in the GOV website. So, does this mean it is not needed for Albania shipments transiting through the EU?

Although Albania may not be included as a country of destination the heading box on form finder for the transit certificate if you are exporting a consignment of composite products to Albania via the EU the expectation would be that you would follow the EU rules for transiting products which means the use of an EHC where the product requires it. You would obviously also need to comply with the requirements that Albania has for the import of those products.

Private Attestations

What are private attestations?

The private attestation is laid down in EU law. It must be prepared and signed by the importing food business operator (FBO) in the EU. If the product is subject to BCP checks, the EU importer will need to ensure that a physical copy of the attestation meets the consignment at the BCP. For products not subject to BCP checks, the attestation is only required at the point the product is placed upon the EU market.

Who has to sign the private attestation?

The private attestation must be signed by the representative of the importing food business operator.

Where can I get a copy of the attestation?

They will be available on form finder. There will be guidance about the attestations for exporters.

Does it have to be a wet stamped?

No. The attestation does not need to be stamped.

Who checks the private attestation accompanying shelf-stable composite products not containing meat? Where does this check happen?

The checks on shelf-stable composite products not containing meat are carried out the BCP unless the product is exempt. Checks may be carried out at the place of destination, the point of release for circulation in the EU or the warehouses or the premises of the operator responsible for the consignment.

What is the penalty in the absence of a private attestation accompanying the composite product?

The consignment will be detained by the EU.

Must a shelf-stable composite product not containing meat always be accompanied by a private attestation?

A private attestation must accompany every consignment of shelf-stable composite products.

Are all of the composite products that are eligible to be accompanied by a private attestation exempt from checks at the border?

No. Only those composite products that are specifically exempted, in the legislation, from the checks at BCPs.

Checks may be carried out at the place of destination, the point of release for circulation in the EU or the warehouses or the premises of the operator responsible for the consignment.

Do I need to provide a full breakdown of ingredients in the composite product to the importer for them to sign the private attestation?

Yes. This is a requirement of the attestation, set out in EU law. An ingredient list should be included in descending order of weight and including nature and percentage of each ingredient.

****New** Can the private attestation form be completed as a mixture of printed and handwritten information? We are likely to have a semi-automated solution to print the forms, but some information will need handwriting onto it.** To be clear it's the importer in the EU or NI who completes the private attestation however there should be nothing to prevent handwritten information being included in the form.

****New** For Northern Ireland do the forms also need to physically accompany the goods? If so, then how will the officials at the entry point know that a load needs to be checked as we are completing safety and security declarations which do not have commodity codes on them, rather than any full import paperwork.**

DAERA guidance is available here: [Guidance on changes to the rules for movement of composite products from GB to NI/EU from 21 April 2021 | Department of Agriculture, Environment and Rural Affairs \(daera-ni.gov.uk\)](#)

It is advisable that a copy of the private attestation produced by the importer accompanies the consignment to the Northern Ireland Point of Entry.

With regard to the pre-notification requirements for Shelf-stable composite products that do not contain meat products, except gelatine, collagen and highly refined products the following applies:

- If the shelf-stable product is not listed as low risk in accordance with Article 48 (h) of Regulation (EU) 2017/625, it will require pre-notification on TRACES NT by creating a CHED P and uploading the private attestation. These products will be subject to controls at the NI Point of Entry (POE).
- For those low risk shelf stable composites pre-notification on TRACES NT is not required however, the private attestation must be sent to:

CompositeProducts@daera-ni.gov.uk in advance of arrival. The importer name, date of arrival and trailer number must be included in title of email. These consignments will be subject to risk-based controls at point of destination instead of at the NI POE.

****New** Does the private attestation need to be provided in only the official language at BCP where shipment enters the EU or all transit and final destination markets as well?**

We have asked the EU for further clarity. The requirements for EHC are for a language understood by the person completing the attestation and the BCP of arrival in the EU. Safe assumption would be providing it in English and the language at the BCP in the EU if it is subject to BCP checks. If it is subject to risk based checks then it makes more sense to provide it in the language of the final country of destination. Just a reminder that it is the EU importer that will be submitting this document.

****New** Do products requiring an attestation only still need to be pre-notified?**

This is an area where we are seeking further clarity from both the EU and individual EU member states. Our assumption would be that for products that require checks at a BCP, which are some products that move with the private attestation, pre notification will be needed and that will operate as per the rules of the individual member state has for their BCP in terms of timelines. Where products are not required to undergo checks at BCP and the private attestation is only needed when the goods are placed on the market we need further clarity from the Commission and individual member states as to how they are intending to operate the systems at borders for those particular consignments.

****New** Have you got an example of a private attestation you can show us?**

Already available on GOV.UK [a private attestation](#)

****New** We have had a go at completing the Private Attestation, however part 2 is largely un-editable, e.g. ingredients, approval numbers and the date etc, what do we do here?**

The form as it's available on Form Finder allows part 1 to be edited. Clearly with part 2 there is an area where information is needed. The EU importer will need to populate this information, based on what you provide to them as the exporter.

****New** Who needs to complete the attestation under DAP terms from UK? EU Importer or UK Exporter?**

EU have been very clear that it is the responsibility of EU importer to complete the attestation.

****New** STAMNI and Traces are used for Supermarket Goods. Private Attestations are exempt until October or phase thereafter under supermarket Scheme. Products which are exempt should use a (PA) should These travel under STAMNI and be pre-notified on Traces until October.**

There is the exemption for shelf stable products on EHC requirements which will instead require private attestations, and then there is the blanket exemptions for Authorised Traders from all documentation and certification associated with the AHR. To be quite clear, if you are an Authorised Trader and you are moving goods from GB to NI within the scope of the scheme (i.e. they are intended for direct sale to customers via supermarkets and retail in Northern Ireland), then those consignments do not need to be accompanied by any of the new EHCs being introduced by the AHR nor are they within scope of private attestations. Importers will not need to complete private attestations for the movements of goods until, at the very least October.

****New** Is there a minimum order value at which point these rules kick in? Eg how do we send low value orders to consumers in Europe as they wouldn't be able to complete the private attestation.**

No, there isn't a minimum value for consignments for which these rules apply. We have asked the EU specifically about consignments sent directly to consumers that would require a private attestation and whether one is indeed required and particularly as the goods aren't placed on the market and we are awaiting a response on that.

****New** Does Private Attestation need to be completed by the importer? We do not currently know the ingredients or percentages or in most cases the amount of goods being sent by supplier?**

Yes, the importer needs to complete the private attestation.

****New** How will the EU BCP know to check an attestation - will this need to be advised by the importer via TRACES NT or is there another method?**

If the product is subject to BCP checks, it would be safe to assume that pre notification will be required. Check with the individual BCP as to their specific requirements because pre notification varies across different BCPs. We are speaking to a number of member states about exactly what they are going to require in terms of pre notification for private attestations. It will be the responsibility of the importer to undertake any pre notification and complete the private attestation.

****New** Is there a definition of Heat Treatment (Time & Temp) or list of suitable treatments... Sterilisation / canning/ drying etc.**

Yes, there are different covered by the private attestation more restrictive than the products that can be covered by EHC. The requirements are either in the certificate or in the legislation and there are links in the notes for guidance for the EHC or guidance document for the private attestation.

****New** If the Attestation isn't required for presentation until the product is placed on the market, why does the attestation form require vehicle details? Are these fields optional?**

The guidance for the private attestation clarifies that goods are subject to checks at a BCP there are certain fields that are optional and one of those is i15 which is the means of transport.

****New** Who does the EU importer submit the document to?**

If the product is subject to BCP checks, they will need to ensure that document arrives at BCP at the same time as the consignment. If the product is not subject to BCP checks then the importer needs to retain the private attestation document to enable risk-based checks at the point of destination.

****New** Does the private attestation as per form finder need to be used or can an equivalent document be created that contains the same information?**

The private attestation is set out in legislation so your importer when they submit it will need to use the model that the EU have designed which is the one that is available on form finder.

****New** On the attestation it has “optional in the case of products exempted from official controls at border control ports” - how do you know what products are exempted?**

The products that are exempted from checks at BCPs are those listed in the annex to [the EU regulation – 2021/630](#). Eg. Confectionery, breads, cakes, pasta, noodles, coffee, coffee substitutes.

****New** If completing a private attestation for a composite product, in order for the importer to comply with statements in section 2, do the exporter need to provide compliance declarations from the manufacturer i.e. do exporters need to provide compliance declarations to support the importer in order to sign off the attestation?**

The guidance document that we put out last week gives some detail on the kind of information you as the exporter would need to provide to the importer. The main one is around the heat treatment of dairy and egg content where a declaration is going to be needed. There isn't a set format for that declaration, but you are going to have to provide something that will allow the importer to sign the document and give them knowledge that the relevant heat treatments have been complied with.

****New** Goods in transit subject to delays at clearance what documentation will be required in terms of private attestations, is the 21st of the month a hard stop date.**

21st is a hard deadline unless you are using the old EHCs which you can use until August.

****New** Does the private attestation have to be available at the point of entry to the EU or the destination member state? For example, ambient products transporting under a T1?**

Whether the private attestation needs to be available at the BCP or not depends on whether the products are exempt from BCP checks. If the product is exempt then no, it doesn't need to be available at the point that the product crosses the border. If the product is not exempt, then the private attestation will need to be available at the BCP but it's the responsibility of the EU importer to make sure that the document is available at that point.

****New** Do we need a stamp on the PA as per the model form? What happens if your company is acting as the importer and do not have a stamp?**

You do not need a stamp. This is covered in the guidance documents that we published last week despite the fact that it says stamp on the EU's model. They have confirmed to us that no stamp is required.

****New** Labelling**

****New** Do you confirm that the breakdown of ingredients of composite products in the private attestation corresponds to the back of pack label of the food itself?**

The EU guidance doesn't specify this. It requires an ingredient breakdown of the POAO and plant ingredients in descending order of weight by percentage, and nature. It would be safe to assume if there were obvious differences between what was on the pack and what was on the private attestation and the product is subject to BCP checks then that may raise questions so it may be better if the two would match.

****New** Does the product label need to specifically state 'for human consumption' on it or is it a given that pasta, bread etc. in supermarket-ready packaging is intended for human consumption?**

Think this is in reference to products that are exempt from checks at BCPs and the legislation requires them to be identified as intended for human consumption. It is difficult for us to comment on what a BCP would necessarily expect and if you are unsure, I would check with the relevant BCP. There may be some scope if the commercial documents make it clear that these products are for human consumption.

****New** Regarding the responses to questions about the ingredients list on Private Attestations, point 4 of Part II of the private attestation says “contain the following list of ingredients of plant origin and of processed products of animal origin”. So, this doesn't seem to be the whole ingredient list (as per the label), but only the components that make the product a composite. Please would you clarify?**

The requirement in the EU legislation is for the POAO and plant origin components in a specific format. The point about matching the label is more in relation to what a particular BCP might ask and the best thing to do there is speak to the BCP concerned to clarify what their expectations will be. If there are gaps between the breakdown provided in the attestation and what is on the label or the breakdown on the attestation doesn't add up to 100% of the ingredients it might be reasonable to expect them to ask why and it's therefore sensible to clarify with the BCP what their expectations will be.

****New** POAO**

****New** Are products containing flavours which include animal ingredients like whey considered to be POAO?**

Whey is a dairy product, based on the commodity codes outlined in EU legislation. Certain substances, as prescribed in Section XVI of Regulation 853/2004 are highly refined products – these include chitosan, glucosamine and rennet.

****New** Can we group all herbs and spices together and provide overall percentage of herbs and spices without a need to breakdown into individual spices on the private attestation?**

EU legislation is clear cut on this and says all the POAO and product of plant origin ingredients need to be listed indicating their percentage and weight and nature in descending order. If you have concerns about that it would make sense to speak with the BCP in the EU to understand what they are willing to accept if they are subject to BCP checks and if not subject to BCP checks then speak with the importer as to what they would be willing to accept.

****New** Current guidelines state that if the final product contains less than 20% of POAO then it is exempt, is this still the case? or is it any composite containing POAO?**

New rules that come in on April 21st 2021 remove any reference of percentage of POAO within a product when it comes to determining whether an EHC or a private attestation document is needed. Under the new rules if a product contains meat or is not shelf stable then it needs an EHC. If it is a shelf stable product and contains no meat it can use the private attestation if a composite. Products that currently use the composite EHC can continue to do so until August. The percentage of POAO in a product becomes irrelevant to determining whether it needs a certificate or not.

Food products

The composite product I manufacture contains very small amounts of processed products of animal origin, essentially present for technological reasons. Does it have to fulfil all of the relevant requirements for composite products?

Yes. The percentage of ingredients of animal origin in the composite product is irrelevant when determining which rules apply to a composite product.

Are confectionery products composite products?

Not necessarily. Only those confectionery products that contain both products of vegetable origin and processed products of animal origin are composite products.

I mix an unprocessed product of animal origin and technological ingredients derived from a processed product of animal origin (e.g. albumin binder), do I make a composite product?

No. The final product is not a composite product for two reasons: 1) it does not contain any product of plant origin and 2) it contains an unprocessed product of animal origin.

Is it required to only include processed products of plant origin in a composite product?

No. A composite product contains both products of plant origin and processed products of animal origin, but there is no requirement to use only processed products of plant origin in the manufacture of the composite product.

Am I allowed to use unprocessed products of animal origin to manufacture a composite product?

You are allowed to start the manufacture of a composite product from an unprocessed product of animal origin as long as the processing of the product of animal origin is part of the manufacture of the final product. The composite product must be manufactured in an approved establishment.

How can I differentiate processed products of animal origin with vegetable content from composite products containing processed products of animal origin?

The addition of a plant product to a processed animal product does not automatically mean that the final food is a composite product. As long as the plant product does not modify the main characteristics of the final product then it's not a composite. For example, a cheese with herbs or a yogurt with fruit are classed as dairy products. Similarly, canned tuna with added vegetable oil is classed as a fishery product.

This is a case by case decision considering the variety of product recipes. In case of doubt, the operator will have to provide details to BCP staff to decide whether it is a composite product or not. The product may be inspected to help decide.

If I mix unprocessed products of animal origin and products of plant origin, do I make a composite product?

No. This is not a composite product as it contains an unprocessed product of animal origin.

I am adding a plant compound to a processed animal product. Is the final product always considered as a composite product?

The addition of a product of plant origin during the processing of an animal product does not automatically mean that the final product is a composite. As long as the plant product does not modify the main characteristics of the final product then it's not a composite.

In the case of non shelf-stable products containing fresh meat (or meat preparations) but not processed animal products, how should such products be certified?

A product containing fresh meat is not a composite product. The certificate for composite products is therefore not to be used in such cases. An EHC relevant for fresh meat or meat preparations must accompany the consignment.

I want to export to the EU a shelf-stable composite product that contains gelatine. What needs to accompany the product?

Shelf-stable composite products that contain meat products must be accompanied by an EHC.

However, in the case where the shelf-stable composite product contains no meat product ingredient other than gelatine (or collagen), an EHC is not required but a private attestation will be required.

I want to export a non shelf-stable composite product that contains gelatine (or collagen or highly refined product) and other meat products. Which certificate is required?

Non-shelf-stable composite products must be accompanied by an EHC.

Composite product examples

Picture	CN code	Product information	Comments
	1604 20 10	Salmon Sweet and Sour salad, 185 gr Ingredients: pink salmon (55gr), sweet and sour sauce (tomato sauce, water, vinegar, soybean oil, sugar, modified starch, salt, vegetable extract), tomato, sweet corn, onion, green bell pepper, baby corn, flavour enhancer (E621), paprika colour (E160c)	Composite product, shelf stable and containing fish. Subject to BCP checks as not listed in Annex and is shelf stable and contains processed fish. Requires a private attestation. As it is produced from unprocessed fish, it must come from an approved establishment.
	1902 20	Beef Lasagne Ingredients: minced beef, vegetables and pasta with a béchamel sauce topping containing milk and cheese. Final product has been cooked. Chilled final product.	Non-shelf stable Composite product containing meat product and dairy. Subject to BCP checks and composite product certificate which must be filled in for meat and dairy content.

	2105 00	<p>Vanilla flavoured ice cream with wafer and hazelnuts Ingredients: water, sugar, milk solids, refined palm kernel oil, glucose syrup, hazelnuts, emulsifier, stabilizers, artificial flavouring, chocolate compound, wafer Composite</p>	<p>Composite product, if dairy is processed.</p> <p>As not shelf stable, requires certificate and BCP checks.</p>
		<p>Mayonnaise made with vegetable oil, egg yolk, vinegar etc.</p> <p>Final product cooked in the jar</p>	<p>Composite product, shelf stable with pasteurised egg.</p> <p>Requires private attestation and BCP checks as not listed in Annex.</p>
	1603 00 10	<p>Granulated Chicken Bouillon Ingredients: food additives (monosodium glutamate, nucleotide seasonings, food flavour, vitamin B2), salt rice powder, chicken meat, egg, curry powder (contains turmeric), chive, garlic, white dextrin. Shelf stable</p>	<p>No pieces of meat, just granules which dissolve in hot water. Composite product, but not subject to BCP checks as in Annex.</p> <p>Must be accompanied by private attestation.</p>



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