

UK BCP Questions for clarification – version 7

1. Pet Food Labelling

Under feed regulations, pet food packaging must show the company's feed registration number, whereas the animal by-product Export Health Certificate must show the ABP approval number. We are aware that some BCPs have held consignments on the basis that the number on the label should match the approval number on the EHC.

We have tried to address this by listing both numbers on the third country establishment lists published on our website but this is not reflected in the TRACES NT entry where the TRACES NUMBER shows the ABP approval number while the TRACES IDENTIFIER shows the feed registration number. However, some BCPs will not accept this.

Possible solutions would be to adopt the feed registration number as the ABP number, but this would require re-issue of all exporting ABP pet food premises approvals and changes to the authorised establishments lists. We would appreciate communication to BCPs clarifying that the number listed on the packaging for pet food does not need to be the same as the one on the EHC, and that they can cross reference via the lists on Gov.uk.

DG SANTE answer:

- According to ABP regulation, it is not required that the labels of imported products must bear the approval number of the TC establishment of origin.
- According to feed regulation, compound feed can only be placed on the market with labels bearing:
 - Either the approval number of the EU feed business operator: According to Regulation (EC) No 767/2009 Art. 15(c), this EU approval number can be either the EU "ABP approval number" provided for in ABP regulation (formerly Regulation (EC) No 1774/2002 and currently Regulation (EC) No 1069/2009) or the EU "Feed business operator number" (Regulation (EC) No 183/2005). If a person responsible for the labelling has several approval numbers, they shall use the one granted in accordance with Regulation (EC) No 183/2005.
 - Or the address of the producer in the third country, if the EU feed business operator does not have any approval number (if he/she is not a feed producer or an ABP operator registered or approved).
- It means that, at the level of BCP controls where the products are not yet placed on the market, the individual labelling of the products is not required. However, the abovementioned necessary information for the labelling at a later stage must be available, e.g. with collective labelling (on master boxes or on pallets) or in the accompanying documents.

2. Composites and BCP interpretation

We are aware of certain Border Control Posts rejecting consignments of composite products classed as cakes, breads and biscuits, exported without an Export Health Certificate, that we understand to be exempt from the need for an EHC. Specifically, they are requesting that such composite products that are between 20% and 50% POAO content, but otherwise meet the requirements for an exemption under the relevant legislation, are accompanied by an EHC.

We understand that any composite product compliant with Article 6 (1(a)) of Commission Decision 2007/275 (EC) is exempt from veterinary checks and therefore the need for an Export Health Certificate. It is not a requirement for the product to also be listed in Annex II of that regulation (and therefore be exempt under Article 6 (1(b))).

As such a bread, cake or biscuit product that is a composite and that:

- Contains no meat
- Is less than 50% POAO
- Contains no dairy other than that derived from countries listed in Annex I of Commission Regulation (EU) 605/2010 and treated as indicated in that Annex.
- Is shelf stable at ambient temperature or has undergone complete cooking or heat treatment throughout its substance so as to denature any raw product
- Is securely packaged and clearly labelled for human consumption
- Accompanied by a suitable commercial document

Does not require a composite product EHC. We would appreciate confirmation of this understanding and communication with BCPs to clarify that there is not an additional requirement for cakes, breads and biscuit products to contain less than 20% overall POAO content.

DG SANTE answer:

We confirm that, currently, Art. 6 of Decision 2007/275 excludes from official controls at BCPs the composite products which meet at least one of the following conditions:

- a- Either if they contain less than 50% of products of animal origin and they comply with the specific requirements laid down in Art. 6(1)(a) (i.e. they are shelf-stable, securely packaged, etc.),
- b- Or if they are listed in Annex II to Decision 2007/275.

Therefore, concerning the products complying with option a:

1. Their listing in Annex II to Decision 2007/275 is not necessary to be exempted from BCP controls.
2. Their certification is not required, according to Art. 3 of Regulation (EU) No 28/2012.

Please note that, in any case, the processed products of animal origin included in composite products must comply with the rules of Regulation 853/2004 (third country of origin authorised to export the processed product of animal origin included in the composite product, approved processing establishment) and compliance with Decision 2011/163/EU on residues. These import requirements on composite products will change as from 21.04.2021.

3. Export of hides for further processing into products for human consumption

We are aware that certain exporters are experiencing problems exporting bovine hides for processing for the production of gelatine for human consumption. These products are exported using [the EHC](#) provided in Part VIII of Annex III of Commission Implementing Regulation 2019/628.

When a CHED is raised using the appropriate commodity code for the product, box I.18 (Certified as use for) does not allow 'human consumption' to be entered, despite this being the comparable entry in Box I.20 of the EHC. This has led to certain consignments being held at BCPs. I would appreciate if this inconsistency could be addressed on TRACES.

DG SANTE answer:

This issue has been verified by the services in charge of TRACES and they confirmed that selecting option "human consumption" in CHEDP with CN code 4101 is possible.

However, we can also clarify that technical problems encountered when issuing a CHED in TRACES cannot justify the detention of consignments at the BCP, provided they are compliant with the import requirements of EU legislation.

4. Products requiring multiple EHCs

We would welcome your confirmation on how exporters should approach a scenario where a product would appear to require multiple Export Health Certificates. For example, where a product includes raw meat and dairy (e.g. chicken breast with dairy based sauce), we have advised multiple EHCs would be required. We would follow the same principle for a fish pie product containing raw fish and dairy. We understand this to be in line with the EU guidance for the export of products containing multiple products of animal origin that do not meet the definition of a composite product, but we would appreciate confirmation that this is correct.

DG SANTE answer:

As mentioned in paragraph 2.2.2 of the Guidance for composite products, if several products of animal origin are mixed or assembled without technological reasons of processing, the final product must be accompanied by the relevant model health certificates applicable for each product of animal origin used in the mixed/assembled product.