



Department
for Environment
Food & Rural Affairs

Exporting Plants and Plant Product to the EU – Post Transition Period



Forestry Commission
England



Environment
Agency



Animal &
Plant Health
Agency

Contents

1. Introduction
2. Exports: 1 January 2021
3. Prohibited goods
4. Special Requirements
5. Goods not of GB origin
6. Export applications
7. Fees and charges
8. WPM
9. Steps to take now to prepare for end of transition
10. Further information



Exports approach: 1 January 2021

- ❖ From 1 January 2021, new exports controls will apply to regulated plants and plant products to the EU.
- ❖ Which goods are regulated can be found on the EU's website:
https://ec.europa.eu/food/plant/plant_health_biosecurity/legislation/new_eu_rules_en
- ❖ Goods which will require a PC are generally:
 - ❖ All plants for planting
 - ❖ Root and tubercle vegetables
 - ❖ Most fruits
 - ❖ Cut flowers
 - ❖ Seeds
 - ❖ Vegetables
 - ❖ Wood packaging material
 - ❖ Used agricultural machinery planting;
- ❖ All goods will require a PC

Exports approach: 1 January 2021

What doesn't require a PC

- ❖ There are only 5 goods that do not require a PC, fruits of:
 - ❖ Coconuts
 - ❖ Pineapples
 - ❖ Durians
 - ❖ Bananas & Plantain
 - ❖ Dates

What goods are prohibited?

- ❖ The EU has stated that after the transition period, GB exports to the EU will be subject to EU third country import requirements, including existing plant health prohibitions on seed potatoes and ware potatoes from third countries. GB will be classed as a third country.
- ❖ This includes the prohibitions in Annex VI of EU Implementing Reg 2019/2072 and Implementing Reg 2018/2019 and includes things such as prohibitions on growing medium as a commodity and plants for planting of *Malus* (apples) and *Prunus* (plums, peaches and cherries).
- ❖ These goods can not be exported.

Special Requirements

- ❖ Some goods also have special requirements, also known as additional declarations, that have to be met when exporting goods.
- ❖ A list of goods subject to special requirements can be found in Annex VII and X of 2019/2072.
- ❖ They will often contain options that in which the exporting country has to declare how they met the import requirements.
- ❖ Your local inspector will be aware of the requirements but you should be too.
- ❖ Generally there tend to be 4 options:
 - ❖ Country freedom
 - ❖ Area freedom
 - ❖ Place of production or site freedom
 - ❖ Treatments
- ❖ There may be other options available,, such as testing, so always check the special requirements for each commodity.
- ❖ There may be more than one special requirement for a commodity.

	Plants, plant products and other objects	CN code	Origin	Special requirement
64	Fruits of <i>Malus</i> Mill. and <i>Pyrus</i> L.	0808 10 10 0808 10 80 0808 30 10 0808 30 90	Third countries	Official statement that the fruits: <ul style="list-style-type: none"> (a) originate in a country recognised as being free from <i>Botryosphaeria kuwatsukai</i> (Hara) G.Y. Sun and E. Tanaka in accordance with the relevant International Standards for Phytosanitary Measures, provided that this freedom status has been communicated in advance in writing to the Commission by the national plant protection organisation of the third country concerned, Or (b) originate in an area established by the national plant protection organisation in the country of origin as being free from <i>Botryosphaeria kuwatsukai</i> (Hara) G.Y. Sun and E. Tanaka in accordance with the relevant International Standards for Phytosanitary Measures, which is mentioned on the phytosanitary certificate referred to in Article 71 of Regulation (EU) No 2016/2031, under the rubric 'Additional declaration', provided that this freedom status has been communicated in advance in writing by the national plant protection organisation of the third country concerned to the Commission, Or (c) originate in a place of production where official inspections and surveys for the presence of <i>Botryosphaeria kuwatsukai</i> (Hara) G.Y. Sun and E. Tanaka are carried out at appropriate times during the growing season to detect the presence of the pest, including a visual inspection of a representative sample of fruits, shown to be free of the pest and <ul style="list-style-type: none"> information on traceability is included in the phytosanitary certificate referred to in Article 71 of Regulation (EU) No 2016/2031, Or (d) have been subjected to an effective systems approach or an effective post-harvest effective treatment to ensure freedom from <i>Botryosphaeria kuwatsukai</i> (Hara) G.Y. Sun and E. Tanaka and the use of a systems approach or details of the treatment method are indicated on the phytosanitary certificate referred to in Article 71 of Regulation (EU) No 2016/2031, provided that the systems approach or the post-harvest treatment method have been communicated in advance in writing by the national plant protection organisation of the third country concerned to the Commission.

Special Requirements

- ❖ When goods are of GB origin the GB inspector will be able to select the appropriate option.

What about goods not of GB origin?

- ❖ Where goods are not of GB origin but the special requirements are materially the same to enter GB (import) as they are for the import to EU then the GB Competent Authority (CA) will infer that it has met the EU's requirements. e.g. This is a requirement for apples.

GB Import Special Requirement:

This consignment complies with point 97 (a) of The Plant Health (Phytosanitary Conditions) (Amendment) (EU Exit) Regulations 2020 in that it originates in a country which, in accordance with the measures specified in ISPM4, is known to be free from *Botryosphaeria kuwatsukai* (Hara) G.Y. Sun and E. Tanaka

EU Import Special requirement

This consignment complies with point 64 (a) of The Phytosanitary Conditions Regulation 2019/2072 in that it originates in a country which, in accordance with the measures specified in ISPM4, is known to be free from *Botryosphaeria kuwatsukai* (Hara) G.Y. Sun and E. Tanaka

Special Requirements

What about goods not of GB origin that don't require a PC to be imported into GB but have special requirements

- ❖ This will apply to commodities such as:
 - ❖ Citrus
 - ❖ Curry leaves

- ❖ If there is no PC with the special requirements GB CA will be unable to issue a GB PC for export, as they will be unable to know how the goods have met the import requirements.
- ❖ This means, that although there is no requirement for a PC to enter GB, you will have to ask the original exporting country to provide a PC with the special requirements, that meets the EU import requirements, if you plan to export those goods on to the EU.
- ❖ If the goods do not have any special requirements then the GB CA will be able to certify.

Exports Pre-notification

- ❖ Exporters should apply to their CA. APHA is the CA for England and Wales and Scottish Govt is the CA for Scotland. In England and Wales this will be through eDomero from January and in Scotland it is via the Scottish Govt.
- ❖ APHA will aim to ensure a phytosanitary certificate will be issued by the date requested, as long as an application is lodged 7 working days in advance of the export. This will allow time for the inspector to visit, inspect and have the phytosanitary certificate issued.
- ❖ You may not know exactly which goods you are exporting, seven days in advance, but you may know that you require an export inspection. Booking the diary slot enables APHA to allocate resources.
- ❖ Ensure that you update and amend your application as soon as possible when you know exactly what is being exported. This will need to be provided before the inspector arrives as this will enable them to make sure that any special requirements can be met.
- ❖ Exports for APHA will operate between 0700 – 1900, 7 days a week.
- ❖ Most PCs will be issued on site by the inspector.
- ❖ Fees will apply for exports and can be found on GOV.UK (<https://www.gov.uk/guidance/plant-health-controls>)

Wood packaging material (WPM)

Position after 1 Jan 2021:

- **After the end of the Transition Period, all wood packaging material (WPM) moving between GB and the EU must be treated and appropriately marked in compliance with international standards (ISPM 15).**
- This is in line with international requirements for trade and is in place to protect both the EU and GB from harmful plant pests and diseases.
- Defra, and the Forestry Commission are continuing to work closely with the wood packaging material sector to understand what further actions they need to take to manage this new requirement by the end of the Transition Period.
- As there will be no immediate change to the biosecurity threat of WPM originating from the EU at the end of the Transition Period, GB will maintain its current risk-based checking regime for EU wood packaging material.
- Contact your supplier or TIMCON if you need more advice about moving WPM from 1 January 2021. (<https://www.timcon.org/default.asp>)

Steps to take now to prepare for end of transition

To prepare for 1 January 2021 you need to:

- ❖ Familiarise yourself with the EU's phytosanitary import certificate requirements for different plants and plant products
- ❖ Check if your plants require laboratory testing of samples to ensure they are free from pests and diseases or inspections during the growing season - contact your local plant health inspector to find out if your plants need these tests before applying for a PC.
- ❖ Register with the relevant competent authority as a professional operator:
 - Animal and Plant Health Agency (APHA) for plants and plant products (England and Wales)
 - Scottish Government for plants and plant products (Scotland)
 - Forestry Commission for wood or wood products (GB wide)
- ❖ Check if there other requirements that may affect your goods:
 - ❖ Marketing requirements (fruit & veg)
 - ❖ Marketing requirements (propagation material)
 - ❖ CITES
 - ❖ Organics

Where to find more information

- Plant Health Transition page on GOV.UK - <https://www.gov.uk/guidance/importing-and-exporting-plants-and-plant-products-from-1-january-2021>
- Plant Health Portal - <https://planthealthportal.defra.gov.uk/eu-exit-guidance/> (includes Q&A)
- WPM - <https://www.timcon.org/default.asp>
- Border Operating Model - https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/925140/BordersOpModel.pdf
- EU webpage - https://ec.europa.eu/food/plant/plant_health_biosecurity/legislation/new_eu_rules_en
- E2E feasibility testing for exports - <https://www.eventbrite.com/e/exports-feasibility-testing-session-plants-for-planting-and-fresh-produce-tickets-129989444929>

Thank you for listening

Are there any questions?