

EXPORT TO THIRD COUNTRIES OF MEAT PRODUCTS, MILK AND MILK PRODUCTS, HIDES AND SKINS, AND OTHER PRODUCTS OF SLAUGHTERED BIUNGULATES WITH THE EXCEPTION OF MEAT

NOTES FOR THE GUIDANCE OF THE CERTIFYING OFFICIAL

1. BACKGROUND

a) Following confirmation of foot and mouth disease (FMD) in the UK on 3 August 2007, the European Commission (EC) placed restrictions on the export of meat products, milk and milk products, hides and skins, and other products of slaughtered biungulates originating from Great Britain (Commission Decision 2007/554/EC (as amended)) refers.

b) As a result of these restrictions, only products which do not present an FMD risk can be dispatched. In the case of dispatches to other Member States, an official health certificate is required, confirming compliance with these requirements. Such a certificate is not required for dispatches to a third country. However, only products compliant with the Decision can be dispatched to a third country. In effect, any product which can be dispatched to a Member State in accordance with the guidance at <http://defra/animalh/int-trde/eu/products/products.htm> is compliant, and eligible for export to a third country. Therefore, products will be eligible if they:

- **either** have been subjected to a treatment which will destroy the FMD virus,
- **or** have been produced from pre-processed ingredients which are similarly certified (and certain further precautions taken),
- **or** were produced in the UK before 15 July 2007,
- **or** legally imported into the UK.
- **or** were produced from meat from animals slaughtered in Great Britain on or after 12 October 2007, the carcasses of which were oval marked; this meat must have been produced under the 'Slaughter for Export' scheme.

Documentary evidence of this can be obtained from official certificates 5560EHC for meat products, 5557EHC for milk/products, 5561EHC for products (other than meat/meat products and milk/milk products for human consumption, hides and skins)and composite products, or copies of 5567EHC for products originating from establishments producing milk/meat products processed to destroy the FMD virus. **The 5560EHC,5557EHC and 5561EHC are only valid if they have been signed on or after 13 September 2007;**

Certain composite products are outside the scope of the Decision, and products legally imported into the UK which remain in the original packaging are exempt under the Decision.

c) Official veterinarians (OVs) called upon to sign the third country certificate already in existence for these products will need to ensure that the consignment complies with requirements of the Decision. Certificate 6928SPT has been drawn up to enable the OV to establish this. **The third country certificate MUST NOT be signed unless 6928SPT has already been signed. 6928SPT MUST NOT be attached to the third country certificate, or be sent to the third country with the consignment;** the original 6928SPT must be attached to a copy of the signed/stamped third country certificate, and retained for at least two years for audit purposes.

IMPORTANT NOTE: Only third country certificates for countries that have not placed a ban on UK imports are available to exporters.

2. HEALTH ATTESTATION

The declaration can be signed on the basis of the following:

- a) Paragraph (a) refers: The products must have been produced or manufactured before 15 July 2007. The manufacturer or FBO (Food Business Operator) must provide documentary evidence stating the date of production/manufacture.
- b) Paragraphs (b) refer: The manufacturer or FBO (Food Business Operator) must provide sufficient evidence to prove that the products were imported into Great Britain or were derived from products imported into Great Britain.
- c) Paragraph (c) refers: This can be signed on the basis of evidence that products have been subjected to the relevant treatment. Some products - those that have undergone an obvious treatment which will destroy the virus e.g. milk/meat products in hermetically sealed containers, tanned/limed/wet-blued/pickled hides/skins, factory washed wool - can be exported without any additional evidence. For the rest, copies of certificate 5567EHC will provide this evidence. If 5567EHC is not available, then documentary evidence showing that the products have been processed in accordance with any of the methods mentioned in 5567NFG will constitute proof of eligibility for export, and this paragraph can be signed.
- d) Paragraph (d) refers: The composite products referred to in the Annex are eligible for export, and do not need any documentary evidence of treatment.
- e) Paragraph (e) refers: This paragraph may be signed on the basis of evidence that the meat products were made from meat derived from oval marked carcasses obtained from animals slaughtered in Great Britain on or after 12 October 2007.

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**DEFRA International Trade
Export Restrictions Commission Decision 2007/554/EC (As Amended):**

Guidance on the commodities in the scope of the Decision

(Revised: 13 September 2007)

The following guidelines are Defra's interpretation of which products are subject to the certification requirements of the Decision. Exporters are advised to confirm the position of countries to which they wish to export.

Meat, minced meat, mechanically recovered meat and meat preparations and meat products, which have not been processed to destroy FMD virus

Veterinary Certification is required for fresh or frozen beef, lamb or pork; minced beef, lamb or pork; mechanically recovered meat from cows, sheep, pigs and goats; and meat preparations made with fresh meat such as hamburgers and sausage.

Meat Products

Official Certification is required for meat products, and products containing meat products such as cooked meat, meat sandwiches or pizzas, soups containing pieces of meat, cured meat products such as bacon.

Meat products which have not been processed to destroy FMD virus, such as bacon and salami require consignment specific official certification.

Certain categories of meat products may, instead be accompanied by a commercial document with an official certificate attached to it certifying that the products been subjected to a production process suitable to destroy the FMD virus, or been produced from certified pre-processed materials.

Milk

Official certification is required for milk.

Where milk has been treated to ensure the destruction of the FMD virus in accordance with the Decision, it may, instead, be accompanied by a commercial document, either

(1) with an official certificate attached to it certifying that the milk has been subjected to a production process suitable to destroy the FMD virus where the milk has been processed in an establishment operating HACCP, or

(2) with a statement of the heat treatment applied, where the milk has been heat treated in hermetically sealed containers.

Dairy products

Official certification is required for dairy products.

'Dairy products' means processed products resulting from the processing of raw milk or from the further processing of such processed products.

Official certification is also required for products manufactured using milk products without any further processing, for example, uncooked pizza with cheese topping, fresh cream cakes, and cheese sandwiches.

A composite product containing meat, is a meat product, and should be certified as a meat product.

As set out in the guidance on dairy products, certain categories of dairy product may, instead, be accompanied by a commercial document stating compliance with the relevant condition where the dairy product has been either processed in an establishment operating HACCP, or treated in hermetically sealed containers.

Explanatory note

Composite products; [Note: This only covers those products covered by regulation 11(1) (g) of the new Regulations].

Composite products are defined in Regulation (EC) No 853/2004 as food containing both products of plant origin together with processed product of animal origin. The dividing line between dairy products and milk based composite products is not always straightforward as the addition of plant material as flavourings, or to give special characteristics to a dairy product, may not make it a composite product and should thus be certified as milk product.

Examples of composite products are cereal bars with milk powder or casein, cheese pizzas, cakes and biscuits containing butter and milk, chocolate bars, meat extract based soup stocks.

Where the animal product is meat based (of species as in the notes heading) then the rules for meat products must be followed.

Where the animal product is both meat and milk based both materials must meet the certification requirements although they may be certified on one combined certificate.

Where the animal product content is milk based (without meat also being present) and where:

- the dairy content forms **more** than half the ingredient content (weight proportion as in the presented product);
- the dairy content forms **less** than half the ingredient content but the product is not shelf stable OR has not clearly undergone in its manufacture a complete cooking or heat treatment process that ensures that any raw product is denatured then the rules for dairy products must be followed.

Where the animal product content is milk based (without meat being present) a commercial document may be used where:

- the dairy content forms **less** than half the ingredient content and the product is shelf stable OR has clearly undergone in its manufacture a complete cooking or heat treatment process that ensures that any raw product is denatured

However the commercial document must be endorsed "These composite products are shelf stable at ambient temperature or have clearly undergone in their manufacture a complete cooking or heat treatment process throughout their substance, so that any raw material is de-natured".

The above requirements are based on Commission Decision 2007/275/EC composite product concepts. However it should be noted that the low risk products mentioned in Annex II to the Decision have not been specifically exempted from the above rules at this stage. This applies to biscuits, bread, cakes, chocolate, and filled pasta products.

Further guidance can be found in Annex II of 2007/275/EC where food products that may contain milk which do NOT require a certificate are listed.

See full list at:

http://eurlex.europa.eu/LexUriServ/site/en/oj/2007/l_116/l_11620070504en00090033.pdf

Products in hermetically sealed containers

Meat products, milk and milk products (including UHT products) treated in hermetically sealed containers (the treatment being in accordance with the Commission Decision), may be exported without a health certificate. The commercial document must state the heat treatment that has been applied.

Pet food in hermetically sealed containers still requires export health certification.

Packed products for laboratory use

Packed products intended for use as in-vitro diagnostic or laboratory reagents may be exported without a health certificate. There is no specified treatment required but they must be clearly labelled 'for in-vitro diagnostic use only' or 'laboratory use only'. The commercial document must state that the products are for use as in-vitro diagnostic or laboratory reagents.

Products outside the scope of the Decision

Outside the scope are vaccines and medicines packaged and labelled to state the intended use and cosmetics. Baby milk can normally circulate freely within the European Union and whilst, technically, export is now banned, it is likely that small quantities for personal and immediate use, carried in the original packaging, will be accepted. However, enforcement authorities in some countries may wish to deem it a risk and confiscate it.

Further information may be obtained by contacting Lincoln IAHSU:

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