## **Importing from the EU:**

## Will I require a Phytosanitary Certificate for all goods being imported from the EU?

The majority of plants and plant products imported from the EU will continue to enter the UK free of plant health controls, as currently. Those goods currently managed under the EU plant passport regime will need to enter the UK with a phytosanitary certificate (PC) and be pre-notified. They will be subject to a remote documentary and identity check after the border.

You can find out what goods will require a PC to enter the UK on gov.uk: <a href="https://www.gov.uk/guidance/issuing-plant-passports-to-trade-plants-in-the-eu">https://www.gov.uk/guidance/issuing-plant-passports-to-trade-plants-in-the-eu</a>

## Where can I find a list of goods that can continue to move freely into the UK from the EU?

All goods that are not managed under the EU plant passport regime will be able to move freely into the UK.

You can find out what goods will require a PC to enter the UK on gov.uk: https://www.gov.uk/guidance/issuing-plant-passports-to-trade-plants-in-the-eu

# Where can I find a list of goods that will require a PC when importing from the EU to the UK?

You can find out what goods will require a PC to enter the UK on gov.uk: https://www.gov.uk/guidance/issuing-plant-passports-to-trade-plants-in-the-eu

## Will there be plant health checks at the border on EU goods?

Controlled plants and plant products originating in the EU will not be stopped at the border.

The relevant <u>UK plant health authority</u> will carry out documentary and identity checks remotely. This will be a virtual check using the documents submitted as part of the pre-notification and will not require the goods to stop inland. These checks will be charged for by the plant health authority. You will also be charged for any <u>Forestry Commission checks</u>.

Plant health inspectors will continue to carry out follow-up surveillance inland in line with current policies. These checks are not part of the import process and the government does not charge for such surveillance.

### Do I need to pre-notify all goods being imported from the EU?

The majority of plants and plant products imported from the EU will continue to enter the UK free from plant health controls, as currently. Pre-notification is only required when importing controlled plants and plant products from the EU.

In a no deal scenario, only those plants and plant products currently managed under the EU plant passport regime will be controlled, and only these EU goods will require pre-notification. There is no set notice period, notice can be given at any time up to the point that the consignment enters the UK.

You can find out what goods will require a PC to enter the UK on gov.uk: <a href="https://www.gov.uk/guidance/issuing-plant-passports-to-trade-plants-in-the-eu">https://www.gov.uk/guidance/issuing-plant-passports-to-trade-plants-in-the-eu</a>

You will need to pre-notify the relevant plant health authority in advance of goods entering the UK. For England and Wales, this can be done via PEACH. For goods entering directly into <u>Scotland</u> or <u>Northern Ireland</u> please see local guidance.

## Will there be delays to my goods at the border?

Consignments of controlled EU plants and plant products will not be stopped at the border, preserving the flow of goods from the EU to the UK. The relevant plant health authority (APHA in England and Wales) will carry out a documentary and identity check remotely in order to provide assurance that import requirements have been met.

#### What charges are associated with importing from the EU?

When importing controlled goods from the EU, a remote documentary and identity check will be carried out by the relevant plant health authority. This check is charged for. Currently there is a fee of £9.71 in England and Wales for each consignment, although some plant material is eligible for reduced inspection fees. For more information visit gov.uk or contact your local plant health inspector. For Scotland and Northern Ireland's fees, please see local guidance.

#### Can I still import potatoes from the EU?

Yes. Seed potatoes and some ware potatoes will require pre-notification and a phytosanitary certificate. Contact APHA: <a href="mailto:planthealth.info@apha.gov.uk">planthealth.info@apha.gov.uk</a> to determine which requirements will apply to you.

#### **Importing from third countries:**

## Will there be changes to the way I import third country goods?

There will be no changes to the import processes for direct third country imports. Pre-notification and physical inspections at points of entry will still be required as per the current process. Guidance on the requirements and processes can be found at <a href="mailto:gov.uk">gov.uk</a>.

However, if you import goods from third countries that enter the UK via the EU there may be changes to the way goods are checked.

If these goods receive plant health checks in the EU, they will be treated as EU goods, as currently. They will not require checks at the UK border.

However, in a no deal scenario, the EU would no longer be obliged to carry out plant health checks on controlled third country goods going to the UK. Plants and plant products that come from third countries via the EU without plant health checks by an EU member state will be treated as third-country imports and require full plant health controls.

Many plants and plant products entering the UK via the EU arrive at fast-moving roll-on roll-off (RoRo) ports where checks at the border would create significant disruptions to traffic. All third-country plant health controlled material arriving in the UK via RoRo ports requiring checks will have to go to an inland plant health approved facility known as a Place of First Arrival (PoFA) for inspection.

If a business does not have access to an inland PoFA, the consignment will need to enter the UK at a non-RoRo point of entry where plant health checks can be carried out at the border.

More information on how to import goods from 3<sup>rd</sup> countries via the EU and PoFA facilities is available on gov.uk: <a href="https://www.gov.uk/guidance/importing-and-exporting-plants-and-plant-products-if-theres-no-withdrawal-deal#importing-plants-and-plant-products-from-third-countries-via-the-eu">https://www.gov.uk/guidance/importing-and-exporting-plants-and-plant-products-if-theres-no-withdrawal-deal#importing-plants-and-plant-products-from-third-countries-via-the-eu</a>

#### What is an Alternative Inspection Post?

Alternative Inspection Posts are facilities other than ports and PoFAs where inspections can be carried out. These include:

- External Temporary Storage Facilities (ETSF) read the <u>list of ETSFs approved</u> for plant imports
- premises designated under the Customs Freight Simplified Procedure (CFSP)

#### Apply to:

have your premises authorised as an ETSF

- <u>have your existing ETSF authorisation upgraded</u> to allow plant health inspection to be carried out there
- have your premises designated under CFSP

## What is a place of first arrival (PoFA)?

A PoFA is a designated business premises that has been authorised by the relevant plant health authority to host plant health checks. A plant health inspector will attend the premises to carry out checks on third country goods that have transited through the EU. These are the only goods eligible for checks at PoFAs – there are no current plans to extend PoFA arrangements to other types of goods.

A PoFA does not need to be based at a premises trading in plants. For example, a warehouse facility could be authorised as a PoFA if it meets the eligibility criteria and standards set out in the advice below.

## Am I eligible to register a PoFA?

If you import goods from third countries that transit via the EU, then you may be eligible to register your premises as a PoFA. You can find details of the requirements in the PoFA manual found on <a href="mailto:gov.uk">gov.uk</a> and on the PoFA application form, also found on <a href="mailto:gov.uk">gov.uk</a>.

## How long does the PoFA application process take?

The length of the application process will be determined by how quickly requirements can be met. We recommend that you contact your local plant health inspector to discuss this as soon as possible if you are considering applying.

## How quickly will physical plant health checks be carried out at PoFAs?

APHA will inspect your consignment within 1 working day of it becoming available (ie once the goods have arrived at the PoFA), as long as you've given the required 3 working days' notice

## Will my goods be delayed if I choose to have them checked at a PoFA?

APHA's agreed inspection timings are the same for PoFAs as they are for seaports and other approved inland inspection points.

## Can I import into England and have my plant health checks carried out in Scotland or Northern Ireland?

Yes. If you have an authorised Place of First Arrival (PoFA) registered in Scotland or Northern Ireland you can select these premises on PEACH as part of your pre-

notification. The goods can then transit through England to the PoFA in Scotland or Northern Ireland where plant health checks will be conducted by the relevant plant health authority.

#### What charges are associated with importing from third countries?

There will be a charge for the inspection fees on your third country goods. These charges will be the same as for imports that come direct from third countries. Charges will vary depending on the type of plant material you are importing. More information can be found on <a href="mailto:gov.uk">gov.uk</a>.

#### **Exporting to the EU:**

## What will I need to export my goods to the EU?

The European Commission has published a <u>technical notice</u> setting out its intention to apply third country controls to imports from the UK to EU Member States in the event of a no deal exit from the EU.

The EU's current third country controls are largely the same as the UK's third country controls. Controlled goods will need to obtain a phytosanitary certificate in order to be exported to the EU. Exporters can therefore find out what controls might apply to plants and plant products moving to the EU, and what they need to do to meet third country requirements, by visiting <a href="mailto:gov.uk">gov.uk</a> or by contacting APHA on <a href="mailto:exportplanthealth@apha.gsi.gov.uk">exportplanthealth@apha.gsi.gov.uk</a>

Additional guidance is being drafted and will be available on our no deal gov.uk page as soon as it is complete.

## Will exporting to the EU cost me more?

In a no deal scenario, businesses exporting controlled goods to the EU will need to utilise the same export services as they would for exporting to third countries. Details of requirements and fees can be found on <a href="mailto:gov.uk">gov.uk</a>. This guidance refers to exporting 'outside of the EU', but will apply to exporting to the EU when the UK becomes a third country.

## How do I obtain a phytosanitary certificate?

You should contact your local plant health inspector to determine the plant health requirements for the goods that you are exporting. You can apply for a phytosanitary certificate online via the eDomero system (if you are based in England or Wales) or by filling in an application form. More detail on how to do this can be found on gov.uk.

#### Can I still export potatoes to the EU?

The EU has stated that after the UK leaves the EU, UK exports to the EU would be subject to EU import requirements, including existing prohibitions on seed and ware potatoes from third countries. This means that UK seed and ware potatoes will not be able to be exported to the EU.

As part of the UK's no deal planning, Defra on behalf of the UK submitted an application to the European Commission for third country equivalence for certification of seed and other propagating material and to address related plant health issues for seed and ware potatoes which would ensure exports continue as now.

Unfortunately, the European Commission has informed the UK Government that they will not consider this application before the ongoing withdrawal negotiations have been completed. This means that in the event of no deal, you will not be able to market ware potatoes, UK certified seed potatoes or other certified propagating material (including pre-basic and basic) in the EU. Defra is aware of the implications of this for businesses and will resubmit the application as a top priority following completion of negotiations. We will continue to engage with the Commission to complete an expedited approvals process in order to gain equivalence and the plant health changes as quickly as possible.

## **Moving goods within the UK:**

#### When will I require a UK Plant Passport?

Any goods that currently move within the UK under an EU plant passport currently will be required to have a UK plant passport to move within the UK in a no deal scenario. You will need to amend the reference you use on plant passport documents to reflect that the document is a UK plant passport rather than an EU plant passport. This will simply involve removing references to 'EU' and replacing them with 'UK'.

#### What about moving plants and plant products into Protected Zones?

For movements of relevant goods into EU Protected Zones you will need a phytosanitary certificate in future. For details of such requirements see [include link to the APHA guidance being developed on exports to the EU]. While Protected Zones will no longer apply within the UK, a number of areas are being designated as Pest Free Areas. Specific requirements will apply to the movement of controlled plants and plant products into and within such areas, and confirmation that such requirements have been met will need to be provided through including the relevant Pest Free Area code on the UK plant passport. For details of the materials covered by these requirements, the Pest Free Areas and codes to use, see [link to Alice's guidance].

### **How do I obtain a UK Plant Passport?**

If you currently import material managed under the EU plant passport regime, you should already be registered as an authorised plant passporter and you do not need to reapply.

For new businesses, the process for registering as an authorised plant passporter and the required visits and assurance process will remain the same on Day 1 as they are now. Further information is available on gov.uk.

#### What is the difference between an EU and UK Plant Passport?

An EU plant passport can currently be used to move certain high-risk plants and plant products within the EU single market. This allows those goods to be moved from other EU Member States into the UK, and vice versa. In a no deal scenario, businesses in the UK will no longer be able to use EU plant passports to move goods from the EU into the UK, or to move goods from the UK to the EU. Instead, they will need to use a phytosanitary certificate.

EU plant passports are currently also used to trace movements of certain high-risk plants and plant products internally within the UK. In a no deal scenario, a UK plant passport will need to be used instead of an EU plant passport. UK plant passports will only be valid for tracing movements of goods within the UK – for imports from the EU, and exports to the EU, phytosanitary certificates will be required.

## Will there be changes to how I move my goods within the UK?

There will be no changes to the way in which plants and plant products are moved within the UK. The same controls will apply as currently. The changes required are only related to the documents that must be associated with your products. You will need to amend the reference you use on plant passport documents to reflect that the document is a UK plant passport rather than an EU plant passport. This will simply involve removing references to 'EU' and replacing them with 'UK' and, where appropriate, including the relevant code to move material into a Pest Free Area. Further information will be made available in due course.

## What about movements of controlled goods to and from the Channel Islands and Isle of Man?

Such movements will be covered by UK plant passports, rather than phytosanitary certificates. Additional requirements may apply to move certain material to the Channel Islands and Isle of Man from the UK and you will need to check with the authorities in those territories for details.

#### WPM:

#### What is ISPM15?

International Standard for Phytosanitary Measures 15 (ISPM 15) sets out measures required to reduce the risk of the introduction and spread of pests associated with wood packaging material (WPM). For the UK, this requires all WPM moving between the UK and third countries to be treated and marked.

In the event of no deal, all WPM moving from the UK to the EU and from the EU to the UK must meet <u>ISPM15 international standards</u> by undergoing heat treatment and marking.

As there will be no immediate change to the WPM biosecurity threat as a result of the UK leaving the EU, the UK will continue to take a risk-based approach to checks on WPM as we do now, and will not routinely conduct checks at the border on EU WPM.

## How do I ensure my WPM is compliant?

Contact your supplier or <u>TIMCON</u> if you need more advice about the steps you can take to prepare for a no deal exit from the EU.

## Will there be new checks on WPM moving into the UK?

As there will be no immediate change to the WPM biosecurity threat as a result of the UK leaving the EU, the UK will continue to take a risk-based approach to checks on WPM as we do now, and will not routinely conduct checks at the border on EU WPM.

#### Will there be new checks on WPM moving to the EU?

We continue to work with the Commission and will liaise, as appropriate, with other Member States to ensure we all remain focussed on achieving our aims of protecting biosecurity and minimising impacts on trade and the environment. We cannot predict any changes to checks happening outside of the UK but we hope the EU will reflect our pragmatic approach to WPM checks.

#### What happens if my WPM is not compliant?

There will be no change to the way that we treat WPM checks when we leave the EU. WPM which is low phytosanitary risk won't be checked for compliance and checks on higher risk WPM will be risk based as currently. Where high-risk material is detected it should be removed from use and destroyed in a way that eliminates any phytosanitary risk. Our inspectors will serve statutory plant health notices on

those responsible for the non-compliant WPM and these notices will specify the remedial action.