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Dear Bernard

**Information on temporary measures in the United Kingdom in  
accordance with Commission Implementing Regulation (2020/466/EU)  
during COVID-19**

1. Thank you for your email of 30 March 2020 attaching the final text of Commission Implementing Regulation (EU) 2020/466. The UK has been considering potential temporary official controls easements to address Covid-19 disruption and it is grateful to the European Commission for recognising the need to take swift action in this matter.
2. In accordance with Article 2 of EU 2020/466, we are writing to inform you and Member States of the measures contained in the Regulation which the UK will be implementing. Additional measures taken in accordance with Regulation (EU) 2017/625 are outlined in the annex to this letter.

**Article 3 – Authorisation of persons to perform official controls checks**

3. The UK will permit Official Veterinarians to certify livestock for export to the EU based on facts, knowledge and data provided by private veterinarians.
4. The UK will also **allow competent non-Official Veterinarians to assist with physical checks on third country imports**, supported by an on-site Official Veterinarian for those commodities requiring one to be physically present. The Official Veterinarian may perform physical checks on animal products remotely with assistance from non-Official Veterinarian staff if they have suitable practical experience and knowledge, and are deemed competent by the lead Official Veterinarian of the Border Control Post.

5. With respect to official controls of plants and plant products, the UK may permit staff carrying out checks under EU Marketing Standards regulations<sup>1</sup> to also perform plant health import checks. These staff have undergone training on plant health checks, and routinely carried out such checks prior to the introduction of ISO17020 accreditation.
6. With respect to Official Veterinarian-led official controls delivered in approved meat establishments, the UK will make the three measures below available. We will ensure that there is senior veterinary oversight of the decision making process to assure consistency of application. Where it is identified that these measures are required, they will only be applied for an initial three-week period, followed by a formal review and a potential further three-week period. This will be closely monitored for impact and effectiveness.
  - i. The UK may permit trainee Official Auxiliaries (OAs) to undertake certain low risk inspection tasks under the supervision of an Official Veterinarian (OV) or OA.
  - ii. The UK may permit ante-mortem inspection to be carried out by an OA who is a Member of the Royal College of Veterinary Surgeons (MRCVS)
  - iii. The UK may permit delayed post-mortem inspection (cold inspection) of animals at low capacity establishments to be carried out by an OA

#### **Article 4 – Use of e-documents and electronic copies of original certificates**

7. The UK may permit documentary checks to be based on signed e-documents instead of the original signed documentation for some commodities for a temporary period.
8. For third country imports, the UK may accept e-documents for:
  - a. some products of animal origin (POAO);
  - b. animal by-products (ABP);
  - c. animal feed and high risk food and feed not of animal origin (HRFNAO); and
  - d. live fish and fish products.
9. This measure will not apply to live animals (not including live fish), germinal products, porcine meat (including fresh/frozen meat, minced meat and meat preparations) and unprocessed ABPs of porcine origin due to their higher risk status.
10. If implementing the easement outlined in paragraph 8 above, Border Control Posts will make a decision to accept e-documents based on the operator's past compliance history. They will also request a declaration to agree to submit original documents as soon as possible and keep appropriate records so that this can be followed up as necessary.

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<sup>1</sup> <https://ec.europa.eu/info/food-farming-fisheries/plants-and-plant-products/fruits-and-vegetables#marketingstandards>

11. For intra-EU livestock imports, the UK will accept electronic ITAHCs and journey logs submitted through TRACES (if applicable) and by email.
12. For livestock exports to the EU, the UK will also permit Official Veterinarians to issue ITAHCs and journey logs, submitted on TRACES (if applicable) and via email to Member States.
13. For plants and plant products imported from third countries, the UK may accept electronic copies of original phytosanitary certificates from exporting countries where issuing originals is an issue. This measure is conditional on the original certificate being provided as soon as technically feasible.

#### **Article 5 – Non-official laboratories to carry out sampling and testing**

14. At this stage, the UK does not intend to designate any non-official laboratories as authorised to carry out analyses, testing or diagnoses because official laboratory capacity is currently sufficient. However, the additional testing needed for Covid-19 is reducing this capacity so the UK will keep this under review and inform the Commission if the position changes.

#### **Additional easements for third country imports**

15. The UK has also permitted a **reduction in the physical check frequency of certain low risk plant product imports from third countries**. The commodities eligible for such reduced frequencies include those newly regulated since December 2019 (i.e. those subject to a 1% inspection level) and others which have been selected based on a risk-assessment, including their history of compliance.
16. Documentary and ID checks remain at 100% across all commodities.
17. The UK will also **allow officials to carry out remote documentary and identity checks using available technology**.
18. The UK will consider the use of **remote and virtual meetings** with operators where physical meetings are not feasible.
19. The UK will develop and risk assess further easements if required to address issues as they occur.

Yours sincerely



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## **Annex A: Official Veterinarian-led (Meat) Official controls – Measures taken to remedy difficulties in carrying out official controls and other official activities in accordance with Regulation (EU) 2017/625 (OCR)**

The Food Standards Agency (FSA) and Food Standards Scotland (FSS) have developed a 4-stage approach to contingency planning, comprising:

- **Stage 1** - Prioritisation of current activity, redeployment of Officials and recruitment of additional Official Veterinarian (OV) / Meat Hygiene Inspector (MHI) capacity.
- **Stage 2** - Utilisation of the existing OCR legislative framework to support a reduced workforce – See below for detail.
- **Stage 3** - Additional measures under Implementing Regulation (EU) 2020/466 (authorisation of persons, designation of laboratories, official controls by distance communication) – See below for detail.
- **Stage 4** – Further Contingency planning - FSA and FSS also continue to keep these measures under review and to consider and plan for further contingency arrangements which may require additional legislative mechanisms.

This is a deliberately staged and proportionate plan, to enable the FSA and FSS to take appropriate actions as required, in response to COVID-19. This impact has differed from plant to plant, based on geography, staff availability and market demand.

- **Stage 1** measures have been available since the beginning of the COVID-19 response and are fully utilised, and actively pursued, as required.
- A limited number of **Stage 2** measures were made available w/c 13 April to assist in a small number of establishments.
- The remaining **Stage 2** measures and three Stage 3 measures (**details below**) will become available from 20 April.

### **Stage 2 (Measures under EU Official Controls Regulation (OCR) and associated Implementing Acts)**

- Representative sampling at ante-mortem inspection for poultry [Regulation (EU) 2019/627, Article 11(1)]
- Application of the change in the Official Controls legislation to no longer stipulate that plants are required to demonstrate effective operation of a food safety management system based on HACCP principles for 12 months prior to a request to use Plant Inspection Assistants (PIAs). [Regulation (EU) 2017/625, Article 18(3)]
- Delegating application of the health mark to plant staff under the supervision of the OV / Official Auxiliary (OA). [Regulation (EU) 2017/625, Article 18(4)]
- Low capacity game handling establishments, poultry and red meat slaughterhouses:

- Apply specific official control requirements for these low capacity establishments [Regulation (EU) 2019/624, Article 2(17) & (18)]
- Low capacity poultry and red meat slaughterhouses:
  - Post-mortem inspection may be carried out within 24 hours of slaughter by the OV. [Regulation (EU) 2019/627, Article 13]
  - Post-mortem inspection by OV or OA. OV need not be present during post-mortem inspection but must visit once a day and some of those visits must be during slaughtering. [Regulation (EU) 2017/625, Article 18(2)(c) and Regulation (EU) 2019/624, Article 7]
- Low capacity poultry slaughterhouses:
  - Post-mortem inspection by PIA under OV or OA supervision. OV must visit once a day and some of those visits must be during slaughtering [Regulation (EU) 2017/625, Article 18(2)(c), 18(3) and Regulation (EU) 2019/624, Article 7]
- Low capacity red meat slaughterhouses:
  - Ante-mortem inspections may be performed by an OA under the supervision of the OV, provided that the ante-mortem tasks are of a purely practical nature and only concern verification that the food business operator complies with the requirements related to food chain information and to the animal's identity check and the preselection of animals showing possible abnormalities [Regulation (EU) 2017/625, Article 18(2)(a) and Regulation (EU) 2019/624, Article 3]
- Full throughput red meat slaughterhouses:
  - Ante-mortem inspections may be performed by an OA under the supervision of the OV, provided that the ante-mortem tasks are of a purely practical nature and only concern verification that the food business operator complies with the requirements related to food chain information and to the animal's identity check and the preselection of animals showing possible abnormalities. [Regulation (EU) 2017/625, Article 18(2)(a) and Regulation (EU) 2019/624, Article 3]

### **Stage 3 - Additional measures under Implementing Regulation (EU) 2020/466**

As a consequence of implementing the contingency measures in the staged, controlled manner described above, FSA and FSS will continue to deliver OV-led Official Controls at the required frequency, and therefore maintain the Food Safety, and Animal Health and Welfare risk profile.

For assurance and consistency of application, decision making for Stage 3 measures will be managed through a small group of Senior Operational Managers. Where it is identified that these measures are required, they will only be applied for an initial three-week period, followed by a formal review and a potential further three-week period. This will be closely monitored for impact and effectiveness.

**Temporary measures available for use under the provisions of Implementing Regulation (EU) 2020/466 (as outlined above)**

- Permit trainee OAs to undertake certain low risk inspection tasks under the supervision of an OV or OA
- Ante-mortem inspection may be carried out by an OA who is a Member of the Royal College of Veterinary Surgeons (MRCVS)
- Delayed post-mortem inspection (cold inspection) of animals at low capacity establishments to be carried out by an OA