

**2nd Trade Specialised Committee on Sanitary and Phytosanitary Measures
under the EU-UK Trade and Cooperation Agreement**

19 October 2022

Brussels and via videoconference (EU host)

09:30 – 15:30 (BST) / 10.30-16.30 (CEST)

Minutes

1. Opening remarks

The EU, as host, welcomed both Delegations to the second meeting of the Trade Specialised Committee on Sanitary and Phytosanitary measures. The UK thanked the EU for hosting, and noted the positive progress on collaborative work between the Parties. The UK also noted that it looked forward to continuing technical discussions on animal welfare and triangular trade. The Parties adopted the provisional agenda as published with an adjustment requested by the EU for the addition of a sub-item under item 4 on the UK's safeguard measure in relation to sheep and goat pox in Spain.

2. General Principles/Import Conditions and Procedures:

The UK updated the EU on the expected publication of its new SPS import regime, under the framework of the Target Operating Model (TOM) for border controls in Great Britain (GB). This import regime will be firmly underpinned by evidence-based risk analysis to ensure the UK's import controls are robust and biosecurity, food and feed safety and traceability are maintained.

The Parties agreed on the necessity that all details affecting SPS imports conditions and procedures be published and clarified sufficiently in advance of the entry into force planned for the end of 2023. The EU requested that in the event that the planned controls were postponed, such changes are communicated as early as possible so that businesses and authorities do not bear the burden of unnecessary preparations. The Parties agreed to have technical discussions on the TOM and its implementation following publication.

The UK repeated its requests for the EU to lift restrictions on GB imports of undepurated Class B Live Bivalve Molluscs and seed potatoes. The UK requested an update following its written request in June 2022 for the EU to provide the risk assessments underpinning these measures. The parties set out their respective positions. The UK restated that it does not believe the EU's import restrictions are in line with the SPS Chapter of the TCA, in particular Article 73, to be proportionate to the risk identified and to take into account the identical or similar SPS conditions that exist. The EU responded that these measures were introduced long before the UK's withdrawal from the EU and apply in a non-discriminatory manner to all non-EU countries, with the exception of countries and territories participating in the EU's SPS regime through dynamic alignment of their rules with those of the EU. The UK is subject to these measures since the end of the transition period, in respect of Great Britain, due to its choice to apply a regulatory regime independent from that of the EU. The EU acknowledged receipt of the UK's written request relating to the risk assessments and confirmed that it is being looked into, but were unable to provide a specific timeline.

The UK also reminded the EU of its request to be listed in Part I of Annex II to Regulation (EU) 577/2013 as a country from which non-commercial movements of dogs, cats and ferrets can take place with the possession of a pet passport instead of an official certificate. The UK noted that its application for listing in Part I outlined that GB fulfils all the animal health criteria required within the relevant pet travel regulations. The UK highlighted certain existing Part I listed third countries that do not dynamically align with the EU regulations. The UK further noted that the Part II listing

requirements are placing burdens and inconvenience on those travelling to the EU, particularly those with assistance dogs. The EU maintained its position that the relevant facilitation is available only to third countries who are dynamically aligned with EU's animal health regime or working towards such dynamic alignment. Regarding assistance dogs the EU pointed out that flexibilities are already available in accordance with Article 32 of Regulation (EU) 576/2013 could be used in the case of assistance dogs.

Following on from the relevant discussion during the first meeting of the TSC-SPS, the UK reminded of its request that the EU waive the requirement for a pre-movement tapeworm treatment for dogs imported from Great Britain. For imports into Great Britain the UK intends to introduce a system that would allow the recognition of *Echinococcus multilocularis* free status for third countries looking to import pets to GB. The UK expressed the view that at present, pets in GB were being subjected to unnecessary medical treatment to fulfil the relevant requirement. The EU noted they would welcome further details of the UK's plans, pointing out that any decision on such a change would need to be examined in the framework of the review of the current legislation expected to be launched in the coming years. The Parties agreed to hold follow-up exchanges on the UK's request for Part I listing under EU Regulation 577/2013, and on the possible establishment of a system that would grant *Echinococcus multilocularis* free status to third countries.

3. Official certification:

The Parties took stock of ongoing technical discussions in relation to the model export health certificates and certification requirements for animals and animal products as well as engagement regarding electronic certification (health and phytosanitary) of consignments moved from the EU into Great Britain.

The UK is making progress with the modifications to its import certification for animals and animal products, to meet the commitment to treat the EU as a single entity in the SPS area. The EU agreed to provide feedback to the UK on the operability of the modified certificates and certification requirements in respect of the single entity aspect.

The UK will shortly finalise and share its assessment in relation to the EU's request for removing requirements for animal diseases which are no longer listed by the World Organisation for Animal Health as being significant for international trade.

The EU stressed the importance of retaining the principle of certifying officers being responsible for the compliance of a consignment with the importing country's requirements in the certificates and the possibility of verifying the systems in place through audits, as opposed to increased levels of detail being required to be filled-in on individual certificates.

The UK indicated that it would aim to have an operational link for the transmission of electronic certificates from TRACES by the time of extension of SPS certification requirements to further products according to the upcoming Target Operating Model.

The Parties agreed to continue technical exchanges on official certification and e-certification.

4. Adaptation to regional conditions:

The Parties praised the positive collaboration to minimise the impact of highly pathogenic avian influenza (HPAI) outbreaks on mutual trade, through simplifying the exchange of necessary information and the speeding-up of recognition of each other's regionalisation measures. The EU will shortly make operational the automatic forwarding to the UK of e-mail notifications on HPAI outbreaks from its Animal Disease Information System. The UK Office has created a designated email address for these notifications and will send the details to the EU. Once that is in place for HPAI, the EU is willing to examine the possibility of extending it to further terrestrial and aquatic animal diseases.

The UK raised its request that the EU allows the import of poultry meat produced from day-old-chicks hatched in HPAI-restricted areas in GB and raised in free areas, indicating that it will share a document with its assessment regarding the safety of such movements and the economic impact of the current prohibition. The EU is ready to examine information the UK will provide but indicated that such restrictions on susceptible live animals from disease-affected areas that apply globally and are not limited to the UK, are considered to be of higher risk and are unlikely to be derogated.

With reference to the UK's safeguard measure restricting certain animals and products from the entire territory of Spain in relation to sheep and goat pox outbreaks in a part of Spain, the EU highlighted that the relevant information on the EU's regionalisation measures was already available to third countries, including the UK. The UK informed the EU that it required some additional information to recognise and determine the terms for regionalisation. Both Parties reaffirmed their commitment in the TCA to assessing and recognising each other's regionalisation measures without undue delay, based on relevant information provided and according to international guidelines. Both parties agreed to hold further technical discussions to review what information is required in the event of new disease outbreaks.

5. Transparency & Exchange of information:

The UK updated the EU on a safeguard measure, introduced on 1 September 2022, regarding African Swine Fever (ASF). The measure restricts the import of pig products of more than 2 kg if they are not produced to EU commercial standards but does not concern commercial movements of pig products from the EU. Both parties agreed to exchange information on the safeguard measure relating to ASF, and its enforcement.

The UK updated the EU on its decision to amend the safeguarding declaration banning the commercial movement of dogs, cats and ferrets from Poland, Romania, Ukraine and Belarus into GB which had been in place since April 2022.

The UK confirmed it could accept the EU's request to provide information on import requirements and updates on market access requests via the European Commission's Market Access Database until its own 'Single Trade Window' becomes operational in 2025.

6. Cooperation:

The Parties discussed the SPS declaration adopted at the 12th WTO Ministerial Conference and associated work programme, agreeing to continue a conversation between our delegates to the WTO SPS Committee on this, and to keep talking throughout the process.

The Parties agreed that the co-chairs will coordinate information exchange and explore available options for cooperation in combating antimicrobial resistance, and agree a framework for regular discussion.

*Approved by the Joint Secretariat of the Trade Specialised Committee
on Sanitary and Phytosanitary Measures*

Participants of the Second Meeting of the Trade Specialised Committee on Sanitary and
Phytosanitary Measures (TSC SPS)

EU Delegation (40)

- EU Co-Chair of the TSC SPS
- European Commission Officials
- Delegation of the European Union to the UK Official
- Representatives of EU Member States

UK Delegation (50)

- UK Co-chair of the TSC SPS
- UK Government Officials from Defra, Food Standards Agency, and the Foreign,
Commonwealth and Development Office
- UK Mission to the European Union Official
- Scottish Government Officials
- Northern Ireland Executive Officials
- Welsh Government Officials
