



Department  
for Environment  
Food & Rural Affairs

Friday 22 March 2024

Dear Stakeholders,

Following the publication of the Border Target Operating Model (BTOM) on 29 August 2023, the UK, Scottish, and Welsh Governments have now implemented the 31 January 2024 milestone to bring in the first phase of the new Sanitary and Phytosanitary (SPS) regime. Thank you for your earlier comments and views as part of this process.

To deliver the second stage from 30 April 2024 as set out in the BTOM, we are seeking to legislate in further regulations.

In respect of **animal health**, the proposed legislation will facilitate the implementation of the following measures:

- Introduce the new risk categorisation model for animal products from the EU, EEA, Faroe Islands, Greenland and Switzerland (references to “the EU” hereafter in respect of animals and animal products include all these), and rest of the world (RoW) assessed trading partners. This includes the following:
  - a. For countries assessed under the new BTOM risk model, all low-risk animal products will need to be pre-notified, but they will not be subject to routine official controls at a BCP on entry. This measure brings RoW trading partners in line with EU trading partners in respect of certain goods, in that low-risk goods from any assessed third country will not be required to undergo routine official controls at a BCP on entry (they will, however, remain subject to intelligence-based checks).
  - b. Physical and ID checks at BCPs will begin for medium and high-risk animal products from the EU (other than Ireland). Again, this will bring trading partners into the same risk-based regime: checks on medium-risk products from RoW trading partners will continue and checks on EU medium-risk products will begin.
  - c. Amendments to the frequency of identity and physical checks on animal products will be introduced to reflect the new global risk-categorisation model as outlined in the BTOM. For assessed ROW countries, the frequency of ID and physical checks may change as they will move away from the current model, which links rates to commodity type, and instead be determined based on the combined country/commodity risk assessment.
- Risk based SPS controls will take place on animal products from the EU transiting the landbridge of GB. The levels of controls will be in line with the risk categorisations for animal products from the EU as set out in the BTOM. These controls will primarily consist of risk-based documentary checks and identity checks of the seal with further checks employed only where the competent authority deems it necessary. Full transit checks on landbridge movements, including those on the Irish Sea leg of the journey,

will not be implemented until full controls are in place for imports entering GB from Ireland.

- Remove the blanket condition on meat preparations needing to be deep frozen from legislation. These import conditions for meat preparations will instead be considered on a country-by-country basis, managed by market access and health certification. This will provide a single process that applies equally to all trading partners based on the risk posed by the product to animal and/or public health.

In respect of **plant health**, the proposed legislation will

- For plants and plant products, move physical and identity checks of goods from the EU, Switzerland and Liechtenstein to BCPs and Control Points (CPs). Medium and high-risk plants and plant products from the EU must come through a point of entry with the relevant BCP<sup>1</sup>. Once the goods arrive, any necessary identity and physical checks will be carried out at BCPs or CPs. That means that plant health import checks of EU regulated plants and plant products must be performed at designated BCPs or CPs once the Place of Destination (PoD) scheme comes to an end. Trade will have to present their goods for inspection at BCPs or at CPs accordingly before they are able to move their goods to destination.

The following changes relate to **both plant and animal health** controls:

- For a three-month period from 30 April 2024 a temporary easement is proposed to enable the full requirements of a documentary check to be satisfied when a scanned copy of an original Export Health Certificate (EHC) or Phytosanitary certificate (PC) is provided in an importer's prenotification. Where a scanned copy is provided, the original EHC or PC should be provided to competent authorities within five (EHC) or three (PC) business days of a consignment's arrival. The temporary easement will only apply to EHCs for animal products and by products from the EU and to PCs for plants and plant products from the EU, Liechtenstein and Switzerland. Noting the easement's time limited nature, importers should continue to adopt fully digitised certification as soon as possible to reduce the requirement to undergo in person documentary checks at the border post the easement's expiry.
- All plants and plant products categorised as medium or high risk imported from the EU, Switzerland and Liechtenstein and all animal products imported from the EU must enter Great Britain via a point of entry which has a designated Border Control Post. Live animals and personal imports can continue to enter via any point of entry. Exceptions will apply to goods entering Great Britain from Ireland, which are explained in further detail below.
- Amend the Transitional Staging Period (TSP) end date, from 29 April 2024 to 31 January 2025. This is necessary to prevent the remaining controls taking effect by default and to ensure that we can continue to adopt a pragmatic and phased approach to implementing the BTOM. (Please note, further instruments will be laid later in 2024 such as to implement physical and ID checks on non-qualifying animal products moving

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<sup>1</sup> Plants and plant products from the EU, Switzerland, and Liechtenstein, arriving from the Island of Ireland, which enter through a named port on the West Coast, do not need to enter via a designated BCP.

from Ireland to Great Britain. This end date change does not prevent further amendments in future instruments).

Exceptions will apply for goods entering GB from Ireland, which are explained below. For non-qualifying Northern Ireland goods entering GB from the island of Ireland, **with the right to circulate freely on the island of Ireland, they may arrive via any point of entry with a designated BCP. Alternatively, they may arrive via any point of entry in Wales or otherwise via named seaports in England and Scotland.** Where requirements are in place now for live animals entering GB, including from Ireland, to be inspected at destination, these will continue. A date for the commencement of physical, ID and systematic documentary checks for non-qualifying Northern Ireland goods entering GB from the island of Ireland will be announced in due course. Prenotification and relevant health and phytosanitary certification requirements for non-qualifying goods moving into Great Britain from Northern Ireland will be introduced through separate legislation. **These controls of course will not apply to qualifying Northern Ireland goods which will continue to move unfettered in perpetuity,** in line with the UK Government's unwavering commitment to ensuring unfettered access for qualifying Northern Ireland goods to the rest of the UK market.

We would be grateful for any further views on the proposed new changes and how best to put this new legislation into effect. **Please respond by reply to this email with your collated responses by 5pm 2 April 2024.** Thank you in advance for your thoughts and insights on the proposed legislation.