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Memorandum to operators

Subject: Health and customs treatment of SPS goods (veterinary and phytosanitary) for Brexit

This document is a courtesy translation of the official French note on the subject which is indicated in reference.

Veterinary and phytosanitary import checks will be re-established between the United Kingdom and the EU from 1 January 2021.

EU rules provide for sanitary and phytosanitary (SPS) import checks at the first point of entry into EU territory before goods can be placed under a customs procedure.

To meet this regulatory requirement, new border control posts (BCPs) and customs offices have been set up on the Channel/North Sea coast and provision has been made for specific treatment of SPS goods in the Brexit information system (SI Brexit).

This notice describes the coordination between French Customs and the SIVEP (Veterinary and Phytosanitary Border Inspection Office) for import checks on SPS goods from the United Kingdom.

Director General of Customs and Excise

Signed

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Director-General for Food

Signed

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GLOSSARY

BCP: Border control post

CHED: Common health entry document

Delta-G: Online service for import and export declarations (simplified or full)

Delta-T: Online service for transit declarations

EU: European Union

NBP: Normandy and Brittany ports

OCR: Official Controls Regulation (2017/625)

RCR: Registered customs representative

RFC: Release for free circulation

SIVEP: Veterinary and Phytosanitary Border Inspection Office

SPS: Sanitary and phytosanitary (goods subject to checks at border control posts)

TRACES-NT (TRAde Control and Expert System - New Technology): European Commission platform that can issue CHEDs

TSF: Temporary storage facility

UCC: Union Customs Code

FACTSHEET 1: OVERVIEW AND SCOPE

1.1. Sanitary and phytosanitary (SPS) checks prior to customs clearance

EU rules provide for sanitary and phytosanitary import checks at the first point of entry into EU territory before goods can be placed under a customs procedure, in accordance with Article 57 of Regulation (EU) 2017/625.

To meet this regulatory requirement, new border control posts have been built on the Channel/North Sea coast.

1.1.1. SIVEP border control posts

This notice covers the border control posts (BCPs)¹ on the Channel/North Sea coast that have been built or upgraded in the run-up to Brexit.

Five new BCPs have been built: **Calais-Boulogne** (covering **Calais Port, Calais Tunnel and Boulogne**²), **Caen-Ouistreham, Cherbourg, Dieppe** and **Roscoff**.

In addition, checks are to be stepped up significantly in the three existing BCPs of **Dunkerque, Le Havre** and **Saint Malo**.

The French order of 23 December 2020 listing veterinary and phytosanitary border control posts and repealing the order of 19 February 2020 reflects these changes.

Some of these BCPs are referred to as “off-site border control posts” in this notice. They are posts located outside temporary storage areas under customs supervision (temporary storage facilities (TSFs) in particular). A traceability system has been put in place for flows to these BCPs, which themselves constitute temporary storage,.

Dieppe, Caen-Ouistreham, Le Havre, Dunkerque, Roscoff and Saint Malo are off-site border control posts.

1.1.2. Customs offices

This notice covers the following customs offices on the Channel/North Sea coast: **Dunkerque Ferry, Calais (Tunnel and Port), Boulogne, Caen** (for the port of Ouistreham), **Cherbourg, Rouen** (for the port of Dieppe), **Le Havre, Saint Malo** and **Brest** (for the port of Roscoff).

The Calais Port/Tunnel control office handles customs clearance of SPS goods outside office hours for the following offices: Boulogne, Caen (for Ouistreham), Cherbourg, Rouen Port (for Dieppe), Le Havre Port, Saint Malo and Brest (for Roscoff).

1.2. SI Brexit

A smart border between the UK and France has been put in place for points of entry and exit in Hauts de France, Normandy and Brittany. In service from 1 January 2021, it uses SI Brexit

1 BCPs are the places where the SIVEP carries out sanitary and phytosanitary checks on animals, animal products, feed not of animal origin, plants, plant products and other items.

2 Boulogne is the designated border inspection centre for fishery products entering through the Calais border posts.

(Brexit information system), an IT interface allowing data exchange between cross-Channel carriers operating to or from the UK (ferry companies and Eurotunnel) and Customs IT systems (Delta-G, Delta-T, ICS, ECS). The object is to ensure a smooth border crossing.

When a customs declaration³ – or a common transit declaration in the UK system – is pre-logged, the declarant receives a barcode, which the driver of an HGV or transport unit must have in his/her possession upon boarding the means of transport for departure to EU customs territory.

This barcode is used in SI Brexit to pair a vehicle's number plate with the number of the customs import declaration or the MRN⁴ (movement reference number) in the export accompanying document or transit declaration. The driver's replies to the questions he/she is asked are also linked to the number plate (see **Appendix 2** overview of matching).

When the means of transport is loaded, SI Brexit generates a loading notification that allows the operator to validate the customs declaration (the special case of transit is described in detail in Factsheet 4).

How SI Brexit works for SPS goods

1) The declarant completes the following:

- For Delta-G: In the pre-logged import declaration, document code **N853** (products of animal origin), **C640** (live animals), **C678** (feed) or **C085** (plants and plant products) and the exact CHED reference number. The declarant will be given this number once he/she has lodged pre-notification of the goods' arrival on EU customs territory in TRACES-NT (even though the CHED has not been issued);

- For Delta-T: In the pre-logged Union transit declaration or in the common transit declaration, document code **853** (for animals and products of animal origin), **851** (for plants and plant products) or **852** (for feed of non-animal origin) and the exact CHED reference number.

2) Matching

Drivers should declare whether they are carrying SPS goods when the number plate is matched with the MRN/declaration number.

3) Loading notification

In Delta-G, loading notification is sent automatically to SI Brexit.

In Delta-T (transit), loading notification is generated automatically in SI Brexit but not systematically sent to the operator. Whether it is sent will depend on the CHED status in TRACES.

In either case, operators cannot validate their pre-logged customs declarations for SPS goods unless they have obtained a common health entry document (CHED) issued by the SIVEP.

Transport unit routing is based on the information provided by the declarant in the customs declaration:

- If a CHED has **not** been issued prior to loading of goods, additional identity and/or physical checks will be necessary at the BCP. The declarant cannot validate a pre-logged import or

3 Whether import declarations in the Delta-G customs system or transit declarations in Delta-T.

4 The MRN identifies the movement in the customs information system.

transit declaration. For common transit, notification of transit cannot be generated automatically.

Upon unloading, a **transport unit with SPS goods is directed to the “SIVEP inspection” (“Contrôle SIVEP”) orange lane unless it is carrying fishery products. Once the health check has been carried out, the customs declaration can be validated or transit notification effected manually by the service.**

- If a CHED has been issued prior to loading of goods, provided the documentary check is satisfactory, it will not be necessary to go through a BCP.

The declarant can validate the pre-lodged import or transit declaration during the tunnel/ferry crossing. For common transit, transit notification is generated automatically by SI Brexit in Delta-T during unloading.

Upon disembarkation, transport units carrying SPS goods are directed to the **green lane**.

This system is restricted to **plants subject to checks at a reduced frequency⁵ and to feed of non-animal origin**. Animals and animal products are excluded and are automatically directed to the “SIVEP inspection” orange lane, since SI Brexit is set up to access CHED information in TRACES-NT through Delta-G and Delta-T.

Special case of fishery products entering through Calais Port or Tunnel: If, during matching, the driver declares that he is carrying fishery products only, the transport unit will be directed to the green lane provided that the goods are covered by a (T1) transit declaration showing Calais as the office of departure or transit and Boulogne as the office of destination.

Important: Transport units containing fishery products with Dunkerque as their office of departure or transit are handled in SI Brexit as transport units containing SPS goods. They are therefore directed not to Boulogne but to the Dunkerque BCP SIVEP.

If the operator has not pre-lodged a customs declaration, the vehicle is directed to the orange lane (Customs). Since veterinary and phytosanitary checks must be carried out before imported goods can be placed under a customs procedure, including transit, the vehicle must proceed to the BCP for examination in order to obtain a CHED.

1.3. Unloading of transport units

- For entry points connected to SI Brexit, the latter system is used to notify Eurotunnel and the ferry companies of transport unit routing. When transport units are unloaded, these companies tell the operator/vehicle driver to take the “SIVEP inspection” orange lane (with the exception of fishery products entering through Calais Port or Tunnel and products that already have a CHED and a validated customs declaration).

The shipping line also gives the driver a flyer containing a plan with the SIVEP area marked. He/she will follow the signs at the exit of the restricted area.

After the SIVEP check and customs clearance, the status of the goods is updated in SI Brexit: validated customs declaration / release warrant in Delta-G or Delta-T.

For common transit, on the other hand, the HGV status is not updated to green and remains orange. In practice, the HGV park operator or driver will ask Customs whether customs procedures have been completed and the vehicle can leave the facility.

5 Regulation (EC) No 1756/2004.

For entry points not connected to SI Brexit (Saint Malo, with Condor Ferries), HGVs will be directed to the SIVEP by signs at the exit from the restricted area.

In the case of off-site BCPs, HGVs are authorised, under a procedure guaranteeing traceability of goods, to leave the terminal and proceed to the BCP without delay by the signposted SIVEP orange lane. Drivers are informed of the BCP location beforehand by the shipping line. They are given a plan with its GPS coordinates, showing them how to get there.

FACTSHEET 2: CHECKS ON SPS GOODS BY THE SIVEP

EU rules provide for veterinary and phytosanitary checks before the imported goods can be placed under a customs procedure, including transit.

To meet this requirement in the case of off-site BCPs, the traceability of goods must be guaranteed.⁶ There are two procedures:

- For fishery products entering through Calais and checked at the Boulogne BCP: Contrary to usual practice, goods are placed under customs transit (T1) between Calais and Boulogne, although the health check has not yet taken place (see Section 4.2.1 below).

- For other SPS goods: unloading areas and off-site BCPs can be approved as temporary storage (TSFs in particular). A traceability system for movement of goods between the two locations has been put in place.⁷

2.1. Goods subject to SPS checks

The Veterinary and Phytosanitary Border Inspection Office (SIVEP) carries out official checks for each consignment⁸ at the BCP of the first point of entry into the EU on:

- Live animals,
- Products of animal origin, germinal products, animal by-products, hay and straw, and foodstuffs containing both products of plant origin and processed products of animal origin ('composite products'),
- Feed of non-animal origin to be released for free circulation in the EU,
- Plants, plant products and other objects as referred to in the lists established pursuant to Articles 72(1) and 74(1) of Regulation (EU) 2016/2031.

2.2. SPS checks

SPS checks at the border control post comprise several stages.

6 As provided for by the European Commission in BCP approval requirements.

7 At Le Havre, transfers from the ferry terminal to the BCP are authorised on the driver's responsibility (UCC, Article 135), and a goods tracking protocol has been signed between the Normandy Inter-regional Customs Directorate and the Regional Directorate for Food, Agriculture and Forestry.

8 Under Article 47(1) of the Regulation (EU) 2017/625, known as the OCR (Official Controls Regulation). The OCR defines a consignment as a number of animals or quantity of goods covered by **the same official certificate**, official attestation or any other document, conveyed by **the same means of transport** and coming from **the same territory or third country**, and being **of the same type, class or description**.

2.2.1. Pre-notification in TRACES

Prior to import, the operator responsible for the consignment⁹ must notify entry of goods subject to SPS controls at a BCP at least four hours before arrival of the consignment in EU territory.¹⁰ To guarantee a smooth border crossing, pre-notification must occur before goods are loaded onto the ferry/shuttle.

This pre-notification must be submitted via TRACES-NT, the European Commission platform, by completing Part 1 of the common health entry document (CHED).

2.2.2. Documentary check

This checking stage is **mandatory** for all goods subject to SPS controls. The SIVEP checks that the third-country export certificate is consistent with the information already provided by the operator in TRACES-NT.

2.2.3. Identity check

This entails checking that the SPS goods correspond to the information on the requisite export health certificates (verification of seals, nature, quantities, identification marks, inspection stamp, etc.).

Identity checks are **mandatory** for live animals and products of animal origin, as well as plants and plant products (apart from plants subject to reduced plant health checks¹¹): they are **random** for feed of non-animal origin.

2.2.4. Physical check

The physical check entails a detailed examination of goods and may include temperature checks, sampling for official analysis and a detailed visual inspection of plants and products of animal origin in order to check that the goods are compliant. For live animals, the physical check entails verification of their health and compliance with animal welfare requirements during transport.

It is **mandatory** for live animals, plants and plant products (apart from plants subject to reduced plant health checks) and **random** for products of animal origin.

2.3. Issue of CHED

Upon completion of checks, if the goods comply with requirements the SIVEP issues a common health entry document (CHED), which must be presented together with the customs declaration.

9 This is the declarant or the importer (except in the case of common transit).

10 Time-limit applying to trade with the United Kingdom under Commission Implementing Regulation (EU) 2019/1013.

11 This currently concerns 65 plant species. An annual list is available at:
https://ec.europa.eu/food/plant/plant_health_biosecurity/non_eu_trade/less_frequent_checks_en

“CHED” (or DSCE, “document sanitaire commun d’entrée” in French) is the umbrella term for a health document issued at a border control post, whatever the type of SPS goods.

There are several types of CHED/DSCE, depending on the goods concerned and the checks carried out:

- CHED-A (or DSCE-A) for animals;
- CHED-P (or DSCE-P) for products of animal origin;
- CHED-D (or DSCE-D) for feed of non-animal origin;
- CHED-PP (or DSCE-PP) for plants and plant products.

Some plants and plant products and some feed of non-animal origin may be subject only to a documentary check. If this check has been carried out before arrival of the goods on EU customs territory, **the SIVEP can validate the CHED. The declarant must validate his/her customs declaration subsequent to loading and prior to arrival in EU customs territory in order to trigger TRACES-FR/Delta consistency checks.** If these checks are satisfactory, the transport unit is directed straight to the green lane and is not required to go through a BCP.

2.4. SIVEP handling of non-compliance

If the result of the SPS check is unsatisfactory, the SIVEP issues an administrative decision to detain the consignment, which is notified to the person responsible for the latter. The consignment is then held at the point of entry under SIVEP supervision. The person responsible for the consignment is then given a period ranging from a few hours to a few days to produce written or oral comments and, where necessary, regularise the consignment’s SPS situation. This period is indicated in the SIVEP decision to detain the goods.

During the detention period the consignment can be stored in various ways:

- In a storage area on BCP premises;
- On the trailer used to transport the detained goods in the BCP lorry park (provision will be made for power outlets so that refrigeration units can be connected to the power supply if necessary);
- In commercial facilities, subject to compliance with Regulation (EU) 2019/1014. The procedure for detention in these facilities must be laid down in the BCP’s approval documents, where applicable, and there must be an operating agreement with the SIVEP.

The facilities must be close to the BCP and come under the same customs authority. They must also have temporary storage status (such as TSFs).

If the consignment is not regularised by the end of the detention period, it is refused entry to EU customs territory. The SIVEP issues a CHED showing “rejected” status.

There are two alternatives for a rejected consignment:

2.4.1. Destruction of consignment

This is the only alternative for consignments constituting a proven risk to human, animal or plant health. In this case, the SIVEP will notify the person responsible for the consignment of the decision to destroy it. This decision specifies the period within which the operator must

have the consignment destroyed. Products of animal origin must be incinerated in an establishment approved for treatment of Category 2 animal by-products.

The consignment is destroyed under customs supervision (under seal for products of animal origin, and with the transit declaration), and a destruction report containing the CHED number is issued by Customs.

The person responsible for the consignment must forward this destruction report to the SIVEP to prove that the consignment has been destroyed.

2.4.2. Redispatch to third country of origin

If redispatch to the third country of origin is possible and preferred, the SIVEP makes a redispatch decision, which is notified to the person responsible for the consignment, pursuant to Article 72 of Regulation (EU) 2017/625. The SIVEP's administrative decision specifies the period within which the operator must have the consignment returned.

The goods are conveyed under seal with a transit declaration to the point of exit from EU territory. The person responsible for the consignment must provide the SIVEP with proof that the consignment has been returned within the prescribed time-limit (production of a waybill or transit declaration, for example).

For off-site BCPs, goods must remain in a TSF until redispatch (SIVEP holding room, SIVEP lorry park allowing refrigerated lorries to be connected to electric points, etc.). The holding area is specified in notification of the decision and is one of the obligations on the consignee, along with all the others also listed (destruction/redispatch, completion deadline, etc.).

FACTSHEET 3: CHECKS ON SPS GOODS BY CUSTOMS (EXCLUDING CUSTOMS TRANSIT)

Customs allows SPS goods to be placed under a customs procedure only if the operator responsible for the consignment (declarant or importer) has produced a CHED duly signed by the BCP health authorities. **The CHED is required for all customs clearance procedures.**

Once veterinary or phytosanitary checks have taken place the fee is always payable (see Factsheet 5).

Arrangements have been made to keep traffic flowing for Brexit.

It should be noted that the imports of SPS goods covered by this notice are not eligible for national centralised customs clearance (DCN): presentation of any type of Brexit goods that are sensitive or subject to special regulations is not allowed under this procedure at any of the offices connected to SI Brexit:¹² Dunkerque Ferry, Calais Tunnel/Port, Caen-Ouistreham, Rouen-Dieppe, Le Havre, Cherbourg, Saint Malo and Brest-Roscoff.

3.1. CHED check

SI Brexit is set up to access CHED information in TRACES-NT through Delta-G. This is made possible by the TRACES-FR/Delta-G interface.

3.1.1. CHED check with TRACES-FR/Delta-G interface

The interface between TRACES-FR and Delta-G makes it possible to check automatically that the information in the CHED is consistent with the information in the customs import declaration.

The TRACES-FR/Delta interface is used to check:

- All CHEDs (CHED-A, CHED-P, CHED-D and CHED-PP) validated by French BCPs, **whatever the place of destination entered in Box I.7.**

- All CHEDs (CHED-A, CHED-P, CHED-D and CHED-PP) **validated by other European BCPs, provided that Box I.7 shows a place of destination in France.**

How the TRACES-FR/Delta interface works¹³

12 Fishery products in transit (see Factsheet 4, Section 4.2.1) checked at the Boulogne SIVEP could in theory be cleared through national centralised customs clearance (DCN), with Boulogne-sur-Mer as the office of presentation, after inspection by the SIVEP and discharge of the transit movement. However, given the specific nature of these goods (arrival mainly at night), their clearance through DCN is not recommended, since their release may depend on the opening hours of the supervising customs office (if, for example, there is a problem with the TRACES-Delta interface or a declaration is held up for any reason other than a CHED check).

13 See the information for declarants on the national OSS (GUN) link between Delta-G and TRACES-NT for all CHEDs (CHED-A, CHED-D, CHED-P and CHED-PP), available on the French Customs website (November 2020, in French) at: <https://www.douane.gouv.fr/fiche/gun-liaison-traces-delta-g-pour-les-documents-sanitaires-communs-dentree>

FACTSHEET 4: SPS GOODS UNDER THE TRANSIT PROCEDURE

Placing SPS goods under the transit procedure is not authorised unless the operator responsible for the consignment (the declarant or the importer¹⁴) has an appropriate CHED duly signed by the BCP veterinary authorities.

Once veterinary or phytosanitary checks have taken place the fee is always payable (see Factsheet 5).

SI Brexit is set up to check the existence and status of CHEDs through Delta-T. This is made possible by the TRACES-FR/Delta-T interface.

4.1. Usual case: SPS goods (excluding fishery products checked in Boulogne)

Two types of transit will be possible for goods arriving in France:

- **Common transit**, from the UK: A declaration is lodged in the UK system and notification of transit is entered in Delta-T.

- **Union transit**, from France: Operators will be able to pre-lodge a Union transit declaration from the smart border interface offices. The declaration can be lodged:

- (1) 30 days before the goods are presented if pre-lodgement in Delta-T is used;
- (2) 72 hours before the goods are presented for operators with EDI who are unable to use pre-lodgement by 1 January 2021.

4.1.1. Transit declaration requirements

In the transit declaration the operator must complete:

- The document code for the goods: **853** for animals and products of animal origin, **851** for plants and plant products and **852** for feed of non-animal origin;

- The **CHED number already entered in TRACES**.

The driver declares that he/she is carrying SPS goods during matching in the UK.

4.1.2. TRACES-FR/Delta-T interface and routing in SI Brexit

It is planned to link TRACES-FR and Delta-T by 1 January 2021 for Brexit. This will enable the existence and status of CHEDs to be checked.

Thus a transport unit will be directed into the green lane or the "SIVEP inspection" orange lane depending on the CHED status in TRACES (validated or not) and the Delta-T checks.

- Green lane: Goods subject to a documentary check only and having a CHED (e.g. plants checked at a reduced frequency¹⁵ and some feedstuffs of non-animal origin). SI Brexit is able to query TRACES-NT through the Delta-T/TRACES-NT interface to check that a validated CHED has been issued.

14 For common transit, the declarant is not the operator responsible for the consignment.

15 This currently concerns 65 plant species. An annual list is available at: https://ec.europa.eu/food/plant/plant_health_biosecurity/non_eu_trade/less_frequent_checks_en

- "SIVEP inspection" orange lane: SPS goods without a CHED.¹⁶ When a transport unit is directed to the "SIVEP inspection" orange lane and, because the rules require customs formalities to take place after the SIVEP inspection, SI Brexit does not automatically enter notification of transit in Delta-T.

After the SIVEP inspection, there are three possible situations:

Situation 1: For a Union transit declaration pre-lodged in DTI¹⁷ the declarant validates the declaration in Delta-T after SIVEP checks and issue of a CHED. The Delta-T/TRACES-NT interface then allows the HGV to take the green lane once the transit declaration has been validated. It can therefore leave the HGV park upon release of the goods.

Situation 2: To manage a Union transit declaration lodged with EDI,¹⁸ the declarant e-mails the office of departure the following information (see **Appendices 1 and 3**) :

-

- in the email heading : the transit declaration number and the name of the inspection office concerned ;
- the PDF of the CHED authenticated by electronic signature, issued by the border control post (SIVEP) ;
- the amount of the phytosanitary and/or veterinary fees;
- the corresponding tax code(s) (G065 and/or E615);
- the removal credit code.

Using this information, after checks, customs officers will notify release of goods manually.

Situation 3: For a common transit declaration, once checks have been carried out, the declarant e-mails the customs office of transit the following information (see **Appendices 1 and 3**):

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- in the email heading : the transit declaration number and the name of the inspection office concerned ;
- the PDF of the CHED authenticated by electronic signature, issued by the border control post (SIVEP) ;
- the amount of the phytosanitary and/or veterinary fees;
- the corresponding tax code(s) (G065 and/or E615);
- the removal credit code.

On the basis of this information and their checks, customs officers will notify transit manually in Delta-T.

16 A transport unit directed to the SIVEP orange zone must first proceed to the BCP.

17 Direct Trader Input

18 Electronic data interchange

4.2. Special cases

4.2.1. Fishery products entering through Calais and checked in Boulogne-sur-Mer

In conjunction with the Directorate General for Food (DGAL), SPS checks on fishery products have been moved from the BCP SIVEP in Calais (Port and Tunnel) to the SIVEP inspection centre in Boulogne-sur-Mer. During matching in the UK, the driver declares that he/she is carrying only fishery products.

In SI Brexit, because it is transporting fishery products and SPS checks have been moved from Calais to Boulogne, the transport unit is directed to the green lane. In fact, fishery products entering through Calais are allowed to exit without SIVEP inspection at the first point of entry provided that they are covered by a (T1) transit declaration showing Calais Port/Tunnel as the office of departure or transit and Boulogne as the office of destination.

The transit procedure ends after checking at the Boulogne-sur-Mer SIVEP inspection centre. The operator can then choose to make a customs import declaration or a new transit declaration.

4.2.2. Landbridge (EU goods in transit with T2 status)

EU rules¹⁹ provide for veterinary checks at a BCP for **animals and products of animal origin** with EU status taking the landbridge (movement of goods between the continent and the Republic of Ireland through the United Kingdom). For this purpose these consignments must be pre-notified by the operator (through creation of a CHED/DSCE) in TRACES-NT.

Live animals must be accompanied by an Intra Trade Animal Health Certificate generated at the point of exit from the Republic of Ireland.

When live animals and products of animal origin re-enter the EU, they must undergo veterinary checks:

- A documentary check only is required for animals and food of animal origin. A CHED can be issued without going through the BCP if pre-notification has been used.
- An identity check is necessary for some products of animal origin, including animal by-products.²⁰ The goods must be presented to the BCP.

The driver declares that he/she is carrying SPS goods during matching in the UK.

In addition, the operator must complete the following in the T2 transit declaration:

- Document code **853** for animals and products of animal origin;
- Reference number of CHED already lodged in TRACES.

Depending on the status of the common health entry document (CHED), the transport unit will be directed either to the green lane or to the SIVEP orange lane.

If documentary checks have been made and a CHED has been issued prior to the goods' arrival, the transport unit is directed to the green lane when the transit advice note is notified

19 Article 51 of the OCR and Article 37 of Delegated Regulation (EU) 2019/2124.

20 Animal by-products are derived from products of animal origin and are not intended for human consumption.

automatically. The operator can then proceed to the office of destination, where he/she will have to notify the goods' arrival.

If it is necessary to go through a BCP (CHED not issued), the transport unit is directed to the SIVEP orange lane. Its arrival is not automatically notified by SI Brexit in Delta-T. Once veterinary checks have been made at the BCP, the declarant must e-mail the transit office the document issued by the border inspection office (SIVEP), the number of the transit declaration and the office concerned. The customs officer will then be able to notify transit manually.

Important: Veterinary fees are not charged on consignments from the Republic of Ireland.

FACTSHEET 5: VETERINARY AND PHYTOSANITARY FEES

The **veterinary fee**²¹ is collected by Customs upon import into customs territory of animals or animal products with non-EU status from a non-EU country when a veterinary check, comprising at least a documentary check and an identity check, is carried out in a BCP in France. It is also chargeable for veterinary checks on feedstuffs of non-animal origin that are subject to tighter controls.

The **phytosanitary fee**²² is collected by Customs on each consignment of plants or plant products whose import is subject to checking by SIVEP at a BCP and to production of a CHED-PP.

The amount of the fee is calculated by the health inspection service and entered in Box II.22 of CHED-A or -P (animals or animal products) or CHED-PP (plants and plant products). The tariffs of the fee collected for the veterinary and phytosanitary import control of live animals, products of animal and plant origin and plant products are provided for by the decree of June 25, 2012 fixing the tariffs of the fee for veterinary and phytosanitary import controls.

Veterinary and phytosanitary fees are payable by the importer. If they are calculated through a customs declaration, they are also jointly payable by the importer's customs representative if the latter is acting indirectly on the importer's behalf within the meaning of Article 18 of the Union Customs Code. In other cases, fees can be settled by the representative.

Veterinary and phytosanitary fees are collected by the relevant customs department under the same rules and with the same rights and guarantees as customs duties. Offences are reported and punished and cases investigated and judged under the provisions of the French Customs Code.

The fee must be received prior to release of the goods unless a deferment account has been set up for deferred payment. To this end an agreement must first be signed with the operators concerned. This agreement provides for use of a deferment account to cover deferred payment of the fees calculated over what is known as an aggregation period (ten days or a month). A deferment account is used when goods are placed under a transit procedure, for example.

The agreement with the operator notes the obligation to enter the following in declarations lodged, depending on the goods:

- The credit payment code;
- The tax code (G065 or E615);
- The CHED reference numbers;
- The amount calculated.

If put in place by an RCR, this agreement may make provision for its signatory to lend credit to customers responsible for consignments as defined by the sanitary and phytosanitary rules.

The declarant submits to the office a summary statement of the fees calculated during the aggregation period laid down in the agreement. This statement covers **only** fees calculated outside the Delta-G and -X systems.

21 The veterinary fee, provided for in Regulation (EU) 2017/625, is established by Article 285 quinquies of the French Customs Code.

22 The phytosanitary fee, provided for in Regulation (EU) 2017/625, is established by Article L.251-17 of the French Rural and Maritime Fishery Code.

If the operator holds authorisation to use a comprehensive guarantee (CGU) or has deferred payment authorisation (DPO), the amounts concerned must be taken into account when calculating the guarantee reference amount. If the operator does not have such authorisations or cannot make use of them, he/she can back the agreement with a specific undertaking by a guarantor signed with the relevant tax collection office.

For deferred payment, the fee must be guaranteed as a debt incurred, whatever the circumstances, including for duty-suspended goods, since the chargeable event has occurred (entry into the country and health check). This portion of the guarantee is always at least partly underwritten.

5.1. Fee collection (excluding transit)

The customs import declaration must include, in Box 44 (“Additional information”), the additional national code, depending, amongst other things, on the type of goods imported and the country of origin.

At the office of entry into EU customs territory:

Veterinary fees

For veterinary fees, the amount is calculated automatically by Delta (on the basis of weight and the additional national code), regardless of the customs procedure chosen. In the absence of a deferment account, payment is managed on the usual cash terms.

Phytosanitary fees

For phytosanitary fees, the complexity of the charging basis explains why it is calculated by the SIVEP and entered directly in the CHED-PP. The declarant records the amount of the fee payable in the system in the box entitled “taxations précalculées”, using the relevant tax code, regardless of the customs procedure chosen. In the absence of a deferment account, payment is managed on the usual cash terms.

Important: If the fee amounts have not been entered in Delta and release is granted automatically by the latter through its interface with TRACES-FR, and/or no deferment account is shown on the declaration, the operator must contact the relevant office to make arrangements for paying the fee in full. If the operator fails to do this, the fee is calculated by the office and notified to the declarant in a notice to pay.

5.2. Fee collection for Union transit and common transit

N.B. The information below also applies to TIR, ATA and NATO transit procedures.

Delta-T cannot be used to enter tax-related information (which is also excluded from all accompanying documents for transit procedures).

The fee is payable as soon as the veterinary or phytosanitary check has been carried out. It is not part of the charges covered by transit guarantees.

5.2.1. Goods under Union transit or common transit arriving in EU customs territory

5.2.1.1. Settlement methods

SPS goods are identified by their codes: **853** for veterinary goods and **851** for phytosanitary goods. The fee is payable as soon as the veterinary or phytosanitary check has been carried out. It is not part of the charges covered by transit guarantees.

The fee is:

- either paid in full by the operator to obtain release of the goods,
- or guaranteed before release of the goods covered by the transit declaration: in this case the operator must enter a valid credit payment code in Box 44 of the transit declaration for his/her deferment account agreement for health inspection fees.

If release is granted automatically by Delta-T through its interface with TRACES-FR and no deferment account is shown on the declaration, the operator must contact the relevant office to make arrangements for paying the fee in full.

If the operator fails to do this, the office calculates the fee on the basis of the declaration and notifies it with a notice to pay, sent to the operator for payment within ten days.

5.2.1.2. Payment offices

Fees for veterinary or phytosanitary import checks must be collected in the customs office of entry into EU customs territory, or else in the office where the goods are placed under the transit procedure. There is one exception to this rule: fishery products moved under common transit or Union transit from Calais to the Boulogne-sur-Mer SIVEP. In this case, the fee is collected by the Boulogne-sur-Mer office (see Section 4.2.1 above).

5.2.2. Goods moved from the UK under the common transit procedure

There are two types of common transit here:

Type 1: Office of destination in France	Type 2: Office of destination in another Member State
Fees for veterinary or phytosanitary import checks must be collected in the customs office of destination on the declaration.	Fees for veterinary or phytosanitary import checks must be collected in the customs office of entry into EU customs territory.
1. Placing under a transit procedure is immediately followed by release of the goods for free circulation or placing under a special procedure – excluding transit (declaration lodged in Delta-G or -X). The collection arrangements are the same as those described in Section 5.1. 2. After the first transit operation the goods are again placed under a transit procedure. Before the procedure ends and a new customs procedure is assigned, the office of destination collects the automatically	1. The operator responsible for the consignment as defined by the sanitary and phytosanitary rules holds a deferred payment authorisation covering the fees or else uses the services of an RCR. 2. Otherwise: - The operator will be notified by the BCP of his/her obligation to pay the health inspection fee to the relevant office before the movement can continue. The operator must contact the relevant office to make arrangements for paying the fee in full. The

<p>calculated fee payable or checks that deferred payment of this fee is properly guaranteed.</p> <p>3. If the declaration is not cleared, the fee is calculated by <u>the office of destination</u> and notified through <u>a notice to pay</u> to the person acting as the principal for the transit declaration first of all and, failing payment, to the person responsible for the consignment as defined in the sanitary and phytosanitary rules (OCR).</p>	<p>fee is then calculated immediately and sent to the collection office. If the operator fails to arrange payment, the office also produces a calculation of the fee on the basis of the declaration and sends it, together with a notice to pay, first of all to the person acting as the principal for the transit declaration and, failing payment within ten days, to the person responsible for the consignment as defined in the sanitary and phytosanitary rules.</p> <p>- If the operator exports regularly, he/she is requested by the BCP to put in place a <u>deferment account agreement</u> with the office for future operations; this agreement is backed by a guarantee lodged with the collection office for this office.</p> <p>- If the operator <u>does not export regularly</u>, he/she is requested by the BCP, for future operations, to <u>use the services of an RCR</u> who has a deferment account agreement with the office.</p> <p>The consignment status (CHED issued for common transit) and the credit payment code must be completed in the CHED pre-notification (Box I.3) by the operator responsible for the consignment.</p>
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5.3. SIVEP handling of non-compliance (rejected CHEDs) (cf. Sections 2-4)

Fees for veterinary or phytosanitary import checks are payable and must be collected by the customs office at the point of entry into EU customs territory.

The operator responsible for the consignment as defined by the rules will be:

- notified by the BCP of his/her obligation to pay the health inspection fee to the relevant office or to use the services of an RCR who has a deferment account agreement with the office;

- requested by the BCP, if the operator has a deferment account agreement with the office, to settle this operation in the settlement summary for the aggregation period.