

Department of Agriculture, Food and the Marine

Trader Notice MPD 001/2012

To: All Food Business Operators intending to export Dairy Products to Third Countries.

Subject: FBO Systems required to enable Veterinary Certification of Dairy Products intended for export to Third Countries.

15 May 2012

Background

Food Business Operators (FBOs) who intend to trade with Third Countries (countries outside the EU) may have a legitimate need for certification of the dairy product for export. In such cases, this Trader Notice applies.

Scope

Advice to all FBOs who trade directly with Third Countries or those FBOs who supply milk/milk product to FBOs who trade with Third Countries.

General Veterinary Certification is provided centrally. Where certification specifically refers to the product and consignment details, the task of certification is referred to the Regional Veterinary Inspectorate as certain checks, specific to the product and consignment, are required.

This Trader Notice is primarily concerned with such specific certificates, though prior application to Milk Policy Division applies to both General and Specific Veterinary Certificates.

FBO application

Once a Third Country market is identified, it is the responsibility of the FBO to apply to Milk Policy Division for the certificate as early as possible to facilitate the certification process.

As regards specific Veterinary Certificates, there will be, in general, a 14 working-day turnaround time from the point Milk Policy Division receives the application to the provision of the signed certificate, assuming the correct application has been made and subject to the necessary information being made available to the VI.

In all cases, applications should be submitted to DAFM prior to the despatch of the consignment from RoI. Sufficient time should also be allowed for VI inspection of the consignment. In those incidences, where the product is despatched in advance of the request for certification and VI inspection, this increases the possibility of the product being ineligible for certification.

However, it may be agreed with the VI in advance, for certain certificates, that the consignment may be despatched in advance of certification. In such cases, any supporting procedure to facilitate the VI in certification must be fully described in a related Standard Operating Procedure (SOP) and agreed with the VI and the local Dairy Produce Inspector. (see SOP and Systems Based Approach outlined below).

Standard Operating Procedure

All FBOs must put in place a Standard Operating Procedure (SOP) for each specific veterinary certificate. The FBO should examine the statements in the relevant certificate and the SOP should take account of their underlying requirements. The SOP must describe the FBO systems and FBO controls that will be put in place to ensure that the certifying VI has all the information required to verify the conditions of the certificate in line with the 12 Principles of Veterinary Certification (Annex 1). Each SOP must be agreed with the VI and the local Dairy Produce Inspector.

The FBO must also identify a nominated contact person to liaise with the VI.

In particular the following documents are critical as support documentation for all certificates and their provision must be dealt with in each SOP:

- all traceability documentation that shows a demonstrable link between the consignment details outlined in the certificate and the physical consignment.
- Support veterinary certification may be required from other FBOs within the ROI or from other countries, and remains the responsibility of the FBO to acquire. It should be noted that failure to provide support certification in a timely manner will lead to delays in or refusal of certification.
- Specific key documents and records pertinent to the criteria of the certificate (e.g. sampling results, thermographs, etc).
- Any other documentation specific to the requirements of the certificate.

Systems based approach to verification for certification.

The FBO system should be sufficiently robust and user-friendly that it facilitates a systems based approach of verification by the VI. This may then allow periodic visits by the VI to establish eligibility of product for certification, instead of individual visits for each application for certificate(s).

While this flexibility exists for periodic visits, the principle remains that the VI may carry out verification visits where necessary to ensure integrity and robustness of the FBO systems and to ascertain eligibility of the product for the certificate.

Approved Lists

For trade with some third countries the FBO must be on a DAFM approved list (e.g. Russia/Customs Union). It is the FBO's responsibility to establish if they need prior approval from the Competent Authority to trade with that particular country. Should approval be required, the FBO must apply to DAFM for same, prior to commencing manufacture of the product. If approval is required it is important to note that suppliers of ingredients may have to be approved also and that storage by third party sites may also require approval.

Duplicate certificates

Where a requirement for a duplicate certificate arises, the FBO will be asked to return the original certificate to Milk Policy Division. In the event that the original cannot be returned, a 'True Copy' can only be issued.

Padraig Langan.

Padraig Langan
Milk Policy Division
17th May 2012



Annex 1

THE FIVE TWELVE PRINCIPLES OF CERTIFICATION

1. A veterinarian should be asked to certify only those matters, which are within his own knowledge, can be ascertained by him personally or are the subject of a supporting certificate from another veterinarian, who does have personal knowledge of the matters in question and is authorised to provide such a supporting document. Matters not within the knowledge of a veterinarian, and not the subject of such a supporting certificate, but known to other persons, e.g. the farmer, the breeder or the truck driver, should be the subject of a declaration by those persons only.
2. Neither a veterinarian nor any person described in 1 above should be requested or required to sign anything relating to matters which cannot be verified by the signatory.
3. Veterinarians should not issue a certificate which might raise questions of a possible conflict of interest, e.g. in relation to their own animals.
4. All certificates should be written in terms which are as simple and easy to understand as possible.
5. Certificates should not use words or phrases, which are capable of more than one interpretation.
6. Certificates should be:-
 - produced on one sheet of paper or, where more than one page is required, in such a form that any two or more pages are part of an integrated whole and indivisible;
 - given a unique number, with records being retained by the issuing authority of persons to whom certificates bearing particular numbers were supplied.
7. Certificates should be written in the language of the veterinarian signing them, and accompanied by an official translation of the certificate into a language of the country of ultimate destination.
8. Certificates should identify animals individually except in cases where this is impractical e.g. day old chicks.
9. Certificates should not require a veterinarian to certify that there has been compliance with the law of the Community or a third country unless the provisions of the law are set out clearly on the certificate or have been provided to him by the issuing authority.
10. Where appropriate, notes for guidance should be provided to the certifying veterinarian by the issuing authority indicating the extent of the enquiries he is expected to make, the examinations he is required to carry out, or to clarify any details of the certificate which may require further interpretation.
11. Certificates should always be issued and presented in the original. Photocopies are not acceptable. Provided that:-
 - a copy of the certificate (clearly marked "COPY") should always be provided to the authority by whom the certificates were issued - see 6 above; and

- where, for any good and sufficient reason (such as damage in transit) a duplicate certificate is authorised and supplied by the issuing authority; this must be clearly marked "duplicate" before issue.

12. When signing a certificate, a veterinarian should ensure that:-

- he signs and completes any manuscript portions in a colour of ink which does not readily photocopy i.e. a colour other than black;
- the certificate contains no deletions or alterations, other than those which are indicated on the face of the certificate to be permissible, and subject to such changes being initialled and stamped by a veterinarian;
- the certificate bears not only his signature but also, in clear lettering, his name, qualifications and address and (where appropriate) his official or practice stamps;
- the certificate bears the date on which the certificate was signed and issued and (where appropriate) the time for which the certificate will remain valid;
- no part of the certificate is left blank so that it could subsequently be completed by some person other than the veterinarian.