



Australian Government

Australian Quarantine and Inspection Service

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Export from Establishments that have been de-listed

The purpose of this market access advice is to provide information about wording on the European Commission website on frequently asked questions regarding listing of establishments. This wording states the following:

In the event that establishments are requested to be de-listed, consignments for export to the EU can only be certified until the day before the communication for de-listing has been submitted to the Commission by the third country authority.

Source: http://ec.europa.eu/food/food/biosafety/establishments/third_country/faqs_en.htm

This wording led to a recent ruling by a border inspection official in the United Kingdom to reject a consignment that contained some product which had been exported from an establishment that had voluntarily relinquished its EU listing prior to AQIS issuing certification for export to the EU. The entire consignment originated from establishments that had been EU-listed at the time of production, and been maintained since production in EU-listed establishments. As a result of the rejection of the entire consignment, the department contacted the border official involved and the European Commission. While the final ruling was to reject the entire consignment, including product from establishments that were listed at the time of certification, this interpretation may not be consistent with that of the European Commission.

Exporters need to be aware of the risk of sourcing product from establishments that are not listed on the EU website at the time that product is certified for export. The department will investigate this issue further with the European Commission and will provide more information as it becomes available.

Note: The information on export from delisted establishments on the European Commission website is dated 22 September 2008 and this is the first instance of such a ruling by a port official.

The information provided above is current at the time of writing and is intended for use as guidance only and should not be taken as definitive or exhaustive. The Commonwealth endeavours to keep information current and accurate, however, it may be subject to change without notice. Exporters are encouraged to verify these details with their importers prior to undertaking production/exports. The Commonwealth will not accept liability for any loss resulting from reliance on information contained in this notice.

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