

## **UK COMMENTS ON THE DRAFT REPORT OF FVO MISSION 2012/6582**

### **General**

There are references to 'Customs' throughout the report and it's not always clear if this is a reference to HM Revenue and Customs or Border Force.

### **Abbreviations, page III**

Customs are shown as 'National Customs Authority'. Suggest this should read HM Revenue and Customs. See paragraph 5.1.1.

### **Introduction**

Third paragraph: Border Force is not a division of UK Customs. Prefer this was amended to 'is an operational command of the Home Office'.

### **Designation of Competent Authorities**

#### Paragraph 5.1.1

Border Force would prefer the following wording to be included, as per opening meeting/ pre mission questionnaire:

'HM Revenue and Customs are the responsible UK authority for delivering the customs clearance function for imports of POAO, live animals, and products within the scope of the illegal fishing regime and for the ownership and operation of all import and export customs declaration handling systems. UK Border Agency still has responsibilities for some functions that were previously part of Border Force, such as the criminal investigation of illegal import cases referred to them by Border Force and for delivering publicity and communications in relation to POAO at GB points of entry and to overseas visitors.'

#### Paragraph 5.1.2

HMRC are also part of the SLA which formalises responsibilities between government departments.

### **Controls of consignments at entry BIPs**

Section 5.6.1(findings) reference first bullet under 'the audit team noted that'. Border Force applies risk based and selective checks for illegal consignments of POAO which can include use of manifest data and are in line with latest risk information and available resources. However, it should be noted that it is often quite difficult to identify POAO goods on airline manifests and this a common issue for all commodities, so manifest checks alone are not going to necessarily identify illegal imports – particularly in the air environment.

The anti-smuggling checks on POAO imports carried out by Border Force to detect suspected illegal imports are risk based and targeted in line with priorities agreed with Defra. These checks take into account latest animal disease risk assessments, any other available threat intelligence (e.g. information exchanges with other authorities involved in the control of POAO at the border or in country) and other priorities. This includes country risk information from Defra.

### **Decision on the consignment**

5.6.4(finding) second bullet. Consignments returned from third countries are only accepted for return to the plant of origin without a health certificate if no export certificate was issued initially. The UK government believes this is legally acceptable and consistent with the intention of article 15 of Council Directive 97/78/EEC.