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NOTICE ON TRAVELLING BETWEEN THE EU AND THE UNITED KINGDOM FOLLOWING WITHDRAWAL OF THE UNITED KINGDOM FROM THE EU

TABLE OF CONTENTS

1.	INTRODUCTION	4
2.	BORDER CHECKS ON PERSONS AT THE EU EXTERNAL BORDER, AIRPORT TRANSIT VISA.....	5
2.1.	Entry and exit checks.....	5
2.2.	EU visa requirements for non-EU family members	7
2.2.1.	Non-EU family members of EU-27 citizens living in the UK	7
2.2.2.	Non-EU family members of UK nationals living in the UK.....	8
2.3.	Airport transit visa	10
3.	CUSTOMS CONTROLS	11
4.	DUTIES, VAT AND EXCISE	11
4.1.	Exemption from duties, VAT and excise	11
4.2.	VAT refunds for goods purchased in the EU	12
5.	PROHIBITIONS AND RESTRICTIONS	12
5.1.	Accompanying pets	13
5.1.1.	Non-commercial movements into the EU-27 of pets accompanying a pet owner resident in the United Kingdom.....	13

¹ Main change in REV2 was the insertion of a new section on airport transit visa, now section 2.3. The changes in REV3 were a new section 2.2. on the situation of non-EU family members of EU/UK citizens living in UK/EU, and a new cross-reference in section 5.6. (trade in protected species). REV4 added a new section 6.2 (distinguishing sign of state of registration).

5.1.1.1.	If the United Kingdom is listed by the Commission in accordance with Article 13(1) of Regulation (EU) No 576/2013	14
5.1.1.2.	If the United Kingdom is listed by the Commission in accordance with Article 13(2) of Regulation (EU) No 576/2013	14
5.1.1.3.	If the United Kingdom is not listed by the Commission.....	15
5.1.2.	Non-commercial movements into the EU-27 of pets accompanying a pet owner resident in an EU-27 Member State and returning from the United Kingdom after a temporary movement to the United Kingdom.....	15
5.1.2.1.	If the United Kingdom is listed by the Commission in accordance with Article 13(1) of Regulation (EU) No 576/2013	15
5.1.2.2.	If the United Kingdom is listed by the Commission in accordance with Article 13(2) of Regulation (EU) No 576/2013	16
5.1.2.3.	If the United Kingdom is not listed by the Commission.....	16
5.2.	Plants and plant products.....	17
5.3.	Personal consignments of products of animal origin	17
5.4.	Cash.....	18
5.5.	Cultural goods	18
5.6.	Specimens of endangered species	19
5.7.	Invasive alien species	20
5.8.	Firearms.....	21
6.	USE OF AUTOMOTIVE VEHICLES	23
6.1.	Driving licences.....	23
6.2.	Distinguishing sign of state of registration.....	23
6.3.	Third party liability insurance	24
7.	MEDICAL TREATMENT AND RELATED ISSUES; EMERGENCIES	25
7.1.	Entitlement of healthcare under Union law on social security coordination.....	25
7.2.	Entitlement of re-imbusement for cross-border healthcare under Union law on cross-border healthcare.....	26
7.3.	Recognition of medical prescriptions issued in another Member State	27
7.4.	European emergency number – 112.....	27
7.5.	Parking cards for disabled	27
7.6.	Consular protection	28

7.7.	Compensation mechanism for persons injured by a car in another Member State ("visiting victims").....	28
8.	INSURANCE, PASSENGER RIGHTS.....	29
8.1.	Insolvency travel insurance	29
8.2.	EU passenger rights	30
8.2.1.	Air passenger rights	30
8.2.2.	Ship passengers rights	31
8.2.3.	Bus and coach passenger rights	31
8.2.4.	Rail passengers rights	32
9.	OTHER ISSUES	32
9.1.	Card payments	32
9.2.	Roaming	32
9.3.	Portability of online content services	33
ANNEX: EU-LEAFLET ON PERSONAL CONSIGNMENTS OF PRODUCTS OF ANIMAL ORIGIN THAT FORM PART OF TRAVELLERS' LUGGAGE.....		34

1. INTRODUCTION

The United Kingdom submitted on 29 March 2017 the notification of its intention to withdraw from the Union pursuant to Article 50 of the Treaty on European Union (TEU). Following a request by the United Kingdom, the European Council (Article 50) agreed on 29 October 2019² to extend further³ the period provided for in Article 50(3) TEU until 31 January 2020. This means that the United Kingdom will be, as of 1 February 2020 ('the withdrawal date') a 'third country'.^{4 5}

Preparing for the withdrawal is not just a matter for EU and national authorities but also for private parties.

In view of the uncertainties surrounding the ratification of the Withdrawal Agreement,⁶ persons who plan to travel (for private or business reasons) from the United Kingdom to the EU (and vice-versa) on the withdrawal date or thereafter, and businesses providing services in relation to such travel (travel organisers, travel agencies, car rental companies, trade fairs, transport companies, etc.) are reminded of the legal repercussions, which need to be considered when the United Kingdom becomes a third country.

Subject to the transition period provided for in the Withdrawal Agreement,⁷ as of the withdrawal date, the withdrawal of the United Kingdom has the following consequences for travellers from the United Kingdom to the EU and vice-versa:⁸

² European Council Decision (EU) 2019/1810 taken in agreement with the United Kingdom of 29 October 2019 extending the period under Article 50(3) TEU, OJ L 278 I, 30.10.2019, p.1.

³ Following a request by the United Kingdom, the European Council had decided earlier on a first extension on 22 March 2019 (European Council Decision (EU) 2019/476, OJ L 80 I, 22.3.2019, p. 1) and on a second extension on 11 April 2019 (European Council Decision (EU) 2019/584, OJ L 101, 11.4.2019, p. 1).

⁴ A third country is a country not member of the EU.

⁵ In addition, if the Withdrawal Agreement is ratified by both parties before that date, the withdrawal takes place on the first day of the month following the completion of the ratification procedures or on 1 February 2020, whichever is the earliest.

⁶ Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community, OJ C 384 I, 12.11.2019, p. 1.

⁷ It is recalled that, in order for the transition period to apply, the Withdrawal Agreement has to be ratified by the EU and the United Kingdom.

⁸ It is recalled that the Withdrawal Agreement between the EU and the United Kingdom would provide for specific solutions addressing the unique circumstances on the island of Ireland.

2. BORDER CHECKS ON PERSONS AT THE EU EXTERNAL BORDER,⁹ ¹⁰ AIRPORT TRANSIT VISA

2.1. Entry and exit checks

Union law¹¹ on border checks at the EU external borders on persons distinguishes between controls of EU citizens and of third country nationals. As of the withdrawal date, controls of UK nationals upon entry to and exit from the Schengen area as well as to and from Member States for which the decision on lifting internal controls has not been taken yet but which apply Schengen rules at their external borders¹² will follow the rules for third country nationals.¹³ ¹⁴ This means that they will no longer enjoy facilitations at the borders provided for EU citizens, nationals of the contracting states of the European Economic Area, and Swiss nationals ("EU/EEA/CH citizens") related to the free movement rights. In particular, UK nationals will not be entitled to use the separate lanes provided for EU/EEA/CH citizens to carry out checks at border crossings¹⁵ and will be subject to thorough checks of all entry conditions for third country nationals upon entry.

The **entry checks** on UK nationals will include verification of:¹⁶

- the possession of a valid travel document for crossing the border; the document needs to have a validity of no more than ten years, and shall be still valid for three months after the intended departure from the Member States;

Please note that UK national passports issued prior to the withdrawal date remain valid travel documents.

⁹ For more information, please consult https://ec.europa.eu/home-affairs/what-we-do/policies/borders-and-visas/border-crossing_en.

¹⁰ This section does not apply for travels in the Common Travel Area between the United Kingdom and Ireland.

¹¹ Article 8(2) and (3) of Regulation (EU) 2016/399 of the European Parliament and of the Council of 9 March 2016 on a Union Code on the rules governing the movement of persons across borders (Schengen Borders Code), OJ L 77, 23.3.2016, p. 1.

¹² Romania, Bulgaria, Cyprus, and Croatia.

¹³ Please note that UK nationals who are members of the family of a Union citizen exercising his or her right to free movement are subject to the rules set out in Article 5 of Directive 2004/38/EC of the European Parliament and of the Council of 29 April 2004 on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States, OJ L 158, 30.4.2004, p. 77.

¹⁴ It should be noted that parts of these controls do already apply today, to citizens from the United Kingdom, when traveling into or out of the Schengen area.

¹⁵ Article 10 of Regulation (EU) 2016/399.

¹⁶ Article 6 of Regulation (EU) 2016/399.

- the duration of the stay:
 - for short stays in the Schengen area, UK nationals will be subject to limitations as regards the authorised duration of stay within the Schengen area (with a maximum of 90 days in a 180-day period);
 - for long stays, they will in principle require a residence permit or long stay visa issued by national authorities, under the national rules;
- relevant databases with a view to verify:¹⁷
 - the identity and the nationality of the third-country national and of the authenticity and validity of the travel document for crossing the border, and in particular:
 - if an alert has been issued in the Schengen Information System (SIS) for the purposes of refusing entry and to check possible threats to public policy, internal security, public health and international relations;
- the purpose (e.g. tourism or work) and the conditions of the intended stay (e.g. accommodation, internal travels);
- the existence of sufficient means of subsistence (i.e. having sufficient means to pay for the intended stay and return travel).

The EU has exempted, as part of its Brexit contingency actions, UK nationals from the requirement to be in possession of a short-stay visa (“Schengen-visa”)^{18 19} when crossing the external borders, where the intended duration of the stay in the Schengen area is 90 days within a 180-day period.²⁰ A continued exemption from Schengen visa will require that nationals of all EU Member States are equally exempted from UK short-stay visa requirements, following the visa reciprocity principle.

Travellers are advised to verify, prior to travel, the validity of travel documents and to ensure that they fulfil all the above conditions before they travel to the EU. The non-fulfilment of any of the entry conditions may

¹⁷ Please note that the possibility of a temporary derogation from the principle, subject to some conditions, of the systematic checks against relevant databases at some land and sea border crossing points does not apply to third country nationals (Article 8(2) of Regulation (EU) 2016/399).

¹⁸ Article 6(1)(b) of Regulation (EU) 2016/399.

¹⁹ On the matter of other third country nationals requiring a visa from an EU-27 Member State while being a family member of an EU national, see below, section 2.2.

²⁰ Regulation (EU) 2019/592 of the European Parliament and of the Council of 10 April 2019 amending Regulation (EU) 2018/1806 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement, as regards the withdrawal of the United Kingdom from the Union, OJ L 103 I, 12.4.2019, p. 1.

result²¹ in refusal of entry issued in line with the procedure set out in Union law with regard to third country nationals.²²

Checks on exit include verification of:

- the possession of a valid travel document for crossing the external border;
- verification that the person did not exceed the maximum duration of stay in the territory of the Member States;
- relevant databases similarly as upon entry checks.

Travellers are advised to take account of possible delays at border posts as of the withdrawal date, especially at those with heavy volumes of traffic (Eurostar train stations, Eurotunnel Le Shuttle in Calais and Folkestone, Channel ports, etc).

2.2. EU visa requirements for non-EU family members

2.2.1. Non-EU family members of EU-27 citizens living in the UK

Union law gives EU citizens the right to move and reside freely in a Member State other than that of which they are a national. This right extends to non-EU family members who accompany or join an EU citizen in a host Member State.²³ The right of residence in a host Member State of such non-EU family members is evidenced by the issuing of a residence card.²⁴

Non-EU family members who hold a valid residence card issued by a Member State are exempt from the requirement of having to obtain an entry visa when travelling to another EU Member State.²⁵

As of the withdrawal date, residence cards issued by the United Kingdom to non-EU family members of EU-27 citizens living in the United Kingdom will no longer exempt the non-EU family members from the requirement of having to obtain a visa when entering the EU-27. The non-EU family members will therefore have to apply for an entry visa at the consulate of the EU-27 Member State of their main destination.

²¹ Regulation (EU) 2016/399 provides for some limited exceptions, where despite the non-fulfilment of entry conditions the third-country national can be granted entry.

²² Article 14 of Regulation (EU) 2016/399.

²³ Article 3(1) of Directive 2004/38/EC of the European Parliament and of the Council of 29 April 2004 on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States (Free Movement Directive), OJ L 158, 30.4.2004, p. 77.

²⁴ Article 10(1) of Directive 2004/38/EC.

²⁵ Article 5(2) of Directive 2004/38/EC.

For travels to an EU-27 Member State other than that of which the EU citizen is a national, the non-EU family members will however continue to benefit from the Free Movement Directive and its visa facilitations.²⁶ They have the right to be issued with a visa free of charge and as soon as possible on the basis of an accelerated procedure. The Member State issuing the visa may only require the non-EU family members to present their valid passport, a proof of family ties and a proof that the EU citizen is (or will be) exercising free movement rights in that Member State.

When travelling to the EU-27 Member State of which the EU citizen is a national, the general entry and visa conditions as laid down in the Schengen Borders Code and in Regulation (EC) No 810/2009²⁷ applicable to third-country nationals apply.

2.2.2. *Non-EU family members of UK nationals living in the UK*

Union law gives EU citizens the right to move and reside freely in a Member State other than that of which they are a national. This right extends to non-EU family members who accompany or join an EU citizen in a host Member State.²⁸ Member States may require non-EU family members of EU citizens exercising their free movement right to obtain an entry visa.²⁹ The visa concerned is a short-stay visa under Regulation (EC) No 810/2009.

Until the withdrawal of the United Kingdom from the EU, non-EU family members of UK nationals continue to benefit from the rights in the Free Movement Directive and its visa facilitations.³⁰ They have the right to obtain a visa free of charge and as soon as possible on the basis of an accelerated procedure. The Member State issuing the visa may only require the non-EU family members to present their valid passport, a proof of family ties and a proof that the EU citizen is (or will be) exercising free movement rights in that Member State.

As of the withdrawal date, the above facilitations will no longer apply to non-EU family members of UK nationals, neither for the issuance of visas, nor for border controls. This means that non-EU family members will have to fulfil all the rules of Regulation (EC) No 810/2009 and of the Schengen Borders Code applicable to

²⁶ Article 5(2) of Directive 2004/38/EC.

²⁷ Regulation (EU) 2016/399 of the European Parliament and of the Council of 9 March 2016 on a Union Code on the rules governing the movement of persons across borders (Schengen Borders Code), OJ L 77, 23.3.2016, p. 1, and Regulation (EC) No 810/2009 of the European Parliament and of the Council of 13 July 2009 establishing a Community Code on Visas (Visa Code), OJ L 243, 15.9.2009, p. 1.

²⁸ Article 3(1) of Directive 2004/38/EC.

²⁹ Article 5(2) of Directive 2004/38/EC.

³⁰ Article 5(2) of Directive 2004/38/EC.

third-country nationals. Third-country nationals shall in principle be asked to submit documents to prove that they fulfil these conditions (e.g. proof of accommodation, employment, sufficient means of subsistence, invitation letter or return ticket, documents proving the family member's economic situation in the country of residence or the genuine intention to leave the territory of the Member States before the expiry of the visa). The maximum length of authorised stay will be limited to 90 days within 180 days counting from the withdrawal date.³¹

While non-EU family members of UK nationals may still use visas issued by an EU-27 Member State before the withdrawal date, they will, in addition, need to fulfil the entry conditions applicable to third-country nationals. At the border, national authorities may request visa holders to provide supporting documents to prove that they fulfil the entry conditions applicable to third-country nationals. If non-EU family members cannot prove at the border that they fulfil these conditions, entry can be refused and the visa can be revoked.³²

Where a non-EU family member of a UK national applies for a visa for a trip **starting before, but ending after**, the withdrawal date, Member States may require the non-EU family member to submit proof that s/he will fulfil the entry conditions applicable to third-country nationals for the period after the withdrawal date.³³

Where a non-EU family member of a UK national intends to travel **as of the withdrawal date**, and does not already hold a visa, s/he must apply for a short stay visa under the general rules applicable to third-country nationals in accordance with Regulation (EC) No 810/2009.

If the application is made before the withdrawal date, the Member State issuing the visa shall waive the visa fee.³⁴

³¹ Article 6(1) of Regulation (EU) 2016/399 and Article 2(2)(a) of Regulation (EC) No 810/2009.

³² Article 34 of Regulation (EC) No 810/2009.

³³ Article 21(1) of Regulation (EC) No 810/2009.

³⁴ Article 5(2) of Directive 2004/38/EC.

2.3. Airport transit visa³⁵

Union law on visas³⁶ requires certain third-country nationals³⁷ to hold an Airport Transit Visa when passing through the international transit areas of airports situated in the EU (with the exception of Ireland and the United Kingdom) and the Schengen Associated Countries (Iceland, Liechtenstein³⁸, Norway and Switzerland) without entering the territory of these countries. For example, this applies to a journey between two non-EU/non-Schengen destinations with a change of plane at an airport located in the EU (except Ireland and the United Kingdom) or in the Schengen Associated Countries. The requirement for an Airport Transit Visa applies to these third-country nationals passing through the international transit areas of airports located in the EU (except Ireland) or in the Schengen Associated Countries when travelling from a third country to the United Kingdom and vice-versa. The Visa Code sets out some exceptions to this requirement, for example for third-country nationals holding a valid visa or residence permit issued by a Member State, holders of diplomatic passports, and holders of a valid visa or residence permit for certain third countries (e.g. Canada, Japan and the United States).

As of the withdrawal date, a valid residence permit or visa issued by the United Kingdom **does not exempt** these third-country nationals from the requirement to hold an Airport Transit Visa.

Nationals concerned who pass through international transit areas of airports situated in the EU-27 Member States (with the exception of Ireland) and the Schengen Associated Countries (Iceland, Norway and Switzerland) when travelling between the United Kingdom and another third country as of the withdrawal date are advised to apply for an Airport Transit Visa and to take the necessary steps sufficiently in advance of their travel.

³⁵ For more information, please consult https://ec.europa.eu/home-affairs/what-we-do/policies/borders-and-visas/visa-policy/apply_for_a_visa_en.

³⁶ Article 3 of Regulation (EC) No 810/2009.

³⁷ Annex IV to Regulation (EC) No 810/2009 – Afghanistan, Bangladesh, Democratic Republic of the Congo, Eritrea, Ethiopia, Ghana, Iran, Iraq, Nigeria, Pakistan, Somalia and Sri Lanka. Under the Visa Code Member States may also introduce national airport transit visa requirements. For more information, please consult https://ec.europa.eu/home-affairs/sites/homeaffairs/files/annex_7b_atv-national_lists_en.pdf.

³⁸ Liechtenstein does not have an airport.

3. CUSTOMS CONTROLS

As of the withdrawal date, goods which are brought into the customs territory of the EU from the United Kingdom are subject to customs supervision and may be subject to customs controls in accordance with EU customs law.^{39 40}

Luggage and other goods carried by or on travellers entering the EU from the United Kingdom will be subject to customs controls.⁴¹ Allowances are made for travellers' personal effects and certain other items (see section 4.1 below).

In particular, goods which are intended to be put on the EU market or intended for private use or consumption within the customs territory of the EU must be declared for release for free circulation. Further information is available at: https://ec.europa.eu/taxation_customs/individuals/travelling/travelling-europe-what-dohave-know_en

Goods which are temporarily imported may be declared for the temporary admission procedure. To this end, ATA Carnets may be used. ATA Carnets are international customs documents permitting the duty-free and tax-free temporary export and import of goods for up to one year. Additional information is available at: <https://iccwbo.org/resources-for-business/ata-carnet/>

4. DUTIES, VAT AND EXCISE⁴²

4.1. Exemption from duties, VAT and excise

Travellers entering the EU from the United Kingdom carrying goods in their luggage or otherwise with them are entitled to duty free allowances (meaning

³⁹ Regulation (EU) No 952/2013 of the European Parliament and of the Council of 9 October 2013 laying down the Union Customs Code, OJ L 269, 10.10.2013, p. 1.

⁴⁰ The rules set out in this section will apply also to goods brought into the customs territory of the EU from the **Channel Islands** and the **Isle of Man** (Article 4(1) last indent of Regulation (EU) No 952/2013).

⁴¹ Article 46(1) of Regulation (EU) No 952/2013.

⁴² Regarding **customs duties**, the rules set out in this section will apply, as of the withdrawal date, also to goods brought into the customs territory of the EU from the **Isle of Man** and the **Channel Islands** (Article 4(1) last indent of Regulation (EU) No 952/2013 of the European Parliament and of the Council of 9 October 2013 laying down the Union Customs Code, OJ L 269, 10.10.2013, p. 1).

Regarding **VAT**, the rules set out in this section will apply, as of the withdrawal date, also to goods brought into the VAT territory of the EU from the **Isle of Man** and vice-versa (Article 7(2) of Council Directive 2006/112/EC of 28 November 2006 on the common system of value added tax, OJ L 347, 11.12.2006, p. 1) (The Channel Islands are, already today, not part of the EU VAT territory, Article 6(1)(e) of Directive 2006/112/EC).

Regarding **excise**, the rules set out in this section will apply, as of the withdrawal date, also to goods brought into the excise territory of the EU from the **Isle of Man** (Article 6(2)(d) of Council Directive 2008/118/EC of 16 December 2008 concerning the general arrangements for excise duty, OJ L 9, 14.1.2009, p. 12) (The Channel Islands are, already today, not part of the EU excise territory, Article 5(2)(d) of Directive 2008/118/EC).

goods exempt from import duty and VAT, and where applicable excise duty). The goods concerned and the corresponding allowances can be found at:

https://ec.europa.eu/taxation_customs/individuals/travelling/entering-eu_en

Travellers are advised to familiarise themselves with the rules concerning duty free allowances and only go through the green customs exit ("green channel") if they have no more than the maximum quantities allowed. Otherwise they should use the red exit ("red channel") and make a customs declaration.

4.2. VAT refunds for goods purchased in the EU⁴³

Visitors from outside the EU are entitled to get a refund of VAT paid on goods they have purchased during their stay in the EU provided that the goods are presented to customs on departure from the EU together with the VAT refund documents.

[Guide to VAT refund for visitors to the EU](#)

5. PROHIBITIONS AND RESTRICTIONS

EU law prohibits and restricts the introduction or importation of certain goods into the EU on grounds of *inter alia* the protection of human, animal and plant health , the environment or the protection of national treasures.

As of the withdrawal date, these prohibitions and restrictions will apply to goods which enter the EU from the United Kingdom or are leaving the EU to the United Kingdom.⁴⁴

While most prohibitions and restrictions *de jure* or in practice are only relevant for professional traders,⁴⁵ some are also relevant for individual travellers:

⁴³ The EU-UK Withdrawal Agreement would provide, in Article 51(3), for rules on the refund of VAT in relation to transactions prior to the end of the transition period in situations where the refund request could not be submitted by the taxable person or forwarded by his residence State before the end of the transition period.

⁴⁴ The EU-UK Withdrawal Agreement would provide, in Article 47(1), for rules relating to the movement of goods that has started before and ends after the end of the transition period ("sailing goods").

⁴⁵ For example, the prohibitions and restrictions for waste, or certain chemicals (see, for more information, the "*Notice to stakeholders - Withdrawal of the United Kingdom and EU rules in the field of import/export licences for certain goods*" at https://ec.europa.eu/info/brexit/brexit-preparedness_en).

5.1. Accompanying pets⁴⁶

Union law⁴⁷ sets rules for the non-commercial movement of pet dogs, cats and ferrets (hereafter "pets")⁴⁸ that accompany travellers coming from third countries.^{49 50}

5.1.1. *Non-commercial movements into the EU-27 of pets accompanying a pet owner resident in the United Kingdom*

The "EU pet passport"⁵¹ issued before the withdrawal date to a pet owner resident in the United Kingdom will from that date no longer be a valid document for travelling with pets from the United Kingdom to any of the EU-27 Member States as of the withdrawal date.

The requirements for pets accompanying travellers coming from the United Kingdom as of the withdrawal date will also depend on whether the United Kingdom is "listed", as of that date, as a third country providing certain animal health guarantees. Travellers concerned are advised to enquire, sufficiently in advance of a planned trip from the United Kingdom to the EU, whether the United Kingdom is "listed" in order to establish what requirements apply. The lists adopted by the EU are published here: https://ec.europa.eu/food/animals/pet-movement/eu-legislation/non-commercial-non-eu/listing_en.

⁴⁶ For more information, please consult https://ec.europa.eu/food/animals/pet-movement_en.

⁴⁷ Regulation (EU) No 576/2013 of the European Parliament and of the Council of 12 June 2013 on the non-commercial movement of pet animals, OJ L 178, 28.6.2013, p. 1.

⁴⁸ Please note that, currently, live pet birds accompanying travellers entering the EU have to be accompanied by a veterinary certificate certifying compliance with one of the following requirements: a 30-days isolation prior to departure in the third country, or a 10-day isolation period with testing for avian influenza, or a post import quarantine in the Member State of destination or vaccination against avian influenza. (Commission Decision 2007/25/EC of 22 December 2006 as regards certain protection measures in relation to highly pathogenic avian influenza and movements of pet birds accompanying their owners into the Community (OJ L 8, 13.1.2007, p. 29)).

In addition, regarding live pet birds, requirements for introducing specimens of endangered species may apply (see below, section 5.6).

⁴⁹ The EU-UK Withdrawal Agreement would provide, in Article 41(4), for rules relating to the movement of live animals which is ongoing at the end of the transition period.

⁵⁰ These rules will also apply, as of the withdrawal date, to the non-commercial movement of pets from the **Channel Islands** and the **Isle of Man** (Regulation (EEC) No 706/73 of the Council of 12 March 1973 concerning the Community arrangements applicable to the Channel Islands and the Isle of Man for trade in agricultural products, OJ L 68, 15.3.1973, p. 1).

⁵¹ Model of pet passport laid down in Part 1 of Annex III to Commission Implementing Regulation (EU) No 577/2013 of 28 June 2013 on the model identification documents for the non-commercial movement of dogs, cats and ferrets, the establishment of lists of territories and third countries and the format, layout and language requirements of the declarations attesting compliance with certain conditions provided for in Regulation (EU) No 576/2013 of the European Parliament and of the Council (OJ L 178, 28.6.2013, p. 109).

5.1.1.1. If the United Kingdom is listed by the Commission in accordance with Article 13(1) of Regulation (EU) No 576/2013⁵²

Pets moved into the EU-27 as of the withdrawal date will have to be accompanied by a duly filled-in third country pet passport, the model of which has been adopted by the Commission.⁵³ This passport must attest a valid anti-rabies vaccination.^{54 55}

In addition, prior to entry into Finland, Ireland or Malta, pet dogs will have to be treated against *Echinococcus multilocularis* and this treatment must be attested by the administering veterinarian in the pet passport.⁵⁶

5.1.1.2. If the United Kingdom is listed by the Commission in accordance with Article 13(2) of Regulation (EU) No 576/2013⁵⁷

An animal health certificate issued by an official veterinarian will be required for each entry of an accompanying pet and only remains valid for movement within the EU-27 Member States for a period of four months.⁵⁸ This certificate must attest a valid anti-rabies vaccination.^{59 60}

In addition, prior to entry into Finland, Ireland or Malta, pet dogs will have to be treated against *Echinococcus multilocularis* and this treatment must be attested by the administering veterinarian in the pet passport.⁶¹

⁵² See Part 1 of Annex II to Implementing Regulation (EU) No 577/2013.

⁵³ Part 3 of Annex III to Implementing Regulation (EU) No 577/2013.

⁵⁴ Annex III to Regulation (EU) No 576/2013.

⁵⁵ The former EU pet passport issued before the date of withdrawal to a pet owner resident in the United Kingdom after that date may serve as supporting documentation to certify a still valid vaccination.

⁵⁶ Commission Delegated Regulation (EU) 2018/772 of 21 November 2017 supplementing Regulation (EU) No 576/2013 of the European Parliament and of the Council with regard to preventive health measures for the control of *Echinococcus multilocularis* infection in dogs, OJ L 130, 28.5.2018, p. 1.

⁵⁷ See Part 2 of Annex II to Implementing Regulation (EU) No 577/2013.

⁵⁸ Note (b) in Annex IV to Implementing Regulation (EU) No 577/2013.

⁵⁹ Annex III to Regulation (EU) No 576/2013.

⁶⁰ The former EU pet passport issued before the date of withdrawal to a pet owner resident in the United Kingdom after that date may serve as supporting documentation to certify a still valid vaccination.

⁶¹ Delegated Regulation (EU) 2018/772.

Pets entering the EU-27 as of the withdrawal date will have to be presented to a designated travellers' point of entry⁶² in order to undergo the necessary compliance checks.⁶³

5.1.1.3. If the United Kingdom is not listed by the Commission

The same conditions as set out in point 5.1.1.2. apply. However, the certificate referred to in point 5.1.1.2. must also attest a valid rabies antibody titration test.⁶⁴ The test must have been carried out in an EU-approved laboratory or in a laboratory approved by one of the EU-27 Member States⁶⁵ on a sample taken at least 30 days after vaccination and not less than three months before movement.

5.1.2. *Non-commercial movements into the EU-27 of pets accompanying a pet owner resident in an EU-27 Member State and returning from the United Kingdom after a temporary movement to the United Kingdom*

The requirements for pets accompanying travellers coming from the United Kingdom as of the withdrawal date will also depend on whether the United Kingdom is "listed", as of that date, as a third country providing certain animal health guarantees. Travellers concerned are advised to enquire, sufficiently in advance of a planned trip from the United Kingdom to the EU, whether the United Kingdom is "listed" in order to establish what requirements apply. The lists adopted by the EU are published here: https://ec.europa.eu/food/animals/pet-movement/eu-legislation/non-commercial-non-eu/listing_en

5.1.2.1. If the United Kingdom is listed by the Commission in accordance with Article 13(1) of Regulation (EU) No 576/2013⁶⁶

Pets moved into the EU-27 will have to be accompanied by a duly filled-in EU pet passport. This passport must attest a valid anti-rabies vaccination.

In addition, prior to entry into Finland, Ireland or Malta, pet dogs will have to be treated against *Echinococcus multilocularis* and this treatment must be attested by the administering veterinarian in the pet passport.⁶⁷

⁶² https://ec.europa.eu/food/animals/pet-movement/eu-legislation/non-commercial-non-eu/tpe_en.

⁶³ Article 34 of Regulation (EU) No 576/2013.

⁶⁴ Annex IV to Regulation (EU) No 576/2013.

⁶⁵ https://ec.europa.eu/food/animals/pet-movement/approved-labs_en.

⁶⁶ See Part 1 of Annex II to Implementing Regulation (EU) No 577/2013.

⁶⁷ Delegated Regulation (EU) 2018/772.

5.1.2.2. If the United Kingdom is listed by the Commission in accordance with Article 13(2) of Regulation (EU) No 576/2013⁶⁸

The same conditions as set out in point 5.1.2.1. apply.

In addition, pets entering the EU-27 as of the withdrawal date will have to be presented to a designated travellers' point of entry⁶⁹ in order to undergo the necessary compliance checks.⁷⁰

5.1.2.3. If the United Kingdom is not listed by the Commission

The same conditions as set out in point 5.1.2.1. apply.

In addition, the pets must have a valid rabies antibody titration test in accordance with Annex IV to Regulation (EU) No 576/2013. The test must have been carried out in an approved laboratory⁷¹

- either before movement to the United Kingdom on a sample taken at least 30 days after vaccination and documented in the pet passport; or

- in the United Kingdom on a sample taken at least 30 days after vaccination and not less than three months before return to EU-27 Member States and documented in the animal health certificate issued by an official veterinarian in the United Kingdom based on supporting documentation from the laboratory.

Pets entering the EU-27 as of the withdrawal date will have to be presented to a designated travellers' point of entry⁷² in order to undergo the necessary compliance checks.⁷³

⁶⁸ See Part 2 of Annex II to Implementing Regulation (EU) No 577/2013.

⁶⁹ https://ec.europa.eu/food/animals/pet-movement/eu-legislation/non-commercial-non-eu/tpe_en.

⁷⁰ Article 34 of Regulation (EU) No 576/2013.

⁷¹ Delegated Regulation (EU) 2018/772.

⁷² https://ec.europa.eu/food/animals/pet-movement/eu-legislation/non-commercial-non-eu/tpe_en.

⁷³ Article 34 of Regulation (EU) No 576/2013.

5.2. Plants and plant products⁷⁴

Union law⁷⁵ prohibits the introduction into the Union of certain plants, plant products and other objects due to their phytosanitary risk. Examples are grapevine or citrus plants for planting, seed potatoes or soil. These prohibitions also apply where plants, plant products and other objects accompany travellers.^{76 77}

As of the withdrawal date, these prohibitions apply also vis-à-vis the United Kingdom.⁷⁸

Travellers concerned are advised to enquire, prior to travelling, the precise scope of these prohibitions.

5.3. Personal consignments of products of animal origin⁷⁹

Union law⁸⁰ prohibits the introduction into the EU of certain products of animal origin where they form part of travellers' luggage.⁸¹ This concerns for

⁷⁴ For more information, please consult https://ec.europa.eu/food/animals/animalproducts/personal_imports_en.

⁷⁵ Article 4 in conjunction with Annex III, Part A of Council Directive 2000/29/EC of 8 May 2000 on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community, OJ L 169, 10.7.2000, p. 1.

⁷⁶ Union law also introduces certain requirements for the introduction into the Union of certain plants, plant products or other objects. However those requirements do not apply to small quantities, see Article 5(4) of Directive 2000/29/EC.

⁷⁷ New EU rules will apply from 14 December 2019. According to these rules, all prohibitions or import requirements for plants and other commodities from third countries also apply to plants and other commodities accompanying travellers. However, small quantities of certain plants and other commodities may be introduced without a phytosanitary certificate, only if so regulated by a Commission implementing act to be adopted in the future, see Article 75 of Regulation (EU) 2016/2031 of the European Parliament of the Council of 26 October 2016 on protective measures against pests of plants, OJ L 317, 23.11.2016, p. 4.

⁷⁸ The rules also apply, as of the withdrawal date, to personal consignments of travellers from the Channel Islands and the Isle of Man (Regulation (EEC) No 706/73 of the Council of 12 March 1973 concerning the Community arrangements applicable to the Channel Islands and the Isle of Man for trade in agricultural products, OJ L 68, 15.3.1973, p. 1).

⁷⁹ For more information, please consult https://ec.europa.eu/food/animals/animalproducts/personal_imports_en.

⁸⁰ Commission Regulation (EC) No 206/2009 of 5 March 2009 on the introduction into the Community of personal consignments of products of animal origin, OJ L 77, 24.3.2009, p. 1.

⁸¹ In this context, while not necessarily directly relevant for travellers, it is recalled that Union law **prohibits the importation into the EU of any catering waste from means of transport operating internationally** (Articles 8(f) and 41(2)(c) of Regulation (EC) No 1069/2009 of the European Parliament and of the Council of 21 October 2009 laying down health rules as regards animal by-products and derived products not intended for human consumption and repealing Regulation (EC) No 1774/2002 (Animal by-products Regulation), OJ L 300, 14.11.2009, p. 1). Such catering waste has to be disposed of in accordance with 12 of Regulation (EC) No 1069/2009 (e.g. direct incineration), or it has to remain on board of the means of transport and returned to the third country.

example meat and milk and their products like ham and cheese. Exceptions are provided for certain quantities of, for example, powdered infant milk, infant food, and special foods or special processed pet feed required for medical reasons.

As of the withdrawal date, these prohibitions apply also vis-à-vis the United Kingdom.⁸²

The Commission has adopted⁸³ a "leaflet" (annexed) that sets out the detailed rules, as well as the exceptions, for example for medical or nutritional purposes.

5.4. Cash⁸⁴

Union law requires persons that enter or leave the EU carrying EUR 10 000 or more in cash (or its equivalent in other currencies) or in bearer negotiable instruments (easily convertible assets such as cheques drawn on a third party) to make a declaration to the customs authorities of the Member State in which they are entering or leaving the EU.⁸⁵

As of the withdrawal date, this obligation applies also vis-à-vis the United Kingdom.

Customs authorities are empowered under Regulation (EC) No 1889/2005 to undertake controls on individuals, their baggage and their means of transport and detain cash that has not been declared.

Travellers must be aware that all Member States of the EU apply penalties in the event of failure to comply with the obligation to declare as laid down in Regulation (EC) No 1889/2005.

5.5. Cultural goods⁸⁶

Union law⁸⁷ submits the export of certain cultural goods (such as furniture more than 50 years old or books more than 100 years old and with a value of

⁸² The rules also apply, as of the withdrawal date, to personal consignments of travellers from the **Channel Islands** and the **Isle of Man** (Regulation (EEC) No 706/73 of the Council of 12 March 1973 concerning the Community arrangements applicable to the Channel Islands and the Isle of Man for trade in agricultural products, OJ L 68, 15.3.1973, p. 1).

⁸³ Annex IV to Regulation (EC) No 206/2009.

⁸⁴ For more information, please consult https://ec.europa.eu/taxation_customs/individuals/cash-controls_en.

⁸⁵ Article 3(1) of Regulation (EC) No 1889/2005 of the European Parliament and of the Council of 26 October 2005 on controls of cash entering or leaving the Community, OJ L 309, 25.11.2005, p. 9.

⁸⁶ For more information, please consult https://ec.europa.eu/taxation_customs/business/customs-controls/cultural-goods_en.

⁸⁷ Article 2(1) of Council Regulation (EC) No 116/2009 of 18 December 2008 on the export of cultural goods, OJ L 39, 10.2.2009, p. 1.

more than EUR 50.000, printed maps more than 200 years old and with a value of more than EUR 15.000⁸⁸) to an export licence. This requirement also applies to individual travellers.

As of the withdrawal date, this obligation applies also vis-à-vis the United Kingdom.

Travellers concerned are advised to enquire whether goods carried in luggage are subject to export licence requirements.

5.6. Specimens of endangered species⁸⁹

Union law⁹⁰ as a general rule provides that persons *travelling to the EU from third countries* may introduce specimens of endangered species (animals or plants)⁹¹ into the EU only subject to the prior authorisation by the CITES authority of the Member State of destination. The persons *travelling from the EU to a third country* may (re-)export such specimens only based on the prior authorisation by the CITES authority of the Member State where the specimens are located. The documents required to this effect depend on the status of the species in question (i.e. how strictly it is protected, which varies between the different annexes to Regulation (EC) No 338/97) and on the nature and direction of the movement (import, export or re-export).

Union law provides, however, for exceptions from the authorisation requirement:

- "Personal and household effects": The import or (re-)export of 'personal and household effects' is *not subject to prior authorisation*.⁹²
⁹³ However, certain conditions regarding the mode and circumstances of the cross-border movement must be fulfilled for dead specimens and parts or derivatives of animals or plants to be considered as 'personal and household effects'. Live animals or plants do not qualify as such. Hunting trophies are generally also covered by these less strict provisions, but hunting trophies from certain strictly protected species are subject to specific rules.⁹⁴

⁸⁸ See Annex I to Regulation (EC) No 116/2009.

⁸⁹ For more information, please consult http://ec.europa.eu/environment/cites/index_en.htm.

⁹⁰ Council Regulation (EC) No 338/97 of 9 December 1996 on the protection of species of wild fauna and flora by regulating trade therein, OJ L 61, 3.3.1997, p. 1.

⁹¹ The endangered species are listed in the annexes to Regulation (EC) No 338/97.

⁹² Article 7(3) of Regulation (EC) No 338/97.

⁹³ Articles 57, 58 and 58a of Commission Regulation (EC) No 865/2006 of 4 May 2006 laying down detailed rules concerning the implementation of Council Regulation (EC) No 338/97 on the protection of species of wild fauna and flora by regulating trade therein, OJ L 166, 19.6.2006, p. 1.

⁹⁴ An overview of the provisions applicable to personal and household effects appears on pp. 78-79 of the *Reference Guide – European Wildlife Trade Regulations*, available at http://ec.europa.eu/environment/cites/legis_refguide_en.htm.

- **Pets:** People travelling to and from the EU with their pets, where these belong to species listed in the annexes to Regulation (EC) No 338/97 (such as most parrots⁹⁵, and certain turtles and corals) can apply for a *personal ownership certificate*.⁹⁶ Such a certificate can be obtained for a legally acquired live animal held for personal, non-commercial purposes, if the person travelling wants to avoid having to apply for prior authorisation each time an international border is crossed. For travels to and from the EU, the certificate is issued by the CITES authority of the Member State from which the animal originates or, if it originates from a third country, by the CITES authority of the Member State into which it was first introduced.

As of the withdrawal date, the authorisation requirement applies to movements of such specimens between the United Kingdom and the EU.

For more information, please refer to the “*Notice to stakeholders – Withdrawal of the United Kingdom and EU rules on trade in protected species of wild fauna and flora*”.⁹⁷

Travellers concerned are advised to contact the CITES authorities⁹⁸ of the Member State of destination (if it is an import) or where the specimen is located (if it is a (re-)export) in order to apply and obtain the necessary prior authorisations or certificates.

5.7. Invasive alien species⁹⁹

Union law¹⁰⁰ provides that persons travelling to the EU may introduce specimens of invasive alien species of Union concern¹⁰¹ only subject to the prior authorisation by the competent authorities of the Member State of destination and, where relevant, of transit. The prohibition applies to live specimens as well as to any parts, gametes, seeds, eggs or propagules,

⁹⁵ Please note that this issue is separate from veterinary requirements (see above, section 5.1).

⁹⁶ Chapter VIII of Regulation (EC) No. 865/2006.

⁹⁷ https://ec.europa.eu/info/sites/info/files/file_import/trade_in_protected_species_en.pdf.

⁹⁸ A list of the CITES authorities of the EU Member States is maintained and updated, in case of changes, by the European Commission and can be consulted at the following address: http://ec.europa.eu/environment/cites/pdf/list_authorities.pdf.

⁹⁹ For more information, please consult http://ec.europa.eu/environment/nature/invasivealien/index_en.htm.

¹⁰⁰ Regulation (EU) No 1143/2014 of the European Parliament and of the Council of 22 October 2014 on the prevention and management of the introduction and spread of invasive alien species, OJ L 317, 4.11.2014, p. 35.

¹⁰¹ The invasive alien species of Union concern are listed in the annex to Commission Implementing Regulation (EU) 2016/1141 of 13 July 2016 adopting a list of invasive alien species of Union concern pursuant to Regulation (EU) No 1143/2014 of the European Parliament and of the Council, OJ L 189, 14.7.2016, p. 4. See also here: http://ec.europa.eu/environment/nature/invasivealien/list/index_en.htm.

hybrids, varieties or breeds of these species that might survive and subsequently reproduce.

The list of invasive alien species of Union concern is valid throughout the EU territory, excluding the outermost regions, which must establish lists adapted to their own circumstances. However, in addition to the EU list of invasive alien species of Union concern, each Member State may establish its own national list of invasive alien species subject to specific national rules.

As of the withdrawal date, the rules indicated above will become applicable to movements of such specimens from the United Kingdom to the EU.

Travellers concerned are advised to seek advice on such national lists from the competent authorities of the destination or transit Member States.

5.8. Firearms¹⁰²

Union law¹⁰³ provides for a specific regime for the movement of firearms between Member States, including firearms accompanying travellers. These rules provide, inter alia, for the issuing of a 'European firearms pass'. This is issued on request by the competent authorities of a Member State to a person who is lawfully entering into possession of and using a firearm.¹⁰⁴

Whenever persons want to travel from an EU Member States to another EU Member State, or through an EU Member State, they must obtain prior authorisation from each of those Member States which will then be recorded in the European firearms pass that they must have in their possession throughout their journey. However, there are exceptions to this need for prior authorisation. This is the case for historical re-enactors and hunters, who may travel with specific categories of firearms as long as they are in possession of a European firearms pass listing their firearms and given that they are able to substantiate the reasons for their journey (such as an invitation for an event in Member State of destination).

As of the withdrawal date, these rules no longer apply to firearms moved from the United Kingdom to the EU and *vice-versa*. Rather, rules for bringing firearms into/out of the Union will apply.¹⁰⁵ These rules provide for the following:¹⁰⁶

¹⁰² For more information, please consult http://ec.europa.eu/growth/sectors/defence/defence-firearms-directives_en and https://ec.europa.eu/home-affairs/what-we-do/policies/organized-crime-and-human-trafficking/trafficking-in-firearms_en.

¹⁰³ Council Directive 91/477/EEC of 18 June 1991 on control of the acquisition and possession of weapons, OJ L 256, 13.9.1991, p. 51.

¹⁰⁴ The European Firearms Pass is valid for a maximum period of 5 years, which may be extended. It is a non-transferable document and records the firearms possessed and used by the holder of the pass.

¹⁰⁵ Regarding the relevant EU customs rules, see sections 3 and 4 of this notice.

¹⁰⁶ It is recalled that the United Kingdom is going to apply, as of the withdrawal date, national rules for imports and exports into/from the United Kingdom.

- Where firearms are brought temporarily into the EU from the United Kingdom, national rules for the declaration and authorisation of firearms will apply.¹⁰⁷
- With respect to temporary exports from the EU to the United Kingdom of certain firearms by hunters or sport shooters as part of their accompanied personal effects (or for the re-export following temporary admission for hunting or sport shooting activities), no export authorisation will be required, provided that they substantiate to the competent authorities the reasons for the journey.¹⁰⁸ When leaving the EU to the United Kingdom through a Member State other than the Member State of their residence, hunters and sport shooters shall produce to the competent authorities a European Firearms Pass. In the case of travel by air, the European Firearms Pass shall be produced to the competent authorities where the relevant items are handed over to the airline for transport out of the customs territory of the Union. When leaving the EU to the United Kingdom through the Member State of their residence, hunters and sport shooters may, instead of a European Firearms Pass, choose to produce another document considered valid for this purpose by the competent authorities of that Member State.¹⁰⁹

Travellers concerned are advised to enquire with the responsible authorities of the United Kingdom or the relevant EU Member State what the precise conditions for the import, export or transit of firearms are.

¹⁰⁷ This notice does not address the rules for the placing on the market of firearms imported into the EU, cf. Article 4 of Directive 91/477/EEC.

¹⁰⁸ Article 9(1)(a) of Regulation (EU) No 258/2012 of the European Parliament and of the Council of 14 March 2012 implementing Article 10 of the United Nations' Protocol against the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition, supplementing the United Nations Convention against Transnational Organised Crime (UN Firearms Protocol), and establishing export authorisation, and import and transit measures for firearms, their parts and components and ammunition, OJ L 94, 30.3.2012, p. 1.

¹⁰⁹ Article 9(1)(b) of Regulation (EU) No 258/2012.

6. USE OF AUTOMOTIVE VEHICLES

6.1. Driving licences¹¹⁰

According to Union law,¹¹¹ driving licences issued by Member States of the EU are mutually recognised.¹¹² As of the withdrawal date, this mutual recognition will no longer be compulsory as a matter of EU law. Instead, an international agreement, the Vienna Convention on Road Traffic,¹¹³ will apply. The United Kingdom and all but four Member States (Ireland, Cyprus, Malta and Spain) are parties to this Convention which provides for the recognition of national driving licences and international driving permits issued by contracting states in accordance with this Convention.

The four EU Member States (Ireland, Cyprus, Malta and Spain) which are not parties to the Vienna Convention on Road Traffic are parties to a previous international agreement, to which the United Kingdom is also a party¹¹⁴. This agreement provides for the recognition of driving licences, but parties to this agreement may also require the holders of driving licences to be in possession of an International Driving Permit.

Holders of UK driving licences who intend to drive in the EU are therefore advised to contact the responsible Member State authorities regarding the recognition rules for driving licences. Holders of European Union driving licences who intend to drive in the United Kingdom are advised to contact the responsible authority in the United Kingdom regarding the recognition rules for their driving licences.

6.2. Distinguishing sign of state of registration

Union law does not require the use of a distinguishing sign of the State of registration at the rear of the vehicle. However, according to Union law¹¹⁵, when a Member State requires in its territory the use of distinguishing signs by vehicles registered in another Member State, it must recognise the

¹¹⁰ For more information, please consult https://ec.europa.eu/transport/road_safety/topics/driving-licence/eu-driving_licence_en.

¹¹¹ Article 2 of Directive 2006/126/EC of the European Parliament and of the Council of 20 December 2006 on driving licences, OJ L 403, 30.12.2006, p. 18.

¹¹² The holder of a valid driving licence issued by an EU Member State may also exchange it for an equivalent driving licence by another Member State if the holder takes up normal residence in that Member State (Articles 11 and 12 of Directive 2006/126/EC). As of the withdrawal date, a driving licence issued by the United Kingdom can no longer be exchanged for a driving licence by an EU-27 Member State on the basis of EU law. A driving licence issued, prior to the withdrawal date, by an EU-27 Member State in exchange of a driving licence issued in the United Kingdom remains valid.

¹¹³ Article 41(2) of the Convention on Road Traffic, Vienna, 8 November 1968.

¹¹⁴ Convention on Road Traffic, Geneva, 19 September 1949.

¹¹⁵ Article 3 of Council Regulation (EC) No 2411/98 of 3 November 1998 on the recognition in intra-Community traffic of the distinguishing sign of the Member State in which motor vehicles and their trailers are registered, OJ L 299, 10.11.1998, p. 1.

distinguishing sign displayed on the extreme left of the registration plate if it complies with EU requirements.

International law requires a distinguishing sign of the State of registration to be displayed at the rear of the motor vehicle. For Member States that are party to the Vienna Convention on Road Traffic (see above), the distinguishing sign may be incorporated in the registration plate.¹¹⁶

As of the withdrawal date the following applies:

- motor vehicles registered in the United Kingdom or in an EU-27 Member State party to the Vienna Convention, which do not display that State in the registration plate will have to display that State of registration separately at the rear of the motor vehicle when driving in the EU-27 or the United Kingdom respectively;
- motor vehicles registered in an EU-27 Member State not party to the Vienna Convention will have to display that State of registration separately at the rear of the motor vehicle when driving in the United Kingdom;
- motor vehicles registered in the United Kingdom and driving in an EU-27 Member State not party to the Vienna Convention will have to display the State of registration separately at the rear of the motor vehicle.

6.3. Third party liability insurance¹¹⁷

Union law¹¹⁸ prohibits the use on the territory of the EU Member States of uninsured vehicles, and ensures that insurance against civil liability arising from the use of vehicles covers the entire territory of the EU.¹¹⁹ A vehicle normally based in a third country must be provided with a valid "green card" or with a certificate of frontier insurance.¹²⁰ Compliance with this requirement may be verified upon entry into the EU.

As of the withdrawal date, for vehicles used in the EU but registered in the United Kingdom, only the international Green Card system¹²¹ applies. The Green Card system allows the use in a State of a vehicle insured in another State, provided that both States are members of the Green Card system. All

¹¹⁶ Article 37(1)(b) of the Convention on Road Traffic, Vienna.

¹¹⁷ For more information please consult https://ec.europa.eu/info/business-economy-euro/banking-and-finance/insurance-and-pensions/motor-insurance_en.

¹¹⁸ Article 7 of Directive 2009/103/EC of the European Parliament and of the Council of 16 September 2009 relating to insurance against civil liability in respect of the use of motor vehicles, and the enforcement of the obligation to insure against such liability, OJ L 263, 7.10.2009, p. 11.

¹¹⁹ Article 14 of Directive 2009/103/EC.

¹²⁰ Article 8(1) of Directive 2009/103/EC.

¹²¹ <http://www.cobx.org>.

EU-27 Member States and the United Kingdom participate in the Green Card system.

However, the following should be noted:

- The Green Card system does not oblige motor insurers in a Green Card member country to cover the territory of the Green Card member countries (an additional premium might be charged for the coverage).

Travellers to the EU from the United Kingdom with a UK-registered vehicle are advised to ensure, prior to travelling that their motor insurance policy covers the EU. The same applies for travellers from the EU to the United Kingdom with an EU-registered vehicle.

- A vehicle normally based in a third country must have present a valid Green Card when entering the EU, unless the third country benefits from a Commission decision that exempts it from this requirement.¹²²

Travellers to the EU from the United Kingdom with a UK-registered vehicle are advised to ensure, prior to travelling, that a Green Card is present in the vehicle, unless they have certainty that the aforementioned Commission decision has been taken. Travellers from the EU to the United Kingdom with an EU-registered vehicle are advised to travel with the Green Card in the vehicle, or query the matter with the authorities in the United Kingdom.

7. MEDICAL TREATMENT AND RELATED ISSUES; EMERGENCIES

7.1. Entitlement of healthcare under Union law on social security coordination¹²³

Union law¹²⁴ provides for access to healthcare during temporary stay abroad based on the European Health Insurance Card (EHIC) or, for planned treatments, based on the prior authorisation by the relevant competent institution (e.g. the institution with which the person concerned is insured).

Costs of such healthcare are reimbursed between the relevant institutions of the Member States involved.

As of the withdrawal date, these rules no longer apply vis-à-vis the United Kingdom.¹²⁵ This means the following:

¹²² Article 8(2) of Directive 2009/103/EC. Regarding non-EEA States, such Commission decisions have been taken for Andorra, Serbia and Switzerland.

¹²³ For more information, please consult <http://ec.europa.eu/social/main.jsp?catId=559>.

¹²⁴ Regulation (EC) No 883/2004 of the European Parliament and of the Council of 29 April 2004 on the coordination of social security systems, OJ L 166, 30.4.2004, p. 1.

¹²⁵ The EU-UK Withdrawal Agreement would provide, in Article 35, for rules ensuring reimbursement, recovery and offsetting in relation to events that occurred before the end of the transition period.

- As of the withdrawal date, nationals of EU-27 Member States and their family members will not be able to access healthcare for unexpected care in the United Kingdom on the basis of EHIC. UK nationals will not be able to access healthcare in the EU-27 on the basis of EHIC as of the withdrawal date.

Persons insured in an EU-27 Member State and intending to travel in the United Kingdom are advised to query with the institution with which they are insured whether it will reimburse healthcare accessed in a third country. The same applies to persons insured in the United Kingdom and intending to travel in the EU-27.

Where reimbursement is not ensured, persons concerned should consider taking out private travel insurance.

- As of the withdrawal date, prior authorisations for planned treatments in the United Kingdom can no longer be issued by EU-27 Member States on the basis of Union law. No prior authorisations can be issued by the United Kingdom for planned treatments in the EU-27 on the basis of Union law.

7.2. Entitlement of re-imburement for cross-border healthcare under Union law on cross-border healthcare¹²⁶

Apart from the system of social security coordination referred to in section 7.1 of this notice, Union law¹²⁷ also provides for the possibility to obtain, under certain circumstances, reimbursement by the Member State of affiliation for a cross-border healthcare treatment in another Member State. As of the withdrawal date, patients affiliated in an EU-27 Member State will no longer benefit from the rules on reimbursement set out in that legislation as regards the cross-border treatment provided in the United Kingdom. Nor will patients affiliated in the United Kingdom any longer benefit from EU rules on reimbursement. It will be up to the EU-27 Member State of affiliation and the United Kingdom to decide on the reimbursement of such healthcare based on national law (in the same way as for healthcare received in other third countries).

Patients intending to obtain, as of the withdrawal date, reimbursement from an EU-27 Member State of affiliation for a treatment provided in the United Kingdom should query with their National Contact Points set up in accordance with Union law.¹²⁸ The same applies to patients intending to

¹²⁶ For more information, please consult https://ec.europa.eu/health/cross_border_care/overview_en.

¹²⁷ Directive 2011/24/EU of the European Parliament and of the Council of 9 March 2011 on the application of patients' rights in cross-border healthcare, OJ L 88, 4.4.2011, p. 45.

¹²⁸ Article 6 of Directive 2011/24/EU.

obtain, as of the withdrawal date, reimbursement from the United Kingdom.¹²⁹

7.3. Recognition of medical prescriptions issued in another Member State¹³⁰

Union law¹³¹ obliges Member States to recognise cross-border medical prescriptions of medicinal products or medical devices issued in another Member State. A medical prescription issued in the United Kingdom, as of the withdrawal date, will no longer be recognised in an EU-27 Member State on the basis of Union law.

7.4. European emergency number – 112¹³²

Union law¹³³ obliges Member States to ensure that all end-users of electronic communications services allowing calls from fixed and mobile telephones, including from payphones, are able to call the "European emergency number" 112 free of charge. In addition, users with disabilities must have access to emergency services that is equivalent to that enjoyed by other users.

As of the withdrawal date, these obligations no longer apply to the United Kingdom.

7.5. Parking cards for disabled¹³⁴

EU law¹³⁵ recommends that EU Member States mutually recognise parking cards for people with disabilities, introduced in accordance with the standardised EU-model parking card.¹³⁶

¹²⁹ Please note that the Union law obliging the EU Member States to maintain National Contact Points to inform patients about cross-border healthcare will no longer apply to the United Kingdom as of the withdrawal date.

¹³⁰ For more information, please consult https://ec.europa.eu/health/sites/health/files/cross_border_care/docs/impl_directive_prescriptions_2012_en.pdf.

¹³¹ Article 11(1) of Directive 2011/24/EU, Commission Implementing Directive 2012/52/EU of 20 December 2012 laying down measures to facilitate the recognition of medical prescriptions issued in another Member State, OJ L 356, 22.12.2012, p. 68.

¹³² For more information, please consult <https://ec.europa.eu/digital-single-market/en/112>.

¹³³ Article 26 of Directive 2002/22/EC of the European Parliament and of the Council of 7 March 2002 on universal service and users' rights relating to electronic communications networks and services (Universal Service Directive), OJ L 108, 24.4.2002, p. 51.

¹³⁴ For more information, please consult https://europa.eu/youreurope/citizens/travel/transport-disability/parking-card-disabilities-people/index_en.htm.

¹³⁵ Council Recommendation 98/376/EC of 4 June 1998 on a parking card for people with disabilities, OJ L 167, 12.6.1998, p. 25.

¹³⁶ See Annex to Recommendation 98/376/EC. Issuance and management of EU-model parking cards as well as the applicable conditions remain the competence of national and local authorities.

Under current practices, United Kingdom authorities¹³⁷ usually recognise EU-model parking cards issued by other EU Member States, allowing owners of an EU-model parking card to park in parking spaces reserved for disabled persons in the United Kingdom. The same holds usually for the recognition, in an EU-27 Member State of a United Kingdom national parking card (the so-called "Blue Badge").¹³⁸

There is no certainty that authorities in the EU and in United Kingdom will maintain the usual practice of mutual recognition of each other's parking cards for people with disabilities. This will be a matter for the discretion of these authorities.

Persons with disabilities using a parking card for people with disabilities may therefore wish to contact the relevant authorities in advance.

7.6. Consular protection¹³⁹

Union law¹⁴⁰ entitles EU citizens to consular protection by the diplomatic or consular authorities of any EU Member State, if they find themselves in a situation where they require assistance outside the EU with no embassy or consulate from their own Member State effectively in a position to help them (they are "unrepresented"). Unrepresented EU citizens are entitled to receive consular protection on the same conditions as the nationals of the EU Member State they turn to.

As of the withdrawal date, UK nationals will no longer be able to benefit from this right and EU-27 citizens will no longer be able to turn to UK embassies and consulates to seek consular protection on the basis of EU law.

7.7. Compensation mechanism for persons injured by a car in another Member State ("visiting victims")¹⁴¹

Union law provides for a compensation mechanism for injured persons in an accident occurring in another Member State and caused by the use of a vehicle based in that Member State ("visiting victims").¹⁴² This mechanism

¹³⁷ Enforcement of these national conditions is normally conducted by police and local authorities.

¹³⁸ The UK has opted for a national model, encompassing some of the key-features of the EU-model card.

¹³⁹ For more information, please consult https://ec.europa.eu/info/policies/justice-and-fundamental-rights/eu-citizenship/consular-protection_en.

¹⁴⁰ Articles 20(2)(c) and 23 of the Treaty on the Functioning of the European Union and Article 46 of the EU Charter of Fundamental Rights. The right to consular protection is further elaborated in Council Directive (EU) 2015/637 of 20 April 2015 on the coordination and cooperation measures to facilitate consular protection for unrepresented citizens of the Union in third countries, OJ L 106, 24.4.2015, p. 1.

¹⁴¹ For more information, please consult https://ec.europa.eu/info/business-economy-euro/banking-and-finance/insurance-and-pensions/motor-insurance_en.

¹⁴² Chapter 7 of Directive 2009/103/EC of 16 September 2009 relating to insurance against civil liability in respect of the use of motor vehicles, and the enforcement of the obligation to insure against such liability, OJ L 263, 7.10.2009, p. 11.

provides for compensation of the victim by the "compensation body" of the Member State of residence of the victim if the insurer fails to communicate with the injured party within a given deadline.¹⁴³

As of the withdrawal date, this mechanism no longer applies to persons residing in the United Kingdom and injured by a car while visiting an EU-27 Member State and *vice-versa*.

8. INSURANCE, PASSENGER RIGHTS

8.1. Insolvency travel insurance

Union law¹⁴⁴ provides obligations for traders who organise package travel or facilitate linked travel arrangements, among others to protect travellers against insolvency.

Organisers and traders must comply with these obligations even when they are established in third countries¹⁴⁵ as long as they sell or offer such services in an EU Member State or direct their activities to an EU Member State (by *inter alia* using a language or a currency other than the language or currency of the Member State of establishment).

In addition, when travellers buy packages from organisers established in a third country via retailers established in the EU, the organiser's obligation for the performance of the package and the securities for the refunds of the payments made and for the traveller's repatriation is ensured by the retailer, unless the retailer provides evidence that the organiser complies with these obligations.¹⁴⁶

Hence, as of the withdrawal date, EU law obliging organisers to protect travellers against the insolvency of the organiser will cease to apply where the organiser established in the United Kingdom does not direct its selling activities to the EU, and the package travel is not bought through a retailer in the EU.

In these cases, travellers are advised to assess the need to protect themselves against a possible insolvency of the organiser.

¹⁴³ Subsequently, that compensation body can claim compensation from the compensation body of the Member State in which the insurance undertaking which issued the policy is established, Article 24(2) of Directive 2009/103/EC.

¹⁴⁴ Article 17 of Directive (EU) 2015/2302 of the European Parliament and of the Council of 25 November 2015 on package travel and linked travel arrangements, OJ L 326, 11.12.2015, p. 1.

¹⁴⁵ See the second subparagraph of Article 17(1) of Directive (EU) 2015/2302 as well as Regulations (EC) No 593/2008 and (EU) 1215/2012, in conjunction with recital 50 of Directive (EU) 2015/2302.

¹⁴⁶ See Article 20 of Directive (EU) 2015/2302.

8.2. EU passenger rights¹⁴⁷

Union law provides for a set of rights for passengers, not only for air, but also for ship, bus and coach and rail passengers. These rights relate to information, reimbursement and re-routing, compensation, assistance and care, right of redress, and special rights for persons with disabilities and with reduced mobility.

As of the withdrawal date, EU passenger rights may no longer apply to travel between the EU and the United Kingdom, or may be limited.

8.2.1. Air passenger rights

As of the withdrawal date, EU air passenger rights¹⁴⁸ will no longer apply to a flight with a non-EU carrier from an airport located in the United Kingdom to an airport located in the EU. The air passenger rights granted by EU law will however continue to apply to:

- (i) flights departing from the United Kingdom to an airport situated in the territory of an EU-27 Member State operated by a Community carrier; as well as
- (ii) flights departing from the EU-27 to a United Kingdom airport operated by any carrier.

Travellers should thus be aware that, depending on the carrier chosen, certain EU passenger rights will no longer apply to inbound flights to the EU.

EU law granting specific rights for persons with disabilities and persons with reduced mobility¹⁴⁹ travelling by air will no longer apply to air services that, as of the withdrawal date,

- (i) depart from an airport in the United Kingdom,
- (ii) transit through an airport in the United Kingdom, or
- (iii) arrive at an airport in the United Kingdom.

However, certain rights, such as assistance by air carriers, continue to apply to air passengers departing from a United Kingdom airport to an EU-27 airport if the operating carrier is a Community air carrier.

¹⁴⁷ For more information, please consult https://europa.eu/youreurope/citizens/travel/passenger-rights/index_en.htm.

¹⁴⁸ Regulation (EC) No 261/2004 of the European Parliament and of the Council of 11 February 2004 establishing common rules on compensation and assistance to passengers in the event of denied boarding and of cancellation or long delay of flights, OJ L 46, 17.2.2004, p. 1.

¹⁴⁹ Regulation (EC) No 1107/2006 of the European Parliament and of the Council of 5 July 2006 concerning the rights of disabled persons and persons with reduced mobility when travelling by air, OJ L 204, 26.7.2006, p. 1.

8.2.2. *Ship passengers rights*

EU ship passenger rights¹⁵⁰ continue to apply where

(i) the port of embarkation is in the EU-27; or

(ii) the port of embarkation is in the United Kingdom, if the port of disembarkation is in the EU-27 and the service is operated by a carrier established within the territory of a Member State or offering passenger transport services to or from a Member State ("Union carrier").

Travellers should be aware that, depending on the carrier chosen, EU passenger rights may no longer apply to journeys to the EU.

Regarding cruise passengers, the current set of EU passenger rights continues to apply if the port of embarkation is situated in a Member State.

8.2.3. *Bus and coach passenger rights*

EU bus and coach passenger rights¹⁵¹ continue to apply to passengers travelling with regular services¹⁵² where the boarding or the alighting point of the passengers is situated in the territory of a Member State and where the scheduled distance of the service is 250 km or more. For passengers where a scheduled distance of the service is less than 250 km, a reduced set of rules applies. Some Member States have exempted services from the application of the Regulation on passenger rights if a significant part of a regular service (including at least one scheduled stop) is operated outside the Union.¹⁵³

The bus and coach passenger rights granted by EU law will therefore continue to apply – if no exemption applies - to

(i) passengers departing from the United Kingdom to a destination situated in the territory of an EU-27 Member State; as well as

(ii) passengers departing from the EU-27 to a United Kingdom destination.

¹⁵⁰ Regulation (EU) No 1177/2010 of the European Parliament and of the Council of 24 November 2010 concerning the rights of passengers when travelling by sea and inland waterway, OJ L 334, 17.12.2010, p. 1.

¹⁵¹ Regulation (EU) No 181/2011 of the European Parliament and of the Council of 16 February 2011 concerning the rights of passengers in bus and coach transport, OJ L 55, 28.2.2011, p. 1.

¹⁵² A more limited set of rights apply to occasional services.

¹⁵³ For more information, please consult <https://ec.europa.eu/transport/sites/transport/files/themes/passengers/road/doc/exemptions-from-bus-coach-passengers-rights-and-obligations.pdf>.

8.2.4. *Rail passengers rights*

EU rail passenger rights¹⁵⁴ apply to all rail journeys and services which

- (i) take place within the EU territory; and
- (ii) are being performed by a railway undertaking licensed in accordance with the EU rules.

Therefore, as of the withdrawal date, EU rail passengers' rights will no longer apply on the UK sections of rail journeys between the United Kingdom and an EU Member State.

9. OTHER ISSUES

9.1. Card payments¹⁵⁵

While the acceptance of debit or credit cards for payment transactions depends on the respective preferences of merchants, Union law¹⁵⁶ sets limits to interchange fees charged to merchants in respect of such transactions. These rules only apply where both the payer's payment service provider and the payee's payment service provider are located in the EU.¹⁵⁷

As of the withdrawal date, transactions between the EU-27 and the United Kingdom will no longer be covered by the EU rules limiting interchange fees.

Provided that merchants are allowed to apply surcharges on consumers for card payments, this may lead to a higher surcharge for card payments.

9.2. Roaming¹⁵⁸

Union law¹⁵⁹ on roaming services prohibits any surcharge on roaming customers by the roaming provider (i.e. the domestic provider of mobile communications services - voice, SMS or data services) operating in an EU Member State in addition to the domestic retail price when travelling in the EU.

¹⁵⁴ Regulation (EC) No 1371/2007 of the European Parliament and of the Council of 23 October 2007 on rail passengers' rights and obligations, OJ L 315, 3.12.2007, p. 14.

¹⁵⁵ For more information, please consult https://europa.eu/youreurope/citizens/consumers/financial-products-and-services/payments-transfers-cheques/index_en.htm.

¹⁵⁶ Articles 3 and 4 of Regulation (EU) 2015/751 of the European Parliament and of the Council of 29 April 2015 on interchange fees for card-based payment transactions, OJ L 123, 19.5.2015, p. 1.

¹⁵⁷ Article 1(1) of Regulation (EU) 2015/751.

¹⁵⁸ For more information, please consult <https://ec.europa.eu/digital-single-market/en/roaming>.

¹⁵⁹ Regulation (EU) No 531/2012 of the European Parliament and of the Council of 13 June 2012 on roaming on public mobile communications networks within the Union, OJ L 172, 30.6.2012, p. 10.

As of the withdrawal date, this obligation in Union law on the roaming provider will no longer apply either to roaming providers operating in the United Kingdom whenever their customers are roaming in the EU, or to roaming providers operating in the EU whenever their customers are roaming in the United Kingdom. Nevertheless, roaming providers operating in a Member State will remain subject to the obligation in Union law to inform their customers about the roaming charges for the services provided applicable whenever they travel to the United Kingdom.¹⁶⁰

9.3. Portability of online content services¹⁶¹

Union law on portability of online content services¹⁶² allows EU consumers who buy or subscribe in their Member State of residence to online content services - to watch films or sporting events, listen to music, download e-books or play games - to continue accessing these services without additional costs when they travel or stay temporarily in other EU Member States (cross-border portability).

As of the withdrawal date, this obligation in Union law will no longer apply to providers of paid online content services in the EU-27 when their customers travel in the United Kingdom.

Also, as of the withdrawal date, this obligation in Union law will no longer apply to providers of paid online content services in the United Kingdom when their customers travel in the EU.

This means that customers of paid online content services in the EU-27 and in the United Kingdom may not be able to access the online content services they have subscribed to in the EU and in the United Kingdom respectively when travelling in the United Kingdom or the EU respectively, or may have a limited access to the service (e.g. access to a different catalogue).

¹⁶⁰ Articles 14 and 15 of Regulation (EU) No 531/2012.

¹⁶¹ For more information, please consult <https://ec.europa.eu/digital-single-market/en/cross-border-portability-online-content-services>.

¹⁶² Regulation (EU) 2017/1128 of the European Parliament and of the Council of 14 June 2017 on cross-border portability of online content services in the internal market, OJ L 168, 30.6.2017, p. 1.

ANNEX: EU-LEAFLET ON PERSONAL CONSIGNMENTS OF PRODUCTS OF ANIMAL ORIGIN THAT FORM PART OF TRAVELLERS' LUGGAGE



Keep infectious animal diseases out of the EU!

Animal products may carry pathogens
causing infectious disease

Due to the risk of introducing diseases into the European Union (EU), there are strict procedures for the introduction of certain animal products into the EU. These procedures do not apply to the movements of animal products between the 27 Member States of the EU, or for animal products coming from Andorra, Liechtenstein, Norway, San Marino, and Switzerland.

All animal products not conforming to these rules must be surrendered on arrival **in the EU for official disposal**. Failure to declare such items may result in a fine or criminal prosecution.

1. Small quantities of meat and milk and their products (other than powdered infant milk, infant food, and special foods or special pet feed required for medical reasons)

You may only bring in or send to the EU personal consignments of meat and milk and their products (other than powdered infant milk, infant food, and special foods or special pet feed required for medical reasons) provided that they come from , the Faeroe Islands, Greenland, or Iceland, and their weight does not exceed **10 kg** per person.

2. Powdered infant milk, infant food, and special foods required for medical reasons

You may only bring in or send to the EU personal consignments of powdered infant milk, infant food, and special foods required for medical reasons provided that:

— they come from the Faeroe Islands, Greenland, or Iceland, and their combined quantity does not exceed the weight limit of **10 kg** per person, and that:

- the product does not require refrigeration before consumption,
- it is a packaged proprietary brand product, and
- the packaging is unbroken unless in current use

— they come from other countries (other than the Faeroe Islands, Greenland, or Iceland), and their combined quantity does not exceed the weight limit of **2 kg** per person, and that:

- the product does not require refrigeration before consumption,
- it is a packaged proprietary brand product, and
- the packaging is unbroken unless in current use.

3. Pet feed required for medical reasons

You may only bring in or send to the EU personal consignments of pet feed required for medical reasons provided that:

— they come from the Faeroe Islands, Greenland, or Iceland, and their combined quantity does not exceed the weight limit of 10 kg per person, and that:

- the product does not require refrigeration before consumption,
- it is a packaged proprietary brand product, and
- the packaging is unbroken unless in current use

— they come from other countries (other than the Faeroe Islands, Greenland, or Iceland), and their combined quantity does not exceed the weight limit of 2 kg per person, and that:

- the product does not require refrigeration before consumption,
- it is a packaged proprietary brand product, and

— the packaging is unbroken unless in current use

4. Small quantities of fishery products for personal human consumption

You may only bring in or send to the EU personal consignments of fishery products (including fresh, dried, cooked, cured or smoked fish, and certain shellfish, such as prawns, lobsters, dead mussels and dead oysters) provided that:

— fresh fish are eviscerated,

— the weight of the fishery products does not exceed, per person, 20 kg or the weight of one fish, whichever weight is the highest.

These restrictions do not apply to fishery products coming from the Faeroe Islands or Iceland.

5. Small quantities of other animal products for personal human consumption

You may only bring in or send to the EU other animal products, such as honey, live oysters, live mussels and snails for example, provided that:

— they come from the Faeroe Islands, Greenland, or Iceland, and that their combined weight does not exceed 10 kg per person,

— they come from other countries (other than the Faeroe Islands, Greenland, or Iceland) and their combined weight does not exceed 2^kg per person.

Please note that you may bring in small quantities of animal products from several of the above five categories (paragraphs 1-5) provided that they comply with the rules explained in each of the relevant paragraphs.

6. Larger quantities of animal products

You may only bring in or send to the EU larger quantities of animal products if they meet the requirements for commercial consignments, which include:

— certification requirements, as laid down in the appropriate official EC veterinary certificate,

— the presentation of the goods, with the correct documentation, to an authorised EU border inspection post for veterinary control, on arrival in the EU.

7. Exempted animal products

The following products are exempted from the rules explained previously:

— bread, cakes, biscuits, chocolate and confectionery (including sweets) not mixed or filled with meat product,

— food supplements packaged for the final consumer,

— meat extracts and meat concentrates,

— olives stuffed with fish,

— pasta and noodles not mixed or filled with meat product,

— soup stocks and flavourings packaged for the final consumer,

— any other food product not containing any fresh or processed meat or dairy and with less than 50 % of processed egg or fishery products.

8. Animal products from protected species

For certain protected species there may be additional restrictions in place. For example for caviar of sturgeon species, the weight limit is a maximum of 125 g per person.