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CHAPTER ON SANITARY AND PHYTOSANITARY MATTERS RELATED TO ANIMALS AND ANIMAL PRODUCTS, PLANTS, PLANT PRODUCTS AND ANIMAL WELFARE

The EU reserves its right to propose provisions on the institutional structure relating to matters covered by this Chapter in line with horizontal institutional provisions to be include in the Trade part of the Agreement.

Article 1

Objective

1. The objective of this Chapter is to safeguard public, animal and plant health in the territory of the Parties whilst facilitating trade in animals and animal products, plants, plant products and other goods between the Parties, by:

a. ensuring full transparency as regards sanitary and phytosanitary measures applicable to trade;

b. establishing a mechanism for the recognition of equivalence of such measures maintained by a Party consistent with the protection of public, animal and plant health;

c. recognition of the health status of the Parties and applying the principle of regionalisation;

d. further implementing the principles of the WTO SPS Agreement;

e. establishing mechanisms and procedures for trade facilitation; and

f. improving communication and cooperation between the Parties on sanitary and phytosanitary measures.

g. strengthening the fight against the development of anti-microbial resistance.

2. Furthermore, this Chapter aims at reaching a common understanding between the Parties concerning animal welfare standards.
3. The Parties agree to establish a working cooperation on multilateral fora and on food safety science.

Article 2

Multilateral obligations

The Parties reaffirm their rights and obligations under the WTO Agreement and, in particular, the WTO SPS Agreement. These rights and obligations shall underline the activities of the Parties under this Chapter.

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Article 3

Scope

This Chapter shall apply to:

1. all sanitary and phytosanitary measures as defined in Annex A to the WTO SPS Agreement in so far as they affect trade between the Parties.
2. the development of animal welfare standards.
3. the cooperation on multilateral fora and food safety science.
4. the cooperation on fighting antimicrobial resistance .

Article 4

Definitions

For the purposes of this Chapter the following definitions apply:

- definitions in Annex A of the SPS Agreement, as well as those of *Codex Alimentarius* (Codex), the World Organisation for Animal Health (OIE) and the International Plant Protection Convention (IPPC).

- 'Protected zone': for a specific regulated pest means an officially defined geographical part of the territory of a Party in which that pest is known not to be established in spite of favourable conditions and its presence in other parts of the territory of the Party;

Article 5

Competent authorities

1. The competent authorities of the Parties are the authorities responsible for the implementation of the measures referred to in this Chapter, as provided for in Appendix I.

2. In accordance with Article 12, the Parties shall inform each other of any significant changes in the structure, organisation and division of competency of their competent authorities.

Article 6

Recognition for trade of animal health and pest status and regional conditions

A. Recognition of status for animal diseases, infections in animals or pests

1. As regards animal diseases and infections in animals (including zoonoses), the following shall apply:

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(a) The importing Party shall recognise for trade the animal health status of the exporting Party or its regions as determined by the exporting Party in accordance with Appendix III.A., with respect to animal diseases specified in Appendix II.A.

(b) Where a Party considers that it has, for its territory or a region, a special status with respect to a specific animal disease other than those in Appendix II.A., it may request recognition of this status in accordance with the criteria set out in Appendix III.C. The importing Party may request guarantees in respect of imports of live animals and animal products, which are appropriate to the agreed status of the Parties.

(c) The status of the territories or regions, or the status in a sector or sub-sector of the Parties related to the prevalence or incidence of an animal disease other than those in Appendix II.A. or infections in animals, and/or the associated risk, as appropriate, as defined by the international standard setting organisations recognised by the WTO SPS Agreement, is recognised by the Parties as the basis between them. The importing Party may request guarantees in respect of imports of live animals and animal products, which are appropriate to the defined status in accordance with the recommendations of the standard setting organisations, as appropriate.

(d) Without prejudice to Articles 8 and 14, and unless the importing Party raises an explicit objection and requests supportive or additional information or consultations and/or verification, each Party shall take without undue delay the necessary legislative and administrative measures to allow trade on the basis of the provisions of subparagraphs (a), and (b).

2. As regards pests, the following shall apply:

a) The Parties recognise for trade their pest status in respect to pests specified in Appendix II.B.

b) Without prejudice to Articles 8 and 14, and unless the importing Party raises an explicit objection and requests supportive or additional information or consultations and/or verification, each Party shall take without undue delay the necessary legislative and administrative measures to allow trade on the basis of the provision of subparagraph (a).

B. Recognition of regionalisation

1. The Parties recognise the concept of regionalisation, which they agree to apply to trade between them.

2. The Parties agree that regionalisation decisions for animal and fish diseases listed in Appendix II.A and for pests listed in Appendix II.B. must be taken in accordance with the provisions of Appendix III.A. and Appendix III.B, respectively.

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3. (a) As regards animal diseases and in accordance with the provisions of Article 13, the exporting Party seeking recognition of its regionalisation decision by the importing Party shall notify its measures with full explanation and supporting data for its determinations and decisions. Without prejudice to Article 14, and unless the importing Party raises an explicit objection and requests additional information or consultations and/or verification within 15 working days following receipt of the notification, the regionalisation decision so notified shall be considered as accepted.

(b) Consultations referred to in subparagraph (a) shall take place in accordance with Article 13(3). The importing Party shall assess the additional information within 15 working days following receipt of the additional information. The verification referred to in subparagraph (a) shall be carried out in accordance with Article 10 and within 25 working days following receipt of the request for verification.

4. (a) As regards pests, each Party shall ensure that trade in plants, plant products and other goods takes account of the pest status in a region recognised by the other Party. A Party seeking recognition of its regionalisation decision by the other Party shall notify its measures and decisions, as guided by the relevant FAO International Standards for Phytosanitary Measures, including No 4 'Requirements for the establishment of Pest Free Areas', No 8 'Determination of Pest Status in an area', and other International Standards for Phytosanitary Measures as the Parties deem appropriate. Without prejudice to Article 14, and unless a Party raises an explicit objection and requests additional information or consultations and/or verification within **three months** following the notification, the regionalisation decision so notified shall be construed as accepted.

(b) Consultations referred to in subparagraph (a) shall take place in accordance with Article 13(3). The importing Party shall assess the additional information within three months following receipt of the additional information. The verification referred to in subparagraph (a) shall be carried out in accordance with Article 10 and within **12 months** following receipt of the request for verification, taking into account the biology of the pest and the crop concerned.

5. After finalisation of the procedures of paragraph 4, 5 and 6, and without prejudice to Article 14, each Party shall take, without undue delay, the necessary legislative and administrative measures to allow trade on that basis.

Article 7

Determination of equivalence

1. Equivalence may be recognised in relation to an individual measure and/or groups of measures and/or systems applicable to a sector or sub-sector.

2. In the determination of equivalence, the Parties shall follow the consultation process of

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paragraph 3. This process shall include the objective demonstration of equivalence by the exporting Party and the objective assessment of this demonstration by the importing Party with a view to possibly recognising equivalence by the latter.

3. Upon request of the exporting Party concerning a measure or measures affecting one or more sector(s) or sub-sector(s), the Parties shall, within three months after receipt by the importing Party of such request, initiate the consultation process which includes the steps set out in Appendix V. However, in case of multiple requests from the exporting Party, the Parties, on request of the importing Party, shall agree within the Committee referred to in Article 15 on a time schedule in which they shall initiate the process referred to in this paragraph.

4. Unless otherwise mutually agreed, the importing Party shall finalise the assessment of equivalence within 180 days after having received from the exporting Party its demonstration of equivalence, except for seasonal crops when it is justifiable to delay the assessment to permit verification of phytosanitary measures during a suitable period of growth of a crop.

The sectors or sub-sectors of priority of each Party for which this process may be initiated, are to be set out, where appropriate, in order of priority in Appendix V.B. The Committee referred to in Article 15 may amend, by means of decision, this list, including its order of priority.

5. The importing Party may withdraw or suspend equivalence on the basis of any amendment by one of the Parties of measures affecting equivalence, provided that the following procedures are followed:

(a) In accordance with the provisions of Article 12, the exporting Party shall inform the importing Party of any proposal for amendment of its measures for which equivalence of measures is recognised and the likely effect of the proposed measures on the equivalence which has been recognised. Within 30 working days of receipt of this information, the importing Party shall inform the exporting Party whether or not equivalence would continue to be recognised on basis of the proposed measures.
(b) In accordance with the provisions of Article 12, the importing Party shall inform the exporting Party of any proposal for amendment of its measures on which recognition of equivalence has been based and the likely effect of the proposed measures on the equivalence which has been recognised. Should the importing Party not continue to recognise equivalence, the Parties may agree on the conditions to re-initiate the process referred to in paragraph 3 on the basis of the proposed measures.

6. Without prejudice to Article 14, the importing Party may not withdraw or suspend equivalence before the proposed new measures of either Party enter into force.

7. The recognition or withdrawal or suspension of equivalence rests solely with the importing Party acting in accordance with its administrative and legislative framework including, as regards plants, plant products and other goods, appropriate communications in accordance with FAO International Standard for Phytosanitary Measures No 13 ‘Guidelines for the notification of non-compliances and emergency action’ and other International Standards for Phytosanitary

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Measures, as appropriate. That Party shall provide to the exporting Party in writing full explanation and supporting data used for the determinations and decisions covered by this Article. In case of non-recognition, withdrawal or suspension of equivalence, the importing Party shall indicate to the exporting Party the required conditions on which the process referred to in paragraph 3 may be reinitiated. When necessary, the importing Party may provide technical assistance to the exporting Party [in accordance with the provisions of Article 24 of the Association Agreement.

Article 8

Transparency and trade conditions

1. The Parties agree to apply general import conditions. Without prejudice to the decisions taken in accordance with Article 6, the import conditions of the importing Party shall be applicable to the total territory of the exporting Party. Upon entry into force of this Chapter and in accordance with the provisions of Article 12, the importing Party shall inform the exporting Party of its sanitary and phytosanitary import requirements. This information shall include, as appropriate, the models for the official certificates or attestations, as prescribed by the importing Party.

2. (a) For the notification by the Parties of amendments or proposed amendments of the conditions referred to in paragraph 1, they shall comply with the provisions of the SPS Agreement and subsequent decisions, as regards notification of measures. Without prejudice of the provisions of Article 14, the importing Party shall take into account the transport time between the Parties to establish the date of entering into force of the amended conditions referred to in paragraph 1.

(b) If the importing Party fails to comply with these notification requirements, it shall continue to accept the certificate or attestation guaranteeing the previously applicable conditions until 30 days after entering into force of the amended import conditions.

3. Once Chile grants access to one or more European Union sector(s) or sub-sector(s) in accordance to the conditions referred to in paragraph 1, simplified approval procedures shall apply. Chile shall approve the European Union Member State export requests on the basis of a comprehensive dossier of information available to the European Commission (the Country profile), unless additional information is requested in limited specific circumstances when deemed appropriate.

4. (a) Within 90 days after recognition of equivalence, the Parties shall take the necessary legislative and administrative measures to implement the recognition of equivalence in order to allow on that basis trade between them in sectors and sub-sectors, for which all respective sanitary and phytosanitary measures of the exporting Party are recognised as equivalent by the importing Party. For these commodities, the model for the official certificate or official document required by the importing Party may, then, be replaced by a certificate drawn up as provided for in Appendix VIII.B.

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(b) For commodities in sectors or sub-sectors for which one or some but not all measures are recognised as equivalent, trade shall continue on the basis of compliance with the conditions referred to in paragraph 1. Upon request of the exporting Party, the provisions of paragraph 5 shall apply.

5. Import shall not be subject to import licenses by the importing party.

6. For conditions affecting trade, upon request of the exporting Party, the Parties shall enter into consultations in accordance with the provisions of Article 15, in order to agree on alternative or additional import conditions of the importing Party. Such alternative or additional import conditions may, when appropriate, be based on measures of the exporting Party recognised as equivalent by the importing Party. If agreed, the importing Party shall take the necessary legislative and/or administrative measures to allow import on that basis, within 90 days.

7. Approval of establishments for the import of animals, animal products, products of animal origin and animal by-products: for the import of animal products, upon request of the exporting Party accompanied by the appropriate guarantees, the importing Party shall approve establishments referred to in Appendix IV(2) which are situated on the territory of the exporting Party, without prior inspection of individual establishments. Such approval shall be consistent with the conditions and provisions set out in Appendix IV. Unless additional information is requested, the importing Party shall take the necessary legislative and/or administrative measures to allow import on that basis within 30 working days after the importing Party has received the request and guarantees.
The initial list of establishments shall be approved in accordance with the provisions of Appendix IV.

8. Upon request of a Party, the other Party shall provide full explanation and supporting data for the determinations and decisions covered by this Article.

Article 9

Certification procedures

1. For purposes of certification procedures, the Parties shall comply with the principles and criteria set out in Appendix VIII.A.

2. Certificates or official documents referred to in Article 8(1) and (4) shall be issued as set out in Appendix VIII.C.

3. The Committee referred to in Article 15 may agree on rules to be followed in case of electronic certification, withdrawal or replacement of certificates.

Article 10

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Verification

1. In order to maintain confidence in the effective implementation of the provisions of this Chapter, each Party, within the scope of this Chapter, shall have the right:

(a) to carry out, in accordance with the guidelines of Appendix VI, verification of all or part of the other Party's authorities' total control programme. The expenses of such verification shall be borne by the Party carrying out the verification;

(b) from a date to be determined by the Parties, to receive on its request from the other Party submission of all or part of that Party's total control programme and a report concerning the results of the controls carried out under that programme;

(c) that, for laboratory tests related to commodities of animal origin, on request of one Party, the other Party shall participate in the periodical inter-comparative test programme for specific tests organised by the reference laboratory of the requesting Party. Such participation shall be borne by the participating Party.

2. Either Party may share the results and conclusions of its verifications with third countries, and make them publicly available.

3. The Committee referred to in Article 15 may modify, by means of a decision, Appendix VI, taking due account of relevant work carried out by international organisations.

4. The results of verification may contribute to measures by the Parties or one of the Parties referred to in Articles 6, 7, 8 and 11.

Article 11

Import checks and inspection fees

1. The Parties agree that import checks on importation by the importing Party of consignments from the exporting Party shall respect the principles set out in Appendix VII.A. The results of these checks may contribute to the verification process referred to in Article 10.

2. The frequencies of physical import checks applied by each Party are set out in Appendix VII.B. A Party may amend these frequencies within its competences and in accordance with its internal legislation, as a result of progress made in accordance with Articles 7 and 8, or as a result of verifications, consultations or other measures provided for in this Chapter. The Committee referred to in Article 15 shall by decision modify Appendix VII.B accordingly.

3. Inspection fees may only cover the costs incurred in by the competent authority for performing import checks. They shall be equitable in relation to fees charged for the inspection of similar domestic products.

4. The importing Party shall inform the exporting Party of any amendment, including the

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reasons for these amendments concerning the measures affecting import checks and inspection fees and of any significant changes in the administrative conduct for such checks.

5. For the commodities referred to in Article 8(4)(a), the Parties may agree to reduce reciprocally the frequency of physical import checks.

6. From a date to be determined by the Committee referred to in Article 15, the Parties may agree on the conditions to approve each other's controls, with a view to adapt the frequency of import checks or replace import checks. These conditions shall be included in Appendix VI by a decision of the Committee referred to in Article 15. From that date, the Parties may reciprocally approve each other's controls for certain commodities and, consequently reduce or replace the import checks for these commodities.

Article 12

Information exchange

1. The Parties shall exchange information which is relevant for the implementation of this Chapter on a systematic basis, for developing standards, for providing assurance, for engendering mutual confidence and for demonstrating the efficacy of the programmes controlled. Where appropriate, this exchange of information may include exchanges of officials.

2. The Parties shall also exchange information on other relevant topics including:

(a) significant events concerning commodities covered by this Chapter, including information exchange provided for in Articles 7 and 8;
(b) the results of verification procedures provided for in Article 10;
(c) the results of import checks provided for in Article 11 in the case of rejected or non-compliant consignments of animals and animal products;
(d) scientific opinions, relevant to this Chapter and produced under the responsibility of a Party;
(e) the progress on developing animal welfare standards; and
(f) rapid alerts relevant to trade within the scope of this Chapter.

3. The Parties shall provide for the submission of scientific papers or data to the relevant scientific fora to substantiate any views or claims made in respect of a matter arising under this Chapter. Such information shall be evaluated by the relevant scientific fora in a timely manner, and the results of that examination shall be made available to both Parties.

4. When the information referred to in this Article has been made available by notification to the WTO in accordance with the relevant rules or when the above information has been made available on the official, publicly accessible and fee-free web-sites of the Parties, the information exchange shall be considered to have taken place.

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In addition, for pests of known and immediate danger to the other Party, direct communication to the relevant Party shall be sent by mail or e-mail. The guidance provided by FAO International Standard for Phytosanitary Measures No 17 'Pest reporting' shall be followed.

5. The exchange of information referred to in this Article shall be made between the Parties through e-mail, fax or post.

Article 13

Notification and consultation

1. Each Party shall notify the other Party in writing within two working days of any serious or significant public, animal or plant health risk, including any food control emergencies or situations where there is a clearly identified risk of serious health effects associated with the consumption of animal or plant products and in particular concerning:

(a) any measures affecting regionalisation decisions referred to in Article 6;

(b) the presence or evolution of any animal disease or pests listed in Appendix II.A. and II.B.;

(c) findings of epidemiological importance or important associated risks with respect to animal diseases and pests which are not in Appendix II.A. and II.B. or which are new animal diseases or pests; and

(d) any additional measures beyond the basic requirements of their respective measures taken to control or eradicate animal diseases or pests or protect public health and any changes in prophylactic policies, including vaccination policies.

2. (a) Notifications shall be made between the Parties.

(b) Written notification means notification by mail, fax or e-mail. Notifications by e-mail shall only be sent between the Parties.

3. Where a Party has serious concerns regarding a risk to public, animal or plant health, consultations regarding the situation shall, on request, take place as soon as possible and, in any case, within 13 working days. Each Party shall endeavour in such situations to provide all the information necessary to avoid a disruption in trade, and to reach a mutually acceptable solution consistent with the protection of public, animal or plant health.

4. Upon request of a Party, consultations regarding animal welfare shall take place as soon as possible and, in any case, within 20 working days. Each Party shall endeavour, in such situations, to provide all the requested information.

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5. Upon request of a Party, consultations referred to in paragraphs 3 and 4 shall be held by video or audio conference. The requesting Party shall ensure the preparation of the minutes of the consultation, which shall be formally approved by the Parties. For purposes of this approval, the provisions of Article 12(5) shall apply.

Article 14

Safeguard clause

1. Should the exporting Party take domestic measures to control any cause likely to constitute a serious hazard to human, animal and plant health, the exporting Party, without prejudice to the provisions of paragraph 2, shall take equivalent measures to prevent introduction of the hazard into the territory of the importing Party.

2. The importing Party may, on serious public, animal or plant health grounds, take provisional transitional measures necessary for the protection of public, animal or plant health. For consignments in transport between the Parties, the importing Party shall consider the most suitable and proportional solution in order to avoid unnecessary disruptions to trade.

3. The Party taking the measures shall notify the other Party thereof within one working day of the decision to implement them. Upon request of either Party, and in accordance with the provisions of Article 13(3), the Parties shall hold consultations regarding the situation within 13 working days of the notification. The Parties shall take due account of any information provided through such consultations and shall endeavour to avoid unnecessary disruption to trade, taking into account, where applicable, the outcome of the provisions of Article 13(3).

Article XX

Cooperation in multilateral fora

1. The Parties shall promote the cooperation in all the multilateral fora relevant for SPS issues, in particular in international standard setting bodies recognised in the framework of the WTO/SPS Agreement.

2. The Subcommittee established in Article XX shall be the forum to exchange information and cooperate in the field of matters covered by paragraph 1.

Article XX

Animal Welfare

1. The Parties recognise that animals are sentient beings. They undertake to respect trade conditions for live animals and animal products that are aimed to protect their welfare.

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2. The Parties aim at reaching a common understanding on animal welfare standards.

3. They will cooperate on the development and implementation of standards on: animal welfare on the farm, animal welfare during transport by land and sea, animal welfare at stunning and slaughter of animals, and at killing for disease control purposes. Other areas of work can be decided by the Committee mentioned in Article 15.

4. The Parties undertake to exchange information, expertise and experiences in the field of animal welfare.

5. The Parties will strengthen their research collaboration in the area of animal welfare to develop adequate and science-based animal welfare standards.

6. In accordance with Article XX (Chapter SPS – Article on Cooperation in international fora) the Parties undertake to cooperate in international fora with the aim to promote the further development of animal welfare standards and best practices and their implementation.

Article XX

Cooperation in fighting antimicrobial resistance

1. The Parties recognise that antimicrobial resistance is a serious threat to human and animal health. Antibiotic use in animal production can contribute to antibiotic resistance that may represent a risk to humans, either through direct infection by resistant zoonotic bacteria or by the transfer of resistance determinants to other bacteria. The Parties recognise that the nature of the threat is transnational.

2. The Parties agree to create a Technical Working Group with an agreed mandate and scope, consisting of expert level representatives, with a dedicated work plan under the Subcommittee established in Article XX.

3. Furthermore, the Parties shall:

a. Cooperate in and follow existing and future guidelines, standards, recommendations and actions developed in relevant international organisations, initiatives and national plans aiming to promote reduced use of antibiotics and relating to animal production and veterinary practices.
b. Cooperate in promoting reduced use of antibiotics in animal production in third countries including the phasing out of the use of antibiotic as growth promoter in animal production.
c. Support the implementation of agreed international action plans on anti-microbial resistance.

Article XX

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Cooperation on Food Safety science

1. The Parties should endeavour to facilitate the scientific cooperation between the European Food Safety Authority (EFSA) and Achipia as responsible bodies of the Parties for the scientific evaluation in the food safety field.

2. The Parties agree to create a Technical Working Group on scientific cooperation in food safety consisting of expert level representatives of the scientific bodies appointed by each Party.

3. The SPS Subcommittee shall define the mandate of this working group with an agreed mandate and scope. The SPS Subcommittee shall also establish the rules on conflict of interest for the participants on these working groups.

4. The SPS Subcommittee established under Article XX shall define the work programme of this technical working group.

5. The working group would exchange information, inter alia, on:
   a. Scientific and technical information on food and feed safety area,
   b. Data collection.

6. The Parties shall ensure that the work carried out by this technical working group will not endanger the independency of their respective national or regional agencies.

7. The Parties shall also ensure that the experts they have designated do not have conflict of interests under their respective domestic law and legislation.

Article 15

Joint Management Committee

1. The Joint Management Committee, hereafter called the Committee, established in Article 89(3) of the Association Agreement shall meet within the first year, after the entry into force of this Agreement, and on request of either Party thereafter, not exceeding however a frequency in principle of one meeting a year. If agreed by the Parties, a meeting of the Committee may be held by video or audio-conference. The Committee may also address issues out of session, by correspondence.

2. The Committee shall have the following functions:

   (a) to monitor the implementation of this Chapter and consider any matter relating to this Chapter, and examine all matters which may arise in relation to its implementation;

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(b) to review the Appendices to this Chapter, notably in the light of progress made under the consultations and procedures provided for under this Chapter;

(c) in the light of the review provided for in paragraph (b) or as provided in this Chapter, to modify by means of a decision, Appendices I to XII; and

(d) in the light of the review provided for in paragraph (b), to make recommendations for modifications to this Chapter.

3. The Parties agree to establish technical working groups, when appropriate, consisting of expert-level representatives of the Parties, which shall identify and address technical and scientific issues arising from the application of this Chapter. When additional expertise is required, the Parties may establish ad hoc groups, including scientific groups. Membership of such ad hoc groups need not be restricted to representatives of the Parties.

4. The Committee shall report to the Association Council established under Article 3 of the Association Agreement.

5. The Committee shall adopt at its first meeting its working procedures.

Article 16

Territorial application

This Chapter shall apply, on the one hand, as regards animals and animal products, plants and plant products and other goods to the territories of Member States of the Union and, on the other hand to the territory of the Republic of Chile.
For the Union
The territories of Member States of the Union as laid down in Annex I to Council Directive 97/78/EC and as regards plants, plant products and other goods in Article 1 of Council Directive 2000/29/EC (from 14 December 2019 onwards: Article 32 of Regulation (EU) 2016/2031).

For Chile
As provided for in Article 204 of the Association Agreement.

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Appendix I

COMPETENT AUTHORITIES

A. Competent authorities of the Union:

Control is shared between the national services of the Member States and the European Commission. In this respect the following applies:

— As regards exports to Chile, the Member States are responsible for control of the production circumstances and requirements, including statutory inspections and issuing health certificates (including animal welfare) attesting to the agreed standards and requirements.

— As regards imports from Chile, the Member States are responsible for control of the compliance of the imports with the Union import conditions.

— The European Commission is responsible for overall co-ordination, inspection/audits of inspection systems and the necessary legislative action to ensure uniform application of standards and requirements within the Internal European Market.

B. Competent authorities of Chile:

The Ministry of Agriculture, through the 'Servicio Agrícola y Ganadero' is the competent authority to administrate all the requirements dealing with:

- sanitary (animal health) and phytosanitary (plant health) measures applied to the import and export of animal, plants and their products;
- sanitary and phytosanitary measures issued to reduce the risk for entrance of animal diseases, plant pest, and to control its erradication or spread; and
- the issuing of the sanitary and phytosanitary export certificates for animal and plant products.

The Ministry of Health is the competent authority for the sanitary control of all the foods, of national production and of import, dedicated to human consumption and of the sanitary certification of elaborated nutritious products for export, except for the hidrobiological

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products.

The 'Servicio Nacional de Pesca' dependent of the Ministry of Economy, is the competent authority for controlling the sanitary quality of seafood products for export and for issuing the corresponding official certificates. It is also responsible for protecting the health status of aquatic animals, the sanitary certification of aquatic animals for export, and the control of imports of aquatic animals, bait and food used in aquaculture.

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Appendix II

LIST OF NOTIFIABLE DISEASES AND PESTS FOR WHICH REGIONAL FREEDOM CAN BE RECOGNISED

Appendix II.A

ANIMAL AND FISH DISEASES SUBJECT TO NOTIFICATION, FOR WHICH THE STATUS OF THE PARTIES IS RECOGNISED AND FOR WHICH REGIONAL DECISIONS MAY BE TAKEN

Foot-and-mouth disease

Swine vesicular disease

Vesicular stomatitis

African horse fever

African swine fever

Bluetongue

Highly Pathogenic Avian Influenza

Newcastle disease (NCD)

Peste des petits ruminants

Rinderpest

Clasical swine fever

Contagious bovine pleuro-pneumonia

Sheep and goat pox

Rift Valley fever

Lumpy skin disease

Venezuelan equine encephalomyelitis

Glanders

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Dourine

Enterovirus encephalomyelitis

Infectious haematopoietic necrosis (IHN)

Viral haemorrhagic septicaemia (VHS)

Infectious Salmon Anaemia (ISA)

Bonemia ostrae

Morteilla refringens

Appendix II.B

Pests subject to notification, for which the status of the Parties is recognised and for which regionalisation decisions may be taken[1]

As regards the situation in Chile:

1. Pests not known to occur in any part of Chile.

2. Pests known to occur in Chile and under official control.

3. Pest known to occur in Chile, under official control and for which pest free areas are established.

As regards the situation in the European Union:

1. Pests not known to occur in any part of the Union and relevant for the entire Union, or for part of it.

2. Pests known to occur in the Union and relevant for the entire Union.

3. Pests known to occur in the Union and for which pest free areas or protected zones are established.

Appendix III

REGIONALISATION AND ZONING

[1] The Committee referred to in Article 15 shall complete these lists by means of a decision.

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A. Animal and fish diseases

1. *Animal diseases*

   The basis for recognition of the animal disease status of a Party or a region thereof shall be the International Animal Health Code of the OIE: 'Recognition of the disease/infection free status of a country or a zone and epidemiological surveillance systems'.

   The basis for regionalisation decisions for an animal disease shall be the International Animal Health Code of the OIE: 'Zoning and regionalisation'.

2. *Aquaculture diseases*

   The basis for regionalisation decisions for aquaculture diseases shall be the International Aquatic Health Code of the OIE.

B. Pests

The criteria for the establishment of a region free from certain pests shall comply with the provisions of either:

— the FAO International Standard for Phytosanitary Measures No 4 on 'Requirements for the establishment of pest free areas' and the relevant definitions of the FAO International Standard for Phytosanitary Measures No 5 on 'Glossary of phytosanitary terms'; or

— Article 2(l)(h) of Council Directive 2000/29/EC (from 14 December 2019 onwards: Article 32 of Regulation (EU) 2016/2031).

C. Criteria for the recognition of the special status for animal diseases of the territory or a region of a Party

1. Where the importing Party considers that its territory or part of its territory is free from an animal disease other than those listed in the most recent version of the OIE list, it shall present to the exporting Party appropriate supporting documentation, setting out in particular the following criteria:

   — the nature of the disease and the history of its occurrence in its territory;

   — the results of surveillance testing based on serological, microbiological, pathological or epidemiological investigation and on the fact that the disease must by law be notified to the competent authorities;

   — the period over which the surveillance was carried out;

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— where applicable, the period during which vaccination against the disease has been prohibited and the geographical area concerned by the prohibition;

— the arrangements for verifying the absence of the disease.

2. The additional guarantees, general or specific, which may be required by the importing Party, must not exceed those, which the importing Party implements nationally.

3. The Parties shall notify each other of any change in the criteria specified in paragraph 1 which relate to the disease. The additional guarantees defined in accordance with paragraph 2 may, in the light of such notification, be amended or withdrawn by the Committee referred to in Article 15 of this Chapter.

Appendix IV

CONDITIONS FOR APPROVAL OF ESTABLISHMENTS FOR IMPORTS OF ANIMALS, ANIMAL PRODUCTS, PRODUCTS OF ANIMAL ORIGIN AND BY-PRODUCTS

1. The importing Party may require the approval of the establishments of the exporting Party for the import of animals, animal products, products of animal origin and animal by-products.

2. The approval of the establishments in the exporting Party shall be granted on the basis of the appropriate guarantees provided by that Party without prior inspection by the importing Party of the individual establishments. The Parties shall modify or complete the lists to take account of new applications and guarantees received.

3. The approval of establishments for imports shall be applied to all categories of establishments of animals, animal products, products of animal origin and by-products.

4. The importing Party shall draw up lists of approved establishments and shall make these lists publicly available.

5. Conditions and procedures for approval:

(a) If import of the animal product concerned from the exporting Party has been authorised by the importing Party and the relevant import conditions and certification requirements for the products concerned have been established.

(b) If the competent authority of the exporting Party has provided the importing Party with satisfactory guarantees that the establishments appearing on its list or lists meet the relevant health requirements of the importing Party and has officially approved the establishment appearing on the lists for exportation to the importing Party.

(c) The competent authority of the exporting Party must have a real power to suspend the activities for exportation to the importing Party from an establishment for which that authority has provided guarantees, in the event of non-compliance with the said

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guarantees.

(d) Verification in accordance with the provisions of Article 10 of the Chapter by the importing Party may be part of the approval procedure. This verification concerns the structure and organisation of the competent authority responsible for the approval of the establishment as well as the powers available to that competent authority and the guarantees that it can provide in regard to the implementation of importing Party's rules. These checks may include on the spot inspection of a certain representative number of establishments appearing on the list or lists provided by the exporting Party.
Taking into account the specific structure and division of competence within the Union, such verification in the Union may concern individual Member States.

(e) Based on the results of the verification provided for in subparagraph (d), the importing Party may amend the existing list of establishments.

Appendix V

Appendix V.A

PROCESS OF DETERMINATION OF EQUIVALENCE

1. Principles

(a) Equivalence can be determined for an individual measure and/or groups of measures and/or systems related to a certain commodity or categories of commodities.

(b) The consideration of equivalence by the importing Party of a request by the exporting Party for recognition of its measures with regard to a specific commodity shall not be a reason to disrupt trade or suspend on-going imports from the exporting party of the commodity in question.

(c) Determination of equivalence of measures is an interactive process between the exporting Party and the importing Party. The process consists of an objective demonstration of equivalence of individual measures by the exporting Party and the objective assessment of this demonstration with a view to the possible recognition of equivalence by the importing Party.

(d) The final recognition of equivalence of the relevant measures of the exporting Party rests solely with the importing Party.

2. Preconditions

(a) The exporting Party can only initiate the process of determination of equivalence when the importing Party has authorised the exporting Party for import of the commodity for which equivalence is sought. The authorisation depends on the health or pest status, the legislation and the effectiveness of the inspection and control system related to the commodity in the exporting Party. To this end the legislation in the sector concerned shall be taken into account, as well as the structure of the competent authority of the exporting Party, its command chain, its authority, its operational procedures and resources, and the performance of the competent authorities as regards inspection and control systems, including its level of enforcement related to the commodity and the regularity and rapidity of information to the importing Party in case of identified hazards. This recognition may be supported by documentation, verification and earlier documented experience.

(b) The Parties shall initiate the process of determination of equivalence based upon the priorities established in Appendix V.B.

(c) The exporting Party shall only initiate the process when no safeguard measures imposed by the importing Party apply to the exporting Party as regards the commodity.

3. The process

(a) The exporting Party initiates the process by submitting to the importing Party a request for recognition of equivalence of an individual measure and/or groups of measures and/or systems for a commodity or a category of commodities in a sector or sub-sector.

(b) When appropriate, this request includes also the request and required documentation for approval by the importing Party on the basis of equivalence of any programme or plan of the exporting Party required by the importing Party as a condition for allowing import of that commodity (e.g. residue plan).

(c) With this request, the exporting Party:

i. explains the importance for trade of that commodity;

ii. identifies the individual measure(s) with which it can comply with out of the total of the measures expressed in the import conditions of the importing Party applicable to that commodity;

iii. identifies the individual measure(s) for which it seeks equivalence out of the total of the measures expressed in the import conditions of the importing Party, applicable to that commodity.

(d) In reply to this request the importing Party explains the overall and individual objective and the rationale behind its measure(s), including the identification of the risk.

(e) With this explanation, the importing Party informs the exporting Party on the relationship of its domestic measures and the import conditions for that commodity.

(f) The exporting Party objectively demonstrates to the importing Party that the measures it has identified are equivalent to the import conditions for that commodity.

(g) The importing Party objectively assesses the demonstration of equivalence by the exporting Party.

(h) The importing Party concludes whether equivalence is achieved or not.

(i) The importing Party provides to the exporting Party full explanation and supporting data for its determination and decision if so required by the exporting Party.

4. Demonstration of equivalence of measures by the exporting party and assessment of this demonstration by the importing Party

(a) The exporting Party shall objectively demonstrate equivalence for each of the identified measures of the importing Party expressed in its import conditions. When appropriate, equivalence shall objectively be demonstrated for any plan or programme required by the importing Party as a condition to allow import (e.g.

residue plan, etc).

(b) Objective demonstration and assessment in this context should be based, as far as possible, on:

— internationally recognised standards; and/or
— standards based on proper scientific evidence; and/or
— risk assessment; and/or
— objective earlier documented experience; and
— legal status or level of administrative status of the measures; and
— level of implementation and enforcement on the basis of in particular:

- corresponding results of surveillance and monitoring programmes;
- inspection results by the exporting Party;
- results of analysis with recognised analysis methods;
- verification and import check results by the importing Party;
- the performance of the competent authorities of the exporting Party; and
- earlier experiences.

5. Judgement by the importing Party

In case the importing Party arrives at a negative conclusion, it shall provide the exporting Party with an explanation.

Appendix V.B

PRIORITY SECTORS OR SUB-SECTORS FOR WHICH EQUIVALENCE MAY BE RECOGNISED

List of priorities referred to in Article 7(4), to be completed by the Committee referred to in Article 15.

Appendix VI

GUIDELINES FOR CONDUCTING VERIFICATIONS

Verifications may be carried out on the basis of or audits and/or on the spot checks.

For the purposes of this Appendix:

(a) the ‘auditee’ is the Party subject to the verification;
(b) ‘auditor’ is the Party that carries out the verification.

1. General principles of verification

1.1. Verifications should be made in cooperation between the ‘auditor’ and the ‘auditee’ in accordance with the provisions set out in this Appendix.

1.2. Verifications should be designed to check the effectiveness of the controls of the auditee rather than to reject individual animals, groups of animals, consignments of food establishments or individual lots of plants or plant products. Where a verification reveals

a serious risk to animal, plant or human health, the auditee shall take immediate corrective action. The process may include study of the relevant regulations, method of implementation, assessment of the end result, level of compliance and subsequent corrective actions.

1.3. The frequency of verifications should be based on performance. A low level of performance should result in an increased frequency of verifications; unsatisfactory performance must be corrected by the auditee to the auditor's satisfaction.

1.4. Verifications, and the decisions based on them, shall be made in a transparent and consistent manner.

2. Principles relating to the auditor

The auditors should prepare a plan, preferably in accordance with recognised international standards, that covers the following points:

2.1. the subject, depth and scope of the verification;
2.2. the date and place of the verification, along with a timetable up to and including the issue of the final report;
2.3. the language or languages in which the verification will be conducted and the report written;
2.4. the identity of the auditors including, if a team approach is used, the leader. Specialised professional skills may be required to carry out verification of specialised systems and programmes;

2.5. a schedule of meetings with officials and visits to establishments or facilities, as appropriate. The identity of establishments or facilities to be visited need not be stated in advance;

2.6. subject to provisions on freedom of information, respect of commercial confidentiality shall be observed by the auditor. Conflicts of interest must be avoided;

2.7. respect of the rules governing occupational health and safety, and the rights of the operator. This plan should be reviewed in advance with representatives of the auditee.

3. Principles relating to the auditee

The following principles apply to actions taken by the auditee, in order to facilitate verification:

3.1. The auditee must cooperate fully with the auditor and should nominate personnel responsible for this task. Cooperation may include, for example:

— access to all relevant regulations and standards, access to compliance programmes and appropriate records and documents,
— access to audit and inspection reports,
— documentation concerning corrective actions and sanctions,
— facilitating entry to establishments.

3.2. The auditee must operate a documented programme to demonstrate to the auditor that

standards are being met on a consistent and uniform basis.

4. Procedures

4.1. *Opening meeting*

An opening meeting should be held between representatives of the Parties. At this meeting the auditor will be responsible for reviewing the verification plan and confirming that adequate resources, documentation, and any other necessary facilities are available for conducting the verification.

4.2. *Document review*

The document review may consist of a review of the documents and records referred to in paragraph 3.1, the structures and powers of the auditee, and any relevant changes to inspection and certification systems since the entry into force of this Chapter or since the previous verification, with emphasis on the implementation of elements of the system of inspection and certification for animals, animal products, plants or plant products of interest. This may include an examination of relevant inspection and certification records and documents.

4.3. *On the spot checks*

4.3.1. The decision to include this step should be based on a risk assessment, taking into account factors such as the animals, animal products, plants or plant products concerned, the history of conformity with requirements by the industry sector or exporting country, the volume of product produced and imported or exported, changes in infrastructure and the national inspection and certification systems.

4.3.2. On the spot checks may involve visits to production and manufacturing facilities, food-handling or storage areas and control laboratories to check on compliance with the information contained in the documentary material referred to in 4.2.

4.4. *Follow-up verification*

Where a follow-up verification is being conducted in order to verify the correction of deficiencies, it may be sufficient to examine only those points which have been found to require correction.

5. Working documents

Forms for reporting audit findings and conclusions should be standardised as much as possible in order to make the approach to verification more uniform, transparent and efficient. The working documents may include any checklists of elements to evaluate. Such checklists may cover:

— legislation;

— structure and operations of inspection and certification services;
— establishment details and working procedures, health statistics, sampling plans and results;
— compliance action and procedures;
— reporting and complaint procedures; and
— training programmes.

6. Closing meeting

A closing meeting shall be held between representatives of the Parties, including, where appropriate, officials responsible for the national inspection and certification programs. At this meeting the auditor shall present the findings of the verification. The information shall be presented in a clear, concise manner so that the conclusions of the audit are clearly understood. An action plan for correction of any deficiencies noted shall be drawn up by the auditee, preferably with target dates for completion.

7. Report

The draft report of verification shall be forwarded to the auditee within 20 working days. The auditee shall have 25 working days to comment on the draft report. Comments made by the auditee shall be attached to and, where appropriate included in the final report. However, where a significant public, animal or plant health risk has been identified during the verification, the auditee shall be informed as quickly as possible and in any case within 10 working days following the end of the verification.

Appendix VII

IMPORT CHECKS AND INSPECTION FEES

A. **Principles of import checks**

Import checks consist of documentary checks, identity checks and physical checks.

As regards animals and animal products, the physical checks and its frequency applied shall be based on the risk associated with such imports.

In carrying out the checks for plant health purposes, the importing Party shall ensure that the plants, plant products and other goods and their packaging shall be meticulously inspected on an official basis, either in their entirety or by representative sample, and that if necessary the vehicles transporting them shall be inspected meticulously on an official basis in order to make sure, as far as can be determined, that they are not contaminated by pests.

In the event that the checks reveal non-conformity with the relevant standards and/or requirements, the importing Party shall take official measures proportionate to the risk involved. Wherever possible, the importer or his representative shall be given access to the consignment and the opportunity to contribute any relevant information to assist the importing Party in taking a final decision concerning the consignment. Such decision shall be proportional to the risk.

B. **Frequencies of physical checks**

B.l. *Animals and animal products*

(a) Import into the Community

Type of frontier check	**Frequency rate**
1. Documentary checks	100%
2. Identity checks	100%
3. Physical checks	
Live animals	100%
<u>Category I products</u> - Fresh meat including offal, and products of the bovine, ovine, caprine, porcine and equine species defined in Council Directive 92/5/EEC. - Fish products in hermetically sealed containers intended to render them stable at ambient temperatures, fresh and frozen fish and dry and/or salted fisheries products. - Whole eggs - Lard and rendered fats - Animal casings	20%

Hatching eggs	
Category II products - Poultry meat and poultry meat products - Rabbit meat, game meat (wild/farmed) and products thereof - Milk and milk products for human consumption - Egg products - Processed animal protein for human consumption - Other fisheries products than those mentioned under 20 % - Bivalve molluscs - Honey	50%
Category III products - Semen - Embryos - Manure - Milk and milk products (not for human consumption) - Gelatin - Frog's legs and snails - Bones and bone products - Hides and skins - Bristles, wool, hair and feathers - Horns, horn products, hooves and hoof products - Apiculture products - Game trophies - Processed petfood - Raw material for the manufacture of petfood - Raw material, blood, blood products, glands and organs for pharmaceutical or technical use - Hay and straw - Pathogens - Processed animal protein (packaged)	Minimum of 1 % Maximum of 10 %
Processed animal protein not for human consumption (bulked)	100 % for the first six consignments (Council Directive 92/118/EEC), then 20 %

(b) Import into Chile

Type of frontier check	**Frequency rate**
Documentary checks: Inspection of all the documents related with the shipment, including the certification which guarantees the compliance of the sanitary requirements.	
Sanitary inspection:	

Inspection of livestock, products of animal origin and products for animal consumption. It involves all the actions aimed to assess the sanitary status of animals and animal products and verify that the same have been processed for the compliance of the sanitary requirements.	
Live animals	Documentary checks — 100 % Sanitary inspection — 100 %
Semen and embryo	Documentary checks — 100 % Sanitary inspection — 100 %
Animal products for human consumption	Documentary checks — 100 % Sanitary inspection — 100 %
Animal products not for human consumption	Documentary checks — 100 % Sanitary inspection — 100 %
Processed animal proteins not for human consumption	Documentary checks — 100 % Sanitary inspection — 100 %
Food used in aquaculture	Documentary check 100 % Identity check 5 % Physical check 0 %
Aquatic animals	Documentary check 100 % Identity check 20 % Physical check: According to the country of origin (Decree No 626, 2001); 100 % official authority not recognised (quarantine); 0 % official authority recognised
Raw materials for reprocessing	Documentary check 100 % Identity check 10 % Physical check 100 % marine toxins for shellfish and other susceptible species.
Bait	Documentary check 100 % Identity check 10 % Physical check 0 %

B.2. *Plants and plant products*

(a) Import into the Union

For plants, plant products and other goods listed in Annex V, Part B to Council Directive 2000/29/EC (from 14 December 2019 onwards: Article 32 of Regulation (EU) 2016/2031):

Type of frontier check	**Frequency rate**
1. Documentary checks	The documentary checks shall be carried out for 100 %
2. Identity checks	The identity checks shall be carried out for 100 %
3. Physical checks	The plants, plant products and other goods, and their packaging shall be meticulously inspected on an official basis, either in their entirety or by representative sample, and that if necessary the vehicles transporting them shall also be inspected meticulously on an official basis in order to make sure, as far as can be determined, that they are not contaminated by pests

For plants, plant products and other goods not listed in Annex V, Part B to Council Directive 2000/29/EC (from 14 December 2019 onwards: Article 32 of Regulation (EU) 2016/2031):
The importing party may, on a variable basis, carry physical checks in order to make sure, as far as can be determined, that they are not contaminated by pests.

(c) Import into Chile

Documentary checks concerns inspection of all the documents related with every consignment for determine compliance with phytosanitary certification.

Verification concerns inspection of consignments for determine the degree of industrialisation or transformation (for instance verify if a product is frozen, or dried, toasted, etc).

Phytosanitary inspection is a set of actions for determine the compliance of phytosanitary requirements.

Reception concerns international conveyances for the determination of the phytosanitary status.

Plants, plants products and other goods that represent a phytosanitary risk	**Type of frontier checks**:	**Rate**
Seeds, plants and parts of plants whose intended use is propagation, reproduction or to be planted	Documentary checks Phytosanitary inspection	100% 100%

Organism and microorganism used in Biological Control, polinisers, producers of certain substances or investigation	Documentary checks Phytosanitary inspection	100% 100%
Plants products		
Plant material whose matter was submitted to one or more process of elaboration or industrialisation, that implies a transformation of the original characteristics, and as a consequence cannot be affected directly by pest but can transport it or suffer infestation by the store conditions	Documentary checks Verification	100 % Variable % (< 100%)
Plant material whose matter despite being submitted to a process or industrialisation, can be affected by pest or harbouring pest	Documentary checks Phytosanitary inspection	100% 100%
Fresh plants products whose intended use is consumption, by direct use or transformation, can be affected by pest or harbouring pest	Documentary checks Phytosanitary inspection	100% 100%
Other goods that represent a phytosanitary risk:		
Growing medias	Documentary checks Phytosanitary inspection	100% 100%
Biofertilisers	Documentary checks Phytosanitary inspection	100% 100%
Conveyances	Reception	100 %
Wood packaging materials	Phytosanitary inspection	Variable percentage
Containers	Phytosanitary inspection	Variable percentage
Used agricultural machine	Phytosanitary inspection	100 %

Appendix VIII

CERTIFICATION

A. Principles of certification:

Plants and plant products and other goods:

In respect of certification of plants and plant products and other goods, the competent authorities shall apply the principles laid down in the FAO International Standards for Phytosanitary Measures No 7 'Export Certification System' and No 12 'Guidelines for Phytosanitary Certificates'.

Animals and animal products:

1. The competent authorities of the Parties shall ensure that certifying officers have a satisfactory knowledge of the veterinary legislation as regards the animals or animal products to be certified and, in general, are informed as to the rules to be followed for drawing up and issuing the certificates and — if necessary — as to the nature and extent of the enquiries, tests or examinations which should be carried out before certification.

2. Certifying officers must not certify data of which they have no personal knowledge or which cannot be ascertained by them.

3. Certifying officers must not sign blank or incomplete certificates, or certificates relating to animals or animal products, which they have not inspected or which have passed out of their control. Where a certificate is signed on the basis of another certificate or attestation, the certifying officer shall be in possession of that document before signing.

4. A certifying officer may certify data which have been:

   (a) ascertained on the basis of paragraphs 1 to 3 by another person so authorised by the competent authority and acting under the control of that authority, provided that certifying authority can verify the accuracy of the data; or

   (b) obtained, within the context of monitoring programmes, by reference to officially recognised quality assurance schemes or by means of an epidemiological surveillance system where this is authorised under veterinary legislation.

5. The competent authorities of the Parties shall take all necessary steps to ensure the integrity of certification. In particular they shall ensure that certifying officers designated by them:

   (a) have a status which ensures their impartiality and have no direct commercial interest in the animals or products being certified or in the holdings or establishments in which they originate; and

   (b) are fully aware of the significance of the contents of each certificate which they sign.

6. Certificates shall be drawn up as to ensure a link between the certificate and the consignment,

at least in a language understood by the certifying officer and at least in one of the official languages of the importing Party as set out in C.

7. Each competent authority shall be in a position to link certificates with the relevant certifying officer and ensure that a copy of all certificates issued is available for a period to be determined by it.

8. Each Party shall introduce such checks and have such control measures taken as are necessary to prevent the issuing of false or misleading certification and the fraudulent production or use of certificates purported to be issued for the purposes of veterinary legislation.

9. Without prejudice to any legal proceedings or penalties, the competent authorities shall carry out investigations or checks and take appropriate measures to penalise any instances of false or misleading certification, which are brought to their attention. Such measures may include the temporary suspension of the certifying officers from their duties until the investigation is over. In particular:

   (a) if it is found in the course of the checks that a certifying officer has knowingly issued a fraudulent certificate, the competent authority shall take all necessary steps to ensure, as far as possible, that the person concerned cannot repeat the offence;

   (b) if it is found in the course of the checks that an individual or an undertaking has made fraudulent use of or has altered an official certificate, the competent authority shall take all necessary measures to ensure, as far as possible, that the individual or undertaking cannot repeat the offence. Such measures may include a refusal subsequently to issue an official certificate to the person or undertaking concerned.

B. Certificate referred to in Article 8(3)

The health attestation in the certificate reflects the status of equivalence of the commodity concerned. The health attestation states compliance with the production standards of the exporting Party recognised equivalent by the importing Party.

C. Official languages for certification

Import into Union

Plants, plant products and other goods:

The certificate must be drawn up in at least one of the official languages of the Union and preferably in one of the official languages of the Member State of destination.

Animals and animal products;

The health certificate must be drawn up in at least one of the official languages of the Member State of destination and in one of those of the Member State in which the import checks provided for in Article 11 are carried out.

Import into Chile

The health certificate must be drawn up in Spanish or another language, in which case a translation into Spanish must be provided.