

ANNEX IX

CERTIFICATION

A. Principles of certification

Plants and plant products and other objects:

In respect of certification of plants and plant products and other objects, the competent authorities shall apply the principles laid down in the relevant ISPMs

Animals and animal products:

1. The competent authorities of the Parties shall ensure that certifying officers have a satisfactory knowledge of the veterinary law as regards the animals or animal products to be certified and, in general, are informed about the rules to be followed for drawing up and issuing of 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 the latter document before signing.
4. A certifying officer may certify data which have been:
 - (a) ascertained on the basis of paragraphs 1 to 3 of this Annex by another person authorised by the competent authority and acting under the control of the latter authority, provided that the certifying officer can verify the accuracy of the data; or
 - (b) obtained, in 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 in order to ensure that a specific certificate refers to a specific consignment in a language understood by the certifying officer and in at least one of the official languages of the importing Party as set out in part C of this Annex.

The date of signature of the certificate cannot be after the date of dispatch of the consignment(s).

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

8. Each Party shall introduce the checks and the controls necessary to prevent the issuing of false or misleading certifications and the fraudulent production or use of certificates purported to be issued for the purpose set out in the veterinary law.

9. Without prejudice to any judicial 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 in the course of the checks it is found that a certifying officer has knowingly issued a fraudulent certificate, the competent authority shall take all necessary steps to ensure, as far as is possible, that the person concerned cannot repeat the offence;
- (b) if in the course of the checks it is found 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 the undertaking cannot repeat the offence. Such measures may include a refusal to issue an official certificate to the person or the undertaking concerned.

B. Certificate referred to in Article 162(2)(a) of this Agreement

Without prejudice to the importing Party's right to draw up certificates to reflect its levels of protection, the certificate may be jointly discussed by the Parties including through the SPS Sub-Committee.

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

1. Import into the UK. Plants, plant products and other objects:

Certificates shall be drawn up in a language understood by the certifying officer and in at least one of the official languages of the importing Party.

Animals and animal products:

The health certificate must be drawn up in at least one of the official languages of the UK.

2. Import into Republic of Moldova

The health certificate must be drawn up in the official language of the Republic of Moldova.