

CERTIFICATION

SECTION 1

COMMODITIES WITH EQUIVALENCE SPECIFIED IN
ANNEX 6-C (EQUIVALENCE RECOGNITION OF SPS MEASURES) – DECLARATIONS

For commodities with equivalence in Annex 6-C (Equivalence recognition of SPS measures) the following declarations are to be used:

- (a) the following model declaration (equivalence for plant health):

"The products herein described comply with the relevant (European Union/New Zealand ^(*)) standards and requirements which have been recognised as equivalent to the (New Zealand/European Union ^(*)) standards and requirements as prescribed in Chapter 6 (Sanitary and phytosanitary measures) of the Free Trade Agreement between the European Union and New Zealand."

* delete as appropriate.

and

- (b) the additional declarations described in Annex 6-C (Equivalence recognition of SPS measures) as relevant and referred to as "Special conditions" within Annex 6-C (Equivalence recognition of SPS measures).

SECTION 2

ELECTRONIC DATA TRANSMISSION

1. The exchange of original sanitary or phytosanitary health certificates, if required and justified pursuant to Article 6.8(3) (Certification), or other original documents may occur by secure methods of electronic data transmission offering adequate security guarantees.

2. Electronic data transmission information systems recognised as providing adequate security guarantees:
 - (a) New Zealand – E-cert and E-phyto; and

 - (b) Union – Trade Control and Expert System (TRACES).

3. A Party shall not use exclusively electronic certification, unless:
- (a) this Annex is amended by the Trade Committee to register the agreement of the other Party to that end; or
 - (b) the competent authority¹ of the other Party agrees, by correspondence, to such use.
4. Where electronic data transmission is exclusively used, the following contingency process shall be followed:
- (a) in the event of data exchange failure between the information systems an email containing a scanned copy of a signed (paper) certificate must be sent by the exporting Party to the importing Party's border inspection post until data exchange resumes;
 - (b) in the event of a systemic information system failure where export health certificates cannot be issued, the exporting Party shall email or convey by other means, the relevant consignment data and attestations to the importing Party's border inspection post until data exchange capability resumes.

¹ In the case of the Union, the term "competent authority" for the purposes of this Annex shall be understood as the European Commission, as specified in point (c) of Annex 6-A(A) (Competent authorities).

SECTION 3

CRISIS RESPONSE

In case of crisis situations derogations to Section 2 must be agreed between the competent authorities.
