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Ref

Your ref

22<sup>nd</sup> January 2007

Dear Nigel

### **Exclusion of Importers or Agents from the PEACH notification System**

You will be aware that the PEACH system is used by all importers and agents to notify Branch C of RPAI, formally HMI, in respect of third country consignments due to enter into the European Union through the United Kingdom border controls. This obligation is contained within regulation EC 1148/2001.

Almost all Importers and agents use the system correctly and give us the full information that we require. However there is a very small minority, who either fail to notify us of consignments, use incorrect Customs codes or falsely declare aspects of the consignment.

In order to counter this, we will from Thursday 1<sup>st</sup> March 2007 suspend such companies from the use of PEACH where we have proof of a deliberate attempt to circumvent the controls. This will deny their produce the concession of being Risk Assessed, and it will be selected for Inspection before it is released for entry into free circulation within the Community. The risk assessment part of the PEACH system is a concession to the trade to reduce the delay, which a full and mandatory inspection of every consignment entering the UK would cause.

This letter is to notify you of our intentions and the procedures that we will adopt. It will be published on our web site and a link added to the PEACH front page together with a Notice to Industry.

#### **The specific procedures:**

Where an inspector finds evidence of a deliberate attempt to circumvent the controls or failure of a company to notify us of a consignment arriving, the inspector will report this fact to their Regional Manager. Upon the Regional Manager being satisfied that the attempt to circumvent the controls was deliberate, the Regional Manager will write a letter to the responsible person at the Company concerned listing the details of the occurrence.

The letter will also notify the company that a repeat occurrence will lead to suspension from the PEACH system. If ultimately suspended all consignments will need to be notified to the appropriate local office through the paper application form (known as Paper PEACH). All consignments submitted through the Paper PEACH system will have a compulsory full inspection of the goods carried out. This may lead to significant delay to the consignments concerned.

The suspension from PEACH will be for a specific period, usually one calendar month, though this may be longer where a repeat offence occurs.

We would anticipate that it would be necessary in only a very small minority of cases to move to such a suspension. However, we are conscious that incorrect notification or deliberate circumvention of controls does give a commercial advantage to the offender and we do not believe that this is fair to the vast majority of companies who fulfil their obligations correctly.

I would be grateful if you could publicise this letter to your members.

Yours sincerely,

**Tony Crouch**

Head of Branch C, RPA Inspectorate  
Horticultural Marketing Inspections