**APPENDIX 10**

**Recording Results of Monthly Interventions**

**Guidance**

**April 2020**

**Introduction**

The main purpose for collating data from border control interventions is to provide OPSS with accurate data to inform intelligence analysis and future profiles/projects/campaigns. By using the same system for data logging, OPSS will be able to efficiently and effectively collate and analyse the results.

In addition, the data is currently collected to provide the EU Commission with statistical data in line with the implementation of the action plan associated with EU Reg. 765/2008.

This guidance document (customised by OPSS for use in the UK) contains guidance on how to record this data in a consistent way so that it is easier for the team to collate and analyse.

**General Information**

To achieve uniformity across MSAs, all border controls for non-food products are recorded on an agreed template. However, this template also includes other data required for purposes, e.g. for UK and EU returns. This makes it, at first sight, rather cumbersome, but it does ensure that MSAs can record what is needed, for a multiple of needs, in one place only.

The template has been amended to enable border authorities to include feedback from inland authorities following an intervention at a border point (relevant particularly to Trading Standards). This feedback should be logged in columns AC to AO. Intercepting unsafe and non-compliant products is a key result of an intervention. However, the longer-term objective is to change the behaviour of non-legitimate businesses and this is where the inland authority (Home Authority) has a key role. The action taken by them (or not as the case may be) also helps inform future controls and targeting, helping to establish the risk level for businesses. Therefore, obtaining feedback from them is crucial for effective controls.

The template is reviewed on a six-monthly basis and should be changed only by agreement of all MSAs.These reviews will also allow for any amendments as agreed by the Commission and Member States***. This does not prevent MSAs from adding to the template for their own specific purposes, but we would ask that returns to OPSS contain only those columns on the original template. Any additions to the basic template should be added after the core template i.e. after column AO. It was agreed at the CoPrImE meeting in January 2016 that the feedback columns would be returned separately to the main return (columns AC –AO) with one month’s lag.***

MSAs are invited to forward any comment on the use of the spread sheet or on any other item concerning the collection of statistics.

**Preliminary Remarks**

1. Some general comments about how to log information:
   1. Do not leave spaces at the start or end of any information
   2. Do not use commas
   3. Replace the ampersand (&) with the text “and”
   4. Always write “Ltd” in full i.e. “Limited”
   5. Do not leave blanks – if a column doesn’t have an appropriate option, contact OPSS so that an agreed option can be added, otherwise enter NA
   6. All dates should be in the format dd/mm/yyyy
   7. Do not leave cells empty except in the address columns.
   8. Where data is not available, enter NA. Do not use na or N/A or any other variations.

2. Please use the standard spread sheet model in Excel format. It may be that your version of Excel is different to that circulated by OPSS so please check that the drop-down lists etc operate effectively.

3. Drop down lists exist for columns D, F, G, H, J, L, O, AA, AB, AC - AO.

4. Please log details of all assessments/interventions at the border, whether or not products were sampled for further assessment. This allows OPSS to report on both the total number of "Interventions” and also the number/nature of products subsequently assessed as Unsafe &/or non-compliant.

5. Subsequent sheets in the workbook include information for the drop-down menu options of the different columns of the reporting sheet. Please do not amend these or responses will not be able to be collated in an efficient manner.

6. If one intervention contains assessment of a number of products, different countries or product categories or the combination of them, please register one product per row using the same case reference for all these different items.

7. All the boxes of the table must be filled in. Blank cells are difficult to analyse as it is not clear whether the lack of data is because the data is not known or just omitted. If no data/information is available then use NA. It may be difficult to identify the “CN-code” but this should be provided if possible. If you need help in identifying the CN-code, please contact OPSS.

8. Colour key:

Columns shaded grey indicate data required by the EU.

Columns shaded orange indicate data required by OPSS.

9. Options and detail for all drop down menu choices are included in subsequent pages of the excel workbook.

**COMPLETING THE WORKSHEET**

1. **Intervention date**

Include the date of the intervention. This is the date when the examination or first action takes place. All dates in the spreadsheet should be in the format dd/mm/yyyy

1. **Reporting country**

Provide the alpha-2 code i.e. UK for United Kingdom.

1. **Date of importation**

Where a customs declaration for the release for free circulation has been lodged, provide the date of acceptance of this declaration (this is identified on the entry documents as the date of entry). If unknown, provide the start date of the product safety and compliance control. Dates should be recorded as follows dd/mm/yyyy

1. **Referral method**

Use the drop-down menu to indicate how the consignment was identified to you. There are four options.

1. **Entry number**

This column is to register the unique reference number of the case. As reference number the CRN (Customs Reference Number) of the customs declaration or a unique number of the case should be used. The format is the three digits for the particular border point (e.g. 071 is Felixstowe) followed by the numbers and letter provided on the entry documentation.

1. **Express courier**

Indicate whether the consignment is transported by an express courier service or not. If this is unknown then indicate “no”. Choose either “yes” or “no” from the drop-down menu.

1. **Means of transport**

This column stands for the mode of transportation used to bring the goods into the EU territory. Choose one of the following modes of transport from the drop-down menu in the spread sheet column. There are six options:

1 Sea transport

2 Rail transport

3 Road transport

4 Air transport

5 Postal consignment

8 Inland waterway transport

1. **Country of origin**

This column stands for the country of origin of the products in the same sense as used for box 34a of the C88 or Administrative Document (SAD). Choose the country from the dropdown menu in the spread sheet column.

1. **Internal reference number**

This column is for your internal referencing number. This provides other authorities with relevant details should they wish to contact you regarding this sample/result.

1. **Product**

Choose one of the products from the drop-down menu in the spread sheet column. The categories of products are laid down in the additional worksheets. Do not use free text.

1. **Description of product**

Include free text to identify the particular type of product e.g. plush toy, wooden jigsaw, hair straighteners etc. Please avoid generic descriptions such as “Cosmetics” as this prevents us from identifying the type of product.

1. **Applicable legal act**

Choose, from the dropdown menu in the spread sheet column, the EU legal act on which the unsafety or non-compliance was established. For non-compliance with a UK measure, you may wish to include a reference to the corresponding national measure. In that case make reference in a column P. There should still be an entry in Column L matching the best fit. There should always be an applicable legal act. If there is no sector specific act, then GPSR normally applies.

1. **CN code**

Provide the CN-Code (where available) as published in the Annex I of Regulation (EEC) No 2658/87 if possible. Please include the first five numbers e.g. 95030 for toys. If the CN code is not available, it can be found on the website. [The Online Trade Tariff: Look up commodity codes, import duty, VAT and controls - GOV.UK (trade-tariff.service.gov.uk)](https://www.trade-tariff.service.gov.uk/sections)

1. **Quantity of goods**

“Quantities” should be given in **actual or estimated** **number of pieces**. This column is now subject to data validation so that only the actual or estimated number of products/pieces can be recorded.

For example:

1. consignment of 10 cartons each of which contains 5,000 parts: register in the column "Quantity” 50,000
2. consignment of a total of 10,000 batteries in 1,000 packages for retail sale: register in the column "Quantity” 10,000.

In cases where the goods are traded in pairs, count one pair as one piece. In cases of products transported in bulk consider one kilogram as one piece.

1. **Result**

In this column the result of the intervention should be provided indicating either:

* **not released for free circulation**   
    
  This refers to the following cases:  
    
  - all cases where the release for free circulation was refused by customs based on the decision of MSAs

- cases like goods refused entry or destruction of goods

- This should be used whenever the product was unsafe

* **released for free circulation because of modification**   
    
  This refers to the following cases:   
    
  - cases, where goods were modified under customs/MSA control before their release for free circulation   
  - cases, where the goods were released for free circulation but Market Surveillance Authority has taken over the responsibility to control that the goods are modified before they are placed on the market (for example: instructions for use or a declaration of conformity are missing and provided at a later stage).

- cases where the non-compliance was sufficiently minor that it was felt appropriate to release the goods

- this will therefore include products released without modification

**For goods assessed as no non-compliances identified**, use the “released for free circulation no modification required”.

1. **Comments**

Add any additional remarks on the case if you wish.

1. **Importer name**

Include full name of importer as identified on entry documentation or other relevant documentation but using “and” instead of “&” and “Limited” instead of “Ltd.”

1. **–** X**. Importer full address separated by line of address**.

Include the full address of the importer separated by line of address as per column headings.

1. **Importer county**

This is likely to be the UK but may not be.

1. **Postcode**

Include the importers postcode where known.

1. **Importer VAT number**

Provide importer VAT or EORI number where known. This is the one unique identifying feature for a business (even where names are slightly different) so is important information where known. If not known, please enter NA

1. **Consignor/exporter name**

Provide exporter/consignor name where known. This is important for targeting as far up the supply chain as possible.

AA**. Assessment method**

Please use the drop-down list to identify how the product was assessed.  There is a clear purpose to this.  When officers receive details of a consignment for assessment, they often search the data returns to help them make a decision as to what approach would be most appropriate.  This includes any previous assessment methodology used.  So, at one end of the spectrum, you might have more confidence in that assessment if it had been as a result of testing by an appropriate test lab.  At the other end of the spectrum, you might feel you can have less confidence in a desk top assessment where only documentation was considered without any physical checks.  This might be because you don’t know that the paperwork actually related to the products in the consignment.  Therefore, we are asking you to choose one methodology.  However, selecting, for example, physical examination doesn’t necessarily mean you didn’t also carry out a desk top exam.  Similarly, testing in a lab may well have been preceded by either or both of the other choices.  We are merely trying to establish a simple “hierarchy” of assessment for the sole purpose of helping colleagues in the future.

AB. **Result of assessment.**

Use drop down menu to indicate whether the product was assessed (by whatever means) as No non-compliances identified, non-compliant, unsafe or pending. Use pending only where test results are awaited**.**

AC-AO **feedback**

Use drop down menus **for each action taken by the Inland Authority** following a referral from the border authority. The options are only “yes” or “no”. Complete for each individual unsafe/non-compliant product referred.

For further information or assistance, contact OPSS Ports & Borders Operations Team

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