USMEF Guidance Document: EU High Quality Beef Quota Documentation

Background: In 2009 the EU opened a zero duty quota for high quality beef (HQB), making U.S. beef eligible for two different beef quotas, duty free and the previously existing 'Hilton' quota subject to 20% duty. The EU allocated a U.S.-specific share of the HQB in January 2020 and the agreement will be fully implemented in January 2026, allocating 35,000 mt per year to the U.S. The duty-free HQB quota is managed on a quarterly basis, first come first served. The Hilton quota has an in-quota rate of 20% for volume of 10,500 mt. Both quotas are operated on a July-June quota year. The EU page of the USDA/FSIS Export Library includes instructions for the documentation (Documentation Requirements, section A (3)) required for utilization of each of the two quotas. EU importers are responsible for securing allocations of the quotas; it is the importer's responsibility to communicate to the exporter which quota documentation to complete and submit for each shipment. Please find below the referenced excerpts from the FSIS Export Library and additional guidance from USMEF. **Note: Export library excerpts are italicized, and USMEF guidance is in red.**

3. *The following letterhead certificates may be issued if the applicant provides a completed and signed AMS Statement of Verification (SOV) for High Quality Beef and has documentation that associates the SOV with the specified product:*

Guidance: The AMS SOV document is the USDA QAD 1013C Form. This form is required for each beef shipment that is exported under **either the zero duty (HQB) or the 20% duty (Hilton) quota** and must be filled out by a USDA-AMS grader. The plant is then responsible for making sure the form is given to the USDA-FSIS inspector for completion. Next, the USDA-FSIS inspector will fill out the appropriate quota form, described below.

a. *If Statement A on the SOV is marked OR the beef is graded U.S. Choice or higher:*
   i. *Use FSIS Letterhead Certificate Authenticity for Beef and Veal with Regulation (EU) 2020/761.*
   ii. *The export stamp should be applied in Box 11 to the left of the signature, as well as to the second page of the certificate.*

Guidance: FSIS Letterhead Certificate, FSIS Form 2630-9(6/86) is the document used to send U.S. beef and veal to the EU using the 20% duty Hilton quota. Cattle can qualify for this duty if they were raised in the NHTC program and grade USDA Choice or higher, OR if they meet the feeding and age requirements described on page two of the document (and on the SOV form as Option A). The only difference between this Letterhead Certificate (for the Certificate of Authenticity) and the one below is the EU Regulation cited, 2020/761 for the Hilton quota. Please verify you're using the correct form(s).

b. *If Statement B on the SOV is marked:*
   i. *Use FSIS Letterhead Certificate Authenticity for Beef and Veal with Regulation (EU) No 2020/1988.*

ii. *The export stamp should be applied in Box 11 to the left of the signature, as well as to the second page of the certificate.*

Guidance: FSIS Letterhead Certificate FSIS Form 2630-9 (6/86) is the document used to send U.S. beef and veal to the EU using the **zero duty HQB quota**. Cattle can qualify for this quota if they were raised in the NHTC program and meet the requirements detailed on page two of the certificate which includes meeting the feeding and age requirements AND having been presented to a USDA employed grader. The only difference between this Letterhead Certificate (for the Certificate of Authenticity) and the one above is the EU Regulation cited, so 2020/1988 for the HQB quota.

c. If both Statements A and B are checked on the AMS Statement of Verification, FSIS will issue either or both of the previously mentioned letterhead certificates upon request. The applicant will need to complete and present the requested letterhead certificate(s) that corresponds with the EU Regulation the product will ship under.

d. FSIS will simultaneously issue both of the previously mentioned letterhead certificates for a single export consignment that is covered by one 9060-5, Export Certificate of Wholesomeness, provided that the AMS Statement of Verification has both statements A and B checked. Each of the requested certificates may cover the entire shipment. When the certificates overlap, i.e. cover the same product(s), the exporter is to present the single certificate of their choice for entry into the EU. When the certificates do not overlap, the exporter may present both certificates for entry into the EU.

e. A Certificate of Authenticity may be issued after the FSIS 9060-5 and the EU veterinary certificate have been issued and after the product has left the U.S. if the applicant provides an AMS SOV for the certified product. FSIS will issue a replacement Certificate of Authenticity if the original certificate is returned to the certifying official. The replacement Certificate of Authenticity may be issued as a stand-alone document if all other certificates (FSIS and EU) are accurate and the only change is to the Certificate of Authenticity. FSIS will apply the current date to any replacement Certificate of Authenticity.

Guidance: Exporters do have the ability to request and receive both the zero duty (Statement B) and the 20% duty (Statement A) quota certificates through the replacement certificate procedure. For example, if an exporter/importer believes there is a chance of obtaining a zero duty license, the exporter will request the zero duty certificate (Statement B). In the event that the license cannot be secured and the product has already shipped (but not cleared customs) there is the ability to request from FSIS a **replacement quota certificate** which would be the 20% duty certificate. This procedure is customary for FSIS for issuing replacement health certificates. This scenario was relevant prior to the EU allocating the U.S. a country-specific share of the HQB quota, effective January 2020. Since the HQB is not fully utilized, this scenario has not been relevant recently.

Splitting a shipment between the two quotas is also possible, but can only be accomplished

through the replacement certificate process. For example, if a license for the zero duty was secured but for a smaller volume than the shipment contains, the exporter can request a **split replacement quota certificate** where part of the shipment may be under the zero duty quota certificate and the other portion of the shipment may be under the 20% duty quota certificate. In this instance, it is important that the volume totals match up with the volume of the shipment. Similar to above, this scenario was relevant prior to the allocation of the HQB quota to the U.S.

4. *Certificate of Authenticity for Bison*

Note: Bison is not eligible for the high quality beef quota B. Shipments of bison must only use the FSIS Letterhead Certificate with the reference to Regulation (EU) No 2020/761 for shipments (quota A). FSIS PHVs should not certify bison under the high quality beef quota, quota B, and the letterhead certificate with the reference to Regulation (EU) No 2020/1988.

FSIS Letterhead Certificate of Authenticity, may be issued upon request of the applicant when producer affidavits are provided to FSIS personnel as part of the export certificate application. The affidavits must attest to the origin of the animals (U.S. or Canada) and that the animals meet the age and feeding requirement stated on the certificate.