

Dear Laszlo,

Thank you for bringing this to our attention.

I think the German proposal is better than the original proposal, however, we need to include a reference to “where appropriate” to cover the cases in which there is no legal basis for electronic certification. In the German proposal I like the details for the agreement, as I think it would be useful to lay down such details.

In any case, for the SPS certificates, the choice between electronic and paper form is not up to the contracting parties but depends on the provisions of the SPS regulations. Therefore, some wording should refer to the existence of such legislation. We know that it was planned to add something about it in the Explanatory Report, but we are wondering if it would not be clearer to include it in Article 6a(§1).

For instance:

"The consignment note and accompanying documents shall be established in electronic or paper form, provided that it is in line with the provisions of the relevant laws. This is particularly the case for accompanying documents, such as sanitary and phytosanitary certificates".

Kind regards –

Patricia