To:

All those on the attached list

Dear Sir/Madam

THIRD COUNTRY IMPORTS: NEW ANIMAL HEALTH CERTIFICATION

1. My letters of 29 April and 30 July provided guidance on the operation of the new animal health certification requirements which came into force on 1 May 2004 in respect of the import of live fish and fish products, and molluscs. The purpose of this letter is to provide an update on implementation during this transitional phase and let you have details of further changes that have been made to EU legislation since July.

EU legislation


3. No further amendments have been made to Decision 2003/804 (molluscs) since SANCO 10322/2004 rev 3 and SANCO 10376/2004 rev 1 that were enclosed with my 30 July letter. You may wish to be aware however that both documents were published last summer as Commission Decisions 2004/623/EC and 2004/609/EC respectively. (The website links for all published EU legislation relating to the new import controls are at Appendix 1.)

Implementation and transitional arrangements

5. The transitional arrangements outlined at paragraph 4 of my letter of 30 July relating to the import of live fish, molluscs and their products will continue to apply until further notice. This will allow importers and their export sources time to familiarise themselves with the changes to the model animal health certificates for the import of live fish and fish products of aquaculture origin outlined in Decision 2004/914 and explained more fully below (old and new versions of these certificates will be accepted during this period). This also means that licensing controls (where applicable) will continue to operate alongside the new animal health certificates on the basis of the advice outlined in my previous letters.

**Completion of certificates**

6. Errors continue to be made by export sources when completing the new certificates. Importers should ensure that their contacts in third countries take steps as a matter of urgency to ensure that the animal health certificates are completed in accordance with the updated guidance given at Appendices 2 and 3. If anyone has any queries about this guidance or on any of the requirements in the certificates that have to be satisfied to import into Great Britain they should set out their concerns in writing and send them to Pansy Barrett, Room 106 at the above address (e-mail pansy.barrett@defra.gsi.gov.uk or tel no. 020 7270 8242)

7. We are in the process of finalising definitive guidance on implementation of the new certification in Decision 804 and 858 (as amended) in the UK. This will draw on some of guidance that the Commission have produced in a working document to Member States on both Decisions. We hope to make our guidance and a web-based version of the animal health certificates relating to the import of live fish available in the early part of the New Year.

8. Please note that Fish Health Inspectors monitor all consignments where there are irregularities in documentation and they will take action if any are likely to pose a risk to the fish health status of this country.

**Amendments to Decision 2003/858 made by Decision 2004/914**

9. The model animal health certificates in 2003/858 relating to the import of live fish and fish products of aquaculture origin have been amended and replaced by the certificates Annexed to 2004/914. Details of the main changes are set out below.

Annex II Certificate (Import of live fish)

9.1 Insertion of a new “or” provision in section 6.1 of the certificate to allow the import of live fish from a territory where species susceptible to ISA, EHN, VHS and IHN are absent from all farms and natural waters.

9.2 Insertion of a new “or” provision in section 7.1 to allow import into a VHS and IHN approved zone (such as GB) of species that originate from a farm connected with a watercourse, coastal or estuarial waters but where the competent authority has recognised that neither the farm nor water sources contain any fish susceptible to VHS and IHN.
Annex IV Certificate (Import of fish products of aquaculture origin for processing before human consumption)

9.3 The certificate has been re-cast and simplified to make clear that specific certification requirements apply only to those species susceptible to EHN, ISA VHS and IHN and that all other species may be imported in accordance with a general requirement which requires an attestation that the fish showed no clinical signs of disease at the point of inspection. The changes have also been reflected in revised Article 4 in Decision 2004/914.

Annex V Certificate (Import of fish products of aquaculture origin for immediate human consumption)

9.4 The certificate had been re-cast and simplified no longer to require a specific animal health labelling declaration. Revised Article 6 in the Decision 2004/914 makes clear that consignments of fish products of aquaculture origin for immediate human consumption may be imported only if they comply with the public health requirements of Directive 91/493/EC including the labelling requirements of that measure. It also states that the fish products concerned must be suitable for retail sale to restaurants or directly to the consumer without further processing. This would not preclude the import of such consignments in bulk for splitting into smaller packages if the operation involved the act of repackaging only without any form of further processing of the product being repackaged (e.g. frozen blocks of fish products being packaged for retail sale).

Other changes

9.5 A number of other changes have been made in relation to the import of live fish for human consumption under the Annex II certificate and to control measures addressed to member states.

Contact Numbers

10. If you have any queries about the import of live fish or molluscs please contact the Fish Health Inspectorate at the CEFAS Weymouth Laboratory, Barrack Road, The Nothe, Weymouth, Dorset DT4 8UB tel no: 01305 206673/4 (e-mail: Fish.Health.Inspectorate@cefas.co.uk). If you have queries about the import of fish products of aquaculture origin please contact Pansy Barrett at the address given in paragraph 6 above (queries relating to public health aspects of such imports should be addressed to the Food Standards Agency imported food helpline 020 7276 8018).

Yours faithfully

David Mullin

David V Mullin
Fisheries Division IIA
(Aquaculture, Salmon and Freshwater Fisheries)
DISTRIBUTION

All importers of live fish and shellfish

Afrotaste Foods
Animal Transportation Association
Anglers Conservation Association
Angling Foundation
Angling Trade Association
Associated British Salted Fish Curers and Exporters
Association of Fish Canners
Association of London Government
Association of Port Health Authorities
Association of Sea Fisheries Committees
Atlantic Salmon Trust
Barton & Hart
Birmingham City Council
British Association of Canned Food Importers and Distributors/British Imports and Distributors Association
British Frozen Food Federation
British Marine Finfish Association
British Ports Authority
British Ports Association
British Retail Consortium
British Trout Association
British Trout Farmers Re-stocking Association
British Veterinary Association
British Waterways
Burnham Oyster
Caviar house Ltd
C-export Ltd
Calshot Oyster Fishermen Ltd
Carp Society
Chartered Institute of Environmental Health Officers
Chilled Food Association
Cold Storage and Distribution Federation
Commercial Coarse Fisheries Association
Consumers Association
Conway Mussel Fishermen’s Association
Country Land and Business Association
Crown Estates Office
CWS (Trade Association)
English Carp Heritage Organisation
English Nature
Federation of British Aquarist Societies
Federation of British Ports
South West Fish Merchants and Processors’ Federation
South Western Fish Buyer’s and Processors’ Association
South West Wales Angling Federation
South West Rivers Association
Sungate Investments Ltd
The Salmon Poachers
T & S Enterprises (London) Ltd
UK Association of Frozen Food Producers
UK Fish Canners
UK Fish Merchants and Processors Association
Vision Seafoods Ltd
Water Companies Association
Water Research Centre
Welsh Development Agency
Welsh Federation of Coarse Anglers
Welsh Salmon and Trout Angling Association
Wye Salmon Fishery Owners Association
INTERNET LINKS TO CONSULTATION LETTERS AND RELEVANT EU LEGISLATION

Consultation Letters


http://www.efishbusiness.co.uk/news/040430.asp

EU legislation


amended by


Commission Decision 2004/914/EC of 16 December 2004 amending Decision 2003/858 as regards imports of live fish of aquaculture origin and products thereof for further processing or immediate human consumption. (The draft Decision amends articles 2, 4, 5, 6, 7, 8, replaces the animal health certificates and explanatory notes at Annexes II, III, IV, V, and deletes Annex VI of Decision 2003/858.)


Commission Decision 2003/804/EC of 14 November 2003 laying down the animal health conditions and certification requirements for imports of molluscs, their eggs and gametes for further growth, fattening, relaying or human consumption


amended by

