Dear Sir/Madam

THIRD COUNTRY IMPORTS: NEW ANIMAL HEALTH CERTIFICATION

1. In my letter of 29 April I gave details of the new animal health certification arrangement laid down in Commission Decisions 2003/858 (fish and fish products) and Commission Decision 2003/804 (molluscs) and the transitional arrangements for implementing them from 1 May to the 31 July. The purpose of this letter is to provide an update on developments in this period and to let you have details of the import controls that will operate from 1 August 2004. (Both letters are available for downloading from the website links at Appendix 1.)

EU legislation

2. No further amendments have been made to Decision 2003/858 since SANCO 10061/2004 rev 3 that was enclosed with my previous letter. You may wish to be aware however that this document was published in June as Commission Decision 2004/454.

3. Two further amendments have been made to Decision 2003/804 since Decision 2004/319 that was enclosed with my previous letter. Copies of the two new amendments, SANCO 10322/2004 rev 3 and SANCO 10376/2004 rev 1, are enclosed and details of their effect on the existing import controls are explained in paragraphs 9 and 10 below. (The website links for all published EU legislation are at Appendix 1.)

Import controls from 1 August 2004

4. The transitional arrangements allowing existing licensing controls (where applicable) to operate alongside the new animal health certification will continue for a further period from 1 August pending the making of national legislation and to enable further discussion to take place with the EU Commission on some aspects of the new measures. Details of the controls are given in paragraphs 3 to 11 of my previous letter and should now be read with the additional information given below.
**Live Fish**

5. A number of the Annex II animal health certificates accompanying consignments of live fish during the past three months have been completed incorrectly by official inspectors of exporting countries and I understand that the reason given by some has been the complex nature of the new certificates.

6. In order to lessen the scope for error in future, importers are strongly advised to provide as much information as possible about the nature of the consignment on form DOF 7 and submit it to the CEFAS Weymouth Laboratory, Barrack Road, The Nothe, Weymouth, Dorset DT4 8UB Tel No: 01305 206673/4 (e-mail address: Fish.Health.Inspectorate@cefas.co.uk). As was made clear in my previous letter, we have drawn up a series of model versions of the Annex II certificate to cover different importation scenarios and the information received on the DOF 7 should help identify the version most relevant to the intended consignment.

7. We have also prepared additional guidance at Appendix 2 on the sections of the Annex II certificate that need to be completed in order to import all species of fish covered by Decision 2003/858 into Great Britain.

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.

**Live molluscs**

9. SANCO 10322/2004 rev 3 amends the requirements relating to the import of live molluscs for immediate human consumption in Decision 2003/804 and includes the latest version of the Annex II certificate. The amended Article 4 now allows molluscs originating in establishments authorised under article 9 of Directive 91/492 and Article 11 of Directive 91/493 and complying with public health certification requirements in those Directives to enter Great Britain without having to complete the Annex II animal health certification requirements in the following circumstances only:

(a) if the consignment consists of molluscs packed in packages of a size suitable for retail sale to restaurants or direct to the consumer and the packages are labelled "Live molluscs for immediate human consumption. Not to be relayed in Community waters". [The Commission have indicated as a guide only that consumer ready packages might be regarded as in "baskets" (oysters) or under controlled atmosphere (mussels), with a size of 1-3kg. Molluscs destined for restaurant or catering purposes may be in larger packages such as boxes or nets weighing between 5-25 kg;] or alternatively

(b) if the molluscs are imported in bulk they may enter the country under the conditions described above if they are sent to an approved import centre for further processing (e.g for repackaging into smaller package units). When leaving that centre the packages would have to be labelled as described in (a) above.
Please Note: the minimum animal health conditions for the approval of “Approved Import Centres” are specified at Annex V of Commission Decision 2003/804. Currently no establishments in Great Britain have been approved as “Approved Import Centres.” Further information about the application process will be made available shortly.

10. SANCO 10376/2004 rev 1 amends Annex I of Decision 2003/804 to enable live molluscs from certain third countries to be imported into parts of the EU for further growth, fattening or relaying and for further processing before human consumption subject to the shellfish health status of the Member State.

Fish Products

11. Under Articles 5 and 6 of Commission Decision 2003/858 animal health certification arrangements are required in respect of the import of fish products of aquaculture origin for further processing, and fish products of aquaculture origin for immediate human consumption. In both cases imports are permitted only if the fish originate in third countries and establishment authorised under Article 11 of Directive 91/493 and comply with the public health certification requirements of that Directive. Details of the certification requirements for importation into Great Britain are given below.

12. The Annex IV animal health certificate in Decision 2003/858 must be completed in respect of fish products of aquaculture origin for further processing before human consumption. The arrangements apply to fish products of all species of fish of aquaculture origin but some parts of the certificate relating to more stringent fish health requirements apply only to certain fish products from species of fish susceptible to the diseases ISA, EHN, VHS and IHN. A list of the susceptible species is given at indicative notes (3) of Annex IV but please note that this list should not include reference to species susceptible to SVC as stated.

13. Fish Products of susceptible species imported into Great Britain under these arrangements have to be imported into “Approved Import Centres” (see note in paragraph 9 (b)) unless the fish have been eviscerated before despatch or, in the case of the susceptible species, the place of origin has the same health status as Great Britain with regard to the four diseases (i.e. freedom from the diseases referred to in paragraph 12). We have prepared additional guidance at Appendix 3 on the sections of the Annex IV certificate that need to be completed in order to import the fish products into Great Britain.

14. The Annex V animal health certificate in Decision 2003/858 must be completed in respect of fish products of aquaculture origin for immediate human consumption. This certificate is required in respect of all species of fish covered by Decision 2003/858 being imported in consumer ready packages for direct retail sale to the end consumer such as vacuum packed fillets, frozen blocks of fishmeat etc (Article 6 refers). We are advised by the Commission that the labelling requirement for these products only has to be attached to outer containers of consignments (it does not have to appear on packaging for retail sale).
15 Anyone wishing to import direct into or tranship via another Member State should check animal health certification requirements with the appropriate competent authority of the Member State concerned or the CEFAS contact referred to above. It is likely that such importations from 1 May will be permitted only on the basis of the new animal health certification arrangements.

16. The new arrangements do not apply to the import of tropical ornamental fish and shellfish or to the import of crustacea. The import of these species will remain subject to existing national controls until further notice. The new arrangements will however apply to the import of cold water ornamental fish.

17. If you have any comments on this letter please contact Keith Crane on 020 7270 8210 or Pansy Barrett on 020 7270 8242. If you require more information about the third country import arrangements please contact CEFAS at the above address.

Yours faithfully

David Mullin

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(Aquaculture, Salmon and Freshwater Fisheries)
DISTRIBUTION

All holders of live fish and shellfish import licences

Afrotaste Foods
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 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
Federation of British Wholesale Fish Merchants’ Association
Fishmonger’s Company
Fish Producer’s Organisation
Fish Veterinary Society
Food and Drink Federation
Gram Ltd
Halal Food Authority
Independent Food Retailers’ Confederation
Institute of Fisheries Management
Institute of Freshwater Ecology
Isle of Man Fish Processors’ Association
John West Foods Ltd
Joint Nature Conservation Committee
LACORS
Landauer Seafoods Ltd
Leatherhead Food RA
Local Government Association
London Port Health Authority
Marr Foods Ltd
National Angling Alliance
National Association of British Market Authorities
National Association of Fisheries and Angling Consultatives
National Association of Specialist Anglers
National Consumer Council
National Farmers Union
National Federation of Anglers, Fisheries and Conservation
National Federation of Consumer Groups
National Federation of Fishermen’s Organisations
National Federation of Fishmongers
National Federation of Fish Fryers Ltd
National Federation of Inland Wholesale Fish Merchants
National Federation of Sea Anglers
Northern Ireland Fish Processors’ and Exporters, Association
Ornamental Aquatic Trade Association
Pet Care Trust
Prepared Fish Products Association
Professional Koi Dealers Association
Ray Seafoods Ltd
Salmon and Trout Association
Seachill Ltd
Sea Fish Industry Authority
Seafood Processors Association Ltd
Sealord Europe Ltd
Sea Products International Ltd
Selsea Fish & Lobster Co Ltd
Severn Fisheries Consultative Council
Shellfish Association of Great Britain
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
Appendix I

INTERNET LINKS TO CONSULTATION LETTERS AND RELEVANT EU LEGISLATION

Consultation

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

EU legislation


The Annexes to this Decision were replaced by Annexes in Commission Decision 2004/454/EC of 29 April 2004. Annex I lists the third countries eligible to import into the EU from 1 May and also amends the Annex II health certificate to incorporate the additional guarantees granted to the UK and some other Member States at the end of March 2004

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

Annex I to this Decision was replaced by Annex I in Commission Decision 2004/319/EC of 30 March 2004. This lists the third countries eligible to import live bivalve molluscs into the EU for immediate human consumption from 1 May

Two further amendments are pending (SANCO 10322/2004 rev 3 and SANCO 10376/2004 rev 1) but have not as yet been published and are not available from internet sources.