



## **SEAFOOD IMPORTS: LEGISLATION AND OFFICIAL PROCEDURES**

### **Why have controls on seafood imports?**

Import controls are in place to protect human and animal health. Food originating outside the UK may have been produced to different standards to the ones in force throughout the EU. Border controls ensure that only food that meets national food safety legislation, and therefore poses no risk to public health, is allowed into the country. Examples of food that would be stopped at the border are fish containing unacceptable levels of mercury, or shellfish containing natural toxins.

Importing foodstuffs, if uncontrolled, also carries the risk of introducing pests and diseases. The importation of seafood and live fish into the UK is controlled to prevent imported fish diseases from affecting our natural stocks.

### **How does the UK decide which controls to put in place?**

The UK operates trade controls according to the requirements of international law, the requirements as laid down by EU legislation and requirements specific to the UK.

The UK, together with all the other member states of the EU, is a member of the World Trade Organisation (WTO), which incorporates the General Agreement on Tariffs and Trade (GATT). The GATT requires equal treatment between imports from one country with those from all other countries. Restrictions to trade may be imposed only in certain specific circumstances. One of these circumstances is where it is 'necessary to protect human, animal or plant life or health'.

As regards EU law, restrictions on trade between EU states are largely prohibited, although there are some exceptions to this. Certain restrictions on trade between member states are allowed if they are to protect the health of humans, animals or plants, or public policy, public security or public morality.

### **What is the main legislation dealing with imports?**

The main obligation in the UK is to comply with the conditions set out in **The Products of Animal Origin (Third Country Imports) (England) Regulations 2006** (as amended) and similar regulations for Scotland, Wales and Northern Ireland (see Annex I of this document). The regulations implement in UK law the veterinary controls required by the EU's **Veterinary Checks Directive (97/78/EC)**. The Directive prescribes that seafood originating from third countries has to be imported via a Border Inspection Post (BIP) and subjected to a series of veterinary checks.

Some of the checks required by the Veterinary Checks Directive are described in **Regulation 136/2004**. The 136/2004 Regulation also contains a sample Common Veterinary Entry Document (CVED) and guidance for filling it out.

Seafood production in third countries has to match EU standards in terms of hygiene and food safety. That means that it is covered by the same general principles of food law and food safety as exist in the EU. These general principles are laid out in **Council Regulation 178/2002**.

Health conditions for the production and placing on the market of fishery products are laid down in the consolidated **Hygiene Regulations 852/2004, 853/2004 and 854/2004 and Official Feed and Food Control Regulation 882/2004**. The EU has issued guidance on import requirements and the new hygiene rules. It is available here: [http://ec.europa.eu/food/international/trade/interpretation\\_imports.pdf](http://ec.europa.eu/food/international/trade/interpretation_imports.pdf). Seafish has issued guidance on how these laws apply specifically to seafood. There is also other legislation covering animal health, food standards, maximum residue levels etc.

### **Who regulates seafood imports in the UK?**

A number of government departments, agencies and Local Authorities (LAs) are involved in the regulation of seafood imports.

The Food Standards Agency (FSA) is responsible for public health aspects of food imported into the UK. It has particular responsibility for policy issues for imports of fishery products and shellfish. The FSA Imported Food Division (see Annex III for contact details) assists and co-ordinates LAs at ports and inland in enforcing import regulations.

Defra is responsible for the administration of the veterinary checks regime for products of animal origin (POAO) and live animal imports into England. Responsibility for policy on EU rules for imports of animal products is shared between Defra and the FSA: Defra has responsibility for the animal health aspects, and the FSA responsibility for the food safety aspects, including those relating to residues of veterinary medicines or banned substances. Because the issues of animal health and public health are very often overlapping, Defra works closely with the FSA on matters of food imports.

Live fish imports are controlled by Defra and its Fish Health Inspectorate (FHI) (and by the Scottish Government Marine Directorate (SGMD) in Scotland and the Department of Agriculture and Rural Development (DARD) in Northern Ireland).

Defra administers legitimate imports under the protocol that controls trade in endangered species (CITES). Her Majesty's Revenue and Customs (HMRC) officers control illegal imports of endangered species.

Animal Health (formerly the State Veterinary Service), administered by Defra, is responsible for live fish and other aquatic creatures and for POAO veterinary checks at Border Inspection Posts (BIPs) where the POAO is not intended for human consumption.

LAs and Port Health Authorities (PHAs) are responsible for food safety and food standards at ports of entry. PHAs are responsible for providing Official Fish Inspectors (OFIs), keeping the BIPs equipped and run properly and collecting

charges for veterinary checks. OFIs check seafood as required by the Veterinary Checks Directive, check and complete the Common Veterinary Entry Certificate (CVED), and liaise with HMRC officers in the identification of illegal seafood. The OFI issues rejection notices if the consignment is rejected and ensures correct disposal. The OFI, or any officer authorised by the LA, has extensive powers, and can enter any building (except private homes) and open and inspect any package, including personal luggage.

HMRC (Customs) officers are responsible for identifying prohibited and restricted goods. They receive notification of all goods imported from third countries. HMRC will assist the LA by e.g. not releasing a consignment of seafood until the OFI has completed the statutory veterinary checks.

Many of the import controls are devolved, so that the equivalent agencies in Scotland, Wales and Northern Ireland implement the controls in their respective areas. They are presented in the table below\*.

Organisation	England	Wales	Scotland	Northern Ireland
HMRC	✓	✓	✓	✓
FSA	✓	✓	✓	✓
Defra Animal Health	✓	✓	SGMD	DARD Veterinary Service
Defra Fish Health Inspectorate	✓	✓	SGMD	DARD
Defra Marine and Fisheries Agency	✓	✓	SGMD	DARD EHOs
LAs at ports	✓	✓	✓	✓

SGMD: Scottish Government Marine Directorate

DARD: Northern Ireland Department of Agriculture and Rural Development

The scope for UK ministers to introduce their own food import laws for their administrative areas is strictly limited, because most legislation comes from the EU and usually, in this field, leaves very little room for interpretation. The result is that legislation and statutory instruments or their equivalents in the devolved administrations are very similar.

## Who does what in Europe?

The Health and Consumer Protection Directorate General of the EU, usually known as DG Sanco, is tasked with keeping public health, food safety and consumer affairs legislation up to date. It ensures that food safety and animal health legislation is

\* Adapted from Machinery of Government Secretariat (November 2002). The Organisation of the Government's Controls of Imports of Animals, Fish, Plants and their Products. The Cabinet Office, London.

applied properly in member states (through the Food and Veterinary Office (FVO), see below) and provides the Rapid Alert System for Food and Feed (RASFF).

The purpose of RASFF is to provide authorities such as the FSA with a tool for exchanging food and feed safety information between, Member States. So if, say, food contamination is detected in Italy, the rapid alert system quickly supplies the UK with the details of the contaminated food. If the food is in circulation in the UK, the UK authorities can then take measures e.g. to recall the food, increase checks at borders and alert the public. The legal basis of RASFF is laid down in Regulation 178/2002/EC.

The main task of the FVO is to ensure that EU legislation that concerns food safety and animal health is properly implemented and enforced. This role includes ensuring compliance with EU food safety and quality standards in third countries exporting to the EU. As competent authorities in the UK, the FSA and Defra are subject to regular checks by the FVO. The FVO also regularly audits and inspects BIPs for compliance with EU legislation.

The European Food Safety Authority (EFSA) provides the European Commission with independent scientific advice on all matters with a direct or indirect impact on food safety. The legal basis for its foundation is Regulation 178/2002/EC.

### **What is a 'third country'?**

These are countries that are not EU member states. Iceland, Faeroe Islands, Norway, Andorra and San Marino enjoy a similar status to EU member states in most activities involving imports and are therefore not considered third countries.

### **Which third countries can I import from?**

The country of origin of the seafood to be imported must be on a list of countries approved by the EU (List I or List II). List I exporting countries are set out in Commission Decision 2006/766/EC, amended by Decision 2008/156 for fish and fishery products and for live bivalve molluscs, echinoderms, tunicates and marine gastropods. The establishment in the country exporting the seafood also has to be on the EU-approved list. The lists are available on the EU website [http://ec.europa.eu/food/international/trade/third\\_en.htm](http://ec.europa.eu/food/international/trade/third_en.htm)

Being on List I means that the national authority of that country has approved the listed establishments for export to the EU. The FVO is satisfied that the national authority of that country can be relied upon to maintain the required standards of food safety.

Imports into the UK are also possible with certain List II countries. List II contains countries that have provisional EU approval. The UK can import specific products from those List II countries that have a bilateral agreement with the UK. Countries with fishery establishments on List II from which the UK can import are currently (accurate as of 29 May 08) Azerbaijan (only caviar of wild-caught fish), Eritrea (no aquaculture), Israel, Myanmar (no aquaculture) and St Helena (no aquaculture). The

USA and Canada are the countries with live bivalve mollusc establishments on List II. This FSA site links to the List II establishments:

[http://www.food.gov.uk/enforcement/imports/want\\_to\\_import/fish\\_or\\_shellfish](http://www.food.gov.uk/enforcement/imports/want_to_import/fish_or_shellfish)

The relevant legislation covering List II country lists is the amended Regulation 2076/2005, specifically Article 17.

Other EU member states have their own individual bilateral agreements with List II countries. This means that a List II country approved for export to one EU Member State may not necessarily be approved to export to another. Article 17b of Regulation 2076/2005 states that List II country imports are to be marketed only in the domestic market or markets allowing the same imports.

### **Can I import from my new contact outside the EU?**

Yes, if the following requirements are satisfied:

- The seafood you want to import complies with all the relevant EU legislation as regards hygiene, contaminants, packaging etc.;
- The non-EU country you are importing from is an EFTA country (Iceland, Norway or Switzerland), on List I or on the UK's List II;
- The establishment (i.e. the processor, freezer vessel, factory vessel or cold store) is on the approved establishment list of that country;
- If the product is of aquaculture origin, the establishment is approved to handle product of aquaculture origin;
- No specific exemptions or restrictions are in force.

In addition, you need to import the seafood through a Border Inspection Post (BIP) that handles seafood. You will have to:

- Notify the BIP in advance of arrival of your consignments;
- Submit the relevant documentation to the BIP, including an original health certificate. The type of certification required is dependent on the product type and country of origin;
- Present the consignment to the BIP for veterinary checks; and
- Pay all inspection charges.

### **What if the establishment is not listed in List I or II?**

You cannot import from an unlisted establishment. To gain approval, the establishment first has to contact the competent authority (i.e. the equivalent of the FSA or Defra) in its country. Guidelines on how to become approved for exporting to the EU are available on this DG Sanco site:

[http://ec.europa.eu/food/international/trade/guide\\_thirdcountries2006\\_en.pdf](http://ec.europa.eu/food/international/trade/guide_thirdcountries2006_en.pdf)

### **What happens when a seafood consignment reaches the UK?**

The importer or agent has to submit the goods to the BIP for inspection. The Official Fish Inspector (OFI) will then carry out veterinary checks on the consignment as described below.

### **What seafood items need veterinary checks?**

Products covered by the veterinary checks regime are listed in Decision 2007/275/EC, and include all fish and shellfish, dead or alive, and their products. The fish-related items are listed under Combined Nomenclature (CN) codes 03, 1603, 1604 and 1605 and include:

- Live fish, shellfish and other marine invertebrates;
- All fish, fish products, shellfish and shellfish products; and
- Other invertebrates such as squid, sea urchins and jellyfish.

Composite products are foods containing foods both of animal origin and of non-animal origin, such as prepared fish dishes, seafood pizza and prawn sandwiches. Article 4 of Decision 2007/275/EC specifies that composite products containing 50% or more of fish material will be subject to checks. Article 6 lists the exceptions whereby certain products containing less than 50% of fish material are not subject to tests. Importers of composite products must ensure that the food satisfies the requirements for products of animal origin (Reg. 853/2004, Art. 6, Para.4).

### **What are veterinary checks?**

Veterinary checks are a series of documentary, identity and physical checks carried out on every imported consignment of seafood, as described in the Veterinary Checks Directive 97/78/EC. 'Consignment' is defined in the Products of Animal Origin (Third Country Imports) Regulations 2006 as 'a quantity of products of the same type covered by the same veterinary certificate or veterinary document, or other document provided for by veterinary legislation, conveyed by the same means of transport and coming from the same third country or part of a third country'.

Checks are carried out by the Official Fish Inspector (OFI), appointed by the Local Authority. The physical checks have to be carried out at a Border Inspection Post (BIP). BIPs have the facilities for opening consignments, if necessary, and for sampling them hygienically.

### **What does the documentary check entail?**

All consignments will be subjected to a documentary check. This is to ensure that the details on the Health Certificate correspond with the accompanying documents.

Certificates accompanying consignments should meet the following requirements\*:

- Must be an original and bear a unique registration number (faxed or photocopied versions of certificates are not to be considered as original documents).

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\* This list taken from *Imported Food Control. Local Authority resource pack*. November 2007. Food Standards Agency, London.

- Content and presentation must conform to the model certificate, which has been prescribed for the product concerned.
- Must be signed by a duly authorised Government Official and bear the name of, and position held by, that official (in block capitals or with a name stamp) and a clearly legible official stamp.
- Must consist of a single sheet of paper, which must be fully completed.
- May contain only one consignee.
- Must be drawn up and completed in the official EU language of the final destination Member State and in the language of the Member State receiving/inspecting the goods at the BIP, ie the OFI must be able to understand what is being certified.
- The information contained in the certificate or other accompanying documents and Part 1 of the CVED document should be identical.
- The certificate must be type written or in a clearly legible handwriting.
- Any deletions must be crossed through (correcting fluids must not have been used) and stamped and signed by the same person signing the certificate.

The OFI will check countries of origin and approved establishments against the relevant lists, most of which are available via the FSA web-site at:

[http://www.food.gov.uk/foodindustry/imports/want\\_to\\_import/fisheryproducts/](http://www.food.gov.uk/foodindustry/imports/want_to_import/fisheryproducts/).

### **What does the identity check entail?**

The OFI will check that:

- seals are intact; and
- stamps and health marks are present.

If there is any doubt concerning the seal, the OFI may open the container and check individual packages to identify the product.

The identity check is to ensure that the documentation tallies with the product. All consignments, with a few exceptions, will be subjected to this check. New Zealand, for example, has an equivalence agreement with the EU allowing its products to be exempt from identity checks.

Manifests, bills of lading, waybills, packing lists and other documents accompanying the consignment may be checked by the OFI as part of the identification check. Access to manifests is provided for in Directive 97/78/EC, Article 3 (3).

### **What does the physical check involve?**

The physical check is to ascertain that the product is legal and fit for the purpose defined in the accompanying documentation. It must be carried out at a BIP. The checks must be carried out according to the criteria in Annex III of Directive 97/78/EC and take the form of:

- sensory checks;
- physical tests such as cutting and cooking;
- laboratory tests for residues, pathogens and contaminants;
- checks relating to temperature and breaks in the cold chain;

- weight checks; and
- checks of wrapping materials.

If there is a history of positive results or if there is an immediate danger to public health, the consignment will be held back until laboratory test results are available.

Once the physical check has been completed, the OFI will reseal and stamp all opened packages.

### **Are physical checks carried out on every consignment?**

No, only a proportion of packages will be physically checked. Frequencies of physical checks are listed in Annex I of Decision 94/360/EC as amended (most recently by Decision 2006/590) and are:

- 20% of consignments of fish products in hermetically sealed containers intended to render them stable at ambient temperatures, fresh and frozen fish and dry and/or salted fishery products;
- 50% of consignments of fishery products other than those mentioned above; and
- 50% of consignments of bivalve molluscs.

Countries that have an equivalence agreement with the EU (currently New Zealand, Canada, Chile and Switzerland) are subject to a reduced level of physical checks.

There will be an increased frequency of checks if a consignment fails. Where a check on a consignment from a particular establishment of origin in a third country reveals contamination (with an unauthorised substance, or if a maximum residue limit has been exceeded), physical checks are increased to 100% for the next ten consignments from that establishment. If checks show a serious or repeated infringement of EU legislation, Defra will inform the EU (DG Sanco) and DG Sanco will in turn inform all EU BIPs. Checks will be intensified for the next 10 consignments of products of the same origin.

### **What needs to be in place before the consignment arrives at the Border Inspection Post (BIP)?**

- The consignment must originate in a List I or II country from an approved establishment as explained above.
- The consignment must be accompanied by an original health certificate issued by the competent authority in the third country. There are specific certification requirements that depend on the nature of the consignment.
- Enough traceability information must accompany the consignment to allow accurate labelling further along the chain. For products covered by the Fish Labelling Regulations, this would include as a minimum:
  - a) The commercial designation of the fish species;
  - b) The production method;
  - c) The catch area;

- d) The scientific (Latin) name of the fish species (optional at retail sale to final consumer but must be included in traceability information at each stage of marketing);
- e) The establishment identification mark printed on the packaging as detailed by EU Regulation 853/2004, Annex II, Section I (see the item 'Are there any requirements for packaging?' below); and
- f) The country of origin.

Further information on labelling is available on the Seafish website:

<http://www.seafish.org/land/legislation.asp?p=fi158>.

- The consignment has to pass through a BIP authorised to accept fish and fishery products. Items that have been introduced in the UK without being presented at an appropriate BIP will be classified as smuggled goods and dealt with by Customs under Regulation 16 of the Products of Animal Origin (Third Country Imports) Regulations 2006. All BIPs are listed on the Defra website <http://www.defra.gov.uk/animalh/int%2Dtrde/imports>; contact details are listed on the Association of Port Health Authorities here: [http://www.apha.org.uk/port\\_directory.asp](http://www.apha.org.uk/port_directory.asp).
- The BIP has to be pre-notified of the arrival of a consignment. The authority responsible for the BIP has to be notified at least 6 working hours before the arrival of the consignment at airports and at least 1 working day ahead for any other BIP. This is defined in Regulation 17 of the Products of Animal Origin (Third Country Imports) (England) Regulations 2006.
- Part 1 of the Common Veterinary Entry Certificate (CVED) must be completed. The CVED is defined in Commission Regulation 136/2004. The CVED should be filled out on line using the EU's computerised notification system, TRACES.

### **What is TRACES and how do I get it?**

Trade Control and Expert System (TRACES), is the EU-wide veterinary computer system used to notify veterinary authorities of certain consignments of animals and animal products. Importers or their agents should use it to generate the CVED and pre-notify the receiving BIP by filling in and submitting Page 1 of the CVED.

You can subscribe to TRACES by accessing the EU TRACES page on:

<https://sanco.cec.eu.int/traces/> or by following Defra's step-by-step guide on:

<http://www.defra.gov.uk/animalh/int-trde/traces/guide.htm>. In any case, you are encouraged to contact your local Port Health Authority for advice.

### **Are there any requirements for packaging?**

EU laws on packaging are strict, especially laws on plastics. Imported food must have packaging that complies with these rules. EU legislation on food contact materials is based on Regulation 1935/2004, implemented in the UK by national regulations including The Materials and Articles in Contact with Food Regulations 2005. Further information and guidance is available from the FSA website here:

[http://www.food.gov.uk/foodindustry/imports/imports\\_advice/packaging](http://www.food.gov.uk/foodindustry/imports/imports_advice/packaging).

The packaging has to withhold its integrity throughout the trip. Consignments with broken packaging may be interpreted by enforcement officers as having been tampered with.

Up to 1 Jan 2006, Directive 91/493 laid down that the EU Establishment Number had to be on all layers of packaging and not just on one or some of the layers. Consignments have historically been rejected for failing this point. This Directive has now been repealed and replaced by the new hygiene regulations. Annex II Section I of Regulation 853/2004 lays out the details on identification marking. The FSA has produced guidance on identification marking in documents FIN/06/2007 and FIN/07/2007, available from [http://www.food.gov.uk/foodindustry/imports/want\\_to\\_import/fisheryproducts/#h\\_9](http://www.food.gov.uk/foodindustry/imports/want_to_import/fisheryproducts/#h_9)

### **What do I have to pay?**

You will have to pay a charge for the veterinary checks carried out on your consignment. The minimum charges are set out in Annex V of Regulation 882/2004. If your consignment fails the veterinary check, you will be liable to pay storage charges and costs pertaining to disposal or re-export. You can expect charges to be very high at busy airports such as Heathrow and Gatwick, and low at some ports that deal regularly with fishery imports.

Fresh fishery products landed directly from third country vessels are dealt with differently. They are discussed below.

### **How are fresh fishery products dealt with if they are immediately landed from a third country-flagged fishing vessel?**

This happens very rarely in the UK. The main legislation is Directive 97/78 (Art. 19(2 & 3)), Regulation 1093/94 and Regulation 854/2004, Art. 15.

In general, the fish has to undergo hygiene checks as with EU Member State-flagged vessels. The landing port must be one authorised to accept landings from third country-flagged fishing vessels. Veterinary checks are not necessarily carried out by the Official Veterinary Inspector or Authorised Officer.

Landing charges are currently 1 euro/tonne for the first 50 tonnes in the month, and 0.5 euro thereafter, payable as specified in Part 2 of The Fishery Products (Official Controls Charges) (England) Regulations 2007 (and similar legislation for Wales, Northern Ireland and Scotland). The relevant EU text is in Regulation 882/2004, Annex V, Section B, Chapter II, 3.

### **Can BIP officials reject my consignment?**

Yes, your consignment will be rejected if:

- it is non-conforming (Regulation 21 of the POAO (Third Country Imports) (England) No. 4) Regulations 2004);
- it is presented at an incorrect BIP (Regulation 24);
- there is another 'irregularity' as defined in Regulation 21(5); or

- it poses a serious risk to animal or public health (Regulation 25).

If any of the checks at the BIP show that goods do not meet requirements for entry into the EU, the consignment will be re-dispatched or destroyed. According to Regulation 21:

- if the product poses no risk to public or animal health, re-dispatch to a country outside the EU; or
- if re-dispatch is impossible, or if the importer chooses, destroy.

There is one other alternative. According to Regulation 22, if the OFI is of the opinion that the consignment does not pose any risk to public or animal health, the OFI may authorise the product to be used as an animal by-product in accordance with Regulation 26 of the Animal By-Products Regulations.

If the OFI serves a notice under Regulation 25 (Products dangerous to animal and human health), the OFI will order the immediate destruction of the consignment.

The importer or person responsible for the consignment will have to meet the costs of re-dispatch or destruction and any associated storage and transport. Re-dispatch should be from the same BIP and within 60 days of the notice being served.

### **Do consignments intended for transit need veterinary checks?**

Checks are carried out on transshipments depending on how long they remain at the BIP of entry.

The following relates to consignments arriving at a seaport or airport BIP to be transhipped on to another BIP at which some or all of the veterinary checks would be carried out. (But note that BIPs at which checks are carried out must be approved for the products concerned). These provisions relate only to consignments which do not leave the customs area of the port or airport of the first BIP of arrival and which remain there for less than a pre-determined maximum period of time and leave by the same means of transport (i.e. ship to ship or aircraft to aircraft).

- The type of checks (if any) carried out at the first BIP depend on whether the products are unloaded onto the quayside or airport tarmac and on the length of time they remain in the port or airport.
- At the time of arrival, the person responsible for the consignment must notify the OFI of the estimated time of unloading, the BIP of destination and, if necessary, the exact location of the consignment.
- Consignments to be transhipped will be subject to at least a documentary check if they spend between 12 and 48 hours at an airport or between 7 and 20 days at a seaport.
- Less than 12 hours/7 days: consignments need not be checked.
- Over 48 hours/20 days or in cases where the OFI deems necessary, consignments will be subject to checks prior to transshipment.

## **What about Customs?**

Seafood imported from third countries will need to satisfy the requirements set out by Her Majesty's Revenue and Customs (HMRC). This means that HMRC documents need to be completed, the consignment may have to be subjected to checks by HMRC before it is cleared, and Customs duty may have to be paid. Customs officers will in all cases check that the CVED has been released by the OFI.

Further details are available on the HMRC website (<http://www.hmrc.gov.uk>) and particularly in the HMRC *Guide to importing and exporting. Breaking down the barriers*, which is downloadable from the HMRC website.

Ivan Bartolo  
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## Annex I

### Glossary

BIP	Border Inspection Post
CITES	Convention on International Trade in Endangered Species of Wild Fauna and Flora
CVED	Common Veterinary Entry Document
DARD	Northern Ireland Department of Agriculture and Rural Development
Defra	Department for Environment, Food and Rural Affairs
DG Sanco	Health and Consumer Protection Directorate General of the EU
EHO	Environmental Health Officer
EFSA	European Food Safety Authority
FHI	Fish Health Inspectorate
FSA	Food Standards Agency
FVO	Food and Veterinary Office
GATT	General Agreement on Tariffs and Trade
HMRC	Her Majesty's Revenue and Customs
LA	Local Authority
OFI	Official Fish Inspector
OJ	Official Journal of the European Union
POAO	Products of Animal Origin
PHA	Port Health Authority
RASFF	Rapid Alert System for Food and Feed
SGMD	Scottish Government Marine Directorate
SI	Statutory Instrument
SR	Statutory Rule
TRACES	Trade Control and Expert System
WTO	World Trade Organisation

## Annex II

### **Legislation referenced in the text including some relevant amendments**

in the order in which it is mentioned

#### **UK legislation**

##### **England**

The Products of Animal Origin (Third Country Imports) (England) Regulations 2006 (SI 2006 No. 2841)

The Products of Animal Origin (Third Country Imports) (England) (Amendment) Regulations 2007 (SI 2007 No. 1605)

Fish Labelling (England) Regulations 2003 (SI 2003 No. 461)

The Fish Labelling (Amendment) (England) Regulations 2006 (SI 2006 No. 506)

The Materials and Articles in Contact with Food (England) Regulations 2005 (SI 2005 No. 898)

The Fishery Products (Official Controls Charges) (England) Regulations 2007 (SI 2007 No. 3392)

The Animal By-Products Regulations 2005 (SI 2005 No. 2347)

##### **Wales**

The Products of Animal Origin (Third Country Imports) (Wales) Regulations 2007 (SI 2007 No. 376)

The Products of Animal Origin (Third Country Imports) (Wales) (Amendment) Regulations 2007 (SI 2007 No. 1710)

Fish Labelling (Wales) Regulations 2003 (SI 2003 No. 1635)

The Fish Labelling (Wales) (Amendment) Regulations 2006 (SI 2006 No. 1339)

The Materials and Articles in Contact with Food (Wales) Regulations 2005 (SI 2006 No. 1647)

The Fishery Products (Official Controls Charges) (Wales) Regulations 2007 (SI 2005 No. 3462)

##### **Scotland**

The Products of Animal Origin (Third Country Imports) (Scotland) Regulations 2007 (SSI 2007 No. 1)

The Products of Animal Origin (Third Country Imports) (Scotland) Amendment Regulations 2007 (SSI 2007 No. 304)

Fish Labelling (Scotland) Regulations 2003 (SSI 2003 No. 145)

The Fish Labelling (Scotland) Amendment Regulations 2006 (SSI 2006 No. 105)

The Materials and Articles in Contact with Food (Scotland) Regulations 2005 (SSI 2005 No. 243)

The Fishery Products (Official Controls Charges) (Scotland) Regulations 2007 (SSI 2007 No. 537)

##### **Northern Ireland**

Products of Animal Origin (Third Country Imports) Regulations (Northern Ireland) 2007 (SR 2007 No. 199)

The Products of Animal Origin (Third Country Imports) (Amendment) Regulations (Northern Ireland) 2007 (SR 2007 No. 314)

Fish Labelling Regulations (Northern Ireland) 2003 (SR 2003 No. 160)

The Fish Labelling (Amendment) Regulations (Northern Ireland) 2006 (SR 2006 No. 116)

The Materials and Articles in Contact with Food Regulations (Northern Ireland) 2005 (SR 2005 No. 210)

The Fishery Products (Official Controls Charges) Regulations (Northern Ireland) 2007 (SR 2007 No. 497)

#### **European legislation**

Council Directive 97/78/EC of 18 December 1997 laying down the principles governing the organisation of veterinary checks on products entering the Community from third countries (OJ L 24, 30 January 1998, p9–30)

Commission Regulation (EC) No 136/2004 of 22 January 2004 laying down procedures for veterinary checks at Community border inspection posts on products imported from third countries (OJ L 21, 28 January 2004, p. 11–23)

Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety (OJ L 31, 1 February 2002, p1–24)

Corrigendum to Regulation (EC) No 852/2004 of the European Parliament and of the Council of 29 April 2004 on the hygiene of foodstuffs (OJ L 226, 25 June 2004, p3–21)

Corrigendum to Regulation (EC) No 853/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific hygiene rules for food of animal origin (OJ L 226, 25 June 2004, p22–82)

Corrigendum to Regulation (EC) No 854/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific rules for the organisation of official controls on products of animal origin intended for human consumption (OJ L 226, 25 June 2004, p83–127)

Corrigendum to Regulation (EC) No 882/2004 of the European Parliament and of the Council of 29 April 2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules (OJ L 191, 28 May 2004, p1–52)

Commission Decision 2006/766/EC of 6 November 2006 establishing the lists of third countries and territories from which imports of bivalve molluscs, echinoderms, tunicates, marine gastropods and fishery products are permitted (OJ L 320, 18 November 2006, p53–57)

Commission Decision 2008/156/EC of 18 February 2008 amending Decision 2006/766/EC as regards the list of third countries and territories from which imports of fishery products in any form for human consumption are permitted (OJ L 50, 23 February 2008, p65–70)

Commission Regulation (EC) No 2076/2005 of 5 December 2005 laying down transitional arrangements for the implementation of Regulations (EC) No 853/2004, (EC) No 854/2004 and (EC) No 882/2004 of the European Parliament and of the Council and amending Regulations (EC) No 853/2004 and (EC) No 854/2004 (OJ L 338, 22 December 2005, p83–88)

Commission Decision 2007/275/EC of 17 April 2007 concerning lists of animals and products to be subject to controls at border inspection posts under Council Directives 91/496/EEC and 97/78/EC (OJ L 116, 4 May 2007, p9–33)

Commission Decision 94/360/EC of 20 May 1994 on the reduced frequency of physical checks of consignments of certain products to be implemented from third countries, under Council Directive 90/675/EEC (OJ L 158, 25 June 1994, p41–45)

Commission Decision 2006/590/EC of 1 September 2006 amending Decisions 94/360/EC and 2001/812/EC as regards veterinary checks on products from third countries (OJ L 240, 2 September 2006, p11–14)

Regulation (EC) No 1935/2004 of the European Parliament and of the Council of 27 October 2004 on materials and articles intended to come into contact with food and repealing Directives 80/590/EEC and 89/109/EEC (OJ L 338, 13 November 2004 p4–17)

Council Regulation (EC) No 1093/94 of 6 May 1994 setting the terms under which fishing vessels of a third country may land directly and market their catches at Community ports (OJ L 121, 12 May 1994, p3–5)

## Annex III

### Contact information

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For other ways of contacting the HMRC see the HMRC website:  
<http://www.hmrc.gov.uk/menus/contactus.shtml>