

UK Seafood Industry Guide -Preparing your business for the end of the UK's Transition Period

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Preparing your business for the end of the UK's Transition Period

Introduction

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Following the ratification of the Withdrawal Agreement by the UK and EU Parliaments, the UK formally left the EU at 23:00 GMT on 31 January 2020, entering into an eleven-month 'Transition Period' which closes at 23:00 GMT on 31 December 2020.

We do not yet know the exact nature of the changes that will occur when the Transition Period ends - for example to what extent the regulatory landscape will alter, or the provisions of future international trade agreements. However, there is no organisation better placed than Seafish to help the industry going forward.

Our approach is simple, pragmatic and non-partisan. We continue to respond to issues raised with us by businesses and individuals and work in partnership with industry, UK government, devolved administrations and other organisations to prepare the seafood sector for the opportunities and challenges that lie ahead.

The Seafish Regulation Team has compiled this practical, user-friendly and accessible guide for the UK seafood industry on preparing your business for the end of the Transition Period: we focus on addressing the numerous regulatory FAQs surrounding food safety, traceability and trade.

During the Transition Period, the UK will no longer be a member of the EU's political structures, but will remain in the EU's Single Market and Customs Union and Common Fisheries Policy.

EU rules will therefore continue to apply. In practice, the UK will continue to trade as if it is still an EU member state until the end of 2020, with no changes to current import/export practices.

Under the terms of the withdrawal agreement Northern Ireland remains in the UK customs union and also in the EU single market. This creates a unique situation and much of detail of the implementation of the Northern Ireland Protocol is still being negotiated. Where possible we have included additional guidance on trading with Northern Ireland.

For more information the UK government has published <u>The Northern Ireland</u> <u>Command Paper</u> and <u>Business Guide</u>



This is very much a 'living' guide and will routinely be reviewed and amended as circumstances evolve. This is very much a 'living' guide and will routinely be reviewed and amended as circumstances evolve.

To contact the Seafish Regulation team, email regulation@seafish.co.uk

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Section 1 - General

1.01 Will there still be different rules across England, Scotland, Wales and Northern Ireland?

A recent Food Standards Agency (FSA) consultation considered food safety and hygiene to be a matter for the pan-UK framework (a mechanism that ensures policy consistency or coordination in some areas between the UK and devolved administrations). However, composition and standards, health claims etc. remain devolved competencies. There is recognition of the risk of multiple standards and labelling for different UK nations. While issues involving trade remain devolved, there will be an agreement on a pan-UK basis of the regulatory aims. However, regulatory measures and enforcement will be left to the devolved administrations for decision. A consultation on the <u>UK internal market</u> was launched in July 2020 to legislate against barriers to trade or discrimination in the UK internal market.

1.02 What status will the Court of Justice of the European Union (CJEU), have in regard to the UK seafood industry?

The direct jurisdiction of the CJEU will continue to apply in full in the UK during the transition period – currently until 31 December 2020. For a subsequent eight year period following the end of the transition period, the CJEU will have a role as regards the rights of EU citizens resident in the UK.

In future, a joint committee of UK and EU officials will meet to decide general UK/EU disputes. If no agreement on a case is reached, a dispute resolution mechanism – a neutral 'arbitration panel' – will be formed.

1.03 What status will EU scientific bodies such as EFSA etc. have?

It is understood from the Political Declaration (the document stating aspirations concerning the future political relationship between the UK and EU) that the "...Parties will explore the possibility of cooperation of United Kingdom Authorities with Union agencies..."

In the event of the transition period closing without a future agreement in place, EFSA will not be required to undertake any functions relating to the UK government – all functions relevant to the UK currently performed by EFSA (and similar pan-EU scientific bodies) will be assumed by the competent UK authority/agency. For example, food and feed risk assessments will be undertaken by the Food Standards Agency and its Advisory Scientific Committees, and nutrition and health claims will be covered by the UK Nutrition and Health Claims Committee (UKNHCC) (see point 2.21)



1.04 Can I apply EU certification marks to my goods?

The EU certification mark, the CE mark does not apply to food, but it may apply to certain packaging materials. If your packaging currently uses a CE mark you may need to use a UKCA mark. For more information see <u>here</u>

1.05 When EU legislation is rolled over to become UK law, what will happen to legislation in force but not currently applicable?

The UK Government's <u>European Union (Withdrawal) Act</u> (as amended by <u>European</u> <u>Union (Withdrawal Agreement) Act 2020</u>), converts "direct EU legislation" - which is "operative" immediately before the end of the transition period (31 December 2020) into domestic law at the end of the transition period

EU legislation is "operative" if it enters into force and applies immediately before the end of the transition period.

Some EU legislation can apply in a staggered way over time. If a provision is stated to apply on or after 31 December 2020, the provision will not be converted into domestic legislation. It is possible therefore that only part of an EU instrument will be reflected into UK law.

For example the Animal Health Regulation (Regulation (EU) 2016/429) entered into force in 2016 but its provisions are not due to apply until April 2021. As a result, there would be no legal obligation to implement the Animal Health Regulation in Great Britain.

At the end of the transition period, Northern Ireland will continue to apply a limited set of EU rules, including on food. <u>Annex 2 of the Northern Ireland Protocol</u> lists the EU laws to be applied in Northern Ireland at the end of the transition period.

1.06 Where will I be able to view retained EU legislation applicable to the UK seafood industry at the end of the transition period?

<u>Schedule 5</u> to the European Union (Withdrawal) Act 2018 (c. 16), as amended by the <u>European Union (Withdrawal Agreement) Act 2020</u> (c. 1) requires arrangements to be made for the publication of retained international treaties as well as retained EU regulations, decisions and tertiary legislation.

All relevant instruments originating from the EU have been published on the legislation.gov.uk website.



1.07 What does 'falling back on WTO rules' mean? What impact would this have?

If the UK leaves the transition period without concluding a future trade agreement with the EU beyond the Withdrawal Agreement, trade rules would change from those based on the EU's single market and customs union to those of the World Trade Organisation (WTO). This means that the UK government will be able to apply a UK tariff schedule and also a set of non-tariff measures, such as those relating to sanitary and phytosanitary controls, on goods traded between the UK and the EU. The same rules will apply to non-EU countries with whom the UK has no trade agreement.

The UK has been a member of the WTO since 1995. The WTO originates from the General Agreement on Tariffs and Trade (GATT) which the UK has been party to since 1948. Today, the WTO consists of 164 member states who meet regularly to agree on a range of activities regarding trade.

As Northern Ireland will continue to access future UK trade deals Northern Ireland will remain part of the UK WTO membership. The NIP would ensure that, for the purpose of the legislation included in it, NI would continue to be governed by those aspects of EU law.

Strictly speaking there are no rules in the WTO, just agreements that member states have bound themselves by. For instance the GATT promotes international trade by reducing or eliminating trade barriers such as tariffs or quotas. The agreements are usually complex, but there are some general principles:

Non-discrimination. WTO members must grant the same market access to all other member countries – except developing countries and those that have free trade agreements. A trading country cannot discriminate between trading partners e.g. by applying bans or discriminatory tariffs that apply only to particular countries. This is where the Most Favoured Nation (MFN) tariff comes in. Under WTO rules the UK will have to apply its import tariffs equally to all trading partners. Any preferential treatment has to be in the context of Free Trade Agreements that are lodged with the WTO. The government can provide benefits to less developed countries, e.g. under the GSP regime.

Transparency. The UK tariff schedule, for example, will have to be a public schedule. The same applies for any quotas or non-tariff measures.

More information is available on the WTO website: <u>www.wto.org</u> If you become aware of a barrier to trade with another country you can report the issue for resolution on the <u>report a trade barrier portal</u>



1.08 If no agreement is reached on the future relationship between the EU and the UK, will this result in the same outcome as a 'no deal' EU exit?

If no agreement is reached on the future relationship between the EU and the UK, the UK would end the transition period with the Withdrawal Agreement in place. Citizens' rights would therefore be protected, the UK would still be committed to the financial settlement and Northern Ireland trade would be covered by the protocol.

In Great Britain however, trade could be impacted in the same way as a 'no deal', unless specific measures were agreed or taken unilaterally by the EU.

1.09 What is the status of the European Maritime and Fisheries Fund (EMFF)?

Under the Withdrawal Agreement negotiated with the EU, the UK will continue to participate in the programmes financed by the current EU Budget until their closure. This means that all EU funded programmes will be fully funded under the current 2014-2020 Multiannual Financial Framework.

The government has guaranteed that all EMFF projects approved before 31 December 2020 will be fully funded.

For more information see guidance on 'Continued participation in EU programmes'.



Section 2 - Traceability and Labelling

2.01 What changes will be needed to the labelling of products intended for the UK market to reflect that the UK is no longer a member of the EU?

The current EU labelling Regulations will be rolled over into national legislation. These regulations allow 'EU' to be used as a country of origin, but from the end of the transition period when the UK is no longer a member of the EU any origin information will need to state 'UK'. Examples of where this could apply are:

A. Origin labelling. Where origin labelling of a food or its ingredients are given voluntarily or as a legal requirement the use of the term 'EU' will no longer be correct for food or ingredients from the UK. Labelling changes will be required to reflect this.

B. Food business addresses. Rolled over legislation will require all pre-packed food to be labelled with the name and a UK address of the business operator under whose name the food is marketed as this is the business operator responsible for the product regardless of the actual producer.

The business operator under whose name the food is marketed could be the producer for a branded product or a retailer in the case of a retailers own label product even though it is produced by a another business.

This must be a UK address, or, if that operator is not established in the UK, the importer of the product into the UK. An EU address alone would no longer be valid for the UK market.

More detail can be found in the government guidance on 'Food labelling and packaging'

2.02 What changes will be needed to the labelling of products intended for sale within the EU and Northern Ireland to reflect that the UK is no longer a member of the EU?

As the EU regulations require the name and EU address of the responsible food business operator within the EU, a UK address alone would no longer be valid for the EU market and an address within the remaining EU member states will be required following EU exit.

All pre-packed food intended for sale in the EU will need to be labelled with the name and a EU address of the business operator under whose name the food is marketed, as this is the business operator responsible for the product regardless of the actual producer.



The business operator under whose name the food is marketed could be the producer for a branded product or a retailer in the case of a retailers own label product even though it is produced by a another business.

This must be the EU address of the producer or retailer or, if that operator is not established in the EU, the importer of the product into the EU.

More detail can be found in the government guidance <u>'Food and drink labelling</u> changes from 1 January 2021'

2.03 Can a PO Box be used as a food business address in the UK?

The address provided on the label must allow the consumer to contact the food business operator quickly and easily regarding any issue arising from their products and to allow enforcement notices to be served if necessary. If PO boxes are used on the label they must be suitable for this purpose and they do not replace the need for the business concerned to be established with a physical presence. Examples of acceptable FBO address include the address of a unit of an FBO that is undertaking production, distribution or the processing of food.

2.04 Is there a transition period to prepare for any changes?

A transition period of 21 months has been agreed for food bearing an EU address to be placed on the UK market. This will end on 31 December 2020. Product already on the UK market can continue to be circulated until it is sold to the final consumer.

Article 41 of the withdrawal agreement allows for the continued circulation of goods placed on the market in the Union or the United Kingdom before the end of the transition period. Foods placed on the EU market before 23:00hrs GMT can continue to be traded throughout the EU. If you intend to trade goods around the EU you will need to prove they were placed on the EU market before this time.

Goods intended for the NI market will continue to have free circulation within the UK and EU single market.

More detail can be found in the government guidance '<u>Food and drink labelling</u> changes from 1 January 2021'.

2.05 What changes need to be made to EU health and identification marks after 1 January 2021?

Health and identification (ID) marks are oval stamps that must be applied to certain food products of animal origin (POAO). Also known as hygiene approval numbers, they are required by EU law to be exhibited on POAO to show that the food business responsible has met the relevant EU hygiene requirements and to allow the product to be traced back to the place of production.



Health marks are generally applied by vets to carcases so ID marks are of most relevance to seafood. ID marks however are often unofficially referred to as health marks.

At the end of the transition period, competent authorities and food businesses in England, Wales and Scotland will not be able to apply the current 'EC' ID mark to seafood products produced in a UK approved establishment.

A health or ID mark must remove any reference to 'EC' or 'EEC' and carry either:

• the official two digit ISO Code 'GB'

or

The full country name in capital letters 'UNITED KINGDOM'. The revised form of the health and ID marks **must be applied from 1 January 2021. From this date:**

- Products produced in the UK carrying the **GB**, **UK** or **UNITED KINGDOM** identification mark can be placed on the **UK market**.
- Products produced in the UK carrying only the GB or UNITED KINGDOM identification mark can be placed on the EU or Northern Ireland market. Products carrying either the UK or the existing EC identification marks will not be eligible for movement to the EU or Northern Ireland.
- Products produced in the UK carrying the **GB**, **UK** or **UNITED KINGDOM** identification mark can be placed on the **non-EU market**.

In circumstances where the final destination of the product is unknown, dual health marking is not permitted (see question '*Can I use dual health marking if I do not know the final destination of my product?*' for more information).

The Food Standards Agency plans to introduce a Statutory Instrument which will allow the continued use of the existing EC health and ID mark for 21 months from 1 January 2021. This concession period will only be available for products placed on the GB market.

Size and Dimension of the Health and Identification Marks

The identification mark must be legible, indelible, and the characters easily decipherable. It must be clearly displayed for the competent authorities and contain the full country name UNITED KINGDOM in capital letters, or GB or UK depending upon which market the product is destined for, followed by the approval number of the establishment.



There is no minimum or maximum size for the ID mark.

You can find more information and some example ID marks in this FSA guidance

2.06 Can I apply two different health marks if I do not know the final destination of my product?

No- a product cannot display two health or identification marks.

In circumstances where the final destination of the product is unknown, one health mark must be displayed in order to comply with EU legislation.

2.07 Will there be any transitional arrangements for EU health and identification marks?

The current EC health and identification marks can be used for the duration of the agreed transition period (until 1 January 2021).

The revised form of the health and identification (ID) marks (as set out in question *'What changes need to be made to EU health and identification marks after 1 January 2021?'*) must be used for products that are exported to the EU, Northern Ireland and Non-EU countries, from 1 January 2021.

The Food Standards Agency plans to introduce a Statutory Instrument which will allow the continued use of the existing EC health and ID mark for 21 months from 1 January 2021. This concession period will only be available for products placed on the GB market.

It will not be possible for GB exporters to use the existing UK/EC mark for products destined for the EU or Northern Ireland after the transition period.

2.08 I have an establishment which is approved by the Food Standards Agency. Will my approval number change? Do I need to take any further steps?

The Food Standards Agency (FSA) is not planning to change approval numbers, but the health and identification marks would need to change at the end of the transition period (see question '*What changes need to be made to EU health and identification marks after 1 January 2021?*').

If you are a UK approved establishment (including factory, freezer and reefer vessels) in England, Wales or Scotland and currently export seafood into the EU and/or Northern Ireland, if you are considering doing so in the near future or if you supply products to others that export to the EU or Northern Ireland, you need to be listed with the EU.



On 13 July 2020, the Food Standards Agency confirmed that they will automatically put all GB approved establishments forward for listing with the EU. Although this may mean that you do not need to take any action, it is strongly recommended that you check your suppliers are also on the list of establishments approved to export to the EU.

If you **do not** export seafood to either the EU and/or Northern Ireland, and you do not supply others that use your products in other commodities that are exported to the EU and/or Northern Ireland, then you do not need to be listed with the EU. In this case, you should consider contacting the FSA to ask for your business to be removed from the EU list. If you change your mind after you have indicated that you do not wish to be on the EU list, you must inform the FSA at the earliest opportunity and by December 2020 at the latest.

You must contact <u>eulistings@food.gov.uk</u> clearly indicating that you do not wish to be listed, your business name, address and approval number. The FSA will then send you an email confirming your removal from the EU list.

If you notify the FSA after the 1 January 2021, you will have to make an application to the European Commission for your establishment to be listed under the Official Controls regulation (EU) 2017/1793. You can make this application via the Animal Plant Health Agency (APHA). The Commission will then review your application, which can take up to 20 working days before making a decision. You will not be able to export seafood to the EU until the EU has come to a decision to accept your application.

For more information on the listing of establishments to export products of animal origin to the EU or Northern Ireland, click here.

There will be different listing requirements for approved establishments in Northern Ireland.

2.09 Will the approval process for establishments change at the end of the transition period?

The Food Standards Agency (FSA) has clarified that the process for obtaining UK approved establishment status is not changing and it will continue to process approval applications with Food Standards Scotland, Department of Agriculture, Environment and Rural Affairs (DAERA) and local authorities.

The only difference is that, should you wish to export seafood into the EU, you will need to contact the Food Standards Agency (FSA) to ask for your establishment to be included in future revisions of the list submitted to the EU for approval (see question 'I have an establishment which is approved by the Food Standards Agency. Will my approval number change? Do I need to take any further steps?').

2.10 Can I use dual labelling for product intended for sale in the UK and EU?





A product can have a UK address together with an EU address on the label. This would mean that the label is valid for both UK and EU markets.

However, a product cannot display two health marks. In circumstances where the final destination of the product is unknown, one health mark must be displayed in order to comply with EU legislation.

More detail can be found in the government guidance 'Food and drink labelling changes from 1 January 2021' and 'Guidance on health and identification marks that applies from 1 January 2021'

2.11 Can I use over-stickering on existing label stock to minimise wastage costs?

Yes, over-stickering is perfectly acceptable, as long as it meets the basic labelling requirements. Food labels must be clear, understandable and not interfere with any other mandatory information.

2.12 Can my products destined for the EU Single Market continue to be labelled in English only?

Future requirements do not change at all in this respect from the current situation. Mandatory food information should be provided in "a language easily understood by the consumers of the Member States where the food is marketed" which generally means the official Member State language(s) of its destination country.

2.13 Will Government take a pragmatic approach to enforcement where labels are found to be incorrect?

In many cases transitional periods for changes to food labelling are being written into legislation. However, where it has not been possible to make these legal changes government are working with enforcement officials to agree the requirements for a pragmatic approach to be taken where labels are found to be incorrect. Foods which may be subject to this pragmatic approach are:

- Food and ingredients where country of origin labelling is used
- Organic produce
- Foods which use of the EU emblem, e.g. fruit and vegetables under the Approved Trader Scheme

2.14 Will current EU Protected Geographical Indications (PGIs) continue to be recognised and protected in the UK?

There are currently 14 EU PGIs for seafood. New UK GI logos will be available to identify products protected under the UK schemes from 1 January 2021.





Producers of UK food, drink and agricultural GI products registered before 1 January 2021 will have until 1 January 2024 to change packaging to display the new UK GI logos.

Defra has consulted on plans to introduce a UK scheme to give the same level of protection to UK PGIs within the UK. Defra is also proposing to introduce a bespoke enforcement regime. Further information can be found at:

Defra Consultation on establishing UK Geographical Indications (GI) schemes after EU Exit

And:

Defra consultation on improved enforcement of the Protected Food Name Scheme

The results of the respective consultations are available here and here.

2.15 Will the current UK Protected Geographical Indications continue to be recognised and protected in the EU?

Council Regulation (EC) No 510/2006 sets out the rules for the designation and protection of PGIs. This will remain in force in the EU; therefore all UK GIs registered under the EU GI schemes by the end of the transition period will continue to receive protection in the EU. Any new UK products seeking EU GI protection will need to secure protection under UK schemes first.

More details can be found in the government advice <u>'Protecting food and drink</u> names from 1 January 2021'

2.16 Will PGIs have international protection?

From 1 January 2021, GI protection will continue for products currently named in:

•EU free trade agreements where the UK has signed a continuity agreement

•Other EU third country sectoral agreements where the UK has signed a continuity agreement

2.17 Can amendments be made to current PGIs?

It is the Government's assumption that, given the products are currently protected under EU regulations amendments would continue to receive EU consideration.

More detail can be found in the guidance '<u>Protecting food and drink names from 1</u> January 2021'.

2.18 Have bilateral discussions taken place with EU member states about pragmatic approaches to enforcement?

No. The UK has no control over enforcement outside the UK. The EU and other non-EU countries may require wholly accurate labelling for access to their markets. In these instances, the UK can only recommend that labels are replaced or overstickered as required to ensure they are fully accurate. This would include ensuring country of origin labelling, health marks and responsible business addresses were correct. Please note - a business can use the address of the importer of the goods into the EU as an acceptable alternative.

2.19 Will EU trade marks continue to be protected in the UK and the EU?

The UK Government will ensure that the property rights in all existing registered EU trade marks will continue to be protected and to be enforceable in the UK by providing an equivalent trade mark within the UK.

The government will work to provide continued protection of trade marks and designs, filed through the Madrid and Hague systems, which respectively designate 'EU' origin.

Provision will be made regarding the status of legal disputes involving EU trade marks which are currently *sub judice* before the UK courts. More information will be provided on this before the UK exits the EU.

Currently businesses in any country can apply for protection in the UK and/or EU through separate approval processes. This will remain unchanged and UK, EU and third country applicants, will continue to be able to apply for protection in the EU through an EU trade mark, as is currently the case.

More detail can be found in the government advice <u>'EU Trade mark protection and</u> comparable UK trade marks from 1 January 2021'.

2.20 Will products made before the end of the transition period and stored in warehouses be able to be sold legally after 1st January 2021?

Foods placed on the EU market before 23:00hrs GMT can continue to be circulated throughout the EU. Any 'supply of a good for distribution, consumption or use on the market in the course of a commercial activity, whether in return for payment or free of charge' is considered to be placed on the market and can therefore continue to circulate freely. If you intend to circulate goods around the EU you will need to prove they were placed on the EU market before this time.

Goods in storage in NI will continue to have free circulation within the UK and EU single market.



It is proposed that after 1st January 2021 the UK will adopt the existing EU lists of claims, including restrictions and conditions of use. These regulations have also been adopted into CAP codes by the <u>Advertising Standards Authority</u>.

2.22 Will I be able to get nutrition and health claims approved in the future?

Scientific advisory functions relating to nutrition and health claims conducted by EFSA will be transferred to the <u>UK Nutrition and Health Claims Committee</u> (<u>UKNHCC</u>), a new committee to be established under the remit of Public Health England (PHE). The UKNHCC will be responsible for the scientific substantiation and providing advice to the four UK administrations on any new nutrition and health claims made within the UK post EU-exit. The committee will be administered and staffed by civil servants from within PHE, but will remain politically and operationally independent. Amendments to the rolled over list will follow the same procedure.

2.23 By law, will I still have to provide prescribed traceability information to my customers?

Yes. The European Union (Withdrawal) Act converts "direct EU legislation" which is "operative" immediately before exit day, into domestic law. As a result, the laws surrounding minimum traceability requirements such as Regulation (EC) No 1224/2009 (Fisheries Control Regulations) and Regulation (EU) No 1379/2013 (CMO Regulations) will continue to apply. Domestic legislation such as the Fish Labelling Regulations 2013 will also continue to apply.

From 1 January 2021, this means legislation surrounding the provision of lot information (such as lot ID number, catch date, vessel name etc.) must be complied with.

2.24 Does the UK possess 'third country' status?

At the end of the transition period (1 January 2020), the UK will need to be listed by the EU as a third country in order to gain approval to continue exporting seafood to the EU

Defra is taking steps to gain listed third country status for the UK and it is anticipated that third country status will be re-approved at a European Commission meeting in October 2020, in advance of the end of the transition period.

The UK had secured third country status on 14 October 2019 status in preparation for a 'no deal' departure on 31 October 2019.



Section 3- Crossing Borders

3.01 What can I do to avoid delays at the border for my imports/exports?

Missing or inaccurate paperwork is one of the most common causes of delay at the border. It is important to liaise with your overseas counterpart so the exporter understands what paperwork is required. Ensuring that documentation is legible, complete, thorough and correct can help to mitigate the risk of hold ups during border checks. The timely arrival of documentation contributes to a timely clearance, for example arranging for your documentation to arrive prior to the goods.

Use of a reputable customs broker with a good relationship with the customs authorities in the importing country can also help to ensure your goods are cleared efficiently.

Authorised Economic Operator (AEO) status gives quicker access to some simplified customs procedures and, in some cases, the right to 'fast-track' your shipments through some customs and safety and security procedures. Application preparation and submission for AEO status typically takes 3 to 12 months, followed by 120 days for customs to assess your submission, and conduct site visits. If you are interested in achieving AEO status, <u>you are advised to read the relevant guidance published by HMRC here</u>.

If you import from the EU you can also make use of the Customs Freight Simplified Procedures (CFSP). These will allow deferments on the submission of customs declarations, the payment of customs duty and other requirements <u>as announced by</u> the UK government on 12 June 2020.

3.02 Will there continue to be mutual recognition of UK products across the EU?

When the UK leaves the transition period it will no longer fall within the scope of the mutual recognition principle. This allows product that is legally sold in one member state to be sold in any other member state even if the product standards are not harmonised. Harmonised products meet the legal requirements in both countries and can continue to be marketed in each country.

UK businesses exporting non-harmonised goods to the EU market will need to consider the national requirements of the first EU country they export to. They will not need to consider the national requirements of any EU countries goods travel through before reaching the EU country in which they are intended to be placed on the market.



UK businesses who have already exported a non-harmonised good to an EU country by meeting the relevant national requirements will not need to take any specific action. The mutual recognition principle will allow the product to be further marketed throughout the EU Single Market.

3.03 Will there continue to be mutual recognition of EU goods sold on the UK market?

No, UK and non-UK businesses who import non-harmonised goods into the UK will need to take action.

3.04 When we export seafood products, we will be exporting as the 'UK' and not as the 'EU'. What impact will this have?

Export health certificates (EHCs) issued by the UK provide guarantees of compliance with the health requirements of the importing country. In future, the authorities of certain countries importing seafood from the UK may choose to carry out an inspection of the UK authorities and/or exporting businesses to ensure that their requirements are continuing to be met after the end of the transition period. Depending on the severity and nature of any non-compliance found, it is unlikely that any inspection would lead to a suspension in trade.

There is currently no indication that countries wish to carry out inward inspections in the short term. However it is key for exporters to continue to meet the requirements of the destination country and ensure EU requirements as a minimum continue to be met. See section 2 for the impact on product labelling and origin claims.

3.05 Will current trade arrangements with EEA countries apply at the end of the transition period?

Iceland, Liechtenstein, Norway and Switzerland trade with the EU under an agreement.UK trade with these countries will be treated as trade with EU member states in accordance with such agreements during the transition period.

The UK Government has concluded trade agreements with the Faroes, Liechtenstein and Switzerland as well as some other non-EU countries. This will allow trade with these countries to continue with minimal changes after the transition period ends. Trade agreements with Iceland and Norway have been agreed in part. These agreements cannot be concluded until the exact nature of the UK–EU relationship is known, because the UK's relationship with these countries is influenced by the UK's relationship with the EU. You can find the latest on signed trade agreements <u>here.</u>

3.06 What will happen to UK goods that are on the market in the EU if the UK leaves the EU with no deal?

Food products placed on the EU Single Market before the close of the transition period can continue to be sold, distributed or transferred in the EU Single Market without the need for labelling changes.

The definition of 'food products placed on the EU Single Market' is food that has been:

- Held in the EU Single Market for the purpose of sale, including offering for sale or any other form of transfer, whether free of charge or not; or
- Sold, distributed, or transferred by other forms to the EU Single Market.

3.07 Do I need an EORI number?

In order to trade with the EU at the end of the transition period you may need two types of Economic Operators Registration and Identification (EORI) number.

<u>UK EORI</u>

A UK EORI number will allow you to trade goods into or out of the UK. It will allow you or your agent to submit the necessary customs declarations and to apply for customs simplification procedures. Your UK EORI number will start with 'GB' and be followed by 12 digits which will include your VAT number. You may already have a UK EORI number if you trade with non-EU countries.

A UK EORI number is not required if you only move goods between Ireland and Northern Ireland.

If you are a VAT registered UK business, HMRC may have automatically allocated you a UK EORI number. If you are not a VAT registered business or have not received your UK EORI number <u>click here to contact HMRC or to apply</u>.

UK businesses should refer to <u>government guidance on UK EORI numbers</u> for the latest information.

<u>EU EORI</u>

A UK business will need an EU EORI number only if it is dealing directly with EU customs authorities. If your importer or customer in the EU deals with the EU customs authorities on your behalf, they will need to have an EU EORI number.





EU EORI numbers must be applied for in the customs authority in the EU where you first conduct trade or request a customs decision from. <u>Details on EU Member State</u> customs authorities can be found here.

An EU EORI number is not required if you only move goods between Ireland and Northern Ireland.

UK businesses should refer to <u>EU guidance on EU EORI numbers</u> for more information.

3.08 Should I use a Customs Broker/Agent or Freight Forwarder to help with customs procedures?

Most businesses use a customs broker/agent or freight forwarder to make customs declarations for them. This can make exporting simpler and faster and can reduce the risk of delays at the border.

It is possible to make your own customs declarations if you have the appropriate qualification and use approved software. Given the complexity of the process, this approach is generally better suited to the more experienced exporter but can be more cost effective than using an agent. <u>Grant funding has been made available</u> to help UK businesses complete customs declarations themselves, in preparation for the end of the transition period.

The UK Government has established a new free-to-use Trader Support Service which can be used to complete customs declarations on your behalf, when moving goods into Northern Ireland from GB or non-EU countries. It can help if you:

- Move goods from Great Britain to Northern Ireland, or bring goods into Northern Ireland from outside the UK
- Act on behalf of someone to move goods from Great Britain to Northern Ireland, or bring goods into Northern Ireland from outside the UK
- Are based in Northern Ireland and receive goods from outside of Northern Ireland
- Send parcels from Great Britain to Northern Ireland, or bring parcels into Northern Ireland from outside the UK, using Royal Mail or an express operator

To register your interest in the service or for further information, please refer to this HMRC guidance. More information on third parties that can help with the customs process and the movement of the goods can be found on the British International Freight Association website here.

3.09 Will my wooden packaging (e.g. pallets) need to meet any new requirements?

Yes. Wood packaging material (WPM) moving between the UK and the rest of the EU can currently move freely without checks or controls. From 1 January 2021 all WPM moving between the Great Britain and the EU (including Northern Ireland) must meet <u>ISPM15 international standards</u> and may be subject to official checks either upon or after entry to the EU or Northern Ireland.

<u>ISPM15 international standards</u> apply to solid wood packaging such as packing cases, boxes and crates, drums and similar packing, pallets, box pallets and pallet collars and dunnage (loose wood used to protect goods and their packaging).

These standards do not apply to processed woods like plywood, raw wood less than 6mm thick, or cardboard or other packaging materials.

You can check whether a pallet has been treated to ISPM15 standard if it bears 2 ISPM15 marks on opposite sides of the pallet. These marks must be visible and legible and can appear on the block, stringer or lead board of the pallet. A pallet simply having an ISPM15 stamp on may not mean it is compliant as it might not be fully legible.

Importing solid wood packaging

Checks on WPM will continue to be carried out in the UK on a risk-targeted basis only. The plant health risk from WPM imported from the EU and Northern Ireland is low and is not expected to change from 1 January 2021.

You should specify the requirements for solid wood packaging in your contract with the exporter. This will help protect you if the packaging fails an inspection.

If the packaging fails an inspection and you're given the option to treat it, you can either:

- find a company authorised to carry out treatment to ISPM15 standards
- send the wood packaging back to the supplier

Exporting solid wood packaging

You, or your packing service or freight forwarder, must make sure any solid wood packaging you use meets ISPM15 international standards.

All wood packaging material and dunnage which is exported to the EU from a non-EU country must be:

- either heat treated or fumigated in line with ISPM15 procedures
- officially marked with the ISPM15 stamp consisting of 3 codes (country, producer and measure applied) and the IPPC logo



• debarked

If you export packaging outside the EU, check if the country you're trading with accepts <u>ISPM15</u> standards and if they have any other requirements.

You can either:

- check TIMCON's global exporters' guide
- contact the country's embassy or national plant protection organisation

For more information see UK Government guidance '<u>movement of wood packaging</u> <u>material</u>' and EU guidance '<u>requirements for wood packaging and dunnage</u>'.

There are special rules for Ireland and Northern Ireland.



Section 4 - Importing into Great Britain

4.01 What new import controls will be in place at the UK border? What health and catch documentation will I need?

There will be minimal change in the short term to current veterinary controls and requirements for notifications for seafood, including live seafood, imported directly from third countries outside the EU. The only difference will be that importers or their agents would have to use a new import notification system, called the Import of Products, Animals, Food and Feed System (IPAFFS), which will replace TRACES.

The requirement for health certification and catch certification will remain unchanged.

With direct imports of seafood from EU countries, the UK intends to leave current procedures for importing seafood unchanged in the short term, other than the requirement for a catch certificate. A health certificate will be required from April 2021. After the end of the transition period, if you are importing goods from the EU, there will be no requirement for notification via IPAFFS until April 2021. From July 2021, there will be import checks at Border Control Posts (BCPs) on seafood from the EU. Consignments from the EU will have to be imported via a point of entry with an appropriate BCP.

You will require a catch certificate and supporting documents, validated by the country of export, for most consignments of wild-caught seafood imported from the EU or elsewhere and for fish and fishery products landed directly into the UK by a non-UK flagged vessel. If the fish you're importing into the UK has been caught by a vessel flagged to a country other than the exporting country, you will need the following documentation:

- If it has been stored for more than 12 hours, you'll need a copy of the catch certificate and a storage document from the exporter;
- If it has been processed, you'll need a copy of the catch certificate and a processing statement from the exporter – this must be filled in by the processor and endorsed by the authority in the country of processing.

To ensure efficient clearance of your consignment, you should provide the original catch certificate to the port of entry in advance or at the time of your consignment's arrival. If this is not possible, you should check with your port of entry. Some ports may agree to complete the checks if you provide them with electronic catch certificate documents, provided that hard copies of the documents follow.



If your product is listed in Annex I of the IUU Regulation (<u>Regulation 1005/2008</u>), as amended, it is exempt from the catch certificate requirement. You should ensure that the accompanying commercial documents contain information to support your claim that no catch certificate is required, such as documentary evidence that the product is of aquaculture origin.

Non-UK vessels, including EU vessels, intending to land their catch in the UK will need to follow the same rules that will apply to UK-registered vessels accessing an EU port. For example, they'll need to give notice of their plans to land, except in cases of distress and unexpected events (force majeure). Fish must be landed in a <u>designated UK port</u>. EU vessels fishing in the NEAFC Convention Area and landing into the UK will need to complete a <u>Port State Control form</u>.

There will be new import requirements for imports of seafood from non-EU countries that arrive in the UK via an EU country. They are described below in question 4.06. The requirements will apply from the date when the UK leaves the EU.

4.02 Will my consignment be checked? Who pays for the border checks?

Checks on seafood imported directly from non-EU countries, and payment for the checks, will remain as they are currently. While there is no intention to change the frequency or nature of the checks, this may be revised in the future on the basis of the UK-specific risk.

Seafood from EU countries will have to be accompanied by a catch certificate from 1 January 2021. Other requirements and checks will be staged as follows.

From 1 January 2021 to 31 March 2021, seafood from EU countries will not be subject to veterinary checks and will not have to be imported via a Border Control Post (BCP).

From 1 April 2021 to 30 June 2021, seafood from EU countries will require prenotification and health certification. The import will not have to take place via a Border Control Post (BCP). Documentary checks may take place remotely.

From 1 July onwards, seafood from EU countries will require pre-notification and health certification, and will have to be imported through an appropriate BCP.

The Port Health Authority at the point of entry will charge the importer (or the 'person responsible for the consignment') for the checks.

4.03 What labelling should I have on the consignment?



There will be no change to the requirement for labelling of the consignment presented for import. The consignment will need a legible and indelible identification mark ('health mark') that is clearly displayed. The mark must indicate the establishment number of the establishment and the country of origin. Inspectors should be able to see the mark without having to open the package.

For changes to labelling of packaged seafood intended for the UK market, see <u>Section 2</u> of this guide.

4.04 How will I be able to check the Customs tariff for my import?

HMRC publishes <u>tariff data online</u>, which importers will be able to continue to use to check tariffs on imported goods.

After the end of transition, there will be a number of changes to tariffs. The trade tariffs that will apply from 1 January 2021 can be checked on the <u>UK Global Tariff</u> <u>website</u>.

4.05 How will Customs requirements change?

If you have been importing from non-EU countries, you will already have arrangements in place with HMRC and these will remain unchanged.

If you want to import from an EU country, you will have to apply the same customs rules to goods moving between the EU and the UK as currently apply in cases where goods move between a country outside of the EU and the UK. There is guidance on this in the UK government's <u>Border Operating Model</u> document.

Actions to take in preparation for the future

- Register for a GB Economic Operator Registration and Identification (EORI) number. <u>Get an UK EORI number</u>.
- Decide if you want to <u>make customs declarations yourself</u> or <u>appoint a</u> <u>Customs Intermediary</u>. If you decide not to use an intermediary, you will need to make declarations yourself. To do this you will need to get access to <u>HMRC systems and to purchase software</u>. You could be entitled to <u>financial</u> <u>help</u> to help your business complete customs declarations.
- Apply for a Duty Deferment Account. Traders who import goods regularly may benefit from having a duty deferment account (DDA). This enables customs charges including customs duty, excise duty, and import VAT to be paid once a month through Direct Debit instead of being paid on individual consignments.
- Prepare to pay or account for VAT on imported goods. VAT registered traders will be able to account for import VAT on their VAT return by using

postponed VAT accounting from 1 January 2021. Unless they are eligible to defer their supplementary declarations, they will not be compelled to use postponed VAT accounting.

- Ensure drivers have correct International Driving Permits. Hauliers need to
 ensure their drivers have the correct documentation, for example an
 international driving permit (IDP) or an additional licence may be required to
 drive in some countries. More information will be provided on GOV.UK as the
 requirements are clarified.
- Additional actions for Customs and VAT processes:
 - Check suitability for facilitations Section 1.1.5 and Section
 4.1.5. of the Border Operation Model document that will make processes smoother.
 - Find the right <u>commodity code</u> for your goods.
 - Businesses importing goods into GB should ensure they are familiar with using the '<u>Trade with the UK</u>' tool which provides detailed information on tariffs, taxes and rules. The tariffs shown are those currently being applied until 1 January 2021. Use the <u>UK Global Tariff tool</u> to check the tariffs that will apply to goods imported from 1 January 2021.
- Check whether any <u>duty relief schemes apply</u> these let you pay less (or no) duty on imports.
- Consider commercial arrangements (Incoterms). Individual commercial contracts and arrangements may alter the default legal responsibilities and requirements. Contractual obligations for international commercial transactions are outlined in the Incoterms rules, which are administered by the International Chamber of Commerce. These are an important consideration for traders when moving goods internationally, and should be considered and understood alongside the information in this document.

4.06 I import seafood from a non-EU country via the EU. What will change?

If there is no future agreement negotiated with the EU beyond the Withdrawal Agreement, there will be new requirements for imports of seafood from non-EU countries that move through the EU before arriving in the UK.

These requirements will apply from the end of the transition period (1st January 2021). However, some aspects will not take effect until April 2021 or July 2021. Importers will need to notify the UK authorities using the new import notification system (the Import of Products, Animals, Food and Feed System, IPAFFS), which will replace TRACES. The seafood will have to be imported through a Border Control Post (BCP) to ensure that the necessary checks are carried out.



Seafood that is cleared for free circulation in the EU (and Liechtenstein, Norway and Switzerland) and subsequently imported into the UK will be treated as an import from the EU.

4.07 Will I be able to take advantage of the EU's existing Free Trade Agreements for my imports after 1 January 2021?

No, the UK will no longer be a party to these agreements after 1 January 2021. However the UK has been making arrangements with these countries to ensure that trade continues under similar conditions following a no-deal exit. UK businesses should refer to government guidance on <u>'Existing trade agreements with non-EU countries</u>' for the latest developments.

Some agreements will not be in place before the end of the transition period. In this case, trade with these countries would take place on World Trade Organization (WTO) terms using 'Most Favoured Nation' (MFN) tariffs.

4.08 I import live aquatic animals (e.g. Mussels and Oysters) from the EU for aquaculture purposes. Will my processes change?

There will be new processes that importers must follow for live fish, molluscs and crustaceans imported for aquaculture and ornamental purposes including live shellfish for purification (depuration) prior to consumption.

England and Wales

From 1 January 2021

Live aquatic animals from the EU must be:

- Pre-notified by the importer using the UK's new <u>Import of Products, Animals,</u> <u>Food and Feed System (IPAFFS</u>) for all imports of live fish, molluscs and shellfish and their eggs and gametes. You must use <u>IPAFFS</u> to pre-notify at least one working day before your consignment is due to arrive.
- Accompanied by an Export Animal Health Certificate which meets UK standards for entry into England and Wales.
- Authorised for import by the Fish Health Inspectorate (FHI)

From 1 July 2021

New import requirements will apply to live aquatic animals imported from the EU.

They must be:

- Accompanied by an Export Animal Health Certificate so they can have documentary checks. UK model animal health certificates are under review and will be made available through the FHI on completion.
- Pre-notified by the importer using IPAFFS



 Entered through a Border Control Post (BCP) so they're available for documentary, identity and physical checks. <u>A full list of UK BCPs can be found</u> <u>here</u>.

Read UK Government guidance for more information on <u>importing live aquatic</u> animals at the end of the transition period.

Scotland

The Fish Health Inspectorate in Marine Scotland must be notified of all planned imports using the relevant notification forms.

For specific queries please contact the Fish Health Inspectorate (Scotland) team.

This guidance does not currently apply to UK businesses moving goods into, out of, or through Northern Ireland.

4.09 I import live aquatic animals (e.g. Mussels and Oysters) from a non-EU country for aquaculture purposes. Will my processes change?

From 1 January 2021, you will no longer have access to the EU's import system TRACES (Trade Control and Expert System). Instead, you will need to use the <u>UK's</u> <u>new Import of Products, Animals, Food and Feed System (IPAFFS)</u>. You must use <u>IPAFFS</u> to notify the <u>UK BCP</u> at least one working day before your consignment is due to arrive.

Export Animal Health Certificates are required. Health certificates and other documentation are being reviewed and further guidance will follow. <u>Contact FHI</u> for the required document.

You must continue to import live animals into the UK through a <u>UK border control</u> <u>post (BCP)</u> formerly known as Border Inspection Posts (BIPs).

Section 5 - Exporting from the UK to non-EU countries

5.01 What UK legislation covers seafood exports?

Legislation governing seafood exports is largely set out by the importing country. It is the responsibility of the exporter to identify what the importing country's requirements are, to take the necessary measures to meet them and to carry out any confirmatory checks.



The UK places no particular controls on seafood exports other than those relevant to all food businesses, i.e. those related to compliance with food law. In the domestic context, these food laws include the UK's <u>Food Safety Act 1990</u> (as amended) which covers operations involved in the export of food. It requires food businesses to ensure that they do not render food injurious to health, sell food not of the nature or substance or quality demanded to the purchaser's prejudice nor falsely describe or present food.

The European Union (Withdrawal) Act converts "direct EU legislation" which is "operative" immediately before exit day, into domestic law. As a result, the following EU food laws will remain applicable to UK food exports:

General Food Law

Article 12 of the General Food Law <u>Regulation (EC) No 178/2002</u> requires that food exported or re-exported for placing on the market abroad needs to comply with relevant food law.

Hygiene Regulations

Article 11 of <u>Regulation (EC) No 852/2004</u> requires food for export to comply with the following hygiene requirements, in particular:

- The specific requirements in Regulation (EC) No 853/2004
- Microbiological criteria
- Hygiene procedures
- Temperature control and maintenance of the cold chain
- Sampling and analysis
- The requirement to have in place a permanent documented procedure based on HACCP principles

5.02 How do I find out the seafood safety requirements in my destination market?

Each importing country has its own legislation governing seafood imports. UK exporters should check with the authorities in the destination country for the requirements they need to comply with. Importers in the destination market are usually very knowledgeable of the import specifications in their country.

If you do not have a contact in the importing country, you should contact the <u>Department for International Trade's Food & Drink Exports Team</u>.

The team can provide advice on the standards and regulations that your product should seek to comply with and can also assist with introductions in new markets.

5.03 The importer at the country of destination of my exports pays no duty or reduced duty on my goods. Is this likely to change on 1 January 2021 if no future trade agreement is in place between the UK and the EU?

After 31 December 2020, EU trade agreements will not apply to the UK.

The Northern Ireland Protocol ensures that Northern Ireland will benefit from trade deals negotiated and delivered on behalf of the United Kingdom.

If the UK agrees a Free Trade Agreement with your country of destination by 31 December 2020:

The UK is seeking to reproduce the effects of existing EU agreements for when they no longer apply to the UK. This will ensure continuity of trading arrangements for UK businesses. A list of agreements expected to take effect from 1 January 2021 can be found here. The agreements may contain minor changes to the original agreement, particularly in the area of rules of origin and may contain minor changes to duty rates

The rules of origin in transitioned agreements will enable businesses in the UK and the trading partner to continue to operate as much as possible through their established value and supply chains, including continuing to make use of EU content in their exports to one another. The proof of origin required under transitioned agreements is as similar as possible to those used in the previous EU agreement. Different trade deals permit different types of proof to be submitted to demonstrate the origin of goods. This may include a certificate of origin in a particular format or a declaration on an invoice.

Updated certificates of origin will be available from your usual provider. The certificates will look very similar to those currently in use, but will show the UK as the place of origin rather than the EU.

The UK is also negotiating new trade agreements that were not possible during EU membership. Details can be found on <u>DIT website</u>.

If the UK has NOT agreed a Free Trade Agreement with your country of destination, by 31 December 2020:

If the UK does not reproduce the effects of an existing EU agreement, trade with other World Trade Organization (WTO) members will take place on WTO terms when EU trade agreements cease to apply to the UK. This may result in changes to duty rates.

Countries that are currently applying full (MFN) tariffs on imported seafood from the EU will continue to do so on goods originating from the UK.

5.04 I already export to non-EU countries. Will my export procedures change?

seafish

In the immediate instance, requirements for trade to third countries outside the EU will not change at the end of the transition period. However changes may be required to the wording of the documentation, which would need to be agreed with the destination country, to reflect the fact the UK is no longer a member of the EU. Defra is working to agree updates for all existing export health certificates, prioritising the countries to which the UK exports the highest volumes. Exporters to non-EU third countries would need to check, before export, the latest version of the Export Health Certificate for that particular destination.

See question 'The importer at the country of destination of my exports pays no duty or reduced duty on my goods. Is this likely to change on 1 January 2021 if no future trade agreement is in place between the UK and the EU?' 'for more information on tariff arrangements with non-EU countries.

5.05 The goods that I export to non-EU countries are not of UK origin but are products that were previously imported into the UK. What issues will I face?

If you import seafood from outside of the UK and do not carry out any processing, packing or wrapping on the goods in the UK, before you export them to a non-EU country, you may wish to check the terms of the Export Health Certificate (EHC) for the destination country.

Some of the UK's EHCs for non-EU countries contain an attestation that the seafood being certified for export derives from an establishment approved by the UK competent authority. If no processing, packing or wrapping is carried out on the imported seafood once it has arrived in the UK, the products cannot be said to derive from a UK approved establishment. Therefore the Certifying Officer may be unable to sign the EHC.

In general, UK goods seeking to enter a non-EU country under a Free Trade Agreement (FTA) will have to prove that they are from the UK in accordance with the <u>Rules of Origin</u> agreed in the FTA. If the UK has negotiated a FTA with your destination country at the end of the transition period, it is recommended that you check the Rules of Origin in the FTA.

<u>A list of Free Trade Agreements expected to take effect from 1 January 2021 can be</u> found here.



Section 6 - Exporting from the UK to EU countries

6.01 I export to the EU so no customs duties are paid on the goods at their destination. Will this change?

Should the UK and EU not agree a future trading relationship beyond the Withdrawal Agreement, UK-EU trade will be conducted on non-preferential WTO terms. This means that full 'Most Favoured Nation' (MFN) tariffs and non-preferential rules of origin would apply to consignments of UK seafood at the EU destination country.

The applicable tariffs are recorded in the <u>EU's Common Customs Tariff</u>, where they are listed as 'erga omnes' (which translates as 'towards all'). The EU may change these rates before the close of the transition period, but the current tariff rates can be used as an indication.

6.02 How do I check the Commodity Code and/or tariff for my goods going to the EU?

Prior to the end of the transition period, the UK Trade Tariff Tool can help you to find the correct commodity code for your exports. The tool however should be used with caution as identifying the wrong code risks paying the wrong tariff, costly delays at the border or even goods being blocked from entering the EU.

If you are unsure which commodity code best fits your product, HMRC are best placed to offer the necessary advice. <u>Contact details are provided in this government guidance</u>.

Once the correct commodity code has been identified, the <u>UK Trade Tariff Tool</u> lists the VAT and tariff applicable to that commodity code. During the transition period, the <u>UK Trade Tariff Tool</u> will show the tariffs that currently apply for imports into the EU (including the UK).

More information on how to use the UK Trade Tariff Tool can be found here.

Following the close of the transition period the <u>UK Trade Tariff Tool</u> will show the tariffs applicable for imports into the UK and not imports into the EU as is currently shown.

Should the UK and EU not agree a future trading relationship beyond the Withdrawal Agreement, UK-EU trade will be conducted on non-preferential WTO terms. This means that full, 'Most Favoured Nation' (MFN), tariffs and non-preferential rules of origin would apply to consignments of UK seafood at the EU destination country.



Should the UK and EU agree a future trading relationship beyond the Withdrawal Agreement; tariffs will instead be set at the preferential rates agreed.

To access commodity code and tariff information for your exports to the EU after 1 January 2021, UK businesses are advised to use the <u>EU's TARIC tool</u>.

6.03 Will I be able to take advantage of the EU's existing Free Trade Agreements for my exports at the end of the transition period?

No, the UK will no longer be a party to these agreements. However the UK is seeking to reproduce the effects of existing EU agreements for when they no longer apply to the UK (from 31 December 2020). This will ensure continuity of trading arrangements for UK businesses. <u>A list of agreements expected to take effect from 1</u> January 2021 can be found here. The agreements may contain minor changes to the original agreement, particularly in the area of rules of origin and may contain minor changes to duty rates.

UK businesses should refer to government guidance on <u>'UK trade agreements with</u> <u>non-EU countries</u>' for the latest developments and discussion on the transition of EU trade agreements.

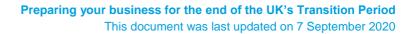
Some agreements however will not be in place before the end of the transition period. In this case, trade with these countries would take place on World Trade Organization (WTO) terms using 'Most Favoured Nation' (MFN) tariffs. This may result in changes to duty rates.

Information on preferential and MFN rates can be accessed at the European Commission's <u>Market Access</u> database.

6.04 What do I need to do to export my fisheries products from Great Britain to the EU and Northern Ireland if the transition period ends without a future trade agreement in place?? (excluding direct landings)

While the process of exporting fisheries and aquaculture products from Great Britain to the EU and Northern Ireland is expected to change at the end of the transition period, the details and extent of this change will be dependent on the outcome of the ongoing trade negotiations with the EU.

In the case of the UK and EU not being able to conclude a future trade agreement beyond the Withdrawal Agreement, UK exporters of fisheries products to the EU should consider the following:



- Do you have a valid <u>UK Economic Operator Registration and Identification</u> (EORI) number and a valid <u>EU EORI number</u> where applicable? (see question '*Do I need an EORI number*?')
- All exports of fishery products will need to be dispatched from an UK approved food establishment that has been listed by the EU. Find out how to become listed. Will your consignment of fish and fishery products arrive into the EU via an <u>EU Border Control Post</u> (BCP) which is approved to handle your category of goods? Have you obtained a signed <u>Export Health</u> <u>Certificate</u> for every consignment to the EU? (see question 'How do I get an Export Health Certificate for my consignment to the EU after 1 January 2021 if no future trade agreement is in place beyond the Withdrawal Agreement?')
- Have you obtained a <u>Catch Certificate</u>, where applicable for your product? Have you sent it to the importer so they can give it to the receiving country's competent authority? It is recommended that a copy of the certificate accompanies the consignment.

(see question 'How do I get a Catch Certificate, Storage Document and/or Processing Statement for my consignment to the EU from 1 January 2021 if no future trade agreement is in place beyond the Withdrawal Agreement?)

- If you are exporting fish sourced from another country that has been stored in the UK for more than 12 hours, have you obtained a <u>Storage Document</u>? (see question 'How do I get a Catch Certificate, Storage Document and/or Processing Statement for my consignment to the EU from 1st January 2021 if no future trade agreement is in place beyond the Withdrawal Agreement?')
- If you are exporting fish sourced from another country that has been processed in the UK, have you obtained a <u>Processing Statement</u>? (see question 'How do I get a Catch Certificate, Storage Document and/or Processing Statement for my consignment to the EU from 1st January 2021 if no future trade agreement is in place beyond the Withdrawal Agreement?)
- Does your packaging display the new <u>UK health/identification mark</u>? (see question 'What changes need to be made to EU health and identification marks after 1 January 2021?')
- If your consignment contains pre-packaged food, does it have an <u>EU address</u> on the packaging? (see question 'What changes will be needed to the labelling of products intended for sale within the EU and Northern Ireland to reflect that the UK is no longer a member of the EU?')

Submit an <u>export declaration to HMRC yourself</u> or get your <u>customs broker</u> to submit on your behalf. (see question '*Should I use a Customs Broker/Agent or Freight Forwarder to help with customs procedures?*').

Government guidance <u>'The transition period'</u> and <u>'Export fish to the EU from 1</u> <u>January 2021'</u> can also provide more information.

6.05 I move live aquatic animals from Great Britain to the EU or Northern Ireland for aquaculture purposes. Will my processes change if the transition

period ends without a future trade agreement with the EU? (excluding direct landings)

If the transition period ends without a future trade agreement in place, you will need an Export Animal Health Certificate (EAHCs) to move the following live aquatic animals from Great Britain into the EU or Northern Ireland:

- aquaculture animals for farming, relaying, put and take fisheries and open ornamental facilities
- Live bivalve molluscs for immediate processing, or purification (depuration) prior to human consumption.
- ornamental aquatic animals intended for closed ornamental facilities salamanders and newts

You do not need an animal health certificate for scallops; you will need an EHC for fishery products.

It is recommended that you check with the Competent Authority or Official Service for Aquatic Animal Health in the destination country or via their <u>embassy in the</u> UK to find out what Export Animal Health Certificate is required.

You must then contact the relevant competent authority to apply for an EAHC at least 5 working days before export:

- Fish Health Inspectorate at Cefas if you are in England or Wales
- Fish Health Inspectorate at Marine Scotland if you are in Scotland
- There are different rules for Northern Ireland, please see our separate guide for more information

EAHCs must be signed by the relevant competent authority following an inspection of the consignment and must accompany the consignment.

The consignment must enter the EU via a Border Control Post (BCP) approved to handle live aquatic animals within the EU. You'll need to consider if your current trade routes could be affected. <u>Find an EU-approved Border Control Post here</u>.

Make sure your importer/ EU-based import agent has notified the BCP that your consignment is arriving - check with the BCP for how much notice needs to be given.

More information on exporting live aquatic animals to the EU can be accessed here.

To apply for an EAHC click here.

6.06 I move live aquatic animals from Great Britain to the EU or Northern Ireland for direct human consumption. Will my processes change if the transition period ends without a future trade agreement with the EU? (excluding direct landings)

Live aquatic animals intended for direct consumption by the final consumer – such as live oysters and mussels (if from Class A waters or depurated), crabs and lobster – are classed as animal products and not as live animals. These products will therefore be subject to controls applying to animal products rather than live animal controls and are subject to circumstantial rules.

See question 'what do I need to do to export my fisheries products from Great Britain to the EU and Northern Ireland if the transition period ends without a future trade agreement in place?' for more information on the controls applicable to live aquatic animals.

6.07 What do I need to do to land a catch from a UK-flagged vessel directly into the EU and Northern Ireland after 1 January 2021 if no future trade agreement is in place beyond the Withdrawal Agreement?

While the process of landing fishery products from UK-flagged vessels directly into the EU and Northern Ireland is expected to change after 1 January 2021, the details and extent of this change will be dependent on the outcome of the ongoing negotiations with the EU.

In the case of no future trade deal being agreed beyond the Withdrawal Agreement, UK flagged vessels landing fisheries products directly into the EU and Northern Ireland should consider the following:

For <u>all types</u> of UK-flagged vessels:

1. IMO Number

While future access to fish in EU and other coastal State waters remains a matter for negotiation, UK fishermen who want to prepare for all scenarios at the end of the transition period should apply for an International Maritime Organization (IMO) number now.

In order to grant UK vessels access to EU waters in some circumstances, UK flagged vessels will be required to register with the IMO..

IMO registration is free and all UK fishing vessels will have to submit their IMO number to the Single Issuing Authority being established by the Marine Management Organisation (MMO).

2. You must land in a port designated by NEAFC and the EU

You must ensure your UK-flagged vessel lands or transships at a port in the EU or Northern Ireland which is designated by both the <u>North East Atlantic Fisheries</u> <u>Commission (NEAFC)</u> and the EU.

A list of NEAFC designated ports can be found here.



A list of ports at which sea fish may be landed in the EU and Northern Ireland, in accordance with EU IUU legislation can be found here.

3. Catch Certificate

See question 'How do I get a Catch Certificate, Storage Document and/or Processing Statement for my consignment to the EU from 1 January ?

4. Prior notification form

You will need to land at an <u>EU port designated by North East Atlantic Fisheries</u> <u>Commission (NEAFC)</u> and give the port prior notification of your arrival:

- for frozen fish, at least 72 hours before landing
- for fresh fish, at least 4 hours before landing

There are different prior notification forms for <u>exempt</u> e.g. some freshwater and aquaculture species (<u>see Annex I of Commission Regulation (EU) No 202/2011</u> for full list) and <u>non-exempt</u> (or a combination of exempt and non-exempt) fisheries products.

More information on prior notification forms can be found in government guidance.

5. Pre-landing declaration

You'll need to fill in a pre-landing declaration and email it to your destination EU designated port 4 hours before landing. You'll need to give details of the:

- area fished
- quantity of fish by species on board the vessel

More information on pre-landing declarations can be found in government guidance.

6. North East Atlantic Fisheries Commission (NEAFC) Port State Control form (PSC1 or PSC2)

Speak to your licensing authority who can register your fishing vessel with NEAFC.

Once your vessel is registered, you will need to <u>create an account with NEAFC</u>. to submit a Port State Control form (PSC1 or PSC2) before landing.

- PSC 1 is required if the vessel is landing its own catch.
- PSC 2 is required if the vessel has been engaged in transshipment operations.

Vessels carrying both their own catch and fish transshipped from other vessels are required to fill in both PSC 1 and PSC 2.



Check the <u>NEAFC website</u> to find out how much notice you need to give for your PSC1 or PSC2. This will vary depending on the country you're exporting to and how your product is presented.

7. You will <u>not</u> need to land into a Border Control Post or provide an Export Health Certificate (EHC) for fresh fishery products (processed fishery products, whether whole or prepared, including products packaged under vacuum or in a modified atmosphere, that have not undergone any treatment to ensure preservation other than chilling) landed directly from a UK-flagged fishing vessel into a port designated by NEAFC and the EU at the end of the transition period. However,

For UK-flagged <u>factory</u>, reefer or freezer vessels only:

Vessels approved by Local Authorities that land frozen or processed fish directly into the EU will also require:

- A Captain's Certificate signed by the Captain who is authorised by APHA (Animal and Plant Health Agency) or DAERA (Department of Agriculture, Environment and Rural Affairs), instead of an EHC.
- The fish to be landed into a Border Control Post (BCP) approved for the landed fishery product. <u>Click here to see whether your EU port is also a BCIP.</u>

'Processing' includes activities such as wrapping, mincing, freezing and filleting. Read about processing, presentation and marketing of fish.

6.08 Can I land my catch/export my seafood products to any port in the EU after 1 January 2021 if no future trade agreement is agreed beyond the Withdrawal Agreement?

You must ensure your UK-flagged vessel lands or transships at a port in the EU or Northern Ireland which is designated by both the <u>North East Atlantic Fisheries</u> <u>Commission (NEAFC)</u> and the EU.

A list of NEAFC designated ports can be found here.

<u>A list of ports at which sea fish may be landed in the EU and Northern Ireland, in accordance with EU IUU legislation can be found here.</u>

Fishery enforcement officers may inspect your fish when you arrive. You'll need to show them the UK catch certificate.

Fresh fish directly landed into the EU will not have to go through an EU Border Control Post (BCP) but fisheries products landed from factory and freezer vessels must be landed in a port designated by the EU and NEAFC that is <u>also</u> a Border Control Post (BCP). <u>Click here to see whether your EU port is also a BCP</u>.



All other consignments of fish and fishery products must be sent through an EU BCP if the fish was **both**:

• caught by a UK flagged vessel

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• landed in the UK before being transported to the EU by sea, air, road or rail

A list of EU BCPs, by country, can be found here.

6.09 What is an Export Health Certificate and do I need one for my consignment to the EU and/or Northern Ireland?

An Export Health Certificate (EHC) is an official document that confirms your export meets the health requirements of the destination country.

You must include a completed EHC for all movements of seafood to the EU and Northern Ireland at the end of the transition period and you may also need an EHC for each country that the consignment transits through (as well as an EHC for your final destination country).

At the end of the transition period, non-food approved registered vessels that land fresh fish directly into the EU and/or Northern Ireland at a port designated by NEAFC and the EU, will not require an Export Health Certificate. 'Fresh fish' may have undergone primary production, which may include de-heading or gutting.

If you move live aquatic animals from Great Britain to the EU and/or Northern Ireland for **aquaculture purposes**, you will need an Export **Animal** Health Certificate (EAHCs) from the relevant competent authority. This is a different certificate to the EHC (for more information see question '*I move live aquatic animals from Great Britain to the EU or Northern Ireland for aquaculture purposes. Will my processes change if the transition period ends without a future trade agreement with the EU?* (excluding direct landings)')

There are currently three different model EHCs for exports of fresh and processed fish, shellfish and farmed fish for human consumption to the EU and/or Northern Ireland.

1. Export of fishery products intended for human consumption

2. Export and store live aquaculture animals, fish eggs and uneviscerated fish intended for human consumption

3. Export live bivalve molluscs, echinoderms, tunicates and marine gastropods intended for human consumption

6.10 How do I get an Export Health Certificate for my consignment bound for the EU and/or Northern Ireland after 1 January 2021?

On 21 August 2020, the UK Government launched 'EHC Online', a digital service which allows exporters and Certifiers to apply for and certify Export Health Certificates (EHCs) remotely.

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This new service means that instead of emailing your completed PDF application to the Animal and Plant Health Agency (APHA), exporters will be able to apply online for the most frequently used EHCs.

It is anticipated that the new service will ensure that exporters and Certifiers can easily obtain a new EHC when additional certification of exports of seafood to the European Union (EU) will be required at the end of the transition period.

To make an application via EHC Online:

- Exporters should follow a two-step registration process for the EHC Online service; the first requires a Government Gateway account, and the second a Defra-specific account – <u>both of which can be set up online.</u>
- 2. Your Certifying Officer must also be registered on the EHC Online system, so check that they have also signed up. If you have not yet chosen a Certifying Officer, there are various ways you can find one:
 - <u>check the list of professionals who can sign EHCs</u> on GOV.UK (note: the list does not include every certifier in England, Scotland and Wales, and not every certifier will be able to certify every consignment. Check the details in the list to make sure you are choosing the right one.)
 - ask your local vet
 - email <u>csconehealthovteam@apha.gov.uk</u>

You should check that your Certifying Officer is able to inspect your consignment and sign your EHC in the days before you want to export. Exporters of perishable fishery products should contact their Certifying Officer to discuss specific needs.

- 3. Log into EHC Online via the UK Government's <u>Form Finder</u> tool or via your <u>Defra account</u>.
- 4. Select 'Start a new application' on the Exporter Dashboard or clone a previous application.
- 5. Complete the required steps and submit your application.
- 6. Once APHA has approved your EHC application, they will let your Certifying Officer know when your EHC is ready to download and print:
 - 7 working days before your export date
 - within one working day of receiving it, if you plan to export in the next 7 working days

You will be able to see when APHA has sent your certificate to your Certifying Officer on the system.

7. The certifying officer will then inspect your export to check it meets the health requirements of the destination country. If your consignment is compliant, they will then complete, sign and give the EHC to you. They will also send a copy to APHA.



The EHC must travel with your animal products to the export destination.

Local Authorities may charge a fee to the exporter for the required certification.

More information on accessing EHC Online for exporters can be found here.

Further advice on getting an EHC can be found in this government guidance.

6.11 Are there other ways I can obtain an Export Health Certificate?

Block Certification

For frequent and regular consignments to the same country, exporters can apply for blocks of up to 50 Export Health Certificates (EHCs) to be held by local authorities (LAs) or Official Veterinarians (OVs) ready for export. Issuing 'blocks' of serially numbered EHCs to LAs/OVs in advance, will help when certificates are required at pace.

Block certificates can be requested via the EHC Online service by indicating the number of certificates required on the relevant application (see question 'How do I get an Export Health Certificate for my consignment bound for the EU and/or Northern Ireland after 1 January 2021?').

Official Veterinarian

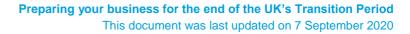
An official veterinarian may be able to sign your export health certificate, in addition to a local authority Certifying Officer. <u>Check the list of commercial vets who can sign</u> <u>EHCs</u>.

Groupage Export Facilitation Scheme

The Groupage Export Facilitation Scheme (GEFS) enables the use of time limited (30 day) Support Attestations to facilitate export health certification for groupage exports from Great Britain to, or for transit through, the EU and/or Northern Ireland.

Support Attestation provide information from supplier/manufacturing establishments, who are currently approved under EU regulations (Regulation (EU) 853/2004), to the certifying Official Veterinarian at the exporting premises.

Example: an exporter may group several supplier consignments into a single export consignment. The Official Veterinarian would use the Support Attestations provided by each of the exporter's suppliers and their personal knowledge to check and certify the consolidated consignment.



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The products for export must be fully packaged for the final consumer and produced using only animal content from a traceable network of known suppliers

Exporters must also be GEFS members to benefit and the scheme will commence at the end of the transition period: 1 January 2021. Primarily, the scheme will be for products certified by Official Vets but Defra are working to facilitate non-vet involvement.

For a definition of a groupage export and for more information on the scheme and how to apply, please see this draft advice.

'Hub' Approach

DFDS in conjunction with the Scottish Government have developed a 'hub' approach to Export Health Certification (EHC). The purpose of this approach is to allow for the consolidation of goods under one EHC. It is anticipated that it would assist seafood exporters in rural locations or areas with limited certifying officers. For more information contact <u>DFDS Larkhall</u>.

This approach is currently being considered for development in England.

6.12 What language should my EHC be in?

Export Health Certificates (EHCs) should be presented in English, the language at the port of entry into the EU **and** the language of the destination. It is not necessary to include the language of any countries through which the consignment passes.

A translation of the EHC may be required upon entry at an EU Border Control Post (BCP) and at the EU Member State of destination. If you include export destination details in the application form, APHA will complete the translations for you, and send them to your Certifying Officer. If you don't know the destination when you apply, it will be down to you or your Certifying Officer to prepare the translations

6.13 How do I get a Catch Certificate, Storage Document and/or Processing Statement for my consignment to the EU and/or Northern Ireland from 1 January 2021?

The Marine Management Organisation's (MMO) 'Fish Export Service' provides an online system for creating UK catch certificates, processing statements and storage documents. Many UK fish exporters were acquainted with the 'Fish Export Service' at the end of 2019, but may have noticed the system has been offline since January 2020 for further development work.

The MMO plan to re-launch the 'Fish Export Service' in late 2020. <u>Please monitor UK</u> <u>Government Guidance for more information on the launch.</u>



There are different rules for Northern Ireland. Please see our separate guide for more information.

Catch Certificate:

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Exporters from England, Scotland and Wales will be required to obtain a validated catch certificate for every export of most fish and fishery products to the EU and/or Northern Ireland.

The catch certificate shows that the fish was caught legally and it is the responsibility of the exporter to ensure that a catch certificate is completed at the point of export. The Catch Certificate is not required to physically accompany the consignment.

To create a catch certificate you need:

- a Government Gateway user ID and password
- the company name and address of the exporter
- the name of the person responsible for the export
- the species (or FAO code), its state and its presentation
- the EU tariff commodity code for each product
- the names or PLNs of the vessels that caught the species, and the landing dates
- the export weights of each product
- to say whose waters the species were caught in
- transport details for how the export will leave the UK and where it will leave from
- the identification numbers of the containers used to export the product

You won't need a catch certificate to export:

- Farmed fish and farmed shellfish
- Freshwater fish or freshwater shellfish
- Fish fry or larvae
- Some molluscs including scallops, mussels and oysters, but you may still need a live shellfish registration document contact your local council for more information.

You must send the validated catch certificate to the importer so that they can provide them to the receiving country's competent authority. You must do this for exports by:

- sea: 72 hours before landing
- air and rail: 4 hours before arriving
- road: 2 hours before arriving



See UK Government Guidance 'Create a UK Catch Certificate' for more information.

Storage Document:

If you are exporting to the EU and/or Northern Ireland fish sourced from another country that has been stored in the England, Scotland or Wales for more than 12 hours, but not processed in any way, you'll need to apply for a storage document.

You must include a copy of the catch certificate from the original consignment with the storage document.

See UK Government guidance to <u>'Create a UK storage document'</u> for more information.

Processing Statement:

If you're exporting to the EU and/or Northern Ireland fish sourced from another country that has been processed in the England, Scotland and Wales, you'll need to apply for a processing statement.

You must include a copy of the catch certificate from the original consignment with the processing statement.

See UK Government Guidance 'Create a UK processing statement' for more information.

6.14 When I land my catch in Great Britain it goes straight onto a lorry for export to the EU or Northern Ireland. Can I still operate this way after 1 January 2021 if no future trade agreement is in place beyond the Withdrawal Agreement?"

In the above circumstances, the EU and Northern Ireland will require that fish and fishery products exported from Great Britain to the EU and Northern Ireland are dispatched from an approved food establishment.

For businesses exporting unprocessed seafood to the EU and Northern Ireland immediately upon landing in England, Scotland or Wales, you may need to consider one of the following options:

1. Sell your products at a fish market that is an approved food establishment, and from where the products can be issued with an oval health/identification mark and an Export Health Certificate;



 Discuss requirements for becoming an approved food establishment with your <u>Local Authority</u>. This may require a change to your current processes. If you use vivier lorries, you may be able to acquire approved establishment status for the vehicle (see question '*can my vivier lorry obtain approved establishment status?*')

6.15 Do I need to agree Incoterms with my EU trading partners?

Incoterms define the responsibility of buyers and sellers in the delivery of goods and could be vital if you experience any issues at the EU border. Incoterms seek to avoid costly misunderstandings by clarifying the tasks, costs and risks involved in the delivery of goods from sellers to buyers.

More information can be found here.

6.16 I export composite products containing seafood from Great Britain to the EU and Northern Ireland. Will my export procedures change from 1 January 2021?

Composite food products contain a mix of processed products of animal origin (POAO) and plant products (used as a main ingredient - not just added for flavouring or processing). <u>More information about what constitutes a composite food product</u> can be found here.

First, you need to determine whether your composite product is exempt from the requirement to enter the EU and/or Northern Ireland via a Border Control Post.

If your product is <u>not</u> exempt, you must:

- 1. Make sure your products meet EU standards.
- 2. Follow the wider changes for <u>exporting to the EU after 1 January 2021</u>, for example, around tariffs and customs declarations.
- Complete the Export Health Certificate (EHC) and supporting documents for sending <u>composite products to the EU</u>. Follow the <u>process to get</u> your EHC signed by a vet.
- 4. Plan your route to get an inspection at an <u>EU BCP that can accept your type of goods</u>.

If your product is exempt, you should:

- Obtain a commercial document instead of an Export Health Certificate.
- Send your products through any EU point of entry (you do not need to go through an EU BCP for inspections)
- Follow the <u>wider changes for exporting to the EU</u>, for example, tariffs and customs declarations
- Label your goods in an official EU language, with the:
 - nature, quantity and number of packages in the composite products
 - country of origin
 - manufacturer



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• ingredients

Composite products containing <u>more</u> than <u>20%</u> fishery products or using tariff codes 1604 and 1605 may need a <u>catch certificate</u>.

Exempt species include some freshwater fish and aquaculture - <u>check the list of</u> <u>exempt species</u>.

If the fish is imported from a third country and then stored or processed in the UK before it's exported to the EU, you'll need to show storage documents or processing statements as well as the original catch certificate used to import the fish into the UK.

For more information see question 'How do I get a Catch Certificate, Storage Document and/or Processing Statement for my consignment to the EU and/or Northern Ireland from 1st January 2021?'

For further advice on exporting composite products see UK Government Guidance: <u>'Export composite food products to the EU from 1 January 2021</u>' and <u>'Export fish to</u> <u>the EU from 1 January 2021</u>'

6.17 Can my vivier lorry obtain approved establishment status?

Generally speaking, transport operations are considered exempt from approval requirements in food law. However a transport vehicle may be approved, providing the vehicle in question falls within the scope of approval and meets the relevant requirements of Regulation (EC) No. 852/2004 and Regulation (EC) No. 853/2004.

You should discuss your approval needs with your local authority.

Further guidance

Where can I access further guidance?

<u>Seafish</u>

We issue a wealth of guidance for the seafood industry. Search our publications database and sign up to our newsletters for the latest advice.

Department for Environment, Food and Rural Affairs (Defra)

Defra has responsibility for fisheries, food and marine policy areas and provides practical support and information to business on such areas.



- Prepare your fisheries business for changes from 1st January 2021
- Fish exports helpline: 0330 159 1989
- fisheuexit@defra.gov.uk

Department for International Trade (DIT)

The Food & Drink Team in DIT can help seafood businesses to export and grow into global markets whilst promoting innovation and helping overseas companies invest in the UK.

Animal and Plant Health Agency (APHA)

In England, Scotland and Wales, APHA is responsible for issuing specific export health certificates (EHCs) for seafood destined for countries such as Australia, Canada, New Zealand, China, USA and Taiwan. This is generally in circumstances where the destination country requires information different to that provided for on a standard EU EHC. You will need to contact APHA before exporting seafood to make an initial check on APHA's list of currently available EHCs.

Department of Agriculture, Environment and Rural Affairs (DAERA)

DAERA is a competent authority in Northern Ireland and works closely with Defra in the establishment and maintenance of new markets and developing export health certificates.

Food and Drink Wales

This department of the Welsh Government can help Welsh seafood businesses export and grow whilst providing practical support on protected food names, financial matters, innovation and other operational matters.

Food Standards Agency (FSA) / Food Standards Scotland (FSS)

FSA and FSS are responsible for food safety and food hygiene across the UK, working with local authorities to enforce food safety regulations. They provide advice to businesses on how to manage food hygiene and safety at every stage of the process.

Marine Management Organisation (MMO) / Marine Scotland

Both agencies have responsibility in their territory for marine planning, marine protected areas, marine licensing, managing the UK fishing fleet capacity, UK fisheries quotas and fisheries control.

Chambers of Commerce



British Chambers support and advise businesses in all areas of international trade development. They are focused on exporting and maintain a national and worldwide network.

Your Local Authority

Local authorities can provide assurance to authorities in the destination country that the food products being exported meets minimum food safety requirements as well as any additional conditions required by the destination authority. Contact your local environmental health/ port health department for more information.