

EU import conditions for seafood and other fishery products

The European Union is by far the world's biggest importer of fish, seafood and aquaculture products. Import rules for these products are harmonised, meaning that the same rules apply in all EU countries. For non-EU countries the European Commission is the negotiating partner that defines import conditions and certification requirements. Also, for most countries with existing trade, the European Commission negotiates on behalf of the 27 Member States.



The European Commission's Directorate-General for Health and Consumer Protection (SANCO) is responsible for food safety in the European Union. Our import rules for fishery products and shellfish (bivalve molluscs) seek to guarantee that all imports fulfil the same high standards as products from the EU Member States - with respect to hygiene and consumer safety and, if relevant, also to the animal health status.

To ensure that imports can take place smoothly and efficiently, interested countries and businesses should understand the fundamental principles and philosophy of the European Food Law, which form the basis for our import rules.

Principles of the European Food Law

Our citizens have legitimate, high expectations regarding the safety and quality of their food. To meet these expectations, the food law of the European Union implements the principle of quality management and process-oriented controls throughout the food chain - from the fishing vessel or aquaculture farm to the consumer's table. Spot checks on the end product alone would not provide the same level of safety, quality and transparency to the consumer.

To fully implement these harmonised principles, the Food and Veterinary Office of the European Commission is currently undertaking missions in all exporting countries, few of which are still trading with individual EU Member States on the basis of bilateral arrangements.

General Rules for Fishery Products

Imports of fishery products into the European Union are subject to official certification, which is based on the recognition of the competent authority of the non-EU country by the European Commission. This formal recognition of the reliability of the competent authority is a pre-requisite for the country to be eligible and authorized to export to the European Union. Public authorities with the necessary legal powers and resources must ensure credible inspection and controls throughout the production chain, which cover all relevant aspects of hygiene, public health and, in the case of aquaculture products, also animal health.

All bilateral negotiations and other relevant dialogue concerning imports of fishery products must be undertaken by the national competent authority. All other interested parties and private businesses wishing to export to the EU should contact their competent authority and communicate with the European Union via this channel.

Specific Key Elements

For all fishery products, countries of origin must be on a **positive list of eligible countries** for the relevant product. The eligibility criteria are:

- Exporting countries must have a **competent authority** which is responsible for official controls throughout the production chain. The Authorities must be empowered, structured and resourced to implement effective inspection and guarantee credible public health and animal health attestations in the certificate to accompany fishery products that are destined for the EU.
- Live fish, their eggs and gametes intended for breeding and live bivalve molluscs must fulfil the relevant **animal health** standards. This requires that the veterinary services must ensure effective enforcement of all necessary health controls and monitoring programmes.
- The national authorities must also guarantee that the relevant **hygiene and public health** requirements are met. The hygiene legislation contains specific requirements on the structure of vessels, landing sites, processing establishments and on operational processes, freezing and storage. These provisions are aimed at ensuring high standards and at preventing any contamination of the product during processing.
- Specific conditions apply for imports of live or processed bivalve molluscs (e.g. mussels and clams), echinoderms (e.g. sea urchins) or marine gastropods (e.g. sea-snails and conchs). These imports are only permitted if they come from approved and listed production areas. The national authorities of exporting countries are required to give guarantees on the classification of these products and the close monitoring of the production zones to exclude contamination with certain **marine biotoxins** causing shellfish poisoning.
- In the case of aquaculture products, a **control plan on heavy metals, contaminants, residues of pesticides and veterinary drugs** must be in place to verify compliance with EU requirements.

- A suitable control plan must be designed by the competent authority and submitted to the European Commission for initial approval and yearly renewal.
- Imports are only authorised from **approved vessels and establishments** (e.g. processing plants, freezer or factory vessels, cold stores), which have been inspected by the competent authority of the exporting country and found to meet EU requirements. The authority provides the necessary guarantees and is obliged to carry out regular inspections and take corrective action, if necessary. A list of such approved establishments is maintained by the European Commission and is published on its website.
- *Inspections by the Commission's **Food and Veterinary Office** are necessary to confirm compliance with the above requirements. Such an inspection mission is the basis of establishing confidence between the EU Commission and the competent authority of the exporting country.*

Border Inspection

Imports of fishery products from non-EU countries must enter the EU via an approved Border Inspection Post under the authority of an official veterinarian.

Each consignment is subject to a systematic documentary check, identity check and, as appropriate, a physical check. The frequency of physical checks depends on the risk profile of the product and also on the results of previous checks.

Consignments which are found not to be compliant with Community (EU) legislation shall either be destroyed or, under certain conditions, re-dispatched within 60 days.

For information on personal imports, see:

http://ec.europa.eu/food/animal/animalproducts/personal_imports/index_en.htm



Training and Technical Assistance

The European Commission provides training, technical assistance and facilities for institutional capacity building to help developing countries comply with EU rules. For example, DG SANCO's Better Training for Safer Food initiative runs training for official control staff of developing countries on EU standards for fishery and aquaculture products. The training is aimed at broadening knowledge of EU standards in these countries thereby improving levels of compliance. This helps to ease developing countries' access to the EU market for their fishery products.

Additional, national and regional development programmes of the European Union are available in individual countries, as well as bilateral aid projects of the Member States. The delegations of the European Union can provide detailed information on these programmes.

For more details, see:

http://ec.europa.eu/food/training/index_en.htm

http://ec.europa.eu/comm/external_relations/delegations/intro/web.htm

What are the formal steps towards approval for imports?

The EU has designed a procedure for the evaluation of the eligibility of third countries for exporting fishery products to the EU.

1. The national authority of a third country must submit a formal request to the Directorate-General for Health and Consumer Protection of the European Commission to export fish, fishery products or bivalve molluscs to the EU. The request should contain confirmation that the authority can fulfil all relevant legal provisions to satisfy EU requirements.
2. The Directorate-General for Health and Consumer Protection sends out a questionnaire which should be completed and returned. Information on relevant legislation, competent authorities, hygiene and many other elements are requested.
3. For aquaculture products, a residue monitoring plan of the exporting country must also be submitted and approved at this stage.
4. After the evaluation of the paper submission, an inspection by the Food and Veterinary Office may be carried out to assess the situation on the spot. Such an inspection is mandatory for high-risk products like shellfish.
5. Based on the results of the evaluation / inspection, and the guarantees given by the exporting country, the Directorate-General for Health and Consumer Protection proposes the listing of the country, the specific conditions under which imports from that country will be authorised and the list of approved establishments in the country. These are then discussed with representatives of all EU Member States.
6. If the Member States have a favourable opinion on the proposal, the European Commission adopts the specific import conditions. Lists of eligible establishments can be amended at the request of the exporting country and are made available for the public on the internet:
<http://circa.europa.eu/irc/sanco/vets/info/data/listes/table0.html>

For further information:

As a first step, companies wishing to export seafood or other fishery products to the EU should contact the relevant national authorities in their country to become authorised.

The Food Safety website of DG Health & Consumer Protection:

http://ec.europa.eu/food/index_en.htm

Detailed information on import conditions for animals and animal products:

http://ec.europa.eu/food/animal/animalproducts/index_en.htm

Key questions on the new rules on food hygiene and official food controls.

http://ec.europa.eu/food/international/trade/interpretation_imports.pdf

Expanding Exports – online helpdesk managed by DG Trade:

http://ec.europa.eu/trade/issues/global/development/thd_en.htm