



**HM Government**

UK TRANSITION

# **Trader Readiness**

## **Frequently Asked Questions**

**Fish Exporters—GB to EU**

13 November 2020

V5.0

**UK'S  
NEW START  
LET'S GET  
GOING** 

The following FAQs will attempt to clarify some of the key changes surrounding the changes to the exporting process for fish and live bivalve molluscs.

This document is intended to be continually edited and updated as and when new questions are received. The date on which the document was last updated, and version number is included for ease of reference. Any new chapters or questions that have been added since the last version are identified by **\*\*New\*\***.

## Contents

Fish .....	3
General .....	3
Trade Control and Expert System (TRACES) .....	3
Border Control Posts (BCPs) .....	4
Illegal Unreported and Unregulated (IUU) Documentation .....	4
Fish Export Service .....	6
Prepare for Shipping .....	6
Health and Identification Marks .....	6
Live Bivalve Molluscs (LBM) .....	8

# Fish

## General

### **How are live aquatic organisms defined?**

The definitions of 'live aquatic animals' can be found in Reg 2151/2008 & DIRECTIVE 2006/88/EC. You will also need to be aware of Reg853/2004. There is a separate process for exporting live aquatic animals.

### **Where can I find further information on the 'Captain's certificate' for frozen fish direct landing into EU?**

The Captains Certificate Guidance has been launched. Information on Captain's Certificates can be found on Gov.UK. The guidance document and application form to register captains are being sent directly to the agents/vessel owners of all the relevant UK flagged vessels.

## Trade Control and Expert System (TRACES)

### **Who is classified as an importer for registration on TRACES NT to enable GB export to the EU?**

A legal entity with a European based address can be considered as an EU importer—if your business has an office in Europe that business can register as an importer.

### **How does the importer register for TRACES NT?**

The importer needs to access the Commission website and register.

### **How do I list my establishment as an approved establishment with the EU so that it is recorded on TRACES NT?**

The Food Standards Agency (FSA) holds a list of all UK approved food establishments. They will forward the latest version available of this list to APHA when they make a bulk application to the EU to list these premises as approved to export to the EU. This is so that they appear on TRACES NT. This will enable exports of fish and fishery products to the EU to take place from those establishments post the Transition Period.

### **How do I check that my establishment is on the list the FSA holds of approved premises, so it will be listed on TRACES NT?**

You can check if you are on the FSAs UK list of approved food establishments at:

<https://www.food.gov.uk/business-guidance/approved-food-establishments>

If you are not on this list, and you are an approved food establishment, you should contact your Local Authority.

### **What if I miss the bulk upload to TRACES NT?**

If you miss APHAs bulk upload to TRACES NT, you will need to individually apply to APHA for listing with the EU. This may take up to six weeks.

## **Border Control Posts (BCPs)**

### **Which BCPs will accept what products?**

What was approved last year as BCPs is a good indication of what we expect will be approved this year, but not yet confirmed.

We would expect EU BCPs to be confirmed at the same point that the EU takes a decision on third country listing, in December 2020.

### **\*\*New\*\* Is prioritisation of seafood produce at BCPs still on the cards?**

Any prioritisation in EU BCPs is a matter for the EU and its member states to determine.

The work the UK Government has been doing on prioritisation has been in relation to Operation Brock, the Kent traffic management system for Heavy Commercial Vehicles (HCVs) in the event of the Short Straits Channel crossing being disrupted.

Operation Brock is part of the wider Operation Fennel traffic management plans managed by the Kent Resilience Forum (KRF). As a contingency the Government has proposed that a small number of HCVs carrying specified goods (those carrying fresh and live seafood products for human consumption and day-old chicks) are prioritised through the Operation Brock queues in Kent.

Defra is now working with colleagues in Kent and across Government to finalise the operational requirements for the contingency.

## **Illegal Unreported and Unregulated (IUU) Documentation**

### **Applying for catch certificate and other IUU documents**

#### **If we have 500kg of fish from a vessel but export 400Kg due to processing which weight do I put on the catch certificate?**

The weight that goes on the catch certificate is the weight of the consignment.

#### **Who can complete the catch certificate, and who is the exporter?**

There is no legal definition of exporter, however the further from the export a person is the less likely they will be to know what is in the exported consignment.

**I collate the catch from multiple boats into one export. How will the catch certificate process work?**

A catch certificate is required for the export of fish. You can either have one catch certificate for the consignment and reference every catch on that certificate or you can have multiple catch certificates.

**How will I know which boat landed what weight of fish when I come to export?**

An audit trail of the fish you are exporting and when and by which vessel it was landed, will need to be maintained throughout the supply chain to enable the details to be entered onto the catch certificate application.

**\*\*New\*\* The Marine Management Organisation have stipulated that the sales notes and logbook landing declarations must correspond with a catch certificate in order to be able to export. Usually the catch certificate comes before the sales note or landing declaration. How will the validation of the catch certificate be received at the BCP?**

After this they should then enter the CTC customs transit procedure to avoid the customs charges and tariffs for entering the UK market.

**\*\*New\*\* The catch certificate application process via Gateway does not cover all formats currently. This makes it not possible to attain valid certificate as the correct commodity codes cannot be selected. Is this correct?**

The Marine Management Organisation (MMO) have confirmed that they will add in missing codes to the Fish Export Service including these.

**\*\*New\*\* Will sales notes continue to be a requirement of the UK's Control Regulation?**

Sales notes will continue to be a requirement of the UK's Control Regulation for UK flagged fishing vessels (being retained from existing EU law) and the relevant information will need to be submitted to the relevant UK fisheries administration by the master of the vessel or their representative according to those rules within 48 hours of point of first sale if the first sale is outside the UK.

## **Fish Export Service**

### **When will the Fish Export Service go live?**

You will be able to register on the system from mid-October and familiarise yourself with the system. You will be able to apply for catch certificates for the EU from the 16 November.

### **Does the Fish Export Service system cover applications for catch certificates, processing statements, and storage documents?**

The Fish Export Service will be used to apply for catch certificates for the export of fish landed in the UK by UK flagged vessels, and the processing statements for any fish processed that has come from non-UK vessels. It also covers the storage documents for any fish that was stored that had come from non-UK vessels.

## **Prepare for Shipping**

### **Can you have multiple product codes on a Common Health Entry Document (CHED) or can you only have one product per CHED?**

The CHED is directly linked to the EHC, so whatever is on one EHC should be the same on the CHED. You cannot have more than one commodity code on a CHED.

### **Will I need a seal for my consignment?**

A seal is only necessary when the consignment needs to travel under a transit procedure. As part of the plans put in place by the EU for a potential No Deal scenario, this would have happened when fish were imported into Calais, as Calais did not have the inspection facilities and fishery products were required to transfer under transit procedures to Boulogne-Sur-Mer.

For all other routes a seal is not necessary but sealing a consignment may speed up processing at a BCP

### **If my fish is sent to Boulogne-Sur-Mer from Calais and is rejected, what will happen to it?**

Normally if a load is rejected it can be repurposed, destroyed or re-exported. If the fish has already been forwarded to Boulogne-Sur-Mer for inspection and rejected, it cannot be re-exported and therefore will only be repurposed or destroyed.

## **Health and Identification Marks**

### **\*\*New\*\* Will the new UK Mark be required on products that are fishing bait and not for human consumption?**

**Ground bait** intended to be scattered into the water to attract fish to the area is considered to come within the scope of the regulations and is generally required to

be labelled as a feed for food producing animals.

**Hook bait** is considered outside the scope of the regulations and not considered to be animal feed, therefore none of the feed regulations apply.

For more information please refer the EU Commission Notice for feed at:  
[https://ec.europa.eu/info/sites/info/files/notice\\_to\\_stakeholders\\_feed.pdf](https://ec.europa.eu/info/sites/info/files/notice_to_stakeholders_feed.pdf)

Please be aware that we are also seeking clarification from our own legal team in relation to some of the matters related to labelling and representation post transition period.

## Live Bivalve Molluscs (LBM)

### **How can I export LBMs ready for human consumption (from class A waters or depurated in the UK) from 1 January 2021?**

Live Bivalve Molluscs (LBMs) that are ready for human consumption (i.e. from class A waters or depurated in the UK) can be exported to the EU using the [export health certificate for live bivalve molluscs](#).

Find out more detail on how to [export](#) and [import](#) wild-caught marine fish and fishery product for human consumption from 1 January 2021.

### **How can I export Live Bivalve Molluscs from an Aquaculture Production Business (APB) for relaying or depuration from 1 January 2021?**

LBMs from APBs, which are intended to go for relaying or depuration (purification) in the EU, must be accompanied by a specific Export Health Certificate: “Model animal health certificate for the import into the European Union of aquaculture animals for farming, relaying, put and take fisheries and open ornamental facilities”. This certificate is limited to LBMs sourced from aquaculture establishments.

Find out more detail on how to export and import LBMs from Aquaculture Production Businesses [here](#).

### **Can I export live wild-capture LBMs for depuration purposes after the end of the Transition Period?**

EU EHCs currently allow movements of un-depurated wild-capture LBMs between Member States, but not from third countries into the EU. A revised aquaculture certificate is expected to come into force from 21 April 2021, which will allow this trade to take place from third countries into the EU.

However, under the EU rules regarding movements of animals from third countries, as the UK will be classed from 1 January 2021, GB businesses that export, or intend to export, wild-caught Class B/C LBMs will be unable to do so from 1 January until the introduction of the relevant certificate, expected on 21 April 2021. LBMs from GB aquaculture businesses in Class B waters will be unaffected.

### **What do I do if my EU trading partner or the EU BCP says that I cannot export my goods between 1 January and 21 April 2021?**

Officials have carefully considered several options, without any success in finding a practical or timely solution.

We recognise the importance and urgency of bringing this issue to your attention, but this is recognised as a commercial decision for you to take as industry. Due to the uncertainty between 1 January and 21 April 2021, we would recommend that you may want to start looking for alternative solutions in the interim, such as depuration facilities in the UK or new internal markets.

## **What do I do if I'm exporting goods into, out of, or through Northern Ireland?**

Further information will be added to GOV.UK in the coming weeks. Find out more about [moving goods into, out of, or through Northern Ireland from 1 January 2021](#).

## **What constitutes LBM versus live aquatic animals?**

LBMs can be traded both under a live aquatic animal health certificate—this is where they are not for direct human consumption if they are un-depurated and from Class B or lower waters.

Or

If they are ready for human consumption (from Class A waters or already depurated/purified), they travel (even if alive) as POAOs. In the case of the latter, a POAO certificate would be used.

Under the phased approach, the health certification required will depend on whether they are travelling as POAO or live animal, which depends on whether they are ready for direct human consumption.

## **What is the situation with LBMs before new AH Regs comes into force in April?**

LBMs that are ready for human consumption (i.e. from class A waters or depurated in the UK) can be exported to the EU using the export health certificate for live bivalve molluscs.

LBMs from APBs, which are intended to go for relaying or depuration (purification) in the EU, must be accompanied by a specific Export Health Certificate: “Model animal health certificate for the import into the European Union of aquaculture animals for farming, relaying, put and take fisheries and open ornamental facilities”. This certificate is limited to LBMs sourced from aquaculture establishments.

EU EHCs currently allow movements of un-depurated wild-capture LBMs between Member States, but not from third countries into the EU. A revised aquaculture certificate is expected to come into force from 21 April 2021, which will allow this trade to take place from third countries into the EU.

However, under the EU rules regarding movements of animals from third countries, as the UK is likely to be classed from 1 January 2021, GB businesses that export, or intend to export, wild-caught Class B/C LBMs will be unable to do so from 1 January until the introduction of the relevant certificate, expected on 21 April 2021. LBMs from GB aquaculture businesses in Class B waters will be unaffected.



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