



# Update on aquatics

**Fiona Geoghegan**  
**Unit G2**

# Delegated acts under Part IV.II (Aquatics)

- Draft DA supplementing regulation (EU) 2016/429 of the European Parliament and of Council as regards **rules for aquaculture establishments and transporters of aquatic animals**
  - Public consultation ended on Nov 25
- Draft DA supplementing regulation (EU) 2016/429 of the European Parliament and of Council as regards **animal health requirements for the movements within the Union of aquatic animals and products of animal origin from aquatic animals**
  - Public consultation in coming weeks

# Feedback from public consultation

- 9 submissions
- 2/9 put forward by private citizens and were out of the scope of the relevant empowerments
- Some issues were put forward by more than one respondent
- Some issues were a misunderstanding of the legislation
- One was a reminder in relation to the requirement for a new implementing act

# Feedback from public consultation(1)

	COMMENT	RESPONSE
1	Do not agree with the possibility of derogating aquaculture establishments which keep animals solely for release into the wild from the requirement to be approved as set out in Article 3(1)	Article 3(2) says that this derogation can only apply when the animals are (a) not moved to another MS and (b) when the CA has carried out a risk assessment and when the result from that assessment indicates the disease risk is 'insignificant'
2	The public register of approved establishments should not refer to the economic situation of companies	There is no empowerment under the AHL to require that the economic situation of operators should be published
3	Sought a definition of 'confined aquaculture establishment' and sought clarification in relation to movements between public aquaria and confined establishments	<p>Definition of 'confined establishment' (Article 4(48) AHL) also applies to establishments keeping aquaculture animals</p> <p>Public aquarium can become a confined establishment or additional measures set out in DA on movements</p>

# Feedback from public consultation(2)

	COMMENT	RESPONSE
4	Concern about requirement to approve certain aquaculture establishments keeping <b>ornamental animals which are closed facilities</b>	<p>MS may derogate 'aquaculture establishments keeping aquaculture animals for ornamental purposes in closed facilities' from the requirement for approval – Article 176(2)(b)</p> <p>DA however, says that aquaculture establishments keeping '<b>aquaculture animals for ornamental animals in closed facilities which, because of their movement patterns create a significant disease risk</b>' shall be approved</p> <p><b>CA to decide</b> on the disease risk based on factors such as sources, species, number of animals, number of movements, number of customers etc</p>
5	Requirement for approved establishments to have a <b>biosecurity plan is 'inflexible'</b>	<p>In most cases, the DA says the biosecurity plan '<b>must take the following elements into consideration</b>'.....</p> <p>More strongly worded for approved quarantine establishments and for disease control aquatic food establishments where the risks are higher</p>
6	Record keeping: how will operators (including transporters) know the <b>unique registration or approval number</b> of the establishments they trade with	<p>Approval numbers will be available on the <b>public register</b></p> <p>Will look into the registration number and amend, if necessary</p>

# Feedback from public consultation(3)

7	COMMENT	RESPONSE
7	Assurances sought that there will be an IA setting out derogations from the requirement for registration of low risk businesses such as pet shops and garden centres	Will develop an IA as necessary  NOTE: for pet shops, garden centres etc also keeping terrestrial and other animals, they will be registered one way or the other.....

# Feedback from public consultation(4)

	Topic	Acknowledgements
8	Requirements for granting approval of aquaculture establishments	<i>'These additions allow for a strengthening of the security of establishments without being excessive'</i>
9	Records to be kept by operators of aquaculture establishments and transporters	<i>'These additions allow for a strengthening of the security of an establishment without being excessive'</i>
10	DA in general	<i>'We have no concerns about this Regulation or the purpose it aims to fulfil'</i>