

EU import conditions for seafood and other fishery products

The European Union (EU) 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. On behalf of all EU Member States, the European Commission is the sole negotiating partner for all non-EU countries in questions related to import conditions for seafood and fishery products.



The European Commission's Directorate-General for Health and Food Safety establishes import conditions for fishery products and shellfish (bivalve molluscs). By following these rules non-EU countries can guarantee that their exports of such products fulfil the same high standards as products from the EU Member States – not only with respect to hygiene and consumer safety but, if relevant, also to their animal health status.

Non-EU countries which are interested in exporting seafood and fishery products to

the EU must be aware of the fundamental principles and philosophy of European Food Law, which forms the basis for our import conditions.

Principles of European Food Law

EU citizens have legitimate, high expectations regarding the safety and quality of their food. To meet these expectations, EU food law 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.

General Rules for Fishery Products

Imports of fishery products into the EU 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 authorised to export to the EU. 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 which in turn will communicate with the European Commission.

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 performing official controls throughout the production chain. The authority must be empowered, structured and resourced to implement effective inspection and guarantee credible public health and animal health attestations in the health 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 EU **animal health** standards. Consequently the veterinary services in the non-EU country must ensure effective enforcement of all necessary health controls and implement appropriate health monitoring programmes.
- The competent authority must also guarantee that the relevant **hygiene and public health** requirements are met. EU hygiene legislation contains specific requirements regarding the structure of vessels, landing sites, processing establishments and on operational processes, freezing and storage. These provisions are aimed at ensuring that food is produced safely and that contamination of the product during processing is prevented.
- 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). Such products may only be imported into the EU if they come from production areas which have been approved by the competent authority and listed by the Commission on its website. . The competent authorities of exporting countries are required to give guarantees on the classification of these products and the close monitoring of the production areas to exclude contamination with certain **marine biotoxins** causing shellfish poisoning.
- In the case of aquaculture products, **a residue monitoring plan which includes testing for residues of veterinary drugs, pesticides, heavy metals and contaminants**, must be in place to verify compliance with EU requirements. The plan (and results from the previous year's monitoring) must be submitted to the European Commission annually for approval. Countries with approved plans are listed
- 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. When it signs the export health certificate, the authority is certifying that it provides the necessary guarantees, carries out regular inspections of vessels and establishments and takes corrective action, if necessary. A list of approved vessels and establishments is maintained by the European Commission and is published on its website.

- Audits by the Commission's Health and Food Audit and Analysis Directorate are carried out to verify compliance with the above requirements. Audits establish confidence between the Commission and the competent authority of the exporting country.

Inspection of fishery products at the EU border

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 in the EU Member State in question.

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 EU legislation shall either be destroyed or, under certain conditions, re-dispatched within 60 days.

For information on personal imports, see:

https://ec.europa.eu/food/animals/animalproducts/personal_imports_en



Training and Technical Assistance

The European Commission provides training and technical assistance for institutional capacity building to help developing countries comply with EU rules. For example, the Commission's Better Training for Safer Food initiative runs training courses for competent authorities' official control staff in developing countries on EU standards for fishery and aquaculture products. The training is aimed at broadening the officials' knowledge of EU standards in these countries thereby improving the effectiveness of official controls performed on establishments and their levels of compliance with EU standards. This initiative facilitates 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 implemented by some Member States. The delegations of the European Union can provide detailed information on these programmes.

For more details, see: https://ec.europa.eu/food/safety/official_controls/legislation/btsf_en
https://eas.europa.eu/headquarters/headquarters-homepage/area/geo_en

Country listing – the process

The process by which a non-EU country can export fishery products to the EU is as follows:

1. The competent authority of a non-EU country must submit a written request to the Directorate-General for Health and Food Safety 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 Food Safety sends a general and/or product-specific questionnaire to the competent authority which should be completed and returned. The completed questionnaire(s) will provide information on relevant national legislation on animal health and food hygiene, structure of the competent authorities etc.
3. For aquaculture products, a residue monitoring plan of the exporting country must also be submitted to the Commission. If the plan is not approved by the Commission, aquaculture products may not be imported into the EU regardless of the non-EU country's compliance with other public health or animal health requirements.
4. After the evaluation of the information provided, an audit by the Commission's Health and Food Audits and Analysis Directorate may be carried out to assess the situation on the spot. Such an audit is mandatory for high-risk products like shellfish.
5. If the results of the evaluation / audit, and the guarantees given by the exporting country are deemed to be sufficient, the Directorate-General for Health and Food Safety proposes the listing of the non-EU country and any specific conditions under which imports from that country will be authorised. In parallel it will draft a 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 will list both the non-EU country and any specific import conditions which apply. Lists of eligible establishments can be amended at the request of the exporting country and are made available for the public on the internet: https://webgate.ec.europa.eu/sanco/traces/output/non_eu_listsPerActivity_en.htm

For further information:

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

The Food Safety website of the European Commission's Directorate-General for Health & Food Safety: https://ec.europa.eu/food/safety_en

Detailed information on import conditions for animals and animal products:
https://ec.europa.eu/food/animals/animalproducts_en

Key questions on the new rules on food hygiene and official food controls:
https://ec.europa.eu/food/sites/food/files/safety/docs/biosafety_fh_legis_guidance_interpretation_imports.pdf

EU Trade Helpdesk: <http://trade.ec.europa.eu/tradehelp/>