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Implementation of Export Health Certification for Exports of Fish, Fishery Products and Molluscan Shellfish to Great Britain

Guidance Document



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Document Control

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Foreword

Purpose of this document

The purpose of this Guidance Document is to serve as a reference document for Irish Food Business Operators and SFPA staff in relation to new export health certification requirements for exports of fish/fishery products and molluscan shellfish from Ireland to Great Britain.

Audience for this document

This Guidance Document is intended for use by Irish Food Business Operators and SFPA staff.

1. General

1.1. Glossary of Terms

Below is a glossary of terms and acronyms used in this document.

Terms / Acronyms	Description
Export Health Certification (EHC)	An Export Health Certificate is an official document that confirms the export consignment meets the health requirements of the destination country. Export Health Certification is required for the export of fish and fishery products and molluscan shellfish outside the European Union (EU).
Food Business Operator (FBO)	The natural or legal persons responsible for ensuring that the requirements of food law are met within the food business under their control, under Article 3.3, Regulation (EC) No 178/2002.
SFPA	The Sea-Fisheries Protection Authority
DEFRA	The Department for Environment, Food & Rural Affairs of the UK
SPS	Sanitary and Phytosanitary Controls
BTOM/TOM	The UK Border Target Operating Model
LBM s	Live Bivalve Molluscs
ABP	Animal By-Products
CN Code	Combined Nomenclature Codes – a code for classifying goods
TRACES	The Trade Control and Expert System - European Commission's online platform for sanitary and phytosanitary certification
IPAFFS	The Import of Products, Animals Food and Feed System – UK system used for pre-notification of import consignments



1.2. Relevant Legislation/ Documents

The following documents are of particular relevance to this Guidance Document:

[UK Border Target Operating Model](#)

[GBHC401 FP Fishery products v1.1 Aug-23.pdf \(publishing.service.gov.uk\)](#)

[GBHC400 LBM Live bivalve molluscs echinoderms tunicates and marine gastropods v1.1 Aug-23.pdf \(publishing.service.gov.uk\)](#)

[GBHC402 FPT Fishery products transferred in third countries v1.0 Apr-23.pdf \(publishing.service.gov.uk\)](#)

[GBHC403 CCFP Captain certificate - Fishery products from freezer reefer or factory vessel v1.1 Aug-23.pdf \(publishing.service.gov.uk\)](#)

[Aquaculture transit or storage from the EU 1251-2008 GBHC061E v1.2 Sep-21.pdf \(publishing.service.gov.uk\)](#)

[GB Border Control Post Information](#)

[TOM Risk Categorisation Summary Tables and Commodity Code Search Tool](#)

2. Introduction

The UK Government has published a Border Target Operating Model (BTOM) outlining their vision for the implementation of border controls over the coming months and years following on from the United Kingdom's exit from the European Union.

Sanitary and Phytosanitary (SPS) controls are a central element in the framework set out in this BTOM which can be read in full on the Department for Environment, Food and Rural Affairs (DEFRA) website [here](#).

UK border control authorities plan to implement SPS controls based on their classification of products and exporting countries as being either low, medium or high-risk. This risk-rating will determine the necessity for official controls including Export Health Certificates, pre-notification of consignments and frequency of physical checks at the border among other SPS control procedures. This will be done across several milestone dates.

The UK Authorities are proposing the introduction of the requirement for Export Health Certificates and pre-notification for Medium-Risk Animal Products imported from the EU, including Ireland, from 31st of January 2024.

As controls in relation to imports from Ireland are being harmonized with the UK's approach to imports from the rest of the EU, Export Health Certificates and pre-notification of exports from Ireland of High-Risk animal products travelling directly from Ireland to GB, will also be implemented from 31st of January 2024.

In line with the BTOM export consignments of low-risk products will only require pre-notification.



3. Export Health Certificate Templates

The below are the health certificate templates which will be used for exports of Fish, Fishery Products and Molluscan Shellfish to GB. For Fishery Products for human consumption GBHC401 should be used, for LBMs GBHC400 is the relevant cert. The last template is the transit certificate.

All certificates need to be applied for and provided on TRACES.

[GBHC401_FP_Fishery_products_v1.1_Aug-23.pdf \(publishing.service.gov.uk\)](#)

[GBHC400 LBM Live bivalve molluscs echinoderms tunicates and marine gastropods v1.1 Aug-23.pdf \(publishing.service.gov.uk\)](#)

[GBHC402 FPT Fishery products transferred in third countries v1.0 Apr-23.pdf \(publishing.service.gov.uk\)](#)

[GBHC403 CCFP Captain certificate - Fishery products from freezer reefer or factory vessel v1.1 Aug-23.pdf \(publishing.service.gov.uk\)](#)

[Aquaculture transit or storage from the EU 1251-2008 GBHC061E v1.2 Sep-21.pdf \(publishing.service.gov.uk\)](#)

4. Risk Ratings

The upcoming GB import controls will be based on a risk categorisation which has been carried out by DEFRA, who have divided goods into low, medium and high-risk categories.

If the consignment is in the low TOM risk category

From 31 January 2024 the GB importer will need to use the [import of products, animals, food and feed system \(IPAFFS\)](#) to notify authorities before the goods arrive in Great Britain.

You do not need a health certificate.

Low TOM risk category consignments must come with a commercial document from the supplier.

Goods classified as low risk need to enter GB via a port that has a Border Control Post designated for that type of commodity. Information on GB Border Control Posts can be found [here](#).

If the consignment is in the medium TOM risk category

The UK importer will need to use [IPAFFS](#) to notify authorities before the goods arrive in Great Britain.

From 31 January 2024 the consignment must have a health certificate issued by the competent authority in the relevant country.

From 31 October 2024 at the earliest, products in the medium TOM risk category may be subject to physical import checks.

Goods classified as medium risk need to enter GB via a port that has a Border Control Post designated for that type of commodity. Information on GB Border Control Posts can be found [here](#).

If the consignment is in the high TOM risk category

The UK importer must use [IPAFFS](#) to notify authorities before the goods arrive in Great Britain.

The consignment must have a health certificate issued by the competent authority in the relevant country.

High Risk consignments will be subject to physical import checks.

Goods classified as high risk need to enter GB via a port that has a Border Control Post designated for that type of commodity. Information on GB Border Control Posts can be found [here](#).



If the consignment is in the medium or high TOM risk categories, but there is no health certificate for the goods

If a health certificate does not exist for the goods you want to export from the EU, the UK importer may need an import licence or authorisation.

They need to contact the [Animal and Plant Health Agency \(APHA\) Animal Imports team](#) if:

- there's no licence for your animal or germinal product
- you're not sure if you need a licence

If you are exporting a medium-risk ABP, but there's currently no health certificate for your goods, you will require a commercial document.

Review of TOM risk categories

Risk factors will be reviewed regularly. Commodities may be moved into higher or lower TOM risk categories in future to reflect changing levels of risk.

The SFPA will be notified at least 3 months in advance if there is a change to the TOM risk category of a relevant commodity.

Current SFPA understanding of risk categorisation of fish/fishery products and molluscan shellfish is summarised in the below table:

Group	Subgroup	Commodity	TOM risk category
Live animals and germinal products	Live animals and germinal products	Live animals, including live aquatic animals*	High
	All POAO	POAO that are shelf stable at ambient temperature	Low (if it meets the listed criteria**)
Products of animal origin (POAO)	Composite Products	Composite products	Low
	Fishery products and bivalve molluscs	Fishery products***, other than those mentioned in Category II, and other than wild caught fish (as defined below the table).	Medium
		Fishery products from aquaculture and bivalve molluscs for human consumption, which are not in hermetically sealed containers intended to render them stable at ambient temperature (Category II)	Medium
		Wild caught fish	Low (if it meets the listed criteria****)
Animal by-products (ABP)	Animal protein	Hydrolysed protein outside the feed chain	Low
		Hydrolysed protein for use in animal feed	Medium
		Processed animal protein (aquatic) not for human consumption, for use in animal feed	Medium
		Processed animal protein not for human consumption, for use outside the feed chain	Medium
	Pet food and products for the manufacture of pet food	ABP for the manufacture of pet food	Medium
	Other animal by-products	ABP outside the feed chain or trade samples	Medium
		Fish oil for use in animal feed	Medium
		Fish oil for use outside the feed chain	Low



* Live aquatic animals include live fish and animals for ornamental, aquaculture and re-stocking purposes, and their germinal products.

Live aquatic animals imported for human consumption (for example, crabs, lobster or live bivalve molluscs) are categorised as a products of animal origin. Live fish are categorised as live animals

** Products of animal origin (POAO) - Criteria

A POAO commodity will be in the low TOM risk category if it meets all of the following criteria:

- it is shelf-stable at ambient temperature
- it has undergone a treatment step or other processing in its manufacture (for example, canning) to eliminate or reduce micro-organisms of concern to an acceptable level
- it is clearly identified as intended for human consumption
- it is securely packaged or sealed in visibly clean containers
- it is labelled in English and accompanied by a commercial document providing information on the nature of the commodity, the quantity and number of packages, the country of origin, the manufacturer and the ingredients
- it is not infant formula or follow-on formula, baby food or food for special medical purposes

*** 'Fishery products' are defined in Annex I of retained EU regulation 853/2004 and include:

- fin fish and their products (excluding live fish)
 - aquatic animals (for example, crabs and lobsters) or their products, fit for human consumption and imported as products of animal origin (including live or viable aquatic animals)
- Bivalve molluscs (live or processed) are treated separately for the purposes of the Border TOM and will be medium risk in all cases.

**** Wild caught fishery products: criteria

A wild caught fishery product will be in the low TOM risk category if it meets the following criteria:

- it is not live or would be unable to survive if returned to the environment ('not viable')
 - it comes from an approved establishment and is identified accordingly
 - it has not been subject to processing, as defined in Article 2 of Retained EU Regulation 852/2004 – for example, by heating, curing, smoking, maturing, drying, marinating, extraction, extrusion or a combination of these
 - it is accompanied by the required illegal, unreported and unregulated (IUU) documents, for example, a valid catch certificate and proof of storage and processing, where applicable
 - it is not fish that is associated with histamine (for example, scombroids), which would be categorised as medium risk
- If it does not meet all these criteria, the fish will be in one of the other 'fishery products' commodity types and categorised as medium risk.

Fishery products that have undergone an operation affecting their anatomical wholeness (for example, gutting, heading, slicing, filleting or chopping) and otherwise meet the definition of an 'unprocessed product' outlined in Article 2 of Retained EU Regulation 852/2004 (including if they have been chilled or frozen), may still be classed as wild caught if the other criteria listed above apply.

The full list of summary tables for risk categorisation is available on the Gov.UK website [here](#).

Please note, in relation to which wild caught fish are 'associated with histamine' you will also find a list [here](#) where you can search with the CN code of the product in question to find out whether DEFRA classify it as low or medium risk.



5. Transit

The UK authorities have clarified SPS transit conditions which need to be fulfilled for medium risk fishery products transiting GB (also known as landbridge consignments) from Ireland on their way to mainland Europe.

Transits of medium risk fishery products that do not need animal health attestations do not require a transit certificate. They require IPAFFS pre-notification, a commercial document and confirmation that the consignment has left Great Britain must be made by emailing GBtransit-notification@defra.gov.uk.

For this email confirmation the subject line 'Confirmation that a consignment has left Great Britain territory' should be used.

The email needs to include:

- the IPAFFS notification reference number
- details of the means of transport
- the date the consignment left Great Britain
- a copy of the commercial documents (bill of lading or airway bill)

For more information on this updated stance on transits of medium risk fishery products please go to the relevant [gov.uk](https://www.gov.uk) page [here](#).

There is a very small subset of medium risk fishery products which may require transit certificates if the animal health attestations of GBHC400 or GBHC401 (depending on the product) apply to your consignment. Please refer to the exemptions to the attestations listed in the health certs above if in doubt.

6. Northern Ireland

None of the additional checks or controls set out in this Border Target Operating Model will apply to imports into Northern Ireland from the EU.

In terms of movements of goods from the island of Ireland to GB, the relevant Sanitary and Phytosanitary import requirements will also need to be followed for non-qualifying Sanitary and Phytosanitary goods moving directly from Northern Ireland to Great Britain or via Ireland, depending on the risk categorisation of the goods, as detailed elsewhere in the Border Target Operating Model.

Guidance on which goods qualify for unfettered access when moving from Northern Ireland to the rest of the UK is available [here](#)

Since January 2021, the definition of a Qualifying Northern Ireland Good has remained unchanged with this status conferred on any good that is or has been present in Northern Ireland without being subject to customs supervision, restriction or control, or Northern Ireland processed products.

Food and feed products will need to be owned or processed in Northern Ireland by a Northern Ireland registered or approved food or feed business in order to be considered a Qualifying Northern Ireland Good for Sanitary and Phytosanitary purposes and exempt from Sanitary and Phytosanitary import requirements

For non-qualifying goods whether moving from Northern Ireland or Ireland to Great Britain, the UK authorities intend to implement the model through two major milestones:

31 January 2024

- i. The introduction of pre-notification requirements and full customs controls.
- ii. The introduction of health certification on imports of medium risk animal products including fish and fishery products

31 October 2024

- i. The introduction of documentary and risk-based identity and physical checks on medium risk animal products, including fish and fishery products.
- ii. The requirement for Safety and Security declarations for imports into Great Britain from the EU or from other territories where the waiver applies will come into force from 31 October 2024.

When moving non-qualifying goods via Northern Ireland ports to Great Britain, the relevant Sanitary and Phytosanitary import requirements will need to be followed as detailed elsewhere in the Border Target Operating Model.

Qualifying Northern Ireland Goods moving via Ireland to Great Britain, will benefit from unfettered access, and will not be subject to Sanitary and Phytosanitary import requirements as detailed elsewhere in the Border Target Operating Model.



7. TRACES and Export Health Certification to GB

In relation to the implementation of export health certification for exports to Great Britain it has been agreed that the necessary export health certification processes will be carried out using the EU online system TRACES.

TRACES is the European Commission's online platform for sanitary and phytosanitary certification required for the importation of animals, animal products, food and feed of non-animal origin and plants into the European Union, and the intra-EU trade and EU exports of animals and certain animal products.

The system will allow for Food Business Operators (FBOs) to apply online through TRACES and for the SFPA to issue and electronically sign the relevant export health certificate on TRACES.

It's important to note that TRACES will only be used for trade with GB.

Pre-approved establishments: Exports of animals and animal products to Great Britain must come from approved establishments. Operators must make sure the details of their establishment are included in the Lists of Establishments Approved to Export to Great Britain, and are accurate and up-to-date. Please visit [Approved EU food establishments \(europa.eu\)](https://europa.eu) to check the list of establishments and verify your details.

For more information on TRACES including guidance documents and Training videos please visit the DAFM TRACES webpage [here](#).

8. Frequently Asked Questions

8.1 Are Live Bivalve Molluscs (LBMs) considered Live Aquatic Animals and therefore High Risk, or fishery products and if they are FP, which risk category do they fall in?

Medium if they are for human consumption, high for onward growing.

8.2 What are the arrangements in relation to GB landbridge Transit? Will Transit Certificates be required or will this be managed through IPAFFS? Will different transit protocols be in place depending on the risk-rating of the product?

See section 5. Transit above.

8.3 Who needs to complete IPAFFS pre-notification and upload of IUU documentation to IPAFFS system?

The UK importer

8.4 Will Irish exporters using the GB landbridge be able to access IPAFFS or is it exclusive to users with a UK address?

Exclusive to users with a UK address.

8.5 What will the arrangements be around small consignments sent direct to the consumer for personal consumption? What is the limit above which this would require a health certificate? Will all such consignments also require pre-notification or are they exempt?

DEFRA have advised that an update on this will be provided in December 2023.

8.6 Does DEFRA have particular limits in relation to Norovirus levels/cadmium levels/other heavy metals etc, which deviate from EU standards?

No

8.7 For labelling deadline 31/12/2023 for product that is going to wholesale, do the individual packs need to be labelled with the importers address? Or would a label on the master carton be sufficient?

Consignments for product going to wholesale should be labelled at box level rather than pallet level.

8.8 For products going direct to retail, would they have to be individually labelled?

Yes