

EXPORT OF LIVE AQUATIC ANIMALS FOR HUMAN CONSUMPTION, EXCLUDING BIVALVE MOLLUSCS, TO THE PEOPLE'S REPUBLIC OF CHINA - 7432EHC

NOTES FOR THE GUIDANCE OF AUTHORISED INSPECTORS AND EXPORTERS

1. **\*\*\*\*IMPORTANT\*\*\*\* GENERAL PROCEDURES**

These notes provide guidance for certifying OV's and FCCOs - hereafter, jointly referred to as Authorised Inspectors.

These notes also provide guidance for exporters.

Completion of export health certificate 7432EHC can be carried out at the place of production/processing or at another place, such as at the airport/port of export from the UK.

Production establishments must be UK establishments approved under Regulation (EC) 853/2004 to handle fresh or wild caught or aqua cultured live aquatic animals, [and can include factory vessels approved by a UK Authority].

SPECIFICALLY, AND ONLY WITH REFERENCE TO CRABS:

Crabs for export to China must only be sourced from catch areas which do not exceed the fail/tolerance limit for cadmium; these areas are agreed and decided by DEFRA.

The exporter must provide evidence of this to the Authorised Inspector (see paragraph 10.1 for more information on this).

It is advisable, though not compulsory, to seek membership of the SAGB Crab Monitoring Group via the link below:

[Membership - The Shellfish Association of Great Britain](#)

This would facilitate access to the SAGB Test Result Database.

This NFG must not be read as a standalone document but in conjunction with export health certificate 7432EHC. Exporters are strongly advised to obtain full details of the import requirements from importers in China, or their representatives in the UK, in advance of each consignment.

**REGISTRATION WITH GACC**

Exporters, their agents, and their consignees, should note that they must be registered with the General Administration of Customs China before any exports take place.

Contact [exports@apha.gov.uk](mailto:exports@apha.gov.uk) for information on the registration procedure.

Exporters should note that it is their responsibility to ensure that they have not only applied but have been listed as approved to export by GACC prior to doing so.

2. **SCOPE OF THE CERTIFICATE**

Export health certificate 7432EHC must be used for the export of live aquatic animals for human consumption to The People's Republic of China only.

7432EHC can be used for the export of live aquatic animals, including live fish for human consumption; however, 7432EHC must **NOT** be used for the export of live aquatic animals for propagation thereof, nor for the export of live bivalve molluscs, whether or not for human consumption.

For the export of live bivalve molluscs for human consumption, use 7469EHC.

For the export of dead/non-live fishery products for human consumption, use 7208EHC.

**For the purposes of 7432EHC:**

'Live aquatic animals and their products' means all<sup>1</sup> wild caught or farmed aqua-cultured seawater and freshwater animals including live echinoderms, live tunicates and live marine gastropods; this includes all edible live forms and live products of such animals. In addition, this includes amphibian spp. whether wild or farmed, and includes all edible live products of such animals.

'Fresh live aquatic animal products' are defined as products such as spawn or live eggs.

The meaning of 'Live aquatic animals' and 'Live aquatic animal products' **excludes** live bivalve molluscs, as well as all aquatic mammals and aquatic reptiles, and all edible forms and products of such animals, whether wild caught or farmed.

The meaning of all 'wild caught' seawater and fresh live aquatic animals and live aquatic animal products **includes** those animals and products caught in UK **or** other waters.

The meaning of 'farmed' / 'aqua-cultured' seawater and fresh water live aquatic animals and live aquatic animal products **excludes** all edible live forms and live products of such animals which are **not** farmed or aqua cultured in the UK. This is because of the wording of paragraph IV(3) of 7432.

**3. CERTIFICATION BY AN AUTHORISED INSPECTOR**

7432EHC must be signed by an Authorised Inspector namely, an Environmental Health Officer or a Food Safety Officer.

A Food Competent Certifying Officer (FCCO) or an Official Veterinarian (OV)], designated by the APHA on behalf of the Department for Environment, Food and Rural Affairs, the Scottish Government or the Welsh Government. OVs must hold the Official Controls Qualification (Veterinary) Products (OCQ(V)PX) authorisation.

In NI, a Veterinary Certifying Officer or FCCO, appointed or designated, respectively, by the Department of Agriculture, Environment and Rural Affairs, Northern Ireland (DAERA) may issue this certificate.

COs should sign and stamp the health certificate with their personal official stamp in any colour **OTHER THAN** that in which the certificate is printed, using a permanent ink.

In GB, a copy (paper or electronic; must be legible) of the completed certificate and any supporting documentation, must be kept for the minimum required time (usually three years) and may be requested for audit and other purposes.

In NI, copies of certificates are stored on the official database (HPRM).

See also, paragraph 4 relating to the provision of specimen stamps to China.

**4. ELIGIBILITY OF FARMS/ESTABLISHMENTS/AQUACULTURE FARMS FOR EXPORT**

Note: 'Farmed' / 'aqua cultured' seawater and freshwater live aquatic animals and live aquatic animal products of such animals which are not

farmed or aquacultured in the UK **cannot** be exported using 7432EHC. This is because of the wording of paragraph IV(3) of 7432EHC.

Paragraph II. a) of 7432EHC refers:

Establishments wishing to export live aquatic animals and live aquatic animal products to China must be listed by China as approved premises.

The Chinese authorities will expect that the details of the establishments entered onto the certificate are both correct, consistent and in accordance with their own records of approved establishments. Approval codes, and other details, should exactly match the details as listed on the China GACC veterinary authorities' website.

#### **Pre-Registration of Authorised Inspectors with China**

Specimen copies of the official stamps and signatures of Authorised Inspectors carrying out the export certification must be provided to China before exports take place.

The details of the premises and the Authorised Inspector's stamps & signatures to be provided must be submitted to APHA Carlisle or DAERA:

APHA Centre for International Trade (CIT)  
Eden Bridge House,  
Lowther Street,  
Carlisle,  
CA3 8DX  
Tel. 03000 200301  
E-mail: [LiveAnimalExports.Carlisle@APHA.gsi.gov.uk](mailto:LiveAnimalExports.Carlisle@APHA.gsi.gov.uk)

DAERA Tel. 028 77442 060

DAERA VS Implementation: [vs.implementation@daera-ni.gov.uk](mailto:vs.implementation@daera-ni.gov.uk)

The exporter or Authorised Inspector must submit, a table providing full plant details, including name, address, post code and registration number, as well as a specimen copy/ies of the stamp(s) of the Authorised Inspector's Local Authority.

It is important that specimen copies are provided of all different stamps that may be used. The information provided must be typed and clear.

The specimen stamps must be fully legible and not smudged.

Any numbers or characters in the stamps must be unambiguous - for example a '3' must not be a possible '8'.

The specimen stamps must be in any colour other than black.

**It is further advised that Authorised Inspectors consistently render their name on the EHC in exactly the same format as submitted to GACC and use stamp ink of the same colour as in the submission to GACC.**

It is the responsibility of the exporter to ensure that the name, address and registration number of the premises are correct in every detail. The exporter must note that it is important that all the details are consistent with all information of name and address, etc. that will be used on labelling and other paperwork. Discrepancies may cause consignments to be delayed in China or rejected by the Chinese authorities.

Exporters should discuss with Authorised Inspectors how the completed form with electronic copies of stamps will be sent to APHA/DAERA. The Authorised Inspector may wish to send the form to APHA/DAERA themselves to ensure control of the use of their stamps.

The ET92 form must be scanned and sent by e-mail to APHA Carlisle for farms/establishments in GB and to DAERA for farms/ establishments in NI.

It is the responsibility of the exporter to ensure that the completed form has been sent to APHA/DAERA.

APHA and DAERA will send the information on to DEFRA in London for onward transmission to be registered by the central authority (GACC) in China.

The list maintained in China is based on information provided to China by DEFRA.

At present, if additional registrations are necessary, transmission of information to China will be made every three months. Several weeks must be allowed for the information to be received in China and to be sent on to the portal offices of the local authorities in China (China's entry-exit inspection and quarantine administration (CIQ)).

Exporters must note that this process may be subject to delay and that DEFRA cannot guarantee how long registration/approval will take, since it is an internal matter for the Chinese authorities.

The exporter should ask their importer in China to check with the local CIQ office to ensure that the relevant details have been received. It is the responsibility of the exporter to ensure that this has occurred **before** exports take place.

Authorised Inspectors and exporters must note that exports may be at risk if exports commence before China has registered the details of the exporter, the Authorised Inspector, and the AI's specimen stamp & signature.

Farms/establishments wishing to be approved for export to China must be in full compliance with UK hygiene rules. Farms / establishments which are not in compliance with UK hygiene rules must not export. It is the responsibility of the producer, exporter and Authorised Inspector to check on this, and it is the responsibility of the Authorised Inspector to refuse to provide export certification if necessary.

Farms/establishments wishing to be approved for export to China must also be in full compliance with Chinese hygiene regulations. Farms / establishments which are not in compliance with Chinese regulations must not export. It is the particular responsibility of the producer to check on this, and it is the responsibility of the Authorised Inspector to ensure that the producer is aware of this requirement.

#### **IN ADDITION**

#### **WITH RESPECT TO THE LEVEL OF CADMIUM IN THE CRABS,**

The producer and exporter must ensure that the crabs are sourced from catch areas that are considered by DEFRA as areas that do not exceed the fail/tolerance limit for cadmium and can be used for export of crabs to China (see paragraph 10.1).

### **5. GENERAL CONSIDERATIONS RELATING TO COMPLETION OF THE CERTIFICATE**

#### **HANDWRITTEN OR ALTERED VERSIONS OF 7432EHC ARE INVALID.**

Any insertions must be typed. The only permitted handwritten entry is the signature of the Authorised Inspector. If necessary, the final date of certification can be entered using an inked rubber stamp in any ink colour **OTHER THAN BLACK**.

The Certificate must be signed and stamped with the Authorised Inspector's stamp in any colour **OTHER THAN BLACK** (it is advised that this be the same colour as that registered with China).

Any authorised deletions that cannot be entered electronically, or typed, must be made using a ruler and a fine black pen. Diagonal deletions must NOT be used. Each line to be deleted must be ruled out providing an effect similar to that of typewritten deletions.

**Certificate numbering:** Each certificate will be uniquely numbered when it is issued by APHA or DAERA. Local Authority inspectors should note that they don't have to produce another separate numbering system.

**Foreign text:** The Authorised Inspector should note that the foreign text in 7432EHC is an official translation of the English text, and the Authorised Inspector is accordingly authorised to complete the 7432EHC, even if they are unable to read and understand the meaning of the foreign text.

Once a certificate has been issued, a certified copy must be sent, within 7 days of signature, to APHA Carlisle or DAERA.

The Authorised Inspector must keep a copy for his/her own records. Copies should be retained for three years.

## 6. **GUIDANCE ON CERTIFICATION STANDARDS**

- 6.1. Export health certificate 7432EHC must be completed according to latest guidance from the Authorised Inspector's regulatory body.

Local Authority Inspectors should refer to the LACORS guidance "Export of Food to Third Countries (Outside the EU)", copies of which are available on request from [Thirdcountryexports@foodstandards.gsi.gov.uk](mailto:Thirdcountryexports@foodstandards.gsi.gov.uk). This guidance is currently under review by FSA.

(See: Food Safety, Hygiene and Standards, then Hygiene and Standards and Import and Export)

Food Export Health Certification - Guidance for Scottish Local Authorities is available at:

[Food Export Health Certification - Guidance for Scottish Local Authorities | Food Standards Scotland](#)

Additional guidance on food control at ports, and contact details for ports, will shortly be available from the Association of Port Health Authorities at:

<http://www.porthhealth.co.uk/index.html>

The Authorised Inspector may wish to seek guidance from other Authorised Inspectors or from APHA or DAERA (see paragraph 4 above) if they need advice on completion of certain parts of this certificate.

- 6.2. The inspection of the products for export is at the discretion of the Authorised Inspector based on objective evidence, and where appropriate, the policies and procedures of the Local Food Authority. See paragraphs 6.7, 6.8 and 6.9 for detailed guidance on documentary, identity and physical checks.

An audit trail, including information providing the basis for certification, must be kept by the Authorised Inspector in case discrepancies with any consignment are subsequently identified and, also, in case audits are required. See the paragraphs below on certification procedure for further guidance.

6.3. The Authorised Inspector must exercise reasonable precautions and due diligence when relying on information provided by the exporter or other third parties to ensure that the information is correct, and that certification can be carried out.

6.4. **CERTIFICATION PROCEDURE**

**Completion of export health certificate 7432EHC can be carried out at the place of production or at another place, such as at the airport/port of export from the UK.**

If export certification is provided at a place remote from the production plant (such as an airport or port), it is the responsibility of the exporter to liaise, well in advance, with the certifying Authorised Inspector(s) to:

- a) inform the Authorised Inspectors of the need for such certification and the expected timings;  
and
- b) ensure that all necessary documentation is provided for the Authorised Inspectors

Certification is based on satisfaction of the Authorised Inspector that:

- The product meets the conditions of the Health Attestation in Part IV of the Export Health Certificate (See paragraph 10 of these NFG).
- For exports of live crab to China, the crabs must have been caught/sourced from catch areas which do not exceed the fail/tolerance limit for cadmium and can be used for export of crabs to China (see paragraph 10.1 of these notes for guidance).
- Any supporting evidence is correct, accurate, and pertains to the specific batch of products intended for export.
- There are no apparent discrepancies between the consignment and the documentation accompanying it (not limited to the requirements of the Export Health Certificate).

A number of checks will be relevant to satisfy the Authorised Inspector of the points above.

When exporters have demonstrated consistent compliance with the export requirements, including traceability regarding the catch area, product labelling and identification, and consistency between consignments and documentation, Authorised Inspectors may use their professional judgement to decide on the need for specific checks if they do not have reasons to consider that they are necessary.

6.5. Before issuing 7432EHC to a particular company for the first time, in all cases, an additional full audit must be carried on the company's traceability systems. If significant concerns are noted, 7432EHC must not be issued. Subsequent audits must be carried out based on the judgement of the Authorised Inspector.

6.6. When carrying out documentary checks, the documents with the consignment must be checked to ensure that the details of the premises of origin are correct, that those premises are FSA-approved, and that the documented nature of the product is consistent with the consignment. The documents must contain details of UK approval of the plant, species of the product, exporter and importer details, number of pieces and net weights and identification marks (e.g. batch/package numbers) of the live aquatic animal product being exported and provide means to correlate

them to the consignment. The Authorised Inspector will also need to check on the origin of the products (i.e. whether wild caught or farmed and the area(s) of sourcing) from information provided by the FBO.

- 6.7. The consignment details, for example, the number of boxes and weights, must be in conformity with the products specified on the documentation and labelling. The Authorised Inspector must verify the number of packages / boxes / containers but in large consignments, an estimate of the number of packages / boxes / containers in the consignment can be carried out.
- 6.8. The packaging must be new (or clean, if re-usable), in good condition, and not broken or visibly contaminated.

Broken packages are not acceptable and must trigger a thorough inspection, if observed.

- 6.9. Verification of the contents of packages / boxes / containers is at the Authorised Inspector's discretion (see paragraph 6.4) and it is for the Authorised Inspector to decide whether they need to open some, any, or all, of the containers / boxes in a consignment to establish that the contents are as described on the accompanying documentation.

If any containers/boxes in a consignment are opened, this inspection must be carried out in appropriate conditions and using procedures to avoid contamination of the product. If packaging is opened/undone during this inspection, the product must be closed/repackaged as necessary. When checks, specific for export purposes or otherwise, raise concerns that export requirements are not consistently met, Authorised Inspectors must refuse further certification until deficiencies are rectified, or require additional checks and/or inspections to be completed, until they are satisfied that they are no longer required.

If certification is provided at the point of export, LA Inspectors do not also need to inspect the details of the consignment at the place of production.

- 6.10 **Inconsistent information:** If documentary, identity or physical checks suggest inconsistencies between the information provided and the products for export, the Authorised Inspector must inform the APHA Centre for International Trade at Carlisle or DAERA.

## 7. **CERTIFICATION AT THE PLACE OF PRODUCTION OR ELSEWHERE**

- 7.1. If certification is provided at the place of production, this paragraph can be certified from personal knowledge or by reference to information provided by the food business operator.

### 7.2 **CERTIFICATION ELSEWHERE**

If certification is to be provided at a place (such as an airport) remote from the place of production, the exporter will need to liaise, well in advance, with the local Environmental Health Office for the place of production and the certifying Authorised Inspector at the place of certification, to inform the certifying Authorised Inspector of the need for such certification, the expected timings, and to ensure that all necessary contact information and required documentation is provided by the exporter (and, if required by the certifying Authorised Inspector, any documentation from the local Environmental Health Office for the plant). If certification is carried out at a place remote from the place of production, the documents sent with the consignment must

be in a format acceptable to the certifying officer. It is suggested that documents, such as microbiological records (if required), can be provided electronically.

**It is the exporter's responsibility to ensure that communication with the Authorised Inspector occurs. If this does not take place, it is likely that the export may be delayed, and the consignment may then not be exported.**

**8. PRODUCTION MODE AND CATCHMENT/AQUACULTURE AREA**

Table II of 7432EHC refers: For each different product in a consignment, the exporter must declare whether the product was wild caught or cultured, and the area of culture or catch.

FOR PRODUCTS OTHER THAN LIVE CRABS, the exporter must declare whether the product was wild caught or cultured, the area of culture or catch, and for wild caught products, the name and number of the vessel.

The Food and Agriculture Office (FAO) Major Fishing Areas code must be inserted in the appropriate column (Wild Caught or Aquaculture). See:

[FAO Major Fishing Areas](#)

The area coding may, as far as possible, be reduced to an area as described in the FAO link.

**FOR LIVE CRABS**, the International Council for the Exploration of the Sea (ICES) catch area and the rectangle / sub-area code must be inserted using the format of the following example:

**FAO27, ICES Area VIe, Rectangle 28E6**

For the export of live crabs, only areas that meet the agreed fail/tolerance limit for cadmium can be used - see also paragraph 10.1.

'Not applicable' boxes must be left blank.

**9. LABELLING**

9.1. The packaging / containers must be marked with the approval number for the production plant. The packaging / containers must be marked with the country of origin, if not already included in the establishment stamp.

Labelling must be present and comply with China's requirements:

The products shall have on their internal and external packaging, clear and distinguishable Chinese\* and English marks, which shall indicate the following matters:

- Commodity name and formal (Latin) name, specification (i.e. quantities), date of production, batch number and preservation conditions of the aquatic products;

**\*\*DEFRA comment regarding 'preservation'\*\***

If the products are at ambient temperature and without any other means of preservation, there is no need to record this. If the products are chilled, record this as such.

- Production method, including: sea fishing, freshwater fishing and farming;

**\*\*DEFRA comment regarding 'production method'\*\***

If the products are wild caught use the words 'sea fishing'



or 'freshwater fishing'. If the products are farmed or aquacultured use the word 'farming'.

- Producing area, including: fishing sea areas of the live aquatic animals or country or region where the freshwater live aquatic animals are caught or produced, and the country or region where the last breeding phase of bred products is located;

**\*\*DEFRA comment regarding 'producing area'\*\***

See paragraph 8 above. Use terminology as explained in the FAO link.

- Names and registration numbers of the production farms/ establishments;

**\*\*DEFRA comment regarding 'production farms/establishments'\*\***

Include only details of the actual production / exporting plant.

- **People's Republic of China** must be indicated as the destination.

**\*\*DEFRA comment regarding Chinese text/characters on labels/packaging\*\***

The Authorised Inspector must note that it is the responsibility of the producer/exporter to ensure that the Chinese text/characters on the label/packaging are a correct translation of the English text/characters, even if the Authorised Inspector is able to read and understand the meaning of the Chinese text/characters.

## 10. HEALTH INFORMATION

**IN SUMMARY** paragraph IV of 7432EHC can be signed on the basis of compliance with EU Regulations (EC) 853/2004 and 854/2004 and the following Chinese Regulations:

Code of Hygienic Practice for Fish and Fishery Products Processing Establishment:

[Code of Hygienic Practice for Fish and Fishery Products Processing Establishment – Seafish](#)

China's Food Safety Law effective 1 October 2015

<http://gain.fas.usda.gov/Recent%20GAIN%20Publications/Amended%20Food%20Safety%20Law%20of%20China%20Beijing%20Peoples%20Republic%20of%205-18-2015.pdf>

"Determination of cadmium in foods GB 5009.15-2014", effective from 28 July 2015":

<https://www.seafish.org/document/?id=8cfb47e0-a381-47f5-8622-f6c1a0702e02>

"Maximum Levels of Contaminants in Food":

<https://www.seafish.org/document/?id=9bc28b9d-df1d-42cd-a098-32f71e8710c8>

"National Standard of the People's Republic of China: Code on Quality and Safety Control of Fishery Products for Export":

[http://www.seafish.org/media/Publications/Translation-code of practice for exports of fishery products.pdf](http://www.seafish.org/media/Publications/Translation-code%20of%20practice%20for%20exports%20of%20fishery%20products.pdf)

In the UK, Food Hygiene Regulations are implemented by The Food Safety and Hygiene (England) Regulations 2013 and parallel Regulations in

Scotland, Northern Ireland and Wales.

Compliance with the Food Hygiene Regulations can be accepted, provided the FBO is listed on the FSA website at the time of certification.

Accordingly, the Authorised Inspector can certify this on the basis that the premises have approved status, combined with personal knowledge of the plant, and/or by reference to records provided by the plant operator.

Specifically, as regards the export of live crabs for export to China, the Authorised Inspector must check that there is no possible risk of cadmium contamination from the exporters' place of storage and the packaging used for export.

Authorised Inspectors must carry out inspections and checks, as necessary, of procedures and records based on a risk-assessment of the FBO involved.

This should be based on the relevant legislation, the Framework Agreement and in accordance with the Food Law Codes of Practice and any centrally issued guidance.

However, a detailed inspection of procedures and records for the export of crabs to China must be carried out at least once every year. The FBO must make arrangements to facilitate this and ensure that the papers required are provided to the Authorised Inspector.

Local Authority checks must include inspection of all procedures and records relating to the collecting, storing, processing, selecting, transport, hygiene, residue and microbiological testing, and certification, of products for export to China.

Non-compliance with procedures for export to China must be reported by the Authorised Inspector to the Local Authority, if different, and to FSA/FSS and APHA/DAERA and the WG or SG if appropriate.

**USE OF PROHIBITED DRUGS:**

The first sentence of paragraph IV(1) refers: In respect of certifying no use of prohibited drugs, while this is not possible for wild caught animals, for aqua cultured animals, this may be certified from the personal knowledge of the inspector and/or if necessary by inspection of records provided by the producer. The Authorised Inspector may wish to seek a signed declaration from the producer in this respect.

**RESIDUES OF HEAVY METALS:**

The second sentence of Paragraph IV(1) refers: In respect of certifying that no residues of heavy metals exceeding the limits in Chinese and European Regulations have been detected, firstly the Authorised Inspector should note that for these purposes the Chinese and European standards are equivalent, except that the maximum levels of certain metals are different.

In this respect, producers and Authorised Inspectors should note that with regards to sampling for chemical contaminants in live fishery products, the overriding position of the FSA/FSS is that the food business operator has the responsibility for ensuring that checks are made to ensure contamination does not exceed the levels laid out in Regulation (EC) 1881/2006, **and** as necessary, with additional sampling requirements for products being exported to Third Countries such as China.

Producers and Authorised Inspectors should note that with regards to levels of heavy metals, it is the responsibility of the producer to carry out routine surveillance and for the Authorised Inspector to check that this is done. See paragraph 10.1 for further information on this.

If food business operators do their own end product testing they should inform local authorities when permitted levels are exceeded. If monitoring is carried out by local authorities and the 1881/2006 levels are exceeded, the local authority should inform the FSA/FSS and appropriate follow up action must be taken.

Regulation (EC) 1881/2006 (setting maximum levels for certain contaminants in foodstuffs), sets limits for heavy metals (and other substances such as dioxins and PCBs, polycyclic aromatic hydrocarbons (PAH)) in animals, including crustaceans.

The heavy metals listed are lead, mercury, cadmium and tin.

The products must also comply with Council Directive 96/23/EC, which is implemented in the UK by the Animals and Animal Products (Examination for Residues and Maximum Residue Limits) Regulations 1997, and a programme referred to as the National Surveillance Scheme (NSS).

If testing under the NSS carried out by the FSA/FSS in E/W/S/NI detects residues of heavy metals (including arsenic) in products supplied for human consumption, this would be traced back and further investigations would then be done. This would include residues detected as a result of monitoring programmes carried out in live fishery products. Such surveys by FSA/FSS may be targeted following data from the monitoring of shellfish waters by the Environment Agencies under Directive 2006/113/EC of the European Parliament and of the Council of 12 December 2006 on the quality required of shellfish waters.

#### **10.1 SPECIFIC CONTROLS FOR CADMIUM IN CRABS AND EXPORT OF CRABS TO CHINA – TESTING FOR CADMIUM AND AREAS THAT DO NOT EXCEED THE AGREED FAIL/TOLERANCE LIMIT FOR SOURCING/CATCHING CRABS WITH RESPECT TO LEVELS OF CADMIUM**

As from January 2016, until agreed otherwise with China, the following controls on testing and source/catch areas will be implemented on live crabs to comply with China's requirements regarding the level of cadmium in live crabs exported from the UK to China for human consumption.

##### **TESTING CRABS FOR CADMIUM AND OFFICIAL CONTROL OF THAT TESTING AND AREA SURVEILLANCE**

FBOs are responsible for collecting crabs for sampling and testing and sending them to the laboratory as described in SOP on the export of live brown crabs (*Cancer pagarus*) from the UK to China.

FBOs that are members of the Shellfish Association of Great Britain (SAGB) should provide access to historical sampling data demonstrating that the crabs are from the approved fishery areas. If not, FBOs must ensure that crabs are taken for sampling and testing regularly and on average once every month from all the fishery areas used. The frequency of sampling and testing will be reviewed by DEFRA.

Costs of sampling and testing must be paid for by FBOs.

FBOs must collect and maintain records of all sampling and testing for cadmium that they do, whether this is official or unofficial, and whether routine or otherwise.

Records must be readily available for inspection at any reasonable time by the Local Authority, FSA/FSS/ DEFRA or the relevant Devolved

Administration.

Records can be paper-based or electronic, but a backup must be kept. Records must be kept for at least 6 (six) years.

SAGB will monitor and control sampling and testing of crabs by individual FBOs and make results of sampling and testing available to the FBOs and LAs involved, and to DEFRA, the Devolved Administrations, and FSA and FSS.

Authorised Inspectors must check records of area testing for cadmium before consignments of crabs are certified for export to China.

Checks can be carried out on a rolling basis providing the Inspector has full awareness of the testing carried out, and of any changes, but the Inspector must record that checks are done and are current.

If DEFRA confirms that testing has shown that cadmium results in crabs from the catch area do not meet the Chinese requirement, and exceed the agreed fail/tolerance limit for cadmium, then APHA/DAERA will inform exporters and LAs involved that these catch areas cannot be used.

**In this event LA Authorised Inspectors must not issue export health certificates for these areas until DEFRA has confirmed that the required level of compliance has been achieved, and APHA/DAERA has informed exporters and LAs that these areas can be used again.**

DEFRA is responsible for informing GACC of surveillance testing for cadmium, and of non-compliances from areas which exceed the agreed fail/tolerance limit for cadmium, and actions taken.

DEFRA is responsible for informing GACC if exports from a certain area are being resumed.

**It is important to note that all results of routine monitoring, surveillance, and exceedance, relate to a fishery area and not just to one exporter.**

FBOs and Authorised Inspectors should note that the private testing described above is in addition to surveillance carried out under the National Surveillance Scheme (NSS), which implements the requirements of Council Directive 96/23/EC, which is implemented in the UK by the Animals and Animal Products (Examination for Residues and Maximum Residue Limits) Regulations 1997.

Under the NSS, risk-based surveillance is carried out for cadmium in crabs but in accordance with Regulation (EC) 1881/2006, only white meat from the appendages is tested.

FSA/FSS/FSS decide on routine official testing for substances such as cadmium in crabs and other food products as required under UK rules. The testing that is carried out is decided on the basis of a risk assessment.

**PROCEDURES FOR DEALING WITH CADMIUM TEST RESULTS ABOVE THE MAXIMUM LEVEL OF 3.0MG/KG WET WEIGHT FROM CRABS FROM A SPECIFIC CATCH AREA**

DEFRA is responsible for informing GACC of surveillance testing, non-compliances in respect of the failure tolerance limit, actions

taken, and if exports are being resumed.

**ACTIONS TO ENSURE THAT THE BACKGROUND LEVEL OF CADMIUM IN CRABS FROM THE CATCH AREAS USED FOR EXPORT OF CRABS TO CHINA DO NOT EXCEED THE FAIL/TOLERANCE LIMIT**

DEFRA decides which catch areas do not exceed the fail/tolerance limit for cadmium and can be used for export of crabs to China.

The decision for each area is based on, for example, information on environmental monitoring in fishery areas provided in OSPAR<sup>2</sup> reports and results of testing carried out in the UK and in China.

This decision-making process will be reviewed as further information becomes available.

FBOs must ensure that crabs for export to China are not caught from areas that exceed the fail/tolerance limit and must provide information to their Authorised Inspector when checks are made and when consignments are certified for export to China.

SAGB will keep records of these areas and catches, and make this information available to FBOs and LAs involved, and provide reports every three months to DEFRA, FSA/FSS and the Devolved Administrations. If results above 3.0 mg/kg are obtained, SAGB will inform DEFRA.

If Authorised Inspectors identify that crabs are sourced from areas that exceed the fail/tolerance limit, those crabs must not be certified for export to China. In addition, the Authorised Inspector must inform

If crabs from areas that exceed the agreed fail/tolerance limit for cadmium are exported to China, DEFRA will inform GACC.

<sup>2</sup> OSPAR: <http://www.ospar.org/>

**10.2. ABSENCE OF PATHOGENIC BACTERIA:**

Paragraph IV(2) refers: The EU has specific microbiological criteria for food products - Regulation (EC) No 2073/2005 on the microbiological criteria for foodstuffs refers. This Regulation is implemented in the UK by the Food Hygiene Regulations 2006. In respect of certifying the absence of pathogenic bacteria, the Authorised Inspector can certify this on the basis that the premises have approved status, combined with personal knowledge of the plant, and/or by reference to records provided by the plant operator and on the basis of the presence of the EC Identification Mark.

In addition, the presence of an established HACCP plan with evidence of implementation of that plan will provide appropriate evidence of a microbiological testing programme appropriate for the product concerned and as required under the EU Hygiene regulations. A HACCP plan must be present at the processing premises and satisfactory results must have been maintained. If satisfactory results have not been maintained, it is the responsibility of the producer/exporter to cease exporting, until satisfactory results have again been achieved. The Authorised Inspector must not issue certification until satisfactory results have been achieved again.

**10.3. MONITORING AND SUPERVISION OF THE AQUACULTURE AREA AND FREEDOM FROM OIE LISTED DISEASES:**

Paragraph IV (3) (i) refers: The Authorised Inspector may certify

this paragraph on behalf of the Department on the basis of the following guidance. Written authority from APHA or DAERA is not required to certify this paragraph.

The Authorised Inspector may certify the first sentence of paragraph IV.3(i) regarding supervision and monitoring of the relevant aquaculture area on the basis that the aquatic environment in the UK is supervised and monitored according to OIE standards by CEFAS in England and Wales, Scottish Government in Scotland and AFBI/DAERA in Northern Ireland.

The Authorised Inspector may certify the second sentence of paragraph IV.3(i) regarding the absence of an outbreak report of WOAHA listed diseases of **aquatic animals, excluding bivalve molluscs** listed below (this list is from: [https://www.woah.org/fileadmin/Home/eng/Health\\_standards/aahc/current/chapitre\\_diseases\\_listed.pdf](https://www.woah.org/fileadmin/Home/eng/Health_standards/aahc/current/chapitre_diseases_listed.pdf)) by checking the appropriate website of CEFAS, SG or AFBI/DAERA for the absence of current records of the relevant diseases in the relevant aquaculture area. The relevant aquaculture area is the actual area in which the animals are farmed / aquacultured.

Authorised Inspectors should note that country clearance for absence of disease is not required and that freedom from relevant diseases can be certified providing that the OIE listed diseases relevant to the types of animals for export are not recorded as present in the area in which the animals were wild caught or farmed.

The Authorised Inspector should record the date and time that the relevant website(s) was accessed in case this needs to be checked in the event of an audit or if problems occur.

<b>Diseases of amphibians</b>	
Disease	WOAH chapter
Infection with <i>Batrachochytrium dendrobatidis</i>	<a href="#">Chapter 2.1.1</a>
Infection with ranavirus	<a href="#">Chapter 2.1.2</a>
<b>Diseases of crustaceans</b>	
Crayfish plague ( <i>Aphanomyces astaci</i> )	<a href="#">Chapter 2.2.1</a>
Infections hypodermal and haematopoietic necrosis	<a href="#">Chapter 2.2.2</a>
Infectious myonecrosis	<a href="#">Chapter 2.2.3</a>
Taura syndrome	<a href="#">Chapter 2.2.4</a>
White spot disease	<a href="#">Chapter 2.2.5</a>
White tail disease	<a href="#">Chapter 2.2.6</a>
Yellowhead disease	<a href="#">Chapter 2.2.7</a>

See the following web sites for reports of disease (these are updated if an outbreak of disease occurs):

CEFAS in England and Wales: <http://www.DEFRA.gov.uk/aahm/disease/>

Scottish Government in Scotland:  
<https://www.gov.scot/publications/health-status-of-fish-and-shellfish-diseases-in-scotland/>

DAERA in Northern Ireland:

<https://www.daera-ni.gov.uk/publications/northern-ireland-marine-disease-control-compartments>

**10.4. FREEDOM FROM ANIMAL DISEASES AND PARASITES:**

Paragraph IV(3)(ii) refers, referring to animal diseases or parasitic diseases can be signed on the basis of the absence of clinical signs and compliance with the applicable requirements in EU law relating to aquatic animal health. If the aquatic animals for export are obviously clinically affected or obviously abnormal or obviously parasitised, the exporter should be aware that the consignment may be rejected. The exporter should therefore remove animals from the consignment which, in their judgement, are obviously abnormal or affected with parasites. This declaration is not interpreted to mean that the aquatic animals for export are free from all diseases or all parasites.

If the producer or Authorised Inspector are aware that an outbreak of disease which is caused by a zoonotic pathogen has occurred in the aquatic animals for export, exports to China must not be allowed until the outbreak has been resolved and clearance has been given by FSA/FSS.

**10.5. Veterinary and sanitary requirements under EU 853/2004 regulations and fitness for human consumption:**

Paragraph IV(4) refers: This paragraph can be certified on the basis of the presence of the UK identification mark.

**11. DESTINATION OF PRODUCTS AND MEANS OF TRANSPORT:**

Paragraph III(a) refers: The Authorised Inspector should ensure that the full details of the means of transport is also included at this paragraph. Accordingly, the means of transport, city of destination and country of destination should be included e.g. "By air freight, flight number BA1234 to Pudong airport, Shanghai, China".

**12. COSTS OF EXPORT CERTIFICATION**

Authorised Inspectors and exporters must note that charging for this export certification is a matter for them to agree on.

**13. DISCLAIMER**

This certificate is provided on the basis of information available at the time and may not necessarily comply fully with the requirements of the importing country. It is the exporter's responsibility to check the certificate against any relevant import permit or any advice provided by the competent authority in the importing country. If these do not match, the exporter must contact the APHA Centre for International Trade in Carlisle or DAERA.

