



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR HEALTH AND FOOD SAFETY

Crisis preparedness in food, animals and plants
The Director

Brussels
SANTE.DDG2.G.4/PC/acg(2021)4315654

Subject: MAC's Advice on UK bivalve molluscs from B classified areas

Dear Mr Reis Santos,

I refer to your letter sent by e-mail to DG MARE on 14 April 2021 as regards the advice expressed by the Market Advisory Council on the import of live bivalve molluscs originating from B classified production areas from the Great Britain and UK Crown Dependencies. This issue falls under the competence of DG SANTE and was already discussed with the UK competent Authorities and representatives of the UK industry. I therefore respond also on DG MARE's behalf.

Since 1 January 2021, the EU rules in the field of animal and public health no longer apply to the United Kingdom (with the exception of the territory of Northern Ireland, in accordance with the Protocol on Ireland/Northern Ireland). Hence, the import of live bivalve molluscs from Great Britain and UK Crown Dependencies to the EU is subject to the conditions applied to such imports from third countries.

Those conditions include notably public health guarantees that shall accompany live bivalve molluscs, when exported to the EU, as any product of animal origin intended for human consumption.

The official certificate laid down in Chapter 31 of Commission Implementing Regulation 2020/2235 requires in particular that the bivalve molluscs "*satisfy the health standards laid down in Section VII, Chapter V of Annex III to Regulation (EC) No 853/2004 and the criteria laid down in Commission Regulation (EC) No 2073/2005 [on microbiological criteria for foodstuffs]*" at the moment where they are presented for import controls at the EU borders. Those criteria are not respected by molluscs originating from B classified areas that cannot be described, as you say in your letter, as "high quality imported shellfish products" taking into account that they originate from B classified areas, much more polluted in comparison with A classified areas from which the import is allowed.

Mr Pedro Reis Santos
Secretary General of the Market Advisory Council
10 Rue de la Science
1000-Brussels
Belgium
email: Secretary@marketac.eu

While the possibility to transfer live bivalve molluscs from a B classified area to a depuration centre is allowed between EU Member States (and controlled by the authorities as laid down in Regulation (EU) 2017/625), it is not allowed when bivalve molluscs originate from third countries, such as from Great Britain or the UK Crown Dependencies.

Such rules are not new and applied to all third countries prior to UK leaving the EU. The Commission has no intention to revise those rules that are based on the general principle that only food in full compliance with the EU rules can be imported into the Union. This is what ensures continued provision of high-quality imported shellfish products into the EU market.

Yours sincerely,

[e-signed]

Bernard Van Goethem