

DVMs for distribution
Border Inspection Posts (England) – for action
Chief Port Health Officers – for action

cc:

Nominated officers for Imported Food (England)
APHA
CIEH
APA
Trading Standards Institute
Health Protection England

24 June 2016

Reference: OVS/2016/017

Dear Colleagues,

AMENDMENT TO REGULATION DEALING WITH THE IMPORT OF PRODUCTS OF ANIMAL ORIGIN AND REPEAL OF 2003/812/EC

This letter is addressed to Border Inspection Posts and Chief Port Health Officers in England only.

I am writing to advise that the Commission published Regulation 2016/759 on 14th May and applies from June 3rd. The Regulation can be found at the following link: http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=OJ:JOL_2016_126_R_0003&from=EN.

The Regulation amends the countries that are approved and the requisite certificates, to import the following products:

- frogs' legs;
- snails;
- gelatine;
- collagen;
- raw materials for the production of gelatine and collagen;
- treated raw materials for the production of gelatine and collagen;
- honey, royal jelly and other apiculture products;
- chondroitin sulphate;
- hyaluronic acid;
- chitosan;
- glucosamine;



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- rennet;
- isinglass
- amino acids that are authorised as food additives in Regulation 1333/2008.

Articles 3 and 4 permit the transit of raw materials and treated raw materials for the production of gelatine and collagen, bound for a third country and sets out the model certificate. Article 5 gives derogation for such products that are transiting through Latvia, Lithuania and Poland.

The model certificates for the above products replace those within Regulation 2074/2005. As the lists of third countries, parts of third countries and territories authorised for the imports game meat products and meat of leporidae now appear in Decision 2007/777/EC and Regulation 119/2009.

Decision 2003/812/EC is repealed.

Consignments of products of animal origin in respect of which the relevant certificates have been issued in accordance with Regulation (EC) No 2074/2005 may continue to be introduced into the Union provided that the certificate was signed before 3 December 2016.

For those products for which certificates had not already been established in Regulation (EC) No 2074/2005, the certificates laid down in Regulation 2016/759 apply.

With regard to the authorisations issued previously, the national certificates have no legal status under the relevant European legislation. The publication of Regulation 2016/759 will harmonise the area, so the existing authorisations should be immediately invalid. However, a sudden rejection (of a previously valid certificate) is not a legitimate expectation by the trade. We propose therefore to allow a sufficient opportunity for stakeholders to make the necessary adjustments and have a transitional period similar to the certificates above, i.e. until December 3.

Raw material for the production of gelatine and collagen has to be channelled in accordance with the requirements of Article 8(4) of Directive 97/78/EC. For information the requirement for channelling is provided for in the revised Section XIV, Chapter II, point 3 (raw materials for gelatine) and Section XV, Chapter II, point 3 (raw materials for collagen) of Regulation (EC) no 853/2004 as amended by Regulation (EU) 2016/355.

Where the highly refined products are of fishery origin, the checks should be undertaken by Official Veterinarians. It is clear that the raw materials are fishery products, when considered with the definition in Regulation 853/2005. However, the Regulation refers to products of sea/freshwater animals, but does not mention

the further processing of such products. I can advise therefore that the finished highly refined products would not be considered as fishery products.

Defra and the FSA are working on new/updated Importer Information Notes which will be available from the Animal and Plant Health Agency's [Centre for International Trade](#) shortly.

Yours sincerely,

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