



Animal &  
Plant Health  
Agency

## APHA Briefing Note 21/22

# Update on EU legislation for export of aquaculture crustaceans as products of animal origin from GB to EU

**Date issued: 1 June 2022**

### Purpose

To inform stakeholders on the update to EU legislation on residue plans for aquaculture.

### Background

Following changes to the EU's legislation on residue plans for aquaculture (2011/163/EU), some exporters experienced difficulties moving aquaculture crustaceans to the EU.

This was because Great Britain was no longer listed in EU legislation relating to residue plan as approved to export these products to the EU – under Export Health Certificate 8361.

After discussions between Defra and the EU Commission, the EU's legislation will be updated in June or July to rectify the issue.

This means that aquaculture origin crustaceans caught in countries approved to export to the EU, and which have the relevant residue plans, can be sent via Great Britain so long as the relevant conditions for triangular trade outlined in the Notes for Guidance are met. (Triangular trade is when a product is imported from one country to another and then re-exported to a third.)

Until the legislation is implemented, the EU Commission has asked Member States to be flexible and allow this triangular trade of aquaculture crustaceans from Great Britain.

We will update notes for guidance for certificate 8361 once the legislation has been changed.

APHA is an Executive Agency of the Department for Environment, Food and Rural Affairs and also works on behalf of the Scottish Government, Welsh Government and Food Standards Agency to safeguard animal and plant health for the benefit of people, the environment and the economy.

## Action

We strongly advise that exporters contact their EU Border Control Post to confirm that they will adopt this flexible approach. It will also be necessary to confirm any labelling and certification requirements; for example, those needed to identify the country in which the crustaceans were caught, even if they are packaged or processed in Great Britain.

## Further Information

The Export Health Certificate and Notes for Guidance for crustaceans exported a products of animal origin can be found [here](#).