



Department
for Environment
Food & Rural Affairs

FOR THE ATTENTION OF ENGLISH AND WELSH LOCAL AUTHORITIES

Please note: Where possible, please share this letter with the Environmental Health office

NO DEAL EXIT PLANNING: EXPORT REQUIREMENTS GUIDANCE FOR THE EXPORT OF FISH AND FISHERY PRODUCTS TO THE EU – NOTE TO LOCAL AUTHORITIES

Dear colleague,

We are writing to update you on the latest information to ensure that exports of animals, animal products, fish, food and feed to the EU can continue in the event that the UK leaves the EU without a deal. We would also appreciate your assistance to identify registered establishments within your local authority area that need to be listed with the EU to enable them to continue exporting products of animal origin to the EU under a no-deal exit.

In a no-deal exit, it is anticipated that businesses can continue exporting these products to EU countries, but the process for doing so will change. In particular, businesses will need to apply for an Export Health Certificate (EHC) in advance and make sure their trade route passes through a Border Inspection Post when entering the EU.

EHCs will need to be signed by an Authorised signatory to provide assurance that exported goods comply with relevant EU requirements. Certifying Officers at Local Authorities will be able to sign EHCs for exports of fish, shellfish and certain composite food products to the EU, in addition to Official Veterinarians. This is a non-statutory function and Local Authorities can charge to recover costs.

To support Local Authorities who wish to provide an EHC service for their local businesses, additional support and guidance is now available on gov.uk:-

- Defra's latest press release encourages businesses to familiarise themselves with the new process for EU exports by reading guidance on [gov.uk](https://www.gov.uk).
- Guidance and EHCs for exporting to the EU are now available for download ahead of use on exit day on [gov.uk](https://www.gov.uk)
- A current [list](#) of EU Border Inspection Posts can be found on gov.uk.

A new listing of Official Veterinarians that offer EHC services has recently been launched [[Link](#)]. We shall shortly be contacting Local Authorities asking if they wish to be included.

In addition, I enclose the following materials that may be helpful to Local Authorities if they are engaging with exporting businesses:-

- Detailed information on the role of Certification Support Officers (CSOs). CSOs can be deployed by Local Authorities or Official Veterinarians to support the process of export health certification. (Annex A)
- Information about the free online training available for CSOs.
- A step-by-step guide to EHCs for exports of fish and fish products to the EU in the event of a no-deal exit. (Annex B)
- A set of frequently asked questions relating to the requirement for export health certificates for EU exports of fish and fish products. (Annex C)

Further information on composite products is available at on GOV.UK [Link](#).

As above, we would appreciate your assistance to help identify registered establishments within your local authority area that need to be listed by you and notified to the EU to enable the establishments to continue exporting products of animal origin to the EU under a no-deal exit. Annex D (attached) provides further information and contact details.

Should you require any further information, please contact EUexit.exports@defra.gov.uk

ANNEX A

Introduction of the Certification Support Officer (CSO) role for facilitating official Export Health Certification from the UK

Executive summary

To facilitate the required evidence collection that underpins official export certification, the APHA are providing an online training module and official authorisation for appropriate personnel to help Certifying Officers (COs). Only these Certification Support Officers will be able to act as proxies for COs but cannot sign export health certificates. LAs may wish to train existing or new staff for this role. Context, information and guidance for making use of this role are provided.

Purpose

1. To inform LAs and Environmental Health Officers (EHOs)/Food Safety Officers (FSOs), duly appointed by a food authority in the UK (and with relevant food law code of practice competence) operating as Certifying Officers¹ (COs) for official APHA issued export health certification in GB, of the introduction of, and training for, the Certification Support Officer (CSO) role. This role is intended to provide an additional pool of resource to support the EHC signing process. Similar information has been provided to the official veterinary export certification community.

Introduction

2. Official export health certification, when required by trading partners, is negotiated centrally on behalf of the UK by Defra as the designated Central Competent Authority (CCA). In the case of the EU, model certificates for use by third countries are prescribed in EU Legislation and Defra cannot alter their text or requirements. COs should distinguish between general attestations or certification made on behalf of their LA, and certification on behalf of the UK where the Official Export Health Certificate (EHC) originates from the APHA, or in the case of Northern Ireland (NI), DAERA. The EU certificates for use by the UK as a third country (see below) fall into the latter category.
3. Although both private veterinary businesses and some LAs are already providing export and trading certification services, pressures are expected to arise from new certification requirements, the geographic location of the exporting business and/or hours of operation.

¹ Certifying Officers (COs) are those that act in an official capacity on behalf of designated competent authorities according to EU legislative requirements. Existing official certification refers to COs as Official Inspectors (including EHOs/FSOs with food competency - see elsewhere) or Official Veterinary Inspectors.

4. This scenario will require additional export health certification services. We understand that LAs do not have a statutory obligation to provide this export certification. However, they may wish to introduce this role as means to mitigate any risks against the impact of a no deal EU exit. It is understood that LAs can charge on a cost recovery basis for providing export certification services. To further facilitate LAs and Certifying Officers in gathering information and evidence that underpins the signature and issuing of an official EHC, the APHA has provided a training module and authorisation mechanism for a supporting role, i.e. the Certification Support Officer.
5. In terms of EU legal requirements, the designated CCA is responsible for the training and authorisation of the Certifying Officer (CO) and any auxiliary officers, and for quality assurance of export certification services. As EU legislation expects this approach to be in place by exporting third countries, in the scenario of a no-deal EU exit, this will continue to apply to the UK. The designated CCA for this is the APHA in GB. Official Export Health Certificates for POAOs, are issued² and monitored by the designated CA. Officially issued certificates must carry unique and centrally registered identification numbers.
6. In the event of a no deal EU exit, the UK will be treated as a ‘third country’ by the EU and its member states. The UK has made an application to the EU to become listed under Regulation (EC) 854/2004 Article 11 as an approved third country for the export of POAOs in preparation for a potential no-deal EU Exit. In such an eventuality, POAO and other animal products will require official Export Health Certificates (EHCs) in order to clear EU border controls. These certificates and the conditions for certification are already available in EU legislation.
7. The certificate itself will specify who is eligible to sign it. Where the specification is for an Official Inspector, EHOs/FSOs³ are currently recognised to act as Official Inspectors (Certifying Officers) in GB for official export certification to third countries by virtue of their employment in an LA, their authorisation under the Food Safety Act 1990 and food law code of practice competency. Such EHOs/FSOs are able to make relevant inspections and sign these as a service to exporters. The need to provide CCA authorisation for EHOs/FSOs Certifying Officers in the future, is under discussion.
8. EU Certificates for the export of fishery products and shellfish for human consumption as well as specified composite products, will be able to be signed by

² In this context ‘issued’ means: The APHA or DAERA hold the approved definitive text for the certificate and allocate a unique reference number or range of numbers and make it available to the Certifying Officer. The Certifying Officer signs this document and ‘issues’ it on behalf of the APHA or DAERA to the exporter. Therefore, the certificate is ‘issued’ by the designated CA, which is the APHA or DAERA.

³ Currently duly appointed by a food authority in the UK and with relevant food law code of practice competence – future authorisation by the designated CA is under consideration. Advice on certification has been made available to LAs by the FSA/FSS.

designated CA authorised Certifying Officers, i.e. EHOs/FSOs⁴ and Official Veterinarians (OVs)⁵ acting as 'Official Inspectors' (OIs) for the purposes of those certificates. Relevant certificates, which will state who may sign them, can be accessed by visiting www.gov.uk/export-health-certificates.

9. LAs and EHOs/FSOs³ who wish to provide an official export health certification service are now able to deploy Certification Support Officers (CSOs), subject to the specific guidance for use of CSOs, to help gather the evidence and make the inspections needed for the certification process. The use of CSOs is a voluntary management option and is expected to increase the efficiency and productivity of the CO. Trained and authorised CSOs may be used in a supporting role to Certifying Officers (COs) for official Certificates.
10. COs will be able to deploy CSOs for collating the relevant factual evidence for repetitive processes for both third country and future EU certification purposes, however EHOs/FSOs³ must take due regard of the specific Notes for Guidance (NfG) accompanying the certificate as this overrides the general approach for certification set out in the Codex Alimentarius and may specify limitations to the role or deployment of CSOs. COs are directed to the Royal College of Veterinary Surgeons (RCVS) [principles of certification in as much as they make reference to CSOs](#). Additional guidance is also provided in this document.
11. For the avoidance of doubt, EHOs/FSOs⁶, are not required to undertake the CSO training in order to support other COs (OVs or OIs⁷) where they may need supporting evidence or attestations, i.e. where ingredients or products are shipped to other processing plants before certification takes place. However, EHOs/FSOs⁶ may find the training module useful as a refresher if they are inactive in export certification until such time as a new bespoke module becomes available. EHOs/FSOs⁶ are able to provide supporting documentation to other COs in their own professional competence and standing. Each CO must satisfy themselves what supporting evidence they need and who they may rely on in providing that evidence, in order to place their signature on the certificate. It should be noted that the presence of the health identification mark is not in and of itself sufficient to certify the hygiene compliance requirements of official export certification unless the NfG allow otherwise and then only subject to a recorded risk assessment.
12. Discussions are taking place between the APHA, FSA, FSS, CIEH and REHIS on the future arrangements for the training and authorisation of EHOs/FSOs to act as Certifying Officers on behalf of the APHA, similar to how veterinarians are required to be trained and authorised by the APHA in GB to undertake official export health certification for animal products. Until this is decided, EHOs/FSOs⁶ should assume

⁴ Currently duly appointed by a food authority in the UK and with relevant food law code of practice competence – future authorisation by the designated CA is under consideration.

⁵ Holding the Official Controls Qualification - Products authorisation.

⁶ Currently duly appointed by a food authority in the UK and with relevant food law code of practice competence – future authorisation by the designated CA is under consideration.

⁷ Official Inspectors

that they can continue to act as Certifying Officers (COs) for third country certification and for future required EU certification as set out above. Any change in authorisation status and acting on behalf of the designated CA will be communicated in due course.

CSO Background

13. Individuals who have undertaken the training and hold the '**Official Controls Qualification (Animal Health Paraprofessional) - Certification Support Officer**', (OCQ(AHP) – CSO,) and are authorised by the Animal and Plant Health Agency (APHA), may be officially referred to as Certification Support Officers (CSO).
14. The 6-hour online modular course is available through the Improve International hosted [AHP website](#) and provides candidates with basic training regarding official export health certification principles and context. Candidates will be expected to successfully complete an invigilated online test. Only officials may act as invigilators and this includes authorised EHOs/FSOs⁸. Details are provided on the website.
15. Online training for the qualification is provided free of charge. This remains under review in light of EU exit and expected certification requirements.
16. Candidates wishing to become CSOs must register themselves via the [website](#) and nominate an OV or EHO/FSO⁹ (duly appointed by a food authority in the UK and with relevant food law code of practice competence) to have their eligibility validated by that OV or EHO/FSO, before they can enrol for the training. The nominated OV or EHO/FSO must personally confirm that the employer has made relevant checks and make additional checks as necessary, in order to make the online verification of eligibility. Details for verification include identification confirmation, Disclosure and Barring Service (DBS) document, i.e. free from criminal convictions, minimum academic qualifications, English language skills and right to work in the UK.
17. The minimum requirement for an individual to register for the OCQ(AHP) -CSO module is 3 A levels, one of which must be in a natural science or food production subject. Equivalent qualifications are eligible, for example Scottish Highers or qualifications awarded outside the UK. A UK university degree will negate the A-level requirement. Please note below paragraph.
18. Candidates with suitable experience, e.g. working in a regulatory role for at least three years, will be considered on merit even if they do not meet the A-level requirements. Further details are on the AHP website. If you have a suitable candidate and wish to check their eligibility please email enquiries@improve-ahp.com with details.

⁸ Currently duly appointed by a food authority in the UK and with relevant food law code of practice competence – future authorisation by the designated CA is under consideration.

⁹

19. Registration and enrolment is free of cost.
20. APHA reserves the right to select applications if there is excessive demand and will seek to operate a 'fair usage policy' per employer.

CSO Role and operational guidance

21. CSOs can be engaged by and can only act under the direction or supervision of an authorised CO and must be in an official relationship with that CO, e.g. through being in the same employment or as an employee of the CO, and their work set out in a Standard Operating Procedure (SOP) or by contractual engagement.
22. CSOs may only act in an official supporting role in order to provide evidence to help COs in signing an APHA/DAERA official Export Health Certificate (EHC). CSOs are not COs. They cannot sign an export health certificate themselves.
23. CSOs and COs (including EHOs/FSOs¹⁰) must understand the [RCVS 10 Principles of Certification](#), especially as they relate to the animal health attestation of any certificate being signed and specifically in as much as they make reference to the role of the CSO and CO in the work that they do. As mentioned above, the NfG of each certificate have to be taken into account and may override freedoms of COs to operate within the context of the [CODEX Alimentarius principles of certification](#).
24. The CO must familiarise the CSO with the relevant product(s), processes and requirements and must be familiar with those themselves, before directing a CSO to collect and verify evidence on an ongoing basis. The CO must implement a standard operating procedure (SOP), to include appropriate verification by the CO of the method of evidence collection and of evidence provided by the CSO. The CO must inform the APHA if any concern arises regarding the ability of the CSO to perform their role.
25. CSOs may only carry out such factual inspections, factual verification and evidence collection as specified by their directing CO for the directly related product and certificate. Examples include checking identification of products and checking labelling against requirements. Anything that requires EHO/FSO¹⁰ professional judgement, is excluded.
26. All documentary evidence recorded by the CSO for supporting the certification process must be signed, stamped (using the CSO's personal AHP stamp), and dated by the CSO, demonstrating that it has been personally attested by them. These documents must be submitted to the CO, as 'supporting evidence', before the CO can certify the relevant EHC. Any photographic evidence must be saved by the CO in its original format with original date and time details. The supporting

¹⁰ Currently duly appointed by a food authority in the UK and with relevant food law code of practice competence – future authorisation by the designated CA is under consideration.

evidence must be kept by the CO with their LA's copy of the EHC.

Further Information

27. If you have any queries please contact Improve International <https://www.improve-ov.com/contact> or for veterinary queries contact international trade vets Carlisle (APHA) internationaltradevetscarlisle@apha.gsi.gov.uk.

ANNEX B

Step by step guide for EU export requirements for fish and fish products in the event of a No Deal exit

Introduction

The following guidance explains the requirements for Export Health Certificates for exports of fish and fisheries products to the EU if we leave without a deal.

Guide to export fish and fish products to the EU

To move fish or fishery products from the UK to the EU:

- Businesses will need an Export Health Certificate (EHC) for all consignments due to arrive in the EU after 29th March 2019, except for direct landings from UK-flagged fishing vessels.
- The EHC must be signed by an official vet (OV) or local authority environmental health officer (EHO) to confirm the quality and health of the export.
- All consignments of UK-caught fish and fishery products must travel by sea, air, road or rail to the EU through a [border inspection post \(BIP\)](#) only.
- Further guidance is available from HMRC to support businesses preparing for day one if we leave the EU without a deal [[LINK](#)].

There are five different model EHCs covering fresh and processed fish, shellfish and farmed fish. These forms are available now (with accompanying guidance notes) on [GOV.UK](#).

Process improvements

The fishing industry is being encouraged to start preparing their businesses for a no deal EU Exit to ensure they can continue to export fish and fish products, once the UK leaves the EU.

The government is also stepping up its preparations for no deal, including work to simplify and streamline the process for issuing and certifying EHCs. This includes:-

- Introducing a new [Certification Support Officer](#) (CSO) role – to support OVs and EHOs to carry out the checks needed before an EHC can be certified.
- Delivering free online training for CSOs.
- Launching a new helpful [tool](#) to help export businesses find authorised signatories in England, Scotland and Wales.
- Publishing 3 fish related EHCs for EU exports of fish and fish products for human consumption on GOV.UK alongside new guidance [[LINK](#)]. EHCs for the export of ornamental fish and fish for breeding are available from the Centre for Environment, Fisheries and Aquaculture Science (CEFAS).

- Using white paper instead of crown gold paper to enable certificates to be emailed to LAs.
- Preparing to issue 'blocks' of serially numbered certificates to OV's and EHO's in advance to be used over a period. This will help those exporters who require certificates at pace, especially for frequent and regular consignments to the same country.

Additional requirements

UK exporters will also be required to obtain a validated catch certificate to accompany the exports of most fish and fish products into the EU (excluding some aquaculture products, freshwater fish, some molluscs, fish fry or larvae). The catch certificate shows that the fish was caught legally.

Guidance for exporters on catch certificates is available on GOV.UK to enable businesses to create these documents. [Link](#)

Exports to third countries

In a no-deal exit, the requirements for trade to countries outside of the EU would not change. However, exporters to non-EU countries should check they are using the latest version of the EHC for that particular destination via [GOV.UK](#).

Border Inspection Posts

Businesses exporting animal and fish products must make sure their trade route passes through a Border Inspection Post to enter the EU. While there is not currently a BIP in Calais, the latest list of EU Border Inspection Posts can be found on [GOV.UK](#).

Exporters are encouraged to contact their import agent in the EU to ensure that they notify the BIP through the EU's Trade Control and Expert System (TRACES) of the arrival of their consignment. An EU BIP will require notification in advance.

Preparations by Local Authorities

Initial discussions with the fishing industry and Local Authorities suggests that there will be high demand from businesses for EHCs to support their EU trade. The following support is available:-

- Certification Support Officers – introduction of a new paraprofessional role to support OV's or EHO's with the export health certification process. Further details are attached.
- Collaboration with other Local Authorities – some LAs have suggested that there might be scope to explore resource sharing with neighbouring Authorities to help meet the demand for EHCs.

- Engagement with local businesses – for example, LAs might wish to:-
 - Encourage businesses to come forward and discuss their potential export requirements.
 - Highlight the EHCs and other steps required to enable EU exports in a no deal scenario.
 - Encourage businesses to engage with local veterinary practices to explore OV capacity.
 - Discuss how businesses could aggregate their consignments as efficiently as possible to reduce the number of EHCs required.
 - Consider how/where inspections could take place to meet the needs of individual businesses.

For any additional queries regarding the model Export Health Certificates, please contact EUexit.exports@defra.gov.uk.

ANNEX C

Frequently asked questions for fish and fish product exports to the EU

The purpose of this document is to provide more detail on DEFRA's plans for the exports of fish and fish products to the EU in the event of a No Deal. In the first instance, please refer to the Government's Technical Notices as published on the GOV.UK [website](#). Should you require any further information, please send an email to EUexit.exports@defra.gov.uk.

1. What does an Export Health Certificate cover?

An Export Health Certificate covers one consignment sent to a specific consignee in a single destination.

2. Will UK businesses exporting fish to the EU need to specify the place of destination?

When completing an Export Health Certificate, businesses are required to provide the name and address of the consignee along with the country of destination.

3. What is the definition of a consignment?

A consignment is defined as a product (or group of products if these can be certified by the same model health certificate) with the same health status sent to a specific consignee in a single destination. There is no limit on the size of a consignment.

4. Can a single Export Health Certificate be used for multiple destinations in the EU?

An Export Health Certificate does not support a multi-destination consignment. A consignment is defined as an order or group of orders with the same health status and the same destination. Orders dispatched to different destinations will be considered as individual consignments and so will require a separate Export Health Certificate.

5. Which local organisation will provide the Export Health Certificate?

The Animal and Plant Health Agency's Centre for International Trade will be responsible for providing the Export Health Certificates. These can be downloaded from the GOV.UK website [\[LINK\]](#). An Official Veterinarian (OV) or an Environmental Health Officer is responsible for certifying the Export Health Certificate. Businesses can use the OV finder tool on [GOV.UK](#) to locate an Official Veterinarian and/or discuss their requirements with their Local Authority Environmental Health Officer.

6. What notice period needs to be given to the providing authority to obtain an Export Health Certificate?

The exporter should check in advance with their relevant authority to clarify the timescales for conducting inspections and certifying Export Health Certificates. This can vary based on the availability of the inspection officer and the nature of the consignment.

7. What capacity is being put in place to support additional demand for Export Health Certificates?

We are improving the online application process for Export Health Certificates and recruiting additional staff (56 FTE) at the Centre for International Trade to process additional volumes of certificates.

8. What is the cost of an Export Health Certificate?

It is free to obtain an Export Health Certificate from the Animal and Plant Health Agency. However, there is likely to be a cost for the Official Veterinarian/Environmental Health Officer to certify the Export Health Certificate.

9. What is the role of the Certification Support Officer (CSO)?

CSO's will be able to collect evidence to support official export certification under the supervision of an Official Veterinarian or Environmental Health Officer. Local Authorities may wish to train existing or new staff for this role through Defra's training programme (we are offering free training). If you have any queries please contact Improve International or for veterinary queries contact Carlisle (APHA).

10. Will each consignment be required to be physically inspected by an Official Veterinarian or an Environmental Health Officer or their assistant, or will inspections be carried out on a risk based methodology?

Official Veterinarians or Environmental Health Officers need to be satisfied that an individual consignments meets the required health and hygiene standards in order to certify an Export Health Certificate. We anticipate that in order to do so, the consignment will need to be physically inspected.

11. Are there any exceptions of fish types for Export Health Certificates?

The only exception from the requirement for an Export Health Certificate is for direct landings from a UK flagged fishing vessel in the EU.

12. Who is required to obtain an Export Health Certificate?

The business entity engaged at the last point in the supply chain prior to an export that is required to obtain an Export Health Certificate.

13. Does the Official Veterinarian or Environmental Health Officer need to be physically present to sign the Export Health Certificate?

Hard copies of the Export Health Certificate will need to be signed by the Official Veterinarian/ Environmental Health Officer and the original certificate needs to be attached to the consignment. Copies of the Export Health Certificate need to be retained by the Official Veterinarian/ Environmental Health Officer.

14. What is a Certifying Officer?

All the fishery Export Health Certificates can be certified by an Official Veterinarian with the OCQ(V) Products authorisation or an official inspector. The official inspector must have the appropriate Food Law Code of Practice competency and be authorised to act

under the relevant Food Act legislation by a Local Authority. Please note, the Food Law Code of Practice standard is the higher level food hygiene qualification as stated within that code of practice.

15. Are only Official Veterinarians or Environmental Health Officers allowed to certify the Export Health Certificate?

All Export Health Certificates for fish and fishery products can be validated by an Official Veterinarian with the OCQ(V) Products authorisation or an official inspector. The official inspector must have the appropriate Food Law Code of Practice competency and be authorised to act under the relevant Food Act legislation by a Local Authority. Please note, the Food Law Code of Practice standard is the higher level food hygiene qualification as stated within that code of practice.

16. What can businesses do to limit the impact of these requirements?

Businesses should discuss their requirements with their Official Veterinarians or Environmental Health Officers in advance to explore how the necessary checks and inspections can be accommodated within their current processes. In particular, they should discuss what would be the most efficient way to aggregate their consignments. For example, there is no limit on the size of a consignment, provided it consists of products of the same type, sent in the same means of transport and coming from the same third country or region.

ANNEX D

Request for information - identifying registered establishments within your local authority area

We are seeking your assistance to identify registered establishments within your Local Authority area that need to be listed with the EU to enable them to continue exporting products of animal origin (POAO) to the EU, when the UK ceases to be a Member State of the EU.

As part of the process for preparing to leave the EU, the Department for Environment, Food and Rural Affairs (Defra) which has policy responsibility international trade and market access is leading work to list the UK under Regulation (EC) 854/ 2004 Article's 11 and 12 as an approved third country to export POAO such as meat, fish, shellfish, eggs and dairy products to the EU.

The FSA is supporting Defra with the listing process and we have recently written to all UK approved establishments seeking information to list them with the EU, if they export or are planning to export POAO to the EU. You can find out which approved establishments within your Local Authority have applied for listing, by contacting the FSA's EU listing team through the following link eulistings@food.gov.uk . If you are aware of any approved establishments that export to the EU and don't appear on the list, please could you provide them with a copy of this letter and encourage them to contact <mailto:eulistings@food.gov.uk> mail box providing the information as detailed further below in this letter.

While we think the majority of establishments that need to be listed will be approved establishments, the FSA is seeking help from Local Authorities to identify any registered establishments that currently export or are planning to export POAO to the EU that should be put forward for listing.

Any establishment which are subject to provisions laid down in Regulation (EC) 853 / 2004 and export to the EU will need to be listed, with the exception of the following:

- Establishments handling products of animal origin for which Annex III to Regulation (EC) No 853/2004 does not lay down requirements;
- Establishments carrying out only primary production;
- Establishments carrying out only transport operations;
- Establishments carrying out only the storage of products of animal origin not requiring temperature-controlled storage conditions.

Retail premises are exempt from the provision of Regulation (EC) 853 / 2004 except for when retail operations are carried out with a view to the supply of POAO to another

establishment, unless the operation consist only of storage or transport, in which case the specific temperature requirements laid down in Annex III shall nevertheless apply.

The definition of retail and therefore establishments that that are exempted from the listing process is extended by Regulation (EC) 178 / 2002 Article 3 (7), and is defined as:

the handling and/or processing of food and its storage at the point of sale or delivery to the final consumer, and includes distribution terminals, catering operations, factory canteens, institutional catering, restaurants and other similar food service operations, shops, supermarket distribution centres and wholesale outlets.

It is very likely that Local Authorities may identify establishments producing composite products that contain POAO or processed products of animal origin (PPOAO) that export to the EU.

While the PPOAO contained in the composite product must originate from approved establishments, the composite product itself may originate from registered establishments which do not need to be listed.

However, if a final composite product is produced from an unprocessed primary animal product (e.g. fish fillets) and processing of that primary product is an integral part of the production of the final composite product (Article 2(a) of Decision 2007/275/EC), this processing has to take place in an approved establishment of the unprocessed animal product in question and, in such cases, the composite product has to originate from such an approved establishment and would therefore need to be listed.

Further EU guidance on composite products is available through the following link:

<https://ec.europa.eu/transparency/regdoc/rep/10102/2015/EN/10102-2015-79-EN-F1-1.PDF>

If you identify an establishment that need to be listed within your Local Authority, please could you provide them with a copy of this letter and ask them to provide the following information to eulistings@food.gov.uk

- Local Authority Name
- Local authority registration number
- Full business name and address
- Contact details for the business, email address / telephone number
- Description of product exported to the EU
- Annual quantity of product exported to the EU
- Number of consignments annually exported to the EU.

In sending this information to the FSA, you consent to the FSA providing this information to Defra for them to share with the EU as part of the application process.

Please note that as we prepare the application and it becomes subject to EU review, we may need to contact you for additional information to support this process.

Should you require any further information please contact eulistings@food.gov.uk.