



**SEA-FISHERIES
PROTECTION
AUTHORITY**

SAFE SUSTAINABLE SEAFOOD

Getting Brexit Ready



GETTING BREXIT READY

The United Kingdom (UK) is due to leave the European Union (EU) on 29 March 2019. Under the Withdrawal Agreement, the Common Fisheries Policy (CFP) would continue to apply in full to the UK during the transition period. In the event of a 'no deal' disorderly Brexit, the CFP would no longer apply to the UK. It remains unclear what position the UK will take with regard to access for EU vessels to UK waters in a disorderly exit scenario. Fishing opportunities in the form of TAC's and Quotas have been agreed for 2019 and it is expected that the UK would abide by that agreement. The Government has been developing contingency plans for all scenarios to ensure that the Irish fishing industry are prepared for the all potential consequences of Brexit.

Future regulatory implications

Compliance with new regulatory requirements may become necessary in respect of reciprocal trade of seafood between Ireland and UK post-Brexit. Importers and exporters should be aware of potential developments in this area, and of the implications for your business. Additional documentary and physical inspection-based verification of trade flows are anticipated reflecting the UK's post-Brexit status as a Third Country.

Sanitary and phytosanitary (SPS) control inspections

Sanitary and phytosanitary (SPS) control inspections are required at the EU/Third

Country borders under EU law for the protection of animal health, plant health and food safety. Such controls (referred to as Official Controls) apply to live animals, plants, and products of animal (including fish or fishery products) or plant origin entering the Single Market and will have to be carried out on all agri-food products traded with the UK.

What SPS controls will apply to fish and fishery products?

Annex I to Commission Decision 2007/275/EC (as amended) outlines the full scope of fish and fishery products imported from Third Countries that require veterinary checks. Additional information applicable to all products of animal origin can be found here:

<https://www.agriculture.gov.ie/agri-foodindustry/tradeimportsexports/importofanimalsandanimalproducts/>

Advice for the importation of fish and fishery products from the UK as a Third Country

Importers of commercial consignments of fish or fishery products into Ireland are required to register as a Food Business Operator (FB); the following categories of persons must register with the SFPA:

- An importer is defined as a person who causes live bivalve molluscs, fish and/or fishery products to be brought into Ireland.
- An agent of an importer is defined as a person who acts as an agent for a person who causes live bivalve molluscs, fish and/or fishery products to be brought into Ireland.

Important Note:

1. If you are currently registered with the SFFA as an FBO or have premises that are approved under European Food Hygiene Regulations, there is no additional requirement to apply to become an importer, your current registration or approval with SFFA will suffice.
2. If your business is already registered as an FBO with the Environmental Health Office of the HSE or with DAFM, there is no requirement to register with the SFFA.

Under the Official Food Control Regulation EU 625/17:

- Processing and exporting establishments in the UK will have to be approved by the EU to export different categories of fish and fishery products.
- Imports will require entry via an EU approved Border Inspection Post (BIP) where they will be subject to regulatory checks by DAFM. These include documentary checks, identity checks, and when required, physical checks which may also include the taking of samples for laboratory tests.
- At least 24 hours before the physical arrival of the consignment in Ireland, the person responsible for the load must complete Part 1 of the Common Veterinary Entry Document (CVED) via the EU computer system TRACES (TRade Control and Expert System).
- Each consignment will need to be accompanied by a Health Certificate, drawn up in conformity with the model under EU law for the particular product, completed and signed on

behalf of the competent authorities of the UK.

Wild caught fishery products entering the EU from Third Countries require a Catch Certificate which must be submitted to the Sea-Fisheries Protection Authority (SFFA). Fishery product imports which do not require Catch Certificates (e.g. farmed fish and farmed shellfish, freshwater fish or freshwater shellfish, fish fry or larvae, and some molluscs including mussels, cockles, oysters and scallops) must have attestation of that status also routed via the SFFA.

- Catch Certificates and other import documents for consignments arriving by sea freight will need to be submitted to the SFFA at least three working days before the expected arrival date of the consignment in Ireland.
- For goods arriving by air, the minimum period is four hours. However, it is advised that allowing the three working days period will help to prevent any delay in the products gaining release at Border Inspection Posts.

The CVED should be sent to the relevant BIP:

- Dublin Seaport, Portal Veterinary Office, Eirfreeze, Bond Rd, Dublin 3, Tel: 01 8556250 Fax: 01 8363457 Bips.DubPort@agriculture.gov.ie
- Shannon Airport, Portal Veterinary Office, Shannon Airport, County Clare, Tel: 061 471546 Fax: 061 471549 Bips.ShanAirport@agriculture.gov.ie

Please note Dublin Airport is not approved as a BIP for the importation of fish and fishery products.

Direct landings by UK vessels as a Third Country into designated Irish ports

At present, UK vessels can land into any Irish port. However, post-Brexit, under illegal, unreported and unregulated (IUU) fishing legislation, direct landings of fresh fishery products by UK vessels will need to be pre-notified and pre-authorised by the SFPA prior to their arrival into the one of the two designated Irish ports for Third Country landings; Killybegs or Castletownbere only.

In terms of documentation, direct landings will require catch certification issued by the UK authority at least four hours in advance of landing. Direct landings of fishery products by UK vessels into Irish designated ports are likely to require a documentary health attestation in respect of the fishery products onboard. This documentation may be achieved using a Health Certificate or a Captain's Declaration in conformity with EU health standards.

Advice for Irish exporters

Irish exporters who currently transport goods to EU markets through the UK landbridge are likely to face delays entering and exiting the UK post-Brexit. Allowances will need to be factored in for such interruptions to logistics. In order to ensure market access, in the case of wild caught produce only, exports of fish and fishery products from Ireland direct to the UK will require Catch Certificates and Processing Statements (if applicable). Ensuring that documentation is in order prior to the arrival of the goods and that it is legible, complete, and correct can help to mitigate the risk of delays during border checks at UK BIPs.

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Caveat: The guidance in this document reflects current understanding and will be subject to ongoing review as Brexit regulatory detail develops over the coming months.



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