

Reference: TARP REG 25/070/S

**THE TRADE IN ANIMALS AND RELATED PRODUCTS REGULATIONS
2012 (SI 2012/177) (the "Regulations")**

REVOCATION OF DECLARATION UNDER REGULATION 25

Whereas Council Directive 96/23/EC of 29 April 1996 on measures to monitor certain substances and residues thereof in live animals and animal products (OJ No. L125, 23.5.1996, p. 10) provides that the production process of animals and primary products of animal origin is to be monitored for the purpose of detecting the presence of certain residues and substances in live animals, their excrements and body fluids and in tissue, animal products, animal feed and drinking water;

Whereas residues of veterinary medicinal products and unauthorised substances were detected in crustaceans imported from Bangladesh and intended for human consumption, and the presence of those products and substances in food presented a potential risk for human health;

Whereas the results of a European Community inspection visit to Bangladesh revealed serious shortcomings as regards the residue control system in live animals and animal products and a lack of appropriate laboratory capacity for the testing of certain residues of veterinary medicinal products in live animals and animal products;

Whereas on 24 July 2008, following the identification of such shortcomings and the detection of the presence of residues, the Commission of the European Communities adopted Commission Decision 2008/630/EC on emergency measures applicable to crustaceans imported from Bangladesh and intended for human consumption (OJ No. L205, 1.8.2008, p.49);

Whereas on 12 July 2010, the Commission of the European Union adopted Commission Decision 2010/387/EU amending Decision 2008/630/EC (OJ No. L178, 13.7.2010, p.31);

Whereas on 15 November 2011, the Commission of the European Union adopted Commission Implementing Decision 2011/742/EU amending Decision 2008/630/EC on emergency measures applicable to crustaceans imported from Bangladesh and intended for human consumption (OJ No. L297, 16.11.2011, p.68);

Whereas on 18 November 2011 the Food Standards Agency in Scotland declared in accordance with regulation 61 of the POAO Regulations (the "Declaration") that with effect from the time and date on which the Declaration was signed, the introduction into Scotland of consignments of crustaceans imported from Bangladesh and intended for human consumption was permitted, subject to the conditions specified in Articles 2, 4 and 5 of Commission Decision 2008/630/EC as last amended by Commission Implementing Decision 2011/742/EU;

Whereas a Commission audit was carried out in Bangladesh from 20 April 2015 to 30 April 2015 ('the audit'), in order to evaluate the control of residues and contaminants in live animals and animal products including controls on veterinary medicinal products, and the audit report concluded that the system in place for residues controls in aquaculture offers guarantees equivalent to the requirements laid down in Union legislation;

Whereas the number of non-compliant consignments has decreased significantly;

Whereas based on the results of the audit and on the very low number of non-compliant consignments, it appears unnecessary to require that consignments of the products imported into the Union from Bangladesh be accompanied by analytical tests and that Decision 2008/630/EC should therefore be repealed;

And whereas on 3 December 2015 the Commission of the European Union adopted Commission Implementing Decision (EU) 2015/2260 of 3 December 2015 repealing Decision 2008/630/EC on emergency measures applicable to crustaceans imported from Bangladesh and intended for human consumption (OJ No. L321, 5.12.2015, p.58);

Food Standards Scotland declares that the Declaration is revoked with immediate effect.

Signed by..... *Amyle* at *10.20* on *8 Dec* 2015

Print name *GEOFF OGZLE*

Give details of post held *CEO*

For and on behalf of the Food Standards Scotland

NOTES

- (1) Any expression used both in this declaration and Commission Decision 2008/630/EC on emergency measures applicable to crustaceans imported from Bangladesh and intended for human consumption as last amended by Commission Implementing Decision 2011/742/EU and as repealed by Commission Implementing Decision (EU) 2015/2260 has the meaning it bears in that Decision.
- (2) The word 'crustaceans', when used in this declaration has the same meaning as the word 'crustaceous' when that word is used in Commission Decision 2008/630/EC as last amended by Commission Implementing Decision 2011/742/EU and as repealed by Commission Implementing Decision (EU) 2015/2260.