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STATUTORY INSTRUMENTS

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**1997 No. 1881**

**The Fish Health Regulations 1997**

**PART III**

**MOVEMENT WITHIN THE EUROPEAN COMMUNITY**

**Validity of movement documents**

- 6.—(1) A movement document is not valid unless—
- (a) it is drawn up at the place of origin of the aquaculture animals or aquaculture products to which it relates by the Official Service of the Member State in which the place of origin is situated;
  - (b) it is in the official language or languages of the place of destination of the aquaculture animals or aquaculture products to which it relates;
  - (c) it is drawn up on a single sheet of paper; and
  - (d) it is made out for a single consignee.
- (2) A movement document is not valid when—
- (a) it is drawn up more than 48 hours before the aquaculture animals or aquaculture products to which it relates are loaded for despatch;
  - (b) the movement to which it relates has not been completed within 10 days of issue;
  - (c) it is used in relation to aquaculture animals and aquaculture products other than those in respect of which it was issued; or
  - (d) it has been incorrectly issued by an Official Service.
- (3) For the purposes of this regulation the expression “place of origin” shall have the same meaning as it has in Article 11 of Directive [91/67/EEC](#).

**Introduction of live fish, eggs and gametes**

7.—(1) Any reference in this regulation to a numbered column shall be construed as a reference to the column so numbered in Schedule 2.

(2) Subject to paragraph (3) below, no person shall introduce into a zone specified in column (2) from elsewhere in the European Community, or subsequently move within that zone, any live fish, eggs or gametes specified in column (3) opposite the reference to such zone unless they are accompanied by valid movement documents in the form specified in column (4) opposite the reference to such zone and such live fish, eggs or gametes confirming that—

- (a) they come from an area free from the disease specified in column (5) opposite the reference to such movement document; or
  - (b) where a movement document does not require that they come from an area free from such disease, they fulfil the conditions set out in that movement document.
- (3) The provisions of this regulation shall not apply to tropical fish kept permanently in aquaria.

### **Introduction of dead fish**

8.—(1) Any reference in this regulation to a numbered column shall be construed as a reference to the column so numbered in Schedule 3.

(2) No person shall introduce into a zone specified in column (2) from elsewhere in the European Community dead fish specified in column (3) opposite the reference to such zone unless they comply with the conditions specified in column (4) opposite the reference to such zone and such dead fish.

### **Introduction of live molluscs, eggs and gametes**

9.—(1) Any reference in this regulation to a numbered column shall be construed as a reference to the column so numbered in Schedule 4.

(2) Subject to paragraph (5) below, no person shall introduce into a zone specified in column (2) from elsewhere in the European Community, or subsequently move within that zone, any live molluscs, eggs or gametes specified in column (3) opposite the reference to such zone with the intention of relaying them unless they are accompanied by valid movement documents in the form specified in column (4) opposite the reference to such zone and such live molluscs, eggs or gametes, confirming that—

- (a) they come from an area free from the disease specified in column (5) opposite the reference to such movement document; or
- (b) where a movement document does not require that they come from an area free from such disease, they fulfil the conditions set out in that movement document.

(3) Subject to paragraph (5) below, no person shall relay in a zone specified in column (2) any live molluscs, eggs or gametes specified in column (3) opposite the reference to such zone from outside that zone unless they are accompanied by valid movement documents in the form specified in column (4) opposite the reference to such zone and such live molluscs, eggs or gametes, confirming that—

- (a) they come from an area free from the disease specified in column (5) opposite the reference to such movement document; or
- (b) where a movement document does not require that they come from an area free from such disease, they fulfil the conditions set out in that movement document.

(4) Subject to paragraph (5) below, no person shall relay any live molluscs, eggs or gametes from an area referred to in Schedule 6—

- (a) in another area referred to in Schedule 6; or
- (b) outside the areas referred to in Schedule 6;

unless they have been authorised to do so in writing by the Minister.

(5) Paragraphs (2), (3) and (4) above shall not apply to the relaying of live molluscs, eggs or gametes when they are re-laid in an approved storage centre.

(6) For the purposes of this regulation—

“coastal zone” means any waters lying below the high water mark of the ordinary spring tides and any land adjacent to such waters;

“relaying” in relation to molluscs means the deposit or immersion of molluscs in a coastal zone and “relaid” and “relay” shall be construed accordingly.

### **Quarantine requirements for introductions of wild fish, molluscs and crustaceans for breeding purposes**

10.—(1) No person shall introduce into an approved zone or an approved farm any wild fish, molluscs, crustaceans, their eggs or gametes, which have been caught in the deep sea and which are to be used for breeding purposes unless those fish, molluscs, crustaceans, eggs or gametes are

first placed in quarantine in suitable facilities and in appropriate conditions to be determined by the Minister.

(2) The provisions of this regulation shall not apply to tropical fish kept permanently in aquaria.

**Export to other parts of the European Community of aquaculture animals and aquaculture products from Great Britain**

**11.**—(1) No person shall export from Great Britain to another part of the European Community any aquaculture animal or aquaculture product which does not meet, or is not despatched in accordance with, the requirements of the relevant provisions of Directive [91/67/EEC](#) (including any option permitted by that Directive which has been exercised in relation to its destination) or which is not accompanied by any documents required under Directive [91/67/EEC](#).

(2) For the purposes of this regulation the relevant provisions of Directive [91/67/EEC](#) are Articles 3, 4, 7 to 11 inclusive, 14 and 16.