
STATUTORY INSTRUMENTS

1997 No. 1881

The Fish Health Regulations 1997

PART III

MOVEMENT WITHIN THE EUROPEAN COMMUNITY

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.