



MARKET ACCESS ADVICE

Attention: All Exporters of Abalone and Abalone Products to the European Union

Re: European Union Requirements for Abalone Exports

In February this year, the European Commission conducted a "mission" to evaluate Australia's system of public health controls for seafood products exported to the European Union (EU). This involved an audit of the seafood sector's compliance with current EU law, including new regulations that were introduced in 2006. As a result of EU requirements for the management and certification of abalone, the Australian Quarantine and Inspection Service (AQIS) is currently unable to provide any health certification for exports of abalone to the EU. This affects all species of abalone and all abalone products.

As a result of the February mission, and of the new regulations mentioned above, the European Commission requires that:

- abalone be sourced from "production" areas that are classified and monitored in the same way that harvesting areas for bivalve molluscs (oysters, clams, mussels, etc) are classified and monitored, and
- food business operators, ie registered establishments, have their product routinely tested for marine biotoxins to ensure that relevant EU standards are not exceeded.

The EU legislation that prescribes these requirements are Regulations 853/2004 and 854/2004. This legislation can be found at the following websites:

<http://www.foodstandards.gov.uk/multimedia/pdfs/h2ojregulation.pdf>

<http://www.foodstandards.gov.uk/multimedia/pdfs/h3ojregulation.pdf>

Annex II, Chapter II of Regulation 854/2004 specifically applies to the classification and monitoring of production areas; Annex III, Section VII, Chapter V of Regulation 853/2004 and Annex II, Chapter II, Part D of Regulation 854/2004 are applicable to testing for biotoxins (and other contaminants).

The requirement for the classification and monitoring of the harvesting areas from which abalone are sourced (for export to the EU) effectively means that they be subject to similar controls as delivered by the Australian Shellfish Quality Assurance Program (ASQAP). If you are familiar with this program, you will be aware that the classification and monitoring of harvesting areas is a complex and costly process. As no Australian State has currently structured its ASQAP program to deal with abalone fisheries, AQIS has recently sought further information from Commission services regarding this issue. You should be aware, however, that unless the European Commission revokes this requirement it will be necessary for your industry to implement the relevant measures if access into the EU is to be regained. AQIS will provide further advice in due course should there be any change in the requirement for classification and monitoring of harvesting areas.

With regard to the biotoxin testing that registered establishments must have performed, the following standards apply:

- paralytic shellfish poison (PSP) - 800µg/kg
- amnesic shellfish poison (ASP) - 20mg domoic acid/kg
- okadaic acid, dinophysistoxins and pectenotoxins together - 160µg of okadaic acid equivalents/kg
- yessotoxins - 1mg of yessotoxin equivalent/kg, and

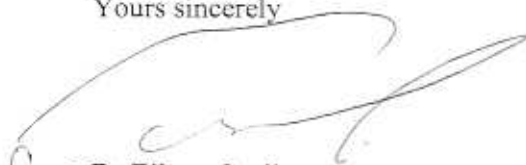
- azaspiracids - 160µg of azaspiracid equivalents/kg.

The Commission has accepted the following frequency of testings: once every ten shipments for the first three toxins (PSP, ASP and the okadaic acid-equivalent group), and once every twenty shipments for yessotoxin and azaspiracids. Please note - this testing arrangement replaces the biotoxin testing regime currently stipulated in the AQIS guidelines entitled *Product Standards, Verification Testing for Sourcing and Handling of Fish & Fish Products*, which will be amended in due course, and is additional to any microbiological testing stipulated therein. AQIS understands that some of the specific biotoxin tests required by the EU are not currently conducted in Australian laboratories.

Should your industry determine that it wishes to implement harvest area classification and product testing procedures that meet EU regulations; AQIS will provide further detailed advice regarding the EU requirements.

If you would like further information in relation to ASQAP and harvest area classification please contact Mark Kelly (02 6271 6537, mark.kelly@aqis.gov.au) and if you would like further information in relation to EU testing requirements please contact Murli Baker-Gabb (02 6272 4132, murli.baker-gabb@aqis.gov.au).

Yours sincerely



For Dr Eileen Gosling
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Fish Exports

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