

UK-EU seafood trade under WTO conditions: trade tariffs, non-tariff measures, and additional enforcement for exporters of selected shellfish species

This note provides a summary of some of the trade changes shellfish exporters can expect to face when trading with the EU under WTO conditions. This note concerns the export of scallops, Nephrops, brown crab, and blue mussels.

1.1 Trade tariffs

Shellfish operators exporting to the EU face no tariff duties under current trading conditions; this would change under WTO conditions. Table 1.1 shows the change in tariffs under WTO conditions associated with specific shellfish species and product formats exported to the EU.

Table 1.1 Change in EU tariffs under WTO conditions for specific shellfish species and product formats			
Species	Format	Tariffs	
		Current conditions (UK an EU member trading within Single market and Customs Union)	WTO conditions (MFN tariff faced by non-EU countries, 2016)
Scallops	Live	No tariffs	8%
	Chilled	No tariffs	8%
	Frozen	No tariffs	8%
Nephrops	Live	No tariffs	12%
	Chilled	No tariffs	12%
	Frozen	No tariffs	12%
Brown crab	Live	No tariffs	7.5%
	Chilled	No tariffs	7.5%
	Frozen	No tariffs	7.5%
Mussels	Live	No tariffs	10%
	Chilled	No tariffs	10%
	Frozen	No tariffs	10%

1.2 Non-tariff measures

Under current trading conditions, shellfish operators exporting to the EU face minimal non-tariff measures (NTMs); this would change under WTO conditions. Currently, operators exporting to the EU must provide landing information, and an export declaration. Table 1.2 shows typical NTMs facing UK operators under current conditions.

Exports to EU	Exports to non-EU countries
<ul style="list-style-type: none"> Vessel landings information (weekly to Defra, Marine Scotland etc): species caught, catch area, landing port, catch volume/value) 	<ul style="list-style-type: none"> Evidence that animals have been grown in production areas with equivalent levels of cleanliness for food safety purposes
<ul style="list-style-type: none"> Export declaration form (monthly to HMRC): species, value, volume, VAT number, country destination) 	<ul style="list-style-type: none"> Catch certificate: rules of origin (from UK Fisheries Authority, Chamber of Commerce)
<ul style="list-style-type: none"> Freight transport: logistics operator (CMR consignment note - a standard set of transport and liability conditions, which replaces individual businesses' terms and conditions), own transport (tachographs record information providing driving time, to follow EU rules on drivers' hours.) 	<ul style="list-style-type: none"> Export health certificate (Local Authorities and the Animal and Plant Health Agency or DAERA in Northern Ireland)
<ul style="list-style-type: none"> Commercial invoice for carrier (air freight or road transport company) 	<ul style="list-style-type: none"> Export declaration form (to HMRC)
	<ul style="list-style-type: none"> Commercial invoice for carrier (air freight or road transport company)

However, current trade is not completely frictionless. Disruption can be a feature on cross Channel trade, this includes occasional blockades and also disturbances due to illegal migrant activity at French ports affecting transport vehicles returning to the UK.

Under WTO conditions, additional non-tariff measures would be required. These include:

- Approved production zone (e.g. in the case of shellfish aquaculture). Certain shellfish (e.g. live or processed bivalve molluscs such as mussels) can only be exported to the EU if they come from approved production areas (approved by the competent authority and listed by the Commission on its website¹). Operators should contact their Local Authority or the Food Standards Agency.
- Catch certification (e.g. in the case of some wild capture species²).
- Health certification.

1.3 Changes in enforcement

¹ https://ec.europa.eu/food/safety/international_affairs/trade/non-eu-countries_en

² A catch certificate is not required to export farmed fish and farmed shellfish, freshwater fish or freshwater shellfish, fish fry or larvae, some molluscs including cuttlefish, scallops, mussels, cockles and oysters, see <https://www.gov.uk/guidance/exporting-and-importing-fish-if-theres-no-brexiteal> for more information.

Under WTO conditions, shellfish exporters would face additional enforcement procedures. These include checks by:

- Local Authority (Environmental health)
- UK Port (customs and health checks)
- EU Port (customs, health checks)
- EU National Customs Authorities (food safety and hygiene)

Recent UK Government guidance³, highlights additional requirements.

For further information on this document please contact: seafish@seafish.co.uk

³ <https://www.gov.uk/guidance/exporting-and-importing-fish-if-theres-no-brexite-deal>