

Background

Background information for the Local Authority Shellfish Traceability Audit Summary Report (England) - July 2025

The FSA is the central competent authority in England, Northern Ireland and Wales responsible for protecting public health from risks which may arise in connection with the consumption of food and otherwise to protect the interests of consumers in relation to food.

The aim of this audit programme was to highlight any specific issues that need addressing in regard to the delivery of official controls by local authorities in relation to shellfish traceability in England, and in particular the use of shellfish registration documents (SRDs). This work is in line with the FSA's strategy, ensuring that food produced or sold in the UK is safe to eat and consumer interests are protected from any risks.

In discharging its responsibilities, the FSA has, through the Secretary of State for Health in England, issued the Food Law Code of Practice England 2023 (FLCoP), a statutory Code of Practice for the delivery and enforcement of food legislation, including shellfish traceability.

The Food Law Practice Guidance (FLPG) is non-statutory guidance which complements the FLCoP and provides general advice on approaches to enforcement of the law where its intention might be unclear. The Code is also supplemented by the Framework Agreement on Official Feed and Food Controls by Local Authorities, 2010.

Nature of the Industry

The exact number of shellfish harvesters can vary throughout the year and from year to year. The industry is made up of a range of establishments, from small scale sole traders with ad hoc harvesting, to larger scale businesses having control over several stages of the harvesting and production process, including approved establishments, auction houses and wholesalers.

Shellfish can be harvested along large stretches of the English coastline, intertidal waters and estuaries, posing a unique challenge to LAs responsible delivering official controls in this area and helping to provide assurance on the origin and traceability of any shellfish harvested. Given the large geographical area involved, intelligence networks and regular liaison with neighbouring authorities and other official bodies is an essential part of ensuring adequate oversight of shellfish harvesting.

LAs are required upon request by any individual or business to provide a shellfish registration document (SRD) for completion by the harvester. The primary purpose of this document is to record the name and contact details of the harvester, the nature and volume of the product harvested and the location. This document is generally the start of the traceability chain for shellfish being sold and consumed in England and further afield. It is therefore vital that these SRDs are appropriately completed, monitored and whenever possible, verified.

In addition to the geographical challenge, LAs have to deal with other issues, such as paused or inactive harvesting, due to the transient and ad hoc nature of the industry. LAs may still however

have to maintain shellfish bed classifications and continue sampling areas unless waters are declassified, despite harvesting being temporarily paused in an area. This can be costly and time consuming for LAs.

Traceability

Assimilated Regulation (EC) No.178/2002 introduces a traceability requirement with the objective to ensure food safety and to assist in enabling unsafe food/feed to be removed from the market. Effective traceability ensures that targeted and accurate withdrawals or recalls can be undertaken, appropriate information can be given to consumers and food business operators, risk assessment can be performed by control authorities and unnecessary wider disruption of trade can be avoided.

The traceability requirement relies on the “one step back -one step forward” approach which implies for food business operators that:

- they shall have in place a system enabling them to identify the immediate supplier(s) and immediate customer(s) of their products
- a link “supplier-product” shall be established (which products supplied from which suppliers)
- a link “customer-product” shall be established (which products supplied to which customers)

In December 2004 the European Community issued guidance on the implementation of Articles 11, 12, 16, 17, 18, 19 and 20 of Regulation (EC) No. 178/2002. The guidance aims to assist all players in the food chain to better understand and to apply correctly and in a uniform way the Regulation.

Traceability has different objectives such as food safety, fair trading between operators and reliability of the information provided to consumers. Assimilated Regulation (EC) No.178/2002 introduces the traceability requirement with in particular the objective to ensure food safety and to assist in enabling unsafe feed/food to be removed from the market.

Assimilated Regulation (EC) 853/2004 requires that each batch of product is accompanied by a shellfish registration document and includes the information it must contain and the procedures to be followed on receipt of a batch at another establishment. It also specifies how long the documents must be kept.

Guidance for local authorities on the implementation of the regulations is set out in the Food Law Code of Practice (FLCoP) Section 7 and the Practice Guidance, including SRD requirements in particular. The guidance assists LAs with the interpretation and implementation of the relevant food legislation and regulations as they apply to the traceability of shellfish.