

## Application for New Bivalve Mollusc Harvesting Area – Bivalve Mollusc Classification & Microbiological Monitoring Programme

Applications should be made in liaison with the Local Enforcement Authority (LEA) who will submit the application and will be subject to approval by the Food Standards Agency (FSA). Sanitary surveys\* are required for all new production areas or new species in existing production areas prior to provisional classification. Whilst awaiting the sanitary survey for an area, the contractor will carry out an interim assessment in order to determine a sampling plan for the new site in liaison with the LEA. In some instances a preliminary classification may be given within 15 working days of receipt of an accepted application form from FSA.

\*'Sanitary survey' is the term used in the UK to describe the work carried out to fulfil legal requirements under EC Regulation 854/2004 - see explanatory notes on page 5

### Notes to assist in the completion of this application

**1. The following Information is required:**

- i. The location of the site - clearly marked and labelled on either OS 1:25,000 or 1:50,000 or an admiralty chart.
- ii. The species of interest (including Latin name).
- iii. The method of growth and harvest (including any seasonality of harvest).
- iv. The date by which classification is required.
- v. Evidence to show that the applicant(s) has/have the appropriate permissions to gather live bivalve molluscs from the area(s) of interest

**2. Classification of harvesting area is required under EC Regulation No. 854/2004. The management and co-ordination of the shellfish harvesting area classification monitoring programme in England and Wales is carried out by Cefas, on behalf of the Food Standards Agency (FSA).**

**3. Please use a separate application form for each area requiring classification.**

**4. We will write to you and advise if your application has been accepted in due course.**

**5. Once completed the form should be submitted to the FSA .**

N.B. This form should be completed (in conjunction with the shellfish industry requester) by the Local Enforcement Authority with jurisdiction over the new area of interest. Once complete it should be submitted to FSA.

**Forms for England should be submitted to:**

Regulatory Delivery Division  
Food Standards Agency,  
Floors 6 & 7,  
Clive House,  
70 Petty France,  
London,  
SW1H 9EX  
Or e-mailed to:  
[shellfish@food.gov.uk](mailto:shellfish@food.gov.uk)

**Forms for Wales should be submitted to:**

Tim Polisi Rheoleiddio/Regulatory Policy Team  
Asiantaeth Safonau Bwyd/Food Standards  
Agency  
Llawr 11, Ty Southgate/11th Floor, Southgate  
House, Wood Street,  
Caerdydd/Cardiff, CF10 1EW  
Or emailed to:  
[Shellfish.wales@food.gov.uk](mailto:Shellfish.wales@food.gov.uk)  
Tel: 02920 678940

If you require any help in the completion of this form please contact the Food Standards Agency on the details above or:

Carcinus Ltd  
Eastleigh Business Centre Wessex House,  
Upper Market Street,  
Eastleigh,  
Hampshire,  
England,  
SO50 9FD  
<https://www.carcinus.co.uk/>

Or emailed to:  
[shellfish@carcinus.co.uk](mailto:shellfish@carcinus.co.uk)



### Local Enforcement Authority's Details

Name of EHO:	
Local Authority:	
Address:	
Post code:	
Telephone No:	
Email address:	

### Details of Site to Be Classified

Is this site to be used as:	✓/✗ <input type="checkbox"/>	
Production Area?		
Relay Area?		
Map Attached:		* Please detail: Expanded 1:50 000
OS 1:25,000		
OS 1:50,000		
Admiralty Chart		
<b>Other*</b>		

Please detail the perimeter of the proposed area to be harvested, providing either: 8 figure Ordnance Survey (OSGB 36 datum) grid references e.g. **ST 3034 1999** or Latitude/Longitude in degrees and decimalised minutes format e.g. **50°35.920'N 02°26.540'W**

### Details of Proposed Operation

Shellfish species	✓/✗	Wild / Farmed	Method of Growth (e.g. Bed, Trestle, Rope)	Harvesting Method (e.g. Hand-picking, dredging)	Seasonality of harvest (e.g. year round, seasonal)*
<i>Mytilus</i> spp. Mussel					
<i>Ostrea edulis</i> Native oyster					
<i>Crassostrea gigas</i> Pacific oyster					
<i>Mercenaria mercenaria</i> Hard shell clam					
<i>Spisula solida</i> Thick trough shell					
<i>Pecten maximus</i> Great or King scallop					
<i>Scrobicularia plana</i> Peppery furrow shell					
<i>Tapes philippinarum</i> Manila clam					
<i>Tapes decussatus</i> Native clam, Palourde					
<i>Cerastoderma edule</i> Cockle					
<i>Ensis</i> spp. Razor clam					
<i>Other, please detail:</i>					

*Please indicate species for which classification is sought, whether farmed or natural, method of growth and harvesting where applicable.  
\* If seasonal, please provide dates.*

Preferred date by which classification is required:

Please provide brief details (name of bed(s) and species) of any existing classified sites in the area

*Please note that juvenile bivalve molluscs may give microbiological results that are unrepresentative of mature stock to be harvested for commercial sale or human consumption*

<p><i>Please indicate if shellfish stock of the species for which classification is sought is likely to attain marketable size or, if stipulated, the statutory minimum landing size before the date by which classification is required.</i>  <i>Further information on statutory minimum size of bivalve molluscs can be obtained from the competent authority (e.g. Inshore Fisheries &amp; Conservation Authorities (IFCAs), Environment Agency and Welsh Assembly Government, Fisheries Unit).</i></p>	<p><i>* If 'YES' please provide detail</i></p>
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*Please note that the classification of a shellfish harvesting area does not confer the right to harvest shellfish. Permissions may also be required from other bodies (e.g. Sea Fisheries Committee, Natural England, Countryside Council for Wales, Crown Estate, land owner). It is the responsibility of the Applicant to obtain these.*

<p>Please indicate if the fishery is normally regulated or controlled (e.g. covered by a Several Order, Regulating Order) or is otherwise a private fishery with exclusive rights to harvest. ✓*/X□</p>	<p><i>* If 'YES' please provide detail</i></p>
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<p>Please indicate if the necessary permissions (e.g. planning permissions) to harvest shellfish in the area for which classification is requested were obtained</p>	<p><i>* If 'YES' please provide detail</i></p>
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<p>Please indicate if the area for which classification is requested is subjected to seasonal conservation controls (e.g. closed seasons)</p>	<p><i>* If 'YES' please provide detail</i></p>
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<p>Other details for consideration (e.g. known or suspected pollution sources, marinas, public beaches and harbours)</p>	<p><i>*Please ensure these are clearly marked on the attached map.</i></p>
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*Please note that, under the Aquatic Animal Health (England and Wales) Regulations 2009, all applicants intending to operate a new shellfish farm are required to apply for authorisation before any development takes place.*

<p>Please indicate if authorisation of the proposed farming operation has been requested from the Fish Health Inspectorate (Cefas Weymouth Laboratory)</p>	<p><i>* If 'YES' please indicate date of application</i></p>
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<p>Existing (if appropriate) annual production in tonnes:</p>	
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<p>Anticipated annual production in tonnes (following application):</p>	
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LEA officer signature:	Date:	
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Requester details	
Name:	Company name:
Address:	Address:
Post code:	Post code:
Telephone No:	Telephone No:
Email address:	Email address:

Further Potential Applications (✓/✗) (To be completed by Local Enforcement Authority):			
Yes		No	<i>If 'YES', please provide details of any other potential applications for classification in this area in the near future</i>

<b>For FSA use only.</b>			Date:
Received by:			
Validation check carried out by:			
Date forwarded to contractor:			
Received by:			Date:
Comments:			
Local Enforcement Authority contacted	<input checked="" type="checkbox"/> <input type="checkbox"/> / ✗	Name of Officer:	Date:

**Note to shellfish industry member:** completed forms should be returned to your Local Enforcement Authority. Please note that incomplete or incorrectly completed forms may be rejected until the information necessary to progress the application has been provided. The date of application will be taken as the date when the completed application form and accompanying maps are forwarded to the Food Standards Agency.

**Note to Local Enforcement Authority applicant:** please ensure this form and all accompanying maps supplied, are forwarded to the Food Standards Agency for approval. In liaison with yourselves, an appropriate programme of monitoring will be identified for the purpose of provisional classification and subsequent full classification listing. Biotxin monitoring is also required for classified production areas during periods of harvesting. Two pre-harvesting samples of flesh and water for biotoxin and phytoplankton testing are required before any commercial harvesting can take place. Samples must be taken consecutively at least 7 days apart.

**By signing the application, the LEA, in applying for the FSA to consider classifying an area, is acknowledging the work needed to achieve this, in particular implementation of the sampling plan.**

This will involve for instance, assistance during the shoreline survey, review of draft sanitary survey report during consultation, review and implementation of the recommended sampling plan as well as routine sampling of shellfish for microbiological monitoring in accordance with the agreed sampling plan as and general enforcement of EU food hygiene requirements in relation to shellfish. Failure to participate within the required consultation timescales may result in delays to the issuing of a classification and therefore to the commencement of commercial harvesting.

## **Explanatory notes on legal aspects of sanitary survey**

Regulation (EC) No. 854/2004 determines that a sanitary survey must be undertaken to inform the contents of the sampling plan for microbiological monitoring. The sanitary survey requirements are:

- (a) inventory of the sources of pollution of human and animal origin likely to be a source of contamination for the production area;
- (b) examination of the quantities of organic pollutants which are released during the different periods of the year, according to the seasonal variations of both human and animal populations in the catchment area, rainfall readings, waste-water treatment, etc.;
- (c) determination of the characteristics of the circulation of pollutants by virtue of current patterns, bathymetry and the tidal cycle in the production area.

## **Explanatory notes on data handling and protection**

The information requested in this form is to be used for classification purposes and aims to inform the sanitary survey in line with the good practice guidelines provided by the European Union Working Group on the Microbiological Monitoring of Bivalve Mollusc Harvesting Areas.

The information in this form is required by the Food Standards Agency under EC Regulation 853/2004 and will be processed by Carcinus Ltd and CEFAS on the behalf of the Food Standards Agency (FSA) including the personal data (contact details). Further information on Cefas policy on data handling can be found at:

<https://www.gov.uk/government/organisations/centre-for-environment-fisheries-and-aquaculture-science/about/personal-information-charter>

The Applicant has the right to rectify any inaccurate information provided in this form. The applicant also has the right to request a copy of any personal data and information held by Carcinus Ltd, Cefas and the FSA on the proposed shellfish operation.

The FSA, Carcinus Ltd and/or Cefas may contact the applicant or the Local Authority officer regarding the information provided in this form with the aim of improving the service provided.

The Applicant should note that the information provided in this form may be shared with other governmental agencies or departments who have shared responsibilities on fisheries or food safety matters.

In line with the FSA's openness policy, a final copy of the sanitary survey report will be publicly available. In accordance with the FSA principle of openness we shall keep a copy of the completed consultation and responses, to be made available to the public on receipt or a request to the FSA Consultation Coordinator (Tel: 020 7276 8140). The FSA will publish a summary of responses which may include your full name. Disclosure of any other personal data would be made only upon request for the full consultation responses. If you do not want this information to be released, please complete and return the Publication of Personal Data Form, which is on the website at <http://www.food.gov.uk/multimedia/worddocs/dataprotection.doc>. Return of this form does not mean that we will treat your response to the consultation as confidential, just your personal data.

A link to the GDPRs privacy notice can be found here:

<https://www.food.gov.uk/about-us/privacy-notice-shellfish-sanitary-survey-data>

In accordance with the provisions of Freedom of Information Act 2000/Environmental Information Regulations 2004, all information contained in your response may be subject to publication or disclosure. If you consider that some of the information provided in your response should not be disclosed, you should indicate the information concerned, request that it is not disclosed and explain what harm you consider would result from disclosure. The final decision on whether the information should be withheld rests with the FSA. However, we will take into account your views when making this decision.

The form will be held for a minimum of 7 years in line with sanitary survey review requirements.