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Wildlife licensing and registration service

The commercial use of caviar



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CITES

defra
Department for Environment
Food and Rural Affairs

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The commercial use of caviar

Introduction

The Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) is an international agreement controlling the trade in endangered species. The aim of CITES is to ensure international trade in wild animals and plants does not threaten the conservation of the species in the wild. In the European Union (EU), CITES is implemented by Council Regulation 338/1997 and supporting Commission Regulations which set out the rules for the import, export and commercial use of specimens of the listed species. This leaflet explains the controls affecting the trade in caviar.

What is Defra?

The Department for Environment, Food and Rural Affairs (Defra) is the UK CITES Management Authority and is responsible for ensuring the Convention is properly implemented in the UK.

What does the law say?



All species of sturgeon and paddlefish *(Acipenseriformes)* are listed on CITES. The CITES controls apply to live and dead specimens as well as their parts and derivatives – including caviar. If you trade in caviar in any way (whether a processing or re-packaging plant, an hotel, restaurant or consumer) you have a responsibility to ensure it is legally sourced. In most cases this means it will need to be part of a shipment that has a CITES import permit issued by one of the EU member states, and the permit has been stamped by Customs officers on first entering the EU. If the caviar entered the UK via another EU member state and has been split up into separate shipments to move around the EU, a photocopy of the original import permit must accompany each part of the shipment.

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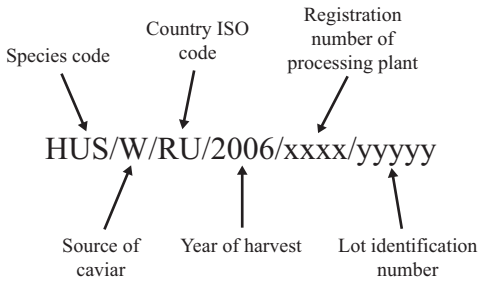
The commercial use of caviar

Any company or organisation within the UK which re-packages caviar (ie. removes caviar from the primary container[1] and puts it into a new primary container) **must** be registered with Defra. Only companies or organisations registered with Defra can legally process, package or re-package caviar for export, re-export or movement within the EU.

N.B. There is some caviar which is now produced in captive breeding farms in the EU. This caviar will obviously not have an accompanying import permit but see below for "labelling" requirements.

Labelling of primary containers from the country of origin

Caviar **must** be shipped in containers labelled by the processing plant in the country of origin; and these labels **must** contain the following information:



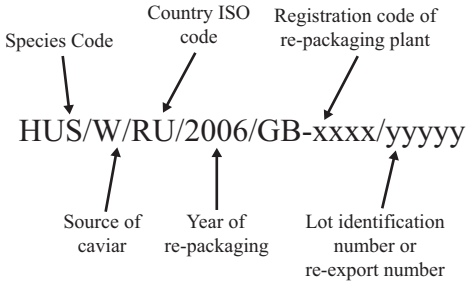
REMEMBER: any caviar in primary containers without such a label is illegal and may be seized by the police or Customs officials even though it may be moving within the EU free trade area.

[1] 'primary container' means any tin, jar or other receptacle that is in direct contact with the caviar.

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Labelling of re-packaged caviar

Caviar which has been imported into the EU and subsequently re-packaged[2] **must** be re-labelled. Registered UK re-packaging plants will be issued with non-reusable[3] labels by Defra which must be affixed to the new primary containers. The labels must also contain the following information:





Left is an example of the label that must be affixed to primary containers by registered UK re-packaging plants. As a minimum this label must contain the information referred to above.

There is also a requirement for primary containers to be sealed in such a way so they cannot be opened without physically breaking the seal.

REMEMBER: if the primary container does not carry a CITES label, or the label does not contain the above information, the caviar may be seized by the police or Customs officials even though it may be moving within the EU free trade area.

[2] 're-packaging' means removed from the original primary container and put in new primary containers.

[3] A 'non-reusable label' means one that cannot be removed undamaged or transferred to another container.

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Registration and record keeping

UK caviar processing and re-packaging plants can apply for registration by contacting Defra direct at the address given below. Following registration they will be issued with an instruction pack, a six digit registration code (eg. GB-1234) and a supply of non-reusable labels. Registered plants will also be required to keep suitable records of the quantities of caviar passing through their plant, together with details of any CITES permits for that caviar. The registered plant's premises, records and stock will be subject to inspection by Defra Inspectors.

Personal effects derogation

The EU CITES Regulations allow individuals to import up to 250 grams of caviar in their personal baggage, without CITES permits, when re-entering the EU. Traders are warned it is an offence to sell or otherwise allow caviar imported as a 'personal effect' to enter into trade.

Offences

Anyone who imports caviar into the EU without a valid CITES permit and the appropriate label on the primary container will be committing an offence. Anyone in the UK who re-packages caviar without being registered with Defra, or sells or re-exports re-packaged caviar without the appropriate CITES label or permit will also be committing an offence.

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Useful contacts

If you have any further questions or would like a registration form, please contact our enquiries desk at:

The Department for Environment, Food and Rural Affairs
Wildlife Licensing and Registration Service
Zone 1/17
Temple Quay House
2 The Square
Bristol
BS1 6EB.

Phone: **0117 372 8691** or **0117 372 8168**
Fax: **0117 372 8206**

Useful website addresses

E-mail: *wildlife.licensing@defra.gsi.gov.uk*

Website: *www.defra.gov.uk/wildlife-countryside/index.html*

You can also visit: *www.ukcites.gov.uk* (the site for downloading application forms and other guidance notes, etc.)

www.wcmc.org.uk/species/trade/eu/tradereg.html

Animal Health:
www.defra.gov.uk/animalh/int-trde/gen-inf/contacts.html

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