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STATUTORY INSTRUMENTS

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**1994 No. 2782**

**The Food Safety (Live Bivalve Molluscs  
and Other Shellfish) (Import Conditions and  
Miscellaneous Amendments) Regulations 1994**

**General restriction on importing live bivalve molluscs or other shellfish**

**3.—**(1) Subject to paragraph (2), no person shall import any live bivalve molluscs or other shellfish which are for human consumption, unless (without prejudice to any restrictions imposed under the Fish Health Regulations 1992<sup>(1)</sup> or the Shellfish and Specified Fish (Third Country Imports) Order 1992<sup>(2)</sup>)—

- (a) they are products in respect of which—
  - (i) unless head (ii) applies, all applicable requirements of the Council Directive (allowing for any derogations which have been granted from the conditions set out in the Council Directive) and the Reference Laboratories Decision are satisfied, or
  - (ii) if they originate in a third country<sup>(3)</sup>, the requirements specified in Schedule 2 are satisfied; and
- (b) any additional conditions imposed under regulation 4 are satisfied,

in relation to those live bivalve molluscs or other shellfish which he imports.

(2) Paragraph (1) shall not apply to a person importing a private consignment—

- (a) from a country or territory within the European Community, unless that consignment is a consignment of trade samples which weighs more than 10 kilograms; or
- (b) from any other country or territory, if that consignment weighs 1 kilogram or less.

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<sup>(1)</sup> S.I. 1992/3300; amended by S.I. 1993/2255 and 1994/1448.

<sup>(2)</sup> S.I. 1992/3301.

<sup>(3)</sup> See Council Regulation (EEC) No. 802/68 on the Common Definition of the Concept of the Origin of Goods, and protocol 4 to the EEA Agreement as amended by the Decision of the EEA Joint Committee No. 6/94 amending protocol 4 to the EEA Agreement, on rules of origin (OJ No. L 95, 14.4.94, p. 22).