



# Foreign government certificates for bivalve molluscs and bivalve mollusc products

*Imported Food Control Act 1992, Sections 16, 17 & 18*

August 2023

From **9 November 2023**, consignments of certain bivalve molluscs and bivalve mollusc products **must be** covered by a recognised foreign government certificate to be imported into Australia.

## Background

Imports of bivalve molluscs and bivalve mollusc products (excluding those that are both retorted and shelf stable, or dried) must be covered by a foreign government certificate under a government-to-government certification arrangement.

This certification arrangement provides us assurance that controls are in place to effectively manage the food safety risks associated with the production and processing of these foods. This requirement comes into effect on 9 November 2023.

All biosecurity requirements must be met before food safety requirements apply. Check our [Biosecurity Import Conditions system \(BICON\)](#) for biosecurity import conditions.

## Scope

### Bivalve molluscs

Bivalve molluscs are clams, cockles, mussels, oysters, pipi and scallops.

### Bivalve mollusc products

Bivalve mollusc products are foods containing any bivalve molluscs. For example, frozen meals that contain bivalve molluscs as an ingredient.

### Exclusions

Bivalve molluscs and bivalve mollusc products that are either:

- dried (not semi-dried), or
- both retorted and shelf stable.

## Process to negotiate a foreign government certificate

Countries wanting to export bivalve molluscs or bivalve mollusc products that require a foreign government certificate, to Australia, must apply to do so. Only the relevant national competent authority in the exporting country can apply.

Information provided by the competent authority will be used to assess whether the exporting country's system for the production and processing of bivalve molluscs and bivalve mollusc products provides an equivalent food safety outcome to the system in Australia. The process is undertaken in accordance with relevant Codex Alimentarius guidelines.

As part of negotiating certification arrangements, recognition will be given to establishments that are permitted to export to countries that have comparative shellfish sanitation programs and competent authority oversight as Australia. This includes the United States and member states of the European Union. If this applies, the competent authority should provide information on the existing arrangements.

### Step 1. Initial discussions and application for assessment

We will confirm the process with the competent authority and provide additional information on the requirements for an equivalence assessment, as needed.

Following initial discussions, the competent authority can apply for assessment.

A questionnaire is sent to the competent authority requesting information about the regulation of the country's bivalve mollusc production system.

### Step 2. Equivalence assessment process

The questionnaire is completed and submitted by the exporting country.

Once prioritised on our work program, we will assess the information provided and determine whether equivalence with Australia's system has been demonstrated. An in-country audit may be required to verify equivalence. A draft assessment report is provided to the competent authority for comment before the assessment is finalised.

### Step 3. Negotiation of certificate

A foreign government certification arrangement and foreign government certificate is negotiated if equivalence is determined.

Food covered by the certificate can now be imported into Australia.

## Eligibility criteria

A country eligible to export bivalve molluscs and bivalve mollusc products that require a foreign government certificate to Australia must be able to demonstrate that:

1. controls are in place to classify and monitor growing areas for bivalve molluscs.
2. controls are in place for the safe production and processing of bivalve molluscs, including standards and control measures for
  - a. the harvesting, relaying, depuration and storage of bivalve molluscs that effectively control pathogenic microorganisms and biotoxins
  - b. the temperature control of bivalve molluscs
  - c. the processing of bivalve molluscs and bivalve mollusc products that effectively control pathogenic microorganisms.
3. government controls and export conditions are in place to ensure
  - a. the bivalve molluscs and bivalve mollusc products have been produced under a food safety management system that effectively controls the hazards
  - b. the bivalve molluscs are only harvested from areas that have been classified as suitable for producing bivalve molluscs for human consumption and were open for harvesting
  - c. the bivalve molluscs and bivalve mollusc products are monitored to verify their safety and suitability.
4. it has a government authority (or authorities) that
  - a. verifies and enforces compliance with national standards, government controls and export conditions for bivalve molluscs and bivalve mollusc products
  - b. is able to supply valid government certificates attesting to compliance with the points 1 to 3.

## Apply for assessment

The relevant competent authority can request information about our application and assessment process by emailing [ifis-certification@aff.gov.au](mailto:ifis-certification@aff.gov.au). Address your email to the Director, Imported Food section.

## More information

Learn more about the Imported Food Inspection Scheme at [agriculture.gov.au/ifis](http://agriculture.gov.au/ifis).