

## GUIDANCE NOTES FOR AN APPLICATION FOR AUTHORISATION OF A PROCESSING ESTABLISHMENT (APE) UNDER THE AQUATIC ANIMAL HEALTH (SCOTLAND) REGULATIONS 2009

Regulation 5 (as read with Regulation 7 of) The Aquatic Animal Health (Scotland) Regulations 2009 (“the 2009 Regulations”) require processing establishments **involved in processing aquaculture animals slaughtered for disease control purposes** to be authorised by the Scottish Ministers.

Please complete one form per processing establishment.

### **GENERAL GUIDANCE:**

In terms of regulation 7(1) of the 2009 regulations, the Scottish Ministers may grant an authorisation to a processing establishment, subject to such conditions as they consider appropriate, where they are satisfied that the operation of the establishment will not lead to an unacceptable risk of spreading disease.

In terms of regulation 7 (2) of the 2009 regulations, it is a condition of an authorisation that the operator of a processing establishment must:

- A. Keep a record, in such form and manner as the Scottish Ministers may specify, of the movement of any aquaculture animal or any aquaculture animal product into or out of the premises of the establishment;
- B. Follow good biosecurity practice; and
- C. Have a system in place which enables the operator to demonstrate to the Scottish Ministers that the requirements of A and B are being met.

In accordance with the 2009 Regulations, following receipt of an application for authorisation of a processing establishment, a written notice will be issued by the Fish Health Inspectorate on behalf of the Scottish Ministers notifying the result of the application.

Where the Scottish Ministers grant the authorisation, the written notice will detail the duration of the authorisation, any conditions to which it is subject and a unique authorisation number.

**PRIOR TO AUTHORISATION OF A PROCESSING ESTABLISHMENT, THE ESTABLISHMENT WILL BE INSPECTED BY THE FISH HEALTH INSPECTORATE (FHI) TO ASSESS WHETHER THE SITE CAN MEET CERTAIN RECORD KEEPING AND BIOSECURITY REQUIREMENTS. THESE REQUIREMENTS ARE OUTLINED ON THE [MARINE SCOTLAND WEB SITE](#)**

**YOU WILL BE CONTACTED BY THE FHI FOLLOWING SUBMISSION OF THIS FORM TO ARRANGE AN INSPECTION FOR THIS PURPOSE.**

In accordance with regulation 13 of the 2009 Regulations, a publicly available register of all APE's must be maintained by the Scottish Ministers. The information provided in an application for authorisation as an APE will be used by the Scottish Ministers for this purpose.

### **Refusal of authorisation:**

Where the Scottish Ministers refuse to grant an application for authorisation, or grant an authorisation subject to any condition, the applicant will be informed in writing of the reasons for refusal or the imposition of the condition and will be made aware of the right of appeal under the 2009 Regulations.

### **Amendment of an authorisation:**

In terms of regulation 9 of the 2009 Regulations, the Scottish Ministers may amend any authorisation, including any condition to which it is subject, and an operator may make an application to the Scottish Ministers for an amendment to the authorisation, including any condition to which it is subject. Where the Scottish Ministers determine to amend an authorisation, the applicant will be informed in writing, specifying and giving reasons for the amendment. In the case where the Scottish Ministers determine not to make an amendment, the operator will also be notified. In both cases, the operator will be advised of the right of appeal.

**Suspension of an authorisation:**

In terms of regulation 10 of the 2009 Regulations, the Scottish Ministers may suspend an authorisation by serving an operator with a written notice where it considers that the APE has not complied with, is not complying with, or is not likely to comply with, a condition of its authorisation or a requirement under the 2009 Regulations. The written notice will detail the date on which the suspension is to take effect and its duration, the reason for the suspension and will inform the operator of the right of appeal.

**Revocation of an authorisation:**

In terms of regulation 11 of the 2009 Regulations, the Scottish Ministers may revoke an authorisation by serving an operator with a written notice where it considers that an APE has not complied with, is not complying with, or is not likely to comply with, a condition of its authorisation or a requirement under the 2009 Regulations. The written notice will detail the date on which the revocation is to take effect, the reason for the revocation and will inform the operator of the right of appeal.

**COMPLETING THE APPLICATION FORM:**

**1. Business details**

Please complete with the full business name (including whether the business is a Ltd company etc.) and enter all details for the Chief Executive Officer (CEO) or owner of the business.

The Companies House registration number should be included if applicable. This will be in the format of SC followed by three digits (for companies registered in Scotland) and by an 8 digit number (for companies registered in England or Wales).

**2. Business contact person details**

Please complete with the details for the person who will be the primary correspondent for the business. If the contact details are the same as previously stated please detail 'as above' on the application.

**3. Processing establishment manager details**

Please complete with the details for the manager of the processing establishment. If the contact details are the same as previously stated please detail 'as above' on the application.

Location of the processing establishment, given in Ordnance Survey (OS) coordinates, e.g. NN165712 or latitude/longitude map reference. It is important that this information is accurate.

Please state your approval number for processing aquaculture animals for food. If this is not known, please contact your local authority, who should be able to provide you with this number.

**4. Processing establishment contact person details**

Please complete with the details for the person who will be the primary contact for the processing establishment. If the contact details are the same as previously stated, please detail 'as above' on the application.

**5. Processing practices and water effluent treatment system**

**Species of aquaculture animal processed** – please detail all species of aquaculture animals processed at the processing establishment.

**Species of wild aquatic animals processed** - please detail all species of wild aquatic animals processed at the processing establishment.

	The Marine Directorate, Marine Laboratory, 375 Victoria Road, Aberdeen , AB11 9DB. Tel +44 (0)131 2443498 <a href="https://www.gov.scot/policies/fish-health-inspectorate/">https://www.gov.scot/policies/fish-health-inspectorate/</a>
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**Effluent filtration** – Please detail if effluent from the establishment is filtered prior to discharge. Where effluent is filtered, please give additional information such as the level of filtration (micrometre - µm), type of filtration (e.g. drum filtration, screens, etc.) and when the filtration is applied (e.g. pre-disinfection).

**Effluent disinfection** - Please detail if effluent from the establishment is disinfected prior to discharge. This should include effluent at any stage of the process, including dewatering of transport containers. Where effluent is disinfected please give additional information such as the method of disinfection, stage at which effluent disinfection is carried out (e.g. post filtration, etc.) type of disinfectants used, product names, active ingredients, active ingredient concentrations and contact times.

**Effluent Discharge** - Please detail the six figure Ordnance Survey grid reference or the latitude / longitude co-ordinates (if known) of the location of where effluent is discharged. If all effluent is discharged into domestic waste water please complete with “domestic waste water” (if it is known if this waste water passes through a sewerage treatment plant / tertiary treatment prior to discharge, please detail).

**Additional information** - Please use this space to detail any other information you feel may be relevant to this application.

**REGULATION 9 OF THE AQUATIC ANIMAL HEALTH (SCOTLAND) REGULATIONS 2009 REQUIRES OPERATORS (OF APE's) TO APPLY TO SCOTTISH MINISTERS, IN WRITING, FOR ANY AMENDMENT TO INFORMATION SUPPLIED IN THIS APPLICATION, PRIOR TO THE AMENDMENT.**

For this purpose, it is recommended that a copy of your application is retained for your records.

**IN TERMS OF REGULATION 8(5) OF THE 2009 REGULATIONS, IT IS AN OFFENCE FOR A PERSON TO MAKE A STATEMENT IN AN APPLICATION THAT IS FALSE, AND WHICH THAT PERSON KNOWS OR SUSPECTS IS FALSE.**

**Completed application forms should be sent via post/ fax or e-mail to:**

Fish Health Inspectorate,  
The Marine Directorate,  
Marine Laboratory,  
Aberdeen,  
AB11 9DB

Tel: (0131) 2443498

e-mail: [MS.fishhealth@gov.scot](mailto:MS.fishhealth@gov.scot)

Additional forms and further information can be found on the [FHI website](#):