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**COMMISSION DECISION**

**of 21 December 1992**

**amending the guarantees for the introduction of molluscs into zones for which a programme for *Bonamia ostreae* and *Marteilia refringens* has been approved**

(93/55/EEC)

(OJ L 14, 22.1.1993, p. 24)

Amended by:

|  | Official Journal |      |           |
|--|------------------|------|-----------|
|  | No               | page | date      |
| ► <b>M1</b> Commission Decision 93/169/EEC of 19 February 1993 | L 71             | 16   | 24.3.1993 |

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## COMMISSION DECISION

of 21 December 1992

**amending the guarantees for the introduction of molluscs into zones for which a programme for *Bonamia ostreae* and *Marteilia refringens* has been approved**

(93/55/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 91/67/EEC of 28 January 1991 concerning the animal health conditions governing the placing on the market of aquaculture animals and products <sup>(1)</sup>, and in particular Article 10 (3) thereof,

Whereas, following the approval of a programme for *Bonamia ostreae* and *Marteilia refringens* in accordance with Article 10 (2) of Directive 91/67/EEC, the introduction of molluscs into the zones or farms to which the programme applies is subject to the rules set out in Article 8 of the said Directive;

Whereas the Commission has approved, in particular by its Decision 92/528/EEC of 9 November 1992, a programme for *Bonamia ostreae* and *Marteilia refringens* for Great Britain and Northern Ireland <sup>(2)</sup>;

Whereas identical plans submitted by other Member States are being scrutinized by the Commission;

Whereas the application of the rules laid down in Article 8 (1) (a) of Directive 91/67/EEC creates difficulties for the supply of the zones concerned; whereas it is necessary to adopt, in accordance with Article 10 (3) of the said Directive, amendments to the guarantees provided for;

Whereas the provision of this Decision shall be reviewed by 30 June 1993 in the light of an opinion from the Scientific Veterinary Committee;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Veterinary Committee,

HAS ADOPTED THIS DECISION:

*Article 1*

Derogating from the rules referred to in Article 8 (1) (a) of Directive 91/67/EEC, ►M1 the relaying in ◀ zones for which a programme for *Bonamia ostreae* and *Marteilia refringens* has been approved, shall be allowed for batches of molluscs originating from other zones for which such a programme has been approved or from zones without such an approved programme. In both cases the molluscs must be accompanied by a movement document completed by the official service, certifying that the molluscs originate from an area where there has been no history of bonamiosis (*Bonamia ostreae*) or marteiliosis (*Marteilia refringens*) in the previous two years, confirmed by tests carried out at intervals adapted to the development of the pathogens in question in accordance with the procedures recommended by the Scientific Veterinary Committee.

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However, for batches of molluscs of the species *Crassostrea gigas*, this relaying is allowed if these batches are accompanied by a movement document completed by the official service, certifying that the molluscs

<sup>(1)</sup> OJ No L 46, 19. 2. 1991, p. 1.

<sup>(2)</sup> OJ No L 332, 18. 11. 1992, p. 25.

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have been submitted at the place of dispatch to a check ensuring that they do not contain species other than *C. gigas*.

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*Article 2*

This Decision is addressed to the Member States.