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COMMISSION DECISION

of 30 November 1994

laying down special conditions for the import of frozen of processed bivalve molluscs, echinoderms, tunicates and marine gastropods originating in Turkey

(Text with EEA relevance)

(94/778/EC)

(OJ L 312, 6.12.1994, p. 40)

Amended by:

	Official Journal		
	No	page	date
► M1 Commission Decision 96/31/EC of 19 December 1995	L 9	6	12.1.1996
► M2 Commission Decision 1999/767/EC of 17 November 1999	L 302	26	25.11.1999

**COMMISSION DECISION****of 30 November 1994****laying down special conditions for the import of frozen of processed bivalve molluscs, echinoderms, tunicates and marine gastropods originating in Turkey****(Text with EEA relevance)****(94/778/EC)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/493/EEC of 22 July 1991 laying down the health conditions for the production and the placing on the market of fishery products ⁽¹⁾, and in particular Article 11 thereof,

Whereas a group of Commission experts has conducted an inspection visit to Turkey to verify the conditions under which frozen or processed bivalve molluscs, echinoderms, tunicates and marine gastropods are produced and placed on the market;

Whereas Turkish legislation makes the Ministry of Agriculture and Rural Affairs responsible for inspecting the health of bivalve molluscs, echinoderms, tunicates and marine gastropods and monitoring the hygiene and sanitary conditions of production; whereas the same legislation empowers the Ministry of Agriculture and Rural Affairs to authorize or prohibit the harvesting of bivalve molluscs, echinoderms, tunicates and marine gastropods from certain zones;

Whereas the Ministry of Agriculture and Rural Affairs and its laboratories are capable of effectively verifying the application of the laws in force in Turkey;

Whereas the competent Turkish authorities have undertaken to communicate regularly and quickly to the Commission data on the presence of plankton containing toxins in the harvesting areas;

Whereas the procedure for obtaining a health certificate referred to in Article 11 (4) (a) of Directive 91/493/EEC must include the definition of a model certificate, the language(s) in which it must be drawn up, the qualifications of the signatory and the health mark to be affixed to packaging;

Whereas, in accordance with Article 9 (3) (b) (ii) of Directive 91/492/EEC ⁽²⁾, the Commission Decision 94/777/EC ⁽³⁾ has designated the production areas from which bivalve molluscs, echinoderms, tunicates and marine gastropods may be harvested, frozen or processed and exported to the Community;

Whereas, in accordance with Article 11 (4) (c) of Directive 91/493/EEC a list of the establishments from which the import of frozen or processed bivalve molluscs, echinoderms, tunicates and marine gastropods is authorized should be established; whereas such establishments may appear on the list only if they are officially approved by the competent Turkish authorities; whereas it is the duty of the competent Turkish authorities to ensure that the provisions laid down to this end in Article 11 (4) (c) of Directive 91/493/EEC are complied with;

Whereas the special import conditions apply without prejudice to decisions taken pursuant 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 ⁽⁴⁾;

⁽¹⁾ OJ No L 268, 24. 9. 1991, p. 15.

⁽²⁾ OJ No L 268, 24. 9. 1991, p. 1.

⁽³⁾ See page 35 of this Official Journal.

⁽⁴⁾ OJ No L 46, 19. 2. 1991, p. 1.

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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

The General Directorate of Protection and Control, of the Ministry of Agriculture and Rural Affairs shall be the competent authority in Turkey for verifying and certifying that frozen or processed bivalve molluscs, echinoderms, tunicates and marine gastropods fulfil the requirements of Directive 91/493/EEC.

Article 2

Frozen or processed bivalve molluscs, echinoderms, tunicates and marine gastropods originating in Turkey and intended for human consumption must meet the following conditions:

1. each consignment must be accompanied by a numbered original health certificate, duly completed, signed, dated and comprising a single sheet in accordance with the model in Annex A hereto;
2. they must originate in the authorized production areas listed in Annex B to Commission Decision 94/777/EC;
3. they must be prepared, frozen or processed, and packed by an approved establishment included in the list in Annex B hereto;
4. each package must bear an indelible health mark containing at least the following information:
 - country of dispatch: Turkey,
 - the species (common and scientific names),
 - the identification of the establishment of origin by the approval number.

Article 3

1. The certificate as referred to in Article 2 (1) must be drawn up in at least one official language of the Member State in which the check is carried out.
2. The certificate must bear the name, capacity and signature of the veterinarian of the Ministry of Agriculture and Rural Affairs and its official seal, in a colour different from that of other endorsements.

Article 4

This Decision is addressed to the Member States.

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ANNEX A

HEALTH CERTIFICATE

covering frozen or processed

- bivalve molluscs⁽¹⁾
- echinoderms⁽¹⁾
- tunicates⁽¹⁾
- marine gastropods⁽¹⁾

originating in Turkey and intended for human consumption in the European Community

Reference No :

Country of dispatch : Turkey

Competent authority : *Ministry of Agriculture and Rural Affairs, General Directorate of Protection and Control*

I. Details identifying the products

- Species (scientific name) :
- Presentation of product and type of treatment⁽²⁾ :
- Code No (where available) :
- Type of packaging :
- Number of packages :
- Net weight :
- Analysis report number (where available) :
- Requisite storage and transport temperature :

II. Origin of products

- Authorized production area :
- Name and official approval number of establishment :
-

III. Destination of products

The products are dispatched

from :
(place of dispatch)

to :
(country and place of destination)

by the following means of transport :

Name and address of consignor :

.....

Name of consignee and address at place of destination :

.....

⁽¹⁾ Delete where inapplicable.
⁽²⁾ Refrigerated, frozen, preserved, etc.

▼ M2

ANNEX B

LIST OF ESTABLISHMENTS APPROVED FOR EXPORT OF PROCESSED OR FROZEN
BIVALVE MOLLUSCS TO THE EUROPEAN COMMUNITY

Number	Name	Address	Category
TR 10 70 205	ARTUR BALIKÇILIK LTD STI SU ÜRÜNLERİ DEZENFEKTE VE ARITMA TESİSLERİ	AYVALIK- BALIKESİR	PP
TR 16 70 301	KERVITAS-MERSU-ANCOKER SU ÜRL. SAN. TIC.A.S.	AKÇALAR- BURSA	PP
TR 17 70 181	DARDANEL-ÖNENTAS GIDA SAN. A.S.	ÇANAKKALE	PP
TR 17 70 110	MARSAN-MARMARA GIDA MAD. IMAL. SAN. VE TIC. A.S.	ECCABAT- ÇANAKKALE	PP
TR 17 70 129	ULUBAY SOĞUK DEPO ISI. VE TIC. LTD/STI	LAPSEKI- ÇANAKKALE	PP
TR 34 70 370	VAROLLAR GIDA SAN. TIC. A.S.	SİLE-İSTANBUL	PP
TR 34 70 430	MAZLUMOĞLU DIS TIC. TUR. YUK. NAK. PAZ. A.S.	SİLİVRİ- İSTANBUL	PP
TR 35 70 429	CESURLAR BALIK MARKET	TORBALI-İZMİR	PP
TR 52 70 157	ASPRA SU ÜRL. TIC VE SAN. LTD STI.	FATSA-ORDU	PP
TR 55 70 376	IPEK SU ÜRÜNLERİ VE GIDA MAD. SAN. LTD STI.	YAKAKENT- SAMSUN	PP
TR 34 70 140	ALTINEL/MİM — TUR PAZ. TIC LTD STI.	SARIYER- İSTANBUL	PP
TR 34 70 (90) 398	AQUA DEN. PET. NAK. TIC. DIS TIC. A.S.	KADIKÖY- İSTANBUL	FV