

Commission Decision of 22 April 1997 drawing up the list of third countries from which the import of fishery products is authorized for human consumption (Text with EEA relevance) (97/296/EC) (repealed)

COMMISSION DECISION

of 22 April 1997

drawing up the list of third countries from which the import of fishery products is authorized for human consumption

(Text with EEA relevance)

(97/296/EC) (repealed)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Decision 95/408/EC of 22 June 1995 on the conditions for drawing up, for an interim period, provisional lists of third country establishments from which Member States are authorized to import certain products of animal origin, fishery products or live bivalve molluscs⁽¹⁾, as amended by Decision 97/34/EC⁽²⁾, and in particular Article 2 (2) thereof,

Whereas the Commission has fixed the special conditions for the import of fishery products applying to certain specific third countries;

Whereas Commission Decision 95/328/EC⁽³⁾ establishes a standardized health certificate for imports of fishery products from third countries not yet covered by that type of Decision;

Whereas Commission Decision 97/20/EC⁽⁴⁾ draws up the list of third countries from which the import of bivalve molluscs, echinoderms, tunicates and marine gastropods in whatever form intended for human consumption is authorized;

Whereas it is now necessary to draw up a list of third countries which satisfy the equivalence conditions referred to in Article 2 (2) of Decision 95/408/EC and which are therefore able to guarantee that fishery products exported to the Community meet the health requirements laid down for the protection of consumer health by Council Directive 91/493/EEC laying down the health conditions for the production and the placing on the market of fishery products⁽⁵⁾;

Whereas that list must comprise the third countries already covered by a specific Decision and the third countries meeting the conditions laid down in Article 2 (2) for which a provisional list of authorized establishments can be drawn up in accordance with the procedure laid down in Decision 95/408/EC;

Whereas in order to avoid any disruption of the traditional pattern of trade, Article 11 (7) of Directive 91/493/EEC may continue to apply for a limited period to fishery products imported from third countries not yet included in that list;

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Changes to legislation: There are currently no known outstanding effects for the Commission Decision of 22 April 1997 drawing up the list of third countries from which the import of fishery products is authorized for human consumption (Text with EEA relevance) (97/296/EC) (repealed). (See end of Document for details)

Whereas that list of third countries is established without prejudice to Community or national rules concerning the protection of animal health or of the environment;

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 list of third countries meeting the conditions laid down in Article 2 (2) of Decision 95/408/EC on the conditions for drawing up, for an interim period, provisional lists of third country establishments from which Member States are authorized to import certain products of animal origin, fishery products or live bivalve molluscs is hereby established in the [F1 Annex I] hereto.

Textual Amendments

- F1** Substituted by [Commission Decision of 30 June 1998 amending Decision 97/296/EC drawing up the list of third countries from which the import of fishery products is authorised for human consumption \(notified under document number C\(1998\) 1849\) \(Text with EEA relevance\) \(98/419/EC\)](#).

Article 2

1 Without prejudice to provisions relating to the protection of animal health or of the environment, Member States shall ensure that no fishery products in whatever form intended for human consumption are imported except from the third countries in the [F2 annexed] list [F3 in Annex I].

2 Paragraph 1 shall not apply to fishery products imported from an establishment approved in accordance with the procedure laid down in Article 11 (6) of Directive 91/493/EEC.

[F43 In addition to paragraph 1, Member States shall ensure that aquaculture products, as defined in Article 2.2 of Council Directive 91/493/EEC, in whatever form intended for human consumption, are imported only from the third countries which are included in the Annex to the present Decision and in the Annex to the Commission Decision 2000/159/EC as a country with an approved residues monitoring plan for aquaculture.]

Textual Amendments

- F2** Deleted by [Commission Decision of 30 June 1998 amending Decision 97/296/EC drawing up the list of third countries from which the import of fishery products is authorised for human consumption \(notified under document number C\(1998\) 1849\) \(Text with EEA relevance\) \(98/419/EC\)](#).
- F3** Inserted by [Commission Decision of 30 June 1998 amending Decision 97/296/EC drawing up the list of third countries from which the import of fishery products is authorised for human consumption \(notified under document number C\(1998\) 1849\) \(Text with EEA relevance\) \(98/419/EC\)](#).
- F4** Inserted by [Commission Decision of 23 January 2001 amending Decision 97/296/EC drawing up the list of third countries from which the import of fishery products is authorised for human consumption \(notified under document number C\(2001\) 128\) \(Text with EEA relevance\) \(2001/66/EC\)](#).

[F5 Article 3

Notwithstanding Commission Decision 2000/159/EC and Article 2.3 of the present Decision Member States, when importing fishery products from countries listed in part

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II of the Annex to the present Decision and up to the date of coming into effect of the model of health certificate provided by the Commission Decision 2001/67/EC⁽⁶⁾, shall accept the consignments of fishery products accompanied by the model of health certificate provided by Decision 95/328/EC.]

Textual Amendments

- F5** Substituted by [Commission Decision of 23 January 2001 amending Decision 97/296/EC drawing up the list of third countries from which the import of fishery products is authorised for human consumption \(notified under document number C\(2001\) 128\) \(Text with EEA relevance\) \(2001/66/EC\)](#).

Article 4

This Decision shall apply from 1 July 1997.

Article 5

This Decision is addressed to the Member States.

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I^{F6} ANNEX

List of countries and territories from which importation of fishery products in any form intended for human consumption is authorised

Textual Amendments

- F6** Substituted by [Commission Decision of 22 February 2006 amending Decision 97/296/EC drawing up the list of third countries from which the import of fishery products is authorised for human consumption, with respect to the United States of America \(notified under document number C\(2006\) 496\) \(Text with EEA relevance\) \(2006/200/EC\)](#).

I. Countries and territories covered by a specific decision pursuant to Council Directive 91/493/EEC

AE	— United Arab Emirates
AG	— Antigua and Barbuda
AL	— Albania
AN	— Netherlands Antilles
AR	— Argentina
AU	— Australia
BD	— Bangladesh
BG	— Bulgaria
BR	— Brazil
BS	— The Bahamas
BZ	— Belize
CA	— Canada
CH	— Switzerland
CI	— Ivory Coast
CL	— Chile
CN	— China
CO	— Colombia
CR	— Costa Rica
CS	— Serbia and Montenegro ⁽⁷⁾
CU	— Cuba
CV	— Cape Verde
DZ	— Algeria
EC	— Ecuador
EG	— Egypt
FK	— Falkland Islands
GA	— Gabon
GD	— Grenada
GH	— Ghana
GL	— Greenland
GM	— Gambia
GN	— Guinea Conakry
GT	— Guatemala
GY	— Guyana
HK	— Hong Kong
HN	— Honduras
HR	— Croatia
ID	— Indonesia
IN	— India

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IR	— Iran
JM	— Jamaica
JP	— Japan
KE	— Kenya
KR	— South Korea
KZ	— Kazakhstan
LK	— Sri Lanka
MA	— Morocco
MG	— Madagascar
MR	— Mauritania
MU	— Mauritius
MV	— Maldives
MX	— Mexico
MY	— Malaysia
MZ	— Mozambique
NA	— Namibia
NC	— New Caledonia
NG	— Nigeria
NI	— Nicaragua
NZ	— New Zealand
OM	— Oman
PA	— Panama
PE	— Peru
PG	— Papua New Guinea
PH	— Philippines
PF	— French Polynesia
PM	— Saint Pierre and Miquelon
PK	— Pakistan
RO	— Romania
RU	— Russia
SA	— Saudi Arabia
SC	— Seychelles
SG	— Singapore
SN	— Senegal
SR	— Suriname
SV	— El Salvador
TH	— Thailand
TN	— Tunisia
TR	— Turkey
TW	— Taiwan
TZ	— Tanzania
UG	— Uganda
US	— United States of America
UY	— Uruguay
VE	— Venezuela
VN	— Vietnam
YE	— Yemen
YT	— Mayotte
ZA	— South Africa
ZW	— Zimbabwe

II. Countries and territories meeting the terms of Article 2(2) of Council Decision 95/408/EC

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AM	— Armenia ⁽⁸⁾
AO	— Angola
AZ	— Azerbaijan ⁽⁹⁾
BJ	— Benin
BY	— Belarus
CG	— Republic of Congo ⁽¹⁰⁾
CM	— Cameroon
ER	— Eritrea
FJ	— Fiji
IL	— Israel
MM	— Myanmar
SB	— Solomon Islands
SH	— Saint Helena
TG	— Togo]

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- (1) OJ No L 243, 11. 10. 1995, p. 17.
- (2) OJ No L 13, 16. 1. 1997, p. 33.
- (3) OJ No L 191, 12. 8. 1995, p. 32.
- (4) OJ No L 6, 10. 1. 1997, p. 46.
- (5) OJ No L 268, 24. 9. 1991, p. 15.
- (6) [^{F5}OJ L 22, 24.1.2001, p. 41.]
- (7) [^{F6}Not including Kosovo as defined by the United Nations Security Council Resolution 1244 of 10 June 1999.
- (8) Authorised only for imports of live crayfish (*Astacus leptodactylus*) intended for direct human consumption.
- (9) Authorised only for imports of caviar.
- (10) Authorised only for imports of fishery products caught, frozen and packed in their final packaging at sea.]

Textual Amendments

- F5** Substituted by Commission Decision of 23 January 2001 amending Decision 97/296/EC drawing up the list of third countries from which the import of fishery products is authorised for human consumption (notified under document number C(2001) 128) (Text with EEA relevance) (2001/66/EC).
- F6** Substituted by Commission Decision of 22 February 2006 amending Decision 97/296/EC drawing up the list of third countries from which the import of fishery products is authorised for human consumption, with respect to the United States of America (notified under document number C(2006) 496) (Text with EEA relevance) (2006/200/EC).

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