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► **B****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)

(OJ L 122, 14.5.1997, p. 21)

Amended by:

	Official Journal		
	No	page	date
► M1 Commission Decision 97/429/EC of 30 June 1997	L 184	53	12.7.1997
► M2 Commission Decision 97/564/EC of 28 July 1997	L 232	13	23.8.1997
► M3 Commission Decision 97/758/EC of 6 November 1997	L 307	38	12.11.1997
► M4 Commission Decision 97/877/EC of 23 December 1997	L 356	62	31.12.1997
► M5 Commission Decision 98/148/EC of 13 February 1998	L 46	18	17.2.1998
► M6 Commission Decision 98/419/EC of 30 June 1998	L 190	55	4.7.1998
► M7 Commission Decision 98/573/EC of 12 October 1998	L 277	49	14.10.1998
► M8 Commission Decision 98/711/EC of 24 November 1998	L 337	58	12.12.1998
► M9 Commission Decision 1999/136/EC of 28 January 1999	L 44	61	18.2.1999
► M10 Commission Decision 1999/244/EC of 26 March 1999	L 91	37	7.4.1999
► M11 Commission Decision 1999/277/EC of 23 April 1999	L 108	57	27.4.1999
► M12 Commission Decision 1999/488/EC of 5 July 1999	L 190	39	23.7.1999
► M13 Commission Decision 1999/532/EC of 14 July 1999	L 203	78	3.8.1999
► M14 Commission Decision 1999/814/EC of 16 November 1999	L 315	44	9.12.1999
► M15 Commission Decision 2000/88/EC of 21 December 1999	L 26	47	2.2.2000
► M16 Commission Decision 2000/170/EC of 14 February 2000	L 55	68	29.2.2000
► M17 Commission Decision 2000/674/EC of 20 October 2000	L 280	59	4.11.2000
► M18 Commission Decision 2001/40/EC of 22 December 2000	L 10	75	13.1.2001
► M19 Commission Decision 2001/66/EC of 23 January 2001	L 22	39	24.1.2001
► M20 Commission Decision 2001/111/EC of 12 February 2001	L 42	6	13.2.2001
► M21 Commission Decision 2001/635/EC of 16 August 2001	L 221	56	17.8.2001
► M22 Commission Decision 2002/28/EC of 11 January 2002	L 11	44	15.1.2002
► M23 Commission Decision 2002/473/EC of 20 June 2002	L 163	29	21.6.2002
► M24 Commission decision 2002/863/EC of 29 October 2002	L 301	53	5.11.2002
► M25 Commission Decision 2003/303/EC of 25 April 2003	L 110	12	3.5.2003
► M26 Commission Decision 2003/606/EC of 18 August 2003	L 210	16	20.8.2003
► M27 Commission Decision 2003/764/EC of 15 October 2003	L 273	43	24.10.2003

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(97/296/EC)

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;

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

⁽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.

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which Member States are authorized to import certain products of animal origin, fishery products or live bivalve molluscs is hereby established in the ►**M6** Annex I ◀ hereto.

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 ►**M6** ————— ◀ list ►**M6** in the 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.

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3. 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.

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 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 ⁽¹⁾, shall accept the consignments of fishery products accompanied by the model of health certificate provided by Decision 95/328/EC.

▼B*Article 4*

This Decision shall apply from 1 July 1997.

Article 5

This Decision is addressed to the Member States.

⁽¹⁾ OJ L 22, 24.1.2001, p. 41.

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ANNEX

**List of countries and territories from which importation of fishery products
in any form intended for human consumption is authorised***I. Countries and territories covered by a specific decision pursuant to Directive 91/493/EEC*

AE — UNITED ARAB EMIRATES
AL — ALBANIA
AN — NETHERLANDS ANTILLES
AR — ARGENTINA
AU — AUSTRALIA
BD — BANGLADESH
BG — BULGARIA
BR — BRAZIL
BZ — BELIZE
CA — CANADA
CH — SWITZERLAND
CI — CÔTE D'IVOIRE
CL — CHILE
CN — CHINA
CO — COLOMBIA
CR — COSTA RICA
CU — CUBA
CV — CAPE VERDE
CZ — CZECH REPUBLIC
EC — ECUADOR
EE — ESTONIA
FK — FALKLAND I.
GA — GABON
GH — GHANA
GL — GREENLAND
GM — GAMBIA
GN — GUINEA CONAKRY
GT — GUATEMALA
HN — HONDURAS
HR — CROATIA
ID — INDONESIA
IN — INDIA
IR — IRAN
JM — JAMAICA
JP — JAPAN
KR — SOUTH KOREA
KZ — KAZAKHSTAN
LK — SRI LANKA
LT — LITHUANIA
LV — LATVIA
MA — MOROCCO
MG — MADAGASCAR
MR — MAURITANIA
MU — MAURITIUS
MV — MALDIVES
MX — MEXICO
MY — MALAYSIA

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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	— ST PIERRE and MIQUELON
PK	— PAKISTAN
PL	— POLAND
RU	— RUSSIA
SC	— SEYCHELLES
SG	— SINGAPORE
SI	— SLOVENIA
SK	— SLOVAKIA
SN	— SENEGAL
SR	— SURINAME
TH	— THAILAND
TN	— TUNISIA
TR	— TURKEY
TW	— TAIWAN
TZ	— TANZANIA
UG	— UGANDA
UY	— URUGUAY
VE	— VENEZUELA
VN	— VIETNAM
YE	— YEMEN
YT	— MAYOTTE
ZA	— SOUTH AFRICA

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

AM	— ARMENIA ⁽¹⁾
AO	— ANGOLA
AG	— ANTIGUA and BARBUDA ⁽²⁾
AZ	— AZERBAIJAN ⁽³⁾
BJ	— BENIN
BS	— THE BAHAMAS
BY	— BELARUS
CG	— REPUBLIC OF CONGO ⁽⁴⁾
CM	— CAMEROON
CS	— SERBIA and MONTENEGRO ⁽⁵⁾ , ⁽⁶⁾

⁽¹⁾ Authorised only for imports of live crayfish (*Astacus leptodactylus*) intended for direct human consumption.

⁽²⁾ Authorised only for imports of fresh fish.

⁽³⁾ Authorised only for imports of caviar.

⁽⁴⁾ Authorised only for imports of fishery products caught, frozen and packed in their final packaging at sea.

⁽⁵⁾ Not including Kosovo as defined by the United Nations Security Council Resolution 1244 of 10 June 1999.

⁽⁶⁾ Authorised only for imports of wild fish intended for direct human consumption.

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CY	—	CYPRUS
DZ	—	ALGERIA
ER	—	ERITREA
FJ	—	FIJI
GD	—	GRENADA
HK	—	HONG KONG
HU	—	HUNGARY ⁽¹⁾
IL	—	ISRAEL
KE	—	KENYA
MM	—	MYANMAR
MT	—	MALTA
RO	—	ROMANIA
SB	—	SOLOMON ISLAND
SH	—	ST HELENA
SV	—	EL SALVADOR
TG	—	TOGO
US	—	UNITED STATES OF AMERICA
ZW	—	ZIMBABWE

⁽¹⁾ Authorised only for import of live animals intended for direct human consumption.