

COMMISSION DECISION

of 23 January 2001

amending Decision 95/328/EC establishing a health certification for fishery products from third countries which are not yet covered by a specific decision

(notified under document number C(2001) 130)

(Text with EEA relevance)

(2001/67/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 placing on the market of fishery products⁽¹⁾, as last amended by Directive 97/79/EC⁽²⁾, and in particular Article 11 thereof,

Whereas:

- (1) Commission Decision 95/328/EC of 25 July 1995 establishing health certification for fishery products from third countries, which are not yet covered by a specific decision⁽³⁾, as last amended by Decision 98/739/EC⁽⁴⁾, is valid until 31 December 2000.
- (2) Commission Decision 97/296/EC⁽⁵⁾, as last amended by Decision 2001/66/EC⁽⁶⁾, establishes the list of third countries from which the import of fishery products for human consumption is authorised. Part II of that list contains the third countries which are not yet covered by a specific Decision but which satisfy the requirements of Article 2(2) of Council Decision 95/408/EC⁽⁷⁾, as last amended by Decision 2001/4/EC⁽⁸⁾.
- (3) Under Decision 95/408/EC that list is valid until 31 December 2003, therefore the date of validity of certification should be amended to bring it in line with the date of validity of the provisional lists.
- (4) Furthermore, since Decision 97/296/EC provides that the import of aquaculture products shall only be authorised from countries also listed in Commission Decision 2000/159/EC⁽⁹⁾, as last amended by Decision 2001/31/EC⁽¹⁰⁾, the model of health certificate provided by Decision 95/328/EC should be amended to include the identification of the aquaculture products, when necessary. The model of health certificate should also be

amended to bring it in line with the models of health certificates usually provided for fishery products imported from third countries covered by a specific Decision.

- (5) However, it is necessary to provide a transitional period for the updating of the model of health certificate.
- (6) The measures provided for in this Decision are in accordance with the opinion of the Standing Veterinary Committee,

HAS ADOPTED THIS DECISION:

Article 1

1. In Article 4 of Decision 95/328/EC the words 'to 31 December 2000' are replaced by 'to 31 December 2003'.
2. The Annex to the present Decision replaces the Annex to Decision 95/328/EC.

Article 2

Article 1(2) shall come into effect after 45 days of the publication of the present Decision in the *Official Journal of the European Communities*.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 23 January 2001.

For the Commission

David BYRNE

Member of the Commission

⁽¹⁾ OJ L 268, 24.9.1991, p. 15.

⁽²⁾ OJ L 24, 30.1.1998, p. 31.

⁽³⁾ OJ L 191, 12.8.1995, p. 32.

⁽⁴⁾ OJ L 354, 30.12.1998, p. 64.

⁽⁵⁾ OJ L 122, 14.5.1997, p. 21.

⁽⁶⁾ See page 39 of this Official Journal.

⁽⁷⁾ OJ L 243, 11.10.1995, p. 17.

⁽⁸⁾ OJ L 2, 5.1.2001, p. 21.

⁽⁹⁾ OJ L 51, 24.2.2000, p. 30.

⁽¹⁰⁾ OJ L 8, 12.1.2001, p. 40.

ANNEX

HEALTH CERTIFICATE
for fishery and aquaculture products intended for export to the European Community

Reference No:

Table with 2 columns and 2 rows: Country of dispatch, Competent authority (1)

I. Details identifying the fishery products

Description of fishery/aquaculture products (2):
- species (scientific name):
- presentation of product and type of treatment (3):
Code number (where available):
Type of packaging:
Number of packages:
Net weight:
Requisite storage and transport temperature:

II. Origin of products

Name(s) and official approval/registration number(s) of establishment(s), factory vessel(s), or cold store(s) approved or freezer vessel(s) registered by the competent authority for export to the EC:

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 dispatcher:
Name of consignee and address at place of destination:

(1) Name and address.
(2) Delete where applicable.
(3) Live, refrigerated, frozen, salted, smoked, preserved, etc.

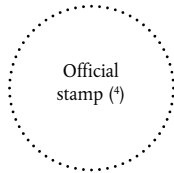
IV. Health attestation

The official inspector hereby certifies that the fishery or aquaculture products specified above:

- 1. — have been caught, landed, where appropriate packaged, handled, marked, prepared, processed, frozen, thawed, stored and transported under conditions at least equivalent to those laid down in 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;
 - have undergone health controls at least equivalent to those laid down in Directive 91/493/EEC and in the implementing decisions thereto;
 - do not come from toxic species or species containing biotoxins;
- 2. in addition, in the case of frozen or processed bivalve molluscs, the later have been gathered in production areas subject to conditions at least equivalent to those laid down in Council Directive 91/492/EEC of 15 July 1991 laying down the health conditions for the production and the placing on the market of live bivalve molluscs.

The undersigned official inspector hereby declares that he is aware of the provisions of Directives 91/492/EEC, 91/493/EEC and Decision 97/296/EC.

Done at , on
(Place) (Date)



.....
Signature of official inspector (*)

.....
(Name in capital letters, capacity and qualifications of person signing)

(*) The colour of the stamp and signature must be different from that of the other particulars in the certificate.