

ANNEX III

FISHERY PRODUCTS

CHAPTER I: OFFICIAL CONTROLS OF PRODUCTION AND PLACING ON THE MARKET

1. Official controls on the production and placing on the market of fishery products are to include, in particular:
 - (a) a regular check on the hygiene conditions of landing and first sale;
 - (b) inspections at regular intervals of vessels and establishments on land, including fish auctions and wholesale markets, to check, in particular:
 - (i) where appropriate, whether the conditions for approval are still fulfilled,
 - (ii) whether the fishery products are handled correctly,
 - (iii) for compliance with hygiene and temperature requirements, and
 - (iv) the cleanliness of establishments, including vessels, and their facilities and equipment, and staff hygiene; and
 - (c) checks on storage and transport conditions.
2. However, subject to paragraph 3, official controls of vessels:
 - (a) may be carried out when vessels call at a port in a Member State;
 - (b) concern all vessels landing fishery products at ports in the Community, irrespective of flag; and
 - (c) may, if necessary, when the competent authority of the Member State the flag of which the vessel is flying carries out the official control, be carried out while the vessel is at sea or when it is in a port in another Member State or in a third country.
3.
 - (a) In the case of an inspection of a factory or freezer vessel flying the flag of a Member State carried out with a view to the approval of the vessel, the competent authority of the Member State the flag of which the vessel is flying is to carry out inspections in such a manner as to comply with the requirements of Article 3, particularly the time limits of Article 3(2). If necessary, that competent authority may inspect the vessel while it is at sea or when it is in a port in another Member State or in a third country.
 - (b) When the competent authority of the Member State the flag of which the vessel is flying has granted the vessel conditional approval in accordance with Article 3, that competent authority may authorise a competent authority of:
 - (i) another Member State, or
 - (ii) a third Country that appears on a list of third countries from which imports of fishery products are permitted drawn up in accordance with Article 11, to carry out a follow-up inspection with a view to granting full approval or prolonging conditional approval in accordance with Article 3(1)(b) or to keeping approval under review in accordance with Article 3(4). If necessary,

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that competent authority may inspect the vessel while it is at sea or when it is in a port in another Member State or in a third country.

4. When the competent authority of a Member State authorises the competent authority of another Member State or of a third country to carry out inspections on its behalf in accordance with paragraph 3, the two competent authorities are to agree on the conditions governing such inspections. These conditions are to ensure, in particular, that the competent authority of the Member State the flag of which the vessel is flying receives reports on the results of inspections and on any suspected non-compliance without delay, so as to enable it to take the necessary measures.