

Commission Regulation (EC) No 1250/2008 of 12 December 2008 amending Regulation (EC) No 2074/2005 as regards certification requirements for import of fishery products, live bivalve molluscs, echinoderms, tunicates and marine gastropods intended for human consumption (Text with EEA relevance)

COMMISSION REGULATION (EC) No 1250/2008

of 12 December 2008

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(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 2006/88/EC of 24 October 2006 on animal health requirements for aquaculture animals and products thereof, and on the prevention and control of certain diseases in aquatic animals<sup>(1)</sup>, and in particular Article 25(a) and (d) thereof,

Having regard to Regulation (EC) No 852/2004 of the European Parliament and of the Council of 29 April 2004 on the hygiene of foodstuffs<sup>(2)</sup>, and in particular Article 12 thereof,

Having regard to Regulation (EC) No 853/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific hygiene rules for food of animal origin<sup>(3)</sup>, and in particular Article 9 thereof,

Having regard to Regulation (EC) No 854/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific rules for the organisation of official controls on products of animal origin intended for human consumption<sup>(4)</sup>, and in particular Article 16 thereof,

Having regard to Regulation (EC) No 882/2004 of the European Parliament and of the Council of 29 April 2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules<sup>(5)</sup>, and in particular Article 63 thereof,

Whereas:

- (1) Commission Regulation (EC) No 2074/2005 of 5 December 2005 laying down implementing measures for certain products under Regulation (EC) No 853/2004 of the European Parliament and of the Council and for the organisation of official controls under Regulation (EC) No 854/2004 of the European Parliament and of the Council and Regulation (EC) No 882/2004 of the European Parliament and of the Council, derogating from Regulation (EC) No 852/2004 of the European Parliament and of the Council and amending Regulations (EC) No 853/2004 and (EC) No 854/2004<sup>(6)</sup> provides in Appendix IV and Appendix V of Annex VI model health certificates for imports of fishery products and bivalve molluscs intended for human consumption.

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**Changes to legislation:** There are currently no known outstanding effects for the Commission Regulation (EC) No 1250/2008, Introductory Text. (See end of Document for details)

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- (2) Council Directive 2006/88/EC and Commission Regulation (EC) No 1251/2008 of 12 December 2008 implementing Directive 2006/88/EC as regards conditions and certification requirements for the placing on the market and the introduction into the Community of aquaculture animals and products thereof and laying down a list of vector species<sup>(7)</sup> provide for animal health requirements applicable to placing on the market and import of aquaculture animals and products thereof for human consumption.
- (3) These provisions include restrictions on import on certain consignments of aquaculture animals and products thereof of species susceptible to the aquatic animal diseases listed in Part II of Annex IV to Directive 2006/88/EC and transport requirements.
- (4) The model certificates provided in Regulation (EC) No 2074/2005 should be amended to be in line with the requirements laid down in Directive 2006/88/EC and Regulation (EC) No 1251/2008.
- (5) The specific requirements regarding live bivalve molluscs referred to in Section VII of Annex III to Regulation (EC) No 853/2004 also apply to live echinoderms, tunicates and marine gastropods. It is therefore appropriate to extend the scope of the certificate for imports of live bivalve molluscs intended for human consumption by including live echinoderms, live tunicates and live marine gastropods.
- (6) Regulation (EC) No 2074/2005 should therefore be amended accordingly.
- (7) It is appropriate to introduce a transitional period to permit Member States and industry to take the necessary measures to comply with the new requirements laid down in this Regulation.
- (8) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS REGULATION:

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**Changes to legislation:** *There are currently no known outstanding effects for the Commission Regulation (EC) No 1250/2008, Introductory Text. (See end of Document for details)*

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- (1) OJ L 328, 24.11.2006, p. 14.
- (2) OJ L 139, 30.4.2004, p. 1.
- (3) OJ L 139, 30.4.2004, p. 55.
- (4) OJ L 139, 30.4.2004, p. 206.
- (5) OJ L 165, 30.4.2004, p. 1.
- (6) OJ L 338, 22.12.2005, p. 27.
- (7) See page 41 of this Official Journal.

**Changes to legislation:**

There are currently no known outstanding effects for the Commission Regulation (EC) No 1250/2008, Introductory Text.