COMMISSION DECISION

of 31 May 1999

amending Commission Decision 97/426/EC laying down special conditions governing the import of fishery and aquaculture products originating in Australia

(notified under document number C(1999) 1405)

(Text with EEA relevance)

(1999/403/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 the placing on the market of fishery products (¹), as last amended by Directive 97/79/EC (²), and in particular Article 11 thereof,

- (1) Whereas Article 1 of Commission Decision 97/426/EC of 25 June 1997 laying down special conditions governing imports of fishery and aquaculture products originating in Australia (3) states that the Department for Primary Industries and Energy Austral Quarantine and Inspection Service (AQIS) shall be the competent authority in Australia for verifying and certifying compliance of fishery and aquaculture products with the requirements of Directive 91/493/EC;
- (2) Whereas, following a restructuring of the Australian government, the competent authority for health certificates for fishery products (AQIS) has changed from the Department for Primary Industries and Energy to the Department of Agriculture, Fisheries and Forestry; and whereas this new authority is capable of effectively verifying the application of the laws in force; whereas it is, therefore, necessary to modify the nomination of the competent authority mentioned in Decision 97/426/EC;
- (3) Whereas it is convenient to harmonise the wording of Decision 97/426/EC with the wording of the more recently adopted Commission Decisions, laying down special conditions governing imports of fishery and aquaculture products originating in certain third countries;

(4) 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

Decision 97/426/EC shall be modify as follows:

1. Article 1 shall be replace by the following:

'Article 1

The "Department of Agriculture, Fisheries and Forestry — Australian Quarantine and Inspection Service — (AQIS)" shall be the competent authority in Australia for verifying and certifying compliance of fishery and aquaculture products with the requirements of Directive 91/493/EEC.'

2. Article 2 shall be replace by the following:

'Article 2

Fishery and aquaculture products originating in Australia must meet the following conditions:

- each consignment must be accompanied by a numbered original health certificate, duly completed, signed, dated and comprising a single sheet in accordance with the model in Annex A hereto:
- 2. the products must come from approved establishments, factory vessels, cold stores or registered freezer vessels listed in Annex B hereto;
- 3. except in the case of frozen fishery products in bulk and intended for the manufacture of preserved foods, all packages must bear the word "AUSTRALIA" and the approval/registration number of the establishment, factory vessel, cold store or freezer vessel of origin in indelible letters.'
- 3. The Annex A shall be replaced by the Annex hereto.

⁽¹⁾ OJ L 268, 24.9.1991, p. 15.

⁽²⁾ OJ L 24, 30.1.1998, p. 31. (3) OJ L 183, 11.7.1997, p. 21.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 31 May 1999.

For the Commission
Franz FISCHLER
Member of the Commission

ANNEX

$^{\prime}\!ANNEX~A$

HEALTH CERTIFICATE

for f	ishery and aqua	aculture products originating in Australia and intended for export to the European Community
		Reference No:
Coun	try of dispatch:	AUSTRALIA
Competent authority:		Department of Agriculture, Fisheries and Forestry — Australian Quarantine and Inspection Services (AQIS)
I.	Details identify	ing the fishery products
	— Description of	fishery/aquaculture products (¹):
	1 '	entific name):
	— Code number	(where available):
	— Type of packag	ging:
	— Number of pa	ckages:
	— Net weight:	
	— Requisite stora	ge and transport temperature:
II.	Origin of produ	acts
		products
	The products are of	lispatched
	from:	(place of dispatch)
	to:	(country and place of destination)
	by the following n	neans of transport:
	Name and address	of dispatcher:
	Name of consigne	e and address at place of destination:
IV.	Health attestation	on
	— The official is	aspector hereby certifies that the fishery or aquaculture products specified above:
	(1) were caugh Directive 9	t and handled on board vessels in accordance with the health rules laid down by 2/48/EEC;

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

- (2) were landed, handled and where appropriate packaged, prepared, processed, frozen, thawed and stored hygienically in compliance with the requirements laid down in Chapters II, III, and IV of the Annex to Directive 91/493/EEC;
- (3) have undergone health controls in accordance with Chapter V of the Annex to Directive 91/493/EEC;
- (4) are packaged, marked, stored and transported in accordance with Chapters VI, VII and VIII of the Annex to Directive 91/493/EEC;
- (5) do not come from toxic species or species containing biotoxins;
- (6) have satisfactorily undergone the organoleptic, parasitological, chemical and microbiological checks laid down for certain categories of fishery products by Directive 91/493/EEC and in the implementing decisions thereto;
- (7) in addition, where the fishery products are frozen or processed bivalve molluscs: the molluscs were obtained from approved production areas laid down by the Annex to Commission Decision 97/427/EC of 25 June 1997 laying down special conditions for the import of live bivalve molluscs, echinoderms, tunicates, and marine gastropods originating in Australia.
- The undersigned official inspector hereby declares that he is aware of the provisions of Directive 91/493/EEC, Directive 92/48/EEC and Decision 97/426/EC.

Done at		, on
	(Place)	(Date)
Official stamp (3)		Signature of official inspector (3)
		(name in capital letters, capacity and qualifications of person signing)'

⁽³⁾ The colour of the stamp and signature must be different from that of the other particulars in the certificate.