

COMMISSION DECISION

of 16 August 2001

laying down special conditions governing imports of fishery products originating or proceeding from Guinea

(notified under document number C(2001) 2525)

(Text with EEA relevance)

(2001/634/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,

Whereas:

- (1) A Commission expert has conducted an inspection visit to Guinea to verify the conditions under which fishery products are produced, stored and dispatched to the Community.
- (2) The provisions of legislation of Guinea on health inspection and monitoring of fishery products may be considered equivalent to those laid down in Directive 91/493/EEC.
- (3) In particular, the 'Direction nationale des pêches maritimes (DNPM) of the Ministère de la pêche et de l'aquaculture' is capable of effectively verifying the application of the laws in force.
- (4) However the inspection visit to Guinea has revealed certain deficiencies in the hygienic conditions of the establishments processing and preparing fishery products. It has also revealed deficiencies in the sanitary control applied to the processing and preparation of the fishery products. Therefore, only the fishery products which have not undergone any preparation or processing operation other than chilling or freezing may be authorised for imports into the Community.
- (5) The modalities for obtaining the health certificate referred to in Article 11(4)(a) of Directive 91/493/EEC must include the definition of a model certificate, the minimum requirements regarding the language(s) in which it must be drafted and the status of the person empowered to sign it.

(6) Pursuant to Article 11(4)(b) of Directive 91/493/EEC, a mark should be affixed to packages of fishery products giving the name of the non-member country and the approval/registration number of the establishment, factory vessel, cold store or freezer vessel of origin, except for certain frozen products.

(7) Pursuant to Article 11(4)(c) of Directive 91/493/EEC a list of approved establishments, factory vessels, or cold stores must be drawn up, and a list of freezer vessels equipped in accordance with points 1 to 7 of Annex II to Council Directive 92/48/EEC ⁽³⁾ must also be drawn up. These lists must be drawn up on the basis of a communication from the DNPM to the Commission. It is therefore for the DNPM to ensure compliance with the provisions laid down to that end in Article 11(4) of Directive 91/493/EEC.

(8) The DNPM has provided official assurances regarding compliance with the rules set out in Chapter V of the Annex to Directive 91/493/EEC with regard to the control of non-processed products, and regarding the fulfilment of hygienic requirements equivalent to those laid down by that Directive.

(9) However, the inspection visit has revealed certain deficiencies in the procedure followed by the DNPM for the approval/suspension of establishments and vessels, therefore the modification of the list of establishments and vessels from which the imports are authorised, will require a new inspection visit on the spot by the Commission experts.

(10) Taking into account the results of the inspection visit, the reduction in the frequency of physical checks, laid down by Commission Decision 94/360/EC of 20 May 1994 on the reduced frequency of physical checks of consignments of certain products to be implemented from non-member countries, under Council Directive 90/675/EEC ⁽⁴⁾, shall not be applied to fishery products imported from Guinea.

(11) The measures provided for in this Decision are in accordance with the opinion of the Standing Veterinary Committee,

⁽¹⁾ OJ L 268, 24.9.1991, p. 15.

⁽²⁾ OJ L 24, 30.1.1998, p. 31.

⁽³⁾ OJ L 187, 7.7.1992, p. 41.

⁽⁴⁾ OJ L 158, 25.6.1994, p. 41.

HAS ADOPTED THIS DECISION:

Article 1

The 'Direction nationale des pêches maritimes (DNPM) of the Ministère de la pêche et de l'aquaculture' shall be the competent authority in Guinea for verifying and certifying compliance of fishery products with the requirements of Directive 91/493/EEC.

Article 2

Fishery products originating in Guinea must meet the following conditions:

1. They shall not have undergone any preparation or processing operation other than chilling or freezing.
2. 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.
3. The products must come from approved establishments, factory vessels or cold stores or from registered freezer vessels listed in Annex B hereto.
4. Except in the case of frozen fishery products in bulk and intended for the manufacture of preserved foods, all packages must bear the word 'GUINEA' and the approval/registration number of the establishment, factory vessel, cold store or freezer vessel of origin in indelible letters.

Article 3

1. Certificates as referred to in Article 2 point 1 must be drawn up in at least one official language of the Member State where the checks are carried out.

2. Certificates must bear the name, capacity and signature of the representative of the DNPM and the latter's official stamp in a colour different from that of other endorsements.

Article 4

Member States, when importing fishery products from Guinea, shall not apply to these products the reduction in the frequency of physical checks provided by Decision 94/360/EC.

Article 5

Annex B shall only be modified following the results of an inspection visit on the spot.

Article 6

This Decision shall come into effect 60 days after its publication in the *Official Journal of the European Communities*.

Article 7

This Decision is addressed to the Member States.

Done at Brussels, 16 August 2001.

For the Commission

David BYRNE

Member of the Commission

ANNEX A

HEALTH CERTIFICATE

for fishery products originating or proceeding from Guinea and intended for export to the European Community, excluding aquaculture products, bivalve molluscs, echinoderms, tunicates and marine gastropods in whatever form

Reference No:

WARNING TO THE COMMUNITY BORDER INSPECTION POST
The reduced frequency of physical checks, provided for by Decision 94/360/EC, shall not be applied to the consignments of fishery products specified below

Country of dispatch: **GUINEA**

Competent authority: 'Direction nationale des pêches maritimes (DNPM)' of the 'Ministère de la pêche et de l'aquaculture'

I. Details identifying the fishery products

- description of fishery products:
 - species (scientific name):.....
 - presentation of product and type of treatment ⁽¹⁾:
- 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 DNPM for export to the Community:
.....

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⁾ Live, refrigerated, frozen.

IV. Health attestation

- The official inspector hereby certifies that the fishery products specified above:
 1. were caught and handled on board vessels in accordance with the health rules laid down by Directive 92/48/EEC;
 2. were landed, handled and where appropriate packaged, frozen 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.
- The undersigned official inspector hereby declares that he is aware of the provisions of Directives 91/493/EEC, Directive 92/48/EEC and Decision 2001/634/EC.

Done at (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.

ANNEX B

LIST OF ESTABLISHMENTS AND VESSELS

Approval No	Name	City/Region	Approval limit	Category
001/N/MPA/DNPM	Chaico 7 (Soguipe)	PORT AUTONOME CONAKRY		ZV
003/N/MPA/DNPM	Elini — S (Gregui-Peche)	PORT AUTONOME CONAKRY		ZV
004/N/MPA/DNPM	Thiangui 3 (Thiangui-Peche)	PORT AUTONOME CONAKRY		ZV
011/N/MPA/DNPM	Takamar 6 (Soguipe)	PORT AUTONOME CONAKRY		ZV
014/N/MPA/DNPM	Ettipesca 2 (Full Fish Trading Guinee)	PORT AUTONOME CONAKRY		ZV
015/N/MPA/DNPM	Ettipesca 3 (Full Fish Trading Guinee)	PORT AUTONOME CONAKRY		ZV
016/N/MPA/DNPM	Ettipesca 6 (Full Fish Trading Guinee)	PORT AUTONOME CONAKRY		ZV
017/N/MPA/DNPM	Albarka (Asti Peche)	PORT AUTONOME CONAKRY		ZV
018/N/MPA/DNPM	Figuereo 14 (Alamari)	PORT AUTONOME CONAKRY		ZV
020/N/MPA/DNPM	Espadeiro (Sopem-Guinee)	PORT AUTONOME CONAKRY		ZV
021/N/MPA/DNPM	Daniaa (Sipem-Guinee)	PORT AUTONOME CONAKRY		ZV
029/N/MPA/DNPM	Thiangui 1 (Thiangui-Peche)	PORT AUTONOME CONAKRY		ZV
030/N/MPA/DNPM	Thiangui 2 (Thiangui-Peche)	PORT AUTONOME CONAKRY		ZV
031/N/MPA/DNPM	Thiangui 5 (Thiangui-Peche)	PORT AUTONOME CONAKRY		ZV
032/N/MPA/DNPM	Sea Horse 1 (Thiangui-Peche)	PORT AUTONOME CONAKRY		ZV
033/N/MPA/DNPM	Sea Horse 2 (Thiangui-Peche)	PORT AUTONOME CONAKRY		ZV
034/N/MPA/DNPM	Snam 1 (Thiangui-Peche)	PORT AUTONOME CONAKRY		ZV
035/N/MPA/DNPM	Snam 2 (Thiangui-Peche)	PORT AUTONOME CONAKRY		ZV
036/N/MPA/DNPM	Inaara (Sipem-Guinee)	PORT AUTONOME CONAKRY		ZV
037/N/MPA/DNPM	Aroa (Sipem-Guinee)	PORT AUTONOME CONAKRY		ZV
041/N/MPA/DNPM	Mihalís (Guinee-Entreprise)	PORT AUTONOME CONAKRY		ZV
042/N/MPA/DNPM	Guetndar (Sip-Bourouma)	PORT AUTONOME CONAKRY		ZV
043/N/MPA/DNPM	Grecoland I (Grecoland Fishing Company)	PORT AUTONOME CONAKRY		ZV
050/N/MPA/DNPM	Gnalen (Josemar)	PORT AUTONOME CONAKRY		ZV
051/N/MPA/DNPM	Jeong IN No 15 (Ban-Ma Peche)	PORT AUTONOME CONAKRY		ZV

Approval No	Name	City/Region	Approval limit	Category
005/E/MPA/DNPM	Nicola Peche	KIPE		PP
044/E/MPA/DNPM	Dauphin	ALMAMYA		PP
045/E/MPA/DNPM	OK - Fishing	MADINA		PP
046/E/MPA/DNPM	Progui	MADINA		PP
047/E/MPA/DNPM	Jasmin - Trading House	YENGUEMA		PP
048/E/MPA/DNPM	Sokaly - Peche	KAPORO		PP
049/E/MPA/DNPM	Safri - Peche	BONFI		PP

PP: Processing plant

ZV: Freezer vessel