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**COMMISSION DECISION**

**of 6 December 1995**

**laying down special conditions governing the import of fishery and aquaculture products originating in Japan**

(Text with EEA relevance)

(95/538/EC)

(OJ L 304, 16.12.1995, p. 52)

Amended by:

	Official Journal		
	No	page	date
► <b><u>M1</u></b> Commission Decision 2001/253/EC of 21 March 2001	L 91	81	31.3.2001

**COMMISSION DECISION****of 6 December 1995****laying down special conditions governing the import of fishery and aquaculture products originating in Japan****(Text with EEA relevance)**

(95/538/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<sup>(1)</sup>, as last amended by the the Act of Accession of Austria, Finland and Sweden, and in particular Article 11 thereof,

Whereas a group of Commission experts has conducted an inspection visit to Japan to verify the conditions under which fishery products are produced, stored and dispatched to the Community;

Whereas the provisions of Japanese legislation on health inspection and monitoring of fishery products may be considered equivalent to those laid down in Directive 91/493/EEC;

Whereas the 'Ministry of Health and Welfare — Veterinary Sanitary Division (MHW-VSD)', the competent authority in Japan, is capable of effectively verifying the application of the laws in force;

Whereas the procedure for obtaining the health certificate referred to in Article 11 (4) (a) of Directive 91/493/EEC must also cover the definition of a model certificate, the minimum requirements regarding the language(s) in which it must be drafted and the grade of the person empowered to sign it;

Whereas, 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 third country and the approval number of the establishment of origin;

Whereas, pursuant to Article 11 (4) (c) of Directive 91/493/EEC, a list of approved establishments must be drawn up; whereas that list must be drawn up on the basis of a communication from the MHW-VSD to the Commission; whereas it is therefore for the MHW-VSD to ensure compliance with the provisions laid down to that end in Article 11 (4) of Directive 91/493/EEC;

Whereas the MHW-VSD has provided official assurances regarding compliance with the rules set out in Chapter V of the Annex to Directive 91/493/EEC and regarding fulfilment of requirements equivalent to those laid down by that Directive for the approval of establishments;

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*

The Inspection and Safety Division (ISD) of the Ministry of Health, Labour and Welfare shall be the competent authority in Japan for verifying and certifying compliance of fishery and aquaculture products with the requirements of Directive 91/493/EEC.

*Article 2*

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

1. 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;

<sup>(1)</sup> OJ No L 268, 24. 9. 1991, p. 15.

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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 'JAPAN' and the approval/registration number of the establishment, factory vessel, cold store or freezer vessel of origin in indelible letters.

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*Article 3*

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

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

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*Article 4*

This Decision is addressed to the Member States.

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ANNEX A

**HEALTH CERTIFICATE**  
**for fishery and aquaculture products originating in Japan and intended for export to the European Community**

Reference No: .....

Country of dispatch: **JAPAN**

Competent authority: Inspection and Safety Division (ISD) of the Ministry of Health, Labour and Welfare

**I. Details identifying the fishery products**

- Description of fishery/aquaculture products <sup>(1)</sup>: .....
- species (scientific name): .....
- presentation of product and type of treatment <sup>(2)</sup>: .....
- Code No (where available): .....
- Type of packaging: .....
- Number of packages: .....
- Net weight: .....
- Requisite storage and transport temperature: .....

**II. Origin of products**

Name(s) and official approval No(s) of establishment(s), factory vessel(s), or cold store(s) approved or freezer vessel(s) registered by the ISD for export to the European 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: .....

.....

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

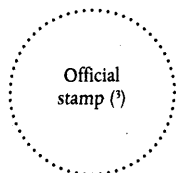
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**IV. Health attestation**

- The official inspector hereby certifies that the fishery or aquaculture 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, 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.
- The undersigned official inspector hereby declares that he is aware of the provisions of Directives 91/493/EEC and 92/48/EEC and Decision 95/538/EC.

Done at ..... on .....

(Place) (Date)



.....  
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.

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## ANNEX B

## LIST OF ESTABLISHMENTS

Approval No	Establishment	Address
0452001	Kyokuyo Shokuhin Co., Ltd No 2 Plant	Shiogama-shi, Miyagi 985
0951001	Taiyo Sea-Foods Co., Ltd	Utsunomiya-shi, Tochigi 321-32
2260001	K.K. Takaie Okitsu Kojo	Shimizu-shi, Shizuoka 424-02
2831001	Nippon Suisan Kaisha, Ltd Himeji General Plant	Himeji-shi, Hyogo 670
2866001	Yamasa Kamaboko Co., Ltd Yumesaki No 2 Factory	Shikama-gun, Hyogo 671-21
3404001	Osaki Suisan Co., Ltd	Hiroshima-shi, Hiroshima 733
3404002 CS	Kyowareizou Co., Ltd	Hiroshima-shi, Hiroshima 733
2801001 CS	Nippon Suisan Kaisha, Ltd Rokko Island Cold Store	Kobe-shi, Hyogo 658