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► **B****COMMISSION DECISION**

of 22 April 1997

drawing up the list of third countries from which the import of fishery products is authorized for human consumption

(Text with EEA relevance)

(97/296/EC)

(OJ L 122, 14.5.1997, p. 21)

Amended by:

	Official Journal		
	No	page	date
► <u>M1</u> Commission Decision 97/429/EC of 30 June 1997	L 184	53	12.7.1997
► <u>M2</u> Commission Decision 97/564/EC of 28 July 1997	L 232	13	23.8.1997
► <u>M3</u> Commission Decision 97/758/EC of 6 November 1997	L 307	38	12.11.1997
► <u>M4</u> Commission Decision 97/877/EC of 23 December 1997	L 356	62	31.12.1997
► <u>M5</u> Commission Decision 98/148/EC of 13 February 1998	L 46	18	17.2.1998
► <u>M6</u> Commission Decision 98/419/EC of 30 June 1998	L 190	55	4.7.1998
► <u>M7</u> Commission Decision 98/573/EC of 12 October 1998	L 277	49	14.10.1998
► <u>M8</u> Commission Decision 98/711/EC of 24 November 1998	L 337	58	12.12.1998
► <u>M9</u> Commission Decision 1999/136/EC of 28 January 1999	L 44	61	18.2.1999
► <u>M10</u> Commission Decision 1999/244/EC of 26 March 1999	L 91	37	7.4.1999
► <u>M11</u> Commission Decision 1999/277/EC of 23 April 1999	L 108	57	27.4.1999
► <u>M12</u> Commission Decision 1999/488/EC of 5 July 1999	L 190	39	23.7.1999
► <u>M13</u> Commission Decision 1999/532/EC of 14 July 1999	L 203	78	3.8.1999
► <u>M14</u> Commission Decision 1999/814/EC of 16 November 1999	L 315	44	9.12.1999
► <u>M15</u> Commission Decision 2000/88/EC of 21 December 1999	L 26	47	2.2.2000
► <u>M16</u> Commission Decision 2000/170/EC of 14 February 2000	L 55	68	29.2.2000
► <u>M17</u> Commission Decision 2000/674/EC of 20 October 2000	L 280	59	4.11.2000
► <u>M18</u> Commission Decision 2001/40/EC of 22 December 2000	L 10	75	13.1.2001
► <u>M19</u> Commission Decision 2001/66/EC of 23 January 2001	L 22	39	24.1.2001
► <u>M20</u> Commission Decision 2001/111/EC of 12 February 2001	L 42	6	13.2.2001
► <u>M21</u> Commission Decision 2001/635/EC of 16 August 2001	L 221	56	17.8.2001

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(97/296/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Decision 95/408/EC of 22 June 1995 on the conditions for drawing up, for an interim period, provisional lists of third country establishments from which Member States are authorized to import certain products of animal origin, fishery products or live bivalve molluscs ⁽¹⁾, as amended by Decision 97/34/EC ⁽²⁾, and in particular Article 2 (2) thereof,

Whereas the Commission has fixed the special conditions for the import of fishery products applying to certain specific third countries;

Whereas Commission Decision 95/328/EC ⁽³⁾ establishes a standardized health certificate for imports of fishery products from third countries not yet covered by that type of Decision;

Whereas Commission Decision 97/20/EC ⁽⁴⁾ draws up the list of third countries from which the import of bivalve molluscs, echinoderms, tunicates and marine gastropods in whatever form intended for human consumption is authorized;

Whereas it is now necessary to draw up a list of third countries which satisfy the equivalence conditions referred to in Article 2 (2) of Decision 95/408/EC and which are therefore able to guarantee that fishery products exported to the Community meet the health requirements laid down for the protection of consumer health by Council Directive 91/493/EEC laying down the health conditions for the production and the placing on the market of fishery products ⁽⁵⁾;

Whereas that list must comprise the third countries already covered by a specific Decision and the third countries meeting the conditions laid down in Article 2 (2) for which a provisional list of authorized establishments can be drawn up in accordance with the procedure laid down in Decision 95/408/EC;

Whereas in order to avoid any disruption of the traditional pattern of trade, Article 11 (7) of Directive 91/493/EEC may continue to apply for a limited period to fishery products imported from third countries not yet included in that list;

Whereas that list of third countries is established without prejudice to Community or national rules concerning the protection of animal health or of the environment;

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 list of third countries meeting the conditions laid down in Article 2 (2) of Decision 95/408/EC on the conditions for drawing up, for an interim period, provisional lists of third country establishments from

⁽¹⁾ OJ No L 243, 11. 10. 1995, p. 17.

⁽²⁾ OJ No L 13, 16. 1. 1997, p. 33.

⁽³⁾ OJ No L 191, 12. 8. 1995, p. 32.

⁽⁴⁾ OJ No L 6, 10. 1. 1997, p. 46.

⁽⁵⁾ OJ No L 268, 24. 9. 1991, p. 15.

▼B

which Member States are authorized to import certain products of animal origin, fishery products or live bivalve molluscs is hereby established in the ►**M6** Annex I ◀ hereto.

Article 2

1. Without prejudice to provisions relating to the protection of animal health or of the environment, Member States shall ensure that no fishery products in whatever form intended for human consumption are imported except from the third countries in the ►**M6** ————— ◀ list ►**M6** in the Annex I ◀.

2. Paragraph 1 shall not apply to fishery products imported from an establishment approved in accordance with the procedure laid down in Article 11 (6) of Directive 91/493/EEC.

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3. In addition to paragraph 1, Member States shall ensure that aquaculture products, as defined in Article 2.2 of Council Directive 91/493/EEC, in whatever form intended for human consumption, are imported only from the third countries which are included in the Annex to the present Decision and in the Annex to the Commission Decision 2000/159/EC as a country with an approved residues monitoring plan for aquaculture.

Article 3

Notwithstanding Commission Decision 2000/159/EC and Article 2.3 of the present Decision Member States, when importing fishery products from countries listed in part II of the Annex to the present Decision and up to the date of coming into effect of the model of health certificate provided by the Commission Decision 2001/67/EC ⁽¹⁾, shall accept the consignments of fishery products accompanied by the model of health certificate provided by Decision 95/328/EC.

▼B*Article 4*

This Decision shall apply from 1 July 1997.

Article 5

This Decision is addressed to the Member States.

⁽¹⁾ OJ L 22, 24.1.2001, p. 41.

▼ **M21***ANNEX***LIST OF COUNTRIES AND TERRITORIES FROM WHICH IMPORTATION OF FISHERY PRODUCTS IN ANY FORM INTENDED FOR HUMAN CONSUMPTION IS AUTHORISED****I. Countries and territories covered by a specific decision under Council Directive 91/493/EEC**

AL — ALBANIA
AR — ARGENTINA
AU — AUSTRALIA
BD — BANGLADESH
BR — BRAZIL
CA — CANADA
CI — CÔTE D'IVOIRE
CL — CHILE
CN — CHINA
CO — COLOMBIA
CU — CUBA
CZ — CZECH REPUBLIC
EC — ECUADOR
EE — ESTONIA
FK — FALKLAND ISLANDS
GH — GHANA
GM — GAMBIA
GN — GUINEA CONAKRY
GT — GUATEMALA
ID — INDONESIA
IN — INDIA
IR — IRAN
JM — JAMAICA
JP — JAPAN
KR — SOUTH KOREA
LT — LITHUANIA
LV — LATVIA
MA — MOROCCO
MG — MADAGASCAR
MR — MAURITANIA
MU — MAURITIUS
MV — MALDIVES
MX — MEXICO
MY — MALAYSIA
NA — NAMIBIA
NG — NIGERIA
NI — NICARAGUA
NZ — NEW ZEALAND
OM — OMAN
PA — PANAMA
PE — PERU
PH — PHILIPPINES
PK — PAKISTAN
PL — POLAND
RU — RUSSIA
SC — SEYCHELLES

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SG — SINGAPORE
 SN — SENEGAL
 TH — THAILAND
 TN — TUNISIA
 TW — TAIWAN
 TZ — TANZANIA
 UG — UGANDA
 UY — URUGUAY
 VE — VENEZUELA
 VN — VIETNAM
 YE — YEMEN
 ZA — SOUTH AFRICA

II. Countries and territories meeting the terms of Article 2(2) of Council Decision 95/408/EC

AG — ANTIGUA and BARBUDA ⁽¹⁾
 AN — NETHERLANDS ANTILLES
 AO — ANGOLA
 AZ — AZERBAIJAN ⁽²⁾
 BJ — BENIN
 BS — BAHAMAS
 BY — BELARUS
 BZ — BELIZE
 CG — REPUBLIC OF CONGO ⁽³⁾
 CH — SWITZERLAND
 CM — CAMEROON
 CR — COSTA RICA
 CY — CYPRUS
 DZ — ALGERIA
 ER — ERITREA
 FJ — FIJI
 GA — GABON
 GD — GRENADA
 GL — GREENLAND
 HK — HONG KONG
 HN — HONDURAS
 HR — CROATIA
 HU — HUNGARY ⁽⁴⁾
 IL — ISRAEL
 KE — KENYA
 LK — SRI LANKA
 MM — MYANMAR
 MT — MALTA
 MZ — MOZAMBIQUE
 NC — NEW CALEDONIA
 PF — FRENCH POLYNESIA
 PG — PAPUA NEW GUINEA
 PM — ST PIERRE and MIQUELON
 RO — ROMANIA

⁽¹⁾ Authorised only for imports of fresh fish.

⁽²⁾ Authorised only for imports of caviar.

⁽³⁾ Authorised only for imports of fishery products caught, frozen and packed in their final packaging at sea.

⁽⁴⁾ Authorised only for import of live animals intended for direct human consumption.

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SB	— SOLOMON ISLANDS
SH	— ST HELENA
SI	— SLOVENIA
SR	— SURINAME
SV	— EL SALVADOR
TG	— TOGO
TR	— TURKEY
US	— UNITED STATES OF AMERICA
YT	— MAYOTTE ⁽¹⁾
ZW	— ZIMBABWE

⁽¹⁾ Authorised only for imports of non-processed and non-prepared fresh aquaculture products.