

COMMISSION DECISION
of 11 January 2002
laying down special conditions governing imports of fishery products originating in the Republic of Gabon

(notified under document number C(2002) 14/3)

(Text with EEA relevance)

(2002/26/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 Council Directive 97/79/EC ⁽²⁾, and in particular Article 11(1) thereof,

Whereas:

- (1) An inspection has been carried out on behalf of the Commission in the Republic of Gabon to verify the conditions under which fishery products are produced, stored and dispatched to the Community.
- (2) The provisions of Gabonian legislation 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 Générale des Pêches et de l'Aquaculture (DGPA) du Ministère des Eaux et Forêts, de la Pêche, du Reboisement chargé de l'Environnement et de la Protection de la Nature' is capable of effectively verifying the application of the laws in force.
- (4) It is appropriate to lay down detailed rules concerning the health certificate which must, under Directive 91/493/EEC, accompany consignments of fishery products imported into the Community from Gabon. In particular these rules must specify the definition of a model certificate, the minimum requirements regarding the language or languages in which it must be drafted and the status of the person empowered to sign it.
- (5) The mark which must be affixed to packages of fishery products should give the name of the third country and the approval/registration number of the establishment, factory vessel, cold store or freezer vessel of origin, except for certain frozen products.
- (6) 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 the 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 DGPA to the Commission. It is therefore for the DGPA to ensure compliance with the provisions laid down to that end in Directive 91/493/EEC.

- (7) The DGPA has provided official assurances regarding compliance with the rules set out in Chapter V of the Annex to Directive 91/493/EEC, and regarding the fulfilment of hygienic requirements equivalent to those laid down by that Directive.
- (8) 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 'Direction Générale des Pêches et de l'Aquaculture (DGPA) du Ministère des Eaux et Forêts, de la Pêche, du Reboisement chargé de l'Environnement et de la Protection de la Nature' shall be the competent authority in Gabon 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 Gabon 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;
2. the products must come from approved establishments, factory vessels or cold stores, or from 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 'GABON' and the approval/registration number of the establishment, factory vessel, cold store or freezer vessel of origin in indelible letters.

⁽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.

Article 3

1. Certificates as referred to in Article 2(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 DGPA and the latter's official stamp in a colour different from that of other endorsements.

Article 4

This Decision shall apply from the 60th day following that of its publication in the *Official Journal of the European Communities*.

Article 5

This Decision is addressed to the Member States.

Done at Brussels, 11 January 2002.

For the Commission

David BYRNE

Member of the Commission

ANNEX A

HEALTH CERTIFICATE

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

Reference No:

Country of dispatch: GABON

Competent authority: Direction Générale des Pêches et de l'Aquaculture (DGPA) du Ministère des Eaux et Forêts, de la Pêche, du Reboisement chargé de l'Environnement et de la Protection de la Nature.

I. Details identifying the fishery products

- Description of Fishery — Aquaculture products (1):
- Species (scientific name):
- Presentation of product and type of treatment (2):
- Code number (where available):
- Type of packaging:
- Number of packages:
- Net weight:
- Requisite storage and transport temperature:

II. Origin of products

Nome(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 DGPA for export to the EC:
.....

III. Destination of products

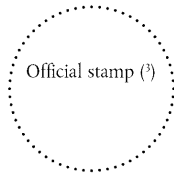
The products are dispatched
from:
(place of dispatch)
to:
(country and place of destination)
by the following means of transport:
Name and address of dispatcher:
Name of consignee and address at place of destination:

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

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) where 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 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 Directive 91/493/EEC, Directive 92/48/EEC and Decision 2002/26/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.

ANNEX B

LIST OF ESTABLISHMENTS AND VESSELS

Approval No	Name	City Region	Approval limit	Category
011	Guoji 801 (Sigapeche)			ZV
012	Ontre IV (Gabo Peche)			ZV
014	Figuereo XVII (Astipeche Gabon)			ZV
015	Rosa Madre (Gabo Peche)			ZV
016	Figuereo X (Astipeche Gabon)			ZV
018	Pesconuba (Gabo peche)			ZV
019	Figuereo XIV (Astipeche Gabon)			ZV
081	Amerger I (Amerger Gabon)			ZV
082	Amerger III (Amerger Gabon)			ZV
083	Amerger VII (Amerger Gabon)			ZV
084	Amerger IX (Amerger Gabon)			ZV
085	Renovation II (Amerger Gabon)			ZV
086	Renovation V (Amerger Gabon)			ZV
087	Renovation VI (Amerger Gabon)			ZV
088	Amerger VIII (Amerger Gabon)			ZV
089	Renovation IV (Amerger Gabon)			ZV
0115	Delfin (Afripesca)			ZV
0121	Figuereo XVI (Astipeche Gabon)			ZV
0122	Eugenie Charles (Oceane)			ZV
0123	Le Groisillon (Oceane)			ZV
1537/B	Amerger Gabon			PP
3259/B	Sigapeche			PP
3434/B	Oceane			PP

Legend:

PP: Processing plant.

ZV: Freezer vessel.