

COMMISSION DECISION
of 18 October 2002

amending Decision 98/569/EC laying down special conditions governing imports of live bivalve molluscs, echinoderms, tunicates and marine gastropods originating in Tunisia, and Decision 98/570/EC laying down special conditions governing imports of fishery and aquaculture products originating in Tunisia

(notified under document number C(2002) 3906)

(Text with EEA relevance)

(2002/819/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/492/EEC of 15 July 1991 laying down the health conditions for the production and the placing on the market of live bivalve molluscs⁽¹⁾, as last amended by the Directive 97/79/EC⁽²⁾, and in particular Article 9(4) thereof,

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⁽³⁾, as last amended by the Directive 97/79/EC, and in particular Article 11(5) thereof,

Whereas:

- (1) Commission Decision 98/569/EC of 6 October 1998 laying down special conditions governing imports of live bivalve molluscs, echinoderms, tunicates and marine gastropods originating in Tunisia⁽⁴⁾, states that the 'direction générale de la santé animale (DGSA) du ministère de l'agriculture' is to be the competent authority in Tunisia for verifying and certifying compliance of live bivalve molluscs, echinoderms, tunicates and marine gastropods with the requirements of Directive 91/492/EEC.
- (2) Commission Decision 98/570/EC of 7 October 1998 laying down special conditions governing imports of fishery and aquaculture products originating in Tunisia⁽⁵⁾, as last amended by Decision 1999/135/EC⁽⁶⁾, states that the 'direction générale de la santé animale (DGSA) du ministère de l'agriculture' is to be the competent authority in Tunisia for verifying and certifying compliance of fishery and aquaculture products with the requirements of Directive 91/493/EEC.
- (3) Following a restructuring of the Tunisian administration, the competent authority for verifying and certifying compliance of fishery and aquaculture products and bivalve molluscs, echinoderms, tunicates and marine gastropods has changed to the 'direction générale des services vétérinaires (DGSV)'. This new authority is

capable of effectively verifying the application of the laws in force.

- (4) The wording of Decisions 98/569/EC and 98/570/EC should be aligned on the wording of more recently adopted Commission decisions, laying down special conditions governing imports of bivalve molluscs, echinoderms, tunicates, marine gastropods, fishery and aquaculture products originating in certain third countries.
- (5) Decisions 98/569/EC and 98/570/EC should therefore be amended accordingly.
- (6) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS DECISION:

Article 1

Commission Decision 98/569/EC is modified as follows:

1. Article 1 is replaced by the following:

'Article 1

The "direction générale des services vétérinaires (DGSV)" shall be the competent authority in Tunisia for verifying and certifying compliance of live bivalve molluscs, echinoderms, tunicates and marine gastropods with the requirements of Directive 91/492/EEC'.

2. Article 2 is replaced by the following:

'Article 2

1. Live bivalve molluscs, echinoderms, tunicates and marine gastropods imported into the Community from Tunisia shall meet the conditions set out in paragraphs 2, 3, 4 and 5.

2. Each consignment shall 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.

⁽¹⁾ OJ L 268, 24.9.1991, p. 1.

⁽²⁾ OJ L 24, 30.1.1998, p. 31.

⁽³⁾ OJ L 268, 24.9.1991, p. 15.

⁽⁴⁾ OJ L 277, 14.10.1998, p. 31.

⁽⁵⁾ OJ L 277, 14.10.1998, p. 36.

⁽⁶⁾ OJ L 44, 18.2.1999, p. 58.

3. The products must originate in the authorised production areas listed in Annex B.
 4. They must be packed in sealed packages in an approved dispatch centre listed in Annex C.
 5. Each package must bear an indelible health mark containing at least the following information:
 - country of dispatch: TUNISIA,
 - the species (common and scientific names),
 - the identification of the production area and the dispatch centre by their approval number,
 - the date of packing, comprising at least the day and the month.'
3. In Article 3 paragraph 2 is replaced by the following:
- '2. Certificates must bear the name, capacity and signature of the representative of the DGSV.'
4. Annex A is replaced by Annex I to this Decision.

Article 2

Commission Decision 98/570/EC is modified as follows:

1. Article 1 is replaced by the following:

Article 1

The "direction générale des services vétérinaires (DGSV)" shall be the competent authority in Tunisia for verifying and certifying compliance of fishery and aquaculture products with the requirements of Directive 91/493/EEC.'
2. Article 2 is replaced by the following:

Article 2

 1. Fishery products imported into the Community from Tunisia shall meet the conditions set out in paragraphs 2, 3 and 4.

2. Each consignment shall be accompanied by a numbered original health certificate, duly completed, signed, dated and comprising a single sheet in accordance with the model in Annex I.
 3. The products shall come from approved establishments, factory vessels or cold stores or from registered freezer vessels listed in Annex II.
 4. Except in the case of frozen fishery products in bulk and intended for the manufacture of preserved foods, all packages shall bear the word "TUNISIA" and the approval/registration number of the establishment, factory vessel, cold store or freezer vessel of origin in indelible letters.'
3. Article 3(2) is replaced by the following:
- '2. Certificates must bear the name, capacity and signature of the representative of the DGSV and the latter's official stamp in a colour different from that of other endorsements.'
4. Annex A is replaced by the Annex II to this Decision.

Article 3

This Decision shall apply from 3 December 2002.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 18 October 2002.

For the Commission

David BYRNE

Member of the Commission

ANNEX I

ANNEX A

HEALTH CERTIFICATE

for live bivalve molluscs ⁽¹⁾, echinoderms ⁽¹⁾, tunicades ⁽¹⁾, marine gastropods ⁽¹⁾ imported from Tunisia and intended for human consumption in the European Community

Reference No:

Country of dispatch: TUNISIA

Competent authority: direction générale des services vétérinaires (DGSV)

I. Details identifying the products

- Species (scientific name):
- Code number (where available):
- Type of packaging:
- Number of packages:
- Net weight:
- Analysis report number (where available):

II. Origin of products

- Authorised production area:
- Name and official approval number of dispatch centre:
.....
.....

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:
.....
.....

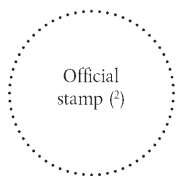
⁽¹⁾ Delete where inapplicable.

IV. Health attestation

- The official inspector hereby certifies that the live products specified above:
 1. were harvested, where necessary relayed, and transported in accordance with the health rules laid down in Chapters I, II and III of the Annex to Directive 91/492/EEC;
 2. were handled, where necessary purified, and packaged in compliance with the requirements laid down in Chapter IV of the Annex to Directive 91/492/EEC;
 3. have undergone health controls in accordance with Chapter VI of the Annex to Directive 91/492/EEC;
 4. are in compliance with Chapters V, VII, VIII, IX and X of the Annex to Directive 91/492/EEC and therefore fit for immediate human consumption.
- The undersigned official inspector hereby declares that he is aware of the provisions of Directive 91/492/EEC and Decision 98/569/EC.

Done at , on

(Place) (Date)



.....
Signature of official inspector (²)

.....
(Name in capital letters, capacity and qualifications of person signing)

(²) The colour or the stamp and signature must be different from that of the other particulars in the certificate.'

ANNEX II

ANNEX A

HEALTH CERTIFICATE

for fishery or aquaculture products from Tunisia and intended for export to the European Community

Reference No:

Country of dispatch: TUNISIA

Competent authority: direction générale des services vétérinaires (DGSV)

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

Name(s) and official approval number(s) of establishment(s), factory vessel(s), or cold store(s) approved or freezer vessel(s) registered by DGSV for export to the EC:

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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:

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.....

Name of consignee and address at place of destination:

.....

.....

⁽¹⁾ Delete where applicable.

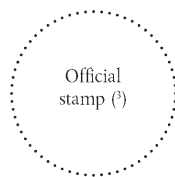
⁽²⁾ Live, refrigerated, frozen, salted, smoked, preserved, etc.

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) 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, in the case of frozen or processed bivalve molluscs, echinoderms, tunicates and marine gastropods, have been obtained from authorised production areas listed in the Annex to Decision 98/569/EC.
- The undersigned official inspector hereby declares that he is aware of the provisions of Directives 91/492/EEC, 91/493/EEC and 92/48/EEC and Decisions 98/569/EC and 98/570/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.'