

## II

(Acts whose publication is not obligatory)

## COMMISSION

## COMMISSION DECISION

of 25 April 2003

laying down specific conditions for imports of fishery products from Sri Lanka

(notified under document number C(2003) 1286)

(Text with EEA relevance)

(2003/302/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 Directive 97/79/EC<sup>(2)</sup>, and in particular Article 11(1) thereof,

Whereas:

- (1) An inspection has been carried out on behalf of the Commission in Sri Lanka to verify the conditions under which fishery products are produced, stored and dispatched to the Community.
- (2) The requirements in the legislation of Sri Lanka 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 'Department of Fisheries and Aquatic Resources of the Ministry of Fisheries and Ocean Resources' (DFAR), is capable of effectively verifying the implementation of the legislation in force.
- (4) The DFAR has provided official assurances regarding compliance with the standards for health controls and monitoring of fisheries products as 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.
- (5) It is appropriate to lay down detailed provisions concerning fishery products imported into the Community from Sri Lanka, in accordance with Directive 91/493/EEC.

- (6) It is also necessary to draw up a list of approved establishments, factory vessels, or cold stores, and a list of freezer vessels equipped in accordance with the requirements of Council Directive 92/48/EEC of 16 June 1992 laying down the minimum hygiene rules applicable to fishery products caught on board of certain vessels in accordance with article 3(1)(a)(i) of Directive 91/493/EEC<sup>(3)</sup>. These lists should be drawn up on the basis of a communication from the DFAR to the Commission.
- (7) It is appropriate for the present Decision to be applied 45 days after its publication providing for the necessary transitional period.
- (8) 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*

The 'Department of Fisheries and Aquatic Resources of the Ministry of Fisheries and Ocean Resources' (DFAR), shall be the competent authority in Sri Lanka identified for the purposes of verifying and certifying compliance of fishery products with the requirements of Directive 91/493/EEC.

*Article 2*

Fishery products imported into the Community from Sri Lanka shall comply with Articles 3, 4 and 5.

<sup>(1)</sup> OJ L 268, 24.9.1991, p. 15.

<sup>(2)</sup> OJ L 24, 30.1.1998, p. 31.

<sup>(3)</sup> OJ L 187, 7.7.1992, p. 41.

*Article 3*

1. Each consignment shall be accompanied by a numbered original health certificate in accordance with the model in Annex I and comprising a single sheet, duly completed, signed, and dated.

2. The certificate shall be drawn up in at least one official language of the Member State where the checks are carried out.

3. The certificate shall bear the name, capacity and signature of the representative of the DFAR, and the latter's official stamp in a colour different from that of other endorsements.

*Article 4*

The fishery products shall come from approved establishments, factory vessels or cold stores, or from registered freezer vessels listed in Annex II.

*Article 5*

All packages shall bear the words 'SRI LANKA' and the approval/registration number of the establishment, factory vessel, cold store or freezer vessel of origin in indelible letters, except in the case of frozen fishery products in bulk and intended for the manufacture of preserved foods.

*Article 6*

This Decision shall apply from 17 June 2003.

*Article 7*

This Decision is addressed to the Member States.

Done at Brussels, 25 April 2003.

*For the Commission*

David BYRNE

*Member of the Commission*

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ANNEX I

HEALTH CERTIFICATE

for fishery products from Sri Lanka and intended for export to the European Community, excluding bivalve molluscs, echinoderms, tunicates and marine gastropods in whatever form

Reference No: .....

Country dispatch : SRI LANKA

Competent authority: Department of Fisheries and Aquatic Resources of the Ministry of Fisheries and Ocean Resources (DFAR)

I. Details identifying the fishery products

- Description of fishery/aquaculture <sup>(1)</sup> products:
  - Species (scientific name): .....
  - Presentation of product and type of treatment <sup>(2)</sup>: .....
- 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 DFAR 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.

**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, 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 Directive 91/493/EEC, Directive 92/48/EEC and Decision 2003/302/EC <sup>(3)</sup>.

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

(Place) (Date)



Signature of official inspector <sup>(3)</sup>

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

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<sup>(3)</sup> The color of the stamp and signature must be different from that of the other particulars in the certificate.

## ANNEX II

## LIST OF ESTABLISHMENTS AND VESSELS

Approval No	Name	City/Region	Category
DFAR/FPE/98/01	Tropic Frozen Foods Ltd	Negombo	PP
DFAR/FPE/98/02	Southern Fish Factory	Kosgoda	PP
DFAR/FPE/98/03	Skyway Sea Food's Specialist's (Pvt) Ltd	Negombo	PP
DFAR/FPE/98/08	Alpex Marine (Pvt) Ltd	Hendala Wattala	PP
DFAR/FPE/98/09	Jay Sea Foods Processing (Pvt) Ltd	Kepungoda Pamunugama	PP
DFAR/FPE/98/11	Apollo Marine International (Pvt) Ltd	Wathupitiwala Nittambuwa	PP
DFAR/FPE/98/14	Aqua Gardens (Pvt) Ltd	Bangadeniya	PP
DFAR/FPE/98/15	Global Sea Foods (Pvt) Ltd	Perakolawatta Badalgama	PP

Category Legend:

PP: Processing plant