

COMMISSION DECISION

of 15 October 2003

laying down special conditions governing imports of fishery products from French Polynesia

(notified under document number C(2003) 3646)

(Text with EEA relevance)

(2003/760/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 Regulation (EC) No 806/2003 ⁽²⁾, and in particular Article 11 thereof,

Whereas:

- (1) An inspection has been carried out on behalf of the Commission in French Polynesia to verify the conditions under which fishery products are produced, stored and dispatched to the Community.
- (2) The requirements in the legislation of French Polynesia 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 Département de la Qualité Alimentaire et de l'Action Vétérinaire (DQAAV) du Service du Développement Rural du Ministère de l'Agriculture et de l'Élevage, is capable of effectively verifying the implementation of the legislation in force.
- (4) The DQAAV has provided official assurances regarding compliance with the standards for health controls and monitoring of fishery 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 French Polynesia, 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 certain vessels in

accordance with Article 3(1)(a)(i) of Directive 91/493/EEC ⁽³⁾. These lists should be drawn up on the basis of a communication from the DQAAV to the Commission.

- (7) It is appropriate for the present Decision to be applied 45 days after its publication to provide 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 Département de la Qualité Alimentaire et de l'Action Vétérinaire (DQAAV) du Service du Développement Rural du Ministère de l'Agriculture et de l'Élevage, shall be the competent authority in French Polynesia 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 French Polynesia shall comply with Articles 3, 4 and 5.

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 DQAAV, and the latter's official stamp in a colour different from that of the 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.

⁽¹⁾ OJ L 268, 24.9.1991, p. 15.

⁽²⁾ OJ L 122, 16.5.2003, p. 1.

⁽³⁾ OJ L 187, 7.7.1992, p. 41.

Article 5

All packages shall bear the words 'FRENCH POLYNESIA' 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 8 December 2003.

Article 7

This Decision is addressed to the Member States.

Done at Brussels, 15 October 2003.

For the Commission

David BYRNE

Member of the Commission

ANNEX I

HEALTH CERTIFICATE

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

Reference No:

Country of dispatch: FRENCH POLYNESIA

Competent authority: Departement de la Qualité Alimentaire et de l'Action Vétérinaire (DQAAV) du Service du Développement Rural du Ministère de l'Agriculture et de l'Elevage

I. Details identifying the fishery products

- Description of fishery/aquaculture (1) products:
- species (scientific name):
- presentation of product and type of treatment (2):
- 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/registration No(s) of establishment(s), factory vessel(s), or cold store(s) approved or freezer vessel(s) registered by the DQAAV 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 or frozen.

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, frozen 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/she is aware of the provisions of Directives 91/493/EEC, Directive 92/48/EEC and Decision 2003/760/EC.

Done at ,
(Place) (Date)



.....
(Signature of official inspector (1))
(Name in capital letters, position and qualifications of person signing)

(1) The colour 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
1002 PF	Taura'a-Tua	Punaauia/Tahiti	FV
1004 PF	Mautahi	Papehue Paea/Tahiti	FV
1005 PF	Vini-Vini VI	Faa'a/Tahiti	FV
1008 PF	Moorea Rava'ai II	Maharepa/Moorea	FV
1009 PF	Moana-Tae	Mahina/Tahiti	FV
1010 PF	Fetu Ura	Motu-uta/Tahiti	FV
1011 PF	Fetu Tea II	Motu-uta/Tahiti	FV
1012 PF	Ihitua	Papara/Tahiti	FV
1014 PF	Tamatia	Fare/Huahine	FV
1015 PF	Oiseau des Îles	Toahotu/Tahiti	FV
1016 PF	Arevamanu	Toahotu/Tahiti	FV
1017 PF	Moorea Tautai	Maharepa/Moorea	FV
1019 PF	Tahiti Island Fish	Faaa/Tahiti	PP
1021 PF	Ava Iti	Papeete/Tahiti	FV
1022 PF	Moorea Rava'ai III	Maharepa/Moorea	FV
1023 PF	Tahiti Rava'ai	Maharepa/Moorea	FV
1024 PF	Pêche logistique Services	Taravao/Tahiti	PP

Legend:

PP Processing plant.

FV Factory vessel.