STATUTORY INSTRUMENTS

1993 No. 2255

RIVER, ENGLAND AND WALES RIVER, SCOTLAND SALMON AND FRESHWATER FISHERIES SEA FISHERIES SHELLFISH

The Fish Health (Amendment) Regulations 1993

Made	15th September 1993
Laid before Parliament	17th September 1993
Coming into force	11th October 1993

The Minister of Agriculture, Fisheries and Food and the Secretary of State, being Ministers designated(1) for the purposes of section 2(2) of the European Communities Act 1972(2) in relation to the common agricultural policy of the European Economic Community, acting jointly, in exercise of the powers conferred on them by the said section 2(2), and of all other powers enabling them in that behalf, hereby make the following Regulations:

Title and commencement

1. These Regulations may be cited as the Fish Health (Amendment) Regulations 1993, and shall come into force on 11th October 1993.

Amendment of the Fish Health Regulations 1992

2.—(1) The Fish Health Regulations 1992(**3**) shall be amended in accordance with the provisions of this regulation.

- (2) In paragraph (1) of regulation 2 (interpretation)—
 - (a) after the definition of "aquaculture products" there shall be inserted the following paragraph—

⁽¹⁾ S.I.1972/1811.

^{(2) 1972} c. 68.

⁽**3**) S.I. 1992/3300.

""Commission Decision 93/55/EEC" means Commission Decision of 21st December 1992 amending the guarantees for the introduction of molluscs into zones for which a programme for Bonamia ostreae and Marteilia refringens has been approved(4) as amended by Commission Decision 93/169/EEC of 19th February 1993 amending Decision 93/55/EEC concerning the guarantees for certain molluscs(5);";

(b) for the definition of "Directive 91/67/EEC" there shall be substituted—

""Directive 91/67/EEC" means Council Directive of 28th January 1991 concerning the animal health conditions governing the placing on the market of aquaculture animals and products(6) as read with the decisions made under that Directive referred to in Schedule 7 Part I;";

(c) after the definition of "Form F" there shall be inserted the following paragraphs—

""Form G" means a movement document completed by the Official Service, certifying that the molluscs originate from an area where there has been no history of *bonamiosis* or *marteiliosis* in the previous two years confirmed by tests as provided for in Commission Decision 93/55/EEC;

"Form H" means a movement document completed by the Official Service, certifying that the molluscs have been submitted at the place of despatch to a check ensuring that they do not contain species other than *Crassostrea gigas* as required by Commission Decision 93/55/EEC;

"Form I" means a movement document completed by the Official Service, certifying that the site of origin complies with the conditions of Commission Decision 93/44/ EEC of 21st December 1992 approving the programmes concerning spring viraemia of carp submitted by the United Kingdom, and defining the additional guarantees for certain fish species for consignment to Great Britain, Northern Ireland, the Isle of Man and Guernsey(7);";

(d) for the definition of "movement document" there shall be substituted—

"movement document" means a document duly completed and-

- (a) in the case of Form A, Form B, Form C, Form D, Form E and Form F corresponding to the forms set out in Directive 91/67/EEC;
- (b) in the case of Form G, Form H and Form I complying with these Regulations;".

(3) In paragraph (2)(b) of regulation 3 (placing on the market of aquaculture animals and aquaculture products) the words "Directive 91/67/EEC" shall be substituted for "Directive 91/67".

(4) After paragraph (2)(c) of regulation 6 (validity of movement documents) there shall be added—

"(d) it has been incorrectly issued by an Official Service."

(5) In paragraph (5) of regulation 9 (introduction of live molluscs, eggs and gametes) the words "and not subsequently relaid elsewhere than another approved storage centre" shall be omitted.

(6) For Schedule 2 there shall be substituted the Schedule set out in Schedule 1 to these Regulations.

(7) For Schedule 4 there shall be substituted the Schedule set out in Schedule 2 to these Regulations.

⁽⁴⁾ OJ No. L14, 22.1.93, p. 24.

⁽⁵⁾ OJ No. L71, 24.3.93, p. 16.
(6) OJ No. L46, 19.2.91, p. 1.

⁽⁷⁾ OJ No. L16, 25.1.93, p. 53.

(8) For Schedule 7 there shall be substituted the Schedule set out in Schedule 3 to these Regulations.

In witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on

L.S.

15th September 1993.

Gillian Shephard Minister of Agriculture, Fisheries and Food

Allan Stewart Parliamentary Under Secretary of State, Scottish Office

15th September 1993

SCHEDULE 1

(Regulation 2(6))

PROVISIONS TO BE SUBSTITUTED FOR SCHEDULE 2 TO THE FISH HEALTH REGULATIONS 1992

"SCHEDULE 2

(Regulation 7)

Item	Zone	Live fish, eggs and gametes ^(a)	Form of movement document	Diseases ^(a)
(1)	(2)	(3)	(4)	(5)
1	Great Britain	Live farmed fish of the species—	Form A	IHN
		1	Form E	VHS
		Oncorhynchus nerka		
		Oncorhynchus tschawytscha		
		Oncorhynchus rhodurus		
2	Great Britain	Live wild fish of the species—	Form A	IHN
		-	Form F	VHS
		Oncorhynchus nerka		

ZONES IN GREAT BRITAIN-LIVE FISH, EGGS AND GAMETES

(a) The common names of the fish referred to in this Schedule are as follows:

Name	Common Name
Oncorhynchus nerka	Sockeye salmon
Oncorhynchus tschawytscha	Chinook salmon
Oncorhynchus rhodurus	Amago salmon
Salmo trutta	Brown trout or sea trout
Thymallus thymallus	Grayling
Coregonus sp.	Whitefishes
Esox lucius	Pike
Oncorhynchus mykiss (formerly known as Salmo gairdneri)	Rainbow trout
Salmo salar	Atlantic salmon
Cyprinus carpio	Common carp and all variants such as mirror carp, leathe carp, koi carp and hygoi carp
Ctenopharyngodon idella	Grass carp
Hypophthalmichthys nobilis	Bighead carp
Hypophthalmichthys molitrix	Silver carp

Item	Zone	Live fish, eggs and gametes ^(a)	Form of movement document	Diseases ^(a)
(1)	(2)	(3)	(4)	(5)
		Oncorhynchus tschawytscha		
		Oncorhynchus rhodurus		
3	Great Britain	Eggs and gametes of farmed fish of	Form A or Form B	IHN
		the species—	Form E	VHS
		Oncorhynchus nerka	FOIME	
		Oncorhynchus tschawytscha		
		Oncorhynchus rhodurus		
4	Great Britain	Eggs and gametes of wild fish of the	Form A	IHN
		species—	Form F	VHS
		Oncorhynchus		

nerka

(a) The common names of the fish referred to in this Schedule are as follows:

Name	Common Name
Oncorhynchus nerka	Sockeye salmon
Oncorhynchus tschawytscha	Chinook salmon
Oncorhynchus rhodurus	Amago salmon
Salmo trutta	Brown trout or sea trout
Thymallus thymallus	Grayling
Coregonus sp.	Whitefishes
Esox lucius	Pike
Oncorhynchus mykiss (formerly known as Salmo gairdneri)	Rainbow trout
Salmo salar	Atlantic salmon
Cyprinus carpio	Common carp and all variants such as mirror carp, leathe carp, koi carp and hygoi carp
Ctenopharyngodon idella	Grass carp
Hypophthalmichthys nobilis	Bighead carp
Hypophthalmichthys molitrix	Silver carp

Item	Zone	Live fish, eggs and gametes ^(a)	Form of movement	Diseases ^(a)
		und gametes	document	
(1)	(2)	(3)	(4)	(5)
		Oncorhynchus tschawytscha		
		Oncorhynchus rhodurus		
5	Great Britain	Live farmed fish of the species—	Form A	
		I I I I I I I I I I I I I I I I I I I	Form E	
		Salmo trutta	VHS	
			IHN	
6	Great Britain	Live wild fish of the species—	Form A	VHS
		Salmo trutta	Form F	IHN
7	Great Britain	Eggs and gametes of farmed fish of	Form A or Form B	VHS
		the species—	Form E	IHN
		Salmo trutta		
8	Great Britain	Eggs and gametes of wild fish of the	Form A	VHS
		species—	Form F	IHN

(a) The common names of the fish referred to in this Schedule are as follows:

Name	Common Name
Oncorhynchus nerka	Sockeye salmon
Oncorhynchus tschawytscha	Chinook salmon
Oncorhynchus rhodurus	Amago salmon
Salmo trutta	Brown trout or sea trout
Thymallus thymallus	Grayling
Coregonus sp.	Whitefishes
Esox lucius	Pike
Oncorhynchus mykiss (formerly known as Salmo gairdneri)	Rainbow trout
Salmo salar	Atlantic salmon
Cyprinus carpio	Common carp and all variants such as mirror carp, leather carp, koi carp and hygoi carp
Ctenopharyngodon idella	Grass carp
Hypophthalmichthys nobilis	Bighead carp
Hypophthalmichthys molitrix	Silver carp

Item	Zone	Live fish, eggs and gametes ^(a)	Form of movement document	Diseases ^(a)
(1)	(2)	(3)	(4)	(5)
		Salmo trutta		
9	Great Britain	Live farmed fish of the species—	Form A	VHS
		1	Form E	IHN
		Thymallus thymallus		
		Coregonus sp.		
		<i>Esox lucius</i> (fry only)		
10	Great Britain	Live wild fish of the species—	Form A	VHS
		-	Form F	IHN
		Thymallus thymallus		
		Coregonus sp.		
		<i>Esox lucius</i> (fry only)		
11	Great Britain	Eggs and gametes of farmed fish of	Form A or Form B	VHS
		the species—		IHN
			Form E	

Name	Common Name
Oncorhynchus nerka	Sockeye salmon
Oncorhynchus tschawytscha	Chinook salmon
Oncorhynchus rhodurus	Amago salmon
Salmo trutta	Brown trout or sea trout
Thymallus thymallus	Grayling
Coregonus sp.	Whitefishes
Esox lucius	Pike
Oncorhynchus mykiss (formerly known as Salmo gairdneri)	Rainbow trout
Salmo salar	Atlantic salmon
Cyprinus carpio	Common carp and all variants such as mirror carp, leathe carp, koi carp and hygoi carp
Ctenopharyngodon idella	Grass carp
Hypophthalmichthys nobilis	Bighead carp
Hypophthalmichthys molitrix	Silver carp

Item	Zone	Live fish, eggs and gametes ^(a)	Form of movement document	Diseases ^(a)
(1)	(2)	(3)	(4)	(5)
		Thymallus thymallus		
		Coregonus sp.		
12	Great Britain	Eggs and gametes of wild fish of the	Form A	VHS
		species—	Form F	IHN
		Thymallus thymallus		
		Coregonus sp.		
13	Great Britain	Live farmed and wild fish of the species—	Form A	IHN and VHS
		Oncorhynchus mykiss		
		Salmo salar		
14	Great Britain	Eggs and gametes of farmed and wild fish of the species—	Form A or Form B	IHN and VHS

(a) The common names of the fish referred to in this Schedule are as follows:

Name	Common Name
Oncorhynchus nerka	Sockeye salmon
Oncorhynchus tschawytscha	Chinook salmon
Oncorhynchus rhodurus	Amago salmon
Salmo trutta	Brown trout or sea trout
Thymallus thymallus	Grayling
Coregonus sp.	Whitefishes
Esox lucius	Pike
Oncorhynchus mykiss (formerly known as Salmo gairdneri)	Rainbow trout
Salmo salar	Atlantic salmon
Cyprinus carpio	Common carp and all variants such as mirror carp, leather carp, koi carp and hygoi carp
Ctenopharyngodon idella	Grass carp
Hypophthalmichthys nobilis	Bighead carp
Hypophthalmichthys molitrix	Silver carp

Item	Zone	Live fish, eggs and gametes ^(a)	Form of movement document	Diseases ^(a)
(1)	(2)	(3)	(4)	(5)
		Oncorhynchus mykiss		
		Salmo salar		
15	Great Britain	Live farmed fish, their eggs	Form E	IHN and VHS
		and gametes of the following species—	Form I	Spring viraemia of carp
		Cyprinus carpio		
		Ctenopharyngodo idella	on	
		Hypophthalmichti nobilis	hys	
		Hypophthalmichth molitrix	hys	
16	Great Britain	Live wild fish, their eggs and	Form F	IHN and VHS
		gametes of the following species—	Form I	Spring viraemia of carp

Name	Common Name
Oncorhynchus nerka	Sockeye salmon
Oncorhynchus tschawytscha	Chinook salmon
Oncorhynchus rhodurus	Amago salmon
Salmo trutta	Brown trout or sea trout
Thymallus thymallus	Grayling
Coregonus sp.	Whitefishes
Esox lucius	Pike
Oncorhynchus mykiss (formerly known as Salmo gairdneri)	Rainbow trout
Salmo salar	Atlantic salmon
Cyprinus carpio	Common carp and all variants such as mirror carp, leathe carp, koi carp and hygoi carp
Ctenopharyngodon idella	Grass carp
Hypophthalmichthys nobilis	Bighead carp
Hypophthalmichthys molitrix	Silver carp

Item	Zone	Live fish, eggs and gametes ^(a)	Form of movement document	Diseases ^(a)
(1)	(2)	(3)	(4)	(5)
		Cyprinus carpio		
		Ctenopharyngodo idella	п	
		Hypophthalmichth nobilis	ıys	
		Hypophthalmichth molitrix	iys	
17	Great Britain	Live farmed fish, their eggs and gametes other than fish of the following species—	Form E	IHN and VHS
		Oncorhynchus		
		nerka		
		Oncorhynchus tschawytscha		
		Oncorhynchus rhodurus		

(a) The common names of the fish referred to in this Schedule are as follows:

Name	Common Name
Oncorhynchus nerka	Sockeye salmon
Oncorhynchus tschawytscha	Chinook salmon
Oncorhynchus rhodurus	Amago salmon
Salmo trutta	Brown trout or sea trout
Thymallus thymallus	Grayling
Coregonus sp.	Whitefishes
Esox lucius	Pike
Oncorhynchus mykiss (formerly known as Salmo gairdneri)	Rainbow trout
Salmo salar	Atlantic salmon
Cyprinus carpio	Common carp and all variants such as mirror carp, leather carp, koi carp and hygoi carp
Ctenopharyngodon idella	Grass carp
Hypophthalmichthys nobilis	Bighead carp
Hypophthalmichthys molitrix	Silver carp

Item	Zone	Live fish, eggs and gametes ^(a)	Form of movement document	Diseases ^(a)
(1)	(2)	(3)	(4)	(5)
		Salmo trutta		
		Thymallus thymallus		
		Coregonus sp.		
		<i>Esox lucius</i> (fry only)		
		Oncorhynchus mykiss		
		Salmo salar		
		Cyprinus carpio		
		Ctenopharyngodd idella	on	
		Hypophthalmicht nobilis	hys	
		Hypophthalmichth molitrix	hys	

Name	Common Name
Oncorhynchus nerka	Sockeye salmon
Oncorhynchus tschawytscha	Chinook salmon
Oncorhynchus rhodurus	Amago salmon
Salmo trutta	Brown trout or sea trout
Thymallus thymallus	Grayling
Coregonus sp.	Whitefishes
Esox lucius	Pike
Oncorhynchus mykiss (formerly known as Salmo gairdneri)	Rainbow trout
Salmo salar	Atlantic salmon
Cyprinus carpio	Common carp and all variants such as mirror carp, leathe carp, koi carp and hygoi carp
Ctenopharyngodon idella	Grass carp
Hypophthalmichthys nobilis	Bighead carp
Hypophthalmichthys molitrix	Silver carp

Item	Zone	Live fish, eggs and gametes ^(a)	Form of movement document	Diseases ^(a)
(1)	(2)	(3)	(4)	(5)
		their eggs and gametes		
18	Great Britain	Live wild fish, their eggs and gametes other than fish of the following species— Oncorhynchus nerka Oncorhynchus tschawytscha	Form F	IHN and VHS"
		Oncorhynchus rhodurus		
		Salmo trutta		
		Thymallus thymallus		
		Coregonus sp.		

(a) The common names of the fish referred to in this Schedule are as follows:

Name	Common Name
Oncorhynchus nerka	Sockeye salmon
Oncorhynchus tschawytscha	Chinook salmon
Oncorhynchus rhodurus	Amago salmon
Salmo trutta	Brown trout or sea trout
Thymallus thymallus	Grayling
Coregonus sp.	Whitefishes
Esox lucius	Pike
Oncorhynchus mykiss (formerly known as Salmo gairdneri)	Rainbow trout
Salmo salar	Atlantic salmon
Cyprinus carpio	Common carp and all variants such as mirror carp, leather carp, koi carp and hygoi carp
Ctenopharyngodon idella	Grass carp
Hypophthalmichthys nobilis	Bighead carp
Hypophthalmichthys molitrix	Silver carp

Item	Zone	Live fish, eggs and gametes ^(a)	Form of movement document	Diseases ^(a)
(1)	(2)	(3)	(4)	(5)
		<i>Esox lucius</i> (fry only)		
		Oncorhynchus mykiss		
		Salmo salar		
		Cyprinus carpio		
		Ctenopharyngodd idella	on	
		Hypophthalmicht nobilis	hys	
		Hypophthalmicht molitrix	hys	
		their eggs and and gametes	1	

Name	Common Name
Oncorhynchus nerka	Sockeye salmon
Oncorhynchus tschawytscha	Chinook salmon
Oncorhynchus rhodurus	Amago salmon
Salmo trutta	Brown trout or sea trout
Thymallus thymallus	Grayling
Coregonus sp.	Whitefishes
Esox lucius	Pike
Oncorhynchus mykiss (formerly known as Salmo gairdneri)	Rainbow trout
Salmo salar	Atlantic salmon
Cyprinus carpio	Common carp and all variants such as mirror carp, leather carp, koi carp and hygoi carp
Ctenopharyngodon idella	Grass carp
Hypophthalmichthys nobilis	Bighead carp
Hypophthalmichthys molitrix	Silver carp

SCHEDULE 2

(Regulation 2(7))

PROVISIONS TO BE SUBSTITUTED FOR SCHEDULE 4 TO THE FISH HEALTH REGULATIONS 1992

"SCHEDULE 4

(Regulation 9)

ZONES IN GREAT BRITAIN—LIVE MOLLUSCS, EGGS AND GAMETES

Item	Zone	Live molluscs eggs and gametes ^(a)	Form of movement document	Diseases
(1)	(2)	(3)	(4)	(5)
1	Great Britain	Live farmed molluscs of the species <i>Ostrea</i> <i>edulis</i> , their eggs and gametes	Form C, Form D or Form G	Bonamiosis Marteiliosis
2	Great Britain	Live wild molluses of the species <i>Ostrea</i> <i>edulis</i> , their eggs and gametes	Form C or Form G	Bonamiosis Marteiliosis
3	Great Britain	Live farmed molluscs of the species	Form E or Form G	Bonamiosis Marteiliosis
		<i>Crassostrea</i> <i>gigas,</i> their eggs and gametes	Form H	
4	Great Britain	Live wild molluses of	Form F or Form G	Bonamiosis
		the species <i>Crassostrea</i> <i>gigas,</i> their eggs and gametes	Form H	Marteiliosis
5	Great Britain	Live farmed molluscs, their	Form E or Form G	Bonamiosis
		eggs and gametes of species other than the species		Marteiliosis
		Ostrea edulis		
		Crassostrea gigas		
6	Great Britain	Live wild molluscs, their	Form F or Form G	Bonamiosis
		eggs and gametes		Marteiliosis"

Item	Zone	Live molluscs eggs and gametes ^(a)	Form of movement document	Diseases
(1)	(2)	(3)	(4)	(5)
		of species other		
		than the species		
		Ostrea edulis		
		Crassostrea giga	5	

SCHEDULE 3

(Regulation 2(8))

PROVISIONS TO BE SUBSTITUTED FOR SCHEDULE 7 TO THE FISH HEALTH REGULATIONS 1992

"SCHEDULE 7

PART I

DECISIONS MADE UNDER COUNCIL DIRECTIVE 91/67/EEC

Decision	OJ Reference
Commission Decision 92/528/EEC of 9 November 1992 approving the programmes concerning bonamiosis and marteiliosis submitted by the United Kingdom.	OJ No. L332, 18.11.92, p. 25.
Commission Decision 92/532/EEC of 19 November 1992 laying down the sampling plans and diagnostic methods for the detection and confirmation of certain fish diseases.	OJ No. L337, 21.11.92, p. 18.
Commission Decision 92/538/EEC of 9 November 1992 concerning the status of Great Britain and Northern Ireland with regard to infectious haematopoietic necrosis and viral haemorrhagic septicaemia.	OJ No. L347, 28.11.92, p. 67.
Commission Decision 93/22/EEC of 11 December 1992 laying down the model of the movement documents referred to in Article 14 of Council Directive 91/67/EEC.	OJ No. L16, 25.1.93, p. 8.
Commission Decision 93/39/EEC of 18 December 1992 concerning the status of Guernsey with regard to infectious	OJ No. L16, 25.1.93, p. 46.

Decision	OJ Reference
haematopoietic necrosis and viral haemorrhagic septicaemia.	
Commission Decision 93/40/EEC of 18 December 1992 concerning the status of the Isle of Man with regard to infectious haematopoietic necrosis and viral haemorrhagic septicaemia.	OJ No. L16, 25.1.93, p. 47.
Commission Decision 93/44/EEC of 21 December 1992 approving the programmes concerning spring viraemia of carp submitted by the United Kingdom, and defining the additional guarantees for certain fish species for consignment to Great Britain, Northern Ireland, the Isle of Man and Guernsey.	OJ No. L16, 25.1.93, p. 53.
Commission Decision 93/55/EEC of 21 December 1992 amending the guarantees for the introduction of molluscs into zones for which a programme for Bonamia ostreae and Marteilia refringens has been approved.	OJ No. L14, 22.1.93, p. 24.
Commission Decision 93/56/EEC of 21 December 1992 approving the programme concerning bonamiosis and marteiliosis submitted by Ireland.	OJ No. L14, 22.1.93, p. 25.
Commission Decision 93/57/EEC of 21 December 1992 approving the programme concerning bonamiosis and marteiliosis submitted by the United Kingdom for Jersey.	OJ No. L14, 22.1.93, p. 26.
Commission Decision 93/58/EEC of 21 December 1992 approving the programme concerning bonamiosis and marteiliosis submitted by the United Kingdom for Guernsey.	OJ No. L14, 22.1.93, p. 27.
Commission Decision 93/59/EEC of 21 December 1992 approving the programme concerning bonamiosis and marteiliosis submitted by the United Kingdom for the Isle of Man.	OJ No. L14, 22.1.93, p. 28.
Commission Decision 93/73/EEC of 21 December 1992 concerning the status of Ireland with regard to infectious haematopoietic necrosis and viral haemorrhagic septicaemia.	OJ No. L27, 4.2.93, p. 34.
Commission Decision 93/74/EEC of 21 December 1992 concerning the status of Denmark with regard to infectious haematopoietic necrosis and viral haemorrhagic septicaemia.	OJ No. L27, 4.2.93, p. 35.

Decision

OJ No. L71, 24.3.93, p. 16.

OJ Reference

Commission Decision 93/169/EEC of 19 February 1993 amending Decision 93/55/EEC concerning the guarantees for certain molluscs.

PART II

RELEVANT PROVISIONS OF DIRECTIVE 91/67/EEC

Relevant provisions: Articles 3, 4, 7 to 11, 14 and 16."

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Fish Health Regulations 1992 ("the principal Regulations") so as to implement Commission Decision 93/44/EEC, Commission Decision 93/55/EEC and Commission Decision 93/169/EEC. Details of these Commission Decisions are set out in Schedule 3 to these Regulations.

The Regulations-

- (a) provide alternative movement documents for molluscs (Forms G and H) (regulation 2(2) (c) and (7));
- (b) require an additional movement document for species of carp (Form I) (regulation 2(2) (c) and (6));
- (c) provide that a movement document which has been incorrectly issued shall not be a valid movement document (regulation 2(4)); and
- (d) revise the definition of "Directive 91/67/EEC" (regulation 2(2)(b) and (8)).

The Regulations also make some drafting amendments to the principal Regulations.