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► **B**

COMMISSION DECISION

of 21 November 1994

laying down special conditions governing the import of fishery and aquaculture products originating in Taiwan

(94/766/EC)

(OJ L 305, 30.11.1994, p. 31)

Amended by:

	Official Journal		
	No	page	date
► <u>M1</u> Commission Decision 96/31/EC of 19 December 1995	L 9	6	12.1.1996
► <u>M2</u> Commission Decision 96/255/EC of 26 March 1996	L 86	81	4.4.1996
► <u>M3</u> Commission Decision 1999/529/EC of 14 July 1999	L 203	73	3.8.1999

▼**B****COMMISSION DECISION****of 21 November 1994****laying down special conditions governing the import of fishery and aquaculture products originating in Taiwan**

(94/766/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⁾, and in particular Article 11 thereof,

Whereas a group of Commission experts has conducted an inspection visit to Taiwan to verify the conditions under which fishery products are produced, stored and dispatched to the Community;

Whereas the provisions of Taiwan legislation on health inspection and monitoring of fishery products may be considered equivalent to those laid down in Directive 91/493/EEC;

Whereas the Bureau of Commodity Inspection and Quarantine (BCIQ), the competent authority in Taiwan, is capable of effectively verifying the application of the laws in force;

Whereas the procedure for obtaining the health certificate referred to in Article 11 (4) (a) of Directive 91/493/EEC must also cover the definition of a model certificate, the minimum requirements regarding the language(s) in which it must be drafted and the grade of the person empowered to sign it;

Whereas, pursuant to Article 11 (4) (b) of Directive 91/493/EEC, a mark should be affixed to packages of fishery products, giving the name of the third country and the approval number of the establishment of origin;

Whereas, pursuant to Article 11 (4) (c) of Directive 91/493/EEC, a list of approved establishments must be drawn up; whereas that list must be drawn up on the basis of a communication from the BCIQ to the Commission; whereas it is therefore for the BCIQ to ensure compliance with the provisions laid down to that end in Article 11 (4) of Directive 91/493/EEC;

Whereas the BCIQ has provided official assurances regarding compliance with the rules set out in Chapter V of the Annex to Directive 91/493/EEC and regarding fulfilment of requirements equivalent to those laid down by that Directive for the approval of establishments;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Veterinary Committee,

HAS ADOPTED THIS DECISION:

▼**M3***Article 1*

The 'Bureau of Standards, Metrology and Inspection (BSMI)' of the Ministry of Economic Affairs shall be the competent authority in Taiwan for verifying and certifying compliance of fishery and aquaculture products with the requirements of Directive 91/493/EEC;

⁽¹⁾ OJ No L 268, 24. 9. 1991, p. 15.

▼M3*Article 2*

Fishery and aquaculture products originating in Taiwan 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, cold stores or 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 'TAIWAN' and the approval/registration number of the establishment, factory vessel, cold store or freezer vessel of origin in indelible letters;

▼B*Article 3*

1. The certificate referred to in point 1 of Article 2 must be drawn up in at least one official language of the Member State where the checks are carried out.
2. The certificate must bear the name, capacity and signature of the representative of the BCIQ and the latter's official stamp in a colour different from that of the other indications on the certificate.

Article 4

This Decision shall apply from 1 January 1995.

Article 5

This Decision is addressed to the Member States.

▼M3

ANNEX A

HEALTH CERTIFICATE

for fishery or aquaculture products originating in Taiwan and intended for export to the European Community with the exception of bivalve molluscs, echinoderms, tunicates and marine gastropods in any form

Reference No:

Country of dispatch: TAIWAN

Competent authority: Bureau of Standards, Metrology and Inspection (BSMI)

I. Details identifying the fishery products

- Description of fishery or aquaculture product ⁽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 the BSMI 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:

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⁽¹⁾ Delete where inapplicable.

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

▼ M3**IV. Health attestation**

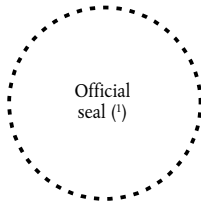
The official inspector hereby certifies that the fishery or aquaculture products specified above:

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.

The undersigned official inspector hereby declares that he is aware of the provisions of Directives 91/493/EEC, 92/48/EEC and Decision 94/766/EC.

Done at, on

(Place) (Date)



.....
Signature of official inspector (*)

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

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

▼M2

ANNEX B

LIST OF APPROVED ESTABLISHMENTS

Approval number	Establishment name	Address	Approval
2F00001	Tong Ho Foods Industrial Co., Ltd	Wu Chieh Hsiang, I-Lan Hsien Taiwan, ROC	30. 6. 1996
2F30017	I-Mei Frozen Foods Co., Ltd	Su-Ao I-Lan Hsien, Taiwan, ROC	31. 12. 1996
2F30040	L's Izumi Frozen Food Co., Ltd	Su-Ao I-Lan Hsien, Taiwan, ROC	31. 12. 1996
7F30001	Song Cheng Enterprise Co., Ltd	Fong-Tien, Neipoo, Pingtung Hsien, Taiwan, ROC	31. 12. 1996
7F30003	Fai Tai Frozen Food Works Co., Ltd	Chien-Chen Dist., Kaohsiung, Taiwan, ROC	30. 6. 1996
7F30013	Chia Fong Frozen Food Co., Ltd	Chien-Chen Dist., Kaohsiung, Taiwan, ROC	30. 6. 1996
7F30022	Chen Ching Long Enterprise Co., Ltd	Chao-Chou Chen, Pingtung Hsien, Taiwan, ROC	30. 6. 1996
7F30031	Ever Spring Foods Supplier Inc.	Chien-Chen Dist., Kaohsiung, Taiwan, ROC	30. 6. 1996
7F30035	Tong Pao Frozen Food Co., Ltd	Chiao Tou Shiang, Kaohsiung Hsien, Taiwan, ROC	31. 12. 1996
7F30048	Luxe Enterprise Co., Ltd	Neipu Hsiang, Pingtung Hsien, Taiwan, ROC	31. 12. 1996
7F30050	Ho Roun Products Co., Ltd	Wandan Shiang, Pingtung Hsien, Taiwan, ROC	30. 6. 1996
7F30055	Ping Roun Products Co., Ltd	Pingtung Industrial District, Pingtung City, Taiwan, ROC	30. 6. 1996
7F30058	Union Development Frozen Foods Co., Ltd	Hsiao Kang Dist., Kaohsiung, Taiwan, ROC	31. 12. 1996
7F30062	Shin Ho Sing Ocean Enterprise Co., Ltd	Chien-Chen Dist., Kaohsiung, Taiwan, ROC	30. 6. 1996
7F30074	Sanwa Frozen Food Co., Ltd	Neipu Hsiang, Pingtung Hsien, Kaohsiung, Taiwan, ROC	30. 6. 1996
7F30076	Ho Kee Frozen Foods Factory Co., Ltd	Hsiao Kang Dist., Kaohsiung, Taiwan, ROC	30. 6. 1996
7F30080	Chreng Hwa Frozen Foods Co., Ltd	Chao-Chou Chen, Pingtung Hsien, Taiwan, ROC	31. 12. 1996