

Commission Decision of 30 April 2008 implementing Council Directive 2006/88/EC as regards an Internet-based information page to make information on aquaculture production businesses and authorised processing establishments available by electronic means (notified under document number C(2008) 1656) (Text with EEA relevance) (2008/392/EC)

COMMISSION DECISION

of 30 April 2008

implementing Council Directive 2006/88/EC as regards an Internet-based information page to make information on aquaculture production businesses and authorised processing establishments available by electronic means

(notified under document number C(2008) 1656)

(Text with EEA relevance)

(2008/392/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 2006/88/EC of 24 October 2006 on animal health requirements for aquaculture animals and products thereof, and on the prevention and control of certain diseases in aquatic animals⁽¹⁾, and in particular Article 59(2) thereof,

Whereas:

- (1) Directive 2006/88/EC lays down health requirements to be applied for the placing on the market, the importation and the transit of aquaculture animals and products thereof, and minimum preventive measures aimed at increasing the awareness and preparedness of the competent authorities, aquaculture production business operators and others related to this industry, for diseases in aquaculture animals.
- (2) In order to improve the prevention of the occurrence and spread of the diseases listed in Annex IV to Directive 2006/88/EC, information on aquaculture production businesses and authorised processing establishments, especially on species kept and their health status, should be made electronically available by the Member States.
- (3) The data are currently publicly available in the registers kept by Member States pursuant to Article 6 of Directive 2006/88/EC.
- (4) In order to facilitate the interoperability of information systems and the use of procedures by electronic means between Member States, and to ensure transparency and comprehensibility, it is important that the information on aquaculture production businesses and authorised processing establishments is presented in a uniform way throughout the Community. An Internet-based information page is technically the most feasible solution, as it ensures easy access to such information and does not involve too

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many resources. A model for the layout of the Internet-based information page should therefore be drawn up.

- (5) Annex II to Directive 2006/88/EC establishes the information required in the register of aquaculture production businesses and authorised processing establishments. As the aim of the Internet-based information page is to facilitate the interoperability of the relevant information recorded in the registers of aquaculture production businesses established by Member States, the website does not necessarily have to include all that information. It should however include all the information which is relevant to detect any trade restrictions caused by different health status.
- (6) Directive 2006/88/EC provides that, by way of derogation from the authorisation requirement laid down in that Directive, Member States may require only the registration by the competent authority of installations other than aquaculture production businesses where aquatic animals are kept without the intention of being placed on the market, put and take fisheries and aquaculture production businesses supplying local consumers.
- (7) The risk of the spread aquatic animal diseases posed by installations, put and take fisheries and aquaculture production businesses which, by way of derogation from Article 4(1) of Directive 2006/88/EC, are registered by the competent authority, varies depending on their nature, characteristics, and location. Member States should therefore decide to what extent information on those installations, put and take fisheries and aquaculture production businesses should be included in the Internet-based information page.
- (8) As a sufficient period of time should be provided to allow Member States to complete the Internet-based information page with the relevant information on the aquaculture production businesses and authorised processing establishments, it should be provided for that that information is only to be available by 31 July 2009 at the latest.
- (9) 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

Subject matter and scope

1 This Decision lays down rules on an Internet-based information page to be established by the [^{F1}appropriate authority] to make information on aquaculture production businesses and authorised processing establishments available by electronic means ^{F2}....

2 This Decision [^{F3}also applies]*mutatis mutandis* to installations, put and take fisheries and aquaculture production businesses [^{F4}registered in accordance with Part 2 of the Aquatic Animal Health Regulations].

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Textual Amendments

- F1** Words in Art. 1(1) substituted (E.W.S.) (31.12.2020) by [The Animals, Aquatic Animal Health, Invasive Alien Species, Plant Propagating Material and Seeds \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1388\)](#), regs. 1(2)(c), **6(2)(a)(i)**
- F2** Words in Art. 1(1) omitted (E.W.S.) (31.12.2020) by virtue of [The Animals, Aquatic Animal Health, Invasive Alien Species, Plant Propagating Material and Seeds \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1388\)](#), regs. 1(2)(c), **6(2)(a)(ii)**
- F3** Words in Art. 1(2) substituted (E.W.S.) (31.12.2020) by [The Animals, Aquatic Animal Health, Invasive Alien Species, Plant Propagating Material and Seeds \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1388\)](#), regs. 1(2)(c), **6(2)(b)(i)**
- F4** Words in Art. 1(2) substituted (E.W.S.) (31.12.2020) by [The Animals, Aquatic Animal Health, Invasive Alien Species, Plant Propagating Material and Seeds \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1388\)](#), regs. 1(2)(c), **6(2)(b)(ii)**

[^{F5}Article 1a

Interpretation

In this Decision—

- a “the appropriate authority” means:
- i in relation to England, the Secretary of State;
 - ii in relation to Wales, the Welsh Ministers;
 - iii in relation to Scotland, the Scottish Ministers;
- but the appropriate authority is the Secretary of State if consent is given:
- i in respect of functions exercisable in relation to Wales, by the Welsh Ministers;
 - ii in respect of functions exercisable in relation to Scotland, by the Scottish Ministers;
- b “the Aquatic Animal Health Regulations” means—
- i in relation to England and Wales, the Aquatic Animal Health (England and Wales) Regulations 2009;
 - ii in relation to Scotland, the Aquatic Animal Health (Scotland) Regulations 2009.]

Textual Amendments

- F5** Art. 1a inserted (E.W.S.) (31.12.2020) by [The Animals, Aquatic Animal Health, Invasive Alien Species, Plant Propagating Material and Seeds \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1388\)](#), regs. 1(2)(c), **6(3)**

Article 2

Internet-based information page

1 The [^{F6}appropriate authority] shall establish an Internet-based information page (the Internet-based information page) to make available information on farms or mollusc farming areas of aquaculture production businesses and authorised processing establishments which are authorised in accordance with [^{F7}Part 2 of the Aquatic Animal Health Regulations].

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[^{F8}The appropriate authority] shall decide on a case-by-case basis which installations, put and take fisheries and aquaculture production businesses referred to in Article 1(2) must be listed on the Internet-based information page, taking into account the risk of the spread of aquatic animal diseases resulting from the operations of such installations, fisheries and businesses, based on their nature, characteristics and location.

^{F9}2

3 [^{F10}The appropriate authority] shall keep the Internet-based information page updated so that it corresponds with the information included in the register kept pursuant to [^{F11}Part 2 of the Aquatic Animal Health Regulations].

Changes in health status shall be introduced in the Internet-based information page as soon as the health status recorded has changed.

^{F12}4

Textual Amendments

- F6** Words in Art. 2(1) substituted (E.W.S.) (31.12.2020) by [The Animals, Aquatic Animal Health, Invasive Alien Species, Plant Propagating Material and Seeds \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1388\)](#), regs. 1(2)(c), **6(4)(a)(i)(aa)**
- F7** Words in Art. 2(1) substituted (E.W.S.) (31.12.2020) by [The Animals, Aquatic Animal Health, Invasive Alien Species, Plant Propagating Material and Seeds \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1388\)](#), regs. 1(2)(c), **6(4)(a)(i)(bb)**
- F8** Words in Art. 2(1) substituted (E.W.S.) (31.12.2020) by [The Animals, Aquatic Animal Health, Invasive Alien Species, Plant Propagating Material and Seeds \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1388\)](#), regs. 1(2)(c), **6(4)(a)(ii)**
- F9** Art. 2(2) omitted (E.W.S.) (31.12.2020) by virtue of [The Animals, Aquatic Animal Health, Invasive Alien Species, Plant Propagating Material and Seeds \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1388\)](#), regs. 1(2)(c), **6(4)(b)**
- F10** Words in Art. 2(3) substituted (E.W.S.) (31.12.2020) by [The Animals, Aquatic Animal Health, Invasive Alien Species, Plant Propagating Material and Seeds \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1388\)](#), regs. 1(2)(c), **6(4)(c)(i)**
- F11** Words in Art. 2(3) substituted (E.W.S.) (31.12.2020) by [The Animals, Aquatic Animal Health, Invasive Alien Species, Plant Propagating Material and Seeds \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1388\)](#), regs. 1(2)(c), **6(4)(c)(ii)**
- F12** Art. 2(4) omitted (E.W.S.) (31.12.2020) by virtue of [The Animals, Aquatic Animal Health, Invasive Alien Species, Plant Propagating Material and Seeds \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1388\)](#), regs. 1(2)(c), **6(4)(d)**

^{F13}Article 3

Date of application

Textual Amendments

- F13** Art. 3 omitted (E.W.S.) (31.12.2020) by virtue of [The Animals, Aquatic Animal Health, Invasive Alien Species, Plant Propagating Material and Seeds \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1388\)](#), regs. 1(2)(c), **6(5)**

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^{F14}Article 4

Addressees

Textual Amendments

F14 Art. 4 omitted (E.W.S.) (31.12.2020) by virtue of [The Animals, Aquatic Animal Health, Invasive Alien Species, Plant Propagating Material and Seeds \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1388\)](#), regs. 1(2)(c), **6(5)**

F15
...

Textual Amendments

F15 Words in [Signature](#) omitted (E.W.S.) (31.12.2020) by virtue of [The Animals, Aquatic Animal Health, Invasive Alien Species, Plant Propagating Material and Seeds \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1388\)](#), regs. 1(2)(c), **6(5)**

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F16 ANNEX I

Textual Amendments

F16 Annexes 1-4 omitted (E.W.S.) (31.12.2020) by virtue of [The Animals, Aquatic Animal Health, Invasive Alien Species, Plant Propagating Material and Seeds \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1388\)](#), regs. 1(2)(c), **6(5)**

F16 ANNEX II

F16 ANNEX III

F16 ANNEX IV

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(1) [OJ L 328, 24.11.2006, p. 14.](#)

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