

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

CHAPTER III

ANIMAL HEALTH REQUIREMENTS FOR PLACING ON THE MARKET OF AQUACULTURE ANIMALS AND PRODUCTS THEREOF

SECTION 1

General Provisions

Article 11

Scope

1 Unless otherwise provided, this Chapter shall apply only to the diseases and the species susceptible thereto listed in Part II of Annex IV.

2 Member States may allow the placing on the market for scientific purposes of aquaculture animals and products thereof, which do not comply with this Chapter under the strict supervision of the competent authority.

The competent authority shall ensure that such placing on the market does not jeopardise the health status with regard to the diseases listed in Part II of Annex IV of aquatic animals at the place of destination or at places of transit.

Any such movements between Member States shall not take place without prior notification of the competent authorities of the Member States concerned.

Article 12

General requirements for the placing of aquaculture animals on the market

1 Member States shall ensure that the placing on the market of aquaculture animals and products thereof does not jeopardise the health status of aquatic animals at the place of destination with regard to the diseases listed in Part II of Annex IV.

2 Detailed rules on the movement of aquaculture animals are laid down in this Chapter, in particular relating to movements between Member States, zones and compartments with different health statuses, as referred to in Part A of Annex III.

Article 13

Disease prevention requirements in relation to transport

1 Member States shall ensure that:

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- a the necessary disease prevention measures are applied during the transport of aquaculture animals in order not to alter the health status of those animals during transport, and to reduce the risk of spreading diseases;
- and
- b aquaculture animals are transported under conditions which neither alter their health status nor jeopardise the health status of the place of destination, and where appropriate, of places of transit.

This paragraph shall also apply to diseases and the species susceptible thereto not listed in Part II of Annex IV.

2 Member States shall ensure that any water exchanges during transport are carried out at places and under conditions which do not jeopardise the health status of:

- a the aquaculture animals being transported;
- b any aquatic animals at the place of water exchange;
- and
- c aquatic animals at the place of destination.

Article 14

Animal health certification

1 Member States shall ensure that the placing on the market of aquaculture animals is subject to animal health certification when the animals are introduced into a Member State, zone or compartment declared disease-free in accordance with Articles 49 and 50 or subject to surveillance, or eradication programme in accordance with Article 44(1) or (2) for:

- a farming and restocking purposes;
- or
- b further processing before human consumption, unless:
 - (i) as regards fish, they are slaughtered and eviscerated before dispatch;
 - (ii) as regards molluscs and crustaceans, they are dispatched as unprocessed or processed products.

2 Member States shall also ensure that the placing on the market of aquaculture animals is subject to animal health certification when the animals are allowed to leave an area subject to the control provisions provided for in Sections 3, 4, 5 and 6 of Chapter V.

This paragraph shall also apply to diseases and the species susceptible thereto not listed in Part II of Annex IV.

3 The following movements shall be subject to notification under the computerised system provided for in Article 20(1) of Directive 90/425/EEC:

- a movements of aquaculture animals between Member States where animal health certification is required in accordance with paragraphs 1 or 2 of this Article;
- and
- b all other movements of live aquaculture animals for farming or restocking purposes between Member States where no animal health certification is required under this Directive.

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4 Member States may decide to use the computerised system provided for in paragraph 3 to trace movements taking place entirely within their territory.