

**LEGAL NOTICE No 69/2003**  
**FISHERY PRODUCT IMPORTATION AND EXPORTATION**  
**REGULATIONS**

PART I  
PRELIMINARY

**Art. 1 Short Title**

These Regulations may be cited as the "Fishery Products Importation and Exportation Regulations, Legal Notice No.69/2003"

**Art. 2 Scope of Application**

These Regulations lay down measures to monitor import and export conditions for fishery and aquaculture products.

PART II  
IMPORTATION

**Art. 6 Equivalence**

- (1) The provisions applied to imports of fishery products from other countries shall in principle be at least equivalent to those governing the production and placing on the market, as described in the Fishery Products Regulations Legal Notice No. 40/1998, the Factory Vessel Regulations Legal Notice No.67/2003, the Fishery Products Additives Regulation Legal Notice No.65/2003, the Potable Water Regulations Legal Notice No.68/2003 and the Aquaculture Product Regulations Legal Notice No.64/2003;
- (2) traceability of imported fishery products shall be established and documented procedures maintained for identifying the product from receipt and during all stages of production and dispatch. The system shall be able to demonstrate and document, in a transparent way, which imported products are for local consumption or are for export; and
- (3) traceability shall be demonstrable at the moment of certification of the fishery products for export.

**Art. 7 Specific import conditions**

Specific import conditions may be laid down:

- (1) to protect public health without prejudice to the possibility that imported fishery products may be exported; and
- (2) to allow importation of fishery products for local consumption under the condition that these products cannot be re-exported or used as raw material in an establishment approved to export fishery products.

**Art. 8 Notification by the importer**

Any person who has an import license for fishery products shall notify the Competent Authority of each importation in the form and manner

prescribed and shall not market the fishery products without the approval of the Competent Authority.

**Art. 9 Off shore inspection**

The Minister may enter into an off shore inspection arrangement with one or more foreign governments, government agencies or trade organizations. The Minister may be satisfied, based on the verification of the Competent Authority, that the legal requirements, fish inspection systems and infrastructure for preparing fish for export in that country meet the import requirements of the State of Eritrea.

**Art. 10 Off shore inspection arrangement**

After consultation with the Competent Authority, an off shore inspection arrangement may include authority to:

- (1) issue foreign plant operating license for the purpose of exporting fish to The State of Eritrea;
- (2) inspect establishments in the other country and the fishery products prepared or processed in those establishments;
- (3) establish compliance, monitoring and inspection requirements for imports from the other country or from establishments in that country;
- (4) recognize certificates of inspection issued by other countries;
- (5) implement any program or project related to fishery products inspection and make funding arrangements for purposes such as the sharing of revenues or the recovery of costs of the program or project; or
- (6) fix fees for foreign plant operating certificates or for the recovery of the costs of delivery of off shore inspection services.

**Art. 11 Foreign Government Inspection**

The Minister may, after consultation with the Competent Authority, rely on the results of inspection conducted by the inspection agency of a foreign government or foreign trade organization for the purpose of negotiating or implementing an off shore arrangement or for determining whether fishery products imported pursuant to an arrangement meet the requirements of these regulations.

**Art. 12 Health Certificate**

An Export Health Certificate delivered to the Competent Authority of the State of Eritrea should accompany all imports of fishery products of any type, in any presentation, quantity and by any means of transportation.

The Competent Authority of the State of Eritrea shall approve the model of this Health Certificate.

PART III

EXPORTATION

**Art. 13 Export conditions**

- (1) Provisions applied to exports of fishery products from The State of Eritrea to other countries shall comply with the conditions laid down in The Fishery Products Regulations Legal Notice No.

40/1998, The Aquaculture Product Regulations Legal Notice No.64/2003, The Fishery Products Additives Regulation Legal Notice No. 65/2003, The Factory Vessel Regulations Legal Notice No 67/2003 and The Potable Water Regulations Legal Notice No. 68/2003 and supplementary with the requirements of the legislation of the country to which The State of Eritrea exports.

- (a) No person shall export, process for export or attempt to export or attempt to process for export, any fishery product unless that fishery product is prepared or processed in an establishment in accordance with the requirements laid down in The Fishery Products Regulations Legal Notice No. 40/1998, The Aquaculture Product Regulations Legal Notice No. 64/2003, The Fishery Products Additives Regulation Legal Notice No. 65/2003, The Factory Vessel Regulations Legal Notice No.67/2003 and The Potable Water Regulations Legal Notice No. 68/ 2003 and supplementary with the requirements of the legislation of the country to which The State of Eritrea exports.
  - (b) No person shall export, process for export or attempt to export or attempt to process for export any fishery product that is tainted, decomposed or unwholesome or otherwise fails to meet the requirements of The Fishery Products Regulations Legal Notice No. 40/1998, The Aquaculture Product Regulations Legal Notice No. 64/2003, The Fishery Products Additives Regulation Legal Notice No. 65/2003, The Factory Vessel Regulations Legal Notice No.67/2003 and The Potable Water Regulations Legal Notice No. 68/2003 and supplementary with the requirements of the legislation of the country to which The State of Eritrea exports.
- (2) All shipments of fishery products of any type, in any presentation, quantity and by any means of transportation, should be accompanied by an Export Health Certificate issued by the Competent Authority (A model health certificate for export to Europe is set forth in Schedule N° 1 of the Fishery Product Regulations Legal Notice No. 40/1998). Any other export health certificate that is approved by the Competent Authority can accompany exports to other destinations.
  - (3) In case of failure to present this certificate, export of fishery products shall be forbidden.

**Art. 14 Effective Date**

These Regulations shall come into force on the date of their publication in the Gazette of Eritrean Laws.

Done at Asmara, this 30<sup>th</sup> day of April, 2003  
Ahmed Haj Ali,  
Minister of Fisheries.