

## COMMISSION DECISION

of 18 August 2003

## laying down special conditions governing imports of fishery products from Mayotte

(notified under document number C(2003) 2976)

(Text with EEA relevance)

(2003/608/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<sup>(1)</sup>, as last amended by Regulation (EC) No 806/2003<sup>(2)</sup>, and in particular Article 11 thereof,

Whereas:

- (1) An inspection has been carried out on behalf of the Commission in Mayotte to verify the conditions under which fishery products are produced, stored and dispatched to the Community.
- (2) The requirements in the legislation of Mayotte on health inspection and monitoring of fishery products may be considered equivalent to those laid down in Directive 91/493/EEC.
- (3) In particular, the 'Direction des Services Vétérinaires (DSV) of the Direction de l'Agriculture et de la Forêt (DAF)' belonging to the 'Ministère français de l'agriculture et de la pêche', is capable of effectively verifying the implementation of the legislation in force.
- (4) The DSV has provided official assurances regarding compliance with the standards for health controls and monitoring of fishery products as set out in Chapter V of the Annex to Directive 91/493/EEC and regarding the fulfilment of hygienic requirements equivalent to those laid down by that Directive.
- (5) It is appropriate to lay down detailed provisions concerning fishery products imported into the Community from Mayotte, in accordance with Directive 91/493/EEC.
- (6) It is also necessary to draw up a list of approved establishments, factory vessels, or cold stores, and a list of freezer vessels equipped in accordance with the requirements of Council Directive 92/48/EEC of 16 June 1992 laying down the minimum hygiene rules applicable to fishery products caught on board of certain vessels in accordance with Article 3(1)(a)(i) of Directive 91/493/EEC<sup>(3)</sup>. These lists should be drawn up on the basis of a communication from the DSV to the Commission.

- (7) However, the Community inspection team was not able to verify the inspection capacity of the DSV as regards the freezer or factory vessels because at the time of the inspection the two proposed freezer vessels were registered under French flag and no factory vessel was proposed to be authorised. Therefore, the inclusion of new vessels in the list will require a new inspection visit on the spot by the Commission experts.
- (8) It is appropriate for the present Decision to be applied 45 days after its publication in providing for the necessary transitional period.
- (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*

The 'Direction des Services Vétérinaires (DSV) of the Direction de l'Agriculture et de la Forêt (DAF)' belonging to the 'Ministère français de l'agriculture et de la pêche', shall be the competent authority in Mayotte identified for the purposes of verifying and certifying compliance of fishery products with the requirements of Directive 91/493/EEC.

*Article 2*

Fishery products imported into the Community from Mayotte shall comply with Articles 3, 4 and 5.

*Article 3*

1. Each consignment shall be accompanied by a numbered original health certificate in accordance with the model in Annex I and comprising a single sheet, duly completed, signed and dated.

2. The certificate shall be drawn up in at least one official language of the Member State where the checks are carried out.

<sup>(1)</sup> OJ L 268, 24.9.1991, p. 15.

<sup>(2)</sup> OJ L 122, 16.5.2003, p. 1.

<sup>(3)</sup> OJ L 187, 7.7.1992, p. 41.

3. The certificate shall bear the name, capacity and signature of the representative of the DSV, and the latter's official stamp in a colour different from that of the endorsements.

*Article 4*

The fishery products shall come from approved establishments, factory vessels, or cold stores, or from registered freezer vessels listed in Annex II.

*Article 5*

All packages shall bear the word 'MAYOTTE' and the approval/ registration number of the establishment, factory vessel, cold store or freezer vessel of origin in indelible letters, except in the case of frozen fishery products in bulk and intended for the manufacture of preserved foods.

*Article 6*

The inclusion of new vessels in the list of Annex II shall only be done following the results of a Community inspection visit on the spot.

*Article 7*

This Decision shall apply from 4 October 2003.

*Article 8*

This Decision is addressed to the Member States.

Done at Brussels, 18 August 2003.

*For the Commission*

David BYRNE

*Member of the Commission*

## ANNEX I

## HEALTH CERTIFICATE

for fishery products from Mayotte and intended for export to the European Community, excluding bivalve molluscs, echinoderms, tunicates and marine gastropods in whatever form

Reference No: .....

Country of dispatch: MAYOTTE

Competent authority: 'The Direction des Services Vétérinaires (DSV) of the Direction de l'Agriculture et de la Forêt (DAF)'

I. *Details identifying the fishery products*

— Description of fishery/aquaculture <sup>(1)</sup> products: .....

— Species (scientific name): .....

— Presentation of product and type of treatment <sup>(2)</sup>: .....

— 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/registration number(s) of establishment(s), factory vessel(s), or cold store(s) approved or freezer vessel(s) registered by the DSV 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: .....

.....

Name of consignee and address at place of destination: .....

.....

<sup>(1)</sup> Delete where applicable.

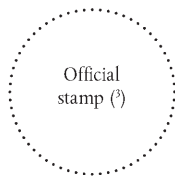
<sup>(2)</sup> Live, refrigerated, frozen.

IV. *Health attestation*

- The official inspector hereby certifies that the fishery 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, frozen 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 Directive 91/493/EEC, Directive 92/48/EEC and Decision 2003/608/EC.

Done at ..... , on .....

(Place) (Date)



Signature of official inspector <sup>(?)</sup>  
(Name in capital letters, capacity and qualifications of person signing)

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<sup>(?)</sup> The colour of the stamp and signature must be different from that of the other particulars in the certificate.

## ANNEX II

## LIST OF ESTABLISHMENTS AND VESSELS

Approval No	Name	City Region	Approval limit	Category
YT 976.510.01	Mayotte Aquaculture	Port de Longoni — F-97600 Mayotte		PP
YT 976.507.02	SCEA Subagri	F-97600 Mayotte		PP
YT 976.508.01	Cap Saint-Vincent			ZV
YT 976.508.02	Sterenn			ZV

ZV: Freezer Vessel

PP: Processing Plant