

**Fisheries and Marine Resources (Export of Fish and Fish Products)  
Regulations (No. 2) 2006.**

**GN No. 148 of 2006**

**THE FISHERIES AND MARINE RESOURCES ACT**

**Regulations made by the Minister under section 73 of the Fisheries and Marine  
Resources Act**

1. These regulations may be cited as the **Fisheries and Marine Resources (Export of Fish and Fish Products) Regulations (No. 2) 2006.**

2. In these regulations -

"Act" means the Fisheries and Marine Resources Act;

"competent authority" means the Division of Veterinary Services (DVS) of the Ministry of Agro Industry and Fisheries;

"registered person" means a person registered under regulation 3;

"standards applicable in the importing country", in relation to a member state of the European Union, means the standards specified in the First Schedule in so far as they apply to fish and fish products.

3. (1) No person shall -

(a) export from Mauritius any fish or fish product;

(b) store fish intended for export or for processing before export,

unless he is registered as such by the competent authority.

- (2) An application for registration shall be made in writing to the competent authority in such form as may be approved and shall be accompanied by a non-refundable processing fee of 40,000 rupees.
  - (3) On receipt of an application under paragraph (2), the competent authority may require the applicant to submit such additional information or document as may be necessary to consider his application.
  - (4) An applicant shall, for the purposes of registration, comply with the criteria specified in the Second Schedule.
  - (5) Where it is satisfied that the applicant has complied with the required criteria as referred to in paragraph (4), the competent authority may register the applicant as an exporter or an establishment, as the case may be, on payment of the appropriate annual fee specified in the Third Schedule.
4.
  - (1) The competent authority may, for the purposes of determining whether a registered person complies with these regulations, carry an audit inspection of the activities of that registered person.
  - (2) Where the competent authority carries an audit inspection, the registered person whose activities are inspected shall pay to the competent authority the appropriate audit fee specified in the Fourth Schedule.
5.
  - (1) No person shall export from Mauritius any fish or fish product unless -
    - (a) he is the holder of an export health certificate;
    - (b) he complies with the standards applicable in the importing country;
    - (c) he receives the approval of the Minister and of the Permanent Secretary as required under section 27 of the Act.

- (2) Any person who wishes to export from Mauritius any fish or fish product shall make an application in writing to the competent authority in such form as may be approved.
- (3) On receipt of an application under paragraph (2), the competent authority may -
- (a) require the applicant to submit such additional information or documents as it thinks fit, including, in particular, certification of compliance by the applicant with the standards applicable in the importing country;
  - (b) where it is satisfied that the applicant has complied with the standards applicable in the importing country, issue to the applicant the appropriate export health certificate specified in the Fifth Schedule on payment of the fee specified in the Sixth Schedule.
- 6.** Any person who contravenes these regulations shall commit an offence and shall, on conviction, be liable to a fine not exceeding 50,000 rupees and to imprisonment for a term not exceeding 2 years.
- 7.** The Fisheries and Marine Resources (Export of Fish and Fish Product) Regulations 2006 are revoked.
- 8.** Every person who is required to be registered under these regulations and who at the time of the commencement of these regulations, is exporting from Mauritius any fish or fish product, shall apply for registration with the competent authority within one month of the commencement of these regulations.

Made by the Minister on 02 October 2006

## **FIRST SCHEDULE**

(regulation 2)

Commission Decision 1999/276/EC as amended by Commission Decision 2000/84

Regulation (EC) No. 178/2002 of the European Parliament and of the Council of 28 January 2002

Regulation (EC) No. 882/2004 of the European Parliament and of the Council of 29 April 2004

Regulation (EC) No. 852/2004 of the European Parliament and of the Council of 29 April 2004

Regulation (EC) No. 853/2004 of the European Parliament and of the Council of 29 April 2004

Regulation (EC) No. 854/2004 of the European Parliament and of the Council of 29 April 2004

Regulation (EC) No. 2073/2005

Regulation (EC) No. 2074/2005

Regulation (EC) No. 2076/2005

Directive 96/23/EC

Decision 2002/657/EC

EC Regulation 2406/96

Directive 98/83/EC

Directive 2000/13/EC

EC Regulation 466/2001

Directive 2001/22/EC

## SECOND SCHEDULE

(regulation 3(4))

### **Minimum criteria for registration**

#### **Building**

1. The building shall be located in such a place so as to preclude contamination from the surrounding environment.
2. The layout shall be designed in such a way to permit good food hygiene practices, including protection against contamination and in particular, pest control.
3. The building shall have adequate natural or artificial lighting.
4. Loading and unloading areas shall be covered and be protected from inclement weather conditions.

#### **General requirements**

1. Distinct rooms for each activity or process shall be available.
2. One way flow process shall be observed.

3. A proper drainage system shall be in place throughout the establishment to prevent accumulation of water
4. The reception area shall be sufficiently large to cater for the specific operations, as appropriate.
5. The building shall have an adequate supply of potable water.
6. The building shall be equipped with -
  - (a) hand washing facilities (elbow, knee or foot operated);
  - (b) cleaning and disinfecting facilities;
  - (c) ventilation systems.
7. The processing area shall have -
  - (a) adequate supply of potable water;
  - (b) adequate supply of hand washing facilities (elbow, knee or foot operated);
8. Wrapping materials & labels should be kept separately from the processing area and raw materials.
9. Raw materials and final products shall be stored separately.

### **Cold Room**

- (a) The cold room shall be equipped with a continuously temperature recording device.
- (b) (b) The floor shall be made of impermeable, corrosion resistant and easily washable material.
- (c) (c) Temperature for -

- (i) chilled products shall be between 0 and +4°C
- (ii) frozen products shall be -18°C
- (iii) Brine frozen fish intended for canning purposes shall be -9°C

**Other requirements**

- 1. 1. Sufficient locker rooms shall be available
- 2. 2. Canteen or eating place shall cater for available number of persons, and shall be maintained in a tidy manner.
- 3. An adequate number of flush lavatories shall be made available and connected to an effective drainage system.
- 4. Lavatories shall not open directly into rooms in which fish and fish products are handled

**THIRD SCHEDULE**  
(regulation 3(5))

**Annual Fee**

- |  | Rs.   |
|--|-------|
| 1. Annual registration fee for an exporter/establishment | 1,000 |

**FOURTH SCHEDULE**  
(regulation 4(2))

## **Audit Fee**

	Rs
1. Fish establishment processing/exporting less than 50 tons of fish and fish products	25,000 per inspection
2. Fish establishment processing/exporting 50 tons to 250 tons of fish and fish products.	50,000 per inspection
3. Fish establishment processing/exporting 250 to 500 tons of fish and fish products	75,000 per inspection
4. Fish establishment processing/exporting 500 tons or more of fish and fish products.	100,000 per inspection

## **FIFTH SCHEDULE**

(regulation 5(3))

### PART 1

#### **Health Certificate**

Applicable for fishery and aquaculture products originating in Mauritius and intended for export to the European Community, excluding bivalve molluscs, echinoderms, tunicates and marine gastropods in whatever form.

Reference No:.....

Country of MAURITIUS

dispatch:

Competent Division of Veterinary Services (DVS) of the Ministry of Agro-

Authority: Industry and Fisheries

**I. Details identifying the fishery products:**

- Description of fishery/aquaculture products:
- species (scientific name):
- presentation of product and type of treatment: Code number (where available):
- Type of packaging:
- No 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 DVS for export to the European Community:

**Destination of products**

The products are dispatched from: **MAURITIUS**  
(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:

**III. Health attestation**

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

were caught and handled on board vessels in accordance with the health rules laid down in Regulations 853/2004/EC and 854/2004/EC.

were landed, handled and where appropriate packaged, prepared, processed, frozen, thawed and stored hygienically in compliance with the requirements laid down in Regulations 852/2004/EC, 853/2004/EC and 854/2004/EC.

have undergone health controls in accordance with Chapter VIII of Regulation 852/2004/EC and Chapter V, section VIII of Regulation 853/2004/EC and Regulation 854/2004/EC.

are packaged, marked, stored and transported in accordance with Annex II, Chapter X of Regulation 852/2004/EC.

do not come from toxic species or species containing biotoxins;

have satisfactorily undergone the organoleptic, parasitological, chemical and microbiological checks as laid down for certain categories of fishery products in Regulation 854/2004/EC, Annex III, Chapter II and Regulation 853/2004/EC, Section VIII Chapter V.

The undersigned official inspector hereby declares that he is aware of the provisions of Regulations 882/2004/EC, 852/2004/EC, 853/2004/EC and 854/2004/EC and Council Decision \_\_\_\_\_ (to be communicated by EU Commission).

Done at Réduit, on

.....

on Signature of official Inspector(s)

**Official Stamp**

.....

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

## PART II

### Health Certificate

Applicable for fishery and aquaculture products originating/non-originating in Mauritius and intended for export to non EU countries.

Reference No:.....

Country of dispatch: MAURITIUS

Competent Authority: Division of Veterinary Services (DVS) of the Ministry of Agro-Industry and Fisheries

#### I. Details identifying the fishery products:

- Description of fishery/aquaculture products:
- species (scientific name):
- presentation of product and type of treatment: Code number (where available):
- Type of packaging:
- No 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 DVS for export:

#### Destination of products

The products are dispatched from: **MAURITIUS**  
(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:

### **III. Health Attestation**

I hereby certify that:

1. the above fishery products originate from an establishment approved by the competent authority/ approved to export by the Government, as appropriate.
2. the products were packed, stored and transported under sanitary condition, which were under the supervision of the competent authority.
3. the products were inspected and quarantined by the competent authority and results of microbiological analysis performed on representative sample of fish were satisfactory.
4. Samples of fish were also tested for levels of mercury, histamine, cadmium and TVB-N (results attached)
5. the products meet veterinary sanitary requirements and were found to be wholesome.

**NB:** Health Certificates are issued, as per conditions imposed by importing countries, and if agreeable to the Competent Authority.

Done at Réduit, on

.....  
Signature of official Inspector(s)

**Official Stamp**

.....  
(name in capital letters, capacity  
and qualification of person signing)

**SIXTH SCHEDULE**  
(regulation 5(3))

**Fee**

**Rs 500 per certificate.**