

## COMMISSION DECISION

of 19 February 2003

**amending for the third time Decision 2002/308/EC establishing the lists of approved zones and approved farms with regard to one or more of the fish diseases viral haemorrhagic septicaemia (VHS) and infectious haematopoietic necrosis (IHN)**

(notified under document number C(2003) 558)

(Text with EEA relevance)

(2003/114/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/67/EEC of 28 January 1991 concerning the animal health conditions governing the placing on the market of aquaculture animals and products <sup>(1)</sup>, as last amended by Directive 98/45/EC <sup>(2)</sup>, and in particular Article 6 thereof,

Whereas:

- (1) In order to obtain, for one or more of the fish diseases viral haemorrhagic septicaemia (VHS) and infectious haematopoietic necrosis (IHN), the status of approved fish farm situated in a non-approved zone, Member States shall submit the appropriate justifications and the national rules ensuring compliance with the conditions laid down in Directive 91/67/EEC.
- (2) Commission Decision 2002/308/EC <sup>(3)</sup>, as last amended by Decision 2002/1005/EC <sup>(4)</sup>, establishes the lists of approved zones and approved fish farms situated in non-approved zones with regard to certain fish diseases.
- (3) Germany has submitted justifications for the status of approved farm in a non-approved zone for a farm in Bavaria with regard to VHS and IHN, as well as the national rules ensuring compliance with the requirements for that status.
- (4) The justification has been scrutinised by the Commission with the assistance of experts in the Member States.
- (5) The documentation provided by Germany for the farm concerned shows that it meets the requirements of Article 6 of Directive 91/67/EEC. The farm therefore

qualifies for the status of approved farm in a non-approved zone and should be added to the list of approved farms set out in Annex II to Decision 2002/308/EC.

- (6) Decision 2002/308/EC should therefore be amended accordingly.
- (7) 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

In Annex II to Decision 2002/308/EC, the following approved fish farm is added in Section 3.5:

|     |                                                   |                                                                    |
|-----|---------------------------------------------------|--------------------------------------------------------------------|
| '6. | Fischzucht Graf Anlage<br>D-87743 Egg an der Günz | Fischzucht Graf GbR<br>Engishausen 64<br>D-87743 Egg and der Günz' |
|-----|---------------------------------------------------|--------------------------------------------------------------------|

## Article 2

This Decision is addressed to the Member States.

Done at Brussels, 19 February 2003.

*For the Commission*

David BYRNE

*Member of the Commission*

<sup>(1)</sup> OJ L 46, 19.2.1991, p. 1.

<sup>(2)</sup> OJ L 189, 3.7.1998, p. 12.

<sup>(3)</sup> OJ L 106, 23.4.2002, p. 28.

<sup>(4)</sup> OJ L 349, 24.12.2002, p. 109.