II

*(Acts whose publication is not obligatory)*

# COMMISSION

## COMMISSION DECISION

**of 25 July 1997**

**amending Decision 97/334/EC concerning certain protective measures with regard to certain fishery products originating in India**

**(Text with EEA relevance)**

(97/590/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 90/675/EEC of 10 December 1990 laying down the principles governing the organization of veterinary checks on products entering the Community from third countries (1), as last amended by Directive 96/43/EC (2), and in particular Article 19 thereof,

Whereas the Commission, in adopting Decision 97/334/EC (3) has established measures in order to ensure that possibly hazardous fishery products from India can not enter the Community;

Whereas these measures include a requirement that frozen shrimps and cephalopods from India presented for importation into the Community must be systematically submitted to a microbiological examination;

Whereas such a test should be intended to detect in particular the presence of *Salmonellae* and *Vibrio cholerae* and *parahaemolyticus;*

Whereas the review of this Decision must depend on the results of a Community inspection on the spot and the results of the tests carried out by Member States when importing products from India;

Whereas the measures provided for in this Decision are in conformity with the opinion of the Standing Veterinary Committee,

HAS ADOPTED THIS DECISION:

*Article 1*

Decision 97/334/EEC is hereby amended as follows:

1. Article 3 is replaced by the following text:

   *'Article 3*

   Member States shall, using appropriate sampling plans and detection methods, subject each consignment of frozen or cooked frozen crustaceans and cephalopods originating in India to a microbiological test in order to ensure that the products concerned do not present a hazard to human health. This test must be carried out with a view to detect in particular the presence of *Salmonellae* and *Vibrio cholerae* and *parahaemolyticus.'*

2. Article 4 is replaced by the following text:

   *'Article 4*

   Member States shall not authorize the importation into their territory or the consignment to another Member State of the products referred to in Article 3 unless the results of the checks as required are favourable.'

(1) OJ No L 373, 31. 12. 1990, p. 1.
(2) OJ No L 162, 1. 7. 1996, p. 1.
(3) OJ No L 139, 30. 5. 1997, p. 44.

3. Article 6 is replaced by the following text:

*'Article 6*

This Decision will be reviewed before 30 November 1997 on the basis of information received from Member States concerning the results of the tests referred to in Article 3 and on the basis of the results of a Community inspection on the spot.'

4. A new Article 7 is added with the following text:

*'Article 7*

This Decision is addressed to the Member States.'

*Article 2*

This Decision is addressed to the Member States.

Done at Brussels, 25 July 1997.

*For the Commission*

Franz FISCHLER

*Member of the Commission*