# COMMISSION DECISION

**of 21 December 1998**

**repealing Decision 96/276/EC on certain protective measures in respect of bivalve molluscs from Tunisia**

*(notified under document number C(1998) 4340)*

**(Text with EEA relevance)**

(1999/40/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 organisation of veterinary checks on products entering the Community from third countries [1], as last amended by the Directive 96/43/EC [2], and in particular Article 19 thereof,

Whereas, following the detection of diarrhoeic toxin in bivalve molluscs imported into the Community from Tunisia, the Commission adopted Decision 96/276/EC on certain protective measures in respect of bivalve molluscs from Tunisia [3];

Whereas a team of Commission experts visited Tunisia to assess the protective measures implemented by the Tunisian authorities;

Whereas the protective measures and the health guarantees provided by the Tunisian authorities are sufficient to permit the resumption of imports of bivalve molluscs from Tunisia;

Whereas Commission Decision 98/569/EC [4] lays down special conditions governing imports of live bivalve molluscs, echinoderms, tunicates and marine gastropods originating in Tunisia;

Whereas, therefore, Decision 96/276/EC should be repealed;

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

HAS ADOPTED THIS DECISION:

*Article 1*

Decision 96/276/EC is repealed.

*Article 2*

Member States shall amend the measures they apply to imports to make them conform with this Decision. They shall inform the Commission of the steps taken.

*Article 3*

This Decision is addressed to the Member States.

Done at Brussels, 21 December 1998.

*For the Commission*
Franz FISCHLER
*Member of the Commission*

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[1] OJ L 373, 31. 12. 1990, p. 1.
[2] OJ L 162, 1. 7. 1996, p. 1.
[3] OJ L 103, 26. 4. 1996, p. 56.
[4] OJ L 277, 14. 10. 1998, p. 31.