COMMISSION

COMMISSION DECISION

of 31 May 1999

amending Commission Decision 95/454/EC laying down special conditions governing imports of fishery products originating in the Republic of Korea

(notified under document number C(1999) 1403)

(Text with EEA relevance)

(1999/401/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 [1], as last amended by the Council Directive 97/79/EC [2], and in particular Article 11 thereof,

(1) Whereas the Article 1 of the Commission Decision 95/454/EC of 23 October 1995 laying down special conditions governing imports of fishery and aquaculture products originating in the Republic of Korea [3], which states that the Ministry of Agriculture, Forestry and Fisheries — National Fishery Products Inspection Station (NFPIS) shall be the competent authority in the Republic of Korea for verifying and certifying compliance of fishery and aquaculture products with the requirements of the Directive 91/493/EEC;

(2) Whereas, following a restructuring of the Korean government, the competent authority for health certificates for fishery products (NFPIS) has changed from the Ministry of Agriculture and Forestry to the Ministry of Maritime Affairs and Fisheries and this new authority is capable of effectively verifying the application of the laws in force; whereas it is, therefore, necessary to modify the nomination of the competent authority named by the Commission in Decision 95/454/EC;

(3) Whereas it is convenient to harmonised the wording of the Commission Decision 95/454/EC with the wording of the more recent adopted Commission decisions laying down special conditions governing imports of fishery and aquaculture products originating in certain third countries;

(4) 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 95/454/EC shall be modified as follows:

1. Article 1 shall be replaced by the following:

'*Article 1*

The "Ministry of Maritime Affairs and Fisheries — National Fishery Products Inspection Station (NFPIS)" shall be the competent authority in the Republic of Korea for verifying and certifying compliance of fishery and aquaculture products with the requirements of Directive 91/493/EEC.'

[1] OJ L 268, 24.9.1991, p. 15.
[2] OJ L 24, 30.1.1998, p. 31.
[3] OJ L 264, 7.11.1995, p. 37.

2. Article 2 shall be replaced by the following:

'*Article 2*

Fishery and aquaculture products originating in the Republic of Korea must meet the following conditions:

1. each consignment must be accompanied by a numbered original health certificate, duly completed, signed, dated and comprising a single sheet in accordance with the model in Annex A hereto;
2. the products must come from approved establishments, factory vessels, cold stores or registered freezer vessels listed in Annex B hereto;
3. except in the case of frozen fishery products in bulk and intended for the manufacture of preserved foods, all packages must bear the word "REPUBLIC OF KOREA" and the approval/registration number of the establishment, factory vessel, cold store or freezer vessel of origin in indelible letters.'

3. The Annex A shall be replaced by the Annex hereto.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 31 May 1999.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

'ANNEX A

HEALTH CERTIFICATE

for fishery and aquaculture products originating in the Republic of Korea and intended for export to the European Community

Reference No: .....

Country of dispatch: REPUBLIC OF KOREA

Competent authority: Ministry of Maritime Affairs and Fisheries – National Fishery Products Inspection Station (NFPIS)

I. **Details identifying the fishery products**

— Description of fishery/aquaculture products [1]:

— species (scientific name): .....

— presentation of product and type of treatment [2]: .....

— 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 number(s) of establishment(s), factory vessel(s) or cold store(s) approved or freezer vessel(s) registered by the NFPIS for export to the European Community:

.....

.....

.....

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: .....

.....

.....

[1] Delete where applicable.
[2] Live, refrigerated, frozen, salted, smoked, preserved, etc.

IV. Health attestation

— The official inspector hereby certifies that the fishery or aquaculture 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, prepared, processed, frozen, thawed 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;
7. in addition, where the fishery products are frozen or processed bivalve molluscs: the molluscs were obtained from approved production areas laid down by the Annex to Decision 95/453/EC of 23 October 1995 laying down special conditions for the import of live bivalve molluscs, echinoderms tunicates, and marine gastropids originating in the Republic of Korea.

— The undersigned official inspector hereby declares that he is aware of the provisions of Directive 91/493/EEC, Directive 92/48/EEC and Decision 95/454/EC.

Done at ....., on .....
(Place) (Date)

Official stamp (1)

.....
Signature of official inspector (1)

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

(1) The colour of the stamp and signature must be different from that of the other particulars in the certificate.'