COMMISSION

COMMISSION DECISION

of 23 December 2003

amending Decision 97/296/EC drawing up the list of third countries from which the import of fishery products is authorised for human consumption, with respect to Guyana, Kenya, Serbia and Montenegro and Egypt

(notified under document number C(2003) 5007)

(Text with EEA relevance)

(2004/36/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Decision 95/408/EC of 22 June 1995 on the conditions for drawing up, for an interim period, provisional lists of third country establishments from which Member States are authorised to import certain products of animal origin, fishery products or live bivalve molluscs [1], and in particular Article 2(2) and (3) thereof,

Whereas:

(1) Commission Decision 97/296/EC of 22 April 1997 drawing up the list of third countries from which the import of fishery products is authorised for human consumption [2] lists the countries and territories from which imports of fishery products for human consumption is authorised. Part I of the Annex to that Decision lists the countries and territories covered by a specific Decision under 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 [3], and part II of that Annex lists the countries and territories meeting the conditions set out in Article 2(2) of Decision 95/408/EC.

(2) Commission Decisions 2004/40/EC [4], 2004/39/EC [5], 2004/37/EC [6] and 2004/38/EC [7] set specific import conditions for fishery products originating in Guyana, Kenya, Serbia and Montenegro and Egypt, respectively. These countries should therefore be added to the list in part I of the Annex to Decision 97/296/EC.

(3) Decision 97/296/EC should therefore be amended accordingly.

(4) This Decision should take effect on the same day as Decisions 2004/40/EC and 2004/38/EC as regards the import of fishery products from Guyana and Egypt.

(5) As regards the import of fishery products from Kenya and Serbia and Montenegro this Decision should take effect on the same day as Decisions 2004/39/EC and 2004/37/EC.

(6) 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

The Annex to Decision 97/296/EC is replaced by the Annex to this Decision.

[1] OJ L 243, 11.10.1995, p. 17; Decision as last amended by Regulation (EC) No 806/2003 (OJ L 122, 16.5.2003, p. 1).
[2] OJ L 122, 14.5.1997, p. 21, Decision as last amended by Decision 2003/764/EC (OJ L 273, 24.10.2003, p. 43).
[3] OJ L 268, 24.9.1991, p. 15; Directive as last amended by Regulation (EC) No 806/2003.

[4] See page 27 of this Official Journal.
[5] See page 22 of this Official Journal.
[6] See page 12 of this Official Journal.
[7] See page 17 of this Official Journal.

Article 2

This Decision shall apply from 28 February 2004, as regards the imports of fishery products from Kenya and Serbia and Montenegro.

This Decision shall apply from 17 January 2004, as regards the import of fishery products from Guyana and Egypt.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 23 December 2003.

For the Commission

David BYRNE

Member of the Commission

ANNEX

LIST OF COUNTRIES AND TERRITORIES FROM WHICH IMPORTATION OF FISHERY PRODUCTS IN ANY FORM INTENDED FOR HUMAN CONSUMPTION IS AUTHORISED

I. **Countries and territories covered by a specific Decision under Directive 91/493/EEC**

AE — UNITED ARAB EMIRATES
AL — ALBANIA
AN — NETHERLANDS ANTILLES
AR — ARGENTINA
AU — AUSTRALIA
BD — BANGLADESH
BG — BULGARIA
BR — BRAZIL
BZ — BELIZE
CA — CANADA
CH — SWITZERLAND
CI — CÔTE D'IVOIRE
CL — CHILE
CN — CHINA
CO — COLOMBIA
CR — COSTA RICA
CS — SERBIA and MONTENEGRO [1]
CU — CUBA
CV — CAPE VERDE
CZ — CZECH REPUBLIC
EC — ECUADOR
EE — ESTONIA
EG — EGYPT
FK — FALKLAND ISLANDS
GA — GABON
GH — GHANA
GL — GREENLAND
GM — GAMBIA
GN — GUINEA
GT — GUATEMALA
GY — GUYANA
HN — HONDURAS
HR — CROATIA
ID — INDONESIA
IN — INDIA
IR — IRAN
JM — JAMAICA
JP — JAPAN
KE — KENYA
KR — SOUTH KOREA
KZ — KAZAKHSTAN
LK — SRI LANKA
LT — LITHUANIA
LV — LATVIA
MA — MOROCCO
MG — MADAGASCAR
MR — MAURITANIA
MU — MAURITIUS
MV — MALDIVES
MX — MEXICO
MY — MALAYSIA
MZ — MOZAMBIQUE
NA — NAMIBIA
NC — NEW CALEDONIA
NG — NIGERIA
NI — NICARAGUA
NZ — NEW ZEALAND
OM — OMAN
PA — PANAMA
PE — PERU
PG — PAPUA NEW GUINEA
PH — PHILIPPINES
PF — FRENCH POLYNESIA
PM — ST PIERRE AND MIQUELON
PK — PAKISTAN
PL — POLAND
RU — RUSSIA
SC — SEYCHELLES
SG — SINGAPORE
SI — SLOVENIA
SK — SLOVAKIA
SN — SENEGAL
SR — SURINAME
TH — THAILAND
TN — TUNISIA
TR — TURKEY
TW — TAIWAN
TZ — TANZANIA
UG — UGANDA
UY — URUGUAY
VE — VENEZUELA
VN — VIETNAM
YE — YEMEN
YT — MAYOTTE
ZA — SOUTH AFRICA

[1] Not including Kosovo as defined by the United Nations Security Council Resolution 1244 of 10 June 1999.

II. **Countries and territories meeting the terms of Article 2(2) of Decision 95/408/EC**

AM — ARMENIA (2)
AO — ANGOLA
AG — ANTIGUA AND BARBUDA (3)
AZ — AZERBAIJAN (4)
BJ — BENIN
BS — BAHAMAS
BY — BELARUS
CG — REPUBLIC OF CONGO (5)
CM — CAMEROON
CY — CYPRUS
DZ — ALGERIA
ER — ERITREA
FJ — FIJI
GD — GRENADA
HK — HONG KONG
HU — HUNGARY (6)
IL — ISRAEL
MM — MYANMAR
MT — MALTA
RO — ROMANIA
SB — SOLOMON ISLANDS
SH — ST HELENA
SV — EL SALVADOR
TG — TOGO
US — UNITED STATES OF AMERICA
ZW — ZIMBABWE.

(2) Authorised only for imports of live crayfish (*Astacus leptodactylus*) intended for direct human consumption.
(3) Authorised only for imports of fresh fish.
(4) Authorised only for imports of caviar.
(5) Authorised only for imports of fishery products caught, frozen and packed in their final packaging at sea.
(6) Authorised only for import of live animals intended for direct human consumption.