

COMMISSION DECISION

of 11 October 1996

laying down special conditions governing the import of fishery and aquaculture products originating in Malaysia

(Text with EEA relevance)

(96/608/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 Directive 95/71/EC⁽²⁾ are respected, and in particular Article 11 thereof,

Whereas a group of Commission experts has conducted an inspection visit to Malaysia to verify the conditions under which fishery products are produced, stored and dispatched to the Community;

Whereas the provisions of Malaysia legislation on health inspection and monitoring of fishery products may be considered equivalent to those laid down in Directive 91/493/EEC;

Whereas the 'Ministry of Health-Food Quality Control Division' in Malaysia, is capable of effectively verifying the application of the laws in force;

Whereas the procedure for obtaining the health certificate referred to in Article 11 (4) (a) of Directive 91/493/EEC must also cover the definition of a model certificate, the minimum requirements regarding the language(s) in which it must be drafted and the grade of person empowered to sign it;

Whereas, pursuant to Article 11 (4) (b) of Directive 91/493/EEC, a mark should be affixed to packages of fishery products, giving the name of the third country and the approval number of the establishment of origin;

Whereas, pursuant to Article 11 (4) (c) of Directive 91/493/EEC, a list of approved establishments must be drawn up; whereas that list must be drawn up on the basis of a communication from the Ministry of Health to the Commission; whereas it is therefore for the Ministry of Health to ensure compliance with the provisions laid down to that end in Article 11 (4) of Directive 91/493/EEC;

Whereas the Ministry of Health has provided official assurances regarding compliance with the rules set out in Chapter V of the Annex to Directive 91/493/EEC and regarding fulfilment of requirements equivalent to those

laid down by that Directive for the approval of establishments;

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

The 'Ministry of Health-Food Quality Control Division' is recognized as the competent authority in Malaysia for verifying and certifying compliance of fishery products with the requirements of Directive 91/493/EEC.

Article 2

Fishery and aquaculture products originating in Malaysia 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 set out in Annex A hereto;
2. the products must come from approved establishments 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 'Malaysia' and the approval number of the establishment of origin in indelible letters.

Article 3

1. The certificate referred to in point 1 of Article 2 must be drawn up in at least one official language of the Member State where the checks are carried out.
2. The certificate must bear the name, capacity and signature of the representative of the 'Ministry of Health-Food Quality Control Division' and the latter's official stamp in a colour different from that of the other indications on the certificate.

Article 4

This Decision shall apply from 1 November 1996.

⁽¹⁾ OJ No L 268, 24. 9. 1991, p. 15.

⁽²⁾ OJ No L 332, 30. 12. 1995, p. 40.

Article 5

This Decision is addressed to the Member States.

Done at Brussels, 11 October 1996.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX A

HEALTH CERTIFICATE

for fishery or aquaculture products originating in Malaysia and intended for export to the European Community with the exception of bivalve molluscs, echinoderms, tunicates and marine gastropods in any form

Reference No:

Country of dispatch: MALAYSIA

Competent authority: 'MINISTRY OF HEALTH — FOOD QUALITY CONTROL DIVISION'

I. Details identifying the products

Description of fishery or aquaculture product (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) approved by the Ministry of Health for exports to the European Community:

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III. Destination of products

The fishery or aquaculture products (1) 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 inapplicable.

(2) Live, refrigerated, frozen, salted, smoked, preserved, etc.

ANNEX B

LIST OF ESTABLISHMENTS

Approval No	Establishment	Address
2	HAI LENG ENTERPRISE SDN. BHD.	SANDAKAN, SABAH
3	NORTH BORNEO FISHING SDN. BHD.	SANDAKAN, SABAH
4	TUNG HAI FISHING SDN. BHD.	SANDAKAN, SABAH
5	BUTTERWORTH ICE WORKS SDN. BHD./ GOLDEN FRESH SDN. BHD.	PULAU PINANG
7	OCEAN PAC SDN. BHD.	TANJONG PIANDANG, PERAK
8	BARKATH MARINE PRODUCTS SDN. BHD./ SEA STAR FROZEN FOODS (1987) SDN. BHD.	PULAU PINANG
9	SEAPACK FOOD SDN. BHD.	PULAU PINANG
10	TROPICAL CANNING CORPORATION SDN. BHD.	BUKIT MERTA JAM
11	JEENHUAT FOODSTUFFS INDUSTRIES SDN. BHD.	PULAU PINANG
12	SEA MASTER TRADING CO. SDN. BHD.	BUTTERWORTH, PENANG
13	N. T. HUAT KEE FISHERIES SDN. BHD.	PULAU PINANG
15	REX CANNING Co. SDN. BHD.	PULAU PINANG
16	SIN WAN FATT MARINE PRODUCTS SDN. BHD./ COASTAL ISLAND MARINE PRODUCTS SDN. BHD.	KUALA KURAU, PERAK
17	EASTERN GLOBAL (M) SDN. BHD.	PARIT BUNTAR, PERAK
18	PANDA FOODS (M) SDN. BHD.	PARIT BUNTAR, PERAK
19	GOLDEN FRONTIER FOOD INDUSTRY SDN. BHD.	BAGAN SERAI, PERAK
21	KIN EASTERN FROZEN FOOD SDN. BHD.	SARIKEI, SARAWAK
22	STRAITS SEA FOOD TRADING COMPANY	SARIKEI, SARAWAK
23	MULTI-OCEAN SEAFOOD SDN. BHD.	SARIKEI, SARAWAK
24	KUOK SUI SEA PRODUCTS SDN. BHD.	SIBU, SARAWAK
25	SEA HORSE FROZEN FOOD (M) SDN. BHD.	TAIPING, PERAK
26	PRO-VEST SDN. BHD.	BAGAN SERAI, PERAK
27	MAFIPRO SDN. BHD.	TAIPING, PERAK
28	SYARIKAT HENG LEE FISHING (S) SDN. BHD.	SANDAKAN, SABAH
29	SABAH FISH MARKETING SDN. BHD.	TAWAU, SABAH
30	HONG SAN FROZEN FOODS SDN. BHD.	BUTTERWORTH, PENANG
31	SEA HORSE CORPORATION SDN. BHD.	KUCHING, SARAWAK
32	SEA GULL FROZEN FOODSTUFFS SDN. BHD.	BUTTERWORTH, PENANG
33	UNISTATE SEAFOOD (SABATH) SDN. BHD.	TAWAU, SABAH
34	SIBU HAI SAN SDN. BHD.	SIBU, SARAWAK
35	SABAH SEA PRODUCE SDN. BHD.	SANDAKAN, SABAH
36	OCEAN GARDEN SEA FOOD PRODUCTS SDN. BHD.	PEDONG, SELANGOR
37	TING SENG BROTHERS TRADING	PANTAI REMIS, PERAK