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COMMISSION DECISION

of 16 November 1999

laying down special conditions governing imports of fishery products originating in the Socialist Republic of Vietnam

(notified under document number C(1999) 3758)

(Text with EEA relevance)

(1999/813/EC)

(OJ L 315, 9.12.1999, p. 39)

Amended by:

	Official Journal		
	No	page	date
► <u>M1</u> Commission Decision 2000/331/EC of 25 April 2000	L 114	39	13.5.2000
► <u>M2</u> Commission Decision 2004/267/EC of 17 March 2004	L 83	26	20.3.2004



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laying down special conditions governing imports of fishery products originating in the Socialist Republic of Vietnam

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(Text with EEA relevance)

(1999/813/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,

Whereas:

- (1) A Commission expert has conducted an inspection visit to the Socialist Republic of Vietnam to verify the conditions under which fishery products are produced, stored and dispatched to the Community;
- (2) The provisions of legislation of the Socialist Republic of Vietnam on health inspection and monitoring of fishery products may be considered equivalent to those laid down in Directive 91/493/EEC;
- (3) In the Socialist Republic of Vietnam the 'National Fisheries Inspection and Quality Assurance Center (Nafiqacen) of the Ministry of Fisheries' is capable of effectively verifying the application of the laws in force;
- (4) 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 the person empowered to sign it;
- (5) 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/registration number of the establishment, factory vessel, cold store or freezer vessel of origin;
- (6) Pursuant to Article 11(4)(c) of Directive 91/493/EEC, a list of approved/registration establishments, factory vessels, or cold stores must be drawn up; a list of freezer vessels registered in the sense of Directive 92/48/EEC ⁽³⁾ must be drawn up; these list must be drawn up on the basis of a communication from the Nafiqacen to the Commission; it is therefore for the Nafiqacen to ensure compliance with the provisions laid down to that end in Article 11(4) of Directive 91/493/EEC;
- (7) The Nafiqacen has provided official assurances regarding compliance with the rules set out in Chapter V of the Annex to Directive 91/493/EEC and regarding the fulfilment of requirements equivalent to those laid down by that Directive for the approval or registration of establishments, factory vessels, cold stores or freezer vessels of origin;
- (8) The measures provided for in this Decision are in accordance with the opinion of the Standing Veterinary Committee,

⁽¹⁾ OJ L 268, 24.9.1991, p. 15.

⁽²⁾ OJ L 24, 30.1.1998, p. 31.

⁽³⁾ OJ L 187, 7.7.1992, p. 41.

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HAS ADOPTED THIS DECISION:

▼M2*Article 1*

The 'National Fisheries Quality Assurance and Veterinary Directorate (NAFIQAVED)' shall be the competent authority in Vietnam for verifying and certifying compliance of fishery and aquaculture products with the requirements of Directive 91/493/EEC.

▼B*Article 2*

Fishery and aquaculture products originating in the Socialist Republic of Vietnam 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 'Vietnam' and the approval/registration number of the establishment, factory vessel, cold store or freezer vessel of origin in indelible letters.

Article 3

1. Certificates as referred to in Article 2(1) must be drawn up in at least one official language of the Member State where the checks are carried out.

▼M2

2. Certificates must bear the name, capacity and signature of the representative of the NAFIQAVED and the latter's official stamp in a colour different from that of other endorsements.

▼B*Article 4*

This Decision is addressed to the Member States.

▼ **M2***ANNEX A***HEALTH CERTIFICATE****for fishery products from the Socialist Republic of Vietnam and intended for export to the European Community**

Reference No:

Country of dispatch: VIETNAM

Competent authority: National Fisheries Quality Assurance and Veterinary Directorate (NAFIQAVED)

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 NAFIQAVED for export to the EC:

.....

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:

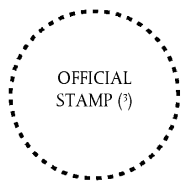
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⁽¹⁾ Delete where applicable.⁽²⁾ Live, refrigerated, frozen, salted, smoked, preserved, etc.

▼ M2IV. *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 Commission Decision 2000/333/EC laying down special conditions for the import of bivalve molluscs, echinoderms, tunicates and marine gastropods originating in the Socialist Republic of Vietnam and which have been sterilised or heat-treated according to the requirements of Commission Decision 2003/774/EC.
- The undersigned official inspector hereby declares that he is aware of the provisions of Directives 91/492/EEC, 91/493/EEC and 92/48/EEC and Decisions 1999/813/EC, 2000/333/EC and 2003/774/EC.

Done at , on
 (Place) (Date)



.....
 Signature of official inspector (?)
 (Name in capital letters, capacity and qualifications of person signing)

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



ANNEX B

I. LIST OF APPROVED ESTABLISHMENTS

No	Name	Address
003 DL 02	Special aquatic products import and export company (Seaspimex) — Factory No 2	Tan Binh district, Ho Chi Minh city
008 DL 07	An Giang fishery import-export company, workshop No 1 — Agifish	Long Xuyen town, An Giang province
012 DL 12	Song Huong import export seafoods company — Sosea-food	Hue city, Thua Thien Hue province
017 DL 21	Seaprodux Tien Giang	My Tho city, Tien Giang province
024 DL 32	Thuan Phuoc seafoods and trading corporation — Thuan Phuoc Corporation	Hai Chau district, Da Nang city
038 DL 103	Cau Tre Enterprise — CTE Workshop No 3	Tan Binh district, Ho Chi Minh city
060 DL 110	Kiengiang seaproducts import and export company (Kisimex) — Kien Giang export fish processing enterprise	Rach Gia town, Kien Giang province
053 DL 121	Ngoc HaCompany Ltd foodprocessing and Trading	Thu Duc district, Ho Chi Minh city
067 DL 130	Minh Hai Jostoco	Ca Mau town, Ca Mau province
070 DL 132	Soc Trang foodstuff and general import export company — Fimex VN	Soc Trang town, Soc Trang province
063 DL 129	Sagimexco	Sa Dec town, Dong Thap province
077 DL 138	Hung Thanh Phu Quoc fish sauce manufacture enterprise	Phu Quoc district, Kien Giang province
078 DL 139	Thanh Ha Co. Ltd	Phu Quoc district, Kien Giang province
073 DL 134	Can Tho — agricultural and animal products imex company Cataco	Can Tho city, Can Tho province
058 DL 127	Song Tien No 2ST2	Chau Than district, Tien Giang province
080 DL 141	Phu Than frozen factory	Chau Thanh district, Can Tho province
050 DL 118	Minh Hai Sea products. Import and export Corporation new sea products processing factory	Ca Mau Town, Ca Mau province
057 DL 125	Hai Nam Co. Ltd	Phan Thiet town, Binhthuan province