

# COMMISSION

## COMMISSION DECISION of 22 December 2000

### laying down special conditions governing imports of fishery products originating in Jamaica

(notified under document number C(2000) 4077)

(Text with EEA relevance)

(2001/36/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 <sup>(1)</sup>, as last amended by Directive 97/79/EC <sup>(2)</sup>, and in particular Article 11 thereof,

Whereas:

- (1) A Commission expert has conducted an inspection visit to Jamaica to verify the conditions under which fishery products are produced, stored and dispatched to the Community.
- (2) The provisions of legislation of Jamaica on health inspection and monitoring of fishery products may be considered equivalent to those laid down in Directive 91/493/EEC.
- (3) In Jamaica the Veterinary Services Division (VSD) of the Ministry of Agriculture 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, coldstore or freezer vessel of origin.

- (6) Pursuant to Article 11(4)(c) of Directive 91/493/EEC a list of approved establishments, factory vessels, or coldstores must be drawn up, and a list of freezer vessels equipped in accordance with the points 1 to 7 of Annex II to Directive 92/48/EEC <sup>(3)</sup> must also be drawn up. These lists must be drawn up on the basis of a communication from the VSD to the Commission. It is therefore for the VSD to ensure compliance with the provisions laid down to that end in Article 11(4) of Directive 91/493/EEC.
- (7) Following the guarantees provided by the VSD as regards the frozen marine gastropods which Jamaica wishes to export to the Community, the Commission has adopted Decision 2001/37/EC of 22 December 2000 laying down special conditions for the import of marine gastropods originating in Jamaica <sup>(4)</sup>.
- (8) Pursuant to Article 3(4)(b) of Directive 91/493/EEC in addition to the requirements of Directive 91/492/EEC frozen marine gastropods shall satisfy those of Directive 91/493/EEC. For this purpose, the production areas from which the marine gastropods may be harvested and exported to the Community have been laid down by Decision 2001/37/EC, and the list of establishments from which the imports should be authorised and the model of health certificate which should accompany the imports of frozen marine gastropods should be laid down.
- (9) The VSD 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.
- (10) The measures provided for in this Decision are in accordance with the opinion of the Standing Veterinary Committee,

<sup>(1)</sup> OJ L 268, 24.9.1991, p. 15.

<sup>(2)</sup> OJ L 24, 30.1.1998, p. 31.

<sup>(3)</sup> OJ L 187, 7.7.1992, p. 41.

<sup>(4)</sup> See page 64 of this Official Journal.

HAS ADOPTED THIS DECISION:

*Article 1*

The Veterinary Services Division (VSD) of the Ministry of Agriculture shall be the competent authority in Jamaica for verifying and certifying compliance of fishery and aquaculture products with the requirements of Directive 91/493/EEC.

*Article 2*

Fishery and aquaculture products originating in Jamaica 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 'JAMAICA' 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.
2. Certificates must bear the name, capacity and signature of the representative of the VSD and the latter's official stamp in a colour different from that of other endorsements.

*Article 4*

This Decision shall come into effect 60 days after its publication in the *Official Journal of the European Communities*.

*Article 5*

This Decision is addressed to the Member States.

Done at Brussels, 22 December 2000.

*For the Commission*

David BYRNE

*Member of the Commission*

ANNEX A

HEALTH CERTIFICATE

for fishery and aquaculture products originating in JAMAICA and intended for export to the European Community, including frozen marine gastropods but excluding bivalve molluscs, echinoderms and tunicates in whatever form

Reference No: .....

Country of dispatch: JAMAICA

Competent authority: Veterinary Services Division (VSD) of the Ministry of Agriculture

I. Details identifying the fishery products

- Description of fishery/aquaculture products <sup>(1)</sup>: .....
- Species (scientific name): .....
- Presentation of product and type of treatment <sup>(2)</sup>: .....
- 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/registration number(s) of establishment(s), factory vessel(s), or cold store(s) approved or freezer vessel(s) registered by the VSD 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: .....

.....

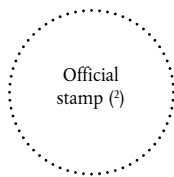
<sup>(1)</sup> Delete where applicable.  
<sup>(2)</sup> Live, refrigerated, frozen, salted, smoked, preserved.

**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 marine gastropods they were obtained from the approved production areas laid down in the Annex to the Commission Decision 2001/37/EC of 22 December 2000 laying down special conditions for the import of marine gastropods originating in Jamaica <sup>(1)</sup>.
- The undersigned official inspector hereby declares that he is aware of the provisions of Directives 91/492/EEC, 91/493/EEC, 92/48/EEC and Decisions 2001/36/EC and 2001/37/EC.

Done at ..... , on .....

(Place) (Date)



.....  
 .....  
 Signature of official inspector (2)  
 (Name in capital letters, capacity and qualifications of person signing)

<sup>(1)</sup> See page 64 of this Official Journal.

<sup>(2)</sup> The colour of the stamp and signature must be different from that of the other particulars in the certificate.

## ANNEX B

## LIST OF ESTABLISHMENTS AND VESSELS

Approval No	Name	City Region	Category
VSDJ/DYC-007	DYC Fishing Ltd	Kingston	PP
VSDJ/JAL-003	Jamaica Aquaculture Ltd	Barton Isles, St. Elizabeth	PP
VSDJ/TRE-009	Tonrick Enterprise Ltd	Yallahs, St. Thomas	PP
VSDJ/LK-040	Lady Kim (Stanley Mohammed)	Lionel Town Clarendon	ZV

PP: Processing plant.

ZV: Freezer vessel.