

## COMMISSION DECISION

of 17 March 2004

**amending Decision 1999/813/EC laying down special conditions governing imports of fishery products originating in the Socialist Republic of Vietnam, as regards the designation of the competent authority and the model of health certificate***(notified under document number C(2004) 825)***(Text with EEA relevance)**

(2004/267/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>, and in particular Article 11(1) thereof,

Whereas:

- (1) In Commission Decision 1999/813/EC <sup>(2)</sup>, the 'National Fisheries Inspection and Quality Assurance Center (NAFIQACEN) of the Ministry of Fisheries' is identified as the competent authority in Vietnam for verifying and certifying compliance of fishery and aquaculture products with the requirements of Directive 91/493/EEC.
- (2) Following a restructuring of the Vietnamese administration, the competent authority has changed to the 'National Fisheries Quality Assurance and Veterinary Directorate (NAFIQAVED)'. This new authority is capable of effectively verifying the application of the rules in force.
- (3) The NAFIQAVED has provided official assurances on compliance with the standards for health controls and monitoring of fishery and aquaculture products as set out in Directive 91/493/EEC and on the fulfilment of hygienic requirements equivalent to those laid down in that Directive.
- (4) Decision 1999/813/EC should therefore be amended accordingly.
- (5) 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*

Decision 1999/813/EC is amended as follows:

1. Article 1 is replaced by the following:

*'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.'

2. In Article 3, paragraph 2 is replaced by the following:

'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.'

3. Annex I is replaced by the text in the Annex to this Decision.

*Article 2*

This Decision shall apply from 4 May 2004.

*Article 3*

This Decision is addressed to the Member States.

Done at Brussels, 17 March 2004.

*For the Commission*

David BYRNE

*Member of the Commission*

<sup>(1)</sup> OJ L 268, 24.9.1991, p. 15, Directive as last amended by Regulation (EC) No 806/2003 (OJ L 122, 16.5.2003, p. 1).

<sup>(2)</sup> OJ L 315, 9.12.1999, p. 39, Decision as amended by Decision 2000/331/EC (OJ L 114, 13.5.2000, p. 39).

ANNEX

‘ANNEX I

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 <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 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: .....  
.....

<sup>(1)</sup> Delete where applicable.

<sup>(2)</sup> 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 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.»