

NOTIFICATION

1. Member to Agreement notifying: <u>EUROPEAN COMMUNITIES</u> If applicable, name of local government involved:
2. Agency responsible: Commission of the European Communities. Health & Consumer Protection Directorate-General Directorate E – Food Safety: Plant Health, Animal Health and Welfare, International questions
3. Products covered (provide tariff item number(s) as specified in national schedules deposited with the WTO; ICS numbers should be provided in addition, where applicable): Ornamental fish (HS 0301.10) or any other live fish traded for ornamental purposes included those circulation under HS headings 0301 (Live fish) or 0106 (Other live animals) ICS: 65.150
4. Regions or countries likely to be affected, to the extent relevant or practicable: Albania, Australia, Brazil, Bulgaria, Canada, Chile, People's Republic of China, Colombia, Republic of the Congo, Croatia, Former Yugoslav Republic of Macedonia, Indonesia, Israel, Jamaica, Japan, Malaysia (Peninsular, Western Malaysia only), New Zealand, Russian Federation, Singapore, South Africa, Sri Lanka, Chinese Taipei, Thailand, Turkey, United States
5. Title, language and number of pages of the notified document: Draft Commission Decision of (...) laying down the animal health conditions and certification requirements for imports of fish for ornamental purpose, and amending Decision 2003/858/EC (SANCO/10381/2005 Rev 3, 16 pp.)
6. Description of content: <ol style="list-style-type: none">(1) The list of countries, authorized by Decision 2003/858/EC to export live fish to the EC is supplemented with the countries listed in Annex I to this proposal.(2) Harmonized the model certificates are set for imports into the EC of ornamental fish to be kept permanently in <i>aquaria</i> including<ol style="list-style-type: none">(a) Fish caught in the wild, imported for the purpose of being used as ornamental fish;(b) Ornamental fish imported by transshippers and wholesalers, and(c) Ornamental fish imported into pet shops, garden centres, garden ponds, exhibition <i>aquaria</i> and similar businesses.(3) When adopted, a transitional period of time would be provided for the implementation of these new import certification requirements <p>Further background In document G/SPS/N/EEC/198 (1 May 2003) the EC notified <i>Decision 2003/858/EC of 21 November 2003 laying down the animal health conditions and certification requirements for</i></p>

<p><i>imports of live fish, their eggs and gametes intended for farming, and live fish of aquaculture origin and products thereof intended for human consumption.</i> Annex I to this decision sets a list of third countries - or parts thereof - from which member States are authorized to import live fish, their eggs and gametes <u>for farming</u> as well as the animal health conditions and certification required, therefore this decision does not apply to tropical ornamental fish <u>kept permanently in aquaria</u>. As a consequence the animal health conditions and certification requirements for tropical ornamental fish are not harmonised at Community level.</p> <p>Certain third countries have submitted comments to the Commission on the application of Decision 2003/858/EC to ornamental fish and the necessity to create harmonized trade conditions with a view to facilitate the circulation of imported consignments. Further to these comments, the Commission has been informed of the existence of a significant intercommunity trade of ornamental fish imported from third countries.</p> <p>In view of these circumstances, and with a view to facilitate imports and intra-community trade, the present Commission' proposal is submitted for opinion to the Standing Committee on the Food Chain and Animal Health.</p>
<p>7. Objective and rationale: <input type="checkbox"/> food safety, <input checked="" type="checkbox"/> animal health, <input type="checkbox"/> plant protection, <input type="checkbox"/> protect humans from animal/plant pest or disease, <input type="checkbox"/> protect territory from other damage from pests</p>
<p>8. International standard, guideline or recommendation:</p> <p><input type="checkbox"/> Codex Alimentarius Commission, <input checked="" type="checkbox"/> World Organization for Animal Health (OIE), <input type="checkbox"/> International Plant Protection Convention, <input type="checkbox"/> None</p> <p>If an international standard, guideline or recommendation exists, give the appropriate reference and briefly identify deviations: Certificates proposed hereby are in conformity with the Diagnostic Manual for Aquatic Animal Diseases of the World Organization for Animal Health (OIE).</p>
<p>9. Relevant documents and language(s) in which these are available: When adopted it will be published at the Official Journal of the European Union, available at: http://europa.eu.int/eur-lex/lex/JOYear.do?year=2005.</p>
<p>10. Proposed date of adoption: 2006</p>
<p>11. Proposed date of entry into force: Six months after the date of publication in the Official Journal</p>
<p>12. Final date for comments: Sixty (60) days after the date of notification</p> <p>Agency or authority designated to handle comments: <input checked="" type="checkbox"/> EC notification authority, <input type="checkbox"/> National enquiry point, or address, fax number and E-mail address (if available) of other body:</p>
<p>13. Texts available from: <input type="checkbox"/> National notification authority, <input checked="" type="checkbox"/> EC enquiry point, or address, fax number and E-mail address (if available) of other body:</p>