

Overseas Market Access Requirements Notification - Animal Products Act 1999

Regulation & Assurance Branch, Animal & Animal Products Directorate, Ministry for Primary Industries

Ref: AE-EU-35L
Date: 7 March 2016

AQUFISEEL.EU 16 March 2016 – EELS (ANGUILLIFORMES) FOR FARMING, RELAYING, PUT AND TAKE FISHERIES AND OPEN ORNAMENTAL FACILITIES TO THE EUROPEAN UNION

1. Statutory authority

Pursuant to section 60, section 60A, section 62(1) and section 167 of the Animal Products Act 1999 I notify the following:

- (i) the issue under section 60 of the Overseas Market Access Requirements for Eels (Anguilliformes) for farming, relaying, put and take fisheries and open ornamental facilities to the European Union AQUFISEEL.EU 16 March 2016;
- (ii) the revocation and replacement of OMAR B FISANIEC1.EU 03.07.10 – Fish to the European union;
- (iii) the determination under section 62(1) of the format and content of the official assurance for Eels (Anguilliformes) for farming, relaying, put and take fisheries and open ornamental facilities to the European Union.

This notice takes effect from the 16th of March 2016.

Dated at Wellington this 15th day of March 2016.

Signed: Howard Pharo
Manager Imports & Exports Animals
Animal & Animal Products Directorate
Regulation & Assurance Branch
(acting under delegated authority)

2. European Union requirements

Eels (Anguilliformes) for farming, relaying, put and take fisheries and open ornamental facilities exported from New Zealand to the European Union must be accompanied by an official assurance in the form of a completed zoosanitary certificate.

The zoosanitary certificate as specified below must be completed and certified, after due enquiry, by an Official Veterinarian of the Ministry for Primary Industries.

Explanatory note:

If the zoosanitary certificate is not certified then the Eels (Anguilliformes) for farming, relaying, put and take fisheries and open ornamental facilities do not satisfy the conditions in the notice. Likewise, if the Eels (Anguilliformes) for farming, relaying, put and take fisheries and open ornamental facilities do not satisfy the zoosanitary requirements in the certificate, then the certificate will not be certified.



NEW ZEALAND MINISTRY FOR PRIMARY INDUSTRIES

EELS (Anguilliformes) FOR FARMING, RELAYING, PUT AND TAKE FISHERIES AND OPEN ORNAMENTAL FACILITIES

COUNTRY: NEW ZEALAND

VETERINARY CERTIFICATE TO EU

Part I: Details of dispatched consignment	I.1. Consignor Name Address Tel.				I.2. Certificate reference No		I.2 a.							
	I.5. Consignee Name Address Postal code Tel.				I.3. Central competent authority Ministry for Primary Industries									
					I.4. Local competent authority Ministry for Primary Industries									
	I.7. Country of origin				ISO code	I.8. Region of origin	Code		I.9. Country of destination		ISO code	I.10. Region of destination	Code	
	New Zealand				NZ	Not Applicable	N/A							
	I.11. Place of origin Name Address				Approval number				I.12.					
	I.13. Place of loading Address				Approval number				I.14. Date of departure		Time of departure			
	I.15. Means of transport Aeroplane <input type="checkbox"/> Ship <input type="checkbox"/> Railway wagon <input type="checkbox"/> Road vehicle <input type="checkbox"/> Other <input type="checkbox"/> Identification Documentary references								I.16. Entry BIP in EU		I.17. No(s) of CITES			
	I.18. Description of commodity								I.19. Commodity code (HS code) 030192		I.20. Quantity			
	I.21.										I.22. Number of packages			
I.23. Identification of container/seal number)										I.24.				
I.25. Commodities certified for: Breeding <input type="checkbox"/> Quarantine <input type="checkbox"/> Relaying <input type="checkbox"/> Other <input type="checkbox"/> Pets <input type="checkbox"/> Circus/exhibition <input type="checkbox"/>														
I.26.								I.27. For import or admission into the EU		<input type="checkbox"/>				
I.28. Identification of the commodities Species (scientific name)										Quantity				

	II. Health information	II.a. Certificate reference no	II.b.
Part II: Certification	<p>II.1. General Requirements</p> <p>I, the undersigned official inspector, hereby certify that the aquaculture animals, referred to in Part I of this certificate:</p> <p>II.1.1. have been inspected within 72 hours of loading, and showed no clinical signs of disease;</p> <p>II.1.2. are not subject to any prohibitions due to unresolved increased mortality;</p> <p>II.1.3. are not intended for destruction or slaughter for the eradication of diseases; and</p> <p>II.1.4. originate from aquaculture farms who are all under the supervision of the competent authority;</p> <p>II.1.5. ⁽⁴⁾[in the case of molluscs, were subject to an individual visual check of each part of the consignment, and no molluscs species other than those specified in Part I of the certificate were detected.]</p> <p>II.2. ⁽⁴⁾⁽²⁾⁽³⁾ [Requirements for species susceptible to, Epizootic haematopoietic necrosis (EHN), Bonamia exitiosa, Perkinsus marinus, Mikrocytos mackini, Taura syndrome and/or Yellowhead disease</p> <p>I, the undersigned official inspector, hereby certify that the aquaculture animals referred to above:</p> <p><i>either</i> ⁽⁴⁾⁽⁵⁾ [originate from a country/territory, zone or compartment declared free from ⁽⁴⁾[EHN], ⁽⁴⁾[Bonamia exitiosa], ⁽⁴⁾[Perkinsus marinus], ⁽⁴⁾[Mikrocytos mackini], ⁽⁴⁾[Taura syndrome], ⁽⁴⁾[Yellowhead disease] in accordance with Chapter VII of Council Directive 2006/88/EC or the relevant OIE Standard by the competent authority of the country of origin, and</p> <ul style="list-style-type: none"> ⁽ⁱ⁾ where the relevant disease(s) is (are) notifiable to the competent authority and reports of suspicion of infection of the relevant disease must be immediately investigated by the competent authority, ⁽ⁱⁱ⁾ all introductions of species susceptible to the relevant disease(s) come from an area declared free of the disease(s), and ⁽ⁱⁱⁱ⁾ species susceptible to the relevant disease(s) are not vaccinated against the relevant disease(s); <p><i>or</i> ⁽⁴⁾⁽³⁾⁽⁵⁾ [in the case of wild aquatic animals, have been subject to quarantine in accordance with Commission Decision 2008/946/EC.]</p>		
	<p>II.3. ⁽⁴⁾⁽⁴⁾ [Requirements for vector species to Epizootic haematopoietic necrosis (EHN), Bonamia exitiosa, Perkinsus marinus, Mikrocytos mackini, Taura syndrome and/or Yellowhead disease</p> <p>I, the undersigned official inspector, hereby certify that the aquaculture animals referred to above which are to be regarded as possible vectors to ⁽⁴⁾[EUS], ⁽⁴⁾[EHN], ⁽⁴⁾[Bonamia exitiosa], ⁽⁴⁾[Perkinsus marinus], ⁽⁴⁾[Mikrocytos mackini], ⁽⁴⁾[Taura syndrome], ⁽⁴⁾[Yellowhead disease] as they are of species listed in Column 2 and fulfil the conditions set out in Column 3 of the table in Annex I to Commission Regulation (EC) No 1251/2008:</p> <p><i>either</i> ⁽⁴⁾⁽⁵⁾ [originate from a country/territory, zone or compartment declared free from ⁽⁴⁾[EHN], ⁽⁴⁾[Bonamia exitiosa], ⁽⁴⁾[Perkinsus marinus], ⁽⁴⁾[Mikrocytos mackini], ⁽⁴⁾[Taura syndrome], ⁽⁴⁾[Yellowhead disease] in accordance with Chapter VII of Council Directive 2006/88/EC or the relevant OIE Standard by the competent authority of the country of origin, and</p> <ul style="list-style-type: none"> ⁽ⁱ⁾ where the relevant disease(s) is (are) notifiable to the competent authority and reports of suspicion of infection of the relevant disease(s) must be immediately investigated by the competent authority, ⁽ⁱⁱ⁾ all introduction of species susceptible to the relevant disease(s) come from an area declared free of the disease(s), and ⁽ⁱⁱⁱ⁾ species susceptible to the relevant disease(s) are not vaccinated against the relevant disease(s); <p><i>or</i> ⁽⁴⁾⁽⁵⁾ [have been subject to quarantine in accordance with Commission Decision 2008/946/EC.]</p> <p>II.4. ⁽⁴⁾⁽²⁾⁽³⁾ [Requirements for species susceptible to Viral haemorrhagic septicaemia (VHS), Infectious haematopoietic necrosis (IHN), Infectious salmon anaemia (ISA), Koi Herpes virus (KHV), Marteilia refringens, Bonamia ostreae, and/or White spot disease</p> <p>I, the undersigned official inspector, hereby certify that the aquaculture animals referred to above:</p> <p><i>either</i> ⁽⁴⁾⁽⁵⁾ [originate from a country/territory, zone or compartment declared free from ⁽⁴⁾[VHS], ⁽⁴⁾[IHN], ⁽⁴⁾[ISA], ⁽⁴⁾[KHV], ⁽⁴⁾[Marteilia refringens], ⁽⁴⁾[Bonamia ostreae], ⁽⁴⁾[White spot disease] in accordance with Chapter VII of Council Directive 2006/88/EC or the relevant OIE Standard by the competent authority of the country of origin, and</p> <ul style="list-style-type: none"> ⁽ⁱ⁾ where the relevant disease(s) is (are) notifiable to the competent authority and reports of suspicion of infection of the relevant disease(s) must be immediately investigated by the competent authority, ⁽ⁱⁱ⁾ all introductions of species susceptible to the relevant disease(s) come from an area declared free of the disease(s), and ⁽ⁱⁱⁱ⁾ species susceptible to the relevant disease(s) are not vaccinated against the relevant disease(s); <p><i>or</i> ⁽⁴⁾⁽³⁾⁽⁵⁾ [in the case of wild aquatic animals, have been subject to quarantine in accordance with Commission Decision 2008/946/EC.]</p>		

II. Health information	II.a. Certificate reference no	II.b.
<p>II.5. ^(*)^(*)[Requirements for vector species to Viral haemorrhagic septicaemia (VHS), Infectious haematopoietic necrosis (IHN), Infectious salmon anaemia (ISA), Koi herpes virus (KHV), Marteilia refringens, Bonamia ostreae, and/or White spot disease</p> <p>I, the undersigned official inspector, hereby certify that the aquaculture animals referred to above which are to be regarded as possible vectors to ^(*)[VHS] ^(*)[IHN] ^(*)[ISA] ^(*)[KHV] ^(*)[Marteilia refringens] ^(*)[Bonamia ostreae] ^(*)[White spot disease] as they are of species listed in Column 2 and fulfil the conditions set out in Column 3 of the table in Annex I to Commission Regulation (EC) No 1251/2008:</p> <p><i>either</i> ^(*)^(*)[originate from a country/territory, zone or compartment declared free from ^(*)[VHS] ^(*)[IHN] ^(*)[ISA] ^(*)[KHV] ^(*)[Marteilia refringens] ^(*)[Bonamia ostreae] ^(*)[White spot disease] in accordance with Chapter VII of Directive 2006/88/EC or the relevant OIE Standard by the competent authority of the country of origin, and</p> <p>(i) where the relevant disease(s) is (are) notifiable to the competent authority and reports of suspicion of infection of the relevant disease(s) must be immediately investigated by the competent authority;</p> <p>(ii) all introduction of species susceptible to the relevant disease(s) come from an area declared free of the disease(s), and</p> <p>(iii) species susceptible to the relevant disease(s) are not vaccinated against the relevant disease(s);</p> <p><i>or</i> ^(*)^(*)[have been subject to quarantine in accordance with Commission Decision 2008/946/EC.]</p> <p>II.6. Transport and labelling requirements</p> <p>I, the undersigned official inspector, hereby certify that:</p> <p>II.6.1. the aquaculture animals referred to above are placed under conditions, including with a water quality, that do not alter their health status;</p> <p>II.6.2. the transport container or well boat prior to loading is clean and disinfected or previously unused; and</p> <p>II.6.3. the consignment is identified by a legible label on the exterior of the container, or when transported by well boat, in the ship's manifest, with the relevant information referred to in boxes I.7 to I.13 of Part I of this certificate, and the following statement:</p> <p><i>either</i> ^(*)^(*)[Wild] ^(*)[Fish] ^(*)[Molluscs] ^(*)[Crustaceans] intended for farming in the European Union"]</p> <p><i>or</i> ^(*)^(*)[Wild] ^(*)[Molluscs] intended for relaying in the European Union"]</p> <p><i>or</i> ^(*)^(*)[Wild] ^(*)[Fish] ^(*)[Molluscs] ^(*)[Crustaceans] intended for put and take fisheries in the European Union"]</p> <p><i>or</i> ^(*)^(*)[Ornamental] ^(*)[fish] ^(*)[molluscs] ^(*)[crustaceans] intended for open ornamental facilities in the European Union"]</p> <p><i>or</i> ^(*)^(*)[Wild] ^(*)[Fish] ^(*)[Molluscs] ^(*)[Crustaceans] intended for quarantine in the European Union"].</p> <p>II.7. ^(*)^(*)[Requirements for species susceptible to Spring viraemia of carp (SVC), Bacterial kidney disease (BKD), Infectious pancreatic necrosis virus (IPN) and Infection with Gyrodactylus salaris (GS)</p> <p>I, the undersigned official inspector certify that the aquaculture animals referred to above,</p> <p><i>either</i> ^(*)[originate from a country/territory or part thereof:</p> <p>(a) where ^(*)[SVC] ^(*)[GS] ^(*)[BKD] ^(*)[IPN] is (are) notifiable to the competent authority and reports of suspicion of infection of the relevant disease(s) must be immediately investigated by the competent authority;</p> <p>(b) where all aquaculture animals of species susceptible to the relevant disease(s) introduced into that country/territory or part thereof comply with the requirements set out in II.7 of this certificate;</p> <p>(c) where species susceptible to the relevant disease(s) are not vaccinated against the relevant disease(s), and</p> <p>(d) <i>either</i> ^(*)[which, in the case of ^(*)[IPN] ^(*)[BKD], complies with the requirements for disease freedom equivalent to those laid down in Chapter VII of Directive 2006/88/EC.]</p> <p><i>and/or</i> ^(*)[which, in the case of ^(*)[SVC] ^(*)[GS], complies with requirements for disease freedom laid down in the relevant OIE Standard.</p> <p><i>and/or</i> ^(*)[which, in the case of ^(*)[SVC] ^(*)[IPN] ^(*)[BKD], comprises one individual farm which is under the supervision of the competent authority</p> <p>(i) has been emptied, cleansed and disinfected, and fallowed in at least 6 weeks;</p> <p>(ii) has been restocked with animals from areas certified free from the relevant disease by the competent authority.]]</p> <p><i>and/or</i> ^(*)[in the case of wild aquatic animals susceptible to ^(*)[SVC] ^(*)[IPN] ^(*)[BKD], have been subject to quarantine under conditions at least equivalent to those laid down in Decision 2008/946/EC.]</p> <p><i>and/or</i> ^(*)[in the case consignments for which GS requirements apply, have been held, immediately prior to export, in water with a salinity of at least 25 parts per thousand for a continuous period of at least 14 days and no other live aquatic animals of the species susceptible to GS have been introduced during that period].</p> <p><i>and/or</i> ^(*)[in the case of eyed fish eggs for which GS requirements apply, have been disinfected by a method demonstrated to be effective against GS.]</p>		

II. Health information	II.a. Certificate reference no	II.b.						
<p>Notes</p> <p>Part I:</p> <ul style="list-style-type: none"> - Box I.19: Use the appropriate HS codes: 0301, 0306, 0307, 030110 or 030270. - Box I.20 and I.28: As regards quantity, give the total number. - Box I.25 Use the option 'Breeding' if intended for farming, 'Relaying' if intended for relaying, 'Pets' for ornamental aquatic animals intended for pet shops or similar businesses for further sale, 'Circus/exhibition' for ornamental aquatic animals intended for exhibition aquaria or similar businesses not for further sale, 'Quarantine' if the aquaculture animals are intended for a quarantine facility, and 'Other' if intended for put and take fisheries. <p>Part II:</p> <ol style="list-style-type: none"> (1) Keep as appropriate. (2) Part II.2 and II.4 of this certificate only applies to species susceptible to one or more of the diseases referred to in the title. Susceptible species are listed in Part II of Annex IV to Directive 2006/88/EC. (3) Consignments of wild aquatic animals may be imported regardless of the requirements of Part II.2 and II.4 of this certificate if they are intended for a quarantine facility complying with the requirements laid down in Commission Decision 2008/946/EC. (4) Part II.3 and II.5 of this certificate only applies to vector species to one or more of the diseases referred to in the title. Possible vector species and the conditions, under which consignments of such species are to be considered vector species, are listed in Annex I to Regulation (EC) No 1251/2008. Consignments of possible vector species may be imported regardless of the requirements in Parts II.3 and II.5 if the conditions set out in Column 4 of the table in Annex I to Regulation (EC) No 1251/2008 are not fulfilled or they are intended for a quarantine facility complying with the requirements laid down in Commission Decision 2008/946/EC. (5) To be authorised into the Union one of these statements must be kept if the consignments contain susceptible or vector species to EHN, Bonamia exitiosa, Perkinsus marinus, Mikrocytos mackini, Taura syndrome and/or Yellowhead disease. (6) To be authorised into a Member State, zone or compartment declared free from VHS, IHN, ISA, KHV, Marteilia refringens, Bonamia ostreae, or Whitespot disease or with a surveillance or eradication programme established in accordance with Article 44(1) or (2) of Directive 2006/88/EC, one of these statements must be kept if the consignment contain susceptible or vector species to the disease(s) for which disease freedom or programme(s) apply(ies). Data on the disease status of each farms and mollusc farming areas in the Union are accessible at http://ec.europa.eu/food/animal/liveanimals/aquaculture/index_en.htm (7) Part II.7 of this certificate only applies to consignments intended for a Member State or part thereof, which is regarded as disease-free, or for which a programme is approved by Decision 2010/221/EU as regards SVC, BKD, IPN or GS, and the consignments comprises species listed in Part C of Annex II as susceptible to the disease(s) for which the disease-free status or programme(s) apply(ies). <p>Part II.7 shall also apply to consignments of fish of any species originating from waters where species listed in Part C of Annex II as species susceptible to infection with GS, are present, where those consignments are intended for a Member State or part thereof listed in Annex I to Decision 2010/221/EU as free of GS.</p> <p>Consignments of wild aquatic animals for which SVC, IPN and/or BKD related requirements are applicable, may be imported regardless of the requirements in Part II.7 of this certificate if they are intended for a quarantine facility complying with the requirements laid down in Decision 2008/946/EC.</p> <p>The colour of the stamp and signature must be different to that of the other particulars in the certificate</p>								
<p>Official inspector</p> <table border="0" style="width: 100%;"> <tr> <td style="width: 60%;">Name (in capital letters):</td> <td>Qualification and title:</td> </tr> <tr> <td>Date:</td> <td>Signature:</td> </tr> <tr> <td>Stamp:</td> <td></td> </tr> </table>			Name (in capital letters):	Qualification and title:	Date:	Signature:	Stamp:	
Name (in capital letters):	Qualification and title:							
Date:	Signature:							
Stamp:								

EXPORT CERTIFICATION

(This is not part of the official certification)

COMMODITY: EELS (Anguilliformes)

TO: EUROPEAN UNION

NOTES: This certificate is amended to certify EELS (Anguilliformes) only to the EU. This amended export certificate replaces the export certificate for Aquaculture animals for farming, relaying, put and take fisheries and open ornamental facilities to the European Union dated 1 March 2013. It has been drawn up in accordance with the model EU certificate as outlined in Annex IV, Part A of Commission Regulation (EC) No 1251/2008 of 12 December 2008 as amended by Commission Implementing Regulation (EU) No 1012/2012 of 5 November 2012.

1. Commission Decision 2006/656/EC defines that imports of fish *for ornamental purpose* includes 'fish caught in the wild, imported for the purposes of being used as ornamental fish'. *Closed ornamental facilities* in 1251/2008/EC means 'pet shops, garden centres, garden ponds, commercial aquaria or wholesalers keeping ornamental aquatic animals without contact with natural waters in the Community', and *open ornamental facility* means ornamental facilities other than closed ornamental facilities.
2. Clause II.1.4 of the health certificate requires an aquaculture farm to be *under the supervision of the competent authority*. Commission Regulation 1251/2008 states in (13) 'Imports into the Community of aquaculture animals should only be permitted from third countries that have animal health legislation and control system in place equivalent to those in the Community'. For NZ aquaculture farms, the supervision as documented in Part B, Annex III of Council Directive 2006/88/EC should be applied.
3. For eels for aquaculture, clauses II.2, II.3, II.4, II.5 and II.7, are deleted by strikethrough of the text. Eels are not susceptible to any of the diseases as listed in the certificate. The official inspector shall ensure such strikethroughs are still appropriate. In the case of clause II.6.3, the official inspector shall ensure the irrelevant parts are deleted by strikethrough.

4. NZ OIE declared free link
http://www.oie.int/wahis_2/public/wahid.php/Countryinformation/countryhome

NZ notifiable organisms link

http://www.legislation.govt.nz/regulation/public/2010/0265/latest/whole.html?search=ts_regulation_biosecurit_resel&p=1#d1m3170938

EU 2006/88/EC see Part II Annex IV for susceptible species

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2006:328:0014:0056:en:PDF>

EC 11251/2008 See Chapter VI Annex 1 for vector species

<http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:02008R1251-20140203>

5. The HS codes (search) available <http://www.foreign-trade.com/search.htm> for use with this export certificate is: 0301 (Live fish)
6. Where the certificate refers to “Official inspector” for New Zealand this should be interpreted to mean “Official veterinarian”.

Section 61A of the Animal Products Act 1999 states that ‘The Crown is not liable, and nor is the Director-General or any employee of the Ministry liable, for any loss arising through the refusal or failure of the relevant authority of an overseas market to admit export animal material; or animal product to that market’.