

COMMISSION

DECISION No 1/2001 OF THE EC-FAEROE ISLANDS JOINT COMMITTEE of 31 January 2001

laying down the provisions to implement the Protocol on veterinary matters supplementing the Agreement between the European Community, of the one part, and the Government of Denmark and the Home Government of the Faeroe Islands, of the other part

(2001/127/EC)

THE EC-FAEROE ISLANDS JOINT COMMITTEE,

Having regard to the Agreement in the form of an Exchange of Letters between the European Community, of the one part, and the Government of Denmark and the Home Government of the Faeroe Islands, of the other part,

Having regard to the Protocol on veterinary matters supplementing the Agreement between the European Community, of the one part, and the Government of Denmark and the Home Government of the Faeroe Islands, of the other part ⁽¹⁾, and in particular Article 2 thereof,

Having regard to the proposal from the Commission,

Whereas:

- (1) The Parties to the supplementing Protocol wish to maintain the traditional flows of trade in animals and animal products, mainly fish products, between the Faeroe Islands and the European Community.
- (2) Such trade should accordingly be conducted in compliance with Community veterinary rules.
- (3) At its meeting in the Faeroe Islands on 14, 15 and 16 March 2000, the veterinary subgroup recommended the adoption of a list of Community provisions to be applied by the Faeroe Islands as a matter of priority by 1 February 2001.
- (4) The Faeroe Islands undertake to accept animals and animal products from the Community under rules governing intra-Community trade, to apply Community rules for the import of animals and animal products from third countries and to send to the European Community only animals and animal products in conformity with Community rules,

HAS DECIDED AS FOLLOWS:

CHAPTER I

General provisions

Article 1

1. The Faeroe Islands shall accept live animals and animal products originating in the European Community under the conditions laid down for intra-Community trade.
2. The Faeroe Islands undertake to apply the relevant Community rules to imports of live animals and animal products from third countries.
3. The Faeroe Islands undertake to send to the territory of the European Community only live animals and animal products in conformity with the conditions laid down in this Decision.

⁽¹⁾ OJ L 305, 30.11.1999, p. 26.

*Article 2***Trade between the Faeroe Islands and the European Community**

1. Trade from the European Community to the Faeroe Islands shall be subject to the provisions laid down in Council Directives 90/425/EEC ⁽¹⁾ and 89/662/EEC ⁽²⁾, as last amended, and their rules of application fixed in the relevant Commission decisions.
2. Trade from the Faeroe Islands to the European Community of live animals and animal products covered by this Decision shall be subject to the provisions laid down in Directives 90/425/EEC and 89/662/EEC, as last amended, and their rules of application fixed in the relevant Commission decisions.
3. The Faeroe Islands shall accept in the future — without prejudice to the possibility of resorting to Article 10(1) of Directive 90/425/EEC and Article 9(1) of Directive 89/662/EEC — the safeguard measures adopted by the Community. The practical arrangements for exchange of information shall be fixed by Commission and Faeroe Islands officials.

*Article 3***Checks on live animals coming from third countries**

1. Checks on live animals coming from third countries and destined for the Faeroe Islands shall be carried out at border inspection posts by the veterinary services of the Member States in the name and on behalf of the Faeroe Islands authorities.
2. In the cases provided for, the computerised network linking veterinary authorities (ANIMO system) shall be used.
3. All imports of live animals into the Faeroe Islands shall receive a border passage document. The veterinary checks shall be carried out before the customs transit operations start. Once the live animals have been checked, the sanitary fee provided for in Annex C, Chapter 2 of Council Directive 85/73/EEC ⁽³⁾ must be paid.

*Article 4***Checks on animal products coming from third countries**

1. The Faeroe Islands undertake to apply the provisions laid down in Council Directive 97/78/EC ⁽⁴⁾, as last amended, and its rules of application fixed in the relevant Commission decisions.
2. The Faeroe Islands undertake to establish a border inspection post, located at Tórshavn, competent for animal products. The Faeroe Islands authorities shall submit to the Food and Veterinary Office the draft plan for consideration. They shall inform the Commission of the date when the initially selected border inspection post will be functioning. The final approval of the border inspection post shall be made by the veterinary subgroup at the latest two years after the aforesaid date.

*Article 5***Financing of checks**

The Faeroe Islands undertake to apply the provisions laid down in Directive 85/73/EEC, as last amended, for the following areas:

— in Annex A, chapter III for fishery products covered by Council Directive 91/493/EEC ⁽⁵⁾,

⁽¹⁾ OJ L 224, 18.8.1990, p. 29.

⁽²⁾ OJ L 395, 30.12.1989, p. 13.

⁽³⁾ OJ L 32, 5.2.1985, p. 14.

⁽⁴⁾ OJ L 24, 30.1.1998, p. 9.

⁽⁵⁾ OJ L 268, 24.9.1991, p. 15.

- in Annex B to ensure that the controls on aquaculture animals provided in Council Directive 96/23/EC ⁽¹⁾ are carried out,
- in Annex C, Chapter I to cover the checks for aquaculture animals and products of animal origin covered by Directive 90/425/EEC,
- in Annex A, Chapter II for animal products coming from third countries.

Article 6

Mutual assistance

The Faeroe Islands undertake to apply the provisions laid down in Council Directive 89/608/EEC ⁽²⁾.

Article 7

Information systems

1. The Faeroe Islands shall take part in the computerised network linking veterinary authorities (ANIMO system). The practical arrangements for the Faeroe Islands participation shall be settled between Commission and Faeroe Islands officials.
2. The Commission shall inform the Faeroe Islands authorities of the development and application of the system for harmonised imports and rejected consignments (SHIFT system).

Article 8

The provisions of this Chapter shall apply without prejudice to the specific provisions of Chapter II.

CHAPTER II

Specific provisions

Article 9

Exchange of fisheries products

1. The Faeroe Islands undertake to apply the provisions laid down in Council Directives 91/493/EEC and 92/48/EEC ⁽³⁾, as last amended, and their rules of application fixed in the relevant Commission decisions.

The inspection conditions provided for in Article 8 of Directive 91/493/EEC shall apply to the Faeroe Islands.

2. The Faeroe Islands shall use 'FO' as the identification mark provided for in Chapter VII, first indent, of the Annex to Directive 91/493/EEC.

For the notification of lists of establishments and amendments to this list the Faeroe Islands shall apply Article 7(3) of Directive 91/493/EEC. The practical arrangements for the exchange of information shall be fixed by Commission and Faeroe Islands officials.

3. The Faeroe Islands agree to apply, in the future, the conditions for imports from third countries fixed by European Community legislation for third country imports.

The practical arrangements for the communication of the list of establishments and the amendments to this list shall be fixed by Commission and Faeroe Islands officials.

Article 10

Exchange of live bivalve molluscs

1. The Faeroe Islands undertake to apply the provisions laid down in Council Directive 91/492/EEC ⁽⁴⁾, as last amended, and its rules of application fixed in the relevant Commission decisions.

⁽¹⁾ OJ L 125, 23.5.1996, p. 10.

⁽²⁾ OJ L 351, 2.12.1989, p. 34.

⁽³⁾ OJ L 187, 7.7.1992, p. 41.

⁽⁴⁾ OJ L 268, 24.9.1991, p. 1.

The inspection conditions provided for in Article 6 of Directive 91/492/EEC shall apply to the Faeroe Islands.

2. For the notification of lists of establishments and amendments to this list, the Faeroe Islands shall apply Article 5(1)(a) and (2)(a) of Directive 91/492/EEC. The practical arrangements for the exchange of information shall be fixed by Commission and Faeroe Islands officials.

3. The Faeroe Islands agree to apply, in the future, the conditions for imports from third countries fixed by European Community legislation for third country imports.

The practical arrangements for the communication of the list of establishments within the meaning of Directive 91/492/EEC and the amendments to this list shall be fixed by Commission and Faeroe Islands officials.

Article 11

Exchange of aquaculture products

1. Control measures

The Faeroe Islands undertake to apply the measures provided for by Council Directive 93/53/EEC ⁽¹⁾, as last amended, and its rules of application fixed in the relevant Commission decisions.

The Faeroe Islands shall undertake to establish a national reference laboratory. Pending the establishment of such a laboratory, they shall undertake to find an arrangement with a national reference laboratory as provided for in Article 12(4) of Directive 93/53/EEC. As soon as possible, the Faeroe Islands shall give to the Commission confirmation that such an arrangement exists.

The Faeroe Islands shall submit to the veterinary subgroup for approval the contingency plans in conformity with Article 15 of Directive 93/53/EEC. Later updates shall be approved by the Commission after notification to the Member States within the Standing Veterinary Committee.

The inspection conditions provided for in Article 16 of Directive 93/53/EEC shall apply to the Faeroe Islands.

2. Notification of animal diseases

Concerning fish diseases (for the moment, infectious salmon anaemia, ISA, and infectious haematopoietic necrosis, IHN,) the Faeroe Islands shall implement Council Directive 82/894/EEC ⁽²⁾. The arrangement for the participation of the Faeroe Islands in the animal diseases computerised system (ADNS) shall be established by Commission and Faeroe Islands officials.

3. Trade and placing on the market of aquaculture animals and products

The Faeroe Islands undertake to apply the measures provided for by Council Directive 91/67/EEC ⁽³⁾, as last amended, and its rules of application in the relevant Commission decisions.

The following procedure will apply to the granting of status as provided for in Directive 91/67/EEC:

- submission by the Faeroe Islands of a request with all appropriate justifications to the veterinary subgroup,
- approval by the veterinary subgroup,
- later updates by the Commission after notification to the Member States within the Standing Veterinary Committee.

The examination of a possible request from the Faeroe Islands concerning their status regarding infectious salmon anaemia, viral haemorrhagic septicaemia and infectious haematopoietic necrosis, will be made on the basis of the same criteria as those for similar requests from Member States.

The inspection conditions provided for in Article 22 of Directive 91/67/EEC shall apply to the Faeroe Islands.

4. Imports from third countries

The Faeroe Islands agree to apply, in the future, the conditions for imports from third countries fixed by European Community legislation for third country imports.

⁽¹⁾ OJ L 175, 19.7.1993, p. 23.

⁽²⁾ OJ L 378, 31.12.1982, p. 58.

⁽³⁾ OJ L 46, 19.2.1991, p. 1.

*Article 12***Exchange of fish meal intended for animal feeding stuff**

1. Placing on the market

The Faeroe Islands undertake to apply the provisions laid down in Council Directive 90/667/EEC ⁽¹⁾, as last amended, and its rules of application fixed in the relevant Commission decisions.

The inspection conditions provided for in Article 12 of Directive 90/667/EEC shall apply to the Faeroe Islands.

For the notification of lists of establishments and amendments to this list the Faeroe Islands shall apply Article 11 of Directive 90/667/EEC. The practical arrangements for the exchange of information shall be fixed by Commission and Faeroe Islands officials.

2. Trade

The provision of Annex 1, Chapter 6(l)A, second indent, of Council Directive 92/118/EEC ⁽²⁾ shall apply.

3. Imports from third countries

The Faeroe Islands agree to apply the conditions for imports from third countries fixed by the European Community legislation for third country imports.

The practical arrangements for the communication of the relevant information shall be fixed by Commission and Faeroe Islands officials.

*Article 13***Control of residues, prohibition of use of certain hormonal substances and beta agonists, use of medicated feeding stuffs**

1. For the Faeroe Islands stock farming within the meaning of Council Directives 96/22/EC ⁽³⁾, 96/23/EC and 90/167/EEC ⁽⁴⁾ shall concern only aquaculture.

2. The Faeroe Islands undertake to apply the provisions laid down in Directives 96/22/EC, 96/23/EC and 90/167/EEC, as last amended, and their rules of application fixed in the relevant Commission decisions.

3. The Faeroe Islands agree to apply the conditions for imports from third countries fixed by European Community legislation for third country imports.

4. The practical arrangements for the communication of the relevant information shall be fixed by Commission and Faeroe Islands officials.

5. The Faeroe Islands shall submit to the veterinary subgroup, for approval, plans which conform to Directive 96/23/EC. Later updates shall be approved by the Commission after notification to the Member States within the Standing Veterinary Committee.

The inspection conditions provided for in Article 21 of Directive 96/23/EC shall apply to the Faeroe Islands.

*Article 14***Exchange of other products**

The Faeroe Islands undertake to apply the provisions laid down in Annex 1, Chapter XV, of Directive 92/118/EEC, as last amended, and its rules of application fixed in the relevant Commission decisions for unprocessed sheep's wool.

⁽¹⁾ OJ L 363, 27.12.1990, p. 51.

⁽²⁾ OJ L 62, 15.3.1993, p. 49.

⁽³⁾ OJ L 125, 23.5.1996, p. 3.

⁽⁴⁾ OJ L 92, 7.4.1990, p. 42.

CHAPTER III

Final provisions*Article 15*

1. The Faeroe Islands undertake to fulfil the conditions laid down in Chapters I and II by 1 February 2001.
2. The Faeroe Islands shall inform the Commission no later than 31 December 2000 that they have taken the necessary steps to implement this Decision.
3. If the Faeroe Islands encounter unforeseen difficulties, they shall inform the Commission thereof before 1 September 2000. The Joint Committee shall consider the question with a view to amending this Decision.

Article 16

This Decision shall enter into force on the first day of the month following that of its adoption.

Done at Brussels, 31 January 2001.

For the Joint Committee

The President

Richard VAN RAAN
