II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DIRECTIVE 92/48/EEC

of 16 June 1992

laying down the minimum hygiene rules applicable to fishery products caught on board certain vessels in accordance with Article 3 (1) (a) (i) of Directive 91/493/EEC

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic 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 (1), and in particular Article 3 (1) (a) (i) thereof,

Having regard to the proposal from the Commission,

Whereas in accordance with Article 3 (1) (a) (i) of Directive 91/493/EEC it is essential that hygiene rules be laid down for fishery products caught and where appropriate handled for bleeding, heading, gutting and the removal of fins, chilled or frozen, on board certain vessels;

Whereas general hygiene conditions applicable to fishing vessels should be laid down;

Whereas it is important to lay down additional hygiene conditions applicable to fishing vessels on board which catches are kept for more than twenty-four hours;

Whereas provisions should be made for the possibility of taking into consideration certain specific characteristics of certain fishing vessels;

Whereas it is appropriate to point out that the inspections and controls carried out pursuant to Directive 91/493/EEC apply equally to the vessels referred to in this Directive,

(1) OJ No L 268, 24. 9. 1991, p. 15.

HAS ADOPTED THIS DIRECTIVE:

Article 1

1. The general hygiene conditions laid down in Annex I shall apply to fishery products handled on board fishing vessels.

2. The additional hygiene conditions laid down in Annex II shall apply to fishing vessels designed and equipped to preserve fishery products on board under satisfactory conditions for more than twenty-four hours, other than those equipped for keeping fish, shellfish and molluscs alive without other means of conservation on board.

3. If necessary, and in accordance with the procedure laid down in Article 2, derogations from or conditions additional to the provisions of Annex I may be laid down in order to take account of the specific characteristics, if any, of certain fishing vessels.

Article 2

The Annexes to this Directive may be amended in accordance with the procedure laid down in Article 15 of Directive 91/493/EEC.

Article 3

Member States may, provided that the products coming from fishing vessels expressly comply with the hygiene standards set by Directive 91/493/EEC, grant a further period to fishing vessels, expiring on 31 December 1995, within which to comply with the said requirements laid down in points 8 (b) and (e) of Annex II.

Such derogations may only be obtained by fishing vessels which, carrying out fishing activities on 30 June 1992, have submitted to the competent national authorities, before 31 December 1992, a duly justified application to that effect.

This application must set out details of the periods within which the fishing vessels can comply with the said requirements.

In the event that financial aid is solicited from the Community, only those projects that comply with the requirements of this Directive may be accepted.

Article 4

The Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive before 1 January 1993. They shall inform the Commissin thereof.

When Member States adopt these measures, they shall contain a reference to this Directive or shall be accompanied by such reference on the occasion of their official publication. The methods of making such a reference shall be laid down by the Member States.

Article 5

This Directive is addressed to the Member States.

Done at Luxembourg, 16 June 1992.

For the Council

The President

Arlindo MARQUES CUNHA