

Event No: 261395
Case No: 2140
Dec. No: 225/04/COL



EFTA SURVEILLANCE
AUTHORITY

EFTA SURVEILLANCE AUTHORITY DECISION

of 9 September 2004

recognising the entire coastline of Norway as an approved zone with regard to
Bonamia ostreae and *Marteilia refringens*

THE EFTA SURVEILLANCE AUTHORITY,

HAVING REGARD to the Agreement on the European Economic Area (hereinafter referred to as the EEA Agreement), in particular Article 109 and Protocol 1 thereof,

HAVING REGARD to the Agreement between the EFTA States on the establishment of a Surveillance Authority and a Court of Justice, in particular Article 5(2)(d) and Protocol 1 thereof,

HAVING REGARD to the Act referred to at Point 4.1.5 of Chapter I of Annex I to the EEA Agreement,

Council Directive 91/67/EEC of 28 January 1991 concerning the animal health conditions governing the placing on the market of aquaculture animals and products,

as adapted by way of Protocol 1 to the EEA Agreement, in particular Article 5 of that Act,

HAVING REGARD to the EFTA Surveillance Authority Decision No 196/04/COL of 14 July 2004 empowering the Member with special responsibility for the free movement of goods to take certain decisions and measures, and in particular Point 1 thereof,

WHEREAS in order to obtain, for one or more of the mollusc diseases bonamiosis and marteiliosis, if caused by the agents *Bonamia ostreae* (*B. ostreae*) and *Marteilia refringens* (*M. refringens*), the status of approved zone, the EFTA States shall submit to the EFTA Surveillance Authority (hereinafter referred to as the Authority)

appropriate justifications and the national rules ensuring compliance with the conditions laid down in the Act,

WHEREAS the Authority, by its Decision No. 191/94/COL of 30 November 1994, approved the programmes concerning bonamiosis and marteiliosis for Norway,

WHEREAS the Norwegian Government, by a letter dated 20 November 2000, submitted to the Authority an application for approval of Norway as one coastal zone free of bonamiosis and marteiliosis,

WHEREAS external experts have assessed the documentation provided by the Norwegian Government and concluded that Norway has submitted the appropriate justifications required in order to obtain the status of an approved zone with regard to *B. ostreae* and *M. refringens* for the entire coastline of Norway and, that the data provided also confirms that the national rules in place ensure compliance with the requirements for maintenance of the approved status,

WHEREAS the Authority agrees to the conclusions of the external experts in that the documentation provided by Norway shows that the entire coastline of Norway qualify for the status of approved zone with regard to *B. ostreae* and *M. refringens* by meeting the requirements of Article 5 of the Act,

WHEREAS the Authority, after having assessed whether to exclude a part of the Norwegian coastline close to the border between Norway and Russia in order to establish a buffer zone, and after having discussed the matter with the Commission of the European Communities and an expert at the EU Community Reference Laboratory for diseases affecting molluscs, has concluded that, at least for the time being, such a buffer zone can not be justified,

WHEREAS up-dated information on the status of the two diseases provided by Norway has documented that the status has not changed,

WHEREAS the Authority by its Decision 221/04/COL referred the matter to the EFTA Veterinary Committee assisting the EFTA Surveillance Authority,

WHEREAS the measures provided for in this Decision are in accordance with the opinion of the EFTA Veterinary Committee assisting the EFTA Surveillance Authority,

HAS ADOPTED THIS DECISION:

1. The approved zones with regard to *B. ostreae* and *M. refringens* for Norway are listed in the Annex.
2. This Decision shall enter into force on 15 September 2004.
3. This Decision is addressed to Norway.

4. This Decision shall be authentic in the English language.

Done at Brussels, 9 September 2004

For the EFTA Surveillance Authority

Bernd Hammermann
College Member



Niels Fenger
Director

ANNEX

Zones approved for the mollusc diseases *Bonamia ostreae* and *Marteilia refringens*

1. The entire coastline of Norway
