

CHAPTER 5.7.

AQUATIC ANIMAL HEALTH MEASURES APPLICABLE DURING TRANSIT FROM THE PLACE OF DEPARTURE IN THE EXPORTING COUNTRY TO THE PLACE OF ARRIVAL IN THE IMPORTING COUNTRY

Article 5.7.1.

- 1) Any country through which the transit of *aquatic animals* has to be made, and that normally conducts commercial transactions with the *exporting country*, should not refuse the transit, subject to the reservations mentioned herein and on condition that notification is made of the proposed transit to the *Competent Authority* in charge of the *frontier posts*.

This notification shall state the species and quantities of *aquatic animals*, the methods of transport and the *frontier posts* of entry and exit in accordance with a previously arranged and authorised itinerary in the *transit country*.

- 2) Any country through which transit has to take place may refuse such transit if, in the *exporting country* or *transit country* that precedes it on the itinerary, certain *diseases* exist that have been specifically included in the *international aquatic animal health certificates* or in bilateral agreements. Alternatively, the *Competent Authority* of the *transit country* may impose conditions with regard to the method, including packaging, and route of transport.
- 3) Any *transit country* may require the presentation of *international aquatic animal health certificates*. Such a country may, in addition, cause an examination to be made by a member of the personnel of the *Aquatic Animal Health Service* on the health status of fish, molluscs or crustaceans in transit, except in cases where transport in sealed *vehicles* or *containers* is a condition of transit.
- 4) Any *transit country* may refuse passage through its *territory* of *aquatic animals* at one of its *frontier posts* if an examination carried out by a member of the personnel of the *Aquatic Animal Health Service* shows that the consignment of *aquatic animals* in transit is affected by or infected with any of the *listed diseases* and if these *diseases* are exotic to that country or the *zone* through which the transportation was to take place, or if there is an enforced control programme for the *disease(s)* in question, or if the *international aquatic animal health certificate* is inaccurate and/or unsigned or does not apply to fish, molluscs or crustaceans.

In these circumstances, the *Competent Authority* of the *exporting country* shall be informed immediately, thereby providing an opportunity for checking the findings or correcting the *certificate*.

If the *diagnosis* of any *listed disease* is confirmed or if the *certificate* cannot be corrected, the consignment of *aquatic animals* in transit shall either be returned to the *exporting country* if there is a common frontier with it, or be slaughtered or destroyed.

Article 5.7.2.

- 1) Any *transit country* may require *vehicles* used for the transit of *aquatic animals* through its *territory* to be constructed to prevent the escape and dispersion of waste water or other contaminated material.
- 2) Unloading of *aquatic animals* shall be permitted in the *territory* of the *transit country* only if an emergency situation arises. The *importing country* shall be informed of any unforeseen unloading in the *transit country* and the reason for it.

Article 5.7.3.

Vessels stopping in a port or passing through a canal or other navigable route situated in the *territory* of a country, on their way to a port situated in the *territory* of another country, must comply with the conditions required by the *Competent Authority*.

Article 5.7.4.

- 1) If, for reasons beyond the control of its captain, a ship or aircraft calls or lands somewhere other than at a port or airport, or at a port or airport other than that at which it should normally call or land, the captain of the ship or aircraft, or his/her deputy, shall immediately notify the nearest *Competent Authority* or any other public authority of the new port of call or landing.
- 2) As soon as the *Competent Authority* is notified of this calling or landing place, it shall take appropriate action.
- 3) The *aquatic animals* on board the ship or aircraft shall not be permitted to leave the vicinity of the docking or landing place and the removal from the vicinity of any equipment or packing material accompanying them shall not be permitted.
- 4) When the measures prescribed by the *Competent Authority* have been carried out, the ship or aircraft shall be permitted, for *aquatic animal* health purposes, to proceed to the port or airport at which it would normally have called or landed or, if there are technical reasons for which this cannot be done, to a port or an airport that is more suitable.

NB: FIRST ADOPTED IN 1995.