



Jersey

FISH HEALTH (JERSEY) REGULATIONS 1999

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Jersey

FISH HEALTH (JERSEY) REGULATIONS 1999

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FISH HEALTH (JERSEY) REGULATIONS 1999¹

THE STATES, in exercise of their powers under Article 2 of the European Communities Legislation (Implementation) (Jersey) Law 1996,² have made the following Regulations –

Commencement [[see endnotes](#)]

PART 1

APPLICATION AND INTERPRETATION

1 Application

- (1) These Regulations shall apply to Jersey and the territorial sea adjacent thereto.
- (2) These Regulations shall apply in addition to and not in derogation from the Diseases of Animals (Importation of Live Fish) (Jersey) Order 1984.³

2 Interpretation

- (1) In these Regulations, unless the context otherwise requires –
 - “approved farm” means a farm complying, as the case may be, with the requirements of Annex CI, II or III of Directive 91/67/EEC and approved as such in accordance with Article 6 of that Directive;
 - “approved storage centre” means a storage centre or purification centre approved by the Minister as meeting the requirements set out in Part 2 of Schedule 5;
 - “approved water station” means a water station approved by the Minister as meeting the requirements set out in Part 1 of Schedule 5;

“approved zone” means a zone complying, as the case may be, with the provisions of Annex BI, II or III of Directive 91/67/EEC and approved as such in accordance with Article 5 of that Directive;

“aquaculture animals” means live fish, crustaceans or molluscs coming from a farm, including those from the wild intended for a farm;

“aquaculture products” means products derived from aquaculture animals, whether intended for farming, such as eggs and gametes, or for human consumption;

“Commission Decision 93/55/EEC” means Commission Decision of 21st December 1992 amending the guarantees for the introduction of molluscs into zones for which a programme for *Bonamia ostreae* and *Marteilia refringens* has been approved as amended by Commission Decision 93/169/EEC of 19th February 1993 amending Decision 93/55/EEC concerning the guarantees for certain molluscs;

“Commission Decision 96/490/EC” means the Commission Decision of 18th July 1996 on certain protective measures with regard to *Gyrodactylus Salaris* in Salmonids;

“dead fish” includes any part of a dead fish;

“Directive 91/67/EEC” means Council Directive of 28th January 1991 concerning the animal health conditions governing the placing on the market of aquaculture animals and products which has been amended and must be read in accordance with the provisions set out in Schedule 6;

“Directive 93/53/EEC” means Council Directive of 24th June 1993 introducing minimum Community measures for the control of certain fish diseases;

“eggs” means fertilized ova, including eyed ova and any associated fluid, of fish, crustaceans or molluscs;

“European Inspector” means a Commission veterinary expert acting with regard to Directive 91/67/EEC or Directive 95/70/EC;

“farm” means any establishment or, in general, any geographically defined installation in which aquaculture animals are reared or kept with a view of their being placed on the market;

“farmed” in relation to a fish, crustacean or mollusc means a fish, crustacean or mollusc at or from a farm;

“fish, crustaceans or molluscs” means any fish, crustacean or molluscs at any stage of development;

“Form A” means a movement document for live fish, eggs and gametes from an approved zone in the form set out in Directive 91/67/EEC which is completed, in respect of live fish, eggs and gametes of the salmonid species in accordance with Commission Decision 94/490/EC;

“Form B” means a movement document for live fish, eggs and gametes from an approved farm in the form set out in Directive 91/67/EEC which is completed, in respect of salmonid ova for breeding purposes, with a certification that the eggs have been disinfected in accordance with Article 2 of Commission Decision 96/460/EC;

“Form C” means a movement document for molluscs from an approved coastal zone in the form set out in Directive 91/67/EEC;

“Form D” means a movement document for molluscs from an approved farm in the form set out in Directive 91/67/EEC;

“Form E” means a movement document for live farmed fish, molluscs and crustaceans, their eggs and gametes referred to in Article 14(1) Directive 91/67/EEC in the form set out in Commission Decision 93/22/EEC;

“Form F” means a movement document for live wild fish, molluscs or crustaceans, their eggs or gametes referred to in Article 14(2) of Directive 91/67/EEC in the form set out in Commission Decision 93/22/EEC;

“Form G” means a movement document completed by the Official Service, certifying that the molluscs originate from an area where there has been no history of *bonamiosis* or *marteliosis* in the previous 2 years confirmed by tests as provided for in Commission Decision 93/55/EEC;

“Form H” means a movement document completed by the Official Service, certifying that the molluscs have been submitted at the place of despatch to a check ensuring that they do not contain species other than *Crassostrea gigas* as required by Commission Decision 93/55/EEC;

“Form I” means a movement document completed by the Official Service, certifying that the site of origin complies with the conditions of Commission Decision 93/44/EEC of 21st December 1992 approving the programmes concerning spring viraemia of carp submitted by the United Kingdom, and defining the additional guarantees for certain fish species for consignment to Great Britain, Northern Ireland, the Isle of Man and Guernsey;

“gametes” means sperm or unfertilized ova and any associated fluid of fish, crustaceans or molluscs;

“health inspection” means a visit by an official service or services for the purpose of conducting health checks on a farm or zone;

“Minister” means the Minister for Economic Development;

“movement document” means a document duly completed and –

- (a) in the case of Form A, Form B, Form C, Form D corresponding to the Forms set out in Directive 91/67/EEC;
- (b) in the case of Form E and Form F corresponding to the forms set out in Commission Decision 93/22/EEC; and
- (c) in the case of Form G, Form H and Form I, complying with these Regulations;

“Official Service” means the veterinary service or any other service of equivalent level designated by the competent authority of a Member State or third country and responsible for carrying out the controls provided for in Directive 91/67/EEC;

“placing on the market” means holding or displaying for sale, offering for sale, selling, delivering, transferring or any other form of placing on the

market in Jersey or in the Community, with the exception of retail sale and “place on the market” shall be construed accordingly;

“premises” includes any place, farm, installation in which aquaculture animals are kept, vehicle, ship, vessel, boat, craft, hovercraft or aircraft;

“veterinary inspector” means a person appointed by the Minister for the purposes of these Regulations;

“wild” in relation to a fish, crustacean or molluscs means any fish, crustacean or mollusc which is not a farmed fish, crustacean or mollusc.

- (2) In these Regulations –
- (a) a reference to a Regulation or Schedule by number only is a reference to a Regulation or Schedule in these Regulations;
 - (b) a reference in a Regulation or Schedule to a paragraph by number or letter only is a reference to a paragraph in that Regulation or Schedule; and
 - (c) a reference in a paragraph to any subdivision of a paragraph by number or letter only is a reference to a subdivision in that paragraph.
- (3) In these Regulations unless the context otherwise requires –
- (a) a reference to an enactment is a reference to that enactment as amended from time to time, and includes a reference to that enactment as extended or applied by or under another enactment, including another provision of this Law; and
 - (b) a reference to an enactment includes a reference to any Regulation, Order, Bye-law or Notice made or issued under that enactment.

PART 2

GENERAL

3 Placing on the market of aquaculture animals and aquaculture products

- (1) No person shall place on the market –
- (a) aquaculture animals unless they meet the requirements set out in paragraph (2);
 - (b) aquaculture products for breeding purposes unless they originate from aquaculture animals which meet the requirements set out in paragraph (2); or
 - (c) aquaculture products for human consumption unless they originate from aquaculture animals which meet the requirements set out in paragraph (2)(a).
- (2) The requirements for aquaculture animals referred to in paragraph (1) are –
- (a) where placing on the market involves the loading of aquaculture animals, they shall not show clinical signs of disease on the day of loading;

- (b) they shall not be intended for destruction or slaughter under a scheme for the eradication of a disease referred to in Annex A of Directive 91/67/EEC;
- (c) they shall not come from a farm which is subject to a prohibition which has been imposed for aquaculture animal health reasons; and
- (d) they shall not have been in contact with aquaculture animals from a farm which is subject to a prohibition which has been imposed for aquaculture animal health reasons.

4 Transportation of aquaculture animals

- (1) No person shall transport aquaculture animals unless the requirements set out in paragraph (2) are met.
- (2) The requirements referred to in paragraph (1) are –
 - (a) the duration of the journey shall be as short as reasonably possible;
 - (b) the means of transport shall have been cleaned and disinfected prior to despatch;
 - (c) if the aquaculture animals are transported overland in water, they shall be transported in such a manner that the water can not escape from the vehicle during transport;
 - (d) all reasonable steps shall be taken to safeguard the health of the aquaculture animals, including, if appropriate, changing the water in which they are transported; and
 - (e) water used in the transport of the aquaculture animals shall only be changed at an approved water station.

5 Identification of aquaculture animals and aquaculture products

- (1) No person shall despatch aquaculture animals or aquaculture products unless information is provided in accordance with paragraph (2) which –
 - (a) identifies the consignment;
 - (b) enables the farm of origin or, in the case of aquaculture animals or aquaculture products from the wild, the place or origin to be traced; and
 - (c) enables the contents of the consignment to be linked to the movement document relating to the consignment, where a movement document is required by these Regulations.
- (2) The information referred to in paragraph (1) shall be provided on the container for the consignment, on a label fixed to the container or on the movement document.
- (3) For the purposes of this Regulation, the expression “place of origin” shall have the same meaning as it has in Commission Decision 93/22/EEC.

PART 3

MOVEMENT WITHIN THE EUROPEAN ECONOMIC COMMUNITY

6 Validity of movement documents

- (1) A movement document is not valid unless –
 - (a) it is drawn up at the place of origin of the aquaculture animals or aquaculture products to which it relates by the Official Service of the Member State in which the place of origin is situated;
 - (b) it is in the official language or languages of the place of destination of the aquaculture animals or aquaculture products to which it relates;
 - (c) it is drawn up on a single sheet of paper; and
 - (d) it is made out for a single consignee.
- (2) A movement document is not valid when –
 - (a) it is drawn up more than 48 hours before the aquaculture animals or aquaculture products to which it relates are loaded for despatch;
 - (b) the movement to which it relates has not been completed within 10 days of its issue;
 - (c) it is used in relation to aquaculture animals and aquaculture products other than those in respect of which it was issued;
 - (d) it has been incorrectly issued by an Official Service.
- (3) For the purposes of this Regulation the expression “place of origin” shall have the same meaning as it has in Directive 91/67/EEC.

7 Introduction of live fish, eggs and gametes

- (1) Any reference in this Regulation to a numbered column shall be construed as a reference to the column so numbered in Schedule 2.
- (2) No person shall introduce into a zone specified in the second column from elsewhere in the European Economic Community, or subsequently move within that zone, any live fish, eggs or gametes specified in the third column opposite the reference to such zone unless they are accompanied by valid movement documents in the form specified in the fourth column opposite the reference to such zone and such live fish, eggs or gametes confirming that –
 - (a) they come from an area free from the disease specified in the fifth column opposite the reference to such movement document; or
 - (b) where a movement document does not require that they come from an area free from such disease, they fulfil the conditions set out in that movement document.
- (3) The provisions of this Regulation shall not apply to tropical fish kept permanently in aquaria.

8 Introduction of dead fish

- (1) Any reference in this Regulation to a numbered column shall be construed as a reference to the column so numbered in Schedule 3.
- (2) No person shall introduce into a zone specified in the second column from elsewhere in the European Economic Community dead fish specified in the third column opposite the reference to such zone unless they comply with the conditions specified in the fourth column opposite the reference to such zone and such dead fish.

9 Introduction of live molluscs, eggs and gametes

- (1) Any reference in this Regulation to a numbered column shall be construed as a reference to the column so numbered in Schedule 4.
- (2) Subject to paragraph (5), no person shall introduce into a zone specified in the second column from elsewhere in the European Economic Community, or subsequently move within that zone, any live molluscs, eggs or gametes specified in the third column opposite the reference to such zone with the intention of relaying them unless they are accompanied by valid movement documents in the form specified in the fourth column opposite the reference to such zone and such live molluscs, eggs or gametes, confirming that –
 - (a) they come from an area free from the disease specified in the fifth column opposite the reference to such movement document; or
 - (b) where a movement document does not require that they come from an area free from such disease, they fulfil the conditions set out in that movement document.
- (3) Subject to paragraph (5), no person shall relay in a zone specified in the second column any live molluscs, eggs or gametes specified in the third column opposite the reference to such zone from outside that zone unless they are accompanied by valid movement documents in the form specified in the fourth column opposite the reference to such zone and such live molluscs, eggs or gametes, confirming that –
 - (a) they come from an area free from the disease specified in the fifth column opposite the reference to such movement document; or
 - (b) where a movement document does not require that they come from an area free from such disease, they fulfil the conditions set out in that movement document.
- (4) Paragraphs (2) and (3) shall not apply to the relaying of live molluscs, eggs or gametes when they are relaid in an approved storage centre.
- (5) For the purposes of this Regulation –

“coastal zone” means any waters lying below the high water mark of the ordinary spring tides and any land adjacent to such waters;

“relaying” in relation to molluscs means the deposit or immersion of molluscs in a coastal zone and “relaid” and “relay” shall be construed accordingly.

10 Quarantine requirements for introduction of wild fish, molluscs and crustacea for breeding purposes

- (1) No person shall introduce into an approved zone or an approved farm any wild fish, molluscs, crustaceans, their eggs or gametes, which have been caught in the deep sea and which are to be used for breeding purposes unless those fish, molluscs, crustaceans, eggs or gametes are first placed in quarantine in suitable facilities and in appropriate conditions to be determined by the Minister.
- (2) This Regulation shall not apply to tropical fish kept permanently in aquaria.

11 Export to any other place in the British Islands or to other parts of the European Economic Community of aquaculture animals and aquaculture products from Jersey

- (1) No person shall export from Jersey to any other place in the British Islands or to other parts of the European Economic Community any aquaculture animal or aquaculture product which does not meet or is not despatched in accordance with the requirements of the relevant provisions of Directive 91/67/EEC (including any option permitted by that Directive which has been exercised in relation to its destination) and is accompanied by any documents required under Directive 91/67/EEC.
- (2) For the purposes of this Regulation the relevant provisions of Directive 91/67/EEC are Articles 3, 4, 7 to 11, 14 and 16.⁴

PART 4

DISEASE AND POWERS

12 Notification of disease

- (1) Without prejudice to any obligations under any other enactment, any person who –
 - (a) knows of any abnormal death or other symptom amongst fish or molluscs which might constitute grounds for suspecting the presence of a disease listed in Schedule 1; or
 - (b) has any reason for suspecting the presence amongst fish or molluscs of a disease listed in Schedule 1,shall notify the Minister as quickly as possible.
- (2) Any person who has in his or her possession or under his or her charge an infected item, or an item which he or she suspects is an infected item, shall detain it until –
 - (a) it has been examined by a veterinary inspector; or
 - (b) a veterinary inspector has instructed the person to dispose of it.

- (3) A veterinary inspector shall have powers to take such samples of or from fish or molluscs as may be necessary to establish whether a disease listed in Schedule 1 is present amongst fish or molluscs.
- (4) For the purposes of this Regulation –
“infected item” means a fish or mollusc or the carcase or part of the carcase of the same which is infected with a disease listed in Schedule 1.

13 Powers – diseases of fish

If the result of a test for the presence of a disease of fish listed in Schedule 1 is positive, the Minister may, by notice in writing served on the person appearing to have charge of any fish, facilities or equipment –

- (a) require the slaughter of all fish in infected farms;
- (b) require the destruction of all infected or contaminated fish; and
- (c) require the disinfection of facilities and equipment.

14 Powers – diseases of molluscs

- (1) If a veterinary inspector has reasonable grounds for suspecting amongst molluscs the presence of a disease listed in Schedule 1 the veterinary inspector may –

- (a) by notice in writing served on the person appearing to have charge of any molluscs kept on such premises as are specified in the notice, prohibit the movement of any molluscs on to or off such premises, except under the written authority of the Minister; or
- (b) by notice in writing served on any person appearing to the veterinary inspector to be appropriate, prohibit the taking of any molluscs from any area as is specified in the notice except under the written authority of the Minister.

- (2) A notice served under paragraph (1) shall remain in force until withdrawn by a further notice in writing served by a veterinary inspector on the person on whom the initial notice was served.

- (3) If the result of a test for the presence of a disease of molluscs listed in Schedule 1 is positive, the Minister may, by notice in writing served on the person appearing to have charge of any molluscs, facilities or equipment –

- (a) require the destruction of all infected or contaminated molluscs; and
- (b) require the disinfection of facilities and equipment.

15 Powers of veterinary inspector

- (1) A veterinary inspector shall, on producing, if required to do so, some duly authenticated document showing the veterinary inspector's authority, have the right at all reasonable hours to enter any land or premises for the

purposes of ascertaining whether there is or has been on the premises any contravention of these Regulations.

- (2) A veterinary inspector shall have powers to carry out all checks and examinations necessary for the enforcement of these Regulations, and in particular may –
 - (a) carry out inspections of any premises;
 - (b) take samples of or from aquaculture animals or aquaculture products;
 - (c) examine relevant documentary or data processing material.
- (3) A veterinary inspector shall have powers to make such inspections and take such samples as may be necessary to carry out the health inspections, sampling plans and diagnostic methods established by Directive 91/67/EEC or Directive 95/70/EC.
- (4) A veterinary inspector entering any premises under these Regulations may take with the veterinary inspector such persons, equipment and vehicles as are necessary for the purpose of facilitating the exercise of the veterinary inspector's powers under these Regulations.

16 Failure to comply with a notice

If any person fails to comply with the requirements of a notice served under these Regulations then, without prejudice to any proceedings consequent upon such failure, a veterinary inspector may enter on any premises to which such notice relates and take or cause to be taken such steps as appear to the veterinary inspector to be necessary either to ensure compliance with the requirements of the notice or to remedy the consequences of the failure to carry them out, and all reasonable costs of taking such steps shall be recoverable by the Minister from the person on whom the notice was served.

17 Obstruction

- (1) No person shall –
 - (a) obstruct any person acting in the execution of these Regulations;
 - (b) without reasonable cause, fail to give to any person acting in the execution of these Regulations any assistance or information which that person may reasonably require of the person for the purposes of his or her functions under these Regulations; or
 - (c) furnish to any person acting in the execution of these Regulations any information which the person knows to be false or misleading.
- (2) Nothing in paragraph (1)(c) shall be construed as requiring any person to answer any question or give any information if to do so might incriminate the person.

18 Powers – European Inspectors

A European Inspector may accompany any person who is enforcing these Regulations for the purpose of establishing whether Directive 91/67/EEC and Directive 95/70/EC are applied in a uniform way.

PART 5**OFFENCES AND PENALTIES****19 Offences by directors or officers**

- (1) Where a body corporate is guilty of an offence under these Regulations, and that offence is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of any director, manager, secretary or other similar officer of the body corporate, or any person who was purporting to act in any such capacity, the person, as well as the body corporate, shall be guilty of the offence and be liable to be proceeded against and punished accordingly.
- (2) For the purposes of paragraph (1), “director”, in relation to a body corporate whose affairs are managed by its members, means a member of the body corporate.
- (3) A person who aids, abets, counsels, or procures the commission of an offence under these Regulations shall be liable to be dealt with, tried and punished as a principal offender.

20 Offences

- (1) No person shall contravene, or fail to comply with, a provision of these Regulations or a provision or condition of a notice served in accordance with the provisions of these Regulations.
- (2) No person shall for the purpose of procuring the issue of a movement document –
 - (a) make a statement which the person knows to be false in a material particular;
 - (b) recklessly make a statement which is false in a material particular; or
 - (c) intentionally fail to disclose any material particular.
- (3) A person shall be guilty of an offence who, without reasonable excuse, proof of which shall lie on the person, contravenes or fails to comply with any provision of this Regulation.

21 Penalties

A person guilty of an offence under these Regulations shall be liable to a fine not exceeding level 4 on the standard scale.

22 Citation

These Regulations may be cited as the Fish Health (Jersey) Regulations 1999.

SCHEDULE 1

(Regulations 12, 13 and 14)

LIST OF DISEASES

1. Infectious haematopoietic necrosis (“IHN”)
2. Viral haemorrhagic septicaemia (“VHS”)
3. Infectious pancreatic necrosis (“IPN”)
4. Bacterial kidney disease caused by *Renibacterium salmoninarum* (“BKD”)
5. Enteric redmouth caused by *Yersinia ruckeri* (“ERM”)
6. Furunculosis caused by *Aeromonas salmonicida*
7. Spring viraemia in carp (“SVC”)
8. Gyrodactylosis caused by *Gyrodactylus alaricus* (“G.S.”)
9. Bonamiosis
10. Marteiliosis (caused by both the pathogen *Marteilia refringens* and the pathogen *Marteilia sidneyi*)
11. Infectious Salmon Anaemia (“I.S.A.”)
12. Haplosporidiosis caused by *Haplosporidium nelsoni* and *Haplosporidium costale*
13. Iridovirosis
14. Mikrocytosis caused by *Mikrocytos mackini* and *Mikrocytos roughleyi*
15. Perkinsosis caused *Perkinsus marinus* and *Perkinsus olseni*

SCHEDULE 2

(Regulation 7)

ZONES IN JERSEY – LIVE FISH, EGGS AND GAMETES

Item	Zone	Live fish, eggs and gametes (a)	Form of movement document	Diseases (b)
(1)	(2)	(3)	(4)	(5)
1.	Jersey	Live farmed and wild fish and gametes of farmed and wild fish of the species – Salmonid sp.	Form A	IHN, VHS and GS
2.	Jersey	Eggs of farmed fish of the species – Salmonid sp.	Form A	IHN, VHS and GS
			Form B	IHN, VHS and GS
3.	Jersey	Eggs of wild fish of the species – Salmonid sp.	Form A	IHN, VHS and GS
4.	Jersey	Live farmed fish of the species – Thymallus thymallus Coregonus sp. Scophthalmus maximus	Form A	VHS
			Form E	IHN
5.	Jersey	Live wild fish of the species – Thymallus thymallus Coregonus sp. Scophthalmus maximus	Form A	VHS
			Form F	IHN
11.	Jersey	Eggs and gametes of wild fish of the species – Esox lucius	Form A	VHS
			Form F	IHN
			Form I	SVC
12.	Jersey	Live farmed and wild fish of the species – Esox lucius (fry only)	Form A	IHN and VHS
			Form I	SVC
13.	Jersey	Live farmed fish, their eggs and gametes of the following species – Carassius auratus Carassius carassius Ctenopharyngodon idella Cyprinus carpio erythrophthalmus Hypophthalmichthys Hypophthalmichthys nobilis Leuciscus idus	Form E	IHN and VHS
			Form I	SVC

Item	Zone	Live fish, eggs and gametes (a)	Form of movement document	Diseases (b)
		Rutilus molitrix rutilus Scardinius Siluris glanis Tinca tinca		
14.	Jersey	Live wild fish, their eggs and gametes of the following species – Carassius auratus Carassius carassius Cyprinus carpio Ctenopharyngodon idella Hypophthalmichthys molitrix Hypophthalmichthys nobilis Leuciscus idus Rutilus rutilus Scardinius erythropthalmus Siluris glanis Tinca tinca	Form F	IHN and VHS
			Form I	SVC
15.	Jersey	Live farmed fish, their eggs and gametes other than –(1) fish of the following species – Salmonid sp. Thymallus thymallus Coregonus sp. Esox lucius (including fry) Scophthalmus maximus Carassius auratus Carassius carassius Cyprinus carpio Ctenopharyngodon idella Hypophthalmichthys molitrix Hypophthalmichthys nobilis Leuciscus idus Rutilus rutilus Scardinius erythropthalmus Siluris glanis Tinca tinca their eggs and gametes (2) ornamental tropical fish kept permanently in aquaria.	Form E	IHN and VHS

Item	Zone	Live fish, eggs and gametes (a)	Form of movement document	Diseases (b)
16.	Jersey	Live wild fish, their eggs and gametes other than – (1) fish of the following species – Salmonid sp. Thymallus thymallus Coregonus sp. Esox lucius (including fry) Scophthalmus maximus Carassius auratus Carassius carassius Cyprinus carpio Ctenopharyngodon idella Hypophthalmichthys molitrix Hypophthalmichthys nobilis Leuciscus idus Rutilus rutilus Scardinius erythrophthalmus Siluris glanis Tinca tinca their eggs and gametes (2) ornamental tropical fish kept permanently in aquaria.	Form F	IHN and VHS

(a) The common names of the fish referred to in this Schedule are as follows:

Name	Common Name
<i>Salmonid</i> sp.	Salmonids
<i>Thymallus thymallus</i>	Grayling
<i>Coregonus</i> sp.	Whitefishes
<i>Esox lucius</i>	Pike
<i>Scophthalmus maximus</i>	Turbot
<i>Carassius auratus</i>	Gold fish and all variants
<i>Carassius carassius</i>	Crucian Carp
<i>Cyprinus carpio</i>	Common carp and all variants such as mirror carp, leather carp, koi carp and hygoi carp
<i>Ctenopharyngodon idella</i>	Grass carp
<i>Hypophthalmichthys molitrix</i>	Silver carp

<i>Leuciscus idus</i>	Orfe
<i>Rutilus rutilus</i>	Roach
<i>Scardinius erythrophthalmus</i>	Rudd
<i>Siluris glanis</i>	Wels Catfish
<i>Tinca tinca</i>	Tench

(b) The full names of the diseases in column 4 are set out in Schedule 1 except for GS which is Gyrodactylus _alaries an external parasite of salmonids which can cause the disease Gyrodactylosis.

SCHEDULE 3

(Regulation 8)

ZONES IN JERSEY – DEAD FISH

Item	Zone	Dead fish (a)	Conditions (b)
(1)	(2)	(3)	(4)
1.	Jersey	Dead fish of the species – Salmonid sp. Thymallus thymallus Coregonus sp. Esox lucius Scophthalmus maximus	The fish was slaughtered and eviscerated prior to despatch.
2.	Jersey	Dead uneviscerated fish of the species – Salmonid sp.	The fish is from an approved zone or an approved farm free of IHN and VHS and was slaughtered prior to despatch.
3.	Jersey	Dead uneviscerated fish of the species – Esox lucius (fry only)	The fish is from an approved zone or an approved farm free of IHN and VHS and was slaughtered prior to despatch.
4.	Jersey	Dead uneviscerated fish of the species – Thymallus thymallus Coregonus sp. Esox lucius (other than fry) Scophthalmus maximus	The fish is from an approved zone or an approved farm free of VHS and was slaughtered prior to despatch.

(a) The common names of the fish referred to in this Schedule are as follows:

Name	Common Name
<i>Salmonid</i> sp.	Salmonids
<i>Thymallus thymallus</i>	Grayling
<i>Coregonus</i> sp.	White-fishes
<i>Esox lucius</i>	Pike
<i>Scophthalmus maximus</i>	Turbot

(b) The full names of the diseases in column 4 are set out in Schedule 1.

SCHEDULE 4

(Regulation 9)

ZONES IN JERSEY – LIVE MOLLUSCS, EGGS AND GAMETES

Item	Zone	Live molluscs, eggs and gametes (a)	Form of movement document	Diseases
(1)	(2)	(3)	(4)	(5)
1.	Jersey	Live farmed molluscs of the species <i>Ostrea edulis</i> , their eggs and gametes	Form C, Form D or Form G	Bonamiosis Marteiliosis
2.	Jersey	Live wild molluscs of the species <i>Ostrea edulis</i> , their eggs and gametes	Form C or Form G	Bonamiosis Marteiliosis
3.	Jersey	Live farmed molluscs of the species <i>Crassostrea gigas</i> , their eggs and gametes	Form E or Form G Form H	Bonamiosis Marteiliosis
4.	Jersey	Live wild molluscs of the species <i>Crassostrea gigas</i> , their eggs and gametes	Form F or Form G Form H	Bonamiosis Marteiliosis
5.	Jersey	Live farmed molluscs, their eggs and gametes of species other than the species – <i>Ostrea edulis</i> <i>Crassostrea gigas</i>	Form E or Form G	Bonamiosis Marteiliosis
6.	Jersey	Live wild molluscs, their eggs and gametes of species other than the species – <i>Ostrea edulis</i> <i>Crassostrea gigas</i>	Form F or Form G	Bonamiosis Marteiliosis

(a) The common name of *Ostrea edulis* is flat oyster.The common name of *Crassostrea gigas* is Pacific oyster.

SCHEDULE 5

(Regulations 2 and 4)

PART 1**REQUIREMENTS FOR WATER STATION**

1. The hygienic properties of the water available for changing must be such as not to alter the health situation of the species transported with regard to the agents of the diseases referred to in Schedule 1.
2. These facilities shall contain devices designed to prevent any contamination of the work environment –
either by facilitating disinfection of the water; or
by ensuring that release of this water does not under any circumstances entail direct discharge into tidal or inland waters.

(Regulations 2 and 9)

PART 2**REQUIREMENTS FOR STORAGE CENTRE**

The storage centre shall treat and disinfect all water which leaves the storage centre so as to prevent any contamination of the work environment.

SCHEDULE 6

(Regulation 2)

meaning of “Directive 91/67/EEC”

DECISIONS MADE UNDER COUNCIL DIRECTIVE 91/67/EEC

Decision	OJ Reference
Commission Decision 92/528/EEC of 9 November 1992 approving the programme concerning bonamiosis and marteiliosis submitted by the United Kingdom.	OJ No. L332 18.11.92 p.25
Commission Decision 92/532/EEC of 19 November 1992 laying down the sampling plans and diagnosis methods for the detection and confirmation of certain fish diseases.	OJ No. L337 21.11.92 p.18
Commission Decision 92/538/EEC of 9 November 1992 concerning the status of Great Britain and Northern Ireland with regard to infectious haematopoietic necrosis and viral haemorrhagic septicaemia.	OJ No. L347 28.11.92 p.67
Commission Decision 93/22/EEC of 11 December 1992 laying down the model of the movement documents referred to in Article 14 of Council Directive 91/67/EEC.	OJ No. L16 25.1.93 p.8
Commission Decision 93/39/EEC of 18 December 1992 concerning the status of Guernsey with regard to infectious haematopoietic necrosis and viral haemorrhagic septicaemia.	OJ No. L16 25.1.93 p.46
Commission Decision 93/40/EEC of 18 December 1992 concerning the status of the Isle of Man with regard to infectious haematopoietic necrosis and viral haemorrhagic septicaemia.	OJ No. L16 25.1.93 p.47
Commission Decision 93/44/EEC of 21 December 1992 approving the programmes concerning spring viraemia of carp submitted by the United Kingdom, and defining the additional guarantees for certain fish species for consignment to Great Britain, Northern	OJ No. L16 25.1.93 p.53

Ireland, the Isle of Man and Guernsey.

Commission Decision 93/55/EEC of 21 December 1992 amending the guarantees for the introduction of molluscs into zones for which a programme for *Bonamia ostreae* and *Marteilia refringens* has been approved. OJ No. L14 22.1.93 p.24

Commission Decision 93/59/EEC of 21 December 1992 approving the programme concerning bonamiosis and marteiliosis submitted by the United Kingdom for the Isle of Man. OJ No. L14 22.1.93 p.28

Commission Decision 93/73/EEC of 21 December 1992 concerning the status of Ireland with regard to infectious haematopoietic necrosis and viral haemorrhagic septicaemia. OJ No. L27 4.2.93 p.34

Commission Decision 93/74/EEC of 21 December 1992 concerning the status of Denmark with regard to infectious haematopoietic necrosis and viral haemorrhagic septicaemia. OJ No. L27 4.2.93 p.35

Commission Decision 93/169/EEC of 19 February 1993 amending Decision 93/55/EEC concerning the guarantees for certain molluscs. OJ No. L71 24.3.93 p.16

Commission Decision 94/306/EC of 16 May 1994 laying down the sampling plans and diagnostic methods for the detection and confirmation of certain mollusc diseases. OJ No. L133 28.5.94 p.51

Commission Decision 94/450/EC of 24 June 1994 amending Decision 93/74/EEC concerning the status of Denmark with regard to infectious haematopoietic necrosis and viral haemorrhagic septicaemia. OJ No. L187 22.7.94 p.8

Commission Decision 94/722/EC of 25 October 1994 approving the programme concerning bonamiosis and marteiliosis submitted by France. OJ No. L288 9.11.94 p.47

Commission Decision 94/817/EC of 15 December 1994 amending Decision 92/538/EEC concerning the status of Great Britain and Northern Ireland with regard to infectious haematopoietic necrosis and viral haemorrhagic septicaemia. OJ No. L337 24.12.94 p.88

Commission Decision 94/862/EC of 20 OJ No. L352 31.12.94 p.72

December 1994 approving the programme concerning infectious hematopoietic necrosis and viral haemorrhagic septicaemia submitted by Spain for the region of Asturias.

Commission Decision 94/865/EC of 20 December 1994 amending Decision 93/44/EEC approving the programmes concerning spring viraemia of carp submitted by the United Kingdom, and defining the additional guarantees of certain fish species for consignment to Great Britain, Northern Ireland, the Isle of Man and Guernsey. OJ No. L352 31.12.94 p.75

Commission Decision 95/124/EC of 3 April 1995 establishing the list of approved fish farms in Germany. OJ No. L84 14.4.95 p.6

Commission Decision 95/125/EC of 4 April 1995 on the status of France as regards infectious hematopoietic necrosis and viral haemorrhagic septicaemia. OJ No. L84 14.4.95 p.8

Commission Decision 96/265/EC of 1 April 1996 amending Decision 95/124/EC establishing the list of approved fish farms in Germany. OJ No. L91 12.4.96 p.72

Commission Decision 95/470/EC of 25 October 1995 establishing the list of approved fish farms in Belgium. OJ No. L269 11.11.95 p.28

Commission Decision 95/473/EC of 27 October 1995 establishing the list of approved fish farms in France. OJ No. L269 11.11.95 p.31

Commission Decision 95/479/EC of 7 November 1995 approving the programme on infectious hematopoietic necrosis and viral haemorrhagic septicaemia submitted by Finland. OJ No. L275 18.11.95 p.23

Commission Decision 95/481/EC of 8 November 1995 amending Decision 95/125/EC on the status of France as regards infectious hematopoietic necrosis and viral haemorrhagic septicaemia. OJ No. L275 18.11.95 p.26

Commission Decision 96/218/EC of 8 March 1996 amending for the second time Decision 93/74/EEC concerning the status of Denmark with regard to infectious hematopoietic necrosis and viral OJ No. L72 21.3.96 p.39

haemorrhagic septicaemia.

Commission Decision 96/221/EC of 8 March 1996 approving the programme concerning viral haemorrhagic septicaemia for certain geographical zones presented by Denmark. OJ No. L74 22.3.96 p.42

Commission Decision 96/233/EC of 14 March 1996 establishing the list of approved fish farms in Denmark. OJ No. L77 27.3.96 p.33

Commission Decision 96/240 of 5 February 1996 amending decision 92/532/EEC laying down the sampling plans and diagnostic methods for the detection and confirmation of certain fish diseases. OJ No. L79 29.3.96 p.19

Commission Decision 96/265/EC of 1 April 1996 amending Decision 95/124/EC establishing the list of approved fish farms in Germany. OJ No. L91 12.4.96 p.72

Commission Decision 96/289 of 16 April 1996 amending Decision 95/473/EC establishing the list of approved fish farms in France. OJ No. L109 3.5.96 p.23

Directives amending council directive 91/67/EEC

Directive

OJ Reference

Council Directive 93/54/EEC of 24 June 1993 amending Directive 91/67/EEC concerning the animal health conditions governing the placing on the market of aquaculture animals and products. OJ No. L175 19.7.93 p.34

Council Directive 95/22/EC of 22 June 1995 amending Directive 91/67/EEC concerning the animal health conditions governing the placing on the market of aquaculture animals and products. OJ No. L243 11.10.95 p.1

ENDNOTES

Table of Legislation History

Legislation	Year and No	Commencement
Fish Health (Jersey) Regulations 1999	R&O.9463	9 February 1999
Fish Health (Amendment) (Jersey) Regulations 2003	R&O.89/2003	16 September 2003
Transfer of Functions (Environment and Public Services Committee (No. 2) (Jersey) Act 2004	R&O.133-2004	23 November 2004
States of Jersey (Amendments and Construction Provisions No. 3) (Jersey) Regulations 2005	R&O.132/2005	9 December 2005
States of Jersey (Transfer of Functions No. 2) (Planning and Environment to Economic Development) (Jersey) Regulations 2006	R&O.137/2006	13 December 2006

Table of Renumbered Provisions

Original	Current
Part I	Part 1
Part II	Part 2
Part III	Part 3
Part IV	Part 4
Part V	Part 5
First Schedule	SCHEDULE 1
Second Schedule	SCHEDULE 2
Third Schedule	SCHEDULE 3
Fourth Schedule	SCHEDULE 4
Fifth Schedule	SCHEDULE 5
Part I	Part 1
Part II	Part 2
Sixth Schedule	SCHEDULE 6

Table of Endnote References

¹

These Regulations have been amended by the States of Jersey (Amendments and Construction Provisions No. 3) (Jersey) Regulations 2005. The amendments replace all references to a Committee of the States of Jersey with a reference to a Minister of the States of Jersey, and remove and add defined terms appropriately, consequentially upon the move from a committee system of government to a ministerial system of government.

These Regulations have been further amended by the States of Jersey (Transfer of Functions No. 2) (Planning and Environment to Economic Development) (Jersey) Regulations 2006. The amendments give effect to the transfer of functions from the Minister for Planning and Environment to the Minister for Economic Development.

²

chapter 17.245

³

chapter 02.400.18

⁴ Article 11(2)

amended by R&O.89/2003