

COMMISSION DECISION

of 11 June 1999

on protective measures with regards to contamination by dioxins of certain products of animal origin intended for human or animal consumption and amending Decision 1999/363/EC and Decision 1999/389/EC

(notified under document number C(1999) 1672)

(Text with EEA relevance)

(1999/390/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 89/662/EEC of 11 December 1989 concerning veterinary checks in intra-Community trade with a view to the completion of the internal market⁽¹⁾, as last amended by Directive 92/118/EEC⁽²⁾, and in particular Article 9(4) thereof,

Having regard to Council Directive 90/425/EEC of 26 June 1990 concerning veterinary and zootechnical checks applicable in intra-Community trade in certain live animal and products with a view to the completion of the internal market⁽³⁾, as last amended by Directive 92/118/EEC, and in particular Article 10(4) thereof,

(1) Whereas following information on contamination of poultry, bovine and pig products with dioxins the Commission has adopted Decision 1999/363/EC, of 3 June 1999, on protective measures with regards to contamination by dioxins of certain animal products intended for human or animal consumption⁽⁴⁾, and Decision 1999/389/EC, of 11 June 1999, on protective measures with regards to contamination by dioxins of products intended for human or animal consumption derived from bovine animals and pigs⁽⁵⁾; whereas Article 2 of these Decisions establishes that, for purpose of trade the commercial document or, if appropriate, the veterinary certificate accompanying each consignment of live animals or products to which these Decisions apply must be completed by an official declaration signed by the Belgian competent authority certifying that the live animals or the products of Belgian origin are in compliance with these Decisions; whereas it appears that in the absence of a uniform certification system, confu-

sion is arising among Member States and third countries as a result of different reporting methods by the Belgian authorities; whereas, in order to improve confidence in the guarantees provided by the Belgian authorities, it is appropriate to lay down models for official declaration and for official certificates which should accompany live animals and products of Belgian origin to which these Decisions apply; whereas, in addition, these measures should also apply to exports to third countries so as to prevent deflections of trade;

- (2) Whereas Article 1(1)(A) of Decision 1999/389/EC lays down a list of products to which this Decision applies; whereas it is appropriate to add milk and milk products intended for animal consumption to this list;
- (3) Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Veterinary Committee,

HAS ADOPTED THIS DECISION:

Article 1

Article 2 of Decision 1999/363/EC is replaced by the following:

'Article 2

- A. For the purpose of intra-Community trade and export to third countries, in addition to the appropriate commercial document or to the official certificate, each consignment of products of Belgian origin listed in Article 1 must be accompanied by an official certificate signed by the Belgian competent authority as laid down in Annex A to this Decision.

⁽¹⁾ OJ L 395, 30.12.1989, p. 13.

⁽²⁾ OJ L 62, 15.3.1993, p. 49.

⁽³⁾ OJ L 224, 18.8.1990, p. 20.

⁽⁴⁾ OJ L 141, 4.6.1999, p. 24.

⁽⁵⁾ See page 26 of this Official Journal.

- B. For the purpose of intra-Community trade and export to third countries, the appropriate health certificate accompanying each consignment of live domestic fowl and hatching eggs derived therefrom, of Belgian origin must be accompanied by an official declaration signed by the Belgian competent authority as laid down in Annex B to this Decision.
- C. The official certificate and the official declaration referred to in points A and B shall be drawn up on the date of loading in the language or languages of the Member State of dispatch and in the official language of the Member State of destination and they shall consist of a single sheet.'

Article 2

Decision 1999/389/EC is amended as follows:

- (a) The following ninth indent is added to Article 1(1)(A) of Decision 1999/389/EC:

— 'Milk, milk products not intended for human consumption, as referred to by Directive 92/118/EEC.'

- (b) Article 2 is replaced by the following:

'Article 2

- A. For the purpose of intra-Community trade and export to third countries, in addition to the appropriate commercial document or to the official certificate, each consignment of products of Belgian origin listed in Article 1 must be accompanied by an official certificate signed by the Belgian competent authority as laid down in Annex C to this Decision.
- B. For the purpose of intra-Community trade and export to third countries, the appropriate health certificate accompanying each consignment of

bovine animals and pigs of Belgian origin must be accompanied by an official declaration signed by the Belgian competent authority as laid down in Annex D to this Decision.

- C. The official certificate and the official declaration referred to in points A and B shall be drawn up on the date of loading in the language or languages of the Member State of dispatch and in the official language of the Member State of destination and they shall consist of a single sheet.'

Article 3

Annexes A and B to the present Decision are added to Decision 1999/363/EC.

Annexes C and D to the present Decision are added to Decision 1999/389/EC.

Article 4

Member States shall alter the measures they apply to trade in order to bring them into line with this Decision. They shall immediately inform the Commission thereof.

Article 5

This Decision is addressed to the Member States.

Done at Brussels, 11 June 1999.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX A

'ANNEX A

HEALTH CERTIFICATE

For products intended for human or animal consumption of Belgian origin derived from domestic fowl listed in Article 1(1)(A) of Decision 1999/363/EC

Country of destination:

Reference No of this health certificate:

Responsible Ministry (¹):

— Ministère des affaires sociales, de la santé publique et de l'environnement/Ministerie van Sociale Zaken, Volksgezondheid en Leefmilieu

— Ministère des classes moyennes et de l'agriculture/Ministerie van Middenstand en Landbouw

Certifying department:

I. Identification of the products (¹)

- fresh poultrymeat, ad defined by Council Directive 71/118/EEC,
- mechanically recovered meat,
- minced meat and meat preparation, as defined by Council Directive 94/65/EC,
- meat products and other products of animal origin as defined by Council Directive 77/99/EEC,
- eggs
- egg products, as defined by Council Directive 89/437/EEC,
- products intended for human consumption which contain more than 2 % of eggs and eggs products;
- rendered fats, as referred to by Council Directive 92/118/EEC,
- processed animal proteins, as referred to by Council Directive 92/118/EEC,
- raw materia for the manufacture of animal feedingstuffs, as referred to by Council Directive 92/118/EEC.

Nature of packaging

Number of packages:

Net weight:

II. Origin of products

Address and veterinary approval or registration number of the approved or registered establishment:
.....

III. Destination of products

The products will be send from:
(place of loading)

To:
(country and place of destination)

By the following means of transport:

(¹) Delete as appropriate.

Name and address of consignor:

Name and address of consignee:

IV. Attestation

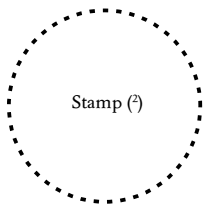
I, the undersigned official competent authority, declare that I am aware of the provisions laid down in Decision 1999/363/EC and certify that the product described above is in compliance with Decision 1999/363/EC and, in particular, that⁽¹⁾:

— the product is not derived from animals reared in holdings under restriction by the Belgian authorities,

or

— the results of analysis demonstrate that the product is not contaminated with dioxins

Done at , on
(place) (date)



.....
(signature of the official competent authority⁽²⁾)

.....
(name in capital letters, qualification and title)

⁽¹⁾ Delete as appropriate.

⁽²⁾ The signature and the stamp must be in a colour different to that of the printing.

ANNEX B

'ANNEX B

OFFICIAL DECLARATION

For domestic fowl and hatching eggs listed in Article 1(1)(B) of Decision 1999/363/EC

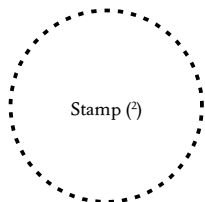
Health certificate No:

DECLARATION

No of the Declaration:

I, the undersigned official veterinarian, declare that I am aware of the provisions laid down in Decision 1999/363/EC and certify that the animals/hatching eggs (1) accompanied by the attached health certificate are in compliance with Decision 1999/363/EC and, in particular, that the animals have not been reared in holdings under restriction by the Belgian authorities/the hatching eggs have not been derived from animals reared in holdings under restriction by the Belgian authorities (1)

Done at on
(place) (date)



.....
(signature of the official veterinarian of Ministère des classes moyennes et de l'agriculture/Ministerie van Middenstand en Landbouw) (2)

.....
(name in capital letters, qualification and title)

(1) Delete as appropriate.

(2) The signature and the stamp must be in a colour different to that of the printing.

ANNEX C

'ANNEX A

HEALTH CERTIFICATE

For products intended for human or animal consumption of Belgian origin derived from bovine animals and pigs listed in Article 1(1)(A) of Decision 1999/389/EC

Country of destination:

Reference No of this health certificate:

Responsible Ministry (¹):

— Ministère des affaires sociales, de la santé publique et de l'environnement/Ministerie van Sociale Zaken, Volksgezondheid en Leefmilieu

— Ministère des classes moyennes et de l'agriculture/Ministerie van Middenstand en Landbouw

Certifying department:

I. Identification of the products (¹)

- fresh meat, as defined by Council Directive 64/433/EEC,
- mechanically recovered meat,
- minced meat and meat preparation, as defined by Council Directive 94/65/EC,
- meat products and other products of animal origin as defined by Council Directive 77/99/EEC,
- raw milk, heat-treated milk and milk based products as defined by Council Directive 92/46/EC,
- milk, milk products not intended for human consumption, as referred to by Directive 92/118/EEC,
- rendered fats, as referred to by Council Directive 92/118/EEC,
- processed animal proteins, as referred to by Council Directive 92/118/EEC,
- raw material for the manufacture of animal feedingstuffs, as referred to by Council Directive 92/118/EEC.

The product was derived from: bovine animals/pigs (¹)

Nature of products:

Nature of packaging:

Number of cuts or packages:

Net weight:

II. Origin of the products

Address and veterinary approval or registration No of the approved or registered establishment:

.....

III. Destination of the products

The product will be sent from:

(place of loading)

To:

(country and place of destination)

By the following means of transport:

(¹) Delete as appropriate.

Name and address of consignor:

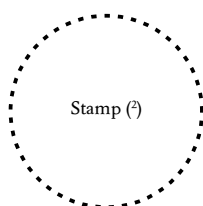
Name and address of consignee:

IV. Attestation

I, the undersigned official competent authority, declare that I am aware of the provisions laid down in Decision 1999/369/EC and certify that the product described above is in compliance with Decision 1999/369/EC and, in particular, that ⁽¹⁾:

- the product is not derived from animals reared in holdings under restriction by the Belgian authorities, or
- the results of analysis demonstrate that the product is not contaminated with dioxins

Done at on
(place) (date)



.....
(signature of the official competent authority) ⁽²⁾

.....
(name in capital letters, qualification and title)

⁽¹⁾ Delete as appropriate.

⁽²⁾ The signature and the stamp must be in a colour different to that of the printing.

ANNEX D

'ANNEX B

OFFICIAL DECLARATION**For bovine animals and pigs listed in Article 1(1)(B) of Decision 1999/389/EC**

Health certificate No:

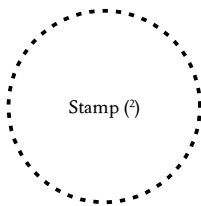
DECLARATION

No of the Declaration:

I, the undersigned official veterinarian, declare that I am aware of the provisions laid down in Decision 1999/389/EC and certify that the bovine/animals/pigs ⁽¹⁾ accompanied by the attached health certificate are in compliance with Decision 1999/389/EC and, in particular, that the animals have not been reared in holdings under restriction by the Belgian authorities.

Done at on

(place) (date)



.....
 (signature of the official veterinarian of Ministère des classes moyennes et de l'agriculture/Ministerie van Middenstand en Landbouw) ⁽²⁾

.....
 (name in capital letters, qualification and title)

(1) Delete as appropriate.

(2) The signature and the stamp must be in a colour different to that of the printing.