

## II

(Acts whose publication is not obligatory)

## COMMISSION

## COMMISSION DECISION

of 4 April 2005

**on simplified certificates for the importation of bovine semen and fresh pig meat from Canada and amending Decision 2004/639/EC**

(notified under document number C(2005) 1002)

(Text with EEA relevance)

(2005/290/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Decision 1999/201/EC of 14 December 1998 on the conclusion of the Agreement between the European Community and the Government of Canada on sanitary measures to protect public and animal health in respect of trade in live animals and animal products<sup>(1)</sup>, and in particular Article 3 thereof,

Having regard to Council Directive 88/407/EEC of 14 June 1988 laying down the animal health requirements applicable to intra-Community trade in and imports of semen of domestic animals of the bovine species<sup>(2)</sup>, in particular Articles 10(2) and 11(2) thereof,

Having regard to Council Directive 72/462/EEC of 12 December 1972 on health and veterinary inspection problems upon importation of bovine, ovine and caprine animals and swine, fresh meat or meat products from third countries<sup>(3)</sup>, and in particular Articles 16(1) and 22(2) thereof,

Having regard to Council Directive 2002/99/EC of 16 December 2002 laying down the animal health rules governing the production, processing, distribution and introduction of products of animal origin for human consumption<sup>(4)</sup>, in particular Article 8(4) and 9(4) (b) thereof.

Whereas:

- (1) Annex V to the Agreement of 17 December 1998 between the European Community and the Government of Canada on sanitary measures to protect public and animal health in respect of trade in live animals and animal products (the Agreement) establishes the public health and animal health measures for imports into the Community of certain animals and products thereof for which equivalence should be recognised.
- (2) Annex VII to the Agreement provides for simplified official animal health and/or public health attestations to be included in the model health certificate for imports into the Community of live animals and animal products for which equivalence of measures (Yes-1) has been recognised.
- (3) Equivalence has been recognised for bovine semen with respect to animal health requirements on the basis of Directive 88/407/EEC, as amended by Directive 2003/43/EC<sup>(5)</sup>, and therefore a simplified model certificate for bovine semen should be established.

<sup>(1)</sup> OJ L 71, 18.3.1999, p. 1.

<sup>(2)</sup> OJ L 194, 22.7.1988, p. 10. Directive as last amended by Commission Decision 2004/101/EC (OJ L 30, 4.2.2004, p. 15).

<sup>(3)</sup> OJ L 302, 31.12.1972, p. 24. Directive as last amended by Regulation (EC) No 807/2003 (OJ L 122, 16.5.2003, p. 36).

<sup>(4)</sup> OJ L 18, 23.1.2003, p. 11.

<sup>(5)</sup> OJ L 143, 11.6.2003, p. 23.

- (4) It should be clarified that the use of the model animal health certificates laid down in Commission Decision 2004/639/EC of 6 September 2004 laying down the importation conditions of semen of domestic animals of the bovine species<sup>(1)</sup> is required without prejudice to specific certification requirements based on equivalence agreements between the Community and third countries. Decision 2004/639/EC should be amended accordingly.
- (5) Equivalence has been recognised with regard to public health requirements for pig meat but not for animal health requirements. Therefore the simplification based on equivalence of the model certificate for pig meat should only cover public health measures.
- (6) Council Directive 93/119/EC of 22 December 1993 on the protection of animals at the time of slaughter or killing<sup>(2)</sup> provides that the health certificates accompanying meat to be imported from a third country be supplemented by an attestation certifying that animals referred to in that Directive have been slaughtered under conditions which offer guarantees of humane treatment at least equivalent to those provided for in that Directive. That attestation should be included in the model certificate for fresh pig meat set out in this Decision.
- (7) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS DECISION:

#### *Article 1*

The Member States shall authorise the importation from Canada of semen of domestic animals of the bovine species conforming to the certification conditions laid down in the model certificate set out in Annex I, and accompanied by such a certificate duly completed and issued before departure of the consignment from Canada.

#### *Article 2*

The Member States shall authorise the importation from Canada of fresh meat of domestic swine conforming to the certification conditions laid down in the model certificate set out in Annex II, and accompanied by such a certificate duly completed and issued before departure of the consignment from Canada.

#### *Article 3*

In Article 1 of Decision 2004/639/EC, the following paragraph 4 is added:

‘4. The requirement laid down in paragraph 1 to use the model animal health certificate set out in Annex II, part 1 shall be without prejudice to specific certification requirements and model certificates adopted pursuant to agreements between the Community and third countries following a recognition of equivalence.’

#### *Article 4*

For a transitional period not exceeding 90 days from the date of application of this Decision, Member States shall authorise the importation from Canada of semen of domestic animals of the bovine species and fresh meat of domestic swine under model certificates applicable before the date of application of this Decision.

#### *Article 5*

This Decision is addressed to the Member States.

Done at Brussels, 4 April 2005.

*For the Commission*  
Markos KYPRIANOU  
*Member of the Commission*

<sup>(1)</sup> OJ L 292, 15.9.2004, p. 21.

<sup>(2)</sup> OJ L 340, 31.12.1993, p. 21. Directive as amended by Regulation (EC) No 806/2003 (OJ L 122, 16.5.2003, p. 1).

## ANNEX I

**Health Certificate for Semen of Domestic Animals of The Bovine Species**

1. Country of origin: CANADA and competent authority: Canadian Food Inspection Agency (CFIA)		2. Health certificate No
<b>A. ORIGIN OF SEMEN</b>		
3. Approval number of the centre of provenance of the consignment: collection/storage <sup>(1)</sup>		
4. Name and address of centre of provenance of the consignment: collection/storage <sup>(1)</sup>	5. Name and address of the consignor	
6. Country and place of loading	7. Means of transport	
<b>B. DESTINATION OF SEMEN</b>		
8. Member State of destination	9. Name and address of the consignee	
<b>C. IDENTIFICATION OF SEMEN</b>		
10. Identification mark of the doses <sup>(2)</sup>	11. Number of doses	12. Approval number of the collection centre of origin
<b>D. HEALTH INFORMATION</b>		
13. I, the undersigned official veterinarian, certify that:		
<p>(a) the semen complies with the relevant Canadian health standards and requirements which have been recognised as equivalent to the European Community standards and requirements<sup>(3)</sup>, specifically, in accordance with the Health and Animals Act and subsections (1.5.6) on EBL and (3.6.6) on IBR of section 15.4.1 on the Export Eligible Semen to the European Union of the Artificial Insemination Program<sup>(4)</sup>.</p> <p>(b) the semen described above was sent to the place of loading in a sealed container bearing the number ....., under conditions which comply with the relevant Canadian health standards and requirements which have been recognised as equivalent to the European Community standards and requirements<sup>(3)</sup>.</p>		
<b>E. VALIDITY</b>		
14. Date and place	15. Name and qualification of the official veterinarian	16. Signature and stamp of the official veterinarian

(1) Delete as necessary.

(2) Corresponding to the identification of the donor animals and date of collection.

(3) Council Directive 88/407/EEC as amended by Directive 2003/43/EC.

(4) Version March 2004.

## ANNEX II

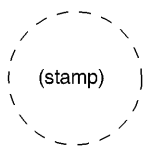
## Animal and Public Health Certificate for Fresh Meat of Domestic Swine

1. <b>Consignor</b> (name and address in full) ..... ..... .....	<b>VETERINARY CERTIFICATE for fresh meat of domestic swine<sup>(1)</sup>, consigned to the European Community</b> No <sup>(2)</sup> <span style="float: right;">ORIGINAL</span>																																																																									
2. <b>Consignee</b> (name and address in full) ..... ..... .....	3. <b>Origin of the meat</b> 3.1. Country: CANADA 3.2. Code of territory: CA																																																																									
5. <b>Intended destination of the meat</b> 5.1. EU Member State: ..... 5.2. Name, address of the establishment: ..... Approval or registration number (where applicable): ..... .....	4. <b>Competent authority</b> Canadian Food Inspection Agency (CFIA) ..... .....																																																																									
7. <b>Means of transport and consignment identification<sup>(3)</sup></b> 7.1. (Lorry, Rail-wagon, Ship, or Aircraft) <sup>(4)</sup> 7.2. Registration number(s), ship name or flight number: ..... .....	6. <b>Place of loading for exportation</b> ..... ..... 7.3. Consignment identification details <sup>(5)</sup> : ..... ..... .....																																																																									
8. <b>Identification of the meat</b> 8.1. Meat from: Domestic Swine 8.2. Temperature conditions of the meat included in this consignment: chilled/frozen <sup>(4)</sup> 8.3. Individual identification of the meat included in this consignment: <table border="1" data-bbox="165 1323 1425 1682" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th rowspan="2">Nature of cuts<sup>(6)</sup></th> <th colspan="3">Approval number of the establishments</th> <th rowspan="2">Number of packages/pieces</th> <th rowspan="2">Net weight (kg)</th> </tr> <tr> <th>Slaughter-house</th> <th>Cutting/Manufacturing</th> <th>Cold store</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr> <td colspan="4" style="text-align: right;">Total</td> <td> </td> <td> </td> </tr> </tbody> </table>						Nature of cuts <sup>(6)</sup>	Approval number of the establishments			Number of packages/pieces	Net weight (kg)	Slaughter-house	Cutting/Manufacturing	Cold store																																																							Total					
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9. <b>Public health attestation</b> I, the undersigned official veterinarian, hereby certify, that: <p>9.1. the fresh meat complies with the relevant Canadian public health standards and requirements which have been recognised as equivalent to the European Community standards and requirements<sup>(7)</sup>, specifically, in accordance with the Meat Inspection Act and subsections (2) and (3) of section 11.7.3 on the European Union of Chapter 11 of the Meat Hygiene Manual<sup>(8)</sup> and is fit for human consumption;</p> <p>9.2. the fresh meat, or the packages of meat, bear an official health mark attesting that the meat has been wholly dressed and inspected in the establishments indicated under point 8.3 that are approved for exportation to the European Community.</p>																																																																										

10.	<p><b>Animal health attestation</b></p> <p>I, the undersigned official veterinarian, hereby certify, that the fresh meat described above:</p>
10.1.	has been obtained in the territory with code CA which, at the date of issuing this certificate:
(4) either	[(a) has been free for 12 months from foot-and-mouth disease, rinderpest, African swine fever, classical swine fever, swine vesicular disease, and]
(4) or	<p>[(a) (i) has been free for 12 months from rinderpest, African swine fever, [foot-and-mouth disease] (4), [classical swine fever] (4) and [swine vesicular disease] (4), and</p> <p>(ii) has been considered free from [foot-and-mouth disease] (4), [classical swine fever] (4) and [swine vesicular disease] (4), since ..... (date), without having had cases/outbreaks afterwards, and authorised to export this meat by Commission Decision 2005/290/EC, of 4 April 2005, and]</p> <p>(b) during the last 12 months no vaccination against these diseases have been carried out and imports of domestic animals vaccinated against these diseases are not permitted in this territory;</p>
10.2.	has been obtained from animals that:
(4)	[have remained in the territory described under point 10.1 since birth, or for at least the last three months before slaughter]
(4) and/or	[have been introduced on ..... (date) into the territory of Canada, from the territory with code ..... (9) that, at that date, was authorised to export this fresh meat to the European Community;]
(4) and/or	[have been introduced on ..... (date) into the territory described under point 10.1, from the EU Member State ..... ;]
10.3.	has been obtained from animals coming from holdings:
	(a) in which none of the animals present therein have been vaccinated against the diseases mentioned under point 10.1,
	(b) in and around which, in an area of 10 km radius, there has been no case/outbreak of the diseases mentioned under point 10.1 during the previous 40 days,
	(c) that are not subject to prohibition as a result of an outbreak of porcine brucellosis during the previous six weeks;
10.4.	has been obtained from animals that:
	(a) have remained separate since birth from wild cloven-hoofed animals,
	(b) have been transported from their holdings to an approved slaughterhouse in cleaned and disinfected vehicles, without contact with other animals which did not comply with the conditions mentioned above,
	(c) at the slaughterhouse, have passed ante-mortem health inspection during the 24 hours before slaughter and, in particular, have shown no evidence of the diseases mentioned under point 10.1 above, and
	(d) have been slaughtered on or between ..... (10);
10.5.	has been obtained in an establishment around which, within a radius of 10 km, there has been no case/outbreak of the diseases mentioned under point 10.1 above during the previous 40 days or, in the event of a case of disease, the preparation of meat for exportation to the European Community has been authorised only after slaughter of all animals present, removal of all meat, and the total cleaning and disinfection of the establishment under the control of an official veterinarian;
10.6.	has been obtained and prepared without contact with other meats not complying with the conditions required above.
11.	<p><b>Animal welfare attestation</b></p> <p>I, the undersigned official veterinarian, hereby certify, that the fresh meat described above derives from animals which have been treated in the slaughterhouse before and at the time of slaughter or killing under conditions which offer guarantees of humane treatment at least equivalent to the relevant provisions of European Community legislation (11).</p>

**Official stamp and signature**

Done at ..... on .....



(signature of official veterinarian)

(name in capital letters, qualifications and title)

**Notes**

- (1) Fresh meat means all parts, whether fresh, chilled or frozen, fit for human consumption of domestic swine (*Sus scrofa*), excluding deep-frozen minced meat.
- (2) Issued by CFIA.
- (3) The registration number(s) of rail-wagon or lorry and the name of the ship should be given as appropriate. If known, the flight number of the aircraft.  
In case of transport in containers or boxes, the total number, their registration and seal numbers, if present, should be indicated under point 7.3.
- (4) Keep as appropriate.
- (5) Complete if appropriate.
- (6) If frozen, indicate the date of freezing (mm/yy) of the cuts/pieces.
- (7) The provisions of Council Directive 2002/99/EC (as last amended).  
Regarding general hygiene, the provisions of Commission Decision 2002/477/EC (as last amended).  
Regarding trichinosis, the provisions of Council Directive 77/96/EEC (as last amended).
- (8) Directive No 2005-3.  
<http://www.inspection.gc.ca/francais/anima/meavia/mmopmmhv/chap11/eu-uef.shtml> for the French version  
<http://www.inspection.gc.ca/english/anima/meavia/mmopmmhv/chap11/eu-uee.shtml> for the English version
- (9) Country and code of territory as appearing in Part 1 of Annex II to Council Decision 79/542/EEC (as last amended).
- (10) Date or dates of slaughter. Imports of this meat shall not be allowed when obtained from animals slaughtered either prior to the date of authorisation for exportation to the European Community of the territory mentioned under (3), or during a period where restrictive measures have been adopted by the European Community against imports of this meat from this territory.
- (11) Council Directive 93/119/EC (as last amended).

**Notes for the completion of the certificate**

- (a) A separate and unique certificate must be provided for meat which is consigned to the same destination and transported in the same railway wagon, lorry, aircraft or ship.
- (b) The original of each certificate shall consist of a single page, both sides, or, where more text is required, it shall be in such a form that all pages needed are part of an integrated whole and indivisible.
- (c) It shall be drawn up in the English or French language as well as in one of the official languages of the Member State in which the inspection at the border post shall be carried out and of the EU Member State of destination.  
However, these Member States may allow other languages, if necessary, accompanied by an official translation.
- (d) If for reasons of identification of the items of the consignment (schedule in point 8.3 of the model of certificate), additional pages are attached to the certificate, these pages shall also be considered as forming part of the original of the certificate by the application of the signature and stamp of the certifying official veterinarian, in each of the pages.
- (e) When the certificate, including additional schedules referred to in (d), comprises more than one page, each page shall be numbered — (page number) of (total number of pages) — at the bottom and shall bear the code number of the certificate that has been designated by the competent authority at the top.
- (f) The original of the certificate must be completed and signed by an official veterinarian. In doing so, the competent authorities of the exporting country shall ensure that the principles of certification equivalent to those laid down in Council Directive 96/93/EC are followed.  
The colour of the signature shall be different to that of the printing. The same rule applies to stamps other than those embossed or watermarked.
- (g) The original of the certificate must accompany the consignment at the EU border inspection post.