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► **B**► **M17 COUNCIL DIRECTIVE
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

(72/462/EEC) ◀

(OJ L 302, 31.12.1972, p. 28)

Amended by:

	Official Journal		
	No	page	date
► <u>M1</u> Council Directive 73/358/EEC of 19 November 1973	L 326	17	27.11.1973
► <u>M2</u> Council Directive 74/387/EEC of 15 July 1974	L 202	36	24.7.1974
► <u>M3</u> Council Directive 75/379/EEC of 24 June 1975	L 172	17	3.7.1975
► <u>M4</u> Council Directive 77/98/EEC of 21 December 1976	L 26	81	31.1.1977
► <u>M5</u> Council Directive 81/476/EEC of 24 June 1981	L 186	20	8.7.1981
► <u>M6</u> Council Directive 83/91/EEC of 7 February 1983	L 59	34	5.3.1983
► <u>M7</u> Council Regulation (EEC) No 3768/85 of 20 December 1985	L 362	8	31.12.1985
► <u>M8</u> Council Directive 86/469/EEC of 16 September 1986	L 275	36	26.9.1986
► <u>M9</u> Council Directive 87/64/EEC of 30 December 1986	L 34	52	5.2.1987
► <u>M10</u> Council Directive 88/289/EEC of 3 May 1988	L 124	31	18.5.1988
► <u>M11</u> Council Directive 88/657/EEC of 14 December 1988	L 382	3	31.12.1988
► <u>M12</u> Council Directive 89/227/EEC of 21 March 1989	L 93	25	6.4.1989
► <u>M13</u> Council Directive 89/662/EEC of 11 December 1989	L 395	13	30.12.1989
► <u>M14</u> Council Directive 90/423/EEC of 26 June 1990	L 224	13	18.8.1990
► <u>M15</u> Council Directive 90/425/EEC of 26 June 1990	L 224	29	18.8.1990
► <u>M16</u> Council Directive 90/675/EEC of 10 December 1990	L 373	1	31.12.1990
► <u>M17</u> Council Directive 91/69/EEC of 28 January 1991	L 46	37	19.2.1991
► <u>M18</u> Council Directive 91/266/EEC of 21 May 1991	L 134	45	29.5.1991
► <u>M19</u> Council Directive 91/496/EEC of 15 July 1991	L 268	56	24.9.1991
► <u>M20</u> Council Directive 91/497/EEC of 29 July 1991	L 268	69	24.9.1991
► <u>M21</u> amended by Council Directive 92/5/EEC of 10 February 1992	L 57	1	2.3.1992
► <u>M22</u> Council Regulation (EEC) No 3763/91 of 16 December 1991	L 356	1	24.12.1991
► <u>M23</u> Council Directive 91/688/EEC of 11 December 1991	L 377	18	31.12.1991
► <u>M24</u> Council Regulation (EEC) No 1601/92 of 15 June 1992	L 173	13	27.6.1992
► <u>M25</u> Council Directive 96/91/EC of 17 December 1996	L 13	26	16.1.1997
► <u>M26</u> Council Directive 97/76/EC of 16 December 1997	L 10	25	16.1.1998
► <u>M27</u> Council Directive 97/79/EC of 18 December 1997	L 24	31	30.1.1998

Amended by:

▶ A1	Act of Accession of Greece	L 291	17	19.11.1979
▶ A2	Act of Accession of Austria, Sweden and Finland	C 241	21	29.8.1994
	(adapted by Council Decision 95/1/EC, Euratom, ECSC)	L 1	1	1.1.1995

Corrected by:

- ▶ **C1** Consolidated text of corrigenda to instruments published in Special Editions 1952-72, p. 113 (72/462/EEC)
- ▶ **C2** Corrigendum, OJ L 211, 3.8.1983, p. 30 (83/91/EEC)
- ▶ **C3** Corrigendum, OJ L 189, 20.7.1988, p. 28 (88/289/EEC)

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COUNCIL DIRECTIVE

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

(72/462/EEC)

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THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 43 and 100 thereof;

Having regard to the proposal from the Commission;

Having regard to the Opinion of the European Parliament;

Whereas the Community has issued regulations in respect of health requirements for intra-Community trade in bovine animals and swine and fresh meat;

Whereas it is necessary, as provided for in the aforesaid regulations, to define Community provisions applicable to importation of such animals and meat from third countries;

Whereas such provisions necessitate the drawing up of a list, valid for the Community as a whole of third countries or parts of third countries from which animals and fresh meat may be imported, and establishments from which fresh meat may be imported;

Whereas the choice of these countries and establishments must be based on criteria of a general nature such as the state of health of the cattle, the organisation and powers of the veterinary services and the health regulations in force; whereas, furthermore, it should be laid down that the establishments must meet a certain number of special standards designed to guarantee that meat originating there satisfies the health requirements judged necessary by the Community;

Whereas, in addition, importation, either of animals or fresh meat, should not be authorised from countries infected with contagious animal diseases from which the Community is free or from countries which have been free from such infection for too short a period and which consequently present a serious risk to Community herds; whereas these considerations are also valid for importation from third countries in which vaccination against such diseases is carried out;

Whereas the general conditions applicable to importation from all third countries must be supplemented by special conditions drawn up on the basis of the health situation in each of them; whereas owing to the technical nature and the diversity of the criteria on which these special conditions depend, there must, in order to define them, be recourse to a flexible and rapid Community procedure in which the Commission and the Member States cooperate closely;

Whereas the presentation of a standard form of certificate upon importation of animals constitutes an effective means of verifying that the Community regulations are being applied; whereas such regulations may include special provisions which may vary according to the third country concerned, and whereas this must be taken into account in drawing up the standard forms of certificate;

Whereas inspection carried out upon importation must also cover the origin and the state of health of the animals;

Whereas the Member States must be allowed, on the arrival of animals in the territory of the Community and during transit to their place of destination, to take all measures, including slaughter and disposal, required for the purpose of safeguarding public and animal health;

Whereas it must be required that fresh meat comes from approved establishments and the health and inspection requirements with which

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the meat must comply, particularly during production, storage and transportation, must be specified;

Whereas it is necessary that the Member States should adopt a common attitude as regards fresh meat the introduction of which into the Community is banned for health reasons and that, in particular, importation of meat containing traces of substances which are harmful or likely to render consumption thereof dangerous or injurious to human health should be prohibited;

Whereas the presentation of a public health certificate and an animal health certificate prepared by an official veterinarian of the exporting third country is the most appropriate method of guaranteeing that a consignment of fresh meat is fit for importation;

Whereas fresh meat must, whatever the customs procedure under which it is declared, undergo health inspection upon reaching Community territory in order to prevent re-routing of meat unaccompanied by the required certificates, coming from third countries from which importation is not authorised or which do not have a properly completed public health certificate;

Whereas, in order to verify that the provisions of this Directive are complied with by the exporting third country and to prevent importation of meat dangerous to human health, the Member States must submit every consignment of fresh meat upon importation to health and veterinary inspection which must be carried out by an official veterinarian; whereas it must be laid down that, in order that such import inspection may be standardised, the rules for its application are to be adopted according to a procedure in which the Commission and the Member States cooperate closely;

Whereas each consignment of fresh meat admitted to a Member State following the import inspection must; in the case of fresh meat re-routed to another Member State, with the exception of meat cut up after importation in an approved cutting plant, be accompanied by a certificate officially stating that the prescribed import requirements have been fulfilled;

Whereas inspection, both of animals and of meat, is carried out in the general interests of the Community; whereas it should therefore be stipulated that the inspection be carried out in premises approved in accordance with Community criteria and a Community procedure;

Whereas every Member State must have the right to place an immediate prohibition on imports from a third country when such imports may be dangerous for public or animal health; whereas in such a case coordination of the attitudes of the Member States with regard to this third country must be assured without delay, without prejudice to possible amendments to the list of countries and establishments authorised to export to the Community;

Whereas Community veterinary experts should be instructed to verify that the Directive is adhered to in third countries especially;

Whereas, before the Community provisions so drawn up can enter into force the Community must prepare a number of acts necessary for their operation and the Member States must make substantial changes to their laws; whereas the implementation of these provisions should therefore be carried out in stages,

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HAS ADOPTED THIS DIRECTIVE:

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CHAPTER I

General provisions▼ M12*Article 1*

1. This Directive shall apply to imports from third countries of:
- domestic bovine animals and swine for breeding, production or slaughter,

▼ M17

- domestic ovine or caprine animals for breeding, rearing, fattening or slaughter,

▼ M12

- fresh meat from domestic animals of the following species: bovine animals ► M20 (including the species *Bubalus bubalis* and *Bison bison*) ◀, swine, sheep and goats and from domestic solipeds,
- for the purposes of Article 3, fresh meat of cloven-hoofed wild animals and wild solipeds, in so far as this concerns permitted importation from certain third countries of origin,
- meat products produced from fresh meat as defined in the second indent, with the exception of fresh meat referred to in Article 5 of Directive 64/433/EEC and in the corresponding provisions of Article 20 of Directive 72/462/EEC.

2. This Directive shall not apply to:

- (a) animals intended exclusively for grazing or draught purposes, on a temporary basis, in the vicinity of the Community frontiers;
- (b) meat and meat products other than those referred to in (e) forming part of travellers' personal luggage and intended for their personal consumption, in so far as the amount or quantity transported does not exceed one kilogram per person and provided that they come from a third country or part thereof appearing on the list drawn up in accordance with Article 3 and from which importation is not prohibited under Article 28;
- (c) meat and meat products other than those referred to in (e) sent as small packages to private persons, provided that such meat and meat products are not imported by way of trade, that the quantity does not exceed one kilogram and that they come from a third country or part thereof appearing on the list drawn up in accordance with Article 3 and from which importation is not prohibited under Article 28;
- (d) meat and meat products for consumption by the crew and passengers on board means of transport operating internationally.

Where such meat and meat products or their kitchen waste are unloaded, they must be destroyed. It is not, however, necessary to destroy meat or meat products when they are transferred, directly or after being placed provisionally under customs supervision, from one means of transport to another;

- (e) where quantities of no more than one kilogram are involved, meat products having undergone heat treatment in a hermetically sealed container to a Fo value of 3,00 or more:
 - (i) forming part of travellers' personal luggage and intended for their personal consumption;
 - (ii) sent as small packages to private persons, provided that such meat products are not imported by way of trade.

Article 2▼ M17

For the purposes of this Directive, the definitions given in Articles 2 of Directives 64/432/EEC, 64/433/EEC and in Council Directive 72/461/EEC of 12 December 1972 on health and veterinary inspection

▼ **M17**

problems upon importation of bovine animals and swine and fresh meat from third countries ⁽¹⁾, all these Directives, as last amended by Directive 89/662/EEC ⁽²⁾, by Council Directive 77/99/EEC of 21 December 1976 on health problems affecting intra-Community trade in meat products ⁽³⁾ as last amended by Directive 89/662/EEC, and by Directive 91/68/EEC ⁽⁴⁾, shall apply as necessary.

▼ **M12**

However, the definitions of poultrymeat appearing in Article 1 of Directive 71/118/EEC shall not apply for the purposes of this Directive.

In addition,

- (a) 'official veterinarian' means the veterinarian designated by the competent central authority of a Member State or a third country;
- (b) 'country of destination' means the Member State to which animals, fresh meat or meat products are sent from a third country;

▼ **M17**

- (c) 'third country' means a country in which Directives 64/432/EEC, 64/433/EEC, 77/99/EEC and 91/68/EEC do not apply;

▼ **M12**

- (d) 'importation' means the introduction into the territory of the Community of animals, fresh meat or meat products from third countries;

▼ **M17**

- (e) 'holding' means an officially supervised agricultural, industrial or commercial undertaking situated in the territory of a third country, on which bovine animals or swine, for breeding, production or slaughter, or ovine or caprine animals for breeding, rearing, fattening or slaughter are regularly kept or bred;

▼ **M12**

- (f) 'epizootic-free area' means an area in which, according to official findings, the animals have not suffered from any of the contagious or infectious diseases on the list drawn up in accordance with the procedure laid down in Article 29, for a period and within a radius defined in accordance with the same procedure.

Article 3

1. The Council, acting on a proposal from the Commission, shall draw up a list of the countries or parts thereof from which the Member States shall authorize importation:

- of domestic ► **M17** bovine, ovine and caprine animals and swine ◀ for breeding, production or slaughter,
- of fresh meat from domestic animals of the following species: bovine animals (including buffaloes), swine, sheep and goats, or domestic solipeds and meat products manufactured from or with the said meat,
- of fresh meat of cloven-hoofed wild animals and wild solipeds,

taking into account the health situation in those countries or parts thereof.

This list may be supplemented or amended according to the procedure laid down in Article 30 in particular as regards the drawing-up of the heading concerning meat products, with a reference, where appropriate, to the animal species and, in the case provided for under Article 21a (2), to the required treatment.

2. In deciding, in the case of both ► **M17** bovine, ovine and caprine animals and swine ◀ and fresh meat and meat products, whether a

⁽¹⁾ OJ No L 302, 31. 12. 1972, p. 24.

⁽²⁾ OJ No L 395, 30. 12. 1989, p. 13.

⁽³⁾ OJ No L 26, 31. 1. 1977, p. 85.

⁽⁴⁾ OJ No L 46, 19. 2. 1991, p. 19.

▼ **M12**

third country or part thereof may appear on the list referred to in paragraph 1, particular account shall be taken of:

- (a) the state of health of the livestock, other domestic animals and wildlife in the third country, particular attention being paid to exotic animal diseases and of the environmental health situation in that country, which might endanger public and animal health in the Member States;
- (b) the regularity and rapidity of the information supplied by the third country relating to the existence of infectious or contagious animal diseases in its territory, in particular those diseases mentioned in Lists A and B of the International Office of Epizootic Diseases;
- (c) the country's rules on animal disease prevention and control;
- (d) the structure of the veterinary services in the country and their powers;
- (e) the organization and implementation of measures to prevent and control infectious or contagious animal diseases;
- (f) that country's legislation on the use of substances, in particular legislation concerning the prohibition or authorization of substances, their distribution, release on to the market and their rules covering administration and inspection.

3. For the purpose of deciding, in the case of meat products, whether a country or part thereof can appear on the list referred to in paragraph 1, account shall be taken of, *inter alia*, the guarantees provided by the third country in regard to public health and animal health.

4. The list referred to in paragraph 1 and all amendments thereto shall be published in the *Official Journal of the European Communities*.

Article 4

1. In accordance with the procedure laid down in Article 29, one or more lists shall be drawn up of establishments from which Member States may authorize importation of fresh meat or meat products. In accordance with the detailed implementing rules to be established by the Commission under the procedure laid down in Article 30, the list or lists may be amended or supplemented by the Commission in line with the result of the inspections provided for in Article 5, of which it has previously informed the Member States.

In the event of difficulties, the matter shall be referred to the Committee in accordance with the procedure laid down in Article 29.

Before 1 January 1990, the Council shall review these provisions on the basis of a Commission report.

2. In deciding whether a slaughterhouse, a cutting plant or an establishment engaged in the production of meat products or a cold store situated outside a slaughterhouse or cutting plant or production plant may appear on one of the lists referred to in paragraph 1, particular account shall be taken of:

- (a) the guarantees which the third country can offer with regard to compliance with this Directive;
- (b) the third country's regulations with regard to the administration to animals for slaughter of any substance which might affect the wholesomeness of the meat and/or meat products;
- (c) as regards fresh meat, compliance in each particular case with this Directive and with Annex I to Directive 64/433/EEC.

However, derogations shall be permitted, in accordance with the procedure laid down in Article 29 of this Directive, from the second, third and fourth indents of paragraph ►**M20** 14 ◀ (c), and paragraph ►**M20** ————— ◀ ►**M20** 42 (A) (2) ◀ of Annex I of Directive 64/433/EEC where the third country concerned provides similar guarantees; in that case, health condi-

▼ M12

tions no less strict than those imposed in that Annex shall be imposed on a case-by-case basis in accordance with that procedure.

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In accordance with the same procedure, specific guarantees may be required concerning the quality of the potable water used by establishments and the medical supervision of staff working on and handling fresh meat;

▼ M12

- (d) as regards meat products, compliance in each particular case with the provisions of this Directive and with the relevant provisions of Annexes A and B to Directive 77/99/EEC;
- (e) the organization of the meat inspection service or services of the third country, the powers of this service or these services and the supervision to which it or they is or are subject.

3. A slaughterhouse, a cutting plant, establishment engaged in the production of meat products or a cold store situated outside a slaughterhouse, cutting plant or production plant may not appear on the list or lists provided for in paragraph 1 unless it is situated in one of the third countries or parts thereof on the list referred to in Article 3 (1) and if it has, in addition, been officially approved for exports to the Community by the competent authorities of the third country. Such approval shall be subject to observance of the following requirements:

- (a) compliance with the relevant provisions of Annex I to Directive 64/433/EEC or respectively Annexes A and B to Directive 77/99/EEC;
- (b) constant supervision by an official veterinarian of the third country.

4. The list or lists referred to in paragraph 1 and all amendments thereto shall be published in the *Official Journal of the European Communities*.

▼ M6*Article 5*

Inspection shall be carried out on the spot by veterinary experts of the Member States and the Commission to verify whether the provisions of this Directive, and in particular Articles 3 (2) and 4 (2) and (3), are being applied in practice.

Should an inspection carried out within the terms of this Article bring to light serious facts ► **C2** ————— ◀ against an approved establishment, the Commission shall immediately inform the Member States and forthwith adopt a decision provisionally suspending the approval. A final decision shall be taken according to the procedure provided for in Article 30.

The experts from the Member States who are to be entrusted with these inspections shall be appointed by the Commission, acting on a proposal from the Member States.

These inspections shall be made on behalf of the Community, which shall bear the cost of any expenditure incurred in this connection.

The frequency of and the procedure for these inspections shall be determined in accordance with the procedure laid down in Article 29.

▼ M17

CHAPTER II

Importation of bovine, ovine and caprine animals and swine▼ M14*Article 6*

1. Without prejudice to Article 3 (1), Member States shall not authorize importation of animals covered by this Directive unless they come from third countries:

- (a) which have been free of those diseases to which the animals are susceptible:
 - for the previous 12 months, in respect of cattle plague, contagious pleuro-pneumonia, blue-tongue, African swine fever, contagious porcine paralysis (Teschen disease) ► M17 , Peste des petits ruminants, Epizootic Haemorrhagic Disease, sheep pox, goat pox and Rift Valley Fever ◀,
 - for the previous six months, in respect of contagious vesicular stomatitis;
- (b) in which, during the preceding 12 months, vaccination against the diseases referred to in the first indent of (a) to which these animals are susceptible has not been carried out.

2. Member States shall make the introduction into their territory of animals which are of a species susceptible to foot-and-mouth disease from the territory of a third country subject to the following conditions:

- 1. where the animals come from a third country which has been free of foot-and-mouth disease for at least two years, which has not practised vaccination for at least 12 months and which does not allow on to its territory animals which have been vaccinated less than one year previously, a guarantee that they have not been vaccinated against foot-and-mouth disease;
- 2. where the animals come from a third country which has been free of foot-and-mouth disease for at least two years, which practises vaccination and which allows vaccinated animals on to its territory:
 - (a) a guarantee that the animals have not been vaccinated against foot-and-mouth disease;
 - (b) a guarantee that the cattle have reacted negatively to a foot-and-mouth virus test carried out by the laryngo pharyngeal scrape method (probang test);
 - (c) a guarantee that the animals have reacted negatively to a serological test carried out to detect the presence of foot-and-mouth antibodies;
 - (d) a guarantee that the animals have been isolated in the exporting country at a quarantine station for 14 days under the surveillance of an official veterinarian. In this connection, no animal located at the quarantine station shall have been vaccinated against foot-and-mouth disease during the 21 days preceding exportation and no animal, other than those forming part of the consignment, shall have been introduced to the quarantine station during that same period;
 - (e) placing in quarantine for a period of 21 days.

▼ A2

Sweden may, for a transition period of three years as from the date of entry into force of the Accession Treaty maintain its national rules concerning the import of animals coming from countries which vaccinate against foot-and-mouth disease.

▼ M14

- 3. where the animals come from a third country which has not been free of foot-and-mouth disease for at least two years:
 - (a) the guarantees referred to in point 2;
 - (b) further guarantees to be decided on in accordance with the procedure laid down in Article 30.

▼ M14

For the purposes of this paragraph, a third country may continue to be considered as having been free of foot-and-mouth disease for at least two years, even if a limited number of outbreaks of the disease have been recorded on a limited part of its territory, on condition that such outbreaks were stamped out within a period of less than three months.

3. In accordance with the procedure laid down in Article 29:
 - (a) without prejudice to Article 3 (1), a list shall be adopted of the third countries which are authorized to export animals to the Community and which satisfy the requirements of paragraph 2;
 - (b) a list shall be adopted of the quarantine stations from which those countries may export animals to the Community; and
 - (c) a decision shall be taken on any further guarantees in relation to each such country.

▼ M23

4. In respect of classical swine-fever, pigs must come from the territory of a third country which:

- has been free from classical swine-fever for at least 12 months,
- has not permitted vaccination for the preceding 12 months,
- does not allow on its territory pigs which have been vaccinated less than 12 months previously.

5. By way of derogation from paragraph 4, it may be decided, in accordance with the procedure laid down in Article 29, to authorize the importation of pigs coming from a part of the territory of a third country provided that vaccination against classical swine-fever is prohibited throughout the entire territory of that country and that the part of the territory of the third country concerned fulfils the conditions laid down in paragraph 4.

6. By way of derogation from paragraph 4, in the event of classical swine-fever occurring in a third country which fulfils the conditions of paragraph 4, it may be decided, in accordance with the procedure laid down in Article 29, that the period of 12 months referred to in the first indent of paragraph 4 may be reduced to six months if:

- (a) an outbreak or a number of epizootiologically interrelated outbreaks occur within a geographical limited area; and
- (b) the outbreak or outbreaks have been stamped out, within a period of three months and without recourse to vaccination.

▼ M6*Article 7*

It may be decided, in accordance with the procedure set out in Article 29, that Article 6 (a) shall apply to only part of the territory of a third country.

In accordance with the same procedure and by way of derogation from Article 6 (b), the importation of animals covered by this Directive may, on certain conditions, be permitted from third countries or parts thereof where vaccinations against one or more of the diseases mentioned in the first indent of Article 6 (a) are carried out.

Article 8

1. Without prejudice to Articles 6 and 7, the Member States shall not authorize importation of animals covered by this Directive from a third country unless such animals satisfy the animal health requirements adopted in accordance with the procedure laid down in Article 29 for importations from that country, according to the species and destination of the animals.

▼ M17

2. It may be decided, in accordance with the procedure laid down in Article 29, that authorizations are to be confined to particular species, to bovine animals or swine for slaughter, breeding or production, to ovine or caprine animals for breeding, rearing, fattening or slaughter

▼M17

or to animals intended for particular purposes, or that all necessary animal health measures are to be applied after importation.

In the case of animals for breeding, rearing, production or fattening, requirements imposed pursuant to this paragraph may vary from one Member State to another in order to take account of the special provisions for the benefit of Member States in the framework of intra-Community trade.

3. With regard to fixing animal health conditions in accordance with paragraph 1:

- the standards laid down in Annex A of Directive 64/432/EEC shall apply as the reference basis for bovine tuberculosis, bovine and swine brucellosis,
- the standards laid down in Articles 4, 5 and 6, or pursuant to Article 7 or 8, and those contained in Annex A of Directive 91/68/EEC, shall apply as the reference basis for the disease to which ovine and caprine animals are susceptible.

It may be decided, in accordance with the procedure laid down in Article 29, on a case-by-case basis to derogate from those standards where the third country concerned provides similar animal health guarantees; in that case, animal health conditions at least equivalent to those in the said Articles or Annex shall be laid down in accordance with the same procedure in order to permit the entry of such animals into Community herds or flocks.

▼M6*Article 9*

Where a Member State considers that the foot-and-mouth disease vaccines used in a third country against the A, O or C viruses have certain deficiencies, it shall prohibit the introduction into its territory of ►**M17** bovine, ovine and caprine animals and swine ◀ from the third country concerned. It shall inform the other Member States and the Commission as soon as possible of its decision and shall give grounds for this decision. The Standing Veterinary Committee shall meet as soon as possible after this notification. A decision shall be taken in accordance with the procedure laid down in Article 30.

Article 10

The Member States shall not authorize importation of ►**M17** bovine, ovine and caprine animals and swine ◀, unless on the day of loading for dispatch to the country of destination, these animals have remained continuously in the territory or part of the territory of a third country on the list established in accordance with Article 3 (1) for at least the previous:

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- (a) six months in the case of bovine animals or swine, for breeding or production and of ovine or caprine animals for rearing, breeding or fattening;

▼M6

- (b) three months in the case of animals for slaughter.

Animals which are less than six or three months old respectively shall be required to have remained in that territory from birth.

*Article 11***▼M17**

1. Member States shall not authorize the importation of bovine, ovine or caprine animals or swine unless a certificate drawn up by an official veterinarian of the exporting third country is produced.

▼M6

This certificate must:

- (a) be issued on the day of loading of the animals for dispatch to the country of destination;

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- (b) be drawn up in at least one of the official languages of the Member State of destination and one of those of the Member State in which the import inspection provided for in Article 12 is carried out;
- (c) accompany the animals in the original;

▼ M17

- (d) attest that the bovine, ovine or caprine animals or swine meet the requirements of this Directive and those laid down pursuant to this Directive with regard to importation from third countries;

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- (e) consist of a single sheet of paper;
- (f) be made out for a single consignee.

2. This certificate must comply with a model established in accordance with the procedure laid down in Article 29.

▼ M19**▼ M6***Article 13*

Immediately upon arrival in the country of destination, the animals for slaughter shall be taken directly to a slaughterhouse and, in accordance with animal health requirements, be slaughtered not later than ► **M15** five ◀ working days after their entry into that slaughterhouse.

Without prejudice to any special conditions which may be set out in accordance with the procedure laid down in Article 29, the competent authority of the country of destination may, on animal health grounds, designate the slaughterhouse to which these animals must be taken.

CHAPTER III

Importation of fresh meat*Article 14*

1. Fresh meat must come from animals which have remained for at least three months before being slaughtered, or since birth if the animals in question are less than three months old, in the territory, or in part thereof, of a third country on the list drawn up in accordance with Article 3 (1).

2. Notwithstanding Article 3 (1), the Member States shall not authorize the importation of fresh meat unless it comes from third countries:

- (a) which, for the previous 12 months, have been free from those of the following diseases to which the animals from which the meat has come are susceptible: cattle plague, ► **M14** ————— ◀ African swine fever, contagious porcine paralysis (Teschen disease);
- (b) in which no vaccinations have been carried out for the previous 12 months against the diseases mentioned under (a) to which the animals from which the meat has come are susceptible;

▼ M23

- (c) in which no classical swine-fever has been detected for at least the preceding 12 months, vaccination against classical swine-fever has not been authorized for at least the preceding 12 months and no pigs have been vaccinated against classical swine-fever in the preceding 12 months.

▼ M14

- 3. Without prejudice to Article 3 (1):
 - (a) the import of fresh meat from third countries in which:
 - foot-and-mouth disease (strains A, O, C) is endemic,
 - systematic slaughtering is not carried out where an outbreak of foot-and-mouth disease occurs,
 - vaccination is practised,

▼ **M14**

shall be permitted only under the following conditions:

- (i) the third country or a region within the third country is approved under the procedure laid down in Article 29;
- (ii) the meat is matured, its pH controlled, deboned and the major lymphatic glands removed.

The import of offals for human consumption shall be restricted, taking into account expert scientific opinion. Special conditions may be possible for offals for the pharmaceutical and petfood industry. These restrictions and conditions shall be adopted according to the procedure laid down in Article 29.

- (b) The import of fresh meat from third countries in which vaccination against foot-and-mouth disease strains SAT or ASIA 1 is used shall be permitted only under the following conditions:

- (i) the third country has regions where vaccination is not permitted and no foot-and-mouth disease has occurred for 12 months; the regions shall be approved under the procedure laid down in Article 29;
- (ii) the meat is matured, deboned, and the major lymphatic glands have been removed, and is not imported until 3 weeks after slaughter;
- (iii) the importation of offal from these countries is not permitted.

- (c) the import of fresh meat from third countries

- in which vaccination is practised, and
- which have been free of foot-and-mouth disease for 12 months

shall be permitted in accordance with conditions established under the procedure laid down in Article 29.

- (d) the import of fresh meat from third countries in which:

- routine vaccination is not carried out, and
- freedom from foot-and-mouth disease has been established

shall be permitted under the procedure laid down in Article 29 and in accordance with the rules governing intra-Community trade.

Additional rules which may apply to the countries referred to in (a) and (b) of the first subparagraph shall be established in accordance with the procedure laid down in Article 29.

▼ **A2**

- (e) Sweden may, for a transition period of three years as from the date of entry into force of the Accession Treaty maintain its national rules concerning the import of fresh meat coming from countries which vaccinate against foot-and-mouth disease.

▼ **M6***Article 15*

It may be decided, in accordance with the procedure set out in Article 29, that Article 14 (2) (a) shall apply to part only of the territory of a third country.

In accordance with the same procedure and by way of derogation from Article 14 (2) (b), importation of fresh meat may be permitted, on certain conditions, from a third country or part of the territory of that third country where vaccinations have been carried out against one or more of the diseases referred to in Article 14 (2) (a).

▼ **M23**

In accordance with the procedure laid down in Article 29, it may be decided to derogate from Article 14 (2) (c).

▼ **M6***Article 16*

► **M18** 1. ◀ Without prejudice to Articles 14 and 15, the Member States shall not authorize importation of fresh meat from a third country unless the meat complies with the public health and animal health requirements adopted in accordance with the procedure set out

▼ M6

in Article 29 for importation of fresh meat from that country according to the species of animal concerned.

▼ M18

2. However, Member States may, until 31 December 1996, authorize imports of glands and organs, including blood, as raw materials for the pharmaceutical processing industry, from third countries which appear on the list drawn up under Article 3 (1) and are not the subject of a ban.

The general conditions to be complied with for the said imports shall be laid down in accordance with the procedure provided for in Article 30.

In accordance with the procedure provided for in Article 29, Member States may be authorized to import the said raw materials from third countries which do not appear on the list referred to in the first subparagraph under conditions which take account of the specific health situation of the third countries concerned.

The conditions relating to the said imports, established in accordance with the procedures referred to in the second and third subparagraphs, must in no case be more favourable than those governing intra-Community trade.

▼ M6*Article 17*

1. The Member States shall not authorize importation of fresh meat in the form of carcasses, including half-carcasses in the case of swine, and halves or quarters in the case of bovine animals and solipeds, unless it is possible to reconstruct the entire carcass of each animal.

2. Such importation shall be subject to the following conditions: the fresh meat must

(a) have been obtained in a slaughterhouse included on the list established in accordance with Article 4 (1);

▼ C2

(b) come from a slaughter animal inspected ante mortem by an official veterinarian in accordance with Annex 1, ► **M20** Chapter VI ◀, of Directive 64/433/EEC and passed fit, as a result of such inspection for slaughter for the purposes of export to the Community.

▼ M10

In accordance with the procedure laid down in Article 29, additional requirements adapted to the specific situation of countries specified by name with respect to certain diseases likely to endanger human health may be decided on;

▼ M6

(c) have been treated in conditions of hygiene in accordance with ► **M20** Chapter VII ◀ of Annex I to Directive 64/433/EEC;

(d) have undergone a post-mortem inspection carried out under the responsibility and direct control of an official veterinarian in accordance with ► **M20** Chapter VIII ◀ of Annex I to Directive 64/433/EEC, and have shown no change except for traumatic lesions incurred shortly before slaughter, or localized malformations or changes, provided that it is established, if necessary by appropriate laboratory tests, that these do not render the carcass and offal unfit for human consumption or dangerous to human health.

▼ M10

In accordance with the procedure laid down in Article 29, additional requirements adapted to the specific situation of countries specified by name with respect to certain diseases likely to endanger human health may be decided on;

▼ M6

(e) bear a health mark to be decided in accordance with the procedure laid down in Article 29. ► **C2** ◀ The health mark must be applied in accordance with ► **M20** Chapter XI ◀ of Annex I of Directive 64/433/EEC;

▼ **M6**

- (f) after post-mortem inspection carried out as laid down in (d), have been stored in establishments and satisfactory hygienic conditions and in accordance with ► **M20** Chapter XIV ◀ of Annex I to Directive 64/433/EEC;
 - (g) have been transported in accordance with ► **M20** Chapter XV ◀ of Annex I to Directive 64/433/EEC and undergone handling in satisfactory conditions of hygiene.
3. When carrying out the post-mortem inspection referred to in 2 (d), and when verifying compliance with the hygiene conditions referred to in 2 (c) and with the requirements of ► **M20** Chapter XIV ◀ of Annex I to Directive 64/433/EEC, the official veterinarian may be helped by assistants working under his responsibility.

These assistants must:

- (a) be appointed by the competent central authority of the exporting country, in accordance with the provisions in force;
- (b) have appropriate training;
- (c) enjoy a status guaranteeing their impartiality towards those running the establishments;
- (d) have no power of decision concerning the final result of the public health inspection.

Article 18

1. By way of derogation from Article 17 (1), the Member States may permit importation of:

- (a) half-carcases, half carcases cut into no more than three wholesale cuts, quarters or offal complying with the conditions set out in Article 17 (2) and (3) from slaughterhouses designated for this purpose in accordance with the procedure laid down in Article 29;
- **M10** (b) cuts smaller than quarters or boned meat or offal or sliced livers of bovine animals from cutting plants ◀ inspected pursuant to Article 4 and approved for this purpose in accordance with the procedure set out in Article 29. Such meat, in addition to complying with the conditions laid down in Article 17 (2) and (3), shall comply with the following requirements:
 - (i) it must have been cut and obtained in compliance with the provisions of ► **M20** Chapter IX ◀ of Annex I to Directive 64/433/EEC,
 - (ii) it must have been inspected by an official veterinarian in accordance with ► **M20** Chapter X ◀ of Annex I to Directive 64/433/EEC,
 - (iii) its packaging must comply with the requirements set out in ► **M20** Chapter XII ◀ of Annex I to Directive 64/433/EEC,
 - (iv) it must undergo all inspections, carried out by Community veterinarians, required to ensure that the abovementioned provisions have been complied with,
 - (v) fresh meat of solipeds must undergo inspection by the country of destination with a view to possible restrictions on the use of such meat.

▼ **M11**

2. Article 20 (j) and (k) notwithstanding, Member States may authorize importation into their territories of meat in pieces of less than 100 grams within the meaning of Article 2 (2) (b) of Directive 88/657/EEC⁽¹⁾ from masseter muscles and brains provided that they comply with the requirements of Article 17 (2) and with paragraph 1 (b) (iii), (iv) and (v) of this Article and, as regards meat in pieces of less than 100 grams, with the conditions laid down in Directive 88/657/EEC.

⁽¹⁾ OJ NO L 382, 31. 12. 1988, p. 3.

▼ M6

3. In accordance with the procedure laid down in Article 29 it may be decided that, in establishments specially designated for this purpose, the meat may be cut while warm under special conditions other than those laid down in ►**M20** paragraph 46 of Chapter IX ◀ of Annex I to Directive 64/433/EEC.

▼ M10

4. The admission of sliced livers of animals other than of the bovine species may be decided upon by the Council acting by a qualified majority on a proposal from the Commission.

▼ M6*Article 19*

Articles 17 and 18 shall not apply to:

- (a) fresh meat imported with the authorization of the country of destination for uses other than human consumption;
- (b) fresh meat intended for exhibition or special studies or for analyses, provided that administrative supervision makes it possible to ensure that this meat is not used for human consumption, and provided that when the exhibition finishes or when the special studies or analyses have been carried out this meat, with the exception of that used during the analysis, is withdrawn from Community territory or destroyed.

In this case and in the case referred to in (a), the country of destination shall ensure that the meat in question cannot be put to any use other than that for which it was admitted into its territory;

- (c) fresh meat intended exclusively for the supply of international organizations, subject to approval in accordance with the procedure laid down in Article 29 and provided that this meat comes from a third country on the list drawn up in accordance with Article 3 (1) and that animal health requirements are complied with. The Member States in the territory of which the international organizations in question are located shall ensure that this meat is not placed in free circulation.

▼ M12

The first subparagraph shall apply *mutatis mutandis* to meat products.

▼ M6*Article 20*

The Member States shall prohibit the importation of:

- (a) fresh meat from boars or cryptorchid pigs;
- M10** (b) fresh meat:
 - (i) from animals to which hormonal substances prohibited under Directives 81/602/EEC and 88/146/EEC ⁽¹⁾ have been administered;
 - (ii) containing residues of hormonal substances authorized in accordance with the exceptions provided for in Article 4 of Directive 81/602/EEC and ►**C3** Articles 2 and 7 of Directive 88/146/EEC ◀, residues of antibiotics, pesticides, or of other substances ◀ which are harmful or likely to make the consumption of fresh meat dangerous or hazardous to human health, in so far as such residues exceed the permitted level.

Permitted levels shall be fixed by the Council, acting on a proposal from the Commission and may subsequently be amended in accordance with the procedure laid down in Article 29;
- (c) fresh meat treated with ionizing or ultraviolet radiation, and fresh meat from animals to which tenderizers or other products likely to adversely affect the meat's composition or organoleptic characteristics have been administered;

⁽¹⁾ OJ No L 70, 16. 3. 1988, p. 16.

▼ **M6**

- (d) fresh meat to which substances other than those provided for in ► **M20** paragraph 58 of Chapter XI ◀ of Annex I to Directive 64/433/EEC, have been added for the purpose of health marking;
- (e) fresh meat from animals which have been found to have any form of tuberculosis whatsoever and fresh meat from animals which, after slaughter, have been found to have any form of tuberculosis whatsoever or to be carrying one or more ► **C2** cysticerci ◀ bovis or ► **C2** cysticerci ◀ cellulosa, live or dead, or, in the case of swine, to have trichinae;
- (f) fresh meat from animals slaughtered too young;
- (g) parts of the carcass or offal with traumatic lesions incurred shortly before slaughter or ► **C2** malformations, contaminations or changes ◀ referred to in Article 17 (2) (d);
- (h) blood;
- (i) minced meat, meat cut up in a similar manner and mechanically recovered meat;
- (j) fresh meat in pieces of less than 100 grams;
- (k) the heads of cattle, and parts of the muscular and other tissues of the head, apart from the tongue ► **C2** ————— ◀.

Article 21

The method and the procedures required for detecting the presence of trichinae in fresh meat of swine shall be laid down by the Council, acting on a proposal from the Commission.

▼ **M12**

CHAPTER IV

Imports of meat products*Article 21a*

1. Without prejudice to paragraph 2, the meat products must have been prepared wholly or partly from fresh meat:
 - satisfying the requirements of Articles 14 and 15, and any specific animal health conditions laid down pursuant to Article 16, or
 - originating in a Member State, provided such fresh meat:
 - (i) satisfies the requirements of Articles 3 and 4 of Directive 80/215/EEC without prejudice to the requirements of Articles 7 and 10 of that Directive,
 - (ii) has been sent, under veterinary control, to the processing establishment either directly or following prior storage in an approved cold-storage plant,
 - (iii) has, before processing, undergone inspection by an official veterinarian to ensure that such fresh meat is still fit to undergo processing in accordance with Directive 77/99/EEC.
2. However, Member States may not refuse imports of meat products from a third country or a part thereof which appear under the 'Meat products' heading on the list drawn up in accordance with Article 3, but from which imports of fresh meat are not authorized or are no longer authorized, provided that the products in question meet the following requirements:
 - (i) they must come from an establishment which, having already satisfied the general conditions for approval, has been granted special approval for this type of product;
 - (ii) they must have been obtained from or with fresh meat as defined in paragraph 1 or from meat coming from the producing country which must:
 - satisfy certain requirements of health policy to be drawn up in each individual case, on the basis of the health situation of the producing country under the procedure set out in Article 30,
 - come from a slaughterhouse that is specifically approved for the delivery of meat to the establishment referred to under (i),

▼ **M12**

- bear a special mark to be specified under the procedure laid down in Article 29;
- (iii) they must have undergone heat treatment in a hermetically sealed container to a Fo value of 3,00 or more.

However, under the procedure laid down in Article 29, other types of treatment may be allowed on the basis of the animal health situation prevailing in the exporting country.

Article 21b

In addition to the requirements set out in Article 21a, meat products coming from third countries may be imported into the Community only if they satisfy the following requirements:

1. they must have been obtained in an establishment appearing under the 'Meat products' heading on the list drawn up pursuant to Article 4;
2. they must have come from an establishment meeting the relevant requirements of Annexes A and B to Directive 77/99/EEC;
3. they must have been obtained in conditions of hygiene satisfying the requirements of Chapter II and points 23 and 25 of Chapter III of Annex A to Directive 77/99/EEC;
4. they must have been obtained wholly from:
 - (a) fresh meat:
 - (i) from an establishment appearing on one of the lists drawn up pursuant to Directive 64/433/EEC or this Directive;
 - (iii) satisfying requirements of Articles 17 and 18 of this Directive, and, in addition, meeting the conditions laid down in points 23 and 25 of Chapter III of Annex A to Directive 77/99/EEC;
 - (b) where Article 21a (2) applies, from meat satisfying the specific requirements fixed for the producing country in question;
 - (c) meat products obtained in an establishment appearing either on the list drawn up pursuant to Article 4 or on one of the lists referred to in Article 7 of Directive 77/99/EEC;
5. they must meet the general requirements laid down by Directive 77/99/EEC, and in particular:
 - (a) they must have undergone one of the treatments defined in Article 2 (d) of Directive 77/99/EEC;
 - (b) they must have undergone inspection by an official veterinarian in accordance with Chapter IV of Annex A to Directive 77/99/EEC and, where hermetically sealed, inspection pursuant to requirements to be established in compliance with Chapter II of Annex B to Directive 77/99/EEC.

In carrying out such inspection, the official veterinarian may be aided by assistants reporting to him. Such assistants must:

 - (i) be appointed by the central competent authority of the exporting country in accordance with the provisions in force;
 - (ii) have received appropriate training;
 - (iii) have a legal status ensuring that they are independent of those in charge of the establishments;
 - (iv) have no power of decision concerning the final result of the inspection;
 - (c) in the event of wrapping and packaging, they must have been wrapped and packaged in accordance with Chapter V of Annex A to Directive 77/99/EEC;
 - (d) they must bear a public health stamp which meets the marking conditions laid down in Chapter VI of Annex A to Directive 77/99/EEC, except for the initials and sets of initials for Member States as specified in point 39 (a), which are to be replaced by

▼ M12

the name of the third country of origin, accompanied by the veterinary authorization number of the establishment of origin;

- (e) they must be stored and transported to the Community under satisfactory conditions of hygiene in accordance with Chapter VIII of Annex A to Directive 77/99/EEC and handled under satisfactory conditions of hygiene; in the case of meat products referred to in Article 4 of that Directive, the producer must, for the purposes of inspection, mark visibly and clearly on the packaging of the product the temperature at which the product must be transported and stored and the period for which it can be stored in that condition;

6. they must not have been subjected to ionizing radiation.

▼ M25

Pending the establishment by the Commission of import certificates and lists of establishments from which imports of intestines and the other products referred to in Article 2 (b) (v) of Directive 77/99/EEC or the conclusion of veterinary equivalence agreements, and until ► **M26** 31 December 1998 ◀ at the latest, Member States shall be authorized to import these products in accordance with the national rules in force by way of derogation from the requirements laid down in paragraphs 1, 2 and 4 (a) (i).

▼ M12

CHAPTER V

Requirements applicable to both meat and meat products*Article 22*

1. Member States shall not authorize fresh meat or meat products to be imported without presentation of an animal health certificate and a public health certificate drawn up by an official veterinarian of the exporting third country.

These certificates must:

- (a) be drawn up in at least one of the official languages of the country of destination and one of those of the Member State in which the import inspections provided for in Articles 23 and 24 are carried out;
- (b) accompany the fresh meat or meat products in the original;
- (c) consist of a single sheet of paper;
- (d) be made out for a single consignee.

The animal health certificate must certify that the fresh meat or meat products comply with the animal health requirements laid down in this Directive and with those laid down pursuant to it with respect to the importation of fresh meat or meat products from the third country.

2. The health certificate must correspond to a model established in accordance with the procedure laid down in Article 29.

It may be decided in accordance with the same procedure and case by case that this animal health certificate and the public health certificate shall constitute a single sheet.

3. The public health certificate must correspond, in presentation and content for fresh meat to the specimen appearing in Annex A and for meat products to the specimen appearing in Annex C, and be issued on the day on which the fresh meat or meat products are loaded with a view to dispatch to the country of destination.

▼ M16**▼ M12***Article 24*

1. The Member States shall ensure that each consignment of fresh meat or meat products undergoes a public health inspection before

▼ **M12**

being released for consumption on the geographical territory of the Community, and an animal health inspection, carried out by an official veterinarian.

The Member States shall ensure that importers are obliged to give at least two working days' notice to the local service responsible for the import inspection at the post where the fresh meat or meat products are to be submitted for inspection, specifying the quantity and nature of the meat or the meat products and the time from which the inspection may be carried out.

2. The public health inspection provided for in paragraph 1 shall be carried out by random sampling in the case of imports covered by Articles 17 (1), 18 (1) and (2) and Articles 21a and 21b. The purpose of this inspection shall be in particular to verify, in accordance with paragraph 3:

- (a) the public health certificate, the compliance of the fresh meat or meat products with the stipulations on that certificate, the health marking;
- (b) the state of preservation, the presence of dirt or pathogenic agents;
- (c) the presence of residues of substances referred to in Article 20;
- (d) whether, with regard to fresh meat, slaughter and cutting or, with regard to meat products, the production have been carried out in establishments approved for that purpose;
- (e) the conditions of transport.

3. There shall be adopted, in accordance with the procedure laid down in Article 29, the implementing rules necessary to ensure that the inspections referred to in paragraph 1 are carried out in a uniform way, particularly as regards the application of Article 20, and more particularly the methods of analysis and sampling intervals and standards.

4. The Member States shall prohibit the marketing of fresh meat or meat products if the inspections provided for in paragraph 1 have shown that:

- the fresh meat or meat products are not suitable for human consumption,
- the conditions laid down in this Directive and Annex I to Directive 64/433/EEC or Annexes A and B to Directive 77/99/EEC have not been fulfilled,
- one of the certificates referred to in Article 22 which accompany each consignment does not comply with the conditions laid down in the said Article.

5. If the fresh meat or meat products cannot be imported they must be returned, unless this is contrary to animal or public health considerations.

If it is impossible to return the meat or meat products, they must be destroyed in the territory of the Member State in which the inspections have taken place.

By way of derogation from this provision and if the importer or if his representative so requests, the Member State carrying out the animal health and public health inspections may authorize its entry for uses other than human consumption, provided that there is no danger for humans or for animals, that the meat or meat products are from a third country included on the list drawn up in accordance with Article 3 (1) and that importation is not prohibited under Article 28. Such meat or meat products may not leave the territory of that Member State, which must verify the final destination of the meat or meat products.

6. In all cases, after the inspections referred to in paragraph 1, the certificates must be endorsed so as to indicate clearly the use authorized for the meat or meat products.

▼ **M12***Article 25*

The fresh meat or meat products of each consignment authorized for circulation in the Community by a Member State on the basis of the inspections referred to in Article 24 (1) must, when forwarded to the country of destination, be accompanied by a certificate corresponding, in presentation and content, to the specimen given in Annex B.

This certificate must:

- (a) be drawn up by the competent official veterinarian at the inspection post or at the place of storage;
- (b) be issued on the day of loading for dispatch of the fresh meat or meat products to the country of destination;
- (c) be drawn up in at least one of the official languages of the country of destination;
- (d) accompany the consignment of fresh meat or meat products in the original.

Article 26

All expenditure incurred as a result of the application of Articles 24 and 25, and in particular the costs of inspection of the fresh meat or meat products, storage costs and the cost of destroying such meat or meat products shall be chargeable to the consignor, the consignee or their representative without compensation by the State.

▼ **M6**CHAPTER ► **M12** VI ◀**Common provisions***Article 27*

1. The Member States shall draw up and communicate to the Commission the lists of:

▼ **M17**

- (a) the frontier inspection posts for the importation of bovine, ovine or caprine animals and swine;

▼ **M12**

- (b) the inspection posts for importation of fresh meat or meat products.

▼ **M6**

These inspection posts must be approved in accordance with the procedure laid down in Article 29.

2. In order for the frontier inspection posts referred to in paragraph 1 (a) to be approved, they must in particular have available the facilities necessary for carrying out the inspection referred to in Article 12 (1), and for disinfection, disposal of waste fodder, litter, dung, urine and all other waste.

3. In order for the inspection posts referred to in paragraph 1 (b) to be approved, they must have at their disposal at least:

- (a) inspection rooms large enough to enable inspections to be carried out in the normal way;
- (b) adequate cooling and freezing rooms;
- (c) an adequate thawing room;
- (d) a laboratory.

4. Responsibility for the inspections shall be assumed by an official veterinarian. The latter may be helped in carrying out purely practical tasks by assistants specially trained for the purpose.

Detailed rules governing this assistance shall be adopted in accordance with the procedure laid down in Article 29.

▼ M6

5. Veterinary experts shall verify that the facilities at the approved inspection posts comply with the conditions of this Article and that inspections are carried out in accordance with this Directive.

These experts must be nationals of a Member State other than the Member State in which the post to be checked is located.

The conditions of application of this paragraph, and in particular the appointment of the veterinary experts and the verification procedures, shall be determined in accordance with the procedure laid down in Article 29.

6. All the expenditure incurred in application of the first subparagraph of paragraph 5 shall be borne by the Community.

▼ M19**▼ B***Article 29*

1. Where the procedure laid down in this Article is to be used, matters shall without delay be referred by the Chairman, either on his own initiative or at the request of a Member State, to the Standing Veterinary Committee (hereinafter called 'Committee') set up by the Council Decision of 15 October 1968.

▼ A2

2. The representative of the Commission shall submit to the Committee a draft of the measures to be taken. The Committee shall deliver its opinion on the draft within a time limit which the Chairman may lay down according to the urgency of the matter. The opinion shall be delivered by the majority laid down in Article 148 (2) of the Treaty in the case of decisions which the Council is required to adopt on a proposal from the Commission. The votes of the representatives of the Member States within the Committee shall be weighted in the manner set out in that Article. The Chairman shall not vote.

▼ B

► **A2** 3. ◀ The Commission shall adopt the measures and shall apply them immediately where they are in accordance with the opinion of the Committee. If they are not in accordance with the opinion of the Committee or if no opinion is delivered, the Commission shall without delay submit to the Council the measures to be adopted.

The Council shall adopt the measures by a qualified majority.

If, within three months from the date on which the proposal was submitted to it, the Council has not adopted any measures, the Commission shall adopt the proposed measures and apply them immediately, save where the Council has decided by a simple majority against those measures.

Article 30

1. Where the procedure laid down in this Article is to be used, matters shall without delay be referred by the Chairman, either on his own initiative or at the request of a Member State, to the Standing Veterinary Committee (hereinafter called the 'Committee') set up by the Council Decision of 15 October 1968.

▼ A2

2. The representative of the Commission shall submit to the Committee a draft of the measures to be taken. The Committee shall deliver its opinion within two days. The opinion shall be delivered by the majority laid down in Article 148 (2) of the Treaty in the case of decisions which the Council is required to adopt on a proposal from the Commission. The votes of the representatives of the Member States within the Committee shall be weighted in the manner set out in that Article. The Chairman shall not vote.

▼ B

► **A2** 3. ◀ The Commission shall adopt the measures and shall apply them immediately where they are in accordance with the opinion

▼B

of the Committee. Where they are not in accordance with the opinion of the Committee or if no opinion is delivered, the Commission shall without delay submit to the Council a proposal regarding the measures to be adopted. The Council shall adopt the measures by a qualified majority.

If, within fifteen days of the date on which the proposal was submitted to it, the Council has not adopted any measures, the Commission shall adopt the proposed measures and apply them immediately, save where the Council has decided by a simple majority against those measures.

▼M5**▼M22***Article 31a*

Without prejudice to ►**M27** Article 18 of Directive 97/78/EC ◀ or to Article 13 of Directive 91/496/EEC ⁽¹⁾, the Commission may, in accordance with the procedure laid down in Article 29, derogate from this Directive with regard to imports into the French overseas departments.

When the decisions provided for in the preceding paragraph are taken, the rules applicable after importation shall be laid down in accordance with the same procedure.

▼M24*Article 31b*

Without prejudice to Article 17 of Directive 90/675/EEC ⁽²⁾, the Commission may, in accordance with the procedure laid down in Article 29, derogate until 31 December 1994 from certain provisions of Articles 4 and 17 with regard to imports of meat into the Canary Islands.

When the decisions provided for in the first subparagraph are taken, the rules applicable after importation shall be laid down in accordance with the same procedure.

▼B*Article 32*

1. The Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive and its Annexes:

- (a) not later than 1 October 1973 as regards the provisions of Article 23 (1) and (3) (a), (b) and (c);
- (b) not later than 1 January 1976 as regards all the other provisions, except those which make provisions for a Community procedure.

2. They shall comply with provisions involving a Community procedure laid down by the Directive not later than 1 January 1977.

However a minimum of two years must pass between the adoption of the measures adopted under these provisions and the date mentioned above.

3. On the date laid down in paragraph 2, Articles 4 and 11 of the Council Directive of 26 June 1964, on animal health problems affecting intra-Community trade in bovine animals and swine, and Article 9 of the Council Directive of 26 June 1964, on health problems affecting intra-Community trade in fresh meat, shall be revoked.

▼M12*Article 32a*

1. This Directive shall not apply to imports from third countries of fresh meat referred to in the third indent of Article 1 (1) or meat

⁽¹⁾ OJ No L 268, 24. 9. 1991, p. 56.

⁽²⁾ OJ No L 373, 31. 12. 1990, p. 1.

▼M12

products thereof until the entry into force of the Commission Decision(s) adopted, in accordance with the procedure set out in Article 29, for the purpose of making the necessary adjustments to the list referred to in Article 3.

2. National laws on public health shall continue to apply to imports of fresh meat or meat products, referred to in paragraph 1, from third countries until the entry into force of Community rules on this subject.

▼M4*Article 33*

When applying Articles 8 and 16, the conditions laid down in accordance with the procedure of Article 29 for imports effected by certain Member States must be at least as strict as those which the same Member States apply in the framework of intra-Community trade.

▼B*Article 34*

This Directive shall not affect the rights and obligations resulting from animal health Agreements concluded between one or more Member States and one or more non-Member States before the date on which this Directive is adopted.

To the extent that these Agreements are not compatible with this Directive, the Member State or States concerned shall avail themselves of all appropriate means to remove the incompatibilities noted.

Article 35

This Directive is addressed to the Member States.

▼ M6

ANNEX A

SPECIMEN

PUBLIC HEALTH CERTIFICATE

for fresh meat ⁽¹⁾ intended for (Name of EEC Member State)No ⁽²⁾

Exporting country

Ministry

Department

Ref.
(Optional)►⁽¹⁾ I. Identification of meat:Meat of
(Animal species)

Nature of cuts

Nature of packaging

Number of cuts or packages

Month(s) and year(s) when frozen

Net weight

II. Origin of meat:

Address(es) and veterinary approval number(s) of the approved slaughterhouse(s)

Address(es) and veterinary approval number(s) of the approved cutting plant(s)

Address(es) and veterinary approval number(s) of the approved cutting store(s)

III. Destination of meat:

The meat will be sent from:
(Place of loading)to:
(Country and place of destination)⁽¹⁾ Fresh meat within the meaning of Article 2 (b) of Directive 64/433/EEC.⁽²⁾ Optional.

▼ M6

by the following means of transport ⁽¹⁾

Name and address of consignor

Name and address of consignee

IV. **Health attestation**

I, the undersigned, official veterinarian, certify that:

- a) — the meat described above ⁽²⁾,
 — the label affixed to the packages of meat described above ⁽²⁾,
 bear(s) ⁽²⁾ a mark to the effect that the meat comes wholly from animals slaughtered
 in slaughterhouses approved for exporting to the country of destination;
- ▶⁽¹⁾ b) the meat was obtained under the conditions governing production and control laid down
 in Directive 72/462/EEC and that it is, therefore, considered as such to be fit for human
 consumption; ◀
- c) the meat has been cut in an approved cutting plant ⁽²⁾;
- d) the meat has/has not been subject to an examination for trichinosis or, where Article 3
 of Directive 77/96/EEC applies, has undergone cold treatment;
- e) the means of transport and the loading conditions of meat of this consignment meet the
 hygiene requirements laid down in respect of export to the country of destination.

Done at on

.....
 (Signature of the official veterinarian)

- ⁽¹⁾ For railway wagons or goods vehicles the registration number should be given, for aircraft
 the flight number and for ships the name.
- ⁽²⁾ Delete as appropriate.

▼ **M12**

ANNEX B

SPECIMEN

IMPORT INSPECTION CERTIFICATE FOR FRESH MEAT/MEAT PRODUCTS ⁽¹⁾ IMPORTED FROM THIRD COUNTRIES

Member State in which the import inspection was carried out :

Inspection post :

Type of meat/meat products ⁽¹⁾ :

Packaging :

Number of carcasses ⁽²⁾ :Number of half-carcasses ⁽²⁾ :Number of quarters ⁽²⁾ or packages :

Net weight :

Third country of origin :

In the case of meat products :

Products imported pursuant to Article 14 / Article 21a (2) (1) of Directive 72/462/EEC :

.....

▶⁽¹⁾ Name and address of first consignee : ◀

I, the undersigned, official veterinarian, certify that the meat/meat products ⁽¹⁾ described in the present certificate was/were inspected at the time of consignment forward.

.....

(Place and date)

.....

(Official veterinarian)

⁽¹⁾ Delete as appropriate.⁽²⁾ Only for fresh meat.

▼ M12

ANNEX C

SPECIMEN

PUBLIC HEALTH CERTIFICATE**for meat products ⁽¹⁾ intended for**.....
(Name of EEC Member State)No : ⁽²⁾

Exporting country :

Ministry :

Department :

Ref :

(Optional)

I. Identification of meat productsMeat products of :
(Animal species)

Nature of pieces :

Nature of packaging :

Number of pieces or packages :

Required storage and transport temperature ⁽³⁾ :Storage period ⁽³⁾ :

Net weight :

II. Origin of meat products

Address(es) and veterinary approval number(s) of the approved establishment(s) :

.....

.....

III. Destination of meat productsThe meat products will be sent from :
(Place of loading)to :
(Country and place of destination)by the following means of transport ⁽⁴⁾ :

Name and address of consignor :

.....

Name and address of consignee :

.....

▼ M12**IV. Health attestation**

I, the undersigned, official veterinarian, certify that :

- (a) — the meat products described above,
the label affixed to the packaged of meat products described above,
bear(s) a mark to the effect that the meat products come wholly from fresh meat from animals slaughtered in slaughterhouses approved for exporting to the country of destination or, where Article 21a (2) of Directive 72/462/EEC is applied, from animals slaughtered in a slaughterhouse specially for the delivery of meat for the treatment laid down in the said paragraph ⁽¹⁾;
- (b) the meat products have as such been passed as fit for human consumption following a veterinary inspection carried out in accordance with the requirements of Directive 72/462/EEC ;
- (c) the meat products have been obtained from pigmeat which has/has not been subject to an examination for trichinosis and in the latter case has undergone cold treatment ⁽²⁾ ;
- (d) the means of transport and the loading conditions of meat products of this consignment meet the hygiene requirements laid down in respect of export to the country of destination ;
- (e) the meat products have been obtained from meat which satisfies the requirement of Chapter III of this Directive and those of Article 3 to Directive 77/99/EEC have been obtained under the derogation provided for in Article 21a (2) of Directive 72/462/EEC ⁽³⁾.

Done at, on

.....
(Signature of the official veterinarian)

⁽¹⁾ Meat products within the meaning of Directive 77/99/EEC.

⁽²⁾ Optional.

⁽³⁾ To be completed where indicated in accordance with Article 4 of Directive 77/99/EEC.

⁽⁴⁾ For railway wagons or goods vehicles the registration number should be given, for aircraft the flight number and for ships the name.

⁽⁵⁾ Delete as appropriate.