

Commission Decision of 27 June 2008 amending Annexes I and II to Council Decision 79/542/EEC as regards certification requirements for imports into the Community of certain live ungulate animals and their fresh meat (notified under document number C(2008) 3040) (Text with EEA relevance) (2008/752/EC)

COMMISSION DECISION

of 27 June 2008

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(Text with EEA relevance)

(2008/752/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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⁽¹⁾, and in particular the introductory phrase of Article 8, the first subparagraph of paragraph (1) of Article 8 and paragraph (4) of Article 8 thereof,

Having regard to Council Directive 2004/68/EC of 26 April 2004 laying down animal health rules for the importation into and transit through the Community of certain live ungulate animals, amending Directives 90/426/EEC and 92/65/EEC and repealing Directive 72/462/EEC⁽²⁾, and in particular Article 13 (1) (e) thereof,

Whereas:

- (1) Part 1 of Annexes I and II to Council Decision 79/542/EEC of 21 December 1976 drawing up a list of third countries or parts of third countries, and laying down animal and public health and veterinary certification conditions, for importation into the Community of certain live animals and their fresh meat⁽³⁾ sets out a list of third countries and parts of third countries from which Member States are authorised to import certain live animals and their fresh meat.
- (2) Pursuant to Decision 79/542/EEC, imports of those animals and meat are to comply with the requirements laid down in the appropriate models of veterinary certificate set out in the Annexes to that Decision. The models of veterinary certificates for animals are set out in Part 2 of Annex I to Decision 79/542/EEC and the models for meat are set out in Part 2 of Annex II.
- (3) Taking into account the application of Regulation (EC) No 852/2004 of the European Parliament and of the Council of 29 April 2004 on the hygiene of foodstuffs⁽⁴⁾,

Regulation (EC) No 853/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific hygiene rules for food of animal origin⁽⁵⁾ and Regulation (EC) No 854/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific rules for the organisation of official controls on products of animal origin intended for human consumption⁽⁶⁾ and the acts implementing those Regulations, it is necessary to amend and update Community public health conditions and certification requirements for the importation into the Community of fresh meat derived from domestic ungulates (bovine, porcine, ovine and caprine animals, and domestic solipeds), from farmed land mammals other than domestic ungulates, and from wild ungulates

- (4) Commission Regulation (EC) No 1688/2005 of 14 October 2005 implementing Regulation (EC) No 853/2004 of the European Parliament and of the Council as regards special guarantees concerning salmonella for consignments to Finland and Sweden of certain meat and eggs⁽⁷⁾, lays down the sampling rules applicable to meat from bovine and porcine animals, including minced meat when intended for Finland and Sweden.
- (5) The models of veterinary certificates 'BOV' and 'POR' set out in Part 2 of Annex II to Decision 79/542/EEC should be amended so that it appears from the public health attestations in those certificates that consignments of meat covered by those certificates comply with the requirements set out in Regulation (EC) No 1688/2005.
- (6) Commission Regulation (EC) No 2073/2005 of 15 November 2005 on microbiological criteria for foodstuffs⁽⁸⁾ lays down the microbiological criteria for certain micro-organisms and the implementing rules to be complied with by food business operators when implementing the general and specific hygiene measures referred to in Article 4 of Regulation (EC) No 852/2004. It provides that food business operators are to ensure that foodstuffs comply with the relevant microbiological criteria set out in that Regulation.
- (7) The models of veterinary certificates 'BOV', 'POR', 'OVI', 'EQU', 'RUF', 'RUW', 'SUF', 'SUW' and 'EQW' set out in Part 2 of Annex II to Decision 79/542/EEC should be amended so that it appears from the public health attestations in those certificates that consignments of meat and minced meat covered by those certificates comply with the requirements set out in Regulation (EC) No 2073/2005.
- (8) Commission Regulation (EC) No 2075/2005 of 5 December 2005 laying down specific rules on official controls for *Trichinella* in meat⁽⁹⁾ lays down specific rules on official controls for *Trichinella* in certain meat. The models of veterinary certificates 'POR', 'EQU', 'SUF', 'SUW' and 'EQW' set out in Part 2 of Annex II to Decision 79/542/EEC should be amended so that it appears from the public health attestations in those certificates that consignments of meat covered by those certificates comply with the requirements set out in Regulation (EC) No 2075/2005.
- (9) Pursuant to Regulation (EC) No 999/2001 of the European Parliament and of the Council of 22 May 2001 laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies⁽¹⁰⁾, specified risk material must not be imported into the Community.

- (10) Annex IX to Regulation (EC) No 999/2001 lays down the transmissible spongiform encephalopathies (TSE) related rules for the importation into the Community of live animals, embryos, ova and products of animal origin linked to the categorisation of countries according to their bovine spongiform encephalopathy risk. In the interests of clarity and consistency of Community legislation, the TSE related import requirements laid down in that Regulation should be included in the models of veterinary certificates for live bovine animals and fresh bovine, ovine and caprine meat. The models 'BOV-X', and 'BOV-Y' set out in Part 2 of Annex I to Decision 79/542/EEC, and the models 'BOV' and 'OVI' set out in Part 2 of Annex II to that Decision, should be amended accordingly.
- (11) In view of the entry into application of Council Regulation (EC) No 1/2005, of 22 December 2004, on the protection of animals during transport and related operations and amending Directives 64/432/EEC and 93/119/EC and Regulation (EC) No 1255/97⁽¹¹⁾, it is necessary to update the animal transport attestation for the certificates for the import of live animals.
- (12) TRACES is an integrated computerised veterinary system introduced by Commission Decision 2004/292/EC of 30 March 2004 on the introduction of the Traces system and amending Decision 92/486/EEC⁽¹²⁾. It combines and replaces the functions of the Animo and Shift systems. Standardisation in the use of health certificates is, moreover, essential for the effective computer processing of the certificates in the TRACES system.
- (13) Commission Decision 2007/240/EC of 16 April 2007 laying down new veterinary certificates for importing live animals, semen, embryos, ova and products of animal origin into the Community pursuant to Decisions 79/542/EEC, 92/260/EEC, 93/195/EEC, 93/196/EEC, 93/197/EEC, 95/328/EC, 96/333/EC, 96/539/EC, 96/540/EC, 2000/572/EC, 2000/585/EC, 2000/666/EC, 2002/613/EC, 2003/56/EC, 2003/779/EC, 2003/804/EC, 2003/858/EC, 2003/863/EC, 2003/881/EC, 2004/407/EC, 2004/438/EC, 2004/595/EC, 2004/639/EC and 2006/168/EC⁽¹³⁾ provides that the various health certificates required in the context of Community imports are to be presented on the basis of the harmonised model certificates annexed to that Decision.
- (14) Accordingly, the format of all the models of veterinary certificates set out in Decision 79/542/EEC should be amended to ensure their compatibility with TRACES.
- (15) In order to ensure consistency between the models of veterinary certificates for bovine animals and other ruminants, it is necessary to insert into the model 'RUM', set out in Part 2 of Annex I to Decision 79/542/EEC, a new paragraph and footnote concerning bluetongue. In addition, in the interests of clarity, two new footnote references concerning bluetongue should be inserted in models 'BOV-X' and 'OVI-X', also set out in Part 2 of that Annex.
- (16) Commission Decision 2006/854/EC of 26 July 2006 approving on behalf of the European Community amendments to Annexes V and VIII to the Agreement between the European Community and New Zealand on sanitary measures applicable to trade in live animals and animal products⁽¹⁴⁾, recognised New Zealand as a country free of *B. abortus* and *B. melitensis* in point 29 of Section V of Annex V. That recognition should

be taken into account in the entry for New Zealand in Part 1 of Annex I to Decision 79/542/EEC.

- (17) To avoid any disruption of trade, the use of the certificates issued in accordance with Decision 79/542/EEC, before the amendments introduced by the present Decision, should be authorised for a period of three months.
- (18) Decision 79/542/EEC should therefore be amended accordingly.
- (19) 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:

- (1) OJ L 18, 23.1.2003, p. 11.
- (2) OJ L 139, 30.4.2004, p. 321; corrected by OJ L 226, 25.6.2004, p. 128..
- (3) OJ L 146, 14.6.1979, p. 15.
- (4) OJ L 139, 30.4.2004, p. 1; corrected by OJ L 226, 25.6.2004, p. 3.
- (5) OJ L 139, 30.4.2004, p. 55; corrected by OJ L 226, 25.6.2004, p. 22.
- (6) OJ L 139, 30.4.2004, p. 206; corrected by OJ L 226, 25.6.2004, p. 83.
- (7) OJ L 271, 15.10.2005, p. 17.
- (8) OJ L 338, 22.12.2005, p. 1.
- (9) OJ L 338, 22.12.2005, p. 60.
- (10) OJ L 147, 31.5.2001, p. 1.
- (11) OJ L 3, 5.1.2005, p. 1.
- (12) OJ L 94, 31.3.2004, p. 63.
- (13) OJ L 104, 21.4.2007, p. 37.
- (14) OJ L 338, 5.12.2006, p. 1.