

Council Directive 92/118/EEC of 17 December 1992 laying down animal health and public health requirements governing trade in and imports into the Community of products not subject to the said requirements laid down in specific Community rules referred to in Annex A (I) to Directive 89/662/EEC and, as regards pathogens, to Directive 90/425/EEC

CHAPTER IV

Common final provisions

Article 14

1 Article 3 (d) of Directive 72/461/EEC⁽¹⁾ shall be deleted.

Commission Decisions 92/183/EEC⁽²⁾ and 92/187/EEC⁽³⁾ shall continue to apply for the requirements of this Directive, without prejudice to any amendments to be made to them under the procedure provided for in Article 18.

2 Directive 90/667/EEC is hereby amended as follows:

a in Article 13 the following paragraph shall be added:

2. With a view to ensuring that the controls provided for in paragraph 1 are followed up:

a processed products obtained from low-risk or high-risk materials must satisfy the requirements of Chapter 6 of Annex I to Directive 92/118/EEC⁽⁴⁾;

b low-risk materials, high-risk materials intended for processing in a plant designated in another Member State in accordance with the second sentence of Article 4 (1) and processed products obtained from high-risk or low-risk materials must be accompanied:

— if they come from a plant approved in accordance with Article 4 or 5, by a commercial document specifying:

— if appropriate, the nature of the treatment,

— whether the product contains ruminant proteins,

— if they come from another plant, by a certificate issued and signed by an official veterinarian indicating:

— the methods of treatment used on the consignment,

— the result of the salmonella tests,

— whether the product contains ruminant proteins.;

b in Article 6, ‘shall be established under the procedure laid down in Article 19’ shall be replaced by ‘are laid down under Chapter 10 of Annex I to Directive 92/118/EEC’;

c in Article 14 the first paragraph shall be deleted.

Article 15

The Council, acting by a qualified majority on a proposal from the Commission, shall adopt any new Annex laying down specific requirements for other products capable of presenting a real risk of spreading serious transmissible diseases or a real risk to human health.

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The Annexes shall, where the need arises, be amended under the procedure provided for in Article 18 in compliance with the general principles set out in the second indent of Article 3.

Article 16

1 Member States shall be authorized to make the entry into their territory of products of animal origin referred to in [F1[X1 Annex I]] and in the second and third indents of Article 3 which were produced in the territory of a Member State and have passed through the territory of a third country subject to production of an animal health or public health certificate certifying compliance with the requirements of this Directive.

2 Member States which have recourse to the possibility laid down in paragraph 1 shall so inform the Commission and the other Member States within the Standing Veterinary Committee set up by Decision 68/361/EEC⁽⁵⁾.

Editorial Information

X1 Substituted by [Corrigendum to Directive 2004/41/EC of the European Parliament and of the Council of 21 April 2004 repealing certain Directives concerning food hygiene and health conditions for the production and placing on the market of certain products of animal origin intended for human consumption and amending Council Directives 89/662/EEC and 92/118/EEC and Council Decision 95/408/EC \(Official Journal of the European Union L 157 of 30 April 2004\).](#)

Textual Amendments

F1 Substituted by [Directive 2004/41/EC of the European Parliament and of the Council of 21 April 2004 repealing certain directives concerning food hygiene and health conditions for the production and placing on the market of certain products of animal origin intended for human consumption and amending Council Directives 89/662/EEC and 92/118/EEC and Council Decision 95/408/EC.](#)

Article 17

1 Annexes A and B to Directives 89/662/EEC and 90/425/EEC shall be replaced by the texts set out in Annex III to this Directive.

2 Directive 77/99/EEC is hereby amended as follows:

- in Article 2 (b), point (iv) shall be deleted and points (v) and (vi) shall become (iv) and (v) respectively;
- Article 6 (2) shall read:

2. Under the procedure laid down in Article 20, additional conditions may be set for the other products of animal origin so as to ensure the protection of public health.

Article 18

Where reference is made to the procedure provided for in this Article, the Standing Veterinary Committee shall act in accordance with the rules laid down in Article 17 of Directive 89/662/EEC.

Article 19

Under the procedure provided for in Article 18, transitional measures may be adopted for a period of up to three years beginning on 1 July 1993 to facilitate the transition to the new arrangements established by this Directive.

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Article 20

1 Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with Articles 12 (2) and 17 by 1 January 1993 and with the other requirements of this Directive before 1 January 1994. They shall forthwith inform the Commission thereof.

When these measures are adopted by the Member States, they shall contain a reference to this Directive or shall be accompanied by such reference on the occasion of their official publication. The methods of making such a reference shall be laid down by the Member States.

2 Member States shall communicate to the Commission the texts of the main provisions of national law which they adopt in the field governed by this Directive.

3 The setting of the deadline for transposition into national law at 1 January 1994 shall be without prejudice to the abolition of veterinary checks at frontiers provided for by Directives 89/662/EEC and 90/425/EEC.

Article 21

This Directive is addressed to the Member States.

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- (1) [OJ No L 302, 31. 12. 1972, p. 24.](#) Directive as last amended by Directive 91/687/EEC ([OJ No L 377, 31. 12. 1991, p. 16.](#))
- (2) [OJ No L 84, 31. 3. 1992, p. 33.](#)
- (3) [OJ No L 87, 2. 4. 1992, p. 20.](#)
- (4) [OJ No L 62, 15. 3. 1993, p. 49.](#)
- (5) [OJ No L 255, 18. 10. 1968, p. 23.](#)