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► **B**

COMMISSION DECISION

of 20 December 1994

laying down animal health conditions and veterinary certificates for the importation of fresh poultrymeat from ► **M2 ————— ◀ third countries**

(Text with EEA relevance)

(94/984/EC)

(OJ L 378, 31.12.1994, p. 11)

Amended by:

	Official Journal		
	No	page	date
► M1 Commission Decision 95/302/EC of 13 July 1995	L 185	50	4.8.1995
► M2 Commission Decision 96/298/EC of 23 February 1996	L 114	33	8.5.1996
► M3 Commission Decision 96/456/EC of 22 July 1996	L 188	52	27.7.1996
► M4 Commission Decision 2000/254/EC of 20 March 2000	L 78	33	29.3.2000
► M5 Commission Decision 2000/352/EC of 4 May 2000	L 124	64	25.5.2000
► M6 Commission Decision 2001/598/EC of 11 July 2001	L 210	37	3.8.2001
► M7 Commission Decision 2001/659/EC of 6 August 2001	L 232	19	30.8.2001
► M8 Commission Decision 2002/477/EC of 20 June 2002	L 164	39	22.6.2002
► M9 Commission Decision 2003/810/EC of 17 November 2003	L 305	11	22.11.2003
► M10 Commission Decision 2004/118/EC of 28 January 2004	L 36	34	7.2.2004
► M11 Commission Decision 2004/436/EC of 29 April 2004	L 189	47	27.5.2004

Amended by:

► A1 Act concerning the conditions of accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic and the adjustments to the Treaties on which the European Union is founded	L 236	33	23.9.2003
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Corrected by:

- **C1** Corrigendum, OJ L 203, 29.8.1995, p. 18 (95/302/EC)
- **C2** Corrigendum, OJ L 36, 14.2.1996, p. 42 (95/302/EC)

▼B**COMMISSION DECISION****of 20 December 1994****laying down animal health conditions and veterinary certificates for the importation of fresh poultrymeat from ►M2 ————— ◀ third countries****(Text with EEA relevance)**

(94/984/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/494/EEC of 26 June 1991 on animal health conditions governing intra-Community trade in and imports from third countries of fresh poultrymeat ⁽¹⁾, as last amended by Directive 93/121/EC ⁽²⁾, and in particular Articles 11 and 12 thereof,

Whereas Commission Decision 94/85/EC ⁽³⁾, as last amended by Decision 94/453/EC ⁽⁴⁾, established a list of third countries from where importation of fresh poultrymeat is authorized;

Whereas Commission Decision 94/438/EC ⁽⁵⁾ has laid down the general requirements for the classification of third countries with regard to avian influenza and Newcastle disease in relation to imports of fresh poultrymeat;

Whereas it is appropriate to restrict the scope of this Decision to poultry species covered by Council Directive 71/118/EEC ⁽⁶⁾, as last amended and updated by Directive 92/116/EEC ⁽⁷⁾ and to lay down the animal health conditions and veterinary certification for other poultry species in a separate Decision;

Whereas therefore the animal health conditions and the veterinary certificates have to be laid down; whereas, since there are different groups of similar health situations between two or more third countries, it is appropriate to establish different health certificates in the light of those situations;

Whereas it is now possible, in accordance with information received from the third countries concerned and with the results of inspections carried out by the Commission services in some of these countries, to lay down two categories of certification;

Whereas the situation of the other third countries for which it is not yet possible to lay down a certificate is being studied attentively in order to see if they comply with the Community criteria or not; whereas this Decision shall be reviewed at the latest on 31 October 1995 to authorize or prohibit imports from those countries;

Whereas this Decision applies without prejudice to measures taken for poultrymeat imported for other purposes than human consumption;

Whereas, since a new certification scheme is being established, a period of time should be provided for its implementation;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Veterinary Committee,

⁽¹⁾ OJ No L 268, 24. 9. 1991, p. 35.

⁽²⁾ OJ No L 340, 31. 12. 1993, p. 39.

⁽³⁾ OJ No L 44, 17. 2. 1994, p. 31.

⁽⁴⁾ OJ No L 187, 22. 7. 1994, p. 11.

⁽⁵⁾ OJ No L 181, 15. 7. 1994, p. 35.

⁽⁶⁾ OJ No L 55, 8. 3. 1971, p. 23.

⁽⁷⁾ OJ No L 62, 15. 3. 1993, p. 1.

▼B

HAS ADOPTED THIS DECISION:

Article 1

► **M6** 1. ◀ Member States shall authorize the importation of fresh poultrymeat from third countries or from parts of third countries listed in Annex I, provided that it meets the requirements of the corresponding animal health certificate set out in Annex II and that it is accompanied by such a certificate, duly completed and signed. The certificate shall include the general part conforming to Annex II, Part 1, and one of the specific health certificates conforming to Annex II, Part 2, in accordance with the model referred to in Annex I.

▼M6

2. The fresh poultrymeat, intended for consignment to the Community and fulfilling the requirements of this Decision has to be marked with a health mark responding to the criteria mentioned in Annex III.

▼M11*Article 1b*

1. By way of derogation from Article 1a Member States shall authorise the transit by road or by rail through the Community, between designated Community border inspection posts listed in the Annex to Decision 2001/881/EC, of consignments coming from and destined to Russia directly or via another third country provided that the following conditions are met:

- (a) the consignment shall be sealed with a serially numbered seal at the border inspection post of entry to the EC by the veterinary services of the competent authority;
- (b) the documents accompanying the consignment and referred to in Article 7 of Directive 97/78/EC shall be stamped 'ONLY FOR TRANSIT TO RUSSIA VIA THE EC' on each page by the official veterinarian of the competent authority responsible for the BIP;
- (c) the procedural requirements provided for in Article 11 of Directive 97/78/EC shall be complied with;
- (d) the consignment is certified as acceptable for transit on the Common Veterinary Entry Document by the Official Veterinarian of the Border Inspection Post of introduction.

2. Unloading or storage, as defined in Article 12 (4) or Article 13 of Directive 97/78/EC, on EC territory of such consignments shall not be allowed.

3. Regular audits shall be made by the competent authority to ensure that the number of consignments and the quantities of products leaving the EC territory matches the number and quantities entering.

▼B*Article 2*

This Decision shall apply from 1 May 1995.

Article 3

This Decision shall be reviewed no later than 31 October 1995.

Article 4

This Decision is addressed to the Member States.

▼ **M10**

ANNEX I

List of third countries or parts of third countries which are allowed to use the certificates laid down in Annex II for imports of fresh poultrymeat into the European Union

Note: the characters A and B refer to the models established in part 2 of Annex II.

ISO-Code	Country	Parts of the territory	Model certificate to be used (A or B)
AR	Argentina		A
AU	Australia		B
BG	Bulgaria		A
BR-1	Brazil	Distrito Federal and the States of Goiás, Minas Gerais, Mato Grosso, Mato Grosso do Sul, Paraná, Rio Grande do Sul, Santa Catarina and São Paulo	A
CA	Canada		A
CH	Switzerland		A
CL	Chile		A
CN-1	China	The municipality of Shanghai excluding the county of Chongming and the districts of Weifang, Linyi and Qingdao in the Province of Shangdong	B
▼ A1 _____			
▼ M10			
EE (*)	Estonia (*)		A
HR	Croatia		A
▼ A1 _____			
▼ M10			
IL	Israel		A
▼ A1 _____			
▼ M10			
LV (*)	Latvia (*)		A
MT (*)	Malta (*)		A
NZ	New Zealand		A
▼ A1 _____			
▼ M10			
RO	Romania		A
▼ A1 _____			
▼ M10			
TH	Thailand		A

▼ M10

ISO-Code	Country	Parts of the territory	Model certificate to be used (A or B)
TN	Tunisia		A
US	United States of America		A

(*) Only applicable until this Acceding State becomes a Member State of the Community.

▼ **M6**

ANNEX II

ANIMAL AND PUBLIC HEALTH CERTIFICATE FOR FRESH POULTRYMEAT FOR HUMAN CONSUMPTION ⁽¹⁾

PART I

Note for the importer: This certificate is only for veterinary purposes and the original has to accompany the consignment until it reaches the border inspection post.

1. Consignor (name and address in full):	2. Health certificate No. Original:
3. Country of origin: 3.1. Region ⁽²⁾ :	4. Consignee (Name and address in full):
5. Competent Authority (Central level): 5.1. Ministry: 5.2. Service:	6. Competent authority (Local level):
7. Address of establishment 7.1. Slaughterhouse: 7.2. Cutting plant ⁽³⁾ : 7.3. Cold store ⁽³⁾ :	8. Place of loading:
9.1. Means of transport ⁽⁴⁾ : 9.2. Number of the seal ⁽⁵⁾ :	10.1. Member State of destination: 10.2. Final destination:
11. Approval numer(s) of establishment(s): 11.1. Slaughterhouse: 11.2. Cutting plant ⁽³⁾ : 11.3. Cold store ⁽³⁾ :	12.1. Poultry species: 12.2. Nature of cuts:
13.1. Nature of the packaging: 13.2. Consignment identification details:	14. Quantity: 14.1. Net weight (kg): 14.2. Number of packages:

Note: A separate certificate must be provided for each consignment of fresh poultrymeat.

⁽¹⁾ Fresh poultrymeat means any parts of domestic fowl, turkeys, guinea fowl, geese and ducks, which are fit for human consumption and which have not undergone any treatment other than cold treatment to ensure its preservation; vacuum-wrapped meat or meat wrapped in a controlled atmosphere must also be accompanied by a certificate according to this model.

⁽²⁾ Only to be completed if the authorisation to export to the Community is restricted to certain regions of the third country concerned.

⁽³⁾ Delete if not applicable.

⁽⁴⁾ Indicate means of transport and registration marks or registered name as appropriate.

⁽⁵⁾ Optional.

▼ **M7**

PART 2

MODEL A

15. Health attestation

I. *Animal health certification*

I, the undersigned, official veterinarian, hereby certify in accordance with the provisions of Directive 91/494/EEC:

1. that⁽¹⁾, region⁽²⁾,
is free from:

- (a) avian influenza, as defined in the International Animal Health Code of the OIE;
- (b) Newcastle disease, as defined in the International Animal Health Code of the OIE⁽³⁾;

2. that the meat described above is obtained from poultry which:

- (a) has been held in the territory of
.....⁽¹⁾, region⁽²⁾,
since hatching or has been imported as day-old chicks;
- (b) comes from holdings:
 - which have not been placed under animal restrictions in connection with any disease for which poultry is susceptible,
 - around which, within a radius of 10 km, including where appropriate the territory of a neighbouring country, there have been no outbreaks of avian influenza or Newcastle disease for at least 30 days;
- (c) has not been slaughtered in the context of any animal health scheme for the control or eradication of poultry diseases;
- (d) during transport to the slaughterhouse, did not come into contact with poultry infected with avian influenza or Newcastle disease;

3. that the meat described above

- (a) comes from approved slaughterhouses which, at the time of slaughter, are not under restrictions due to a suspect or confirmed outbreak of avian influenza or Newcastle disease and around which, within a radius of 10 km, there have been no outbreaks of avian influenza or Newcastle disease for at least 30 days;
- (b) has not been in contact, at any time of slaughter, cutting, storage or transport with ratites or meat which do not fulfil the requirements of Directive 91/494/EEC.

II. *Public health certification*

I, the undersigned, official veterinarian, hereby certify, in accordance with the provisions of Directive 71/118/EEC:

- 1. that the meat described above fulfils the requirements of Chapter II and any additional conditions of Directive 71/118/EEC, and has been found fit for human consumption following ante- and post-mortem inspection carried out in application of this Directive;
- 2. that the meat described above has/has not⁽⁴⁾ been subjected to an immersion chilling process;
- 3. that the meat described above has been marked according to Article 1(2) of Decision 94/984/EC;
- 4. that the meat described above fulfils the requirements of Decision 95/411/EC⁽⁵⁾;
- ⁽⁶⁾ 5. that the meat comes from an establishment implementing checks on the general hygiene in accordance with the provisions of Commission Decision 2001/471/EC⁽⁶⁾. ◀

⁽¹⁾ Name of country of origin.

⁽²⁾ Only to be completed if the authorisation to export to the Community is restricted to certain regions of the third country concerned.

⁽³⁾ Point 1(b) is not applicable for Brazil, the Czech Republic, Israel and Switzerland.

⁽⁴⁾ Delete the unnecessary reference.

⁽⁵⁾ Delete if the consignment is not intended for export to Sweden or Finland.

⁽⁶⁾ OJ L 165, 21.6.2001, p. 48.

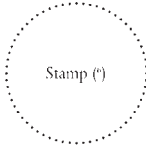
▼ M7

III. *Attestation on protection of animals*

I, the undersigned, official veterinarian, certify that:

1. I have read and understood Directive 93/119/EC;
2. The meat is derived from animals, which have been treated in the slaughterhouse before and at the time of slaughter or killing in accordance with the relevant provisions of Directive 93/119/EC.

Done at on



.....
(signature of official veterinarian) (*)

.....
(name in capital letters, qualifications and title) (*)

(*) Stamp and signature must be in a colour different from that of the printing.

▼ **M6**

MODEL B

15. Health attestation:I. *Animal health certification*

I, the undersigned official veterinarian, hereby certify in accordance with the provisions of Directive 91/494/EEC:

1. that (1), region (2),
is free from:
avian influenza and Newcastle disease, as defined in the International Animal Health Code of the OIE;
2. that the meat described above is obtained from poultry which:
 - (a) have been held in the territory of
..... (1), region (2),
since hatching or have been imported as day-old chicks;
 - (b) come from holdings:
 - which have not been placed under animal restrictions in connection with any disease for which poultry is susceptible;
 - around which, within a radius of 10 km including where appropriate the territory of a neighbouring country, there have been no outbreaks of avian influenza or Newcastle disease for at least 30 days;
 - (c) have not been slaughtered in the context of any animal health scheme for the control or eradication of poultry diseases;
 - (d) during transport to the slaughterhouse, did not come into contact with poultry infected with avian influenza or Newcastle disease;
3. that the commercial slaughter poultry flock from which the meat is issued:
 - (a) has not been vaccinated with vaccines prepared from a Newcastle disease virus master seed which shows a higher pathogenicity than lentogenic strains of the virus; and
 - (b) has undergone at slaughter, on the basis of a random sample of cloacal swabs of at least 60 birds of each flock concerned, a virus isolation test for Newcastle disease, carried out in an official laboratory, in which no avian paramyxoviruses with an intracerebral pathogenicity index (ICPI) of more than 0,4 have been found; and
 - (c) has not been in contact during the period of 30 days preceding slaughter with poultry which do not fulfil the guarantees mentioned under (a) and (b);
4. that the meat described above:
 - (a) comes from approved slaughterhouses which, at the time of slaughter, are not under restrictions due to a suspected or confirmed outbreak of avian influenza or Newcastle disease and around which, within a radius of 10 km, there have been no outbreaks of avian influenza or Newcastle disease for at least 30 days;
 - (b) has not been in contact, at any time of slaughter, cutting, storage or transport with ratites or meat which do not fulfil the requirements of Directive 91/494/EEC.

II. *Public health certification*

I, the undersigned, official veterinarian, hereby certify, in accordance with the provisions of Directive 71/118/EEC:

1. that the meat described above fulfils the requirements of Chapter II and any additional conditions of Council Directive 71/118/EEC, and has been found fit for human consumption following ante- and post-mortem inspection carried out in application of this Directive;
2. that the meat described above has/has not (3) been subjected to an immersion chilling process;
3. that the meat described above has been marked according to Article 1 (2) of Decision 94/984/EC;
4. that the meat described above fulfils the requirements of Council Decision 95/411/EC (4);
- ⁽⁵⁾ 5. that the meat comes from an establishment implementing checks on the general hygiene in accordance with the provisions of Commission Decision 2001/471/EC (5). ◀

(1) Name of the country of origin.

(2) Only to be completed if the authorisation to export to the Community is restricted to certain regions of the third country concerned.

(3) Delete the unnecessary reference.

(4) Delete if the consignment is not intended for export to Sweden or Finland.

(5) OJ L 165, 21.6.2001, p. 48.

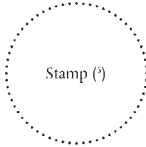
▼ **M6**

III. *Attestation on protection of animals*

I, the undersigned, official veterinarian, certify that:

1. I have read and understood Directive 93/119/EC;
2. the meat is derived from animals, which have been treated in the slaughterhouse before and at the time of slaughter or killing in accordance with the relevant provisions of Directive 93/119/EC.

Done at on



.....
(signature of official veterinarian) (i)

.....
(name in capital letters, qualifications and title) (i)

(i) Stamp and signature must be in a colour different from that of the printing.

▼ **M6**

ANNEX III

HEALTH MARK FOR FRESH POULTRYMEAT

► **M8** The health mark referred to in Article 1(2) ◀ of Decision 94/984/EC must include:

- (a) for meat wrapped in individual units or for small packages:
- on the upper part, the ISO code reference of the country of origin,
 - in the centre, the veterinary approval number of the slaughterhouse or, where appropriate, the cutting premises or rewrapping centre,
- the letters and figures must be 0,2 centimetres high;
- (b) for large packagings, an oval mark at least 6,5 cm wide by 4,5 cm high, containing the name of the country, its ISO code and the veterinary approval number of the slaughterhouse or, where appropriate, the cutting premises or rewrapping-centre; the letters must be at least 0,8 cm high and the figures at least 1 cm high; the health mark may, in addition, include an indication enabling identification of the veterinarian who carried out the health inspection of the meat.

The material used for marking must meet all hygiene requirements and the information shall appear on it in perfectly legible form.

The provisions of points 65, 67 and 68 of Chapter XII of Annex I to Directive 71/118/EEC apply *mutatis mutandis* for health marking procedures, as well as for the use of large packagings.