

## COUNCIL DIRECTIVE

of 11 December 1991

amending Directives 64/432/EEC, 72/461/EEC and 80/215/EEC as regards certain measures relating to swine-fever

(91/687/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof,

Having regard to the proposal from the Commission <sup>(1)</sup>,

Having regard to the opinion of the European Parliament <sup>(2)</sup>,

Having regard to the opinion of the Economic and Social Committee <sup>(3)</sup>,

Whereas Council Decision 64/432/EEC of 26 June 1964 on animal health problems affecting intra-Community trade in bovine animals and swine <sup>(4)</sup>, as last amended by Directive 91/499/EEC <sup>(5)</sup>, defines in particular the conditions which must be satisfied, as regards swine-fever, by live pigs intended for intra-Community trade;

Whereas Council Directive 72/461/EEC of 12 December 1972 on health problems affecting intra-Community trade in fresh meat <sup>(6)</sup>, as last amended by Directive 91/266/EEC <sup>(7)</sup>, defines the conditions which must be satisfied as regards classical swine-fever by fresh pigmeat intended for intra-Community trade;

Whereas Council Directive 80/215/EEC of 22 January 1980 on animal health problems affecting intra-Community trade in meat products <sup>(8)</sup>, as last amended by Directive 89/662/EEC <sup>(9)</sup>, defines in particular the conditions which must be satisfied as regards classical swine-fever for meat products intended for intra-Community trade;

Whereas the measures applied to eradicate classical swine-fever have gradually improved the health status of the pig population in the territory of the Community;

Whereas one of the given objectives, namely to keep the territory of the Community free from classical swine-fever, has been attained in large areas and it is necessary to take this situation into account and consequently to amend Directives 64/432/EEC, 72/461/EEC and 80/215/EEC;

Whereas, in this context, it is appropriate not to extend the type of guarantees laid down in Article 4b of Directive 64/432/EEC and in Article 13a of Directive 72/461/EEC, and to discontinue the measures laid down in Article 10 of Directive 80/215/EEC,

HAS ADOPTED THIS DIRECTIVE:

*Article 1*

Directive 64/432/EEC is hereby amended as follows:

(1) in Article 2:

- (a) the words 'swine-fever' in point (j) of (ii) shall be deleted;
- (b) points (p), (q) and (r) shall be deleted;

(2) in Article 3:

- (a) the words 'swine-fever' in the introductory words of paragraph 2 (b) shall be deleted;
- (b) the words 'swine-fever' in paragraph 2 (b) (i) shall be deleted;
- (c) paragraph 2 (b) (ii) shall be deleted;
- (d) the words 'swine-fever' in paragraph 2 (c) (ii) shall be deleted;
- (e) the first sentence of paragraph 4 shall be replaced by the following:  
'4. Swine for breeding and production must, moreover, come from brucellosis-free stock.'

(3) in Article 4b, '31 December 1991' shall be replaced by '1 July 1992';

<sup>(1)</sup> OJ No C 226, 3. 8. 1991, p. 20.<sup>(2)</sup> OJ No C 326, 16. 12. 1991.<sup>(3)</sup> Opinion delivered on 28 November 1991 (not yet published in the Official Journal).<sup>(4)</sup> OJ No 121, 29. 7. 1964, p. 1977/64.<sup>(5)</sup> OJ No L 268, 24. 9. 1991, p. 107.<sup>(6)</sup> OJ No L 302, 31. 12. 1972, p. 28.<sup>(7)</sup> OJ No L 134, 29. 5. 1991, p. 45.<sup>(8)</sup> OJ No L 47, 21. 2. 1980, p. 4.<sup>(9)</sup> OJ No L 395, 30. 12. 1989, p. 13.

- (4) with effect from 1 July 1992, Article 4b shall be replaced by the following:

*'Article 4b*

In addition to the measures provided for in this Directive concerning classical swine-fever, each Member State shall ensure that pigs sent from its territory to that of another Member State shall not come from a holding or an area which is subject to restrictions for classical swine-fever in conformity with Council Decision 80/217/EEC of 22 January 1980 introducing Community measures for the control of classical swine-fever (\*).

(\*) OJ No L 47, 21. 2. 1980, p. 11.;

- (5) in Annex F, Form III, V, point (c) shall be deleted. Points '(d), (e), (f), and (g)' shall become '(c), (d), (e) and (f)'.

*Article 2*

Directive 72/461/EEC is hereby amended as follows:

- (1) in the first subparagraph of Article 13 a (3), '31 December 1991' shall be replaced by '1 July 1992';
- (2) in Article 3, the following point shall be added:
- '(e) The meat shall not be subject of animal health restrictive measures pursuant to the provisions of Council Directive 80/217/EEC of 22 January 1980 introducing Community measures for the control of classical swine-fever (\*).

(\*) OJ No L 47, 21. 2. 1980, p. 11.'

*Article 3*

Article 10 of Directive 80/215/EEC shall be deleted.

*Article 4*

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with Article 1 (3) and Article 2 (1) of this Directive not later than 1 January 1992 and, as regards compliance with the remaining provisions thereof, not later than 1 July 1992. 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 at the time of their official publication. The procedure for such reference shall be adopted by Member States.

*Article 5*

This Directive is addressed to the Member States.

Done at Brussels, 11 December 1991.

*For the Council*

*The President*

P. BUKMAN