

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

COUNCIL DIRECTIVE 2002/99/EC

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THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 37 thereof,

Having regard to the proposal from the Commission⁽¹⁾,

Having regard to the opinion of the European Parliament⁽²⁾,

Having regard to the opinion of the European Economic and Social Committee⁽³⁾,

Whereas:

- (1) In the context of the single market, specific animal health rules have been laid down to govern intra-Community trade in the production, processing, distribution and introduction from third countries of products of animal origin for human consumption included in Annex I to the Treaty.
- (2) Those rules have allowed the removal of obstacles to trade in the products concerned, thereby contributing to the creation of the internal market whilst ensuring a high level of animal health protection.
- (3) The aim of those rules is to prevent the introduction or spread of animal diseases resulting from the placing on the market of products of animal origin. They also contain common provisions concerning in particular the restrictions applicable to the placing on the market of products coming from a holding or area infected by epizootic diseases and the obligation to subject products coming from restricted areas to treatment to destroy the disease agent.
- (4) Those common provisions should be harmonised in order to remove possible inconsistencies introduced when the specific animal health rules were adopted. Such harmonisation will also ensure uniform implementation of animal health rules throughout the Community and introduce greater transparency in the structure of Community legislation.
- (5) Veterinary checks on products of animal origin intended for trade must be carried out in accordance with Council Directive 89/662/EEC of 11 December 1989 concerning veterinary checks in intra-Community trade with a view to the completion of the internal

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market⁽⁴⁾. Directive 89/662/EEC contains safeguard measures that may be implemented in the event of a serious hazard to animal health.

- (6) Products imported from third countries must not present an animal health hazard for Community livestock.
- (7) To that end, procedures should be introduced to prevent the introduction of epizootic diseases. Such procedures include a regular evaluation of the animal health situation in the third countries concerned.
- (8) Procedures must also be introduced for establishing general or specific rules or criteria to be applied to imports of products of animal origin.
- (9) Provisions concerning the importation of meat of domestic ungulates and meat products prepared from or with such meat are already contained in Council Directive 72/462/EEC of 12 December 1972 on health and veterinary inspection problems upon importation of bovine animals and swine and fresh meat from third countries⁽⁵⁾.
- (10) The procedures applicable to the importation of meat and meat products can be used as a model for the importation of other products of animal origin.
- (11) Veterinary checks on products of animal origin imported into the Community from third countries must be carried out in accordance with Council Directive 97/78/EC of 18 December 1997 laying down the principles governing the organisation of veterinary checks on products entering the Community from third countries⁽⁶⁾; Directive 97/78/EC contains safeguard measures that may be implemented in case of a serious hazard to animal health.
- (12) Account must be taken of the guidelines laid down by the World Organisation for Animal Health (OIE) when adopting rules for international trade.
- (13) Community audits and inspections must be organised in order to ensure the uniform application of the animal health provisions.
- (14) The products covered by this Directive are listed in Annex I to the Treaty.
- (15) The measures necessary for the implementation of this Directive should be adopted in accordance with Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission⁽⁷⁾,

HAS ADOPTED THIS DIRECTIVE:

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- (1) OJ C 365 E, 19.12.2000.
- (2) Opinion of the European Parliament delivered on 15 May 2002.
- (3) Opinion of the Economic and Social Committee delivered on 28 March 2001.
- (4) [OJ L 395, 30.12.1989, p. 13](#). Directive as last amended by Directive 92/118/EEC ([OJ L 62, 15.3.1993, p. 49](#)).
- (5) [OJ L 302, 31.12.1972, p. 28](#). Directive as last amended by Regulation (EC) No 1452/2001 ([OJ L 198, 21.7.2001, p. 11](#)).
- (6) [OJ L 24, 30.1.1998, p. 9](#).
- (7) [OJ L 184, 17.7.1999, p. 23](#).