

## COMMISSION DECISION

of 27 July 1995

drawing up a provisional list of third countries from which Member States authorize imports of milk and milk based products and revoking Decision 94/70/EC

(Text with EEA relevance)

(95/340/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES

HAS ADOPTED THIS DECISION:

*Article 1*

Having regard to the Treaty establishing the European Community,

Member States shall authorize imports of raw milk and raw milk-based products from third countries appearing in Part A of the list in the Annex.

Having regard to Council Directive 92/46/EEC of 16 June 1992 laying down the health rules for the production and placing on the market of raw milk, heat treated milk and milk based products <sup>(1)</sup>, as last amended by the Treaty of Accession for Austria, Finland and Sweden and in particular its Article 23 (2) and (3) thereof;

*Article 2*

Member States shall authorize imports of milk and milk-based products that have undergone a single heat treatment with a heating effect at least equal to that achieved by a pasteurization process of at least 72 °C for at least 15 seconds and sufficient to ensure a negative reaction to a phosphatase test from third countries appearing in Part B of the list in the Annex.

Whereas Commission Decision 94/70/EC <sup>(2)</sup>, as last amended by the Treaty of Accession for Austria, Finland and Sweden draws up a provisional list of third countries from which Member States authorize imports of raw milk, heat treated milk and milk-based products;

*Article 3*

Member States shall authorize imports of milk and milk-based products, that have undergone:

Whereas, given the different products involved, a classification has been drawn up; whereas in the light of experience and on the basis of the recent report of the Scientific Veterinary Committee on recommendations for the treatment of milk originating from foot-and-mouth disease affected areas it is justified to review it;

either

1. a sterilization process, whereby an F<sup>0</sup> value equal to or greater than three was achieved

or

2. an initial heat treatment having a heating effect at least equal to that achieved by a pasteurization process of at least 72 °C for at least 15 seconds and sufficient to produce a negative reaction to a phosphatase test, followed by:

Whereas for the sake of clarity, it is appropriate to revoke Decision 94/70/EC and to draw up a new list;

either

(a) (i) in the case of milk or milk-based products intended for human consumption:

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

— a second heat treatment involving high temperature pasteurization, ultra high temperature (UHT) treatment or sterilization, being in any case sufficient to produce a negative reaction to a peroxidase test, or

<sup>(1)</sup> OJ No L 268, 14. 9. 1992, p. 1.

<sup>(2)</sup> OJ No L 36, 8. 2. 1994, p. 5.

— for dried milk or dried milk-based products, a second heat treatment with a heating effect at least equal to that achieved by the initial heat treatment and which would be sufficient to produce a negative reaction to a phosphatase test, followed by a drying process; or

(ii) in the case of milk or milk-based products not intended for human consumption:

— a second heat treatment with a heating effect at least equal to that achieved by the initial heat treatment and which would be sufficient to produce a negative reaction to a phosphatase test, followed in the case of dried milk or dried milk-based products, by a drying process; or

(b) an acidification process such that the pH has been maintained at less than six for at least one hour,

from third countries appearing in Part C of the list in the Annex.

*Article 4*

Decision 94/70/EC is repealed.

*Article 5*

This Decision shall apply from 2 February 1996.

*Article 6*

This Decision is addressed to the Member States.

Done at Brussels, 27 July 1995.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

## ANNEX

List of third countries approved in principle and importations shall fulfill the relevant animal and public health requirements.

Country Code ISO	Thrid country	A	B	C
AL	Albania	0	0	+
AR	Argentina	0	+( <sup>1</sup> )	+
AU	Australia	0	+	+
BG	Bulgaria	0	+	+
BR	Brazil	0	0	+
BW	Botswana	0	0	+
BY	Belarus	0	0	+
BZ	Belize	0	0	+
	Bosnien-Herzegovina	0	0	+
CA	Canada	0	+	+
CH	Switzerland	+	+	+
CL	Chile	0	+	+
CN	People's Republic of China	0	0	+
CO	Colombia	0	0	+
CR	Costa Rica	0	0	+
CU	Cuba	0	0	+
CY	Cyprus	+	+	+
CZ	Czech Republic	0	+	+
DZ	Algeria	0	0	+
EE	Estonia	0	+	+
ET	Ethiopia	0	0	+
GL	Greenland	0	+	+
GT	Guatemala	0	0	+
HK	Hong Kong	0	0	+
HN	Honduras	0	0	+
HR	Croatia	0	+	+
HU	Hungary	0	+	+
IL	Israel	0	0	+
IN	India	0	0	+
IS	Iceland	+	+	+
KE	Kenya	0	0	+
LI	Lithuania	0	+	+
LV	Latvia	0	+	+
MA	Morocco	0	0	+
MG	Madagascar	0	0	+
MK	Former Yugoslav Republic of Macedonia	0	+	+
MT	Malta	+	+	+
MU	Mauritius	0	0	+
MX	Mexico	0	0	+
NA	Namibia	0	0	+
NI	Nicaragua	0	0	+
NZ	New Zealand	+	+	+
PA	Panama	0	0	+
PL	Poland	0	+	+
PY	Paraguay	0	0	+
RO	Romania	0	+	+
RU	Russia	0	0	+
SG	Singapore	0	0	+
SK	Slovak Republic	0	+	+

Country Code ISO	Thrid country	A	B	C
SL	Slovenia	0	+	+
SU	El Salvador	0	0	+
SZ	Swaziland	0	0	+
TH	Thailand	0	0	+
TN	Tunisia	0	0	+
TR	Turkey	0	0	+
UA	Ukraine	0	0	+
US	United States of America	+	+	+
UY	Uruguay	0	0	+
ZA	South Africa	0	0	+
ZW	Zimbabwe	0	0	+

(<sup>1</sup>) Only if all milk sourced from holdings situated to the south of the 42nd parallel.