

COMMISSION DECISION

of 27 July 1995

on treatment of milk and milk-based products for human consumption from third countries or parts of third countries where there is a risk of foot-and-mouth disease

(Text with EEA relevance)

(95/342/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES

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

Having regard to the Treaty establishing the European Community,

HAS ADOPTED THIS DECISION:

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⁽¹⁾ as last amended by the Act of Accession of Austria, Finland and Sweden, and in particular Article 23 (3) (d) thereof;

Article 1

Whereas milk and milk-based products for human consumption from certain third countries or parts of third countries may present a risk from the point of view of foot-and-mouth disease;

Milk and milk-based products for human consumption from third countries or parts of third countries where an outbreak of foot-and-mouth disease has occurred within the last 12 months or which have carried out vaccination against foot-and-mouth disease in the last 12 months must, before they are introduced onto Community territory, undergo:

Whereas the types of treatment to be prescribed for milk and milk-based products for human consumption from such third countries or parts of third countries should be established;

(a) sterilization such that it has an F° value equal to or higher than 3; or

Whereas the types of treatment are to be listed on the model health certificates for imports of milk and milk-based products from third countries or parts of third countries where there is a risk of foot-and-mouth disease;

(b) an initial heat treatment having an effect at least equivalent to that achieved by pasteurization at a temperature of at least 72 °C for at least 15 seconds, so as to produce a negative reaction to the phosphatase test, followed by:

(i) a second heat treatment involving high-temperature pasteurization, UHT or sterilization, so as to produce a negative reaction to the peroxidase test; or

Whereas the types of treatment to be prescribed must have a scientific basis of the sort recommended by the Scientific Veterinary Committee and must take account of public and animal health protection requirements;

(ii) in the case of milk powder or a dry milk-based product, a second heat treatment having an effect at least equivalent to that achieved by the first heat treatment, so as to produce a negative reaction to the phosphatase test, followed by a drying process; or

(iii) an acidification process such that the pH value is lowered and kept below 6 for at least one hour.

⁽¹⁾ OJ No L 268, 14. 9. 1992, p. 1.

Article 2

Done at Brussels, 27 July 1995.

This Decision shall apply from 2 February 1996.

Article 3

This Decision is addressed to the Member States.

For the Commission

Franz FISCHLER

Member of the Commission
