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COMMISSION DECISION

of 28 February 1997

laying down the animal health conditions and model veterinary certificates in respect of imports of meat products from third countries and revoking Decision 91/449/EEC

(Text with EEA relevance)

(97/221/EC)

(OJ L 89, 4.4.1997, p. 32)

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► <u>M1</u> Commission Decision 2004/427/CE of 29 April 2004	L 189	4	27.5.2004

Corrected by:

► **C1** Corrigendum, OJ L 53, 24.2.1998, p. 26 (97/221/EC)



COMMISSION DECISION

of 28 February 1997

laying down the animal health conditions and model veterinary certificates in respect of imports of meat products from third countries and revoking Decision 91/449/EEC

(Text with EEA relevance)

(97/221/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 72/462/EEC of 12 December 1972 on health and veterinary inspection problems upon importation of bovine, swine, ovine, and caprine animals, fresh meat or meat products from third countries ⁽¹⁾, as last amended by Directive 96/91/EC ⁽²⁾, and in particular Articles 21 (a) and 22 thereof,

Having regard to Council Directive 92/118/EEC of 17 December 1992, laying down animal health and public health requirements governing trade in and imports into the Community of products not subject to the said requirements laid down in specific Community rules referred to in Annex A (1) to Directive 89/662/EEC and, as regards pathogens, to Directive 90/425/EEC ⁽³⁾ as last amended by Directive 96/90/EC ⁽⁴⁾, and in particular Article 10 (2) (c),

Whereas Council Directive 77/99/EEC ⁽⁵⁾, as last amended by Council Directive 95/68/EC ⁽⁶⁾, defines a meat product through laying down minimum treatment requirements;

Whereas Commission Decision 91/449/EEC ⁽⁷⁾ as last amended by Decision 96/92/EC ⁽⁸⁾ lays down the specimen animal health certificates in respect of meat products from bovine animals, swine, equidae, sheep and goats imported from third countries;

Whereas it is necessary to lay down animal health conditions and model veterinary certificates required for imports of meat products manufactured from farmed game meat, domestic rabbits and wild game meat from third countries;

Whereas the categories of meat products that may be imported from third countries depend on the health situation of the third country or parts of third country of manufacture; whereas, in order to be able to be imported, certain meat products must have been subjected to a particular treatment;

Whereas a list of third countries from which Member States import meat products is laid down in Commission Decision 97/222/EC ⁽⁹⁾;

Whereas it is necessary to lay down the animal health conditions and certificate required to import these products from the manufacturing third country; whereas in order to clarify and simplify the Community legislation, it is justified to group together the animal health conditions and certification required for importations of various categories of meat products and to revoke Decision 91/449/EEC;

Whereas these animal health conditions and veterinary certification apply without prejudice to the requirement for a residues testing programme to have been approved for the third country concerned

⁽¹⁾ OJ No L 302, 31. 12. 1972, p. 28.

⁽²⁾ OJ No L 13, 16. 1. 1997, p. 26.

⁽³⁾ OJ No L 62, 15. 3. 1993, p. 49.

⁽⁴⁾ OJ No L 13, 16. 1. 1997, p. 24.

⁽⁵⁾ OJ No L 26, 31. 1. 1977, p. 85.

⁽⁶⁾ OJ No L 332, 30. 12. 1995, p. 10.

⁽⁷⁾ OJ No L 240, 29. 8. 1991, p. 28.

⁽⁸⁾ OJ No L 21, 27. 1. 1996, p. 71.

⁽⁹⁾ See page 39 of this Official Journal.

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under Council Decision 79/542/EEC ⁽¹⁾, as last amended by Commission Decision 97/160/EC ⁽²⁾;

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

HAS ADOPTED THIS DECISION:

Article 1

For the purposes of this Decision:

1. the definition of meat products as laid down in Article 2 (a) of Directive 77/99/EEC shall apply;
2. the meat or meat products used in the manufacture of the meat products must be derived from:
 - domestic poultry of the following species: domestic fowl, turkeys, guinea fowl, geese and ducks,
 - or
 - domestic animals of the following species: bovine animals (including *Bubalus bubalis*, *Bison bison*), swine, sheep, goats and solipeds,
 - or
 - farmed game and domestic rabbits as defined in Article 2 (3) of Council Directive 91/495/EEC ⁽³⁾,
 - or
 - wild game as defined in Article 2 (1) (a) of Council Directive 92/45/EEC ⁽⁴⁾.

Article 2

Member States shall authorize imports of meat products:

1. derived from the species referred to in Article 1;
- and:
2. (a) either
 - originating from third countries listed in Part II of the Annex to Decision 97/222/EC, or parts of third countries as defined in Part I of the Annex to the same Decision, under the following conditions:
 - the meat products contain meat and/or meat products derived from one or more species which have undergone a non-specific treatment as laid down in Part IV of the Annex to Decision 97/222/EC;
 - (b) or
 - originating from third countries, listed in Parts II and III of the Annex to Decision 97/222/EC, or parts of third countries, as defined in Part I of the Annex to the same Decision, under one of the following conditions:
 - the meat products contain meat and/or meat products derived from a single species as authorized under the relevant column indicating the species concerned and have been subjected to at least the specific treatment regime required for meat of that species as laid down in Part IV of the Annex to Decision 97/222/EC,

⁽¹⁾ OJ No L 146, 14. 6. 1979, p. 15.

⁽²⁾ OJ No L 62, 4. 3. 1997, p. 39.

⁽³⁾ OJ No L 268, 24. 9. 1991, p. 41.

⁽⁴⁾ OJ No L 268, 14. 9. 1992, p. 35.

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- the meat products contain fresh, processed or partly processed meats from more than one species which are mixed prior to undergoing their final treatment. This final treatment must be at least equal to the most severe treatment as laid down in Part IV of the Annex to Decision 97/222/EC, for any one of the individual meat constituents for the species concerned,
- the final meat product is prepared by the mixing of previously treated meat from more than one species, the earlier treatment which each constituent meat underwent must have been at least equal to the relevant treatment as laid down in Part IV of the Annex to Decision 97/222/EC, for the species of meat concerned.

The treatments indicated in Part IV of the Annex to Decision 97/222/EC represent the minimum acceptable processing conditions for animal health purposes for meat of the species concerned from the indicated countries;

3. the fresh meat used in the production of the meat products must conform to the relevant public health conditions required for importation of that meat into the Community.

Article 3

The meat products referred to in Article 2 must conform to the requirements laid down in the specimen health certificate in the Annex. This certificate must accompany the consignment and be duly completed and signed by the official veterinarian.

▼M1*Article 3a*

Member States shall ensure that consignments of meat products for human consumption, introduced onto the territory of the Community and which are destined for a third country either by transit immediately or after storage in accordance with Articles 12 (4) or 13 of Directive 97/78/EC, and not intended for importation into the EC shall comply with the following requirements:

- (a) they shall come from the territory of a third country or a part thereof listed in the Annex to Decision 97/222/EC and have undergone the minimum treatment for the import of meat products of the species concerned foreseen therein.
- (b) they shall meet the specific animal health conditions for the species concerned set out in the model animal health certificate drawn up under the Annex I to Decision 97/221/EC.
- (c) they shall be accompanied by an animal health certificate established in accordance with the model laid down in Annex III, signed by an official veterinarian of the competent veterinary services of the third country concerned.
- (d) they are certified as acceptable for transit or storage (as appropriate) on the Common Veterinary Entry Document by the Official Veterinarian of the Border Inspection Post of introduction.

Article 3b

1. By way of derogation from Article 3a Member States shall authorise the transit by road or by rail through the Community, between designated Community border inspection posts listed in Annex IV 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 European Community 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

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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 European Community territory matches the number and quantities entering.

▼ B*Article 4*

Decision 91/449/EEC is revoked.

Article 5

This Decision shall apply from 1 March 1997.

Article 6

This Decision is addressed to the Member States.

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ANNEX I

▼ BSPECIMEN ANIMAL HEALTH CERTIFICATE FOR MEAT PRODUCTS INTENDED FOR
CONSIGNMENT TO THE EUROPEAN COMMUNITY

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

Reference number of the certificate

Country of destination:
(name of EC Member State)

Reference number of the public health certificate:

Exporting country ⁽¹⁾/region ⁽¹⁾ ⁽²⁾:

Ministry:

Department:

I. Identification of meat products

Indicate the origin of the meat(s) used in the meat product by placing a mark in the boxes opposite each of the species concerned

Domestic species ⁽²⁾Bovine Ovine Caprine Porcine Soliped Poultry (specify) Farmed game ⁽²⁾Cloven hoofed (excluding swine) (specify) Swine Birds (specify) Domestic rabbits Other leporidae (specify) Wild game ⁽²⁾Cloven hoofed (excluding swine) (specify) Swine Birds (specify) Soliped Leporidae (specify) Others (specify)

⁽¹⁾ Insert the name of the country where the meat product described in the certificate was manufactured. In addition, the name of the region should be inserted if the authorization to export meat products to the Community has been restricted to certain regions of the exporting country (see Annex, Part I to Commission Decision 97/222/EC).

⁽²⁾ Delete as appropriate.

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Description of meat products:

Nature of pieces:

Nature of packaging:

Number of pieces or packages:

Required storage and transport temperatures:

Storage life:

Net weight:

II. Origin of meat products

Address(es) and veterinary approval number(s) of:

- (a) the establishment(s) supplying fresh meat:
-
- (b) the meat products establishment(s):
-
- (c) the storage establishment(s):
-

III. Destination of meat products

The meat product will be sent from:

(place of loading)

to:

(country of destination)

by the following means of transport ⁽¹⁾:

Name and address of:

- (a) consignor:
-
- (b) consignee:
-

IV. Attestation of health

I, the undersigned official veterinarian, certify that:

1. the meat product contains the following meat constituents and meets the criteria indicated below:

Species ⁽¹⁾	Treatment ⁽²⁾	Origin ⁽³⁾	Animal health conditions ⁽⁴⁾

⁽¹⁾ Insert the code for the relevant species where BO = bovine and farmed cloven-hoofed game (excluding swine), OV = farmed ovine and caprine, SO = farmed soliped, PO = farmed pigs, RA = domestic rabbit, PL = farmed poultry and farmed feathered game, WG = wild cloven-hoofed game (excluding swine), WS = wild swine, WSO = wild soliped, WLP = wild leporidae, WB = wild game birds.

⁽²⁾ Insert A, B, C, D, E or F for the required treatment as specified and defined in Parts II, II and IV of the Annex to Decision 97/222/EC.

⁽³⁾ Insert the ISO code of the country of origin and, in the case of regionalization by Community legislation for the relevant meat constituent, the region.

⁽⁴⁾ Insert the reference number of the relevant Community Decision (where appropriate) which was applicable to the production of the meat used in the manufacture of the meat product described in this certificate.

⁽¹⁾ For lorries the registration number should be given. For bulk containers the container number and the seal number should be included.

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2. where the meat product has undergone a treatment other than heating in a hermetically sealed container to an F_0 value of 3 or more, it has been prepared from fresh meat which:

(a) in the case of fresh meat from bovine, ovine, caprine, porcine or soliped animals:

— satisfies the animal health requirements laid down in Articles 14, 15 and 16 of Council Directive 72/462/EEC and is in accordance with ►⁽¹⁾Decision .../.../EC ◀⁽¹⁾ ⁽²⁾,

and/or

— originates in a Member State of the European Community and satisfies the requirements of Article 21 (a) (1), second indent, of Council Directive 72/462/EEC ⁽¹⁾,

and/or

— meets any requirements agreed under the provisions of Article 21 (a), last sentence, of Directive 72/462/EEC and has undergone the treatment laid down for the meat of the species concerned in Parts II or III (as appropriate) of the Annex to Decision 97/222/EC, and in the case of biltong and pasteurized meat products satisfies the animal health requirements laid down in Articles 14, 15 and 16 of Directive 72/462/EEC and is in accordance with ►⁽¹⁾Decision .../.../EC ◀⁽¹⁾ ⁽²⁾;

(b) in the case of fresh meat from domestic poultry:

— satisfies the animal health requirements laid down in Commission Decisions 94/984/EC or 96/181/EC or 96/182/EC ⁽¹⁾,

and/or

— originates in a Member State of the European Community satisfying the requirements of Articles 3, 4 and 5 of Council Directive 91/494/EEC ⁽¹⁾,

and/or

— originates in a third country referred to in Annex II, Chapter I, to Council Directive 92/118/EEC ⁽¹⁾;

(c) in the case of fresh meat from farmed game and domestic rabbits:

— satisfies the relevant animal health and public health requirements laid down in Commission Decision 97/219/EC ⁽¹⁾;

(d) in the case of fresh meat from wild game (excluding wild swine):

— satisfies the relevant animal health and public health requirements laid down in Commission Decision 97/218/EC ⁽¹⁾;

(e) in the case of fresh meat from wild swine:

— satisfies the relevant animal health and public health requirements laid down in Commission Decision 97/220/EC ⁽¹⁾;

3. the meat product:

— consists of meat and/or meat products derived from a single species, and has undergone the treatment satisfying the relevant conditions laid down in the Annex to Decision 97/222/EC ⁽¹⁾,

or

— consists of meat from more than one species where, after mixing the meats together, the entire product has subsequently undergone a treatment which was at least equal to the most severe treatment required for any of the individual meat components contained in the meat product, as laid down in the Annex to Decision 97/222/EC ⁽¹⁾,

or

— has been prepared from meat, from more than one species where each of the constituent meats had previously undergone a treatment prior to mixing which satisfied the relevant treatment requirements for meat from that species, as laid down in the Annex to Decision 97/222/EC ⁽¹⁾;

⁽¹⁾ Delete as appropriate.

⁽²⁾ Insert the reference number of the relevant Community Decision (where appropriate) which was applicable to the production of the meat used in the manufacture of the meat product described in this certificate.

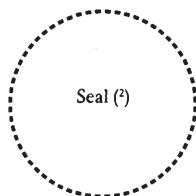
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4. in the case of poultry meat products which have not undergone a specific treatment and are destined for Member States or regions thereof which have been recognised in accordance with Article 12 of Council Directive 90/539/EEC, the poultry meat was derived from poultry which had not been vaccinated with a live vaccine against Newcastle disease within 30 days prior to slaughter ⁽¹⁾;
5. after treatment all precautions to avoid contamination have been taken.

Done at , on

(place)

(date)



.....
(signature of the official veterinarian) ⁽²⁾

.....
(name in capital letters, title and qualification)

⁽¹⁾ Delete as appropriate.

⁽²⁾ The colour of the seal and the signature must be different from the colour of the printing.

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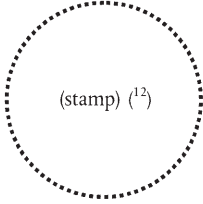
ANNEX II

(Transit and/or storage)

Model TRANSIT/STORAGE

1. Consignor (name and address in full)	VETERINARY CERTIFICATE for meat product⁽¹⁾, for [transit] / [storage] ⁽²⁾ ⁽⁸⁾ in the European Community No ⁽³⁾ ORIGINAL																																																								
2. Consignee (name and address in full)	3. Origin of the meat product ⁽⁴⁾ 3.1. Country: 3.2. Code of territory:																																																								
5. Intended [transit] / [storage] ⁽⁵⁾ destination of the meat product 5.1. Storage in: EU Member State: Name and address of the establishment ⁽⁶⁾ ⁽¹¹⁾ : 5.2. Transit final third country destination ⁽¹¹⁾ : Exit Community BIP name and address ⁽¹¹⁾ :	4. Competent authority 4.1. Ministry: 4.2. Service: 4.3. Local/regional level:																																																								
7. Means of transport and consignment identification ⁽⁷⁾ 7.1. [Lorry] / [rail-wagon] / [ship] / [aircraft] ⁽⁸⁾ 7.2. Registration number(s), ship name or flight number:	6. Place of loading for exportation 7.3. Consignment identification details ⁽⁹⁾:																																																								
8. Identification of the meat product 8.1. Meat from: (animal species). 8.2. Temperature or other treatment applied to the meat product: ⁽⁹⁾ 8.3. Individual identification of the meat product included in this consignment: <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 33%;">Nature ⁽⁹⁾</th> <th style="width: 33%;">Name and address of the establishment(s)</th> <th style="width: 15%;">Number of packages/pieces</th> <th style="width: 19%;">Net weight (kg)</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr> <td colspan="2" style="text-align: right;">Total</td> <td> </td> <td> </td> </tr> </tbody> </table>		Nature ⁽⁹⁾	Name and address of the establishment(s)	Number of packages/pieces	Net weight (kg)																																																	Total			
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Total																																																									

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<p>9. Animal health attestation</p> <p>I, the undersigned official veterinarian, hereby certify, that the meat product described above:</p> <p>9.1. comes from a country or region authorized for imports into the EC as laid down in Annex I to 97/222/EC at the time of slaughter of the animals from which the meat in the meat product is derived and;</p> <p>9.2. complies with the relevant animal health conditions as laid down in the animal health attestation in the model certificate in Annex I to 97/221/EC and;</p> <p>9.3. is derived from animals which were slaughtered and processed on or between⁽¹⁰⁾.</p>	
<p>Official stamp and signature</p>	
<p>Done at..... on</p>	
 <p>(stamp)⁽¹²⁾</p>	<p>.....</p> <p>(signature of official veterinarian)⁽¹²⁾</p> <p>.....</p> <p>(name in capital letters, qualifications and title)</p>

Notes

- ⁽¹⁾ Meat products as laid down in Article 2(a) of Directive 77/99/EEC.
- ⁽²⁾ In accordance with Article 12⁽⁴⁾ or Article 13 of Directive 97/78/EC.
- ⁽³⁾ Issued by the competent authority.
- ⁽⁴⁾ Country and description of territory as appearing in the Annex to Decision 97/222/EC (as last amended).
- ⁽⁵⁾ Description of the treatment applied as laid down in the Annex to Decision 97/222/EC (as last amended).
- ⁽⁶⁾ Address (and approval number if known) of the warehouse in a free zone, free warehouse, customs warehouse or ship chandler shall be included.
- ⁽⁷⁾ The registration number(s) of rail-wagon or lorry and the name of the ship should be given as appropriate. If known, the flight number of the aircraft.
- In case of transport in containers or boxes, the total number, their registration and seal numbers, if present, should be indicated under point 7.3.
- ⁽⁸⁾ Keep as appropriate.
- ⁽⁹⁾ Complete if appropriate.
- ⁽¹⁰⁾ Date or dates of slaughter. Imports of this meat shall not be allowed when obtained from animals slaughtered either prior to the date of authorisation for exportation to the European Community of the territory mentioned in footnote ⁽⁴⁾, or during a period where restrictive measures have been adopted by the European Community against imports of this meat from this territory.
- ⁽¹¹⁾ Complete as appropriate.
- ⁽¹²⁾ The colour of the signature shall be different to that of the printing. The same rule applies to the stamp other than those embossed or watermarked.