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COMMISSION DECISION

of 29 September 2000

laying down animal and public health conditions and veterinary certification for imports of farmed ratite meat amending Decision 94/85/EC drawing up a list of third countries from which the Member States authorise imports of fresh poultry meat

(notified under document number C(2000) 2885)

(Text with EEA relevance)

(2000/609/EC)

(OJ L 258, 12.10.2000, p. 49)

Amended by:

	Official Journal		
	No	page	date
► <u>M1</u> Commission Decision 2000/782/EC of 8 December 2000	L 309	37	9.12.2000



COMMISSION DECISION

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laying down animal and public health conditions and veterinary certification for imports of farmed ratite meat amending Decision 94/85/EC drawing up a list of third countries from which the Member States authorise imports of fresh poultry meat

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(Text with EEA relevance)

(2000/609/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/494/EEC of 26 June 1991 on animal health conditions governing intra-Community trade and imports from third countries of fresh poultrymeat⁽¹⁾, as last amended by Directive 1999/89/EC⁽²⁾, and in particular Articles 9(1), 11(1), 12, 14(1) and 14a 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 97/79/EC⁽⁴⁾, and in particular Article 10 thereof,

Whereas:

- (1) Ratites are 'poultry' according to Article 2 of Directive 91/494/EEC as well as 'farmed game' according to Article 2 of Council Directive 91/495/EEC of 27 November 1990 concerning public health and animal health problems affecting the production and placing on the market of rabbit meat and farmed game meat⁽⁵⁾.
- (2) Ratite meat can be imported from third countries if at least the animal health requirements of Chapter III of Directive 91/494/EEC and, according to Annex I Chapter 11 of Directive 92/118/EEC, the public health requirements of Chapter III of Directive 91/495/EEC are fulfilled.
- (3) By the effect of this Decision Article 17 of Directive 91/495/EEC will become obsolete for fresh meat of farmed ratites.
- (4) Neither Commission Decision 94/984/EC of 20 December 1994 laying down animal health conditions and veterinary certificates for the importation of fresh poultry meat from third countries⁽⁶⁾, as last amended by Decision 2000/352/EEC⁽⁷⁾, nor Commission Decision 97/219/EC of 28 February 1997 laying down animal and public health conditions and veterinary certification for imports of farmed game meat and rabbit meat from third countries⁽⁸⁾, as amended by Commission Decision 2000/160/EC⁽⁹⁾, are applicable to ratite meat because of these birds is excluded from the scopes of these Decisions.
- (5) It is necessary to lay down the animal and public health conditions and veterinary certification for import of farmed ratite meat into the Community accordingly.

⁽¹⁾ OJ L 268, 24.9.1991, p. 35.

⁽²⁾ OJ L 300, 23.11.1999, p. 17.

⁽³⁾ OJ L 62, 15.3.1993, p. 49.

⁽⁴⁾ OJ L 24, 30.1.1998, p. 31.

⁽⁵⁾ OJ L 268, 24.9.1991, p. 41.

⁽⁶⁾ OJ L 378, 31.12.1994, p. 11.

⁽⁷⁾ OJ L 124, 25.5.2000, p. 64.

⁽⁸⁾ OJ L 88, 3.4.1997, p. 45.

⁽⁹⁾ OJ L 51, 24.2.2000, p. 37.

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- (6) Commission Decision 96/659/EC of 22 November 1996, concerning protective measures in relation to Crimean Congo haemorrhagic fever⁽¹⁾, as last amended by Decision 97/183/EC⁽²⁾, authorises Member States to import ratite meat provided that extra guarantees are given in relation to Crimean Congo haemorrhagic fever; these guarantees should be taken into consideration.
- (7) The Czech Republic, Israel and Switzerland are not free from Newcastle disease, however, they apply measures to control Newcastle disease which are at least equivalent to those laid down in Council Directive 92/66/EEC⁽³⁾, as last amended by the Act of Accession of Austria, Finland and Sweden.
- (8) It is appropriate on this basis to allow the importation of farmed ratite meat from the mentioned countries.
- (9) Some third countries are not free from Newcastle disease and do not apply measures, which are at least equivalent to those laid down in Directive 92/66/EEC. These countries, however, should have the possibility to export fresh ratite meat to the European Union provided that their measures to control the said disease offer animal health guarantees at least equivalent to those offered by Chapter II of Directive 91/494/EEC.
- (10) Namibia, South Africa and Zimbabwe have given the necessary guarantees referred to above to allow imports of farmed ratite meat under the conditions laid down in the certificate in Annex II, Part 2, Model B in this Decision and have submitted to the Commission a satisfactory statistically based sampling plan for surveillance for Newcastle disease on holdings from which farmed ratites will be sent for slaughter for export to the EU.
- (11) Council Directive 93/119/EC of 22 December 1993, laying down requirements on the protection of animals at the time of slaughter or killing⁽⁴⁾, should be taken into consideration when establishing the import conditions for ratite meat from third countries.
- (12) Council Directive 96/22/EC of 29 April 1996 concerning the prohibition on the use in stockfarming of certain substances having a hormonal or thyrostatic action and of beta-agonists, and repealing Directives 81/602/EEC, 88/146/EEC and 88/299/EEC⁽⁵⁾ and Council Directive 96/23/EC of 29 April 1996 on measures to monitor certain substances and residues thereof in live animals and animal products and repealing Directives 85/358/EEC and 86/469/EEC and Decisions 89/187/EEC and 91/664/EEC⁽⁶⁾ have to be taken into consideration when public health requirements are established for the importation of ratite meat.
- (13) A list of third countries allowed to use the certificates for imports of ratite meat must be established to achieve complete harmonisation of the conditions for import of ratite meat.
- (14) This list must be based on the principal list of third countries from which Member States authorise imports of fresh poultry meat as it is drawn up by Commission Decision 94/85/EC⁽⁷⁾, as last amended by Decision 96/2/EC⁽⁸⁾.
- (15) Tunisia has given the necessary guarantees to be included in the list drawn up by Decision 94/85/EC.

⁽¹⁾ OJ L 302, 26.11.1996, p. 27.

⁽²⁾ OJ L 76, 18.3.1997, p. 32.

⁽³⁾ OJ L 260, 5.9.1992, p. 1.

⁽⁴⁾ OJ L 340, 31.12.1993, p. 21.

⁽⁵⁾ OJ L 125, 23.5.1996, p. 3.

⁽⁶⁾ OJ L 125, 23.5.1996, p. 10.

⁽⁷⁾ OJ L 44, 17.2.1994, p. 31.

⁽⁸⁾ OJ L 1, 3.1.1996, p. 6.

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- (16) The measures provided for in this Decision have followed the notification procedure of the Agreement on the Application of the Sanitary and Phytosanitary Measures (SPS) laid down within the framework of the World Trade Organisation (WTO).
- (17) The measures provided for in this Decision are in accordance with the opinion of the Standing Veterinary Committee,

HAS ADOPTED THIS DECISION:

Article 1

Member States shall authorise the importation of fresh meat of farmed raptines only from third countries or parts of third countries listed in Annex I, provided that it meets the requirements of the corresponding health certificate set out in Annex II and that it is accompanied by such a certificate, duly completed and signed. The certificate shall include the general part conforming to Annex II, Part 1, and one of the specific health attestations conforming to Annex II, Part 2, according to the required model (A or B) as specified in Annex I.

Article 2

In the Annex of Decision 94/85/EC the following new line is inserted in accordance with the alphabetic order of the ISO code:

‘TN | Tunisia | x | ’

Article 3

This Decision shall apply for consignments certified as from 1 October 2000.

Article 4

This Decision is addressed to the Member States.

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ANNEX I

List of third countries or parts of third countries which are allowed to export farmed ratite meat to the European Union

ISO Code	Country	Parts of the territory	Model certificate to be used (A or B)
AR	Argentina		A
AU	Australia		A
BG	Bulgaria		A
BR-1	Brazil	The States of Rio Grande do Sul, Santa Catarina, Paraná, São Paulo and Mato Grosso do Sul	A
CA	Canada		A
CH	Switzerland		A
CL	Chile		A
CY	Cyprus		A
CZ	Czech Republic		A
HR	Croatia		A
HU	Hungary		A
IL	Israel		A
LT	Lithuania		A
NA	Namibia		B
NZ	New Zealand		A
PL	Poland		A
RO	Romania		A
SI	Slovenia		A
SK	Slovakia		A
TH	Thailand		A
TN	Tunisia		A
US	United States of America		A
ZA	South Africa		B
ZW	Zimbabwe		B



ANNEX II

PART 1

ANIMAL AND PUBLIC HEALTH CERTIFICATE FOR FRESH MEAT FROM FARMED RATITES FOR HUMAN CONSUMPTION ⁽¹⁾

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

1. Consignor (name and address in full):	2. Health certificate No Original
4. Consignee (name and address in full):	3. Country of origin: 3.1. Region ⁽²⁾ :
8. Place of loading:	5. Competent authority (central level): 5.1. Ministry: 5.2. Service:
9.1. Means of transport ⁽³⁾ : 9.2. Number of the seal ⁽⁴⁾ :	6. Competent authority (local level):
10.1. Member State of destination: 10.2. Final destination:	7. Address of establishment(s): 7.1. Slaughterhouse: 7.2. Cutting plant ⁽⁵⁾ : 7.3. Cold store ⁽⁶⁾ :
12.1. Ratite species: 12.2. Nature of cuts:	11. Approval number(s) of establishment(s): 11.1. Slaughterhouse: 11.2. Cutting plant ⁽⁵⁾ : 11.3. Cold store ⁽⁶⁾ :
13.1. Nature of the packaging: 13.2. Consignment identification details:	14. Quantity: 14.1. Net weight (kg): 14.2. Number of packages:

Note: A separate certificate must be provided for each consignment of farmed ratite meat.

⁽¹⁾ Fresh ratite meat means any parts, excluding offal, of farmed ratites which are fit for human consumption and which have not undergone any treatment other than cold treatment to ensure the preservation; vacuum wrapped meat or meat wrapped in a controlled atmosphere must also be accompanied by a certificate according to this model.

⁽²⁾ Only to be completed if the authorisation to export to the Community is restricted to certain regions of the third country concerned.

⁽³⁾ Indicate means of transport and registration marks or registered name, as appropriate.

⁽⁴⁾ Optional.

⁽⁵⁾ Delete if not applicable.



PART 2

Model A**Health attestation**

I, the undersigned official veterinarian, hereby certify:

I. *Animal health certification*

1. That⁽¹⁾, region⁽²⁾,
is free from:
 - 1.1. avian influenza, as defined in the International Animal Health Code of the OIE;
 - 1.2. Newcastle disease, as defined in the International Animal health Code of the OIE⁽³⁾;
2. That the meat described above is obtained from farmed ratites:
 - 2.1. which have, without interruption, been held in the territory of⁽¹⁾,
region⁽²⁾,
for at least three months before being slaughtered or since hatching;
 - 2.2. which come from holdings:
 - 2.2.1. which receive regular veterinary inspections to diagnose diseases transmissible to humans or animals;
 - 2.2.2. which are not under animal health restrictions in connection with any disease to which ratites and/or other poultry are susceptible;
 - 2.2.3. around which, within a radius of 10 kilometres including where appropriate the territory of a neighbouring country, there have been no outbreaks of avian influenza or Newcastle disease for at least 30 days;
 - 2.3. which, if they originate from countries in Asia or Africa:
 - 2.3.1. were isolated in tick-proofed surroundings with an officially approved programme for rodent control for at least 14 days prior to slaughter;
 - 2.3.2. were, before moving to the tick-proofed surroundings⁽⁴⁾:
 - examined to verify that they are tick-free, or
 - have undergone a treatment to ensure that all ticks on them are destroyed
 Specification of the treatment:
This treatment does not result in any detectable residues in the ratite meat
 - 2.3.3. were checked for the presence of ticks on arrival in the slaughterhouse (each batch), with negative results;
 - 2.4. which were not slaughtered in the context of any animal health scheme for the control or eradication of poultry and/or ratite diseases;
 - 2.5. which were/were not⁽⁵⁾ vaccinated against Newcastle Disease using a live vaccine during the 30 days preceding slaughter;
 - 2.6. which, during transport to the slaughterhouse, did not come into contact with poultry and/or ratites infected with avian influenza or Newcastle disease;
 - 2.7. which were handled prior to slaughter and slaughtered under conditions meeting those laid down in Directive 93/119/EC.
3. That the meat described above:
 - 3.1. comes from approved slaughterhouses which, at the time of slaughter, are not under restrictions due to a suspect or confirmed outbreak of avian influenza or Newcastle disease and around which, within a radius of 10 kilometres, there have been no outbreaks of avian influenza or Newcastle disease for at least 30 days;
 - 3.2. has not been in contact, at any time of slaughter, cutting, storage or transport with ratites or meat which do not fulfil the requirements of Directive 91/494/EEC.

⁽¹⁾ Name of the country of origin.

⁽²⁾ Only to be completed if the authorisation to export to the Community is restricted to certain regions of the third country concerned.

⁽³⁾ Point 1.2 is not applicable for the Czech Republic, Israel or Switzerland.

⁽⁴⁾ Tick and fill in as appropriate.

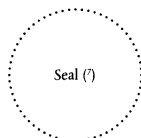
⁽⁵⁾ Delete the unnecessary reference. If the ratites have been vaccinated within 30 days before slaughter, the consignment cannot be sent to Member States or regions thereof which have been recognised free from Newcastle disease in accordance with Article 12 of Directive 90/539/EEC (currently Denmark, Finland and Sweden).



II. *Public health certification*

4. That the guarantees on live animals and products thereof provided by the residue plans submitted according to Article 29 of Directive 96/23/EC are fulfilled.
5. That the meat described above is obtained from ratites which:
 - either, were accompanied on arrival at the slaughterhouse by a veterinary certificate issued by the veterinarian responsible for the holding of origin, stating that they had passed a veterinary ante-mortem inspection in accordance with the requirements of Article 8 of Directive 91/495/EEC on the holding of origin within 72 hours prior to loading, or
 - passed a veterinary ante-mortem inspection in accordance with the requirements of Article 8 of Directive 91/495/EEC at the approved slaughterhouse in the 72 hours immediately prior to slaughter.
6. That the slaughtering of the ratites took place in a slaughterhouse approved according to Article 8 of Directive 91/495/EEC provided that this establishment is suitably equipped for this purpose.
7. That the establishments used for slaughtering, handling or cutting were thoroughly cleaned and disinfected under official supervision before being used for the production of the meat referred to in this certificate.
8. That the meat described above:
 - 8.1. was handled under conditions of hygiene meeting the conditions of Article 8 of Directive 91/495/EEC;
 - 8.2. has undergone a post-mortem inspection in accordance with the requirements of Article 8 of Directive 91/495/EEC and has been passed as fit for human consumption;
 - 8.3. was cut ⁽⁶⁾ and stored ⁽⁶⁾ in establishments approved for the purpose by the competent authority of (Name of the country of origin) as meeting the conditions laid down in Article 8 of Directive 91/495/EEC provided that this establishment is suitably equipped for this purpose;
 - 8.4. has not been in contact, at any time during slaughter, cutting, storage or transport with meat which does not fulfil the requirements of Directive 91/495/EEC.
9. The meat referred to in this certificate ⁽⁶⁾/the packaging of the meat referred to in this certificate ⁽⁶⁾ bears a mark proving that ⁽⁷⁾:
 - the meat comes from animals slaughtered and inspected in an approved slaughterhouse
 - the meat was cut in an approved cutting plant
10. That the means of transport and the loading conditions of the consignment of meat described above met the hygiene requirements laid down in Article 8 of Directive 91/495/EEC.

Done at (place), (date)



.....
(signature of official veterinarian) ⁽⁷⁾

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

⁽⁶⁾ Delete as appropriate.

⁽⁷⁾ Stamp and signature in a colour different from that of the printing.



Model B

Health attestation

I, the undersigned official veterinarian, hereby certify:

I. *Animal health certification*

1. That (1), region (2),
is free from avian influenza, as defined in the International Animal Health Code of OIE.
2. That the de-boned and skinned fresh meat described above is obtained from farmed ratites:
 - 2.1. which have, without interruption, been held in the territory of (1),
region (2),
for at least three months before being slaughtered or since hatching;
 - 2.2. which were reared/were resident for at least three months prior to slaughter on holdings:
 - 2.2.1. which receive regular veterinary inspections to diagnose diseases transmissible to humans or animals;
 - 2.2.2. which are not under animal health restrictions in connection with any disease to which ratites and/or other poultry are susceptible;
 - 2.2.3. in which there has been no outbreak of Newcastle disease or avian influenza in the previous six months, and around which, within a distance of 10 kilometres from the perimeter of that part of the holding which contains the ratites, including where appropriate the territory of a neighbouring country, there have been no outbreaks of avian influenza or Newcastle disease for at least three months;
 - 2.3. which, if they originate from countries in Asia or Africa:
 - 2.3.1. were isolated in tick-proofed surroundings with an officially approved programme for rodent control for at least 14 days prior to slaughter;
 - 2.3.2. were, before moving to the tick-proofed surrounding (?):
 - examined to verify that they are tick-free, or
 - have undergone a treatment to ensure that all ticks on them are destroyed
 Specification of the treatment:
This treatment does not result in any detectable residues in the ratite meat
 - 2.3.3. were checked for the presence of ticks on arrival in the slaughterhouse (each batch), with negative results
 - 2.4. which were not slaughtered in the context of any animal health scheme for the control or eradication of poultry and/or ratite diseases;
 - 2.5. which (?):
 - were not vaccinated against Newcastle Disease
 - were vaccinated against Newcastle disease using an inactivated vaccine which fulfils the requirements of Commission Decision 93/152/EEC
 - were vaccinated against Newcastle disease using a live vaccine which does not fulfil the requirements of Decision 93/152/EEC but were not vaccinated during the 30 days preceding slaughter
 - 2.6. which come from holdings in which surveillance for Newcastle disease is being carried out on a statistically based sampling plan with negative results (?) for at least six months ▶⁽¹⁾ (*) ◀;
 - 2.7. during transport to the slaughterhouse did not come into contact with poultry and/or ratites infected with avian influenza or Newcastle disease;
 - 2.8. were handled prior to slaughter and slaughtered under conditions meeting those laid down in Directive 93/119/EC.

(1) Name of the country of origin.

(2) Only to be completed if the authorisation to export to the Community is restricted to certain regions of the third country concerned.

(?) Tick and fill in as appropriate.

(*) Tick and fill in as appropriate.

(1) In non-vaccinated flocks this surveillance is carried out on serology and in vaccinated flocks it is carried out on tracheal swabs of ratites.

(*) The six months period shall not come into effect until 1 May 2001.

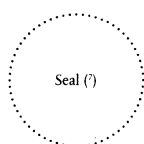
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3. That the de-boned and skinned fresh meat described above:
- 3.1. comes from approved slaughterhouses which, at the time of slaughter, are not under restrictions due to a suspect or confirmed outbreak of avian influenza or Newcastle disease and around which, within a radius of 10 kilometres, there have been no outbreaks of avian influenza or Newcastle disease for at least 30 days;
 - 3.2. has not been in contact, at any time of slaughter, cutting, storage or transport with ratites or meat, which do not fulfil the requirements of Directive 91/494/EEC.

II. (Public health certification)

4. That the guarantees on live animals and products thereof provided by the residue plans submitted according to Article 29 of Directive 96/23/EC are fulfilled.
5. That the de-boned and skinned fresh meat described above is obtained from ratites which:
 - either, were accompanied on arrival at the slaughterhouse by a veterinary certificate issued by the veterinarian responsible for the holding of origin, stating that they had passed a veterinary ante-mortem inspection in accordance with the requirements of Article 8 of Directive 91/495/EEC on the holding of origin within 72 hours prior to loading, or
 - passed a veterinary ante-mortem inspection in accordance with the requirements of Article 8 of Directive 91/495/EEC at the approved slaughterhouse in the 72 hours immediately prior to slaughter.
6. That the slaughtering of the ratites took place in a slaughterhouse approved according to Article 8 of Directive 91/495/EEC provided that this establishment is suitably equipped for this purpose.
7. That the establishments used for slaughtering, handling or cutting were thoroughly cleaned and disinfected under official supervision before being used for the production of the meat referred to in this certificate.
8. That the meat described above:
 - 8.1. was handled under conditions of hygiene meeting the conditions of Article 8 of Directive 91/492/EEC;
 - 8.2. has undergone a post-mortem inspection in accordance with the requirements of Article 8 of Directive 91/495/EEC and has been passed as fit for human consumption;
 - 8.3. was cut ^(*) and stored ^(*) in establishments approved for the purpose by the competent authority of (name of the country of origin) as meeting the conditions laid down in Article 8 of Directive 91/495/EEC provided that this establishment is suitably equipped for this purpose;
 - 8.4. has not been in contact, at any time during slaughter, cutting, storage or transport with meat which does not fulfil the requirements of Directive 91/495/EEC.
9. The meat referred to in this certificate ^(*)/the packaging of the meat referred to in this certificate ^(*) bears a mark proving that ^(*):
 - the meat comes from animals slaughtered and inspected in an approved slaughterhouse
 - the meat was cut in an approved cutting plant
10. That the means of transport and the loading conditions of the consignment of meat described above met the hygiene requirements laid down in Article 8 of Directive 91/495/EEC.

Done at (place) , (date)



.....
(signature of official veterinarian) ^(*)

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

^(*) Delete as appropriate.

^(*) Stamp and signature in a colour different from that of the printing.