

COMMISSION DECISION
of 7 March 2003
amending Decisions 1999/283/EC and 2000/585/EC as regards Botswana

(notified under document number C(2003) 713)

(Text with EEA relevance)

(2003/163/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, ovine and caprine animals and swine, fresh meat or meat products from third countries ⁽¹⁾, as last amended by Regulation (EC) No 1452/2001 ⁽²⁾, and in particular Article 14(3) thereof,

Having regard to Council Directive 92/45/EC of 16 June 1992 on public health and animal health problems relating to the killing of wild game and the placing on the market of wild game meat ⁽³⁾, as last amended by Directive 97/79/EC ⁽⁴⁾, and in particular Article 16(3) 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 (I) to Directive 89/662/EEC and, as regards pathogens, to Directive 90/425/EEC ⁽⁵⁾, as last amended by Commission Decision 2003/42/EC ⁽⁶⁾, and in particular Article 10,

Whereas:

- (1) The animal health and veterinary certification conditions for imports of fresh meat from certain African countries are laid down by Commission Decision 1999/283/EC ⁽⁷⁾, as last amended by Decision 2003/74/EC ⁽⁸⁾.
- (2) The animal and public health and veterinary certification conditions for import of wild and farmed game meat and rabbit meat from third countries are laid down by Commission Decision 2000/585/EC ⁽⁹⁾, as last amended by Decision 2003/74/EC.

- (3) An outbreak of foot-and-mouth disease was confirmed in Botswana in the approved EC zone number 6 on 7 of January 2003, with the first infection on the holding thought to be 23 December 2002, and Commission Decision 2003/74/EC was adopted to suspend exports to the Community from the whole of the country of boned fresh meat of bovine, ovine and caprine species and farmed and wild ungulates produced after the presumed date of first infection, pending further information required to support regionalisation.
- (4) The Botswanan authorities carried out emergency vaccination around the outbreak and further investigations, assessing the situation in the country. All the animals in the infected farms are being destroyed.
- (5) The outcome of this assessment shows that the infected area is located in veterinary control zones 6 and 7, in an area of about 30 km by 40 km. In addition, four farms on the periphery of this area were included in the infected area because of the possibility of contact with animals of infected farms.
- (6) No further cases of foot-and-mouth disease have been observed throughout the country.
- (7) The Botswanan authorities have informed the Community that Zones 6 and 7 are the infected areas, the surrounding zones 5, 8 and 9 are considered as buffer zones, while zones 10, 11, 12, 13 and 14 should be considered free. These free areas are separated physically from the rest of the territory by fences.
- (8) In this situation, the importation into the Community of de-boned and matured fresh meat excluding offal of bovine, ovine and caprine species and farmed and wild ungulates should be allowed from the zones 10, 11, 12, 13 and 14 irrespective of the date of slaughter.
- (9) The measures provided for in this Decision should be reviewed within three months in particular in the light of the disease evolution and further information received from the authorities of Botswana.
- (10) Decisions 1999/283/EC and 2000/585/EC should be amended accordingly.
- (11) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

⁽¹⁾ OJ L 302, 31.12.1972, p. 28.

⁽²⁾ OJ L 198, 21.7.2001, p. 11.

⁽³⁾ OJ L 268, 14.9.1992, p. 35.

⁽⁴⁾ OJ L 24, 30.1.1998, p. 31.

⁽⁵⁾ OJ L 62, 15.3.1993, p. 19.

⁽⁶⁾ OJ L 13, 18.1.2003, p. 24.

⁽⁷⁾ OJ L 110, 28.4.1999, p. 16.

⁽⁸⁾ OJ L 28, 4.2.2003, p. 45.

⁽⁹⁾ OJ L 251, 6.10.2000, p. 1.

HAS ADOPTED THIS DECISION:

Article 1

Annex I to Decision 1999/283/EC is replaced by the text in Annex I to this Decision.

Article 2

Annex II to Decision 1999/283/EC is replaced by the text in Annex II to this Decision.

Article 3

Annex I to Decision 2000/585/EC is replaced by the text in Annex III to this Decision.

Article 4

Annex II to Decision 2000/585/EC is replaced by the text in Annex IV to this Decision.

Article 5

The measures provided for in this Decision shall be reviewed within three months in the light of the evolution of the foot-and-mouth disease situation in Botswana.

Article 6

This Decision shall apply from 14 March 2003.

Article 7

This Decision is addressed to the Member States.

Done at Brussels, 7 March 2003.

For the Commission

David BYRNE

Member of the Commission

ANNEX I

'ANNEX I

DESCRIPTION OF TERRITORIES OF CERTAIN AFRICAN COUNTRIES ESTABLISHED FOR ANIMAL HEALTH CERTIFICATION PURPOSES

Country	Code of territory	Version	Description of territory
Botswana	BW	01/99	The whole country
	BW-01	01/03	Veterinary disease control zones: 5, 6, 7, 8, 9, and 18.
	BW-02	01/03	Veterinary disease control zones: 10, 11, 12, 13 and 14.
Morocco	MA	01/99	The whole country
Madagascar	MG	01/99	The whole country
Namibia	NA	01/99	The whole country
	NA-01	01/00	South of the cordon fences which extends from Palgrave Point in the west to Gam in the east
Swaziland	SZ	01/99	The whole country
	SZ-01	01/01	Area west of the "red line" fences which extends northwards from the river Usutu to the frontier with South Africa west of Nkalashane and excluding the veterinary foot and mouth surveillance and vaccination control areas gazetted as a Statutory Instrument under legal notice number 51 of 2001
South Africa	ZA	01/99	The whole country
	ZA-01	03/01	Republic of South Africa excluding: — the part of the foot-and-mouth disease control area situated in the veterinary regions of Mpumalanga and Northern provinces, in the district of Ingwavuma of the veterinary region of Natal and in the border area with Botswana east of longitude 28 °, and — the district of Camperdown, in the province of KwaZulu-Natal
Zimbabwe	ZW	01/99	The whole country
	ZW-01	01/99	Veterinary regions of Mashonaland West province, Mashonaland East province (including Chikomba district), Mashonaland Central province, Manicaland province (including only Makoni district), Midlands province (including only the Gweru, Kwekwe, Shurugwi, Chirimanzu and Zvishavane districts), Masvingo province (including only the districts of Gutu and Masvingo), Matabeleland South province (including only the Insiza, Bullimamangwe, Umzingwamange, Gwanda and West Nicholson districts) and Matabeleland north province (including only the districts of Bubi and Umgusa)

ANNEX II

'ANNEX II

MODELS OF ANIMAL HEALTH CERTIFICATES TO BE REQUESTED

Country	Code	Fresh meat for human consumption								Fresh meat intended for purposes other than human consumption
		Bovine		Swine		Ovine/Caprine		Solipeds		
		MC ⁽¹⁾	SG ⁽²⁾	MC ⁽¹⁾	SG ⁽²⁾	MC ⁽¹⁾	SG ⁽²⁾	MC ⁽¹⁾	SG ⁽²⁾	
Botswana	BW	—		—		—		D		—
	BW-01	A ⁽³⁾	a	—		C ⁽³⁾	a	D		—
	BW02	A ⁽⁴⁾	a	—		C ⁽⁴⁾	a	D		—
Morocco	MA	—		—		—		D		—
Madagascar	MG	—		—		—		—		—
Namibia	NA	—		—		—		D		—
	NA-01	A	a	—		C	a	D		—
Swaziland	SZ	—		—		—		D		—
	SZ-01	A	a	—		—		D		—
South Africa	ZA	—		—		—		D		—
	ZA-01	A	a	—		C	a	D		—
Zimbabwe	ZW	—		—		—		—		—
	ZW-01	—		—		—		—		—

⁽¹⁾ MC: Model of certificate to be fulfilled: The letters (A, B, C, D) appearing on the tables are referring to the models of animal health guarantees as described in Annex III, to be applied for each product category in accordance with Article 2 of this decision; a dash “-” indicates that imports are not authorised.

⁽²⁾ SG: Supplementary guarantees. The letters (a, b, c, d) appearing on the tables are referring to the supplementary guarantees to be provided by the exporting country as described in Annex IV. These supplementary guarantees must be inserted by the exporting country in section V of each model of certificate laid down in Annex III.

⁽³⁾ Only meat produced from animals slaughtered after 7 July 2002 and before 23 December 2002 can be imported into the Community.

⁽⁴⁾ Meat produced from animals slaughtered after 7 March 2002 can be imported into the Community.’

ANNEX III

'ANNEX I

DESCRIPTION OF TERRITORIES OF CERTAIN THIRD COUNTRIES ESTABLISHED FOR ANIMAL HEALTH CERTIFICATION PURPOSES

Country	Code of territory	Version	Description of territory
Bulgaria	BG-1	—	As described in Annex I of Commission Decision 98/371/EC ⁽¹⁾ (as last amended)
	BG-2	—	As described in Annex I of Commission Decision 98/371/EC (as last amended)
	BG-3	—	As described in Annex I of Commission Decision 98/371/EC (as last amended)
Brazil	BR-1	—	As described in Annex I of Commission Decision 94/984/EC ⁽²⁾ (as last amended)
Botswana	BW-01	01/03	As described in Annex I of Commission Decision 1999/283/EC ⁽³⁾ (as last amended)
	BW-02	01/03	As described in Annex I of Commission Decision 1999/283/EC (as last amended)
Czech Republic	CZ-1	—	As described in Annex I of Commission Decision 98/371/EC (as last amended)
	CZ-2	—	As described in Annex I of Commission Decision 98/371/EC (as last amended)
Namibia	NA-01	—	As described in Annex I of Commission Decision 1999/283/EC (as last amended)
Russia	RU-1	01/99	The region of Murmansk (Murmanskaya oblast)
Swaziland	SZ-01	—	As described in Annex I of Commission Decision 1999/283/EC (as last amended)
South Africa	ZA-01	—	As described in Annex I of Commission Decision 1999/283/EC (as last amended)
Zimbabwe	ZW-01	—	As described in Annex I of Commission Decision 1999/283/EC (as last amended)
Any country appearing in the first column of Annex II	ISO code as indicated in the first column of Annex II		The whole country

⁽¹⁾ OJ L 170, 16.6.1998, p. 16.⁽²⁾ OJ L 378, 31.12.1994, p. 11.⁽³⁾ OJ L 110, 28.4.1999, p. 16.

ANNEX IV

'ANNEX II

Animal health guarantees to be requested on certification of wild and farmed game meat and rabbit meat

Country	Code of territory	Cloven-hoofed game, excluding wild swine				Wild swine				Game birds				Wild solipeds		Leporidae (rabbit and hare)				Other wild land-mammals		
		Wild		Farmed		Wild		Farmed		Wild		Farmed										
		MC (*)	SC (!)	MC (*)	SC (!)	MC (*)	SC (!)	MC (*)	SC (!)	MC (*)	SC (!)	MC (*)	SC (!)	MC (*)	SC (!)	MC (*)	SC (!)	MC (*)	SC (!)	MC (*)	SC (!)	
AR	Argentina	AR	—		—		—		—		D	8	I		—		C		H		—	
AU	Australia	AU	A	9	F		J	9	G		D	8	I		—		C		H		E	
BG	Bulgaria	BG	—		—		—		—		D		I		—		C		H		—	
		BG-1	A		F		—		—		D		I		—		C		H		—	
		BG-2	A		F		—		—		D		I		—		C		H		—	
		BG-3	—		—		—		—		D		I		—		C		H		—	
BR	Brazil	BR	—		—		—		—		—		—		—		C		H		—	
		BR-1	—		—		—		—		D	8	I		—		C		H		—	
BW	Botswana	BW	—		—		—		—		—		—		B		C		H		—	
		BW-01	A (†)	1,2	F (†)	2,3	—		—		—		—		B		C		H		—	
		BW-02	A (‡)	1,2	F (‡)	2,3	—		—		—		—		B		C		H		—	
CA	Canada	CA	A	9	F		J	9	G		D	8	I		—		C		H		E	
CH	Switzerland	CH	A		F		J		G		D		I		—		C		H		—	
CL	Chile	CL	A	9	F		—		—		D	8	I		—		C		H		—	
CY	Cyprus	CY	A	9	F		J	9	G		D	8	I		—		C		H		—	
CZ	Czech Republic	CZ	A		F		—		G		D		I		—		C		H		—	
		CZ-1	A		F		J		G		D		I		—		C		H		—	
		CZ-2	A		F		—		G		D		I		—		C		H		—	

Country		Code of territory	Cloven-hoofed game, excluding wild swine				Wild swine				Game birds				Wild solipeds		Leporidae (rabbit and hare)				Other wild land-mammals	
			Wild		Farmed		Wild		Farmed		Wild		Farmed									
			MC (*)	SC (!)	MC (*)	SC (!)	MC (*)	SC (!)	MC (*)	SC (!)	MC (*)	SC (!)	MC (*)	SC (!)	MC (*)	SC (!)	MC (*)	SC (!)	MC (*)	SC (!)	MC (*)	SC (!)
EE	Estonia	EE	A		F		—		—		—		—		—		C		H		E	
GL	Greenland	GL	A		F		—		—		D		—		—		C		H		E	
HR	Croatia	HR	A		F		—		—		D		I		—		C		H		—	
HU	Hungary	HU	A		F		J	7	G		D		I		—		C		H		—	
IL	Israel	IL	—		—		—	—	—		D	8	I		—		C		H		—	
LI	Lithuania	LI	A		F		—		—		D		I		—		C		H		E	
LV	Latvia	LV	A		F		—		—		—		—		—		C		H		E	
NA	Namibia	NA	—		—		—		—		—		—		B		C		H		—	
		NA-01	A	1,2	F	2,3	—		—		—		—		B		C		H		—	
NC	New Caledonia	NC	A		F		—		—		—		—		—		C		H		—	
NZ	New Zealand	NZ	A	9	F		J	9	G		D	8	I		—		C		H		E	
PL	Poland	PL	A		F		—		—		D		I		—		C		H		—	
RO	Romania	RO	A		F		—		—		D		I		—		C		H		E	
RU	Russia	RU	—		—	—	—		—		—		—	—	—		C		H		E	
		RU-1	—	—	F	5			—		—						C		H		E	
SL	Slovenia	SL	A		F		—		—		D		I		—		C		H		—	
SK	Slovak Republic	SK	A		F		—		—		D		I		—		C		H		—	
SZ	Swaziland	SZ	—		—		—		—		—		—		B		C		H		—	
		SZ-01	A	1,2	F	2,3	—		—		—		I		B		C		H		—	

Country	Code of territory	Cloven-hoofed game, excluding wild swine				Wild swine				Game birds				Wild solipeds		<i>Leporidae</i> (rabbit and hare)				Other wild land-mammals		
		Wild		Farmed		Wild		Farmed		Wild		Farmed		MC (*)	SC (1)	MC (*)	SC (1)	MC (*)	SC (1)	MC (*)	SC (1)	
		MC (*)	SC (1)	MC (*)	SC (1)	MC (*)	SC (1)	MC (*)	SC (1)	MC (*)	SC (1)	MC (*)	SC (1)									
TH	Thailand	TH	—		—		—		—		D	8	I		—		C		H		—	
TN	Tunisia	TN	—		—		—		—		D	8	I		—		C		H		—	
US	United States of America	US	A	9	F		J	9	G		D	8	I		—		C		H		—	
UY	Uruguay	UY	—		—		—		—		—		—		—		C		H		—	
ZA	South Africa	ZA	—		—		—		—		—		—		B		C		H		—	
		ZA-01	A	1,2	F	2,3	—		—						B		C		H		—	
ZW	Zimbabwe	ZW	—		—		—		—		—		—				C		H		—	
		ZW-01	—		—		—		—								C		H		—	
Third countries, other than those above, appearing on the list of the first part of the Annex to Council Decision 79/542/EEC (2) as last amended			—		—		—		—		—		—		—		C		H		—	

(*) OJ L 146, 14.6.1979, p. 15.

(1) MC model certificate to be completed. The letters (A, B, C, D, etc.) appearing in the tables refer to the models of animal health guarantees, as described in Annex III to the present Decision, to be applied for each categories of fresh meat and origin in accordance with Article 2 of this Decision. A dash "-" indicates that imports are not authorised.

(2) SC specific conditions. The numbers (1, 2, 3, etc.) appearing in the table refer to the special conditions to be provided by the exporting country as described in Annex IV. These supplementary guarantees must be inserted by the exporting country in section V of each model of certificate set down in Annex III.

NB:

(y) Only meat produced from animals slaughtered after 7 July 2002 and before 23 December 2002 can be imported into the Community.

(x) Meat produced from animals slaughtered after 7 March 2002 can be imported into the Community.