

Commission Decision of 28 April 2004 amending Commission Decision 2000/585/EC as regards the animal health conditions and veterinary certification for rabbit meat and certain wild and farmed game meat transiting or being temporarily stored in the Community (notified under document number C(2004)1560) (Text with EEA relevance) (2004/413/EC)

## COMMISSION DECISION

of 28 April 2004

amending Commission Decision 2000/585/EC as regards the animal health conditions and veterinary certification for rabbit meat and certain wild and farmed game meat transiting or being temporarily stored in the Community

(notified under document number C(2004)1560)

(Text with EEA relevance)

(2004/413/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 2002/99/EC of 16 December 2002 laying down the animal health rules governing the production, processing, distribution and introduction of products of animal origin for human consumption<sup>(1)</sup>, in particular Article 8 (5), third indent, and Article 9 (2) (b) and (4) (c),

Whereas:

- (1) Council Directive 91/494/EEC of 26 June 1991 lays down animal health conditions governing intra-Community trade in and imports from third countries of fresh poultry meat<sup>(2)</sup>.
- (2) Council Directive 92/45/EEC of 16 June 1992 lays down provisions on public health and animal health problems relating to the killing of wild game and the placing on the market of wild game meat<sup>(3)</sup>.
- (3) Council Directive 92/118/EEC of 17 December 1992 lays 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, Chapter I, to Directive 89/662/EEC and, as regards pathogens, to Directive 90/425/EEC<sup>(4)</sup>.
- (4) Commission Decision 2000/585/EC lays down a list of third countries from which Member States authorise imports of rabbit meat and certain wild and farmed game meat, and provides for the animal and public health and the veterinary certification conditions for such imports<sup>(5)</sup>.

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**Changes to legislation:** There are currently no known outstanding effects for the Commission Decision of 28 April 2004 amending Commission Decision 2000/585/EC as regards the animal health conditions and veterinary certification for rabbit meat and certain wild and farmed game meat transiting or being temporarily stored in the Community (notified under document number C(2004)1560) (Text with EEA relevance) (2004/413/EC), Introductory Text. (See end of Document for details)

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- (5) Council Directive 97/78/EC lays down the principles governing the organisation of veterinary checks on products entering the Community from third countries<sup>(6)</sup> and certain provisions for transit are already provided for in Article 11 such as the use of ANIMO messages and of the common veterinary entry document.
- (6) However, it is necessary in order to safeguard the disease situation in the Community to further ensure that consignments of game meat transiting through the Community, comply with the animal health import conditions applicable for authorised countries in regard to the relevant species concerned.
- (7) Council Decision 79/542/EEC drawing up a list of third countries or parts of third countries, and laying down animal and public health, and veterinary certification conditions for the importation into the Community of certain live animals and their fresh meat<sup>(7)</sup>, has recently been amended to include general transit conditions and a derogation for transit between Russia with a reference to the specific border inspection posts designated for this latter purpose.
- (8) In the light of experience, it appears that the presentation to the border inspection post, pursuant to Article 7 of Directive 97/78/EC, of the original veterinary documents established in the exporting third country to fulfil the regulatory requirement of the third country of destination, is not sufficient to ensure that the animal health conditions required for the safe introduction into the territory of the Community of the products concerned are effectively satisfied; it is therefore appropriate to establish a specific model of animal health certificate to be used in transit situations for the products concerned.
- (9) It is further appropriate to clarify the implementation of the condition laid down in Article 11 of Directive 97/78/EC, that transit is only allowed from third countries whose products are not prohibited for introduction in the territory of the -Community, by making reference to the list of third countries annexed to Decision 2000/585/EC
- (10) However specific conditions for transits via the Community of consignments to and from Russia should be foreseen due to the geographical situation of Kaliningrad and taking into account climatic problems impeding the use of some ports at certain times of the year.
- (11) Commission Decision 2001/881/EC draws up a list of border inspection posts agreed for veterinary checks on animals and animal products from third countries<sup>(8)</sup> and it is appropriate to specify the border inspection posts designated for the control of such transits taking into account this Decision.
- (12) The animal health certificate Model E in Annex III to the English version of Decision 2000/585 contains a redactional error as regards identification of meat. This error should be corrected for reason of clarity.
- (13) Commission Decision 2000/585/EC should be amended accordingly.
- (14) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health.

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**Changes to legislation:** *There are currently no known outstanding effects for the Commission Decision of 28 April 2004 amending Commission Decision 2000/585/EC as regards the animal health conditions and veterinary certification for rabbit meat and certain wild and farmed game meat transiting or being temporarily stored in the Community (notified under document number C(2004)1560) (Text with EEA relevance) (2004/413/EC), Introductory Text. (See end of Document for details)*

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HAS ADOPTED THIS DECISION:

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- (1) OJ L 18, 23.1.2002, p. 11.
- (2) OJ L 268, 24.9.1991, p. 35. Directive as last amended by Directive 1999/89/EC (OJ L 300, 23.11.1999, p. 17.).
- (3) OJ L 268, 14.9.92, p. 35. Directive as last amended by Council Regulation (EC) No 806/2003 (OJ L 122, 16.5.2003, p. 1.).
- (4) OJ L 62, 15.3.1993, p. 49. Directive as last amended by Commission Decision 2003/721/EC (OJ L 260, 11.10.2003, p. 21.).
- (5) OJ L 251, 6.10.2000, p. 1. Decision as last amended by Commission Decision 2004/212/EC (OJ L 73, 11.3.2004, p. 11.).
- (6) OJ L 24, 30.1.1998, p. 9. Directive as last amended by the Act concerning the conditions of Accession (OJ L 236, 23.9.2003, p. 381.).
- (7) OJ L 146, 14.6.1979, p. 15. Decision as last amended by Commission Decision 2004/212/EC (OJ L 73, 11.3.2004, p. 11.).
- (8) OJ L 326, 11.12.2001, p. 44. Decision as last amended by Commission Decision 2003/831/EC (OJ L 313, 28.11.2003, p. 61.).

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