

Commission Decision of 11 August 2006 concerning certain protection measures in relation to highly pathogenic avian influenza of subtype H5N1 in wild birds in the Community and repealing Decision 2006/115/EC (notified under document number C(2006) 3585) (Text with EEA relevance) (2006/563/EC)

[^{F1} Article 11

Derogations for meat, minced meat, meat preparations, mechanically separated meat and meat products

1 By way of derogation from Article 6(e), the affected Member State may authorise the dispatch from the control area for placing on the market or export to third countries of the following meat:

- a fresh meat from poultry, including meat of farmed feathered game, that was:
 - (i) produced in accordance with Annex II and Sections II and III of Annex III to Regulation (EC) No 853/2004; and
 - (ii) controlled in accordance with Sections I, II, III, and Chapters V(A)(1) and VII of Section IV of Annex I to Regulation (EC) No 854/2004;
- b minced meat, meat preparations, mechanically separated meat and meat products containing meat referred to in point (a) and produced in accordance with Sections V and VI of Annex III to Regulation (EC) No 853/2004;
- c meat products that have undergone the treatment specified for avian influenza in Table 1(a), (b) or (c) of Annex III to Directive 2002/99/EC;
- d fresh meat, minced meat, mechanically separated meat from poultry, farmed feathered game and wild feathered game taken from the wild in the area before the control area was established, and meat preparations and meat products containing such meat, produced in establishments in the control area.

2 By way of derogation from Article 6(e), the affected Member State may authorise the dispatch from the control area onto the national market of fresh meat, minced meat and mechanically separated meat from poultry or farmed feathered game originating in the control area, and meat preparations and meat products containing such meat, provided such meat complies with the following conditions:

- a it is marked:
 - (i) either with the special identification mark as provided for in Annex II to Directive 2002/99/EC, or
 - (ii) in accordance with Article 2 of Decision 2007/118/EC; and
- b it has been obtained, cut, stored and transported separately from other meat from poultry or farmed feathered game and is not introduced into meat preparations or meat products destined for dispatch to other Member States or for exports to third countries.]

Textual Amendments

- F1** Substituted by [Commission Decision of 16 February 2007 amending Decisions 2006/415/EC, 2006/416/EC and 2006/563/EC as regards the identification mark to be applied to fresh poultrymeat \(notified under document number C\(2007\) 431\) \(Text with EEA relevance\) \(2007/119/EC\).](#)

Changes to legislation:

There are outstanding changes not yet made to Commission Decision of 11 August 2006 concerning certain protection measures in relation to highly pathogenic avian influenza of subtype H5N1 in wild birds in the Community and repealing Decision 2006/115/EC (notified under document number C(2006) 3585) (Text with EEA relevance) (2006/563/EC). Any changes that have already been made to the legislation appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- Decision revoked by [S.I. 2021/444 art. 3](#)
- Decision revoked by [S.I. 2021/1305 art. 8](#)
- Art. 11(1) words substituted by [S.I. 2018/1410 reg. 11\(11\)\(a\)](#)
- Art. 11(1)(2) words substituted in earlier amending provision S.I. 2018/1410, reg. 11(11)(a) by [S.I. 2020/1388 reg. 25\(8\)\(e\)](#)
- Art. 11(2) words substituted by [S.I. 2018/1410 reg. 11\(11\)\(a\)](#)

Changes and effects yet to be applied to the whole legislation item and associated provisions

- Art. 1(2)(a) omitted by [S.I. 2018/1410 reg. 11\(2\)\(b\)](#)
- Art. 2(d)-(f) inserted by [S.I. 2018/1410 reg. 11\(3\)\(b\)](#)
- Art. 6(g) words inserted by [S.I. 2018/1410 reg. 11\(7\)\(b\)](#)
- Art. 6(g) words substituted in earlier amending provision S.I. 2018/1410, reg. 11(7)(b) by [S.I. 2020/1388 reg. 25\(8\)\(e\)](#)
- Art. 9(1)(b) words substituted by [S.I. 2018/1410 reg. 11\(9\)\(a\)\(ii\)](#)
- Art. 9(1)(b) words substituted in earlier amending provision S.I. 2018/1410, reg. 11(9)(a)(ii) by [S.I. 2020/1388 reg. 25\(8\)\(e\)](#)
- Art. 11(2)(b) words inserted by [S.I. 2018/1410 reg. 11\(11\)\(b\)](#)
- Art. 11(2)(b) words substituted in earlier amending provision S.I. 2018/1410, reg. 11(11)(b) by [S.I. 2020/1388 reg. 25\(8\)\(e\)](#)
- Art. 12(1)(b) words substituted by [S.I. 2018/1410 reg. 11\(12\)\(b\)](#)
- Art. 12(1)(b) words substituted in earlier amending provision S.I. 2018/1410, reg. 11(12)(b) by [S.I. 2020/1388 reg. 25\(8\)\(e\)](#)