Council Directive of 26 March 1990 laying down the conditions governing the preparation, placing on the market and use of medicated feedingstuffs in the Community (90/167/EEC)

Article 10

1 Member States shall ensure that, without prejudice to animal-health rules, there are no prohibitions, limitations or obstacles in respect of intra-Community trade

— in medicated feedingstuffs which have been manufactured in accordance with the requirements of this Directive, and in particular Article 4 thereof, with authorized pre-mixes which have the same active substances as pre-mixes authorized by the Member State of destination, in accordance with the criteria of Directive 81/852/EEC, and a quantitative and qualitative composition similar thereto,

— subject to the specific provisions of Council Directive 86/469/EEC of 16 September 1986 concerning the examination of animals and fresh meat for the presence of residues[(1)] and Council Directive 88/299/EEC of 17 May 1988 on trade in animals treated with certain substances having a hormonal action and their meat, as referred to in Article 7 of Directive 88/146/EEC[(2)], in animals to which those medicated feedingstuffs except those produced pursuant to the second subparagraph of Article 3 (1), have been administered, or in meat, flesh, offal or their products from such animals.

2 Where the application of paragraph 1 gives rise to dispute, in particular as concerns recognition of the similar nature of the pre-mix, the Member States concerned or the Commission may submit the dispute to assessment by an expert appearing on a list of Community experts to be drawn up by the Commission on a proposal from the Member States.

If the two Member States so agree beforehand, the parties shall abide by the opinion of the expert, in compliance with Community legislation.

3 The Member State of destination may require that each consignment of a medicated feedingstuff be accompanied by a certificate issued by the competent authority, corresponding to the specimen form in Annex B.

(**1**) OJ No L 275, 26. 9. 1986, p. 36.

(**2**) OJ No L 128, 21. 5. 1988, p. 36.