

Council Directive 2005/94/EC of 20 December 2005 on Community measures
for the control of avian influenza and repealing Directive 92/40/EEC

CHAPTER IV

HIGHLY PATHOGENIC AVIAN INFLUENZA (HPAI)

SECTION 3

Measures to be applied in protection zones

Article 23

**Derogations for the direct transport of poultry for immediate
slaughter and the movement or treatment of poultry meat**

1 By way of derogation from Article 22, the competent authority may authorise the direct transport of poultry originating from a holding in the protection zone for immediate slaughter to a designated slaughterhouse subject to the following conditions:

- a a clinical examination of the poultry on the holding of origin is carried out by the official veterinarian within 24 hours of being sent for slaughter;
- b where appropriate, laboratory tests have been carried out on poultry on the holding of origin in accordance with the diagnostic manual, with favourable results;
- c the poultry are transported in vehicles sealed by the competent authority or under its supervision;
- d the competent authority responsible for the designated slaughterhouse is informed and agrees to receive the poultry and then confirms the slaughter to the competent authority of dispatch;
- e the poultry from the protection zone are kept separately from other poultry and are slaughtered separately or at different times from other poultry, preferably at the end of a working day; subsequent cleansing and disinfection shall be completed before other poultry are slaughtered;
- f the official veterinarian shall ensure that a detailed examination of the poultry is carried out at the designated slaughterhouse when the poultry arrive and after they are slaughtered;
- g the meat does not enter into intra-Community or international trade and bears the health mark for fresh meat provided for in Annex II 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⁽¹⁾, unless otherwise decided in accordance with the procedure referred to in Article 64(3) of this Directive;
- h the meat is obtained, cut, transported and stored separately from meat intended for intra-Community and international trade and is used in such a way as to avoid it being introduced into meat products intended for intra-Community or international trade, unless:
 - (i) it has undergone a treatment set out in Annex III to Directive 2002/99/EC; or

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- (ii) it is otherwise decided in accordance with the procedure referred to in Article 64(3).

2 By way of derogation from Article 22, the competent authority may authorise the direct transport of poultry from outside the protection zone for immediate slaughter to a designated slaughterhouse within the protection zone and subsequent movement of the meat derived from such poultry providing that:

- a the competent authority responsible for the designated slaughterhouse is informed and agrees to receive the poultry and then confirms the slaughter to the competent authority of dispatch;
- b the poultry are kept separate from other poultry originating within the protection zone and are slaughtered separately or at different times from other poultry;
- c the poultry meat produced is cut, transported and stored separately from poultry meat obtained from other poultry originating in the protection zone;
- d the by-products are disposed of.

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(1) [OJ L 18, 23.1.2003, p. 11.](#)