

Status: Point in time view as at 01/01/2005.

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ANNEX VIII

PLACING ON THE MARKET AND EXPORT

CHAPTER C

Conditions for intra-Community trade in certain products of animal origin

I. The following products of animal origin are exempt from the prohibition referred to in Article 16(3), provided that they are derived from bovine animals that satisfy the requirements of Parts II or III below:

- fresh meat;
- minced meat;
- meat preparations;
- meat products;
- petfood which is destined for domestic carnivores.

Date-based Scheme

II. Deboned fresh meat from which all adherent tissues, including obvious nervous and lymphatic tissue, has been removed, and products of animal origin referred to in Part I deriving therefrom obtained from eligible animals from countries or regions in category 5 may be marketed in accordance with the second subparagraph of Article 16(3) when they are obtained from animals born after the date from which the animal feeding standards laid down in Article 7(2) were effectively enforced and certified as meeting the conditions laid down in point 1 and they are produced in establishments which meet the condition laid down in point 9. The competent authority shall ensure that the conditions with respect to controls laid down in points 2 to 8 and point 10 are complied with.

1. A bovine animal shall be eligible for the Date-based Scheme if it was born and raised in the Member State concerned and if at the time of slaughter it is shown that the following conditions are fulfilled:

- (a) the animal has been clearly identifiable throughout its life, enabling it to be traced back to its dam and herd of origin; its unique eartag number, date and holding of birth and all movements after birth are recorded either in the animal's official passport or in an official computerised identification and tracing system; the identity of its dam is known;
- (b) the animal is more than six months but less than 30 months of age, determined by reference to an official computer record of its date of birth, or to the animal's official passport;
- (c) the competent authority has obtained and verified positive evidence that the dam of the animal has lived for at least six months after the birth of the eligible animal;
- (d) the dam of the animal has not developed BSE and is not suspected of having contracted BSE.

Controls

2. If any animal presented for slaughter or any circumstance surrounding its slaughter does not meet all of the requirements of this Regulation, the animal must be automatically rejected and its passport confiscated. If that information becomes available after slaughter, the competent authority must immediately cease issuing certificates and cancel certificates issued. If dispatch has already taken place, the

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competent authority must notify the competent authority of the place of destination. The competent authority of the place of destination must take the appropriate measures.

3. Slaughter of eligible animals must take place in slaughterhouses which are not used for the slaughter of bovine animals other than those slaughtered under a Date-based Scheme or under a Certified Herd Scheme.
4. The competent authority must satisfy itself that procedures used in the cutting plants ensure that the following lymph nodes have been removed:

popliteal, ischiatic, superficial inguinal, deep inguinal, medial and lateral iliac, renal, prefemoral, lumbar, costocervical, sternal, prescapular, axillary, caudal and deep cervical.

5. Meat must be traceable back to the eligible animal, or after cutting, to the animals cut in the same batch, by means of an official tracing system until the time of slaughter. After slaughter, labels must be capable of tracing fresh meat and products referred to in Part I back to the eligible animal to enable the consignment concerned to be recalled. In the case of petfood, accompanying documents and records must allow tracing.
6. All approved eligible carcasses must have individual numbers correlated with the eartag number.
7. The Member State must have detailed protocols in place covering:
 - (a) tracing and controls prior to slaughter;
 - (b) controls during slaughter;
 - (c) controls during processing of petfood;
 - (d) all labelling and certification requirements after slaughter to the point of sale.
8. The competent authority must set up a system for recording checks on compliance so that control can be demonstrated.

The establishment

9. To obtain approval, the establishment must devise and implement a system whereby the eligible meat and/or eligible product is identifiable and all meat can be traced back to the eligible animal, or after cutting, to the animals cut in the same batch. The system must allow full traceability of the meat or products of animal origin at all stages and records must be retained for at least two years. Details of the system employed must be given, in writing, by the management of the establishment to the competent authority.
10. The competent authority must assess, approve and monitor the system provided by the establishment in order to ensure that it provides full segregation and traceability both backwards and forwards.

Certified herd Scheme

- III. Deboned fresh meat from which all adherent tissues, including obvious lymphatic and nervous tissue, has been removed, and products of animal origin referred to in Part I, deriving therefrom which are obtained from eligible animals from countries or regions in category 5, may be marketed in accordance with the second subparagraph of Article 16(3) when obtained from animals which are certified as meeting the conditions laid down in point 2 and coming from herds in which no case of BSE has occurred in the last seven years and which are certified as meeting the conditions laid down in point 1 and produced in establishments which meet the condition laid down in point 11. The

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competent authority shall ensure that the conditions laid down in points 3 to 10 and 12 with respect to the computerised tracing system and the controls are complied with.

Conditions relating to herds

1.

- (a) A herd is a group of animals forming a separate and distinct unit, that is a group of animals which is managed, housed and kept separately from any other group of animals and which is identified with unique herd and animal identification numbers.
- (b) A herd is eligible when for at least seven years there has been no confirmed case of BSE, nor a suspect case for which the diagnosis of BSE has not been ruled out, in any animal which was still in or had moved through or from the herd.
- (c) As an exception to the provisions in point (b), a herd that has been in existence for less than seven years may be considered eligible, after a thorough investigation by the competent veterinary authority, on condition that:
 - (i) all animals born or moved into the newly established herd complied with the conditions set out in point (2)(a), (d) and (e); and,
 - (ii) the herd has complied with the conditions set out in point (b) during its entire existence.
- (d) If a herd is newly established on a holding which experienced a confirmed case of BSE in any animal which was still in or had moved through or from a herd on that holding, the newly established herd can only be eligible after a thorough investigation by the competent veterinary authority, certifying compliance with each of the following conditions to the satisfaction of that authority:
 - (i) all animals of the affected herd previously held on the same holding have been removed or killed;
 - (ii) all feed has been removed and destroyed and all feed containers thoroughly cleansed;
 - (iii) all buildings have been emptied and thoroughly cleansed before the new animals were admitted;
 - (iv) all conditions set out in point (c) have been complied with.

Conditions relating to the animal

2.

- (a) all records of the animal's birth, identity and movements are recorded on an official computerised tracing system;
- (b) the animal is more than six months but less than 30 months of age, determined by reference to an official computer record of its date of birth;
- (c) its dam has lived for at least six months after its birth;
- (d) its dam has not developed BSE and is not suspected of having contracted BSE;
- (e) the herd of birth of the animal and all herds through which it has moved are eligible.

Computerised tracing system

- 3. The official computerised tracing system referred to in point 2(a) will be approved only where it has been in operation for sufficient time to contain all the information,

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relating to the lifetime and movements of the animals, needed to check compliance with the requirements of this Regulation, and concerns only animals born after the system came into operation. Historical data loaded into a computer for any period before the system was operational will not be accepted for this purpose.

Controls

4. If any animal presented for slaughter or any circumstance surrounding its slaughter does not meet all of the requirements of this Regulation, the animal must be automatically rejected and its passport confiscated. If that information becomes available after slaughter, the competent authority must immediately cease issuing certificates, and cancel certificates issued. If dispatch has already taken place, the competent authority must notify the competent authority of the place of destination. The competent authority of the place of destination must take the appropriate measures.
5. Slaughter of eligible animals must take place in slaughterhouses used exclusively for the slaughter of animals under a Date-based Scheme or under a Certified Herd Scheme.
6. The competent authority must satisfy itself that procedures used in the cutting plants ensure that the following lymph nodes have been removed:
popliteal, ischiatic, superficial inguinal, deep inguinal, medial and lateral iliac, renal, prefemoral, lumbar, costocervical, sternal, prescapular, axillary, caudal and deep cervical.
7. Meat must be traceable back to the herd of the eligible animal, or after cutting, to the animals cut in the same batch, by means of the computerised tracing system until the time of slaughter. After slaughter, labels must be capable of tracing fresh meat and products referred to in Part I back to the herd to enable the consignment concerned to be recalled. In the case of petfood, accompanying documents and records must allow tracing.
8. All approved eligible carcasses must have individual numbers correlated with the eartag number.
9. The Member State must have detailed protocols in place covering:
 - (a) tracing and controls prior to slaughter;
 - (b) controls during slaughter;
 - (c) controls during processing of petfood;
 - (d) all labelling and certification requirements after slaughter to the point of sale.
10. The competent authority must set up a system for recording checks on compliance so that control can be demonstrated.

The establishment

11. To obtain approval, the establishment must devise and implement a system whereby the eligible meat and/or eligible product is identifiable and all meat can be traced back to its herds of origin, or after cutting, to the animals cut in the same batch. The system must facilitate full traceability of the meat or products of animal origin at all stages and records must be retained for at least two years. Details of the system employed must be given, in writing, by the management of the establishment to the competent authority.

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12. The competent authority must assess, approve and monitor the system provided by the establishment in order to ensure that it provides full segregation and traceability both backwards and forwards.

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