

Council Regulation (EC) No 733/2008 of 15 July 2008 on the conditions governing imports of agricultural products originating in third countries following the accident at the Chernobyl nuclear power station (Codified version)

COUNCIL REGULATION (EC) No 733/2008
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on the conditions governing imports of agricultural products originating in third countries following the accident at the Chernobyl nuclear power station
(Codified version)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 133 thereof,

Having regard to the proposal from the Commission,

Whereas:

- (1) Council Regulation (EEC) No 737/90 of 22 March 1990 on the conditions governing imports of agricultural products originating in third countries following the accident at the Chernobyl nuclear power station⁽¹⁾ has been substantially amended several times⁽²⁾. In the interests of clarity and rationality the said Regulation should be codified.
- (2) Following the accident at the Chernobyl nuclear power station on 26 April 1986, considerable quantities of radioactive elements were released into the atmosphere.
- (3) Without prejudice to the possibility of resorting, where necessary, in the future to the provisions of Council Regulation (Euratom) No 3954/87 of 22 December 1987 laying down maximum permitted levels of radioactive contamination of foodstuffs and of feedingstuffs following a nuclear accident or any other case of radiological emergency⁽³⁾, the Community should ensure, with regard to the specific effects of the accident at Chernobyl, that agricultural products and processed agricultural products intended for human consumption and likely to be contaminated are introduced into the Community only according to common arrangements.
- (4) Those common arrangements should safeguard the health of consumers, maintain, without having unduly adverse effects on trade between the Community and third countries, the unified nature of the market and prevent deflections of trade.
- (5) Compliance with the maximum permitted levels should be the subject of appropriate checks, which may lead to prohibiting imports in cases of non-compliance.
- (6) Radioactive contamination in many agricultural products has decreased and will continue to decrease to the levels existing before the Chernobyl accident. A procedure should therefore be established enabling such products to be excluded from the scope of this Regulation.

Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EC) No 733/2008, Introductory Text. (See end of Document for details)

- (7) Since this Regulation covers all agricultural products and processed agricultural products intended for human consumption, there is no need, in the present case, to apply the procedure referred to in Article 14 of Council Directive 2004/68/EC of 26 April 2004 laying down animal health rules for the importation into and transit through the Community of certain live ungulate animals⁽⁴⁾.
- (8) The measures necessary for the implementation of this Regulation should be adopted in accordance with Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission⁽⁵⁾,

HAS ADOPTED THIS REGULATION:

Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EC) No 733/2008, Introductory Text. (See end of Document for details)

- (1) [OJ L 82, 29.3.1990, p. 1](#). Regulation as last amended by Regulation (EC) No 806/2003 ([OJ L 122, 16.5.2003, p. 1](#)).
- (2) See Annex III.
- (3) [OJ L 371, 30.12.1987, p. 11](#). Regulation as amended by Regulation (Euratom) No 2218/89 ([OJ L 211, 22.7.1989, p. 1](#)).
- (4) [OJ L 139, 30.4.2004, p. 321](#), as corrected by [OJ L 226, 25.6.2004, p. 128](#).
- (5) [OJ L 184, 17.7.1999, p. 23](#). Decision as amended by Decision 2006/512/EC ([OJ L 200, 22.7.2006, p. 11](#)).

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