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Legislation

Contents

I Acts whose publication is obligatory

.....

II Acts whose publication is not obligatory

Commission

81/523/EEC:

- ★ Commission Decision of 27 May 1981 on a proposal by the Netherlands Government to grant aid for certain investments by a manufacturer of insulating material (Rockwool) 1

81/524/EEC:

- ★ Commission Decision of 12 June 1981 on applications for reimbursement of aid granted by Member States to producer groups and associations thereof 6

81/525/EEC:

- ★ Commission Decision of 12 June 1981 on applications for advances and refunds of premiums in connexion with collective projects for the restructuring of vineyards .. 11

81/526/EEC:

- ★ Commission Decision of 19 June 1981 concerning animal health conditions and veterinary certification for imports of fresh meat from Switzerland 19

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 27 May 1981

on a proposal by the Netherlands Government to grant aid for certain investments by a manufacturer of insulating material (Rockwool)

(Only the Dutch text is authentic)

(81/523/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular the first subparagraph of Article 93 (2) thereof,

Having given notice in accordance with the above Article to interested parties to submit their comments and having regard to these comments,

Whereas:

I

Article 6 of the Netherlands Law of 29 June 1978 (Wet Investeringsrekening — WIR) ⁽¹⁾ on the promotion and guidance of investment introduced an 'additional premium for major schemes' for the benefit of projects where investment exceeds Fl 30 000 000. The amount of the premium depends on the number of jobs created and may account for up to 4 % of the investment in question.

When examining the Netherlands law at the draft stage, in the course of the procedure under Article 93 (1) and (3) of the EEC Treaty, the Commission pointed out that since the 'additional premium for major schemes' involved no sectoral or regional objectives it therefore constituted a general aid system, and that since the arrangements applied to all investment, without distinction by reference to given undertakings, regions or sectors, they could not qualify for the derogations under Article 92 (3) (a) or (c). In the absence of such specification, the Commission could not assess the system's effects on trade between Member States and on competition and therefore assess its compatibility with the common market.

In respect of such general aid systems it is now the well-established policy of the Commission to accept them subject to one of two conditions, namely, that the Member State concerned notifies to the Commission either a plan for regional or sectoral application or alternatively, where this is felt not to be possible, significant individual cases of application.

In line with this approach, and in accordance with Article 93 (3) of the EEC Treaty, the Commission requested prior notification in good time of individual cases of application of the 'additional premium

⁽¹⁾ Staatsblad 1978, No 368.

for major schemes', account being taken of the amount of investment concerned.

the firm, will require an investment of Fl 54 000 000 (approximately 19 300 000 EUA).

During discussions with the Netherlands authorities the Commission stated that it would assess each case on its own merits in the light of the rules contained in Article 92 *et seq.* or rules developed during administration of those provisions. The Netherlands Government could not infer that, by requesting regular prior notification, the Commission had taken a favourable view of the additional premium system.

The Netherlands Government complied with the Commission's request by including the prior notification procedure in Articles 6 (7) and 7 (3) of Chapter V of the Netherlands law of 29 June 1978.

II

By letters dated 4 January and 13 February 1979 the Netherlands Government informed the Commission, as required by the procedure, of its intention to grant the 'additional premium for major schemes' to a Netherlands insulating material manufacturer.

The 'additional premium' granted in this case would amount to Fl 1 900 000 (677 000 EUA), a percentage of the investment which represents the maximum rate of premium (4 %).

Moreover, the location of the investment project in a regional development area would qualify it for a subsidy of up to Fl 5 400 000 (1 924 000 EUA) under the Netherlands regional aid scheme (Investeringspremieregeling — IPR) in recognition of its expected contribution to improving the socio-economic balance of the Melick-Herkenbosch area (Limburg).

This assistance was to be granted to the firm for the purpose of extending its plant and increasing its production capacity for rockwool insulating material. The proposed investment will increase its annual capacity from 80 000 to 116 000 tonnes. The extension, which will create some 275 new jobs in

III

By telex registered on 25 May 1979 the Netherlands Government replied to the Commission's notice under Article 93. It stressed that application of the WIR scheme was automatic and did not allow aid to be granted selectively according to the desirability of the planned investment. It concluded that the rising demand for insulating material, the fact that the recipient firms's exports are concentrated on the Benelux market and the relatively small amount of the aid, meant that the grant of the additional premium for large projects to the firm in question would not influence trade adversely or in a way contrary to the Community's interest.

During the course of consultations with interested parties, the Government of one Member State stated that the aid would affect trade between Member States and was liable to distort competition, to the detriment of other producers of insulating material, including those in its own country.

The Government of another Member State informed the Commission that it considered that the Netherlands aid was unjustified considering the marked and steady decline observed on its own market for the production and use of rock fibres.

The recipient firm confirmed the forecasts of an increase in demand especially in the Benelux market (+ 15 %). It stressed that the project is part of the public policy of energy saving in operation in the Netherlands. It added that the proposed extension would create some 275 new jobs in the firm and that the grant of the 'additional premium for major schemes' would have no influence on the final selling price.

IV

The Community pattern of trade in insulating materials includes the Netherlands market. Rockwool is in competition with all the other insulating materials on the market (glasswool, plastics, etc.), all of which are manufactured in the Community.

Demand for insulating materials on any given market would seem to depend not only on traditional patterns of consumption but also on the less predictable factor of State measures to encourage insulation. Thus although the current unfavourable energy situation has stimulated demand for insulating materials generally, demand in Member States varies with time and according to the type of insulating material in question. In its description of its various subsidiaries the 1978 annual report of the group to which the Netherlands firm belongs, reveals how widely situations differ, particularly on the Community market. However, an overall increase in demand of some 15 % is expected on the Benelux market, on which the Netherlands firm intends to concentrate its efforts.

V

The new production capacity will help the firm to strengthen its general competitiveness on the market for insulating materials, particularly on the Netherlands market, as it will enable it to satisfy gradually the increased demand for insulating materials. Furthermore, according to information available, the new capacity will enable the firm at the same time at least to maintain its current volume of exports to the other Member States.

The Netherlands firm increased its sales by some 14 % in 1978, mainly as a result of an increase in volume. In view of the forecasts for the Benelux market in particular, it should be able to make full use of its production capacity. Moreover, the group's consolidated accounts for 1978 class the Netherlands production unit's results among the most satisfactory; the same is true of the 1979 results.

The Netherlands firm's investment is part of a major programme, by the group to which it belongs, also involving the French and United Kingdom markets, aimed at strengthening its overall competitiveness. It was, in fact, announced that the investment in the Netherlands would be made over a longer period of time than originally planned, in order to make allowance for the production capacity which would gradually be coming into operation in France and the United Kingdom. The Netherlands scheme therefore seems to be an investment suited to the firm's development and one which in any event the

firm had every interest in carrying through in order to at least maintain its share of the market, in view of the foreseeable market developments. Finally, it emerges from the 1979 annual report of the group that the planned investment is currently being implemented.

VI

The aid proposed by the Netherlands Government is therefore liable to affect trade between Member States and to distort or threaten to distort competition within the meaning of Article 92 (1) of the EEC Treaty by favouring the undertaking in question or the production of its goods.

Article 92 (1) of the EEC Treaty provides that, in principle, any aid fulfilling the criteria which it sets out is incompatible with the common market. The derogations from this principle set out in Article 92 (3) of the EEC Treaty specify objectives pursued in the Community interest and not in that of the individual recipient of the aid. These derogations must be strictly interpreted in the examination of both of any regional or sectoral aid scheme and of any individual case of application of general aid systems. In particular, they may be applied only where the Commission can establish that in the absence of the aid the free play of market forces would not of itself induce the recipient undertakings to act in such a manner as to contribute to the attainment of one of the objectives specified by those derogations.

To derogate in this way in favor of aids offering no compensatory benefit would be tantamount to allowing trade between Member States to be affected and competition to be distorted without any justification in terms of the interest of the Community, while at the same time granting undue advantages to certain Member States.

When applying the principles set out above in its examination of individual cases of application of general aid systems, the Commission must be satisfied that there exists on the part of the recipient undertaking a specific compensatory justification in that the grant of aid is required to promote the attainment of one of the objectives set out in

Article 92 (3) of the EEC Treaty. Where this cannot be demonstrated, and especially where the proposed investment nevertheless takes place, it is clear that the aid does not contribute to the attainment of the objectives of the derogations but serves to increase the financial power of the undertaking in question.

In the case in question there does not appear to be such a compensatory justification on the part of the recipient of the aid.

The Netherlands Government has not been able to give, nor has the Commission found, any grounds to establish that the proposed aid meets the conditions justifying one of the derogations for which provision is made in Article 92 (3) of the EEC Treaty.

As regards the derogations of Article 92 (3) (a) and (c) of the EEC Treaty concerning aid to promote or to facilitate the development of certain areas it cannot be considered that the Melick-Herkenbosch area suffers from an 'abnormally low' standard of living or from 'serious under-employment' within the meaning of subparagraph (a). As regards the derogation of subparagraph (c), the Netherlands Government has already taken account of the contribution which the investment concerned is expected to make to improving the socio-economic balance of the area by granting assistance under the Netherlands regional aid scheme (*Investeringspremieregeling* — IPR). The Netherlands Government, in its comments submitted to the Commission, itself emphasized that the 'additional premium for major schemes' was not granted on account of regional considerations.

In respect of the derogations envisaged in Article 92 (3) (b) of the EEC Treaty, the investment concerned does not constitute an 'important project of common European interest', or a project designed to remedy a serious disturbance in the economy of a Member State the promotion of which merits a derogation under Article 92 (3) (b) of the EEC Treaty from the principle of the incompatibility of aids laid down by Article 92 (1). Moreover, when stating its

views on the WIR, the Commission recalled that the Netherlands are part of the Community's central regions. These regions do not suffer from the most serious social and economic problems in the Community, but they are the regions where there is a real risk of an upward spiral of aids and where any aid is likely, more than elsewhere, to affect trade between Member States. Furthermore, the information available on the socio-economic situation in that country does not point to the conclusion that it is suffering from a serious disturbance in its economy within the meaning of the Treaty. In individual cases of application the 'additional premium for major schemes' is not granted for the purpose of dealing with such a situation. To take any other view would enable the Netherlands, in the present climate of slow growth and high unemployment throughout the Community, to divert to their advantage investment which might be made in other, less well-placed, Member States. Recent social and economic trends in the Community justify maintaining this approach as regards both the premium itself and possible cases of application.

Finally, as regards the derogations provided for under Article 92 (3) (c) in favour of 'aid to facilitate the development of certain economic activities', examination of the development of the insulating material industry in the Community and the Netherlands reveals that market conditions, together with State measures to encourage insulation which are in this case aids to consumers, are such that the industry can develop in a normal fashion using its own resources and without State assistance for manufacturers. The additional premium for major schemes cannot, therefore, be regarded as having the object of facilitating the development of an economic activity within the meaning of Article 92 (3) (c).

Moreover, the new investment is liable to enable the recipient firm to consolidate its position on the market, as it will allow it to meet the anticipated rise in demand for insulating materials on the Netherlands market while maintaining at least its overall level of exports to other Member States. There are therefore no grounds for maintaining that the proposed assistance would not affect trading conditions to an extent contrary to the common interest.

In view of the foregoing, the abovementioned aid proposed by the Netherlands Government does not fulfil the conditions necessary for it to benefit from any of the derogations referred to in Article 92 (3) of the EEC Treaty,

HAS ADOPTED THIS DECISION:

fication of this Decision of the measures which it has taken to comply with it.

Article 1

The Kingdom of the Netherlands shall refrain from implementing its proposal, notified to the Commission by letter dated 4 January 1979 from its Minister for Foreign Affairs, to grant the 'additional premium for major schemes' in favour of investment made at Melick-Herkenbosch by a Netherlands insulating material manufacturer.

Article 2

The Kingdom of the Netherlands shall inform the Commission within two months of the date of noti-

Article 3

This Decision is addressed to the Kingdom of the Netherlands.

Done at Brussels, 27 May 1981.

For the Commission

F. H. J. J. ANDRIESEN

Member of the Commission

COMMISSION DECISION**of 12 June 1981****on applications for reimbursement of aid granted by Member States to producer groups and associations thereof**

(81/524/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1360/78 of 19 June 1978 on producer groups and associations thereof ⁽¹⁾, and in particular Article 15 (4) thereof,

Whereas applications for reimbursement of aid granted by Member States in accordance with Regulation (EEC) No 1360/78 must include certain data in order to allow the conformity of the expenditure with the provisions of that Regulation to be checked;

Whereas, in order to enable proper control to be exercised, Member States must keep supporting documents available for the Commission for a period of three years after the last repayment has been made;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Committee of the European Agricultural Guidance and Guarantee Fund,

HAS ADOPTED THIS DECISION:

Article 1

1. Applications for reimbursement as referred to in Article 15 (1) of Regulation (EEC) No 1360/78 must

be made out in accordance with the tables in the Annexes to this Decision.

2. Member States shall send to the Commission, with their first application for reimbursement, copies of the texts of national implementing provisions and of administrative instructions, and all forms and/or other documents relating to the administrative implementation of the operation that are not mentioned in Article 19 of Regulation (EEC) No 1360/78.

Article 2

Member States shall, for each recipient of aid, keep available for the Commission, for three years after the last repayment, all supporting documents, or certified copies of these, in their possession on the basis of which aid as provided for in Regulation (EEC) No 1360/78 was granted.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 12 June 1981.

For the Commission

The President

Gaston THORN

⁽¹⁾ OJ No L 166, 23. 6. 1978, p. 1.

ANNEX I

**A1. APPLICATION FOR REIMBURSEMENT UNDER ARTICLE 14 (2)
OF REGULATION (EEC) No 1360/78**

Member State:

Year:

Serial No	Producer group or association of groups	Amount of aid granted under Article 10 (2) or (3) of Regulation (EEC) No 1360/78
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Aid given in first year following date of recognition:

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Aid given in second year following date of recognition:

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Aid given in third year following date of recognition:

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Total		
Amount to be reimbursed		

A2. REGIONAL BREAKDOWN

Administrative unit	Number of groups and associations recognized	Total aid	Amount to be reimbursed
Total			

B. TABLE DETAILING THE AID GRANTED TO PRODUCER GROUPS OR ASSOCIATIONS OF PRODUCER GROUPS UNDER ARTICLE 10 (2) AND (3) OF REGULATION (EEC) No 1360/78

Serial number ⁽¹⁾:

Producer group or association of producer groups:

Date of recognition under Article 4 of Regulation (EEC) No 1360/78:

Number of members:

Annual volume of production or turnover per product as defined in Regulation (EEC)

No 2083/80:

Amount of aid:

Date of granting of aid:

Date of payment of aid:

Aid granted for the year following the date of recognition of the producer group or association of groups

⁽¹⁾ Continuous numbering.

B1. CALCULATION OF VALUE OF PRODUCTION MARKETED DURING THE YEAR FOLLOWING THE DATE OF RECOGNITION ⁽¹⁾

Product	Volume placed on the market:	Average producer prices obtained:	Value of the products referred to in Article 10 (2) (a) of Regulation (EEC) No 1360/78
	as specified in Article 11 (2) of Regulation (EEC) No 1360/78		
Total			

⁽¹⁾ To be completed only for producer groups.

B2. CALCULATION OF AID

Value of products covered by Article 10 (2) of Regulation (EEC) No 1360/78 ⁽¹⁾ placed on market	Maximum aid calculated from value of products placed on market ⁽¹⁾	Amount of formation and operating expenses as specified in Article 1 (1) of Regulation (EEC) No 2084/80	Amount of aid granted under Article 10 (2) or (3) of Regulation (EEC) No 1360/78	Remarks
		(a) (b) (c) (d) (e) (f) (g) (h)		
		Total		

⁽¹⁾ To be completed only for producer groups.

It is confirmed that:

- the organization named above may reasonably be expected to operate satisfactorily in terms of duration and effectiveness,
- the minimum annual production volume or turnover and — in the case of producer groups — the minimum number of agricultural producers specified in Regulation (EEC) No 2083/80 are represented by the group or association,
- the group or association has not already received aid at the type provided for in Article 10 of Regulation (EEC) No 1360/78 under national legislation,
- the aid provided for in Article 10 of Regulation (EEC) No 1360/78 is granted only to finance actual formation and operating expenses entailed by adaptation to the conditions laid down in Article 6 of that Regulation ⁽¹⁾, in the case of groups or associations:
 - set up more than three years before the date when Regulation (EEC) No 1360/78 entered into force, or
 - formed from organizations already in existence or set up by producers belonging to organizations already in existence,
- the value of the products placed on the market is calculated as laid down in Article 11 (2) of Regulation (EEC) No 1360/78,
- the amount of formation and operating expenses as mentioned in Article 10 (2) (b) and (3) (a) of Regulation (EEC) No 1360/78 has been approved by the competent authorities of the Member State.

⁽¹⁾ Specify the nature and amount of the expenses.

ANNEX II

Information provided by Member States on producer groups and associations of producer groups set up in accordance with the provisions of Article 5 of Regulation (EEC) No 1360/78

Member State:

- Serial number ⁽¹⁾:
- Producer group or association of producer groups (name and address):
- Date of formation:
- It is confirmed that the date of recognition under Article 4 of Regulation (EEC) No 1360/78 is the following:
- 1. How are the obligations listed in the following Articles of Regulation (EEC) No 1360/78 met?
 - Article 5, paragraph 1, first indent:
 - Article 6, paragraph 1 (a):
 - (b):
 - (c):
 - (d):
 - (f):
 - (g):
 - (j):
- 2. What quantities, if any, are the members authorized by the group or association to market themselves?
- 3. Give information confirming that the group or association does not hold a dominant position on the market, unless this is necessary to achieve the objectives listed in Article 39 of the Treaty:
- 4. Has the group or association already received aid under national legislation?
- 5. Indicate by marketed product the volume of production or turnover, the number of members, and any other information confirming that the group or association has met all the conditions prescribed in Regulation (EEC) No 2083/80 (detailed figures as in the Annex and calculations of average production showing that the requirements of Articles 1 (2) and 2 are met):

⁽¹⁾ Continuous numbering.

COMMISSION DECISION**of 12 June 1981****on applications for advances and refunds of premiums in connexion with collective projects for the restructuring of vineyards****(81/525/EEC)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 458/80 of 18 February 1980 on collective projects for the restructuring of vineyards ⁽¹⁾, and in particular Article 10 (4) thereof,

Whereas applications for advances and refunds of the premiums paid in connexion with the restructuring measure must provide certain items of information in order for it to be established that the expenditure complies with the provisions of Regulation (EEC) No 458/80 and the information provided when the projects were submitted and approved in accordance with Article 7 (1) of that Regulation;

Whereas, to permit effective control, Member States must keep the supporting documents at the Commission's disposal for a period of three years after payment of the last refund for a project;

Whereas, to enable the Commission to pay advances, detailed rules and procedures relating to this must be drawn up;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Committee of the European Agricultural Guidance and Guarantee Fund,

HAS ADOPTED THIS DECISION:

Article 1

1. The applications for refunds referred to in Article 10 (1) of Regulation (EEC) No 458/80 must comply with the tables in Annexes I, II and III.

2. Member States shall communicate to the Commission, together with their first refund application, the texts of the relevant national laws, regulations and administrative provisions as well as the forms or any other documents relating to the administrative implementation of the measure.

Article 2

Member States shall keep at the Commission's disposal, for a period of three years after payment of the final refund for a project, all the supporting documents or certified copies thereof in their possession, on the basis of which the premiums provided for in Regulation (EEC) No 458/80 were approved.

Article 3

Applications for advances in respect of expenditure eligible for financing by the European Agricultural Guidance and Guarantee Fund, Guidance Section, must comply with the table in Annex IV.

Article 4

1. Advances from the European Agricultural Guidance and Guarantee Fund, Guidance Section, may not exceed 80 % of the Community contribution towards the financing of scheduled expenditure for the reference year.

2. Advances which have not been spent during the year for which they were paid will be deducted from the advance to be paid for the following year.

Article 5

1. Member States shall submit, before the end of each year in respect of which advances have been paid to them, a report on the progress of operations during the first 10 months of the year, in accordance with the table in Annex V.

⁽¹⁾ OJ No L 57, 29. 2. 1980, p. 27.

2. Advances in respect of the following year may not be paid before the report referred to above has been forwarded to the Commission.

Done at Brussels, 12 June 1981.

Article 6

This Decision is addressed to the Member States.

For the Commission

The President

Gaston THORN

*ANNEX I***Application for refund of expenditure incurred during 19... in connexion with Regulation (EEC)
No 458/80 on collective projects for the restructuring of vineyards****SUMMARY**

1	Number of projects	
2	Area replanted or newly planted — total (ha)	
3	Expenditure incurred by the Member State	
4	Eligible expenditure incurred by the Member State	
5	Sums recovered by the Member State	
6	Refund requested	
7	Advance already paid by the EAGGF	
8	Balance to be refunded	

The administrative units referred to in Annexes II to V are:

- the Bundesländer in Germany,
- the regioni in Italy,
- the départements in France.

ANNEX III

Sums recovered in calendar year 19 . .

[illegible]

ANNEX IV

Application for payment of an advance for 19... in connexion with Regulation (EEC) No 458/80 on collective projects for the restructuring of vineyards

Administrative unit	Number of projects (¹)	Area to be restructured (ha)	Amount of eligible expenditure to be incurred by the Member State	Amount of refund to be applied for from the EAGGF	Amount of advance requested
1	2	3	4	5	6
Total					

(1) Attach a list of the project numbers.

It is confirmed that:

- the advances requested above relate only to projects approved by the Commission in accordance with Article 7 of Regulation (EEC) No 458/80,
- the funds needed for national financing are available and will be paid to the beneficiaries during the year in respect of which the advances are requested,
- the costs entered in column 4 correspond to the expenditure to be incurred during the year in respect of which the advances are requested,
- the advances will be made available to the beneficiaries bearing the costs during the year in respect of which the advances are requested.

(Stamp and signature of competent authority)

ANNEX V

**Report on the use of the advances paid for 19... in connexion with Regulation (EEC) No 458/80
(months to)**

[illegible]

- (1) Figures given in Annex IV.
- (2) During the first 10 months.
- (3) Advances received from the EAGGF.
- (4) Advances paid to beneficiaries bearing the financial burden of the operations.
- (5) If this is less than 70 %, attach an explanation on a separate sheet.
- (6) Attach a list of the project numbers.

.....
(Stamp and signature of competent authority)

COMMISSION DECISION**of 19 June 1981****concerning animal health conditions and veterinary certification for imports of fresh meat from Switzerland****(81/526/EEC)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 72/462/EEC of 12 December 1972 on health and veterinary inspection problems upon importation of bovine animals and swine and fresh meat from third countries ⁽¹⁾, as last amended by Directive 77/98/EEC ⁽²⁾, and in particular Article 16 thereof,

Whereas it is necessary to lay down animal health conditions for imports of fresh meat from Switzerland;

Whereas following a Community veterinary mission it appears that the animal health situation in Switzerland compares favourably with that in most of the Community countries, particularly as regards diseases transmissible through meat;

Whereas, in addition, the responsible veterinary authorities of Switzerland have confirmed that Switzerland has for at least 12 months been free from rinderpest, exotic foot-and-mouth disease, African swine fever, classical swine fever, contagious porcine paralysis (Teschen disease) and swine vesicular disease and that no vaccinations have been carried out against those diseases during that time and that no swine vaccinated against classical swine fever are present in Switzerland;

Whereas the responsible veterinary authorities of Switzerland have undertaken to notify the Commission of the European Communities and the Member States, by telex or telegram, within 24 hours, of confirmation of the occurrence of any of the abovementioned diseases or the adoption of vaccination against them;

Whereas the responsible authorities of Switzerland have confirmed that they will ensure that fresh meat of foreign origin will not be stored with meat of Swiss origin intended for export to the Community;

Whereas certain Member States, because of their particular animal health situations concerning foot-and-mouth disease, benefit from special provisions in intra-Community trade and should therefore also be authorized to apply special provisions in respect of imports from third countries; whereas these measures must be at least as strict as those which the same Member States apply in intra-Community trade;

Whereas it will be necessary to examine this Decision with a view to its adaptation to Community rules concerning the control and eradication of foot-and-mouth disease within the Community;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Veterinary Committee,

HAS ADOPTED THIS DECISION:

Article 1

1. Member States shall authorize the importation of the following categories of fresh meat from Switzerland:

- (a) fresh meat of domestic animals of the bovine, porcine, ovine and caprine species, conforming to the guarantees laid down in the animal health certificate in accordance with Annex A, which must accompany the consignment;
- (b) fresh meat of domestic solipeds, conforming to the guarantees laid down in the animal health certificate in accordance with Annex B, which must accompany the consignment.

⁽¹⁾ OJ No L 302, 31. 12. 1972, p. 28.

⁽²⁾ OJ No L 26, 31. 1. 1977, p. 81.

2. Member States shall not authorize the importation of categories of fresh meat from Switzerland other than those referred to in paragraph 1.

Article 2

Until the adoption by the Council of rules concerning the control and eradication of foot-and-mouth disease within the Community, and while continuing to prohibit vaccination against foot-and-mouth disease, Ireland and the United Kingdom in respect of Northern Ireland may, in respect of fresh meat of bovine animals, swine, sheep and goats referred to under Article 1 (1) (a), retain their national animal health rules relating to protection against foot-and-mouth disease.

Article 3

This Decision shall not apply to imports of glands and organs authorized by the country of destination for pharmaceutical manufacturing purposes.

Article 4

This Decision shall be re-examined with a view to its adaptation to Community rules concerning the control and eradication of foot-and-mouth disease within the Community and in any case before 1 July 1982.

Article 5

This Decision shall apply from 1 January 1982.

Article 6

This Decision is addressed to the Member States.

Done at Brussels, 19 June 1981.

For the Commission

The President

Gaston THORN

ANNEX A

ANIMAL HEALTH CERTIFICATE

for fresh meat ⁽¹⁾ of domestic animals of the bovine, porcine, ovine and caprine species, intended for consignment to the European Economic Community

Country of destination:

Reference No of the public health certificate ⁽²⁾:

Exporting country: SWITZERLAND

Ministry:

Department:

Reference:
(Optional)

I. Identification of meat

Meat of:
(Animal species)

Nature of cuts:

Nature of packaging:

Number of cuts or packages:

Net weight:

II. Origin of meat

Address(es) and veterinary approval No(s) ⁽²⁾ of the approved slaughterhouse(s):

Address(es) and veterinary approval No(s) ⁽²⁾ of the approved cutting plant(s):

III. Destination of meat

The meat will be sent from:
(Place of loading)

to:
(Country and place of destination)

by the following means of transport ⁽³⁾:

Name and address of consignor:

Name of address of consignee:

⁽¹⁾ Fresh meat means all parts fit for human consumption from domestic animals of the bovine, porcine, ovine and caprine species, which have not undergone any preserving process; however, chilled and frozen meat shall be considered as fresh meat.

⁽²⁾ Optional when the country of destination authorizes the importation of fresh meat for uses other than human consumption in application of Article 19 (a) of Directive 72/462/EEC.

⁽³⁾ For railway wagons or lorries the registration No should be given, for aircraft the flight No and for ships the name.

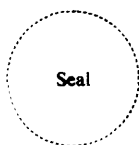
IV. Attestation of health

I, the undersigned, official veterinarian, certify that:

1. the fresh meat described above is obtained from:

- animals which have remained in the territory of Switzerland for at least three months before being slaughtered or since birth in the case of animals less than three months old,
- animals which come from holdings in which there has been no outbreak of foot-and-mouth disease in the previous 30 days, and around which within a radius of 10km there has been no case of foot-and-mouth disease for 30 days,
- animals which have been transported to the approved slaughterhouse concerned without contact with animals which do not comply with the conditions required for export of their meat to the Community, and, if conveyed in a means of transport, that the latter has been cleaned and disinfected before loading,
- animals which have passed the ante-mortem health inspection referred to in Chapter V of Annex B to Directive 72/462/EEC at the slaughterhouse during the 24 hours before slaughter and have shown no evidence of foot-and-mouth disease,
- in the case of fresh meat from swine, animals which have not come from a holding which for health reasons is subject to prohibition as a result of porcine brucellosis during the previous six weeks,
- in the case of fresh meat from sheep and goats, animals which have not come from a holding which for health reasons is subject to prohibition as a result of an outbreak of ovine or caprine brucellosis during the previous six weeks;

2. the fresh meat described above is obtained from an establishment or establishments in which, after a case of foot-and-mouth disease has been diagnosed, further preparation of meat for export to the Community has been authorized only after slaughter of all animals present, removal of all meat, and the total cleaning and disinfection of the establishments under the control of an official veterinarian.



Done at, on

.....
(Signature of official veterinarian)

ANNEX B

ANIMAL HEALTH CERTIFICATE

for fresh meat ⁽¹⁾ of domestic solipeds intended for consignment to the European Economic Community

Country of destination:

Reference No of the public health certificate ⁽²⁾:

Exporting country: SWITZERLAND

Ministry:

Department:

Reference:

(Optional)

I. Identification of meat:

Meat of DOMESTIC SOLIPEDS:

(Animal species)

Nature of cuts:

Nature of packaging:

Number of cuts or packages:

Net weight:

II. Origin of meat

Address(es) and veterinary approval No(s) ⁽²⁾ of the approved slaughterhouse(s):

Address(es) and veterinary approval No(s) ⁽²⁾ of the approved cutting plant(s):

III. Destination of meat:

The meat will be sent from:

(Place of loading)

to:

(Country and place of destination)

by the following means of transport ⁽³⁾:

Name and address of consignor:

Name and address of consignee:

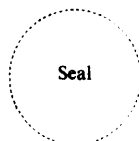
⁽¹⁾ Fresh meat means all parts fit for human consumption from domestic solipeds which have not undergone any preserving process; however, chilled and frozen meat shall be considered as fresh meat.

⁽²⁾ Optional when the country of destination authorizes the importation of fresh meat for uses other than human consumption in application of Article 19 (a) of Directive 72/462/EEC.

⁽³⁾ For railway wagons or lorries the registration number should be given, for aircraft the flight number and for ships the name.

IV. Attestation of health:

I, the undersigned, official veterinarian, certify that the fresh meat described above is obtained from animals which have remained in the territory of Switzerland for at least three months before being slaughtered or since birth in the case of animals less than three months old.



Done at, on

.....
(Signature of official veterinarian)
