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II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DIRECTIVE

of 7 February 1983

amending Directive 69/73/EEC on the harmonization of provisions laid down by law, regulation or administrative action in respect of inward processing

(83/89/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS DIRECTIVE:

Having regard to the Treaty establishing the European Economic Community, and in particular Article 100 thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the opinion of the European Parliament ⁽²⁾,

Having regard to the opinion of the Economic and Social Committee ⁽³⁾,

Whereas experience has shown the advisability of amending Article 18 of Directive 69/73/EEC ⁽⁴⁾ so that certain compensating products or intermediate products may, unless the holder of the authorization requests the application of Articles 16 and 17, be taxed by the application of customs duties, charges having equivalent effect and agricultural levies pertaining to them at the time when they are released into free circulation; whereas Directive 73/82/EEC ⁽⁵⁾ should therefore be repealed,

Article 1

Article 18 of Directive 69/73/EEC shall be replaced by the following:

Article 18

1. Where the compensating or intermediate products which appear in column 2 of the list contained in the Annex and which result from the processing operations shown in column 3 are released into free circulation in accordance with the conditions set out in Articles 14 and 15, they shall be taxed by the application of customs duties, charges having equivalent effect and agricultural levies pertaining to them at the time when they are released into free circulation in the customs territory of the Community.

However, the holder of an authorization may request that these products be taxed according to the provisions set out in Articles 16 and 17.

2. The competent authorities may allow paragraph 1 to be applied also to the taxation of scrap, waste and residues other than those appearing in the list contained in the Annex. The competent authorities shall, every six months, inform the Commission of the cases where this paragraph is applied.

3. The taxation referred to in paragraphs 1 and 2 shall be applied at most to the quantity of

⁽¹⁾ OJ No C 200, 4. 8. 1982, p. 4.

⁽²⁾ OJ No C 13, 17. 1. 1983, p. 58.

⁽³⁾ OJ No C 33, 7. 2. 1983, p. 16.

⁽⁴⁾ OJ No L 58, 8. 3. 1969, p. 1.

⁽⁵⁾ OJ No L 106, 20. 4. 1973, p. 7.

compensating or intermediate products which corresponds proportionally to the quantity of the other compensating products exported.

4. Any Member State may request the Commission to modify the list. Such requests, together with the cases reported under paragraph 2 shall be examined in the Committee for Customs Processing Arrangements with a view to modifying the list in accordance with the procedure laid down in Article 28 (2) and (3).

5. Where, by virtue of the application of the first indent of paragraph 1 and of paragraph 2, compensating products or intermediate products are released into free circulation free of customs duties, charges having equivalent effect and agricultural levies, the value thereof shall be treated as nil for the purposes of the application of the second indent of Article 17 (b).'

Article 2

In Article 35 the reference to Article 18 of Directive 69/73/EEC shall be deleted.

Article 3

The Annex to this Directive shall be added to Directive 69/73/EEC.

Article 4

Directive 73/82/EEC is hereby repealed.

Article 5

Member States shall take the measures necessary to comply with this Directive not later than 1 July 1983.

Article 6

This Directive is addressed to the Member States.

Done at Brussels, 7 February 1983.

For the Council

The President

H.-J. ROHR

ANNEX

ANNEX

List of compensating products to which Article 18 applies when these products are released for free circulation

No	Tariff heading and description of the compensating products		Processing operations from which they result
1	2		3
1	ex Chapter 2	Edible meat offals	Any working or processing
2	ex 02.01	Off-cuts from operations shown in column 3	Cutting meat from animals of Chapter 1 into portions
3	ex 03.01	Off-cuts from operations shown in column 3	Sawing frozen fillet blocks
4	ex 04.01 A I	Whey	Processing fresh milk
5	ex 04.02 A I	Whey in powder, not containing added sugar	Manufacture of lactose from concentrated whey
6	ex 04.05 A	Un-fertilized eggs	Incubation and hatching of day-old chicks
7	05.02	Pigs', hogs' and boars' bristles or hair; badger hair and other brush-making hair; waste of such bristles and hair	Any working or processing
8	05.03	Horsehair and horsehair waste, whether or not put up on a layer or between two layers of other material	Any working or processing
9	05.04	Guts, bladders and stomachs of animals (other than fish) whole and pieces thereof	Slaughtering animals of Chapter 1
10	05.05	Fish waste	Any working or processing
11	ex 05.07 B	Powder and waste of feathers or parts of feathers	Any working or processing
12	05.08	Bones and horn-cores, unworked, defatted, simply prepared (but not cut to shape), treated with acid or degelatinized; powder and waste of these products	Any working or processing
13	ex 05.09	Horns, antlers, hooves, nails, claws and beaks, unworked or simply prepared but not cut to shape, and waste and powder of these products; whalebone and the like, unworked or simply prepared but not cut to shape and hair and waste of these products	Any working or processing
14	ex 05.12	Powder and waste of shells	Any working or processing
15	ex 05.14	Animal products, fresh, chilled or frozen or otherwise provisionally preserved, of a kind used in the preparation of pharmaceutical products	Slaughtering and cutting animals of Chapter 1

No	Tariff heading and description of the compensating products		Processing operations from which they result
1	2		3
16	ex 05.15 B	Heads	Slaughtering and cutting animals of Chapter 1
17	ex 05.15 B	Blood	Slaughtering animals of Chapter 1
18	ex 05.15 B	Eggshells	Separating eggs from shells
19	ex 05.15 B II	Scraps of rind	Skinning of pigmeat
20	ex 09.01 A	Broken coffee	Working or processing raw coffee
21	09.01 B	Husks and skins	Roasting raw coffee
22	ex 09.02 B	Tea powder	Working or processing raw tea; putting into tea-bags
23	10.06 B III	Broken rice	Working or processing of rice
24	11.02 D	Grains, not otherwise worked than kibbled	Working or processing cereals by milling, including malting
25	11.02 G	Germ of cereals	Working or processing cereals by milling, including malting
26	11.09	Wheat gluten, whether or not dried	Working or processing wheat by milling
27	15.01 A	Lard and other pig fat	Slaughtering swine, cutting and boning; rendering bacon
28	ex 15.02	Fats of bovine cattle, sheep or goats	Slaughtering bovine cattle, sheep or goats, cutting and boning
29	ex 15.04	Fish oils	Processing fish into fillets
30	15.06	Other animal oils and fats	Removing fat from stags' shoulders
31	ex 15.07 D II b) 2 aa)	Maize (germ) oil	Processing maize
32	ex 15.07 D II	Residues from refining	Refining crude vegetable oils
33	ex 15.10	Industrial fatty acids, acid oils from refining	1. Refining animal and vegetable oils and fats 2. Bleaching, de-acidifying and hardening products under 1
34	15.10 A	Stearic acid	Manufacturing erucic acid
35	ex 15.11	Glycerol	1. Refining crude vegetable oils, fats from bones and fats from carcasses 2. Bleaching, de-acidifying and hardening products under 1
36	15.17 B	Residues resulting from the treatment of fatty substances or animal or vegetable waxes	Any working or processing

No	Tariff heading and description of the compensating products		Processing operations from which they result
1	2		3
37	ex 17.02 B II b)	Waste from starch sugar	Processing maize into glucose
38	17.03	Molasses	Processing sugars
39	18.02	Cocoa shells, husks, skins and waste	Any working or processing
40	21.06 A and B	Natural yeasts	Producing beer from malted barley
41	ex 22.09 A	Heads and tails from distillation (undenatured ethyl alcohol of an alcoholic strength of less than 80 % vol) and distilled wine (heads and tails from distillation, unconcentrated)	Distilling crude ethyl alcohol from molasses or wine
42	Chapter 23	Residues and waste from the food industries; prepared animal fodder	Any working or processing
43	ex 24.01	Ribs, stalks and waste from tobacco	Manufacturing cigarettes, cigars, cheroots or smoking tobacco; blending of tobacco
44	ex 25.26	Mica waste	Any working or processing
45	26.02	Slag, dross, scalings and similar waste from the manufacture of iron or steel	Any working or processing
46	26.03	Ash and residues (other than from the manufacture of iron or steel), containing metals or metallic compounds	Any working or processing
47	26.04	Other slag and ash, including kelp	Any working or processing
48	ex 27.05 bis	Gas	Carbonizing coal
49	ex 27.06	Tar distilled from coal and other mineral tars, including partially distilled tars and blended tars	Carbonizing coal
50	ex 27.07	First runnings and residues from distillation	Distilling phenols
51	ex 27.11 B II	Gas from dehydrogenation and other gaseous hydrocarbons	Manufacturing polystyrene from ethyl benzene
52	27.12 A	Crude petroleum jelly	Refining crude paraffin
53	ex 27.13 B	Other mineral waxes, whether or not coloured	Any working or processing
54	27.14	Petroleum bitumen, petroleum coke and other residues of petroleum oils or of oils obtained from bituminous minerals	Any working or processing
55	ex 28.06	Hydrochloric acid	Manufacturing various chemical products from fluorspar, hydrogen fluoride, 2,6 diisopropylaniline, and from silicon tetrachloride

No	Tariff heading and description of the compensating products		Processing operations from which they result
1	2		3
56	ex 28.08	Sulphuric acid	Manufacturing hydrocarbon fluorides from hydrogen fluoride
57	ex 28.13 A	Hydrogen fluoride (hydrofluoric acid)	Processing fluorspar hydrogen fluoride
58	28.13 G	Carbon dioxide	1. Manufacturing beer from malted barley 2. Producing ethyl alcohol from cereals
59	ex 28.14 A II	Silicon tetrachloride	Manufacturing silanes, silicones and their derivatives from silicon
60	28.28 C I	Calcium hydroxide	Processing calcium carbide into acetylene and calcium cyanamide
61	ex 28.38 A VIII	Calcium sulphate	Processing fluorspar into hydrogen fluoride
62	ex 29.01 D I	Toluene	Manufacturing acetone, phenol or polystyrene from styrene or cumene
63	ex 29.01 D VI	Other hydrocarbons	Manufacturing acetone, phenol or polystyrene from styrene or cumene
64	29.02	Halogenated derivatives of hydrocarbons	Manufacturing products based on hydrogen fluoride
65	29.03	Sulphonated, nitrated or nitrosated derivatives of hydrocarbons	Manufacturing products based on hydrogen fluoride
66	29.04 A I	Methanol	Manufacturing industrial fatty alcohols from coconut oil
67	ex 29.08	Ethers, ether-alcohols and other products falling within heading No 29.08	Manufacturing products based on hydroquinone
68	29.14 A II a)	Acetic acid	Manufacturing vitamins from acetic anhydride
69	ex 29.44 A	Penicillin, impure (residues from sieving)	Manufacturing tablets of penicillin-V-potassium
70	ex 38.07 B	Crude dipentene	Manufacturing anhydroperoxide of pinene, isobornylacetate, camphor or camphene from alphapinene
71	38.08 B	Rosin spirits and oils	Manufacturing rosin sodium soaps and rosin potassium
72	ex 38.19 A	Fusel oil	Manufacturing ethyl alcohol of an alcoholic strength of not less than 80 % vol from crude ethyl alcohol of molasses of an alcoholic strength of not less than 80 % vol
73	ex 38.19 X	Camphor oils	Manufacturing camphor from alphapinene
74	ex 38.19 X	Residues from freeing of caffeine (mixture of coffee wax, crude caffeine and water); crude caffeine	Freeing caffeine from coffee

No	Tariff heading and description of the compensating products		Processing operations from which they result
1	2		3
75	ex 38.19 X	Residues of calcined gypsum	Manufacturing hydrogen fluoride, fluorides and cryolite from fluorspar
76	ex 38.19 X	Molasses, freed of sugar	Manufacturing citric acid from white sugar
77	ex 38.19 X	Sodium sulphate in solution	Manufacturing oxystearic acid from crude castor oil
78	ex Chapter 39	Scrap and waste	Any working or processing
79	ex 40.04	Waste and parings of unhardened rubber fit only for the recovery of rubber	Any working or processing
80	40.15 B	Scrap, waste and powder of hardened rubber	Any working or processing
81	41.01	Raw hides and skins	Skinning animals of Chapter 1
82	41.09	Parings and other waste, of leather or of composition or parchment-dressed leather, not suitable for the manufacture of articles of leather; leather dust, powder and flour	Any working or processing
83	43.02 B	Pieces or cuttings of furskins	Manufacturing furs
84	ex Chapter 44	Wood waste and cuttings of wood, including sawdust	Any working or processing
85	ex 45.01	Waste cork	Any working or processing
86	ex 47.02	Waste paper and paperboard; scrap articles of paper or of paperboard, fit only for use in paper-making	Any working or processing
87	ex Section XI	Woven and knitted fabrics, finished with evident faults (so-called "second choice goods")	Working and processing woven and knitted fabrics of all kinds
88	50.03	Silk waste (including cocoons unsuitable for reeling, silk noils and pulled or garnetted rags)	Any working or processing
89	53.03	Waste of sheep's or lambs' wool or of other animal hair (fine or coarse), not pulled or garnetted	Any working or processing
90	53.04	Waste of sheep's or lambs' wool or of other animal hair (fine or coarse), pulled or garnetted (including pulled or garnetted rags)	Any working or processing
91	ex 54.01	Flax tow and waste (including pulled or garnetted rags)	Any working or processing
92	ex 54.02	Ramie noils and waste (including pulled or garnetted rags)	Any working or processing

No	Tariff heading and description of the compensating products		Processing operations from which they result
1	2		3
93	55.03	Cotton waste (including pulled or garnetted rags), not carded or combed	Any working or processing
94	ex 56.01	Acryl and viscose fibres (of inferior quality) with evident faults	Manufacturing acryl and viscose textile fibres from naphthene or hydroquinene
95	56.03	Waste (including yarn waste and pulled or garnetted rags) of man-made fibres (continuous or discontinuous), not carded, combed or otherwise prepared for spinning	Any working or processing
96	ex 57.01	Tow and waste of true hemp (including pulled or garnetted rags or ropes)	Any working or processing
97	ex 57.02	Tow and waste of manila hemp (including pulled or garnetted rags or ropes)	Any working or processing
98	ex 57.03	Tow and waste (including pulled or garnetted rags or ropes) falling under this tariff heading	Any working or processing
99	ex 57.04	Waste of fibres (including pulled or garnetted rags or ropes) falling under this tariff heading	Any working or processing
100	63.02	Used or new rags, scrap twine, cordage, rope and cables and worn out articles of twine, cordage, rope or cables	Any working or processing
101	70.01 A	Waste glass (cullet)	Any working or processing
102	71.04	Dust and powder of natural or synthetic precious or semi-precious stones	Any working or processing
103	71.11	Goldsmiths', silversmiths' and jewellers' sweepings, residues, lemls, and other waste and scrap, of precious metal	Any working or processing
104	ex 73.02 C	Residues from sieving ferro-silicon	Manufacturing silicon-tetrachloride and silicon-dioxide
105	73.03	Waste and scrap metal of iron or steel	Any working or processing
106	ex 73.13 B I	Off-cuts of steel, unalloyed, from the cutting of hot-rolled wide strips	Manufacturing hot-rolled wide strip from ingots or laminated slabs of unalloyed steel
107	ex 73.15 B	Recoverable off-cuts from bars of alloyed steel	Manufacturing screws, bolts or nuts from bars of alloyed steel
108	ex 73.15 B VII a) 1	Off-cuts of alloyed steel from the cutting of so-called "electrical" sheets	Manufacturing transformers from "electrical" sheets
109	ex 73.15 B VII b) 1	Off-cuts of alloyed steel from the cutting of hot-rolled wide strips	Manufacturing hot-rolled wide strip from ingots or laminated slabs

No	Tariff heading and description of the compensating products		Processing operations from which they result
1	2		3
110	ex 74.01	Copper waste and scrap	Any working or processing
111	ex 75.01	Nickel waste and scrap	Any working or processing
112	76.01 B	Aluminium waste and scrap	Any working or processing
113	77.01 B	Magnesium waste (excluding shaving of uniform size) and scrap	Any working or processing
114	ex 77.04 A	Beryllium waste and scrap	Any working or processing
115	78.01 B	Lead waste and scrap	Any working or processing
116	ex 78.04 A I	Recoverable waste from lead foil coated on both sides	Manufacturing lead foil coated on both sides for photographic use from vinyl sheets and coating paper
117	79.01 B	Zinc waste and scrap	Any working or processing
118	ex 80.01	Tin waste and scrap	Any working or processing
119	ex 81.01 A	Tungsten (wolfram) waste and scrap	Any working or processing
120	ex 81.02 A	Molybdenum waste and scrap	Any working or processing
121	ex 81.03 A	Tantalum waste and scrap	Any working or processing
122	ex 81.04	Waste and scrap of other base metals	Any working or processing

COUNCIL DIRECTIVE
of 7 February 1983
amending Directive 64/433/EEC on health problems affecting intra-Community trade in
fresh meat
(83/90/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 43 and 100 thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the opinion of the European Parliament ⁽²⁾,

Having regard to the opinion of the Economic and Social Committee ⁽³⁾,

Whereas, so long as intra-Community trade is hindered by differences between the health requirements of Member States concerning meat, the harmonious functioning of the common market and in particular of the relevant common organization of markets will not have the desired effect;

Whereas, to eliminate such differences, the health provisions of the Member States must be approximated;

Whereas Council Directive 64/433/EEC of 26 June 1964 on health problems affecting intra-Community trade in fresh meat ⁽⁴⁾, as last amended by Directive 81/476/EEC ⁽⁵⁾, established the basis for this approximation; whereas in the meantime it has been subject to numerous modifications and further adaptations are necessary to take account of new developments; whereas it should therefore be amended accordingly;

Whereas the object of this approximation must be in particular to standardize health requirements for meat in slaughterhouses and cutting plants and during storage and transportation; whereas the com-

petent authorities of the Member States should be responsible for approving for intra-Community trade slaughterhouses, cutting plants and cold stores which meet the health requirements laid down by this Directive and for ensuring that the conditions for such approval are observed;

Whereas Community control measures should also be introduced to ensure that the standards laid down in this Directive are uniformly applied in all the Member States; whereas the procedure for carrying out such controls should be determined in accordance with a Community procedure within the framework of the Standing Veterinary Committee set up by Decision 68/361/EEC ⁽⁶⁾;

Whereas provision should be made for using mechanically recovered meat for preparing meat products intended for intra-Community trade;

Whereas the principle should be adopted under which sampling inspections for the presence of residues of substances likely to affect adversely the wholesomeness of fresh meat;

Whereas countries of destination should be enabled to carry out non-discriminatory checks and inspections, subject to compliance with the general provisions of the Treaty, as to whether consignments are complying with the requirements of this Directive;

Whereas at the same time certain terminological shortcomings in the text, in particular as regards the correspondence between the various language versions, should be corrected, since they might create difficulties in the application of the provisions concerned,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Directive 64/433/EEC is hereby amended as follows:

⁽¹⁾ OJ No C 255, 7. 10. 1981, p. 2.

⁽²⁾ OJ No C 267, 11. 10. 1982, p. 51.

⁽³⁾ OJ No C 64, 15. 3. 1982, p. 26.

⁽⁴⁾ OJ No 121, 29. 7. 1964, p. 2012/64.

⁽⁵⁾ OJ No L 186, 8. 7. 1981, p. 20.

⁽⁶⁾ OJ No L 255, 18. 10. 1968, p. 23.

1. Articles 1 to 9a shall be replaced by the following:

Article 1

1. This Directive shall apply to intra-Community trade in fresh meat from domestic animals of the following species: bovine animals (including buffalo), swine, sheep and goats, and from domestic solipeds.

2. National regulations governing meat forming part of travellers' personal luggage and intended for their personal consumption, meat sent as small packages to private persons or meat for consumption by the crew and passengers on board means of transport operating commercially between Member States, shall not be affected by this Directive.

Article 2

For the purposes of this Directive:

- (a) "meat", means all parts of domestic bovine animals (including buffalo), swine, sheep, goats and solipeds which are suitable for human consumption;
- (b) "fresh meat" means meat, including meat vacuum-wrapped or wrapped in a controlled atmosphere, which has not undergone any treatment other than cold treatment to ensure preservation;
- (c) "mechanically recovered meat" means meat obtained by mechanical means from flesh-bearing bones apart from the bones of the head, the extremities of the limbs below the carpal and tarsal joints and, in the case of swine, the coccydeal vertebrae, and intended for establishments approved in accordance with Article 6 of Directive 77/99/EEC;
- (d) "carcase" means the whole body of a slaughtered animal after bleeding, evisceration and removal of the limbs at the carpus and tarsus, removal of the head, tail and the udder, and in addition, in the case of bovine animals, sheep, goats and solipeds, after flaying;
- (e) "offal" means fresh meat other than that of the carcase as defined in (d), even if it remains naturally connected to the carcase;
- (f) "viscera" means offal from the thoracic, abdominal and pelvic cavities, including the trachea and oesophagus;

- (g) "official veterinarian" means the veterinarian designated by the competent central authority of the Member State;
- (h) "exporting country" means the Member State from which fresh meat is sent to another Member State;
- (i) "country of destination" means the Member State to which fresh meat is sent from another Member State;
- (j) "means of transport" means the freight-carrying parts of motor vehicles, rail vehicles and aircraft and the holds of ships or containers for transport by land, sea or air;
- (k) "establishment" means an approved slaughterhouse, an approved cutting plant or an approved store;
- (l) "wrapping" means the protection of fresh meat by the use of an initial wrapping or initial container in direct contact with the fresh meat concerned as well as the initial wrapper or initial container itself;
- (m) "packaging" means the placing of wrapped fresh meat in a second container as well as the latter container itself.

Article 3

1. Each Member State shall ensure that only fresh meat which meets the following requirements is sent from its territory to that of another Member State:

- A. Carcases, half carcases or half carcases cut into no more than three wholesale cuts, and quarters must:
 - (a) have been obtained in a slaughterhouse approved and supervised in accordance with Article 8;
 - (b) come from a slaughter animal inspected ante mortem by an official veterinarian in accordance with Annex I, Chapter V and passed fit, as a result of such inspection, for slaughter for the purposes of intra-Community trade in fresh meat;
 - (c) have been treated under satisfactory hygiene conditions in accordance with Chapter VI of Annex I;
 - (d) have been inspected post mortem by an official veterinarian in accordance with Chapter VII of Annex I and not have

shown any change except for traumatic lesions which occurred shortly before slaughter or localized malformations or changes, provided that it is established, if necessary by appropriate laboratory tests, that these do not render the carcase and offal unfit for human consumption or dangerous to human health;

- (e) bear a health mark in accordance with Chapter X of Annex I;
 - (f) be accompanied by a health certificate during transportation to the country of destination, in accordance with Chapter XII of Annex I;
 - (g) be stored in accordance with Chapter XIII of Annex I after post mortem inspection under satisfactory hygiene conditions in establishments approved in accordance with Article 8 and supervised in accordance with Chapter IX of Annex I;
 - (h) be transported to the country of destination under satisfactory hygiene conditions in accordance with Chapter XIV of Annex I;
- B. Cuts or pieces smaller than those referred to in Section A, or boned meat, must:
- (a) have been boned or cut in a cutting plant approved and supervised in accordance with Article 8;
 - (b) have been boned or cut and obtained in accordance with Chapter VIII of Annex I and come from:
 - fresh meat which comes from animals slaughtered in the territory of the Member State and complies with the requirements set out in Section A, except for fresh meat referred to in subparagraphs (f) and (h), and which is transported in accordance with Chapter XIV of Annex I, or
 - fresh meat brought in from another Member State and meeting the requirements set out in Section A, or
 - fresh meat imported from third countries in accordance with Com-

munity provisions in respect of imports of fresh meat from third countries;

- (c) have been stored under conditions which comply with Chapter XIII of Annex I in establishments approved in accordance with Article 8 and supervised in accordance with Chapter IX of Annex I;
 - (d) have been supervised by an official veterinarian in accordance with Chapter IX of Annex I;
 - (e) meet the packaging requirements laid down in Chapter XI of Annex I;
 - (f) meet the requirements of Section A (c), (e), (f) and (h).
- C. Offal must have come from an approved slaughterhouse or cutting plant in the exporting country and must comply with the requirements of Section A or B.
- D. Fresh meat which has been stored in an approved cold store of a Member State in accordance with this Directive or with Directive 72/462/EEC and has not thereafter undergone any handling except in connection with storage, must:
- (a) meet the requirements of Section A (c), (e), (g) and (h);
 - (b) be accompanied by a certificate which corresponds to the model in Annex II during transportation to the country of destination.

This certificate shall be drawn up by the official veterinarian on the basis of the health certificates attached to the consignments of fresh meat when they were put into storage and must, in the case of importation, state the origin of the fresh meat.

2. However, without prejudice to Community animal health requirements, paragraph 1 shall not apply to:

- (a) fresh meat brought in with the authorization of the country of destination for uses other than human consumption;
- (b) fresh meat intended for exhibition, special studies or analysis, provided that official

control makes it possible to ensure that the meat is not used for human consumption and that, when the exhibition is over or when the special studies or the analysis have been carried out, the meat, with the exception of that used for the purposes of analysis, is destroyed;

- (c) fresh meat brought in with the authorization of the country of destination and intended exclusively as supplies for international organizations and military forces stationed in its territory but serving under another flag; in cases referred to in the first subparagraph, the country of destination shall ensure that the meat in question cannot be put to any use other than that for which it was brought into its territory.

3. The official veterinarian may, when carrying out the post mortem inspections referred to in paragraph 1 (A) (d), the supervision referred to in paragraph 1 (B) (d) and supervision of compliance with the requirements of Chapter XIV of Annex I, be helped by assistants placed under his authority and responsibility.

Detailed rules governing this assistance shall, in so far as necessary, be determined in accordance with the procedure laid down in Article 16.

The details of the professional qualifications of the assistants referred to in this paragraph and of the duties they are to perform shall be determined by the Council acting on a proposal from the Commission.

Article 4

1. In addition to the requirements laid down in Article 3, each Member State shall ensure that only fresh meat which meets the following requirements is sent from its territory to that of another Member State:

- (a) fresh pigmeat — other than fresh meat which has undergone cold treatment, in accordance with Annex I to Directive 77/96/EEC — must have undergone an examination for trichinosis in accordance with paragraph 41 (D) of Chapter VII of Annex I to this Directive.

Acting unanimously on a Commission proposal accompanied by a report drawn up after consultation with medical and veterinary experts from all the Member States, the Council shall decide whether or not a systematic examination for trichinosis in accordance with the first paragraph is necessary.

In the case of a negative decision, the Council shall, at the same time, decide under which circumstances such examination is not necessary.

- (b) without prejudice to Article 5 of Directive 81/602/EEC, the animals or meat must have undergone a sampling examination for residues.

This examination shall be carried out to check for both residues of substances having a pharmacological action and of the conversion products thereof and other substances transmitted to meat which are likely to be dangerous to human health.

If the meat examined shows traces of residues in quantities which exceed the permitted tolerances, it must be excluded from intra-Community trade.

These examinations for residues must be carried out in accordance with proven methods which are scientifically recognized, in particular those laid down in Community Directives or other international standards.

It must be possible to assess the examination for residues using reference methods laid down in accordance with the procedure set out in Article 16 after the Scientific Veterinary Committee has expressed its opinion.

In accordance with the same procedure, at least one reference laboratory must be designated in each Member State to carry out the examination for residues in the event of application of Articles 8 and 10.

The Commission shall publish the reference methods and the list of reference laboratories in the *Official Journal of the European Communities*.

- 2. Acting on a proposal from the Commission, and before 1 January 1985 the Council shall adopt:

- the detailed arrangements for controls,
- the tolerances for the substances referred to in the second subparagraph of paragraph 1 (b),
- the frequency of sampling.

In accordance with the same procedure, a decision may be taken to extend the examinations to substances other than those referred to in the second subparagraph of paragraph 1 (b).

3. After consulting the Scientific Veterinary Committee and before 1 April 1984, the Commission will submit a report, together with suitable proposals, on microbiological controls in the hygienic production of fresh meat.

Article 5

Without prejudice to Directive 81/602/EEC, every Member State shall ensure that the following meat is not sent from its territory to that of another Member State:

(a) Fresh meat from:

- (i) male pigs used for breeding,
- (ii) cryptorchid and hermaphrodite pigs,
- (iii) uncastrated male pigs with a carcass weight in excess of a limit to be fixed by the Council before 1 September 1983,

unless it be meant to undergo one of the treatments provided for in Directive 77/99/EEC, and it bears a special mark to be decided in accordance with the procedure laid down in Article 16;

(b) minced meat, meat cut up in a similar manner and mechanically recovered meat;

(c) fresh meat:

- (i) from animals to which stilbenes or stilbene derivatives, their salts or esters or thyrostatic substances have been administered, and meat containing residues of these substances,
- (ii) containing residues of other substances having a hormonal action, antibiotics, antimony, arsenic, pesticides, or other substances which are harmful or likely to make the consumption of fresh meat dangerous or harmful to human health, if such residues exceed the permitted level or, where no permitted level has been laid down, the quantity which has been scientifically proved to be safe and on which the Scientific Veterinary Committee has expressed its opinion;

(d) fresh meat from animals to which substances likely to make the meat dangerous or harmful to human health have been administered and on which the Scientific Veterinary Committee has expressed its opinion;

(e) fresh meat treated with ionizing or ultra-violet radiation or which has been marked with colorants other than those prescribed for the purposes of health marking in accordance with this Directive;

(f) fresh meat from animals which have been found to have any form of tuberculosis whatsoever, and fresh meat from animals which after slaughter have been found to have any form of tuberculosis whatsoever or to be carrying one or more *cysticerci bovis* or *cysticerci cellulosae*, live or dead or, in the case of swine, to have trichinae;

(g) fresh meat from animals slaughtered too young;

(h) parts of the carcass of offal with traumatic lesions which occurred shortly before slaughter, malformations, contamination or changes as referred to in Article 3 (1) (A) (d);

(i) heads of bovine animals, parts of the muscular or other tissues of the head, excluding tongues and brains;

(j) meat from animals to which tenderizers have been administered;

(k) blood which has not been obtained under the conditions of hygiene to be determined in accordance with the procedure laid down in Article 16;

(l) fresh meat in pieces weighing less than 100 grams.

Article 6

1. Countries of destination may, subject to compliance with the general provisions of the Treaty, grant to one or more exporting countries general authorizations or authorizations restricted to specific cases for the importation into their territory of:

(i) fresh pigmeat which, in derogation from Article 4 (1), has not undergone an examination for trichinosis in accordance with paragraph 41 (D) of Chapter VII of Annex I,

(ii) fresh pigmeat referred to in Article 5 (a) and intended for other uses,

- (iii) fresh meat referred to in Article 5 (b) and (i) to (1).

Such products may not be dispatched unless this is done in accordance with Article 3 (1) and (3).

2. When a country of destination grants a general authorization under paragraph 1, it shall forthwith inform the other Member States and the Commission thereof.

3. The exporting countries shall take all measures necessary to ensure that the health certificate, a model for which is given in Annex II, mentions that use has been made of one of the possibilities provided for in paragraph 1.

Article 7

1. Acting unanimously on a proposal from the Commission, the Council shall lay down before 31 December 1985 the additional requirements with which frozen meat must comply.

Until the entry into force of these requirements, the Hellenic Republic is authorized, with due regard for the general provisions of the Treaty, to retain its national rules concerning frozen meat.

2. The Hellenic Republic is authorized to maintain, subject to compliance with the general provisions of the Treaty, the controls regarding the meat of solipeds with a view to possible restrictions on the use of such meat.

3. The Council, acting on a proposal from the Commission, shall adopt before 1 January 1985 the additional conditions concerning the hygienic production and the control of the meat referred to in Article 2 (c).

Pending the entry into force of these provisions, the Member States shall be authorized to maintain their relevant national regulations, with due regard for the general provisions of the Treaty.

Article 8

1. Each Member State shall draw up a list of the establishments approved by it, each establishment having a veterinary approval number. The Member States shall send this list to the other Member States and to the Commission.

A Member State shall not approve an establishment unless compliance with this Directive is assured. The Member States shall withdraw approval if the conditions for approval cease to be fulfilled.

If a check has been made in accordance with Article 9 the Member State concerned shall take account of the conclusions resulting therefrom. The other Member States and the Commission shall be informed of the withdrawal of approval.

2. Inspection and supervision of approved establishments shall be carried out under the responsibility of the official veterinarian who may be assisted in purely material tasks by staff specially trained for the purpose. The official veterinarian must at all times have free access to all parts of establishments in order to ensure that this Directive is being complied with.

The detailed rules governing this assistance shall be determined in accordance with the procedure laid down in Article 16.

3. Where a Member State considers, in particular after carrying out a check or inspection provided for in Article 10 (1) and (2), that the provisions governing approval are not being, or have ceased to be, observed in an establishment in another Member State, it shall inform the competent central authority of that State accordingly. That authority shall take all necessary measures and notify the competent central authority of the first Member State of the decisions taken and the reasons for such decisions.

If the first Member State fears that such measures have not been taken or are inadequate, the two Member States shall together seek ways and means of remedying the situation; if appropriate this may involve a visit. In the event of a dispute over the application of Article 4 (1), a solution shall be sought on the basis of a reference method determined in accordance with the procedure laid down in Article 16 and after the Scientific Veterinary Committee has delivered its opinion.

The Member States concerned shall inform the Commission of disputes and of the solutions reached.

If these Member States cannot reach agreement, they shall put the matter within seven working days before the Commission which shall instruct one or more veterinary experts to give an opinion.

In the light of that opinion or of the opinion expressed in accordance with Article 9 (1), Member States may be authorized, under the procedure laid down in Article 15, to prohibit provisionally the introduction into their territory of fresh meat coming from that establishment.

Such authorization may be withdrawn under the procedure laid down in Article 15, in the light of a further opinion delivered by one or more veterinary experts.

The veterinary experts must be nationals of a Member State other than one of those involved in the dispute.

The general rules for the application of this paragraph shall be adopted in accordance with the procedure set out in Article 16.

Article 9

1. Veterinary experts from the Commission may, in so far as is necessary to ensure uniform application of the Directive, make on-the-spot checks; they may verify whether approved establishments are actually complying with this Directive, particularly with Chapters I, II and III of Annex I. The Commission shall inform the Member States of the results of the investigation.

A Member State in whose territory a check is being carried out shall give all the necessary assistance to the experts in carrying out their duties.

The general provisions for implementing this article shall be determined in accordance with the procedure laid down in Article 16.

In accordance with the same procedure, a code shall be established containing the rules to be followed for the purpose of the checks provided for in this paragraph.

2. Before 1 January 1988, the Council shall review this article on the basis of a report from the Commission, which may also submit proposals in this connection.

Article 10

1. Without prejudice to Articles 6, 8 and 9, a country of destination may check that all consignments of fresh meat as defined in Article 2 of

this Directive are accompanied by the prescribed health certificate.

2. If irregularities are seriously suspected, the country of destination may carry out non-discriminatory inspections to check that the requirements of the Directive have been met.

3. As a general rule, checks and inspections shall be carried out at the place of destination of the goods; they may be carried out at another suitable place instead, but always provided that in the latter case the place chosen interferes as little as possible with the routing of the goods.

The checks and inspections referred to in paragraphs 1 and 2 may not unduly delay the passage of the goods and their placing on the market, or cause delays which might adversely affect the quality of the meat.

4. If, during an inspection carried out on the basis of paragraph 2, it is found that the meat does not comply with this Directive, the competent authority in the country of destination may give the consignor, the consignee or their representative the choice of whether the consignment is to be turned back or the meat used for other purposes, provided that health considerations permit this; if they do not, choices may include destruction of the meat. In any event, precautionary measures shall be taken to prevent improper use of such meat.

5. (a) Such decisions, and the grounds for taking them, must be communicated to the consignor or his representative. Should such person so request, they must be communicated forthwith in writing, together with an indication of the channels of appeal provided for under current legislation, their forms and the time limits within which they are open;

(b) if such decisions are based on the diagnosis of a contagious or infectious disease, or a deterioration dangerous to human health, they shall be communicated forthwith to the competent central authority of the producing Member State and to the Commission;

(c) following this communication, appropriate measures may be taken in accordance with the procedure laid down in Article 16 in particular for the purpose of coordinating the measures taken in other Member States with regard to the fresh meat involved.

6. Before 1 January 1988, the Council shall review this article on the basis of a report from the Commission, which may also submit proposals in this connection.

Article 11

1. This Directive shall not affect any channels of appeal available under current legislation in the Member States against decisions taken by the competent authorities and provided for in this Directive.

2. Each Member State shall grant consignors of meat, the marketing of which is prohibited pursuant to Article 10, the right to obtain the opinion of an expert. Each Member State shall ensure that, before the competent authorities take any other measures such as destroying the meat, the experts have an opportunity of determining whether the conditions of Article 10 (4) were in fact fulfilled.

The expert must be a national of a Member State other than the exporting country or the country of destination.

Acting on proposals from the Member States, the Commission shall draw up a list of the experts who may be instructed to formulate such opinions. After consulting the Member States, it shall lay down general rules to be applied, in particular as regards the procedure for formulating these opinions.

Article 12

Amendments to the Annexes to this Directive, in particular to adapt them to advances in technology, shall be decided by the Council acting by a qualified majority on a proposal from the Commission.

Chapter VII will have to be amended in accordance with this procedure before 1 January 1985.

Article 13

In accordance with the procedure under Article 16, derogations from the second, third and fourth indents of paragraph 13 (c), and from paragraphs 24 and 41 (C) of Annex I may be granted, on request, to any Member State providing similar guarantees. These derogations

shall fix health conditions which are at least equivalent to those of the said Annex.

Article 14

If Community provisions relating to the importation of fresh meat from third countries do not apply at the time when this Directive enters into force, then pending their becoming applicable, national provisions relating to imports from those countries shall not be more favourable than those governing intra-Community trade.

Article 15

1. Where the procedure laid down in this article is to be used, matters shall without delay be referred by the chairman, either on his initiative or at the request of a Member State, to the Standing Veterinary Committee (hereinafter called "the Committee") set up by the Council Decision of 15 October 1968.

2. Within the Committee, the votes of Member States shall be weighted as provided in Article 148 of the Treaty. The chairman shall not vote.

3. The representative of the Commission shall submit a draft of the measures to be adopted. The Committee shall deliver its opinion on such measures within two days. Opinions shall be delivered by a majority of 45 votes.

4. The Commission shall adopt the measures and implement them immediately where they are in accordance with the opinion of the Committee. Where they are not in accordance with the opinion of the Committee or if no opinion is delivered, the Commission shall without delay propose to the Council the measures to be adopted. The Council shall adopt the measures by a qualified majority.

If, within 15 working days from the date on which a matter was referred to it, the Council has not adopted any measures, the Commission shall adopt the proposed measures and implement them immediately, save where the Council decided against these measures by a simple majority.

Article 16

1. Where the procedure laid down in this article is to be followed, the chairman shall

without delay refer the matter, either on his own initiative or at the request of a Member State, to the Committee.

2. Within the Committee, the votes of Member States shall be weighted as provided in Article 148 of the Treaty. The chairman shall not vote.

3. The Commission representative shall submit a draft of the measures to be adopted. The Committee shall deliver its opinion on such measures within a period to be determined by the chairman in keeping with the urgency of the question submitted for examination. Opinions shall be delivered by a majority of 45 votes.

4. The Commission shall adopt the measures and shall apply them immediately where they are in accordance with the opinion of the Committee. Where they are not in accordance with the opinion of the Committee or if no opinion is delivered, the Commission shall without delay propose to the Council the measures to be adopted. The Council shall adopt the measures by a qualified majority.

If, within three months from the date on which the proposal was submitted to it, the Council has not adopted any measures, the Commission shall adopt the proposed measures and apply them immediately, save where the Council has decided against these measures by a simple majority.

2. Articles 10 and 11 shall become Articles 17 and 18.
3. The Annexes shall be replaced by the Annexes to this Directive.

Article 2

Acting on a proposal from the Commission, and before 1 January 1985, the Council shall adopt Community regulations concerning inspection costs arising in connection with this Directive.

Article 3

1. The Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive not later than 1 January 1985 and shall forthwith inform the Commission thereof.

2. Until implementation of Article 4 (2) and (3) of Directive 64/433/EEC and without prejudice to Article 8 of that Directive, the national regulations in force in the country of destination on the date of notification of this Directive, the arrangements concluded on that date by Member States with regard to the controls laid down in Article 4 (1) (b), (2) and (3) of Directive 64/433/EEC and certifications concerning these controls shall remain applicable, with due regard for the general provisions of the Treaty.

Article 4

This Directive is addressed to the Member States.

Done at Brussels, 7 February 1983.

For the Council

The President

H.-J. ROHR

ANNEX I

GENERAL CONDITIONS FOR THE APPROVAL OF ESTABLISHMENTS

Establishments must have at least:

1. in rooms where fresh meat is produced, worked on or stored:
 - (a) waterproof flooring which is easy to clean and disinfect, rotproof and laid in such a way as to facilitate the draining of water; the water must be channelled towards drains fitted with gratings and traps to prevent odours. However, these establishments must have:
 - in the case of rooms referred to in paragraph 13 (d) and (f) of Chapter I, paragraph 14 (a) of Chapter II and paragraph 15 (a) of Chapter III, waterproof flooring which is easy to clean and disinfect, rotproof and laid in such a way as to facilitate the draining of water or, in the case of premises referred to in paragraph 15 (a), fitted with a device with which water may easily be removed,
 - in the case of rooms referred to in paragraph 16 (a) of Chapter III, waterproof and rotproof flooring;
 - (b) smooth, durable, impermeable walls, with a light coloured, washable coating up to a height of at least two metres, and of at least three metres in slaughter-rooms; in chilling or refrigeration rooms and in stores the walls must be coated at least to storage height. Wall to floor junctions must be rounded or similarly finished except in the rooms referred to in Chapter III, paragraph 16 (a).

However, the use of wooden walls in the rooms referred to in paragraph 16 of Chapter III does not constitute grounds for withdrawing approval provided they were built before 1 January 1983;
 - (c) doors in hard-wearing, non-corrodible material and, if of wood, with a smooth and impermeable covering on both sides;
 - (d) insulation materials which are rotproof and odourless;
 - (e) adequate ventilation and if necessary good extraction of steam;
 - (f) adequate natural or artificial lighting which does not distort colours;
2.
 - (a) as near as possible to the work stations, a sufficient number of facilities for cleaning and disinfecting hands and for cleaning tools with hot water. Taps must not be hand operable. For washing hands, these facilities must have hot and cold running water or water premixed to a suitable temperature, cleaning and disinfecting products and hand towels which can be used once only;
 - (b) facilities for disinfecting tools, with hot water supplied at not less than 82 °C;
3. appropriate arrangements for protection against pests such as insects, rodents, etc.;
4.
 - (a) instruments and working equipment such as cutting tables, tables with detachable cutting surfaces, containers, conveyor belts and saws, made of corrosion-resistant material, not liable to taint meat and easy to clean and disinfect. The use of wood is forbidden except in rooms where the only fresh meat stored is hygienically packaged fresh meat;
 - (b) corrosion-resistant fittings and equipment meeting hygiene requirements for:
 - meat handling,

- storing meat containers, in such a way that neither the meat nor the containers come into direct contact with the floor or walls;
 - (c) facilities for the hygienic handling and protection of meat during loading and unloading;
 - (d) special watertight non-corrodible containers, with lids and fasteners to prevent unauthorized persons from removing things from them, for keeping meat not intended for human consumption, or a lockable room for such meat and offal if the quantities are large enough to necessitate this or if the meat and offal is not removed or destroyed at the end of each working day; where such meat is removed through conduits, these should be so constructed and installed as to avoid any risk of contamination of the fresh meat;
5. refrigeration equipment to keep the internal temperature of the meat at the levels required by this Directive. This equipment must include a drainage system linked to the waste water pipes which presents no risk of contamination of the meat;
 6. a pressurized supply of potable water within the meaning of Directive 80/778/EEC only; however, a non-potable water supply is authorized in exceptional cases for steam production, fire fighting and the cooling of refrigeration equipment, provided that the pipes installed for this purpose preclude the use of this water for other purposes and present no risk of contamination of fresh meat. Non-potable water pipes must be clearly distinguished from those used for potable water;
 7. an adequate supply of hot potable water within the meaning of Directive 80/778/EEC;
 8. a waste water disposal system which meets hygiene requirements;
 9. an adequately equipped lockable room for the exclusive use of the veterinary service; or, in the case of stores referred to in paragraph 16 of Chapter III, suitable facilities;
 10. facilities enabling the veterinary inspections provided for in this Directive to be carried out efficiently at any time;
 11. an adequate number of changing rooms with smooth, waterproof, washable walls and floors, wash basins, showers and flush lavatories. The latter must not open directly onto the work rooms. The wash basins must have hot and cold running water or water premixed to a suitable temperature, materials for cleaning and disinfecting the hands and hand towels which can be used once only; the wash basin taps must not be hand-operable. There must be a sufficient number of such wash basins near the lavatories;
 12. a place and adequate facilities for cleaning and disinfecting means of transport. This place and these facilities are not compulsory if provisions exist requiring that means of transport be cleaned and disinfected at officially authorized facilities.

CHAPTER I

SPECIAL CONDITIONS FOR THE APPROVAL OF SLAUGHTERHOUSES

13. Beyond the general requirements slaughterhouses must have at least:
 - (a) adequate lairage or, climate permitting, waiting pens for the animals; walls and floors must be durable, impermeable and easy to clean and disinfect; these facilities must be equipped for watering the animals, and for feeding them if necessary, and have a suitable

ble drainage system for draining off liquids towards drains fitted with traps and gratings;

- (b) slaughter premises large enough for work to be carried out satisfactorily; in slaughter premises where both pigs and other animal species are slaughtered, a special place must be provided for slaughtering pigs; however, such special place is not essential if the slaughter of pigs and that of other animals take place at different times; but in such cases scalding, depilation, scraping and singeing must be carried out in special places which are clearly separated from the slaughter line either by an open space of at least five metres or by a partition at least three metres high;
- (c) separate rooms sufficiently large and exclusively reserved for:
 - emptying and cleaning stomachs and intestines,
 - dressing guts and tripe if this is carried out in the slaughterhouse,
 - preparing and cleaning offal other than that mentioned in the preceding indents, including a separate place for storing heads at a sufficient distance from other offal, if these operations are carried out in the slaughterhouse and do not take place on the slaughter line,
 - the storage of hides, horns, hooves and pigs' bristles in the event of these not being removed from the slaughterhouse on the day of slaughter;
- (d) a separate place for packaging offal if this is done in the slaughterhouse;
- (e) lockable premises or, climate permitting, pens for sick or suspect animals; lockable premises reserved for the slaughter of such animals, the storage of detained meat and the storage of seized meat. Premises reserved for the slaughter of these animals are not essential in an approved establishment where the rules of the Member State forbid the slaughter of these animals on the same day as that of animals whose meat is intended for intra-Community trade, or require that they be slaughtered after completion of the slaughter of animals whose meat is intended for intra-Community trade, and that steps be taken to prevent contamination of such meat. In this case the premises must be specially cleaned and disinfected under official supervision before being used again for slaughtering animals for intra-Community trade, or steps must be taken to ensure that these animals are not slaughtered in the approved establishment but in separate premises specially designated for this purpose;
- (f) sufficiently large chilling or refrigerating rooms equipped with corrosion-resistant fittings designed to prevent the fresh meat coming into contact with the floor or the walls when it is being moved or held;
- (g) means of controlling access to and exit from the slaughterhouse;
- (h) a clear separation between the soiled and clean parts of the building so as to protect the latter from contamination;
- (i) equipment such that, after stunning, dressing can be carried out as far as possible on the suspended animal; under no circumstances may the suspended animal come into contact with the floor during dressing;
- (j) an overhead system of rails for the further handling of meat;
- (k) if dung is stored in the slaughterhouse precincts, a special section for such dung;
- (l) a room suitably equipped for carrying out an examination for trichinella where such test is carried out in the establishment.

CHAPTER II

SPECIAL CONDITIONS FOR THE APPROVAL OF CUTTING PLANTS

14. Beyond the general requirements, cutting plants must have at least:
- (a) chilling or refrigerating rooms large enough for meat preservation, and, where packaged meat is stored in the establishment, a separate such room for packaged meat;
 - (b) a room for cutting and boning and wrapping equipped with a recording thermometer or recording telethermometer;
 - (c) a room for packaging, unless the conditions provided for in paragraph 62 of Chapter XI are fulfilled;
 - (d) a room for the storage of packaging and wrapping materials.

CHAPTER III

SPECIAL CONDITIONS FOR THE APPROVAL OF STORES

15. In addition to the general requirements, stores in which fresh meat is stored in accordance with the first indent of paragraph 65 of Chapter XIII must have at least:
- (a) sufficiently large chilling and refrigeration rooms, which are easy to clean and in which fresh meat can be stored at the temperatures provided for under the first indent of paragraph 65;
 - (b) a recording thermometer or recording telethermometer in each storage area.
16. In addition to the general requirements, stores in which fresh meat is stored in accordance with the second indent of paragraph 65 of Chapter XIII must have at least:
- (a) sufficiently large rooms, which are easy to clean and in which fresh meat can be stored at the temperatures provided for in the second indent of paragraph 65;
 - (b) a recording thermometer or recording telethermometer in each storage area.

CHAPTER IV

HYGIENE OF THE STAFF, PREMISES AND EQUIPMENT IN THE ESTABLISHMENTS

17. Absolute cleanliness shall be required of staff, premises and equipment:
- (a) staff must in particular wear clean working clothes and headgear and, where necessary, a neck shield. Staff engaged in slaughtering animals or working on or handling meat must wash and disinfect their hands several times during the working day and each time work is resumed. Persons who have been in contact with sick animals or infected meat must immediately afterwards carefully wash their hands and arms with hot water and then disinfect them. Smoking is forbidden in work rooms and store rooms;
 - (b) no animal may enter the establishments except, in the case of slaughterhouses, animals for slaughter, and with reference to the precincts of these slaughterhouses, animals necessary for their operation. Rodents, insects and other vermin must be systematically destroyed;

- (c) equipment and instruments used for working on meat shall be kept clean and in a good state of repair. They shall be carefully cleaned and disinfected several times during the working day, at the end of the day's work and before being re-used when they have been soiled.
- 18. Premises, instruments and working equipment must not be used for purposes other than working on fresh meat. This requirement shall not apply to transport equipment used in the rooms referred to in paragraph 16 (a) of Chapter III when the meat is packaged. Meat cutting instruments must be used solely for cutting meat.
- 19. Meat and meat containers must not come into direct contact with the floor.
- 20. Potable water must be used for all purposes; however, non-potable water may be used in exceptional cases for steam production provided that the pipes installed for this purpose preclude the use of this water for other purposes and present no danger of contamination of fresh meat. In addition, non-potable water may be used in exceptional cases for cooling refrigeration equipment. Non-potable water pipes must be clearly distinguished from pipes used for potable water.
- 21. The spreading of sawdust or any other similar substance on the floor of the workrooms and fresh meat storage rooms is prohibited.
- 22. Detergents, disinfectants and similar substances must be used in such a way that instruments, working equipment and fresh meat are not adversely affected. Their use must be followed by thorough rinsing of such instruments and working equipment with potable water.
- 23. Persons likely to contaminate meat are prohibited from working on it and handling it.
- 24. A medical certificate must be required from any person working on meat. It must attest that there is no impediment to such employment, it must be renewed annually and each time the official veterinarian so requests; it must be kept at the disposal of the latter.

CHAPTER V

'ANTE MORTEM' HEALTH INSPECTION

- 25. Animals must undergo ante mortem inspection on the day of their arrival at the slaughterhouse. The inspection must be repeated immediately before slaughter if the animal has been in the lairage overnight.
- 26. The official veterinarian must make the ante mortem inspection in accordance with professional rules and under suitable lighting.
- 27. The inspection must determine:
 - (a) whether the animals are suffering from a disease which is communicable to humans and animals or whether they show symptoms or are in a general condition such as to indicate that such a disease may occur;
 - (b) whether they show symptoms of disease or of a disorder of their general condition which is likely to make their meat unfit for human consumption; attention must also be paid to any signs that the animals have had substances with pharmacological effects administered to them or have consumed any other substances which may make their meat harmful to human health;
 - (c) whether they are tired, agitated or injured.

28. Animals may not be slaughtered if:
- (a) they show any of the signs or symptoms referred to in paragraph 27 (a) and (b);
 - (b) they have not been rested for an adequate period which, for tired or agitated animals, must not be less than 24 hours unless the official veterinarian decides otherwise for the purposes of intra-Community trade;
 - (c) any form of tuberculosis has been detected in them.

CHAPTER VI

SLAUGHTER AND CUTTING HYGIENE

29. Slaughter animals brought into slaughter premises must be slaughtered immediately and bleeding, flaying or removing the bristles, dressing and evisceration must be carried out in a way which avoids any contamination of the meat.
30. Bleeding must be complete; blood intended for human consumption must be collected in absolutely clean containers. It must not be stirred by hand, only with instruments which meet hygiene requirements.
31. Immediate and complete flaying is compulsory, except for pigs. When not flayed, pigs must have their bristles removed immediately, debristling agents may be used for this operation, provided that the pigs are thoroughly rinsed afterwards with potable water.
32. Evisceration must be carried out immediately and completed not later than 45 minutes after stunning or, in the case of ritual slaughter, half an hour after bleeding. The lungs, heart, liver, kidney, spleen and mediastinum may either be detached or left attached to the carcass by their natural connections. If detached, they must be numbered or identified in some way to enable them to be recognized as belonging to a given carcass; this also applies to the head, tongue, digestive tract and any other part of the animal required for inspection. The above-mentioned parts must remain near the carcass until the inspection is complete. For all species the kidneys must be removed from their fatty covering; in the case of bovine animals and swine and solipeds the peri-renal capsule must also be removed.
33. Implements must not be left in the meat; cleansing of meat by wiping with a cloth or other materials, and inflation, are prohibited. However, inflation of an organ may be authorized for ritual purposes, provided that the inflated organ is withdrawn from intra-Community trade.
34. Carcasses of solipeds, pigs over four weeks old and bovine animals over six months old must be submitted for inspection split lengthwise into half carcasses down the spinal column. If the inspection so necessitates, the official veterinarian may require any head or any carcass to be split lengthwise.
35. Carcasses must not be cut up, nor any part of a slaughtered animal be removed or treated before the inspection has been completed.
36. Detained or seized meat, stomachs, intestines and inedible by-products must be placed as soon as possible in special facilities.
37. If the blood or the offal of several animals is collected in the same container before the completion of the post mortem inspection, the entire contents must be excluded from intra-Community trade if the carcass of one of the animals concerned has been declared unfit for human consumption.

CHAPTER VII

'POST MORTEM' HEALTH INSPECTION

38. All parts of the animal, including the blood, must be inspected immediately after slaughter to ensure that the meat is fit for human consumption.

39. The post mortem inspection must include:

- (a) visual inspection of the slaughtered animal, in particular the organs referred to in (b);
- (b) palpation of certain organs, in particular the lungs, liver, spleen, tongue and certain lymph nodes and, depending on the conclusions reached by the official veterinarian, the uterus and udder;
- (c) incision of certain organs and lymph nodes; if visual inspection or palpation of certain organs indicate the animal has lesions which can contaminate the carcasses, equipment, staff or work premises, these organs must not be incised in the slaughter-room or any other part of the establishment where fresh meat might be contaminated;
- (d) investigation of anomalies in consistency, colour, smell and, where appropriate, taste;
- (e) where necessary, laboratory tests in particular for the substances referred to in Article 4 (1) (b).

40. The official veterinarian must examine in particular:

- (a) the colour of the blood, its coagulation properties and the possible presence of foreign bodies in the blood;
- (b) the head, throat, retro-pharyngeal submaxillary and parotid lymph nodes (Lnn. retro-pharyngiales mandibulares and parotidei) and the tonsils, the tongue having been freed to permit a detailed inspection of the mouth and the fauces. In the case of bovine animals and swine the tonsils must be removed after inspection;
- (c) the lungs, trachea, oesophagus, bronchial and mediastinal lymph nodes (Lnn. bifurcationes, eparteriales and mediastinales), the trachea and the main branches of the bronchi having been opened lengthwise and the lungs having been incised in their posterior third, perpendicular to their main axes;
- (d) the pericardium and the heart, the latter being incised lengthwise so as to open the ventricles and to cut through the inter-ventricular septum;
- (e) the diaphragm;
- (f) the liver, the gall-bladder, and the bile ducts and the hepatic and pancreatic lymph nodes (Lnn. portales);
- (g) the gastro-intestinal tract, the mesentery, the gastric and mesenteric lymph nodes (Lnn. gastrici mesenterici, craniales and caudales);
- (h) the spleen;
- (i) the kidneys and their lymph nodes (Lnn. renales) and the bladder;
- (j) the pleura and peritoneum;
- (k) the genital organs; in cows, the uterus must be opened by a lengthwise incision, except when it is excluded from human consumption; in boars and bulls the superficial inguinal lymph nodes (Lm. inguinales superficiales);
- (l) the udder and its lymph nodes (Lnn. supramammarii); in cows, the udder must be opened by a long, deep incision as far as the lactiferous sinuses (sinus galactophores), except when it is excluded from human consumption;
- (m) the umbilical region and joints of young animals; in case of doubt, the umbilical region must be incised and the joints opened.

The lymph nodes referred to above must be systematically subjected to multiple incisions and a visual examination.

In case of doubt, the following lymph nodes must also be incised in the same way: superficial cervical, prescapular (Lnn. cavales superficiales), axillaries (Lnn. axillares proprii et primae costae), substernal (Lnn. sternales craniales), deep cervical (Lnn. cavales profundi), costocervical (Lnn. costocervicales), popliteal (Lnn. poplitei), precrucial (Lnn. subiliaci),

ischiatric (Lnn. ischiatici), iliac and sublumbar (Lnn. iliaci et lumbales), superficial inguinal (Lm. inguinales superficiales). In sheep and goats, the opening of the heart, the freeing of the tongue, the incision of the lungs and bronchi and incision of the lymph nodes is only necessary in case of doubt but these organs and lymph nodes must be examined.

In the case of pigs, incision of the lymph nodes of the head, except for the sub-maxillary lymph node, and incision of the lymph nodes of the lungs and gastro-intestinal tract, and of the renal lymph nodes, is only necessary in case of doubt but these organs and lymph nodes must be examined. The incision of the lungs provided for in subparagraph (c) is not necessary where the lungs are excluded from human consumption.

41. In addition, the official veterinarian must systematically carry out:

A. An investigation for cysticercosis:

(a) in bovine animals over six weeks old; this investigation must include examination of:

- the tongue, the musculature of which must be incised lengthwise on the lower surface, without damaging the organ excessively,
- the oesophagus, which must be freed from the trachea,
- the heart, which, in addition to the incision provided for in paragraph 40 (d), must be split from two opposite points from the auricles to the apex,
- the external masseters, in which two incisions must be made parallel to the mandible,
- the internal masseters (internal pterygoid muscles) which must be incised along one plane,
- the diaphragm, the muscular part of which must be freed from the serous part, except in the case of calves,
- the muscular surfaces of the carcase which are directly visible;

(b) in swine; this investigation must include examination of the directly visible muscular surfaces, in particular the thigh muscles, the abdominal wall, the psoas muscles freed from fatty tissue, the pillars of the diaphragm, the intercostal muscles, the heart, tongue and larynx.

B. An investigation for distomatosis in bovine animals, sheep and goats by means of incisions on the gastric surface of the liver to examine the bile ducts and in bovine animals by means of a deep incision at the base of the caudate lobe.

C. An investigation for glanders in solipeds by means of careful examination of mucous membranes from the trachea, larynx, nasal cavities, sinuses and their ramifications, after splitting the head in the median plane and excision of the nasal septum.

However, this examination may be replaced by alternative examinations in accordance with the procedure laid down in Article 16.

D. Fresh meat from swine which contains skeletal muscles (striated muscles) must undergo an investigation for trichinosis under the supervision and the responsibility of the official veterinarian.

This investigation must be carried out in accordance with proven methods which are scientifically recognized, in particular methods which are defined in Community Directives or in other international standards.

The results must be assessed using a reference method fixed in accordance with the procedure laid down in Article 16 and after the Scientific Veterinary Committee has

delivered its opinion; the reliability of the method must be at least as great as that of the trichinoscopy provided for in paragraph 1 of Annex I to Directive 77/96/EEC.

The Commission must publish the reference method in the *Official Journal of the European Communities*.

CHAPTER VIII

REQUIREMENTS FOR MEAT INTENDED FOR CUTTING

42. Cutting into pieces smaller than those referred to in Article 3 (1) (A) or de-boning is authorized in cutting plants only.
43. The operator of the plant or his agent must facilitate operations for supervising the plant, in particular any handling which is considered necessary, and must place the necessary facilities at the disposal of the supervisory service; in particular, he must be able on request to make known to the official veterinarian responsible for supervision from where the meat brought into his cutting plant has come.
44. Meat which does not fulfil the requirements of Article 3 (1) (B) (b) may not be placed in approved cutting plants unless placed in special storage areas; it must be cut up in other places or at other times than meat which does fulfil those requirements. The official veterinarian must at all times have access to all storage rooms and work rooms in order to ensure that the above provisions are rigorously observed.
45. (a) Fresh meat must be brought into the rooms provided for in paragraph 14 (b) of Chapter II progressively as needed. As soon as it is cut and where appropriate packaged, the meat must be transferred to the relevant room referred to in paragraph 14 (a) of Chapter II.
(b) During cutting, boning, wrapping and packaging the internal temperature of the meat must be kept at a constant $+ 7^{\circ}\text{C}$ or less. During cutting, the temperature of the cutting room must not exceed $+ 12^{\circ}\text{C}$.
(c) By way of derogation from paragraphs (a) and (b), meat may be cut while warm. In that event, the meat must be transferred directly from the slaughter premises to the cutting room. In addition, the slaughter premises and the cutting room must be located in the same group of buildings and sufficiently near to each other for the meat to be transferred in a single operation, and cutting must be carried out immediately after transfer. As soon as it is cut, and where appropriate packaged, it must be transferred to an appropriate chilling room.
(d) Cutting must be carried out in such a way as to avoid any soiling of the meat. Splinters of bone and clots of blood must be removed. Meat obtained from cutting and not intended for human consumption must be collected in the facilities referred to in paragraph 4 (d) as it is cut.

CHAPTER IX

HEALTH CONTROL OF CUT MEAT AND STORED MEAT

46. Approved cutting plants and approved cold stores must be supervised by an official veterinarian. The latter must be notified in good time before the cutting of meat intended for intra-Community trade.
47. Supervision by the official veterinarian must include the following tasks:
 - supervision of the entry and exit of fresh meat,
 - health inspection of fresh meat held in the establishments referred to in paragraph 46 and intended for intra-Community trade,

- health inspection of fresh meat intended for intra-Community trade, prior to cutting and when it leaves the establishments referred in paragraph 46,
- drawing up and issuing the documents provided for in Article 3 (1) (A) (f) and in paragraph 54 of Chapter X,
- supervision of the cleanliness of the premises, facilities and instruments provided for in Chapter IV, and of staff hygiene, including their clothing,
- all sampling necessary for laboratory tests, for example those to detect the presence of harmful germs, additives or other unauthorized chemical substances. The results of such tests must be recorded in a register,
- any other supervision which the veterinarian considers necessary for ensuring compliance with this Directive.

CHAPTER X

HEALTH MARKING

48. Health marking must be carried out under the responsibility of the official veterinarian. For this purpose, he shall keep and maintain:

- (a) the instruments intended for meat health marking which he may hand over to assistants only at the time of marking and for the length of time required for this purpose;
- (b) the labels and wrapping material when marked as provided for in this chapter. The labels and wrapping material shall be given to the assistants at the time when they are to be used and in the required number.

49. The health mark must be:

- (a) either an oval mark at least 6,5 cm wide by 4,5 cm high bearing the following information in perfectly legible characters:
 - on the upper part, the initials of the consigning country in capitals (i.e. one of the following):
B/D/DK/F/GR/IRL/I/L/NL/UK,
followed by the veterinary approval number of the establishment,
 - on the lower part, one of the following sets of initials: CEE, EEG, EWG, EØF, EEC or EOK;
- (b) or an oval mark at least 6,5 cm wide by 4,5 cm high, bearing the following information in perfectly legible characters:
 - on the upper part, the name of the consigning country in capitals,
 - in the centre, the veterinary approval number of the establishment,
 - on the lower part, one of the following sets of initials: CEE, EEG, EWG, EØF, EEC or EOK.

The letters must be at least 0,8 cm high and the figures at least 1 cm high.

The health mark may, in addition, include an indication of the official veterinarian who carried out the health inspection of the meat.

50. Carcases must be stamped in ink or hot-branded in accordance with paragraph 49:

- those weighing more than 65 kilograms must be marked on each half-carcase, in the following places at least: external surface of the thighs, loins, back, breast and shoulder,

- other carcasses must be marked in at least four places, on the shoulders and on the external surface of the thighs.
51. The livers of bovine animals, swine and solipeds must be hot-branded accordance with paragraph 49.
- All other offal must be stamped in ink or hot-branded in accordance with paragraph 49 unless wrapped or packaged and marked in accordance with paragraphs 54 and 55.
52. Cuts obtained in the cutting plants from officially marked carcasses must be stamped in ink or hot-branded in accordance with paragraph 49, unless they are wrapped or packaged.
53. Packaging must always be marked in accordance with paragraph 54.
54. Packaged cut meat and packaged offal referred to in paragraphs 51 and 52 must bear a health mark in accordance with paragraph 49 the mark must include the veterinary approval number of the cutting plant instead of that of the slaughterhouse. The mark must be applied to a label fixed to the packaging, or printed on the packaging, in such a way that it is destroyed when the packaging is opened; the label must also show a serial number, unless the competent central authority decides that this is optional for the purpose of intra-Community trade. However, when cut meat or offal is wrapped in accordance with paragraph 61 of Chapter XI, the label referred to above may be fixed to the wrapping. In the case of offal packaged in a slaughterhouse, the number included in the mark must be that of the slaughterhouse concerned.
55. In addition to the requirements of paragraph 54, where fresh meat is wrapped in commercial portions intended for direct sale to the consumer, a reproduction of the health mark required under paragraph 49 (a) must also be printed on the wrapping or on a label affixed to the wrapping. The mark must include the veterinary approval number of the cutting plant instead of that of the slaughterhouse. The dimension requirements of paragraph 49 need not apply to the mark required under this paragraph. However, in the case of offal wrapped in a slaughterhouse, the number included in the mark must be that of the slaughterhouse concerned.
56. Meat from solipeds and its packaging must bear a special mark, to be determined in accordance with the procedure laid down in Article 16.
57. The colorants which may be used for marking fresh meat shall be decided in accordance with the procedure laid down in Article 16. Until such time as that decision is taken, only methyl violet may be used for this purpose.

CHAPTER XI

WRAPPING AND PACKAGING OF FRESH MEAT

58. (a) Packaging (for example packing cases, paperboard boxes) must fulfil all rules of hygiene, and in particular:
- must not alter the organoleptic characteristics of the meat,
 - must not be capable of transmitting to the meat substances harmful to human health,
 - must be strong enough to ensure effective protection of the meat during transportation and handling.
- (b) Packaging must not be re-used for meat unless made of corrosion-resistant materials, which are easy to clean and have been previously cleaned and disinfected.

59. Where fresh cut meat or offal is wrapped, this operation must be carried out immediately after cutting and in accordance with hygiene requirements.

With the exception of cuts of solid outer pig fat and belly, cut meat and offal must in all cases be provided with a protective wrapping unless it is suspended throughout its transport.

Such wrapping must be transparent and colourless and must also fulfil the conditions of the first and second indents of paragraph 58 (a); it may not be used again for wrapping meat.

60. Wrapped meat must be packaged.
61. However, when wrapping fulfils all the protective conditions of packaging it need not be transparent and colourless and placing in a second container is not necessary provided the other conditions of paragraph 58 are fulfilled.
62. Cutting, boning, wrapping and packaging operations may take place in the same room subject to the following conditions:
- (a) the room must be sufficiently large and so arranged that the hygiene of the operation is assured;
 - (b) the packaging and wrapping must be enclosed in a sealed protective cover immediately after manufacture; this cover must be protected from damage during transport to the establishment and stored under hygienic conditions in a separate room in the establishment;
 - (c) the rooms for storing packaging material must be dust- and vermin-free and have no air connection with rooms containing substances which might contaminate fresh meat. Packaging must not be stored on the floor;
 - (d) packaging must be assembled under hygienic conditions before being brought into the room;
 - (e) packaging must be hygienically brought into the room and used without delay. It must not be handled by staff handling fresh meat;
 - (f) immediately after packaging the meat must be placed in the storage rooms provided.
63. The packaging referred to in this chapter may contain only cut meat from the same animal species.

CHAPTER XII

HEALTH CERTIFICATE

64. The original copy of the health certificate which must accompany meat during transportation to the country of destination must be issued by an official veterinarian at the time of loading.

The certificate must correspond in form and content to the model in Annex II, and be expressed in the official language or languages of the country of destination at least. It must be drawn up on a single sheet of paper.

CHAPTER XIII

STORAGE

65. — Fresh meat must be chilled immediately after the post mortem inspection and kept at a constant internal temperature of not more than $+7^{\circ}\text{C}$ for carcasses and cuts and $+3^{\circ}\text{C}$ for offal.
- Fresh meat for freezing must, after slaughter and the subsequent stabilization period, undergo rapid freezing. The frozen meat must be stored at a temperature of -12°C or colder.

66. No other product which may affect the hygiene of the meat or contaminate it may be stored in the rooms referred to in paragraphs 15 and 16 of Chapter III unless the meat is packaged and stored separately.
67. The storage temperature of the storage rooms referred to in paragraphs 15 and 16 of Chapter III must be recorded.

CHAPTER XIV

TRANSPORT

68. Fresh meat must be transported in sealed means of transport, designed and equipped in such a way that the temperatures specified in Chapter XIII are maintained throughout transportation.

When meat is transported from a slaughterhouse to a cutting plant in the same Member State, sealing is not required.

69. Means of transport intended for transporting such meat must meet the following requirements:
 - (a) their inside surfaces or any other part which may come into contact with the meat must be of corrosion-resistant material which cannot affect the organoleptic characteristics of the meat or render the meat harmful to human health; these surfaces must be smooth and easy to clean and disinfect;
 - (b) they must be provided with efficient devices for protecting the meat against insects and dust and be watertight;
 - (c) for transporting carcasses, half-carcasses or quarters and unpackaged cut meat, they must be equipped with corrosion-resistant fittings for suspending the meat fixed at a height such that the meat cannot touch the floor; this provision shall not apply to frozen meat in hygienic packaging. In the case of transport by air, however, fittings for suspending the meat are not required provided that suitable corrosion-resistant facilities are provided for hygienically loading, holding and unloading the meat.
70. Means of transport intended for transporting meat may in no case be used for transporting live animals or any product likely to affect or contaminate meat.
71. No other product likely to affect the hygiene of the meat or to contaminate it may be transported at the same time as the meat in the same means of transport unless appropriate precautions are taken. In addition, stomachs may not be transported therein unless scalded or cleaned, nor heads and feet unless they are skinned or scalded and depilated.
72. Fresh meat may not be transported in a vehicle or container which is not clean and has not been disinfected.
73. Carcasses, half-carcasses and quarters, excluding frozen meat packaged in accordance with hygiene requirements, must be suspended throughout transport except in the case of air transport in accordance with paragraph 69 (c).

Other cuts and offal must be suspended or placed on supports if not packaged or contained in corrosion-resistant containers. Such supports, packaging or containers must meet hygiene requirements and, in particular as regards packaging, the provisions of this Directive. The viscera must always be transported in strong waterproof and greaseproof packaging which may only be re-used after cleaning and disinfection.
74. The official veterinarian must, ensure before dispatch that transport vehicles or containers and loading conditions meet the hygiene requirements of this chapter.

ANNEX II

SPECIMEN

HEALTH CERTIFICATE

for fresh meat intended for consignment to a Member State ⁽¹⁾ of the EECNo ⁽²⁾

Exporting country

Ministry

Department

Ref.

(Optional)

I. Identification of meat

Meat of
(Animal species)

Nature of cuts

Nature of packaging

Number of cuts or packages

Month(s) and year(s) when frozen

Net weight

II. Origin of meat

Address(es) and veterinary approval number(s) of the approved slaughterhouse(s)

Address(es) and veterinary approval number(s) of the approved cutting plant(s)

Address(es) and veterinary approval number(s) of the approved store(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⁾

⁽¹⁾ Fresh meat: in accordance with the Directive referred to in IV of this certificate, this means all parts fit for human consumption from domestic bovine animals, swine, sheep and goats and solipeds which have not undergone any preserving process; however, chilled and frozen meat shall be considered to be fresh meat.

⁽²⁾ Optional.

⁽³⁾ In the case of rail trucks and lorries, state the registration number, in the case of aircraft the flight number, and in the case of boats the name, and where necessary the number of the container.

Name and address of consignor

.....

Name and address of consignee

.....

IV. Health attestation

'I, the undersigned official veterinarian, certify that the meat described above was obtained under the conditions governing production and control laid down in Directive 64/433/EEC on health problems affecting intra-Community trade in fresh meat and that it is, therefore, considered as such to be fit for human consumption.'

Done at on

.....
(Signature of the official veterinarian)

COUNCIL DIRECTIVE**of 7 February 1983****amending Directive 72/462/EEC on health and veterinary inspection problems upon importation of bovine animals and swine and fresh meat from third countries and Directive 77/96/EEC on the examination for trichinae (*trichinella spiralis*) upon importation from third countries of fresh meat derived from domestic swine****(83/91/EEC)**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 43 and 100 thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the opinion of the European Parliament ⁽²⁾,

Having regard to the opinion of the Economic and Social Committee ⁽³⁾,

Whereas Directive 72/462/EEC ⁽⁴⁾, as last amended by Directive 81/476/EEC ⁽⁵⁾, lays down health and veterinary inspection requirements for the importation of bovine animals and swine and fresh meat from third countries:

Whereas, since the adoption of the aforementioned Directive, advances in scientific knowledge and technology have occurred; whereas account should be taken of the experience gained during the course of the checks which Community veterinarians have carried out in third countries; whereas it is desirable that Community rules be adapted in the light of these developments;

Whereas in certain respects the methods designed to ensure the protection of the health quality of fresh meat may be regarded as in line with Community standards because of additional or alternative health guarantees which should be examined in each individual establishment;

Whereas in relation to prohibiting imports of bovine animals from third countries infected with blue-tongue it is now accepted that a 12-month period of freedom is more appropriate and will provide a better guarantee for Community herds;

Whereas guarantees which may be sought for bovine animals in relation to tuberculosis and brucellosis and for swine in relation to brucellosis can be adapted to Community standards by means of additional or alternative guarantees;

Whereas in order to prevent transmission of certain infectious or contagious diseases which may occur solely by the presence of animals, the animal health inspections on animals intended for import to the Community as well as on those in transit should be carried out immediately upon their arrival in the territory of the Community;

Whereas following that animal health inspection, the measures which should be taken by the Member State should be clearly defined;

Whereas, in order to reduce the number of documents, the animal health certificate and the public health certificate should appear on the same sheet of paper whenever possible;

Whereas the definitions of tuberculosis-free and brucellosis-free herds should be brought up to date;

Whereas fresh meat of cloven-hoofed wild animals and wild solipeds should be included within the scope of Directive 72/462/EEC in order that the list of third countries from which such meat may be imported into the Community can be drawn up;

Whereas in general the same basic guarantees with regard to public health and animal health should be required in intra-Community trade as in trade with third countries; whereas the technical annexes to Council Directive 64/432/EEC of 26 June 1964 on animal health problems affecting intra-Community

⁽¹⁾ OJ No C 250, 30. 9. 1981, p. 3 and OJ No C 293, 9. 11. 1982, p. 6.

⁽²⁾ OJ No C 267, 11. 10. 1982, p. 54.

⁽³⁾ OJ No C 64, 15. 3. 1982, p. 18.

⁽⁴⁾ OJ No L 302, 31. 12. 1972, p. 28.

⁽⁵⁾ OJ No L 186, 8. 7. 1981, p. 20.

trade in bovine animals and swine ⁽¹⁾ and Council Directive 64/433/EEC of 26 June 1964 on health problems affecting intra-Community trade in fresh meat ⁽²⁾, both Directives as last amended by Directive 81/476/EEC, should also be applicable to importation from third countries;

Whereas the procedure should be adopted whereby changes can be made, in the light of technical advances and of experience, to the technical requirements regarding methods of examination, screening laboratories and the procedure for marking examined meat which are contained in the Annex to Council Directive 77/96/EEC of 21 December 1976 on the examination for trichinae (*Trichinella spiralis*) upon importation from third countries of fresh meat derived from domestic swine ⁽³⁾, as last amended by Directive 81/476/EEC;

Whereas, action should be taken to correct certain terminological deficiencies, especially as regards the correspondence between the various language versions, which could lead to difficulties in the application of the provisions concerned,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Directive 72/462/EEC is hereby amended as follows:

1. Articles 1 to 28 shall be replaced by the following:

CHAPTER I

General provisions

Article 1

1. This Directive shall apply to imports from third countries of:

- domestic bovine animals and swine for breeding, production or slaughter,
- fresh meat from domestic animals of the following species: bovine animals (including buffalo), swine, sheep and goats and from domestic solipeds,

- for the purposes of Article 3, fresh meat of cloven-hoofed wild animals and wild solipeds, in so far as this concerns permitted importation from certain third countries of origin.

2. This Directive shall not apply to:

- (a) animals intended exclusively for grazing or draught purposes, on a temporary basis, in the vicinity of the Community frontiers;
- (b) meat forming part of travellers' personal luggage and intended for their personal consumption, in so far as the amount or quantity transported does not exceed one kilogram per person and provided that the meat comes from a third country or part thereof appearing on the list drawn up in accordance with Article 3 and from which importation is not prohibited under Article 28;
- (c) meat sent as small packages to private persons, provided that such meat is not imported by way of trade, that the quantity does not exceed one kilogram and that the meat comes from a third country or part thereof appearing on the list drawn up in accordance with Article 3 and from which importation is not prohibited under Article 28;
- (d) meat for consumption by the crew and passengers on board means of transport operating internationally.

Where meat of this kind or kitchen waste is unloaded, it must be destroyed. It is not, however, necessary to destroy meat when it is transferred, directly or after being placed provisionally under customs supervision, from one means of transport to another.

Article 2

For the purposes of this Directive, the definitions given in Articles 2 of Directives 64/432/EEC, 64/433/EEC and in Council Directive 72/461/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⁾, all these Directives, as last amended by Directive 81/476/EEC, shall apply as necessary.

⁽¹⁾ OJ No 121, 29. 7. 1964, p. 1977/64.

⁽²⁾ OJ No 121, 29. 7. 1964, p. 2012/64.

⁽³⁾ OJ No L 26, 31. 7. 1977, p. 67.

⁽¹⁾ OJ No L 302, 31. 12. 1972, p. 24.

In addition,

- (a) "official veterinarian" means the veterinarian designated by the competent central authority of a Member State or a third country;
- (b) "country of destination" means the Member State to which animals or fresh meat are sent from a third country;
- (c) "third country" means a country in which Directives 64/432/EEC and 64/433/EEC do not apply;
- (d) "importation" means the introduction into the territory of the Community of animals or fresh meat from third countries;
- (e) "holding" means an officially supervised agricultural, industrial or commercial undertaking situated in the territory of a third country, in which animals for breeding, production or slaughter are regularly kept or bred;
- (f) "epizootic-free area" means an area in which, according to official findings, the animals have not suffered from any of the contagious or infectious diseases on the list drawn up in accordance with the procedure laid down in Article 29, for a period and within a radius defined in accordance with the same procedure.

Article 3

1. The Council, acting on a proposal from the Commission, shall draw up a list of the third countries or parts thereof from which the Member States shall authorize importation of bovine animals, swine and fresh meat, or one or more of these categories of animals and fresh meat, and of fresh meat of cloven-hoofed wild animals and wild solipeds, taking into account the health situation in these countries or parts thereof. This list may be supplemented or amended according to the procedure laid down in Article 30.

2. In deciding, in the case of both bovine animals and swine and fresh meat, whether a third country or part thereof may appear on the list referred to in paragraph 1, particular account shall be taken of:

- (a) the state of health of the livestock, other domestic animals and wildlife in the third country, particular attention being paid to exotic animal diseases and of the environ-

mental health situation in that country, which might endanger public and animal health in the Member States;

- (b) the regularity and rapidity of the information supplied by the third country relating to the existence of infectious or contagious animal diseases in its territory, in particular those diseases mentioned in Lists A and B of the International Office of Epizootic Diseases;
- (c) the country's rules on animal disease prevention and control;
- (d) the structure of the veterinary services in the country and their powers;
- (e) the organization and implementation of measures to prevent and control infectious or contagious animal diseases.

3. The list referred to in paragraph 1 and all amendments thereto shall be published in the *Official Journal of the European Communities*.

Article 4

1. In accordance with the procedure laid down in Article 29, one or more lists shall be drawn up of establishments from which Member States may authorize importation of fresh meat. The list or lists may be amended or supplemented in accordance with the procedure laid down in Article 30.

2. In deciding whether a slaughterhouse, a cutting plant or a store situated outside a slaughterhouse or plant may appear on one of the lists referred to in paragraph 1, particular account shall be taken of:

- (a) the guarantees which the third country can offer with regard to compliance with this Directive;
- (b) the third country's regulations with regard to the administration to animals for slaughter of any substance which might affect the wholesomeness of the meat;
- (c) compliance in each particular case with this Directive and with Annex I to Directive 64/433/EEC.

However, derogations shall be permitted, in accordance with the procedure laid down in Article 29, from the second, third and fourth indents of paragraph 13 (c), and paragraphs 24 and 41 (C) of the said Annex,

where the third country concerned provides similar guarantees; in that case, health conditions no less strict than those imposed in that Annex shall be imposed on a case-by-case basis in accordance with that procedure;

- (d) the organization of the meat inspection service or services of the third country, the powers of this service or these services and the supervision to which it or they is or are subject.

3. A slaughterhouse, a cutting plant or a store situated outside a slaughterhouse or cutting plant may not appear on the list or lists provided for in paragraph 1 unless it is situated in one of the third countries or parts thereof on the list referred to in Article 3 (1) and if it has, in addition, been officially approved for exports to the Community by the competent authorities of the third country. Such approval shall be subject to observance of the following requirements:

- (a) compliance with Annex I to Directive 64/433/EEC;
- (b) constant supervision by an official veterinarian of the third country.

4. The list or lists referred to in paragraph 1 and all amendments thereto shall be published in the *Official Journal of the European Communities*.

Article 5

Inspection shall be carried out on the spot by veterinary experts of the Member States and the Commission to verify whether the provisions of this Directive, and in particular Articles 3 (2) and 4 (2) and (3), are being applied in practice.

Should an inspection carried out within the terms of this Article bring to light serious facts as against an approved establishment, the Commission shall immediately inform the Member States and forthwith adopt a decision provisionally suspending the approval. A final decision shall be taken according to the procedure provided for in Article 30.

The experts from the Member States who are to be entrusted with these inspections shall be appointed by the Commission, acting on a proposal from the Member States.

These inspections shall be made on behalf of the Community, which shall bear the cost of any expenditure incurred in this connection.

The frequency of and the procedure for these inspections shall be determined in accordance with the procedure laid down in Article 29.

CHAPTER II

Importation of bovine animals and swine

Article 6

Notwithstanding Article 3 (1), the Member States shall not authorize importation of animals covered by this Directive unless they come from third countries:

- (a) which have been free from those diseases to which the animals are susceptible:
 - for the previous 12 months, in respect of cattle plague, exotic foot-and-mouth disease, contagious pleuro-pneumonia, bluetongue, African swine fever and contagious porcine paralysis (Teschen disease),
 - for the previous six months, in respect of contagious vesicular stomatitis;
- (b) in which during the preceding 12 months vaccination against the diseases referred to in the first indent of (a) to which these animals are susceptible has not been carried out.

Article 7

It may be decided, in accordance with the procedure set out in Article 29, that Article 6 (a) shall apply to only part of the territory of a third country.

In accordance with the same procedure and by way of derogation from Article 6 (b), the importation of animals covered by this Directive may, on certain conditions, be permitted from third countries or parts thereof where vaccinations against one or more of the diseases mentioned in the first indent of Article 6 (a) are carried out.

Article 8

1. Without prejudice to Articles 6 and 7, the Member States shall not authorize importation

of animals covered by this Directive from a third country unless such animals satisfy the animal health requirements adopted in accordance with the procedure laid down in Article 29 for importations from that country, according to the species and destination of the animals.

2. It may be decided, in accordance with the procedure laid down in Article 29, that authorizations are to be confined to particular species, to animals for slaughter, breeding or production, or to animals intended for particular purposes, or that all necessary animal health measures are to be applied after importation.

In the case of animals for breeding or production, requirements imposed pursuant to this paragraph may vary from one Member State to another in order to take account of the special provisions which Member States enjoy in the framework of intra-Community trade.

3. The reference basis for fixing animal health conditions in accordance with paragraph 1, for bovine tuberculosis and bovine and swine brucellosis shall be the standards laid down in Annex A to Directive 64/432/EEC. It may be decided, in accordance with the procedure laid down in Article 29, on a case-by-case basis to waive these conditions where the third country concerned provides similar animal health guarantees; in that case, animal health conditions at least equivalent to those in Annex A to that Directive shall be laid down in accordance with the same procedure in order to permit the entry of such animals into Community herds.

Article 9

Where a Member State considers that the foot-and-mouth disease vaccines used in a third country against the A, O or C viruses have certain deficiencies, it shall prohibit the introduction into its territory of bovine animals and swine from the third country concerned. It shall inform the other Member States and the Commission as soon as possible of its decision and shall give grounds for this decision. The Standing Veterinary Committee shall meet as soon as possible after this notification. A decision shall be taken in accordance with the procedure laid down in Article 30.

Article 10

The Member States shall not authorize importation of bovine animals or swine, unless on the

day of loading for dispatch to the country of destination, these animals have remained continuously in the territory or part of the territory of a third country on the list established in accordance with Article 3 (1) for at least the previous:

- (a) six months in the case of animals for breeding or production;
- (b) three months in the case of animals for slaughter.

Animals which are less than six or three months old respectively shall be required to have remained in that territory from birth.

Article 11

1. The Member States shall not authorize importation of bovine animals or swine without the production of a certificate drawn up by an official veterinarian of the exporting third country.

This certificate must:

- (a) be issued on the day of loading of the animals for dispatch to the country of destination;
- (b) be drawn up in at least one of the official languages of the Member State of destination and one of those of the Member State in which the import inspection provided for in Article 12 is carried out;
- (c) accompany the animals in the original;
- (d) attest that the bovine animals and swine meet the requirements of this Directive and those laid down pursuant to this Directive with regard to importation from third countries;
- (e) consist of a single sheet of paper;
- (f) be made out for a single consignee.

2. This certificate must comply with a model established in accordance with the procedure laid down in Article 29.

Article 12

1. The Member States shall ensure that domestic bovine animals and domestic swine are subjected immediately upon arrival in the territory of the Community to an animal health inspection.

tion carried out by an official veterinarian, whatever the customs procedure under which they were declared.

2. The Member States shall ensure that bovine animals and swine are prohibited from movement within the Community if, during the inspection prescribed in paragraph 1, it is found that:

- these animals do not come from the territory of a third country, or part thereof, set out in the list drawn up in accordance with Article 3 (1),
- these animals are, or are suspected of being, infected with or are contaminated by an infectious or contagious disease,
- the conditions laid down in this Directive and in Annexes A to D of Directive 64/432/EEC have not been complied with by the exporting third country,
- the certificate accompanying the animals does not comply with the conditions set out in Article 11.

3. The Member State which has carried out the inspection mentioned in paragraph 1 shall take such measures as it considers to be necessary, including:

- (a) — the placing in quarantine of animals which are suspected of being infected with or contaminated by an infectious or contagious disease;
 - in the case referred to in the fourth indent of paragraph 2, at the request of the consignor, the consignee or their representative, keeping the animals under supervision pending clearance of the certificate;
- (b) the return of animals which cannot be admitted for movement in accordance with paragraph 2, provided that this is not contrary to considerations of animal health.

Where it is not possible to return the animals, the competent authority shall order their slaughter and designate the place of slaughter.

- (c) slaughter and destruction of all animals in the consignment in question if the above-mentioned inspection shows evidence or suspicion of one of the epizootic diseases on the list established under the procedure laid down in Article 29.

4. The certificate accompanying bovine animals and swine on importation must, following the animal health inspection (import inspection), include a statement clearly indicating whether the animals have been admitted or refused entry.

5. While the animals are being taken across Community territory en route to the Member State of destination, the Member States may implement the measures referred to in the first indent of paragraph 3 (a) and in paragraph 3 (c) if the animals are, or are suspected of being, infected with or are contaminated by an infectious or contagious disease.

6. Animals which have obtained an import authorization and the destination of which is not the Member State which carried out the import inspection laid down in paragraph 1, must be forwarded to the country of destination under customs supervision without being unloaded.

7. Animals which have satisfied the import inspection prescribed in paragraph 1 shall undergo any further inspections necessary in the country of destination in order to verify whether the requirements of this Directive, including the special conditions laid down under the procedure provided for in Article 29 pursuant to Article 8, have been complied with.

These inspections may be carried out either at the frontier, or at any other point designated by the competent authority of the country of destination or at both.

8. All expenditure incurred pursuant to this Article, including by the slaughter or destruction of animals, shall be chargeable to the consignor, consignee or their representative without compensation by the State.

Article 13

Immediately upon arrival in the country of destination, the animals for slaughter shall be taken directly to a slaughterhouse and, in accordance with animal health requirements, be slaughtered not later than three working days after their entry into that slaughterhouse.

Without prejudice to any special conditions which may be set out in accordance with the procedure laid down in Article 29, the competent authority of the country of destination may,

on animal health grounds, designate the slaughterhouse to which these animals must be taken.

CHAPTER III

Importation of fresh meat

Article 14

1. Fresh meat must come from animals which have remained for at least three months before being slaughtered, or since birth if the animals in question are less than three months old, in the territory, or in part thereof, of a third country on the list drawn up in accordance with Article 3 (1).

2. Notwithstanding Article 3 (1), the Member States shall not authorize the importation of fresh meat unless it comes from third countries:

- (a) which, for the previous 12 months, have been free from those of the following diseases to which the animals from which the meat has come are susceptible: cattle plague, exotic foot-and-mouth disease, African swine fever, contagious porcine paralysis (Teschen disease);
- (b) in which no vaccinations have been carried out for the previous 12 months against the diseases mentioned under (a) to which the animals from which the meat has come are susceptible.

Article 15

It may be decided, in accordance with the procedure set out in Article 29, that Article 14 (2) (a) shall apply to part only of the territory of a third country.

In accordance with the same procedure and by way of derogation from Article 14 (2) (b), importation of fresh meat may be permitted, on certain conditions, from a third country or part of the territory of that third country where vaccinations have been carried out against one or more of the diseases referred to in Article 14 (2) (a).

Article 16

Without prejudice to Articles 14 and 15, the Member States shall not authorize importation of fresh meat from a third country unless the

meat complies with the public health and animal health requirements adopted in accordance with the procedure set out in Article 29 for importation of fresh meat from that country according to the species of animal concerned.

Article 17

1. The Member States shall not authorize importation of fresh meat in the form of carcasses, including half-carcasses in the case of swine, and halves or quarters in the case of bovine animals and solipeds, unless it is possible to reconstruct the entire carcass of each animal.

2. Such importation shall be subject to the following conditions: the fresh meat must

- (a) have been obtained in a slaughterhouse included on the list established in accordance with Article 4 (1);
- (b) come from an animal which, in accordance with Chapter V of Annex I to Directive 64/433/EEC has undergone an ante-mortem inspection ensured by an official veterinarian and has been deemed suitable for slaughter in accordance with this Directive, with a view to being exported to the Community;
- (c) have been treated in conditions of hygiene in accordance with Chapter VI of Annex I to Directive 64/433/EEC;
- (d) have undergone a post-mortem inspection carried out under the responsibility and direct control of an official veterinarian in accordance with Chapter VII of Annex I to Directive 64/433/EEC, and have shown no change except for traumatic lesions incurred shortly before slaughter, or localized malformations or changes, provided that it is established, if necessary by appropriate laboratory tests, that these do not render the carcass and offal unfit for human consumption or dangerous to human health;
- (e) bear a health mark to be decided in accordance with the procedure laid down in Article 29;
- (f) after post-mortem inspection carried out as laid down in (d), have been stored in establishments and satisfactory hygienic

conditions and in accordance with Chapter XIII of Annex I to Directive 64/433/EEC;

- (g) have been transported in accordance with Chapter XIV of Annex I to Directive 64/433/EEC and undergone handling in satisfactory conditions of hygiene.

3. When carrying out the post-mortem inspection referred to in 2(d), and when verifying compliance with the hygiene conditions referred to in 2(c) and with the requirements of Chapter XIII of Annex I to Directive 64/433/EEC, the official veterinarian may be helped by assistants working under his responsibility.

These assistants must:

- (a) be appointed by the competent central authority of the exporting country, in accordance with the provisions in force;
- (b) have appropriate training;
- (c) enjoy a status guaranteeing their impartiality towards those running the establishments;
- (d) have no power of decision concerning the final result of the public health inspection.

Article 18

1. By way of derogation from Article 17 (1), the Member States may permit importation of:

- (a) half-carcases, half carcases cut into no more than three wholesale cuts, quarters or offal complying with the conditions set out in Article 17 (2) and (3) from slaughterhouses designated for this purpose in accordance with the procedure laid down in Article 29;
- (b) cuts smaller than quarters or boned meat from cutting plants inspected pursuant to Article 4 and approved for this purpose in accordance with the procedure set out in Article 29. Such meat, in addition to complying with the conditions laid down in Article 17 (2) and (3), shall comply with the following requirements:
 - (i) it must have been cut and obtained in compliance with the provisions of Chapter VIII of Annex I to Directive 64/433/EEC,

- (ii) it must have been inspected by an official veterinarian in accordance with Chapter IX of Annex I to Directive 64/433/EEC,

- (iii) its packaging must comply with the requirements set out in Chapter XI of Annex I to Directive 64/433/EEC,

- (iv) it must undergo all inspections, carried out by Community veterinarians, required to ensure that the abovementioned provisions have been complied with,

- (v) fresh meat of solipeds must undergo inspection by the country of destination with a view to possible restrictions on the use of such meat.

2. Article 20 (k) notwithstanding, Member States may authorize importation into their territories of masseter muscles and brains provided that they comply with the requirements of Article 17 (2) and with paragraph 1 (b) (iii), (iv) and (v) of this article.

3. In accordance with the procedure laid down in Article 29 it may be decided that, in establishments specially designated for this purpose, the meat may be cut while warm under special conditions other than those laid down in paragraph 45 (c) of Chapter VIII of Annex I to Directive 64/433/EEC.

Article 19

Articles 17 and 18 shall not apply to:

- (a) fresh meat imported with the authorization of the country of destination for uses other than human consumption;
- (b) fresh meat intended for exhibition or special studies or for analyses, provided that administrative supervision makes it possible to ensure that this meat is not used for human consumption, and provided that when the exhibition finishes or when the special studies or analyses have been carried out this meat, with the exception of that used during the analysis, is withdrawn from Community territory or destroyed.

In this case and in the case referred to in (a), the country of destination shall ensure that the meat in question cannot be put to

any use other than that for which it was admitted into its territory;

- (c) fresh meat intended exclusively for the supply of international organizations, subject to approval in accordance with the procedure laid down in Article 29 and provided that this meat comes from a third country on the list drawn up in accordance with Article 3 (1) and that animal health requirements are complied with. The Member States in the territory of which the international organizations in question are located shall ensure that this meat is not placed in free circulation.

Article 20

The Member States shall prohibit the importation of:

- (a) fresh meat from boars or cryptorchid pigs;
- (b) fresh meat:
 - (i) from animals which have been treated with stilbenes or stilbene derivatives, their salts or esters, or with oestrogenic or thyrostatic substances, and meat containing residues of such substances,
 - (ii) containing residues of other hormonal substances, or of antibiotics, antimony, arsenic, pesticides, or of other substances which are harmful or likely to make the consumption of fresh meat dangerous or hazardous to human health, in so far as such residues exceed the permitted level.

Permitted levels shall be fixed by the Council, acting on a proposal from the Commission and may subsequently be amended in accordance with the procedure laid down in Article 29;

- (c) fresh meat treated with ionizing or ultra-violet radiation, and fresh meat from animals to which tenderizers or other products likely to adversely affect the meat's composition or organoleptic characteristics have been administered;
- (d) fresh meat to which substances other than those provided for in paragraph 57 of Chapter X of Annex I to Directive 64/433/EEC, have been added for the purpose of health marking;
- (e) fresh meat from animals which have been found to have any form of tuberculosis

whatsoever and fresh meat from animals which, after slaughter, have been found to have any form of tuberculosis whatsoever or to be carrying one or more *cysticerci bovis* or *cysticerci cellulosae*, live or dead, or, in the case of swine, to have trichinae;

- (f) fresh meat from animals slaughtered too young;
- (g) parts of the carcase or offal with traumatic lesions incurred shortly before slaughter or malformations or changes referred to in Article 17 (2) (d);
- (h) blood;
- (i) minced meat, meat cut up in a similar manner and mechanically recovered meat;
- (j) fresh meat in pieces of less than 100 grams;
- (k) the heads of cattle, and parts of the muscular and other tissues of the head, apart from the tongue and the brain.

Article 21

The method and the procedures required for detecting the presence of trichinae in fresh meat of swine shall be laid down by the Council, acting on a proposal from the Commission.

Article 22

1. Member States shall not authorize fresh meat to be imported without presentation of an animal health certificate and a public health certificate drawn up by an official veterinarian of the exporting third country.

These certificates must:

- (a) be drawn up in at least one of the official languages of the country of destination and one of those of the Member State in which the import inspections provided for in Articles 23 and 24 are carried out;
- (b) accompany the fresh meat in the original;
- (c) consist of a single sheet of paper;
- (d) be made out for a single consignee.

The animal health certificate must certify that the fresh meat complies with the animal health requirements laid down in this Directive and with those laid down pursuant to it with respect to the importation of fresh meat from the third country.

2. The certificate must correspond to a model established in accordance with the procedure laid down in Article 29.

It may be decided in accordance with the same procedure and case by case that this animal health certificate and the public health certificate shall constitute a single sheet.

3. The public health certificate must correspond, in presentation and content to the specimen given in Annex A and be issued on the day on which the fresh meat is loaded with a view to dispatch to the country of destination.

Article 23

1. The Member States shall ensure that, upon arrival in the geographical territory of the Community, fresh meat is subjected without delay to an animal health inspection carried out by the competent authority, whatever the procedure under which it was declared.

The detailed rules necessary to ensure that the inspection referred to in this paragraph is carried out in a uniform manner shall be adopted in accordance with the procedure laid down in Article 29.

2. Without prejudice to paragraph 3, the Member States shall ensure that importation is prohibited if this inspection reveals that:

- the meat does not come from the territory of a third country, or from a part thereof, included on the list drawn up in accordance with Article 3 (1);
- the meat comes from the territory of a third country, or from a part thereof, from which imports are prohibited in accordance with Articles 14 and 28,
- the animal health certificate which accompanies the meat does not comply with the conditions laid down pursuant to Article 22 (1) and (2).

3. The Member States shall authorize fresh meat from one third country to be transported to another provided that:

- (a) the party concerned supplies proof that the first third country towards which the meat is being sent, after transit through Community territory, undertakes under no circumstances to reject or to send back to the Community the meat the importation or transit of which it has authorized;
- (b) such transport has been previously authorized by the competent authorities of the Member State in the territory of which the animal health inspection provided for in paragraph 1 is carried out;
- (c) such transport is carried out, without the goods being unloaded on Community territory, under the supervision of the competent authorities in vehicles or containers sealed by the competent authorities; the only handling authorized during this transport shall be that carried out respectively at the point of entry into or exit from Community territory for direct transshipment from a ship or aircraft to any other means of transport or vice versa.

4. All expenditure incurred pursuant to this Article shall be chargeable to the consignor, the consignee or their representative without compensation by the State.

Article 24

1. The Member States shall ensure that each consignment of fresh meat undergoes a public health inspection before being released for consumption on the geographical territory of the Community, and an animal health inspection, carried out by an official veterinarian.

The Member States shall ensure that importers are obliged to give at least two working days' notice to the local service responsible for the import inspection at the post where the fresh meat is to be submitted for inspection, specifying the quantity and nature of the meat and the time from which the inspection may be carried out.

2. The public health inspection provided for in paragraph 1 shall be carried out by random sampling in the case of imports covered by Articles 17, 18 (1) and (2). The purpose of this inspection shall be in particular to verify, in accordance with paragraph 3:

- (a) the public health certificate, the compliance of the fresh meat with the stipulations on that certificate, the health marking;

- (b) the state of preservation, the presence of dirt or pathogenic agents;
- (c) the presence of residues of substances referred to in Article 20;
- (d) whether slaughter and cutting have been carried out in establishments approved for that purpose;
- (e) the conditions of transport.

3. There shall be adopted, in accordance with the procedure laid down in Article 29, the implementing rules necessary to ensure that the inspections referred to in paragraph 1 are carried out in a uniform way, particularly as regards the application of Article 20, and more particularly the methods of analysis, and sampling intervals and standards.

4. The Member States shall prohibit the marketing of fresh meat if the inspections provided for in paragraph 1 have shown that:

- the fresh meat is not suitable for human consumption,
- the conditions laid down in this Directive and Annex I to Directive 64/433/EEC have not been fulfilled,
- one of the certificates referred to in Article 22 which accompany each consignment does not comply with the conditions laid down in the said Article.

5. If the fresh meat cannot be imported it must be returned, unless this is contrary to animal or public health considerations.

If it is impossible to return the meat, it must be destroyed in the territory of the Member State in which the inspections have taken place.

By way of derogation from this provision and if the importer or if his representative so requests, the Member State carrying out the animal health and public health inspections may authorize its entry for uses other than human consumption, provided that there is no danger for humans or for animals, that the meat is from a third country included on the list drawn up in accordance with Article 3 (1) and that importation is not prohibited under Article 28. This meat may not leave the territory of that Member State, which must verify the final destination of the meat.

6. In all cases, after the inspections referred to in paragraph 1 the certificates must be endorsed so as to indicate clearly the use authorized for the meat.

Article 25

The fresh meat of each consignment authorized for circulation in the Community by a Member State on the basis of the inspections referred to in Article 24 (1) must, when forwarded to the country of destination, be accompanied by a certificate corresponding, in presentation and content, to the specimen given in Annex B.

This certificate must:

- (a) be drawn up by the competent official veterinarian at the inspection post or at the place of storage;
- (b) be issued on the day of loading for dispatch of the fresh meat to the country of destination;
- (c) be drawn up in at least one of the official languages of the country of destination;
- (d) accompany the consignment of fresh meat in the original.

Article 26

All expenditure incurred as a result of the application of Articles 24 and 25, and in particular the costs of inspection of the fresh meat, storage costs and the cost of destroying the meat shall be chargeable to the consignor, the consignee or their representative without compensation by the State.

CHAPTER IV

Common provisions

Article 27

1. The Member States shall draw up and communicate to the Commission the lists of:

- (a) the frontier inspection posts for the importation of bovine animals and swine;
- (b) the inspection posts for importation of fresh meat.

These inspection posts must be approved in accordance with the procedure laid down in Article 29.

2. In order for the frontier inspection posts referred to in paragraph 1 (a) to be approved, they must in particular have available the facilities necessary for carrying out the inspection referred to in Article 12 (1), and for disinfection, disposal of waste fodder, litter, dung, urine and all other waste.

3. In order for the inspection posts referred to in paragraph 1 (b) to be approved, they must have at their disposal at least:

- (a) inspection rooms large enough to enable inspections to be carried out in the normal way;
- (b) adequate cooling and freezing rooms;
- (c) an adequate thawing room;
- (d) a laboratory.

4. Responsibility for the inspections shall be assumed by an official veterinarian. The latter may be helped in carrying out purely practical tasks by assistants specially trained for the purpose.

Detailed rules governing this assistance shall be adopted in accordance with the procedure laid down in Article 29.

5. Veterinary experts shall verify that the facilities at the approved inspection posts comply with the conditions of this Article and that inspections are carried out in accordance with this Directive.

These experts must be nationals of a Member State other than the Member State in which the post to be checked is located.

The conditions of application of this paragraph, and in particular the appointment of the veterinary experts and the verification procedures, shall be determined in accordance with the procedure laid down in Article 29.

6. All the expenditure incurred in application of the first subparagraph of paragraph 5 shall be borne by the Community.

Article 28

1. Without prejudice to Article 6, if an infectious or contagious animal disease likely to endanger the health of livestock of one of the Member States breaks out or spreads in a third country or if any other reason connected with animal health justifies it, the Member State concerned shall prohibit the importation of animals of the species covered by this Directive, whether imported directly or indirectly through another Member State, from either the whole of the third country or part of its territory.

2. Without prejudice to Article 14, if an infectious or contagious animal disease breaks out or spreads in a third country included on the list drawn up in accordance with Article 3 (1) and the disease can be carried by fresh meat and is likely to endanger public health or the health of the livestock in one of the Member States or if any other reasons connected with animal health justifies it, the Member State concerned shall prohibit the importation of that meat whether imported directly or indirectly through another Member State, either from the whole of the third country or from part of its territory.

3. Measures taken by the Member States under paragraphs 1 and 2, and notice of the withdrawal of such measures, must be communicated immediately to the other Member States and the Commission, together with the reasons therefor.

The Standing Veterinary Committee shall meet as soon as possible after such communication and shall decide, in accordance with the procedure laid down in Article 30, whether these measures should be amended, in particular in order to ensure their coordination with measures adopted by the other Member States, or withdrawn.

If the situation envisaged in paragraphs 1 and 2 arises and if it appears necessary that other Member States should also apply the measures taken pursuant to those paragraphs, amended where necessary in accordance with the preceding subparagraph, appropriate measures shall be adopted under the procedure laid down in Article 30.

4. Resumption of importation from the third country concerned shall be authorized in accordance with the same procedure.

2. The following Article shall be added:

'Article 32a

1. This Directive shall not apply to imports from third countries of meat of animals referred to in the third indent of Article 1 (1) until the entry into force of the Commission decision(s) adopted, in accordance with the procedure set out in Article 29, for the purpose of making the

necessary adjustments to the list referred to in Article 3.

2. National laws on public health shall continue to apply to imports of such meat from third countries until the entry into force of Community rules on this subject.'

3. Annexes A to D shall be replaced by the following Annexes:

'ANNEX A**SPECIMEN****PUBLIC HEALTH CERTIFICATE**

for fresh meat ⁽¹⁾ intended for (Name of EEC Member State)

No ⁽²⁾

Exporting country

Ministry

Department

Ref.
(Optional)

I. Identification of meat:

Meat of
(Animal species)

Nature of pieces

Nature of packaging

Number of pieces or packages

Net weight

II. Origin of meat:

Address(es) and veterinary approval number(s) of the approval slaughterhouse(s)

Address(es) and veterinary approved number(s) 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)

⁽¹⁾ Fresh meat within the meaning of Article 2 (b) of Directive 64/433/EEC.

⁽²⁾ Optional.

by the following means of transport ⁽¹⁾

Name and address of consignor

.....

Name and address of consignee

.....

IV. Health attestation

I, the undersigned, official veterinarian, certify that:

- a) — the meat described above ⁽²⁾,
 — the label affixed to the packages of meat described above ⁽²⁾,
 bear(s) ⁽²⁾ a mark to the effect that the meat comes wholly from animals slaughtered
 in slaughterhouses approved for exporting to the country of destination;
- b) the meat has as such been passed as fit for human consumption following a veterinary
 inspection carried out in accordance with the requirements of Directive 72/462/EEC;
- c) the meat has been cut in an approved cutting plant ⁽²⁾;
- d) the meat has/has not been subject to an examination for trichinosis or, where Article 3
 of Directive 77/96/EEC applies, has undergone cold treatment;
- e) the means of transport and the loading conditions of meat of this consignment meet the
 hygiene requirements laid down in respect of export to the country of destination.

Done at on

.....
 (Signature of the official veterinarian)

- ⁽¹⁾ For railway wagons or goods vehicles the registration number should be given, for aircraft
 the flight number and for ships the name.
- ⁽²⁾ Delete as appropriate.

ANNEX B

SPECIMEN

IMPORT INSPECTION CERTIFICATE

for fresh meat imported from third countries

Member State in which the import inspection was carried out

Inspection post

Type of meat

Packaging

Number of carcasses

Number of half-carcases

Number of quarters or packages

Net weight

Third country of origin

I, the undersigned, official veterinarian, certify that the meat described in the present certificate was inspected at the time of consignment forward.

Official veterinarian

.....
(Place and date)

Article 2

Article 8 of Council Directive 77/96/EEC shall be replaced by the following:

'Article 8

Using the procedure laid down in Article 9, decisions may be taken to adapt or add to the Annexes hereto in the light of technological developments; such decisions must ensure that health guarantees are maintained at their present standard.'

Article 3

The Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive not later than 12 months after its notification and shall forthwith inform the Commission thereof.

Article 4

This Directive is addressed to the Member States.

Done at Brussels, 7 February 1983.

For the Council

The President

H.-J. ROHR