

Official Journal

of the European Communities

ISSN 0378-6978

L 71

Volume 42

18 March 1999

English edition

Legislation

Contents

I *Acts whose publication is obligatory*

.....

II *Acts whose publication is not obligatory*

Council

1999/201/EC:

- ★ **Council Decision of 14 December 1998 on the conclusion of the Agreement between the European Community and the Government of Canada on sanitary measures to protect public and animal health in respect of trade in live animals and animal products** 1
- Agreement between the European Community and the Government of Canada on sanitary measures to protect public and animal health in respect of trade in live animals and animal products 3
- Information on the date of entry into force of the Agreement between the European Community and the Government of Canada on sanitary measures to protect public and animal health in respect of trade in live animals and animal products 64

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 14 December 1998

on the conclusion of the Agreement between the European Community and the Government of Canada on sanitary measures to protect public and animal health in respect of trade in live animals and animal products

(1999/201/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Whereas the Agreement should be approved on behalf of the Community,

Having regard to the Treaty establishing the European Community, and in particular Article 113 in conjunction with Article 228(2), first sentence thereof,

HAS DECIDED AS FOLLOWS:

Having regard to the proposal from the Commission,

Article 1

Whereas the Agreement between the European Community and the Government of Canada on sanitary measures to protect public and animal health in respect of trade in live animals and animal products provides an adequate means for putting into practice the provisions of the World Trade Organisation Agreement on the Application of Sanitary and Phytosanitary Measures as regards public and animal health measures;

The Agreement between the European Community and the Government of Canada on sanitary measures to protect public and animal health in respect of trade in live animals and animal products is hereby approved on behalf of the Community.

The text of the Agreement and the Annexes thereto are attached to this Decision.

Whereas the Agreement will contribute towards facilitating bilateral trade between the European Community and Canada in live animals and animal products through the progressive recognition of the equivalence of sanitary measures, the recognition of animal health status, the application of regionalisation and the improvement of communication and cooperation;

Article 2

The President of the Council is hereby authorised to designate the person or persons empowered to sign the Agreement in order to bind the Community.

Whereas it is appropriate to make provisions for a procedure establishing close and effective cooperation between the Commission and the Member States within the Standing Veterinary Committee;

Article 3

The measures necessary for the implementation of this Agreement, including guarantees with regard to fresh meat and meat-based products equivalent to those laid down by Council Directive 72/462/EEC of 12 December

1972 on health and veterinary inspection problems upon importation of bovine, ovine and caprine animals and swine, fresh meat or meat products from third countries⁽¹⁾, shall be established pursuant to the procedure laid down in Article 30 of that Directive.

Article 4

The Commission, assisted by Member States' representatives, shall represent the Community in the Joint Management Committee referred to in Article 16(1) of the Agreement.

The Community position with regard to the matters to be dealt with by that Joint Management Committee shall be established within the appropriate Council bodies, in accordance with the provisions of the Treaty.

Amendments to the Annexes to the Agreement which are the result of recommendations by the Joint Management

Committee shall be adopted in accordance with the procedure laid down in Article 29 of Directive 72/462/EEC.

Article 5

This Decision shall be published in the *Official Journal of the European Communities*.

It shall take effect on the date of its publication.

Done at Brussels, 14 December 1998.

For the Council
The President
W. MOLTERER

⁽¹⁾ OJ L 302, 31.12.1972, p. 28. Directive as last amended by Directive 97/79/EC (OJ L 24, 30.1.1998, p. 31).

AGREEMENT

between the European Community and the Government of Canada on sanitary measures to protect public and animal health in respect of trade in live animals and animal products

THE EUROPEAN COMMUNITY (the 'Community')

and

THE GOVERNMENT OF CANADA ('Canada')

hereinafter referred to collectively as the 'Parties':

ACKNOWLEDGING that their systems of sanitary measures are intended to provide comparable health assurances;

REAFFIRMING their commitment to their rights and obligations under the Marrakesh Agreement establishing the World Trade Organisation (the 'WTO Agreement'), and its Annexes, in particular the Agreement on the application of sanitary and phytosanitary measures (the 'SPS Agreement');

DESIRING to facilitate trade in live animals and animal products between the Community and Canada while safeguarding animal and public health in relation to the wholesomeness of food products;

RESOLVING to take the fullest account of the risk of spread of animal infection and disease and the measures put in place to control and eradicate such infections and diseases, and in particular to avoid disruptions to trade,

HAVE AGREED AS FOLLOWS:

Article 1

Objective

The objective of this Agreement is to facilitate trade in live animals and animal products between the Community and Canada by establishing a mechanism for the recognition of equivalence of sanitary measures maintained by the two Parties consistent with the protection of public and animal health, and to improve communication and cooperation on sanitary measures.

Article 2

Definitions

For the purposes of this Agreement:

- (a) live animals and animal products means the live animals and animal products, including fish and fishery products, listed in Annex I;
- (b) sanitary measures means sanitary measures as defined in paragraph 1 of Annex A to the SPS Agreement;

- (c) appropriate level of sanitary protection means the appropriate level of sanitary protection as defined in paragraph 5 of Annex A of the SPS Agreement;

- (d) region means both 'zone' and 'region' as defined in the Animal Health Code of the Office International des Epizooties (OIE), and for aquaculture as defined in the International Aquatic Animal Health Code of the OIE;

- (e) responsible authorities means:

- (i) for Canada, the authorities described in Part A of Annex II; and
- (ii) for the Community, the authorities described in Part B of Annex II.

Article 3

Scope

1. This Agreement applies in respect of trade between the Community and Canada in live animals and animal products.

2. Subject to paragraph 3, the provisions of this Agreement shall apply initially to sanitary measures of the Parties that apply to trade in live animals and animal products.

3. Unless otherwise specified under the provisions set out in the Annexes to this Agreement, and without prejudice to Article 11, the scope of this Agreement shall exclude sanitary measures related to food additives (all food additives and colours), sanitary stamps, processing aids, flavours, irradiation (ionisation), contaminants (including microbiological standards), transport, chemicals originating from the migration of substances from packaging materials, labelling of foodstuffs, nutritional labelling, animal feedingstuffs, medicated feeds and premixes.

4. The parties may agree to apply the principles of this Agreement to address veterinary issues other than sanitary measures applicable to trade in live animals and animal products.

5. The Parties may agree to modify this Agreement in the future to extend the scope to other sanitary or phytosanitary measures affecting trade between the Parties.

Article 4

Relation to the WTO Agreement

Nothing in this Agreement shall modify the rights or obligations of the Parties under the WTO Agreement and in particular the SPS Agreement.

Article 5

Recognition of regional conditions

1. The Parties recognise the concept of regionalisation, which they agree to apply in respect of the diseases listed in Annex III.

2. Where one of the Parties considers that it has a special status with respect to a specific disease, it may request recognition of that status. The importing Party may also request additional guarantees in respect of imports of live animals and animal products appropriate to the agreed status. The guarantees for specific diseases shall be specified in Annex V.

3. Without prejudice to paragraph 2, the importing Party shall recognise regionalisation decisions taken in accordance with criteria as defined in Annex IV as the

basis for trade from a party whose territory is affected by one or more of the diseases listed in Annex III.

Article 6

Recognition of equivalence

1. The importing Party shall recognise a sanitary measure of the exporting Party as equivalent if the exporting Party objectively demonstrates that its measure achieves the importing Party's appropriate level of protection.

2. Once determined, equivalence shall be applied in relation to individual or groups of sanitary measures for live animals or animal product sectors, or parts of sectors, in relation to legislation, inspection and control systems, parts of systems, or in relation to specific legislation, inspections and/or hygiene requirements.

Article 7

Criteria for recognition of equivalence

1. In determining whether a sanitary measure maintained by an exporting Party achieves the importing Party's appropriate level of sanitary protection, the Parties shall follow the process set out below:

- (i) identification of the sanitary measures for which recognition of equivalence is sought;
- (ii) explanation by the importing Party of the objective of its sanitary measures, including an assessment, as appropriate to the circumstances, of any risks that the sanitary measures are intended to address, and identification by the importing Party of its appropriate level of sanitary protection;
- (iii) provision of information by the exporting Party supporting its view that its sanitary measures achieve the importing Party's appropriate level of sanitary protection;
- (iv) assessment by the importing Party of whether the exporting Party's sanitary measures achieve the importing Party's appropriate level of sanitary protection; this step may include an evaluation of:
 - (a) the risks identified by the importing Party and evidence provided by the exporting Party that its sanitary measures effectively address those risks;
 - (b) the legislation authority, standards, practices and procedures including those of laboratories, as well as the programmes in place to ensure that the domestic requirements of the exporting Party and the importing Party's requirements are met;

- (c) the documented structure of the relevant responsible authorities, their command chain, their authority, their operational procedures and the resources available to them; and
- (d) the performance of the relevant responsible authorities in relation to the control programme and assurances.

The importing Party may carry out audit and verification procedures, in accordance with Article 10, to assist this assessment.

2. Where equivalence has not been recognised, the conditions for trade shall be those required by the importing Party, as set out in Annex V, to meet its appropriate level of protection. The exporting Party may agree to meet the importing Party's conditions, without prejudice to the result of the process set out in paragraph 1.

3. In carrying out the process described in paragraph 1, and setting the conditions referred to in paragraph 2, the Parties shall take account of experience and information already acquired.

Article 8

Status of the recognition of equivalence of the Parties' sanitary measures

1. Annex V lists those sectors, or parts of sectors, for which at the date of entry into force of this Agreement the Parties' respective sanitary measures are recognised as equivalent for trade purposes.

2. Annex V also lists those sectors, or parts of sectors, for which, at the date of entry into force of this Agreement, the Parties apply different sanitary measures and have not concluded the process described in paragraph 1 of Article 7. The Parties shall carry out the actions set out in Annex V based on the process described in paragraph 1 of Article 7, with the objective of recognising equivalence by the dates indicated in Annex V.

3. With respect to sanitary measures recognised as equivalent for trade purposes at the date of entry into force of this Agreement, the Parties, within their competences, shall initiate the necessary legislative and administrative actions within three months to implement these recognitions.

Article 9

Health certificate

When required, each consignment of live animals or animal products presented for import, and for which equivalence has been recognised, will be accompanied by an official health certificate, the model attestation of

which is prescribed in Annex VII. The Parties may jointly determine principles or guidelines for certification. Any such principles or guidelines shall be set out in Annex VII.

Article 10

Audit and verification

1. To maintain confidence in the effective implementation of the provisions of this Agreement, each Party has the right to carry out audit and verification procedures of all or part of the exporting Party's authorities' total control programme as specified in Annex VI.

2. Each Party has the right to carry out frontier checks on consignments on importation, in accordance with Article 11, the results of which may contribute to the audit and verification process.

3. The Community shall carry out the audit and verification procedures provided for in paragraph 1 and the frontier checks provided for in paragraph 2.

4. For Canada, its responsible authorities carry out the audit and verification procedures and frontier checks provided for in paragraphs 1 and 2.

5. Upon the mutual consent of the Parties, either Party may:

- (a) share the results and conclusions of its audit procedures and frontier checks with countries that are not Parties to this Agreement, or
- (b) use the results and conclusions of the audit procedures and frontier checks of countries that are not Parties to this Agreement.

Article 11

Frontier (import) checks and inspection fees

1. The frequency and nature of frontier checks shall be based on the risk to public and animal health associated with the importation of a live animal or animal product.

2. The frequency rate of frontier checks on imported live animals and animal products shall be as set out in Annex VIII.

3. In the event that frontier checks reveal non-conformity with the relevant import requirements, the action taken by the importing Party shall be based on an assessment of the risk involved.

4. Wherever possible, the importer of a non-conforming consignment, or his representative, shall be notified of the reason for non-conformity, and shall be

given access to the consignment and the opportunity to contribute relevant information to assist the importing Party in taking a final decision.

5. A Party may collect fees for the costs incurred in conducting frontier checks. Provisions concerning these fees may be added to Annex VII.

Article 12

Notification and consultation

1. The Parties shall notify each other, in writing, of:
 - (a) significant changes in health status, such as the presence and evolution of diseases in Annex III, within 24 hours of confirmation of the change;
 - (b) findings of epidemiological importance with respect to diseases which are not in Annex III or which are new diseases, without delay; and
 - (c) any additional measures beyond the basic requirements of their respective sanitary measures taken to control or eradicate animal disease or protect public health, and any changes in preventative policies, including vaccination policies.
2. In cases of serious and immediate concern with respect to public or animal health, oral notification shall be made immediately, and written confirmation should follow within 24 hours.
3. Written and oral notifications shall be made to the contact points set out in Annex X.
4. Where a Party has serious concerns regarding a risk to public or animal health, consultations regarding the situation shall, on request, take place as soon as possible, and in any case within 14 days of the request. Each Party shall endeavour in such situations to provide all the information necessary to avoid a disruption in trade, and to reach a mutually acceptable solution.

Article 13

Safeguard clause

A Party may, on serious public or animal health grounds, take provisional measures necessary for the protection of public or animal health. These measures shall be notified to the other Party within 24 hours of the decision to implement them and, on request, consultations regarding

the situation shall be held within 14 days of the notification. The Parties shall take due account of any information provided through such consultations.

Article 14

Information exchange

1. The parties shall exchange information relevant to the implementation of this Agreement on a uniform and systematic basis, to provide assurance, engender mutual confidence and demonstrate the efficacy of the programmes controlled. Where appropriate, this may include exchanges of officials.
2. The information exchange on changes in their respective sanitary measures, and other relevant information, shall include:
 - (a) the opportunity to consider proposals for the introduction of new measures or changes in existing measures, which may affect this Agreement, in advance of their finalisation. Where either Party considers it necessary, proposals may be dealt with in accordance with Article 16(4);
 - (b) briefing on current developments affecting trade in live animals and animal products;
 - (c) information on the results of the audit and verification procedures provided for in Article 10.
3. The contact points for this exchange of information are set out in Annex X.
4. The Parties shall provide for the submission of scientific papers or data to the relevant scientific fora to substantiate any views or claims made in respect of a matter arising under this Agreement. Such information shall be evaluated by the relevant scientific fora in a timely manner, and the results of that examination shall be made available to both Parties.

Article 15

Outstanding issues

The principles of this Agreement shall be applied to address outstanding issues affecting trade between the Parties in live animals and animal products as listed in Annex IX. Modifications shall be made to this Annex and, as appropriate, the other Annexes, to take account of progress made and new issues identified.

*Article 16***Joint Management Committee**

1. A Joint Management Committee (hereinafter referred to as 'the Committee'), consisting of representatives of the Parties is hereby established. The Committee shall consider any matters relating to the Agreement, and shall examine all matters which may arise in relation to its implementation. The Committee shall meet within one year of the entry into force of this Agreement, and at least annually thereafter. The Committee may also address issues out of session by correspondence.

2. The Committee shall, at least once a year, review the Annexes to this Agreement, notably in the light of progress made under the consultations provided for under this Agreement. Following its review, the Committee shall issue a report of its proceedings including any recommendations of the Committee.

3. In the light of the provisions set out in paragraph 2, the Parties may agree to modify the Annexes consistent with the Agreement. Modifications shall be agreed by an exchange of notes.

4. The Parties agree to establish technical working groups consisting of expert-level representatives of the Parties, which shall identify and address technical and scientific issues arising from this Agreement.

When additional expertise is required, ad hoc groups, notably scientific groups, may be constituted by the

Parties. Membership of such ad hoc groups need not be restricted to representatives of the Parties.

*Article 17***Territorial application**

This Agreement shall apply, on the one hand, to the territories in which the Treaty establishing the European Community is applied and under the conditions laid down in that Treaty, and on the other hand, to the territory of Canada.

*Article 18***Final provisions**

1. This Agreement and its Annexes shall enter into force upon an exchange of notes indicating that the Parties have completed all legal requirements necessary for that purpose.

2. Each Party shall implement the commitments and obligations arising from this Agreement and its Annexes in accordance with its internal procedures.

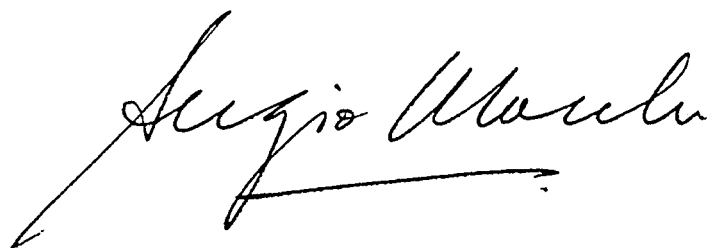
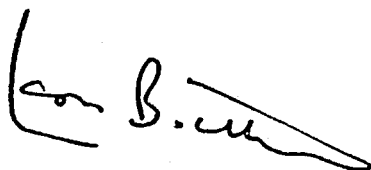
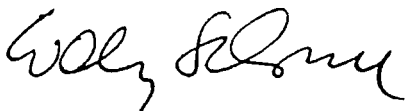
3. Either Party may terminate this Agreement by giving at least six months' notice in writing. The Agreement shall terminate on the expiry of the period of notice.

In witness whereof, the undersigned being duly authorised, have signed this Agreement.

Done in two copies, this seventeenth day of December 1998, in each of the English and French languages, each version being equally authentic.

For the European Community

For the Government of Canada



LIST OF ANNEXES

<i>ANNEX I</i>	Live animals and products
<i>ANNEX II</i>	Responsible authorities
<i>ANNEX III</i>	Diseases for which regionalisation decisions can be taken
<i>ANNEX IV</i>	Regionalisation and zoning
<i>ANNEX V</i>	Recognition of sanitary measures
<i>ANNEX VI</i>	Guidelines on procedures for conducting an audit
<i>ANNEX VII</i>	Certification
<i>ANNEX VIII</i>	Frontier checks
<i>ANNEX IX</i>	Outstanding issues
<i>ANNEX X</i>	Contact points

ANNEX I

LIVE ANIMALS AND ANIMAL PRODUCTS

Live animals and animal products	For imports into Canada, as defined by:	For imports into the Community, as defined by:
1. Live cattle and pigs	Health of Animals Regulations (CRC, c. 296)	Council Directive 64/432/EEC of 26 June 1964
2. Bovine semen	Health of Animals Regulations (CRC, c. 296)	Council Directive 88/407/EEC of 14 June 1988
3. Bovine embryos	Health of Animals Regulations (CRC, c. 296)	Council Directive 89/556/EEC of 25 September 1989
4. Live horses	Health of Animals Regulations (CRC, c. 296)	Council Directive 90/426/EEC of 26 June 1990
5. Pig semen	Health of Animals Regulations (CRC, c. 296)	Council Directive 90/429/EEC of 26 June 1990
6. Poultry and hatching eggs	Health of Animals Regulations (CRC, c. 296)	Council Directive 90/539/EEC of 15 October 1990
7. Live aquaculture animals and aquaculture products	Fish Health Protection Regulations made under the Fisheries Act, R.S.C., 1985, c. F-14 Fish Inspection Regulations made under the Fish Inspection Act, R.S.C., 1985, c. F-12	Council Directive 91/67/EEC of 28 January 1991
8. Live sheep and goats	Health of Animals Regulations (CRC, c. 296)	Council Directive 91/68/EEC of 28 January 1991
9. Other live animals, semen, ova and embryos from the animal species not referred to in points 1 to 8	Health of Animals Regulations (CRC, c. 296)	Council Directive 92/65/EEC of 13 July 1992
10. Fresh meat	Meat Inspection Regulations — definitions (food animal, meat, meat by-product, mechanically separated meat) and Schedule I (fresh)	Council Directive 64/433/EEC of 26 June 1964
11. Fresh poultry meat	Meat Inspection Regulations — definitions (as above, bird)	Council Directive 71/118/EEC of 15 February 1971
12. Meat products	Meat Inspection Regulations — definitions (prepared, preserved, processed)	Council Directive 77/99/EEC of 21 December 1976

Live animals and animal products	For imports into Canada, as defined by:	For imports into the Community, as defined by:
13. Minced meat and meat preparations	No specific definition (would be processed, fresh meat and poultry meat) standard in Schedule I	Council Directive 94/65/EEC of 14 December 1994
14. Egg products Shell eggs	Processed Egg and Egg Regulations — definitions (a number of definitions apply for specific egg products and processed eggs)	Council Directive 89/437/EEC of 20 June 1989
15. Live bivalve molluscs	Fish Inspection Regulations made under the Fish Inspection Act, R.S.C., 1985, c. F-12 Fish Health Protection Regulations and the Management of Contaminated Fisheries Regulations made under the Fisheries Act, R.S.C., 1985, c. F-14	Council Directive 91/492/EEC of 15 July 1991
16. Fishery products	Fish Inspection Regulations made under the Fish Inspection Act, R.S.C., 1985, c. F-12	Council Directive 91/493/EEC of 22 July 1991
17. Farmed game meat	Meat Inspection Regulations — definitions (farmed game animal and thereafter as for fresh meat and fresh poultry meat)	Council Directive 91/495/EEC of 27 November 1991
18. Wild game meat	Meat Inspection Regulations — only species recognised are muskox, caribou and reindeer	Council Directive 92/45/EEC of 16 June 1992
19. Milk and milk products	— Dairy Product Regulations (CAP) — Food and Drug Regulations — Consumer Packaging and Labelling Regulations	Council Directive 92/46/EEC of 16 June 1992
20. Animal waste		Council Directive 90/667/EEC of 27 November 1990
21. Animal products not referred to in points 10—20	Health of Animals Regulations (CRC, c. 296) Meat Inspection Regulations — definitions (as appropriate)	Council Directive 92/118/EEC of 17 December 1992

*ANNEX II***RESPONSIBLE AUTHORITIES****A. Responsible authorities of Canada**

The following departments are responsible for the application of sanitary measures in respect of domestically produced, exported and imported animals and animal products and for issuing health certificates attesting to agreed standards unless otherwise noted: the Canadian Food Inspection Agency (CFIA), or the Department of Health, as appropriate.

B. Responsible authorities of the Community

Control is shared between the national services in the individual Member States and the European Communities. In this respect the following applies:

- In terms of exports to Canada, the Member States are responsible for control of the production circumstances and requirements, including statutory inspections and issuing health certification attesting to the agreed standards and requirements.
 - The European Commission is responsible for overall coordination, inspection/audits of inspection systems and the necessary legislative action to ensure uniform application of standards and requirements within the Single European Market.
-

ANNEX III

DISEASES FOR WHICH REGIONALISATION DECISIONS CAN BE TAKEN

LEGAL BASIS

Disease	EC	Canada
Foot-and-mouth disease	64/432, 85/511	Health of Animals Act Sections 5, 22 through 27, and 64; Health of Animals Regulations Sections 90 and 91, and Schedule 2 of the Reportable Disease Regulations
Vesicular stomatitis	92/119	H. of A. Act 5, 22–27, 64; H. of A. Regulations 90, 91 and Schedule 2
Swine vesicular disease	64/432, 92/119	H. of A. Act 5, 22–27, 64; H. of A. Regulations 90, 91 and Schedule 2
Rinderpest	64/432, 92/119	H. of A. Act 5, 22–27, 64; H. of A. Regulations 90, 91 and Schedule 2
Peste des petits ruminants	92/119	H. of A. Act 5, 22–27, 64; H. of A. Regulations 90, 91 and Schedule 2
Contagious bovine pleuropneumonia	64/432	H. of A. Act 5, 22–27, 64; H. of A. Regulations 90, 91 and Schedule 2
Lumpy skin disease	92/119	H. of A. Act 5, 22–27, 64; H. of A. Regulations 90, 91 and Schedule 2
Rift Valley fever	92/119	H. of A. Act 5, 22–27, 64; H. of A. Regulations 90, 91 and Schedule 2
Bluetongue	92/119	H. of A. Act 5, 22–27, 64; H. of A. Regulations 90, 91 and Schedule 2
Sheep pox and goat pox	92/119	H. of A. Act 5, 22–27, 64; H. of A. Regulations 90, 91 and Schedule 2
African horse sickness	90/426, 92/35	H. of A. Act 5, 22–27, 64; H. of A. Regulations 90, 91 and Schedule 2
African swine fever	64/432	H. of A. Act 5, 22–27, 64; H. of A. Regulations 90, 91 and Schedule 2
Classical swine fever	64/432, 80/217	H. of A. Act 5, 22–27, 64; H. of A. Regulations 90, 91 and Schedule 2
Fowl plague (highly pathogenic avian influenza)	90/539, 92/40	H. of A. Act 5, 22–27, 64; H. of A. Regulations 90, 91 and Schedule 2

Disease	EC	Canada
Newcastle disease	90/539, 92/66	H. of A. Act 5, 22—27, 64: H. of A. Regulations 90, 91 and Schedule 2
Venezualan equine encephalomyelitis	90/426	H. of A. Act 5, 22—27, 64: H. of A. Regulations 90, 91 and Schedule 2
Epizootic haemorrhagic disease	92/119	H. of A. Act 5, 22—27, 64: H. of A. Regulations 90, 91 and Schedule 2
Teschen	92/119	H. of A. Act 5, 22—27, 64: H. of A. Regulations 90, 91 and Schedule 2

Aquaculture diseases

The list of aquaculture diseases is to be discussed further by the Parties on the basis of the International Aquatic Animal Health code of the OIE.

ANNEX IV

REGIONALISATION AND ZONING

Further to Article 5(3), the Parties agree that the following forms the basis for regionalisation decisions for the diseases listed in Annex III. Each Party agrees to recognise regionalisation decisions taken in accordance with this Annex.

Animal diseases

Regionalisation — Adjacent countries or parts of countries which have the same animal health status and similar disease controls can be treated as a region. The region must be clearly delineated by natural, artificial or legal boundaries which must be effective. The region must have a common control policy for the specific disease. There must be a uniform effective system of epidemiological surveillance throughout the region and an official sanitary agreement between the countries involved.

In assessing risk from a given proposed importation of animals or animal products, three sets of factors may be considered:

1. source risk factors;
2. commodity risk factors;
3. destination risk factors.

Source risk factors

The primary determinant of the risk of importing diseases is the status of the country of origin in respect of the disease in question. However, declarations of disease freedom must be backed up by effective surveillance programmes.

The overriding consideration in this context, therefore, is the quality of the veterinary infrastructure. No other factors can be assessed without full confidence in the veterinary administration. In particular, their ability to detect and control an outbreak of disease and to provide meaningful certification is crucial.

The ability to detect the presence of disease depends on the surveillance carried out. This surveillance can be active, passive, or both.

Active surveillance implies definitive action intended to identify the presence of disease, such as systematic clinical inspections, *ante* and *post mortem* examination, serology on farm or in abattoir, referral of pathological material for laboratory diagnosis, sentinel animals.

Passive surveillance means that the disease must be compulsorily notifiable and that there must be a sufficiently high level of supervision of the animals in order to ensure that the disease will be observed quickly and reported as a suspect. There must also be a mechanism for investigation and confirmation, and farmers and veterinarians must have a high level of awareness of the disease and its symptoms.

Epidemio-surveillance may be augmented by voluntary and compulsory herd/flock health programmes, particularly those which ensure a regular veterinary presence on the farm.

Other factors to be considered include:

- disease history,
- vaccination history,
- controls on movements into the zone, out of the zone and within the zone,
- animal identification and recording,
- presence of disease in adjacent areas,

- physical barriers between zones of differing status,
- meteorological conditions,
- use of buffer zones (with or without vaccination),
- presence of vectors and/or reservoirs,
- active control and eradication programmes (where appropriate),
- *ante* and *post mortem* inspection system.

On the basis of these factors, a zone may be defined.

The authority with the responsibility for implementing the zoning policy is in the best position to define and maintain the zone. When there is a high level of confidence in that authority, the decisions it makes can be the basis for trade.

The zones so defined may be assigned a risk category.

Possible categories are:

- low/negligible risk,
- medium risk,
- high risk,
- unknown risk.

Calculation of estimates of risk for e.g. live animals may assist in this categorisation. Import conditions may then be defined for each category, disease and commodity, individually or in groups.

Low/negligible risk implies that importation may take place based on a simple guarantee of origin.

Medium risk implies that some combination of certification and/or guarantees may be required before or after importation.

High risk implies that importation will only take place under conditions which significantly reduce the risk, e.g. by additional guarantees, testing or treatment.

Unknown risk implies that imports will only take place if the commodity itself is of very low risk, e.g. hides, wool, or under the conditions for 'high risk' if the commodity factors warrant.

Commodity risk factors

These include:

- is the disease transmissible by the commodity?
- could the agent be present in the commodity if derived from a healthy and/or clinically affected animal?
- can the predisposing factor be reduced, e.g. by vaccination?
- what is the likelihood that the commodity has been exposed to infection?
- has the commodity been obtained in such a way as to reduce the risk, e.g. deboning?
- has the commodity been subjected to a treatment which inactivates the agent?

Appropriate tests and quarantine will reduce the risk.

Destination risk factor

- presence of susceptible animals;
- presence of vectors;
- possible vector-free period;

- preventive measures such as waste food feeding and animal waste rendering rules;
- intended use of product e.g. petfood, human consumption only.

These factors are inherent in or are under the control of the importing country, and some may therefore be modified to facilitate trade. These may, for example, include restricted entry conditions e.g. animals to be confined to a certain vector-free region until the incubation period has passed, or canalisation systems. However, destination risk factors will also be taken into account by the infected country with respect to the risk presented by movements from the infected part to the free part of its territory.

Aquaculture diseases

Pending the development of any specific provisions to be included in this Annex, the basis for regionalisation decisions for aquaculture diseases will be the International Aquatic Health Code of the OIE.

ANNEX V

RECOGNITION OF SANITARY MEASURES

Yes (1)	Equivalence agreed — model health attestations to be used
Yes (2)	Equivalence agreed in principle — some specific issue(s) to be resolved — existing certification to be used until issue(s) resolved
Yes (3)	Equivalence in form of compliance with importing Party's requirements — existing certification to be used
NE	Not evaluated — existing certification to be used in the interim
E	Further evaluation required. Trade may occur if the exporting Party meets the importing Party's requirements.
Special conditions:	conditions to be respected for export, in addition to those required on the domestic market:
AD	Aujeszky's disease
AI	Avian Influenza
BSE	Bovine spongiform encephalopathy
BVD	Bovine viral diarrhoea
C	Celsius
CFIA	Canadian Food Inspection Agency
CSF	Classical swine fever
EBL	Enzootic bovine leucosis
Equiv	Equivalent
FMD	Foot-and-mouth disease
H of A Act and Regs.	The Health of Animals Act
IBD	Infectious bursal disease
IBR	Infectious Bovine Rhinotracheitis
IVF	<i>In vitro</i> fertilised
JD	Johne's disease
MV	Maedi-visna
ND	Newcastle disease
OIE	Office International des Epizooties
PM	<i>Post mortem</i>
PRRS	Porcine reproductive and respiratory syndrome
ScVC	Scientific Veterinary Committee
Std	Standard
SVD	Swine vesicular disease
UHT	Ultra high temperature

— Commodity — Species — Animal/public health	European Community exports to Canada					Canadian exports to the European Community				
	Trade conditions		Equiv. (Cat.)	Special Conditions	Actions	Trade conditions		Equiv. (Cat.)	Special Conditions	Actions
	EC Standards	Canadian Standards				Canadian Standards	EC Standards			

1. Live animals

Animal health										
— Equidae	Directive 90/426	H of A Act & Regs., Permit conditions	Yes 2		EC requests Canada to: (i) consider reducing the post-import quarantine time to that quarantine time to that necessary to ensure freedom of the animals from diseases of concern (ii) amend reqmt, for piroplasmosis freedom to freedom from notifiable diseases within 10 km of the holding for 12 months (iii) amend statements regarding disease freedom to the wording in Article 4(5) of 90/426 (iv) amend piroplasmosis test to test approved by CFIA	H of A Act and Regs. Disease Control MOP	Directive 90/426 Decisions 92/260 93/195 93/196 93/197 94/467	Yes 3		Canada requests that EC accept as official tests those that become recognised by OIE

— Bovine animals	Directives 64/432 72/462	H of A Act & Regs. Permit conditions	E		EC requests Canada to:	H of A Act and Regs., DC Manual of Procedures, Permit conditions	Directive 72/462 Decision 83/494	Yes 3	Footnote D	Canada requests that EC
					(i) accept items, (i), (ii) and (vii) under Canadian exports, for exports from the EC to Canada					(i) accept cattle inspected within 48 hours of departure
					(ii) eliminate post import requirements or at least to reduce the duration and severity of quarantine/isolation to the time and tests necessary to determine freedom from diseases of concern					(ii) accept cattle without TB and brucellosis test if they originate from free regions
					(iii) accept that trade in live cattle shall proceed on the basis of the OIE recommendations as outlined in Chapter 3.2.13. of the International Animal Health Code					(iii) review EBL rules
										(iv) accept cattle on basis of a statement indicating that the holding is not under restriction due to an outbreak of rabies or anthrax
										(v) remove the requirement for mastitis test
										(vi) review Blue-tongue & EHD tests and requirements and seasonal restrictions for these diseases
										(vii) review IBR requirements
										(viii) re-examine requirement that animals be conceived in Canada

— Commodity — Species — Animal/public health	European Community exports to Canada					Canadian exports to the European Community				
	Trade conditions		Equiv. (Cat.)	Special Conditions	Actions	Trade conditions		Equiv. (Cat.)	Special Conditions	Actions
	EC Standards	Canadian Standards				Canadian Standards	EC Standards			

1. Live animals — Animal health (*cont'd*)

— Sheep/goats	Directive 91/68	H of A Act & Regs. Permit conditions	E		EC requests that Canada	H of A Act and Regs., DC Manual of Procedures, Permit conditions	Directive 91/68	E		Canada requests the EC to:
					(i) accept animals from a region in which scrapie is notifiable, the holding has been free for two years and where the holding is subject to sampling for the disease					(i) justify the reqmts. for regional freedom from contagious agalactia
					(ii) justify the requirement that animals must originate from a region which is free from BSE					(ii) remove reqmt. for seasonal importation
					(iii) delete the requirement for regional freedom from B. ovis, paratuberculosis, enzootic abortion and echinococcus/ hydatidosis					(iii) accept animals from holding free of scrapie 5 years & not the progeny of an affected dam
					(iv) delete test requirements for leptospirosis, paratuberculosis, enzootic abortion MV/CAE, Q fever and the test for tuberculosis from free regions					(iv) remove reqmt. for flock testing for MV/CAE, B. ovis and B. melitensis, pre-embarkation quarantine; and tests for brucellosis from free areas, MV/CAE and contagious agalactia except for animals destined to free regions and tests for bluetongue and EHD

					(v) eliminate post import requirements or at least to reduce the duration and severity of quarantine/isolation to the time and tests necessary to determine freedom from diseases of concern					(v) accept on the basis of 93/198 Part 1.b
— Swine	Directives 64/432 72/462 90/425	H of A Act & Regs., Permit conditions	Yes 3		EC requests Canada to delete reference to PRRS, leptospirosis, TGE, PRCV, atrophic rhinitis, T. spiralis, and ivermectin treatment	H of A Act and Regs.	Directive 72/462 Decision 83/494	Yes 3	Footnote E	Canada requests that EC: (i) accept animals without test for Teschen disease (ii) delete requirement for percentage herd test for swine influenza and TGE
— Dogs and Cats	Directive 92/65	H of A Act and Regs. Sec. 17 & 18	Yes 2	Must have cert. of rabies vaccination or country freedom. Additional vaccination requirements and humane considerations for puppies		H of A Act and Regs., DC Manual of Procedures	Directive 92/65	Yes 2	Quarantine required for movement to United Kingdom, Ireland and Sweden. Otherwise vaccination and test	Canada requests that EC accept animals into free regions with a record of rabies vaccination and booster without quarantine
— 'Balai' animals	Directive 92/65	H of A Act and Regs.	E		EC requests Canada to review import conditions for cervidae and camelidae	H of A Act and Regs. Disease control programs and ungulate movement control apply to these animals	Directive 92/65	Yes 3		Canada requests that EC procedure import conditions for farmed cervidae, and camelidae and bison

— Commodity — Species — Animal/public health	European Community exports to Canada					Canadian exports to the European Community				
	Trade conditions		Equiv. (Cat.)	Special Conditions	Actions	Trade conditions		Equiv. (Cat.)	Special Conditions	Actions
	EC Standards	Canadian Standards				Canadian Standards	EC Standards			

2. Live poultry and hatching eggs

Animals health	Directive 90/539 Decision 93/342	H of A Act and Regs. Permit conditions	Yes 3		EC requests Canada to: (i) Establish generic conditions (ii) Review requirements for TRT and EDS	H of A Act and Regs., DC Manual of Procedures	Directive 90/539 Decisions 93/432 96/482	Yes 3		
----------------	----------------------------------	--	-------	--	--	---	--	-------	--	--

3. Semen

Animal health										
— Bovine	Directive 88/407	H of A Act and Regs., Permit conditions	Yes 2	Seronegative status of donors for leptospirosis and paratuberculosis	EC requests Canada to review the requirement for seronegative status of donors for leptospirosis and paratuberculosis	H of A Act and Regs. DC Manual of Procedures, Sec. 15	Directive 88/407 Decision 94/577	Yes 3	Footnote D	Canada requests that EC: (i) provide justification for the reqmt. that all bulls standing in an approved centre need to be IBR/IPV seronegative and justify the necessity to test donors for EHD in view of transmissibility by semen in doubt; (ii) update test provisions for brucellosis (CF or ELISA) and EBL (ELISA or AGID);

									(iii) determine method to be used to identify semen from IBR/IPV negative bulls or remove requirement for such straw identification; (iv) amend 94/577 part 1, 13(d) of Annex C to permit importation of semen from bulls which have been resident 'in the territory of a third country on the list drawn up in accordance with Article 8(1) of 88/407' and request the name of the third country.
— Sheep/goats	Directive 92/65	H of A Act and Regs., Permit conditions	E		Canada intends to establish generic conditions	H of A Act and Regs, DC Manual of Procedures, Sec. 15	Directives 92/65 91/68 Decision 95/388	Yes 3	Canada requests that EC: (i) harmonise trade zoosanitary conditions for imports from third countries (ii) remove the requirement for mycoplasma testing (done in bovine) (iii) accept regionalisation of bluetongue and EHD and remove the test requirement (iv) update test requirement for MV/CAE to ELISA

— Commodity — Species — Animal/public health	European Community exports to Canada					Canadian exports to the European Community				
	Trade conditions		Equiv. (Cat.)	Special Conditions	Actions	Trade conditions		Equiv. (Cat.)	Special Conditions	Actions
	EC Standards	Canadian Standards				Canadian Standards	EC Standards			

3. Semen — Animal health (*cont'd*)

— Sheep/goats (<i>cont'd</i>)										(v) delete the requirement for post collection test for MV/CAE
— Porcine	Directive 90/429	H of A Act and Regs., Permit conditions	E		EC requests Canada to: (i) review the requirement for leptospirosis seronegativity (ii) establish generic conditions	H of A Act and Regs., DC Manual of Procedures, Sec. 15	Directive 90/429 Decision 93/199	E	Footnote E	Canada requests that EC: (i) harmonise for third country importation; (ii) review requirement to test all boars for CSF and AD
— Canine	Directive 92/65	H of A Act and Regs.	E		EC requests Canada to establish generic conditions	H of A Act and Regs.	Directive 92/65	Yes 3		Canada requests that EC produce certificate
— Feline	Directive 92/65	No trade					Directive 92/65			

4. Equine semen, ova and embryos

Animal health	Directive 92/65 Decisions 95/295 95/307	H of A Act and Regs. Permit conditions	E		EC requests Canada to set out import requirements	H of A Act and Regs.	Directive 92/65 Decisions 92/294 95/307 96/539 96/540	Yes 3		Canada requests that EC recognise Canada's freedom from CEM and remove the requirement to test donor stallions
---------------	---	--	---	--	---	----------------------	---	-------	--	--

5. Embryos

Animal health										
— Bovine	Directive 89/556	H of A Act and Regs. Permit conditions	Yes 2	Excluding IVF embryos	EC requests Canada to develop rules for IVF embryos	H of A Act and Regs. CFIA Accreditation Program	Directive 89/556 Decision 92/471	Yes 2	Excluding IVF and micro-manipulated embryos	Canada requests that EC: (i) accept and enforce IETS straw labelling recommendations (ii) alter frequency of inspection of teams to agree with internal EC rules (iii) develop rules for IVF and micromanipulated embryos
— Ovine/caprine	Directive 92/65	H of A Act and Regs., Permit Conditions	Yes 3		EC requests Canada to establish generic conditions	H of A Act and Regs., CFIA Accreditation Program	Directive 92/65 Decision 95/388	E		Canada requests that EC: (i) delete requirement for flock testing, leptospirosis treatment and mycoplasma testing of donors (ii) provide details of team approval system for small ruminants
— Pigs	Directives 72/461 72/462 92/118	H of A Act and Regs., Sec 40—52	E	Fresh — Approved countries need certificate. Unapproved require disinfection			Directive 92/118	E		

— Commodity — Species — Animal/public health	European Community exports to Canada					Canadian exports to the European Community				
	Trade conditions		Equiv. (Cat.)	Special Conditions	Actions	Trade conditions		Equiv. (Cat.)	Special Conditions	Actions
	EC Standards	Canadian Standards				Canadian Standards	EC Standards			

6. Fresh meat

Animal health										
— Ruminants	Directives 64/432 72/461 72/462	H of A Act and Regs. Sec 40, 41	Yes 2	Statement of origin		H of A Act and Regs.	Directive 72/462 Decision 80/804	Yes 3		
— Equidae	Directives 64/432 72/461 72/462	H of A Act and Regs. Sec 40, 41	Yes 2	Statement of origin		H of A Act and Regs.	Directive 72/462 Decision 80/804	Yes 3		
— Porcine animals	Directives 64/432 72/461 72/462	H of A Act and Regs. Sec 40, 41	Yes 2	Statement of origin		H of A Act and Regs.	Directive 72/462 Decision 80/804	Yes 3		
— Public health	Directive 64/433	Meat Inspection Act & Regs. Food and Drugs Act & Regs. Consumer Packaging & Labelling Act & Regs. (if packaged for retail sale) Canada Agricultural Products Act & Livestock and Poultry Carcass Grading Regs. (if beef)	Yes 2	Footnote A(ii)		Meat Inspection Act & Regs. Food and Drugs Act & Regs. Consumer Packaging & Labelling Act & Regs. (if packaged for retail sale) Canada Agricultural Products Act & Livestock and Poultry Carcass Grading Regs. (if beef)	Directive 72/462 Decision 97/534	Yes 2	Footnote A(i)	Canada requests that EC: (i) examine Canadian submission on BSE status (ii) reconsider provisions on veterinary presence once HACCP is introduced (iii) consider modification of provisions on handwash facilities/showers (iv) verify official monitoring and auto controls

- (v) evaluate Canadian submission on water testing
- (vi) to discuss HACCP
- (vii) review provisions on cysticercosis cuts, liver incisions, pig heart incision, and glands

7. Poultry meat

Animal health	Directive 91/494 Decision 94/438	H of A Act and Regs. Sec 40, 41	Yes 2	Statement of origin		H of A Act and Regs	Directive 91/494 Decisions 93/342 94/984	Yes 3		Extend rules to all species (ratites, etc.)
Public health	Directive 71/118	Meat Inspection Act & Regs. Food and Drugs Act & Regs. Consumer Packaging and Labelling Act & Regs. (if packaged for retail sale) Canada Agricultural Products Act Livestock and Poultry Carcass Grading Regs (if in carcass form)	Yes 2	Footnote A(ii)	Further discussion following verification	Meat Inspection Act & Regs. Food and Drugs Act & Regs. Consumer Packaging and Labelling Act & Regs. (if packaged for retail sale) Canada Agricultural Products Act and Livestock and Poultry Carcass Grading Regs (if in carcass form)	Directive 71/118 Decision 96/712	Yes 2	Footnote A(i)	Further discussion following verification

— Commodity — Species — Animal/public health	European Community exports to Canada					Canadian exports to the European Community				
	Trade conditions		Equiv. (Cat.)	Special Conditions	Actions	Trade conditions		Equiv. (Cat.)	Special Conditions	Actions
	EC Standards	Canadian Standards				Canadian Standards	EC Standards			

8. Meat products

Animal health										
— Red Meat (ruminants/ horses)	Directives 64/432 72/461 72/462 80/215	H of A Act and Regs., Sec 40, 41	Yes 2	Statement of origin		H of A Act and Regs	Directive 72/462 Decisions 91/449 97/231 97/232	Yes 3		
— Pigs	Directives 64/432 72/461 72/462 80/215	H of A Act and Regs., Sec 40, 41	Yes 2	Statement of origin		H of A Act and Regs	Directive 72/462 Decisions 91/449 97/231 97/232	Yes 3		
— Poultry	Directives 80/215 92/118 94/438	H of A Act and Regs. Sec 40, 41	Yes 2	Statement of origin		H of A Act and Regs	Directive 92/118 Decisions 97/231 97/232	Yes 3		
— Wild Game and farmed game	Directives 91/495 92/45	H of A Act and Regs. Sec 40, 41	Yes 2	Statement of origin		H of A Act and Regs	Directives 91/495 92/45 Decisions 97/231 97/232	Yes 3		

Public health	Directive 77/99	Meat Inspection Act and Regs. Food and Drugs Act and Regs. Consumer Packaging and Labelling Act & Regs. (if packaged for retail sale)	Yes 2	Footnote A (ii)		Meat Inspection Act & Regs. Food and Drugs Act & Regs. Consumer Packaging and Labelling Act & Regs. (if pkgd. for retail sale)	Directives 77/99 92/118 Decisions 97/41 97/534	Yes 2	Footnote A (i)	EC to examine Canadian submission on BSE status
---------------	-----------------	---	-------	-----------------	--	--	---	-------	----------------	---

9. Farmed game meat

Animal health										
— Deer — Rabbit	Directives 72/461 91/495 92/118	H of A Act and Regs. Sec 40, 41	Yes 2	Statement of origin		H of A Act and Regs	Directives 91/495 92/118 Decision 97/219	Yes 3		
— Porcine	Directives 72/461 91/495 92/118	H of A Act and Regs. Sec 40, 41	Yes 2	Statement of origin		H of A Act and Regs	Directive 92/118 Decision 97/219	Yes 3		
— Feathered	Directives 80/215 92/118 94/438	H of A Act and Regs. Sec 40, 41	Yes 2	Statement of origin		H of A Act and Regs	Directive 92/118 Decision 97/219	Yes 3		

— Commodity — Species — Animal/public health	European Community exports to Canada					Canadian exports to the European Community				
	Trade conditions		Equiv. (Cat.)	Special Conditions	Actions	Trade conditions		Equiv. (Cat.)	Special Conditions	Actions
	EC Standards	Canadian Standards				Canadian Standards	EC Standards			

9. Farmed game meat

Public health	Directive 91/495	Meat Inspection Act & Regs.	Yes 2	Prolonged delayed evisceration not permitted		Meat Inspection Act & Regs.	Directive 91/495 Decision 97/219	Yes 2	Canada to meet provisions of Directive 91/495	
		Food and Drugs Act & Regs.		Footnote A (ii)		Food and Drugs Act & Regs.			Footnote A (i)	
		Consumer Packaging and Labelling Act & Regs. (if packaged for retail sale)				Consumer Packaging and Labelling Act & Regs. (if packaged for retail sale)				

10. Wild game meat

Animal health										
— Deer — Rabbit	Directive 92/45	H of A Act and Regs. Sec 40, 41	Yes 2	Statement of origin		H of A Act and Regs	Directive 92/45 Decision 97/218	Yes 3		
— Porcine	Directive 92/45	H of A Act and Regs. Sec 40, 41	Yes 2	Statement of origin		H of A Act and Regs	Directive 92/45 Decision 97/220	Yes 3		
— Feathered	Directive 92/45	H of A Act and Regs. Sec 40, 41	Yes 2	Statement of origin		H of A and Regs	Directive 92/45 Decision 97/218	Yes 3		

Public health	Directive 92/45	Meat Inspection Act & Regs. Food and Drugs Act & Regs. Consumer Packaging and Labelling Act & Regs. (if packaged for retail sale)	NE	Prohibited except for caribou, reindeer and muskox Footnote A (II)	EC requests Canada to consider amending legislation to include other species	Meat Inspection Act & Regs. Food and Drugs Act & Regs. Consumer Packaging and Labelling Act & Regs. (if packaged for retail sale)	Directive 92/45 Decisions 97/218 97/220	NE		Canada to provide special conditions
---------------	-----------------	---	----	---	--	---	---	----	--	--------------------------------------

11. Fisheries products for human consumption

Animal health										
Live aquaculture animals and aquaculture products destined for human consumption or aquaculture (a) Dead eviscerated fish for human consumption (b) Dead non eviscerated products for human consumption (c) Live fish eggs for aquaculture (d) Live fish for aquaculture (include finfish, molluscs, crustacea and other invertebrates)	Directive 91/67	Fish Health Protection Regulations made under the Fisheries Act, R.S.C. 1985, c.F-14	NE Yes 2 NE NE NE	Fish health certificate issued by an official body		Fish Health Protection Regulations made under the Fisheries Act, R.S.C. 1985, c. F-14	Directive 91/67	NE Yes 2 NE NE NE	Official health certificate	

— Commodity — Species — Animal/public health	European Community exports to Canada					Canadian exports to the European Community				
	Trade conditions		Equiv. (Cat.)	Special Conditions	Actions	Trade conditions		Equiv. (Cat.)	Special Conditions	Actions
	EC Standards	Canadian Standards				Canadian Standards	EC Standards			

11. Fisheries products for human consumption (cont'd)

Public health										
— Fish and fishery products for human consumption	Directives 91/493 92/48 and Decisions of application	Fish Inspection Regulations made under the Fish Inspection Act, R.S.C., 1985, c. F-12 Food and Drugs Act and Regulations Consumer Packaging and Labelling Regulations (if packaged for retail sale)	Yes2	Footnote B(ii)	EC to supply a list of approved processing plants EC requests Canada to review existing contaminants limits to assess equivalency	Fish Inspection Regulations made under the Fish Inspection Act, R.S.C., 1985, c. F-12	Directives 91/493 92/48 and Decisions of application Directive 79/112	Yes2	Footnote B(i) Official certificate	Canada to supply a list of approved processing plants Canada requests EC to review requirement for official certificate, and to improve procedure for updating lists of approved establishments
— Live bivalve molluscs for human consumption, including echinoderms, tunicates and marine gastropods	Directive 91/492	Fish Inspection Regulations made under the Fish Inspection Act, R.S.C., 1985, c. F-12 Food and Drugs Act and Regulations	Yes2	Footnote C(ii)	EC to supply a list of approved dispatch centers EC requests Canada to review contaminants limits to assess equivalency	Fish Inspection Regulations made under the Fish Act, R.S.C., 1985, c. F-12 Management of Contaminated Fisheries Regulations made under the Fisheries Act, R.S.C. 1985, c. F-14	Directive 91/492 Decision 96/33	Yes2	Footnote C(ii) Official certificate	Evaluate the equivalency of bacteriological quality based on growing waters vs shellfish flesh Canada to supply a list of approved processing plants

Canada requests EC to review requirement for official certificate, and to improve procedure for updating lists of approved establishments

12. Live fish/shellfish and gametes

Animal health	Directive 91/67		NE				Directive 91/67	NE		
---------------	-----------------	--	----	--	--	--	-----------------	----	--	--

13. Milk and milk products for human consumption

Animal health										
— Cattle including buffalo — Sheep — Goats	Directives 64/432 92/46	H of A Act and Regs., Sec 34	Yes 1			H of A Act and Regs.	Directive 92/46 Decisions 95/343 97/115 97/534	Yes 1		Canada requests that EC review clinical health and stage of lactation requirements
Public health										
— Pasteurised	Directive 92/46	H of A Act and Regs., Sec 34 Food and Drugs Act and Regulations (Section B008) — Canada Agricultural Products Act and Dairy Products Regulations	Yes 3	Products must meet the microbiological criteria as set out in the Food and Drugs Regulations and Dairy Products Regulations	Joint assessment of laboratory methodology to be completed	Food and Drugs Act and Regulations (Section B008) — Canada Agricultural Products Act and Dairy Products Regulations	Directive 92/46 Decision 95/343	Yes 3	Certificate as laid down in Decision 95/343	Voluntary HACCP-system being implemented Joint assessment of laboratory methodology to be completed

— Commodity — Species — Animal/public health	European Community exports to Canada					Canadian exports to the European Community				
	Trade conditions		Equiv. (Cat.)	Special Conditions	Actions	Trade conditions		Equiv. (Cat.)	Special Conditions	Actions
	EC Standards	Canadian Standards				Canadian Standards	EC Standards			

13. Milk and milk products for human consumption — Public health (*cont'd*)

		— Consumer Packaging and Labelling Act and Regulations (if packaged for retail sale)				— Consumer Packaging and Labelling Act and Regulations (if packaged for retail sale)				
— Not pasteurised (thermised only) and Raw Milk	Directive 92/46	H of A Act and Regs. Sec 34 Food and Drugs Act and Regulations (Section B008) — Canada Agricultural Products Act and Dairy Products Regulations — Consumer Packaging and Labelling Act and Regulations (if packaged for retail sale)	Yes 3	Products must meet the microbiological criteria as set out in the Food and Drugs Regulations and Dairy Products Regulations Only cheeses ripened for at least sixty days at greater than two degrees celsius	Joint assessment of laboratory methodology to be completed EC requests that Canada consider a dossier, to be submitted by the EC, for cheese not matured for more than 60 days, and thus allow the possibility of export	Food and Drugs Act and Regulations (Section B008) — Canada Agricultural Products Act and Dairy Products Regulations — Consumer Packaging and Labelling Act and Regulations (if packaged for retail sale)	Directive 92/46 Decision 95/343/EG	Yes 3	Certificate as laid down in Decision 95/343	Voluntary HACCP system being implemented Joint assessment of laboratory methodology to be completed

14. Milk and milk-based products not for human consumption

Animal health										
— Cattle including buffalo — Sheep — Goats — All pasteurised or UHT or Sterilised	Directives 64/432 92/118	H of A Act and Regs. Sec 34	Yes 1			H of A Act and Regs	Directive 92/118 Decisions 95/341 95/342	Yes 1		Canada requests that EC review clinical health and stage of lactatio requirement
— Un-pasteurised colostrum for pharmaceutical use	Directive 92/118	H of A Act and Regs. Sec 34	Yes 1			H of A Act and Regs	Directive 92/118	E		

15. Minced meat

Animal health										
— Ruminants — Equidae	Directives 64/432 72/461 72/462	H of A Act and Regs. Sec 40—52	Yes 3	As defined in the Meat Inspection Regulations		H of A Act and Regs	Directive 72/462	Yes 3		
— Pigs	Directives 64/432 72/461 72/462	H of A Act and Regs. Sec 40—52	Yes 3	As defined in the Meat Inspection Regulations		H of A Act and Regs	Directive 72/462	Yes 3		
— Poultry/ Wild game/ Farmed game	Directives 72/462 80/215 92/118 94/438	H of A Act and Regs. Sec 40—52	Yes 3			H of A Act and Regs	Directive 94/438	Yes 3		

— Commodity — Species — Animal/public health	European Community exports to Canada					Canadian exports to the European Community				
	Trade conditions		Equiv. (Cat.)	Special Conditions	Actions	Trade conditions		Equiv. (Cat.)	Special Conditions	Actions
	EC Standards	Canadian Standards				Canadian Standards	EC Standards			

15. Minced meat (*cont'd*)

Public health	Directive 94/65	Meat Inspection Act & Regs Food and Drugs Act & Regs Consumer Packaging and Labelling Act & Regs. (if packaged for retail sale)	Yes 2	No trade in wild game minced meat Footnote A(ii)		Meat Inspection Act & Regs. Food and Drugs Act & Regs. Consumer Packaging and Labelling Act & Regs. (if packaged for retail sale)	Directive 94/65 Decisions 97/29 97/534	Yes 3	Use of heart meat or mechanically recovered meat prohibited. No trade in equidae/poultry/wild game/farmed game minced meat. Footnote A(i)	EC to examine Canadian submission on BSE status
----------------------	-----------------	---	-------	---	--	---	--	-------	---	---

16. Meat preparations

Animal health										
— Ruminants — Equidae	Directives 64/432 72/461 72/462	H of A Act and Regs. Sec 40—52	E		Canada to review	H of A Act and Regs	Directive 72/462	E		
— Pigs	Directives 64/432 72/461 72/462	H of A Act and Regs. Sec 40—52	E		Canada to review	H of A Act and Regs	Directive 72/462	E		
— Poultry/ Wild game/ Farmed game	Directives 72/462 80/215 92/118 94/438	H of A Act and Regs. Sec 40—52	E		Canada to review	H of A Act and Regs	Directive 94/438	E		

Public health	Directive 94/65	Meat Inspection Act & Regs. Food and Drugs Act & Regs. Consumer Packaging and Labelling Act & Regs. (if packaged for retail sale)	E		Canada to provide specific legislation Canada will evaluate EC legislation	Meat Inspection Act & Regs. Food and Drugs Act & Regs. Consumer Packaging and Labelling Act & Regs. (if packaged for retail sale)	Directive 94/65 Decisions 97/29 97/534	E		EC to evaluate Canadian submission on BSE status
----------------------	-----------------	---	---	--	---	---	--	---	--	--

17. Animal casings for human consumption

Animal health										
— Cattle — Sheep — Goats	Directives 64/432 72/461 72/462 92/118	H of A Act and Regs. Sec 40—52 Directive AH-96-HPP-PHT-02	Yes 2	Statement of origin	EC requests that Canada accept that trade shall proceed on the basis of the OIE recommendations as outlined in Chapter 3.2.13 of the International Animal Health Code	H of A Act and Regs	Directive 92/118 Decision 94/187	Yes 3		
— Pigs	Directives 64/432 72/461 72/462 92/118	H of A Act and Regs. Sec 40—52 Directive AH-96-HPP-PHI-02	Yes 2	Statement of origin		H of A Act and Regs	Directive 92/118 Decision 94/187	Yes 3		
Public health	Directive 77/99	Meat Inspection Act & Regs. Food and Drugs Act & Regs.	Yes 2	Footnote A(ii)		Meat Inspection Act & Regs. Food and Drugs Act & Regs.	Directive 77/99 Decision 97/534	Yes 2	Footnote A(i)	

— Commodity — Species — Animal/public health	European Community exports to Canada					Canadian exports to the European Community				
	Trade conditions		Equiv. (Cat.)	Special Conditions	Actions	Trade conditions		Equiv. (Cat.)	Special Conditions	Actions
	EC Standards	Canadian Standards				Canadian Standards	EC Standards			

18. Animal casings not for human consumption

Animal health										
— Cattle — Sheep — Goats	Directives 64/432 72/461 72/462 92/118	H of A Act and Regs. Sec 40—52 Directive AH-96-HPP- PHI-02	Yes2	Statement of origin	EC requests that Canada accept that trade shall proceed on the basis of the OIE recommendations as outlined in Chapter 3.2.13 of the International Animal Health Code	H of A Act and Regs	Directive 92/118 Decisions 94/187 97/534	NE		
— Pigs	Directives 64/432 72/461 72/462 92/118	H of A Act and Regs. Sec 40—52 Directive AH-96-HPP- PHI-02	Yes2	Statement of origin		H of A Act and Regs	Directive 92/118 Decisions 94/187	NE		

19. Hides and skins

Animal health										
— Cattle — Sheep — Goats	Directives 72/461 72/462 92/118	H of A Act and Regs. Sec 40—52	Yes2	Statement of origin		H of A Act and Regs	Directive 92/118 Decision 97/168	Yes2	Certificate as per Decision 97/168	Consider acceptance of treatment for hides
— Pigs	Directives 72/461 72/462 92/118	H of A Act and Regs. Sec 40—52	Yes2	Statement of origin		H of A Act and Regs	Directive 92/118 Decision 97/168	Yes3		

20. Canned petfood containing mammalian high/low risk material

Animal health	Directives 90/667 92/118	H of A Act and Regs. Sec 40—52 Directive AH-PF-NAC- 02	Yes2	Special certification for BSE Statement of origin	EC requests Canada to accept that trade shall proceed on the basis of the OIE recommendations as outlined in Chapter 3.2.13 of the International Animal Health Code	H of A Act Manual of Procedures	Directive 92/118 Decisions 94/309 96/449 97/534	Yes3		EC to evaluate Canadian submission on microbiological standard of final products EC to evaluate Canadian submission on BSE status
---------------	--------------------------------	---	------	---	--	---------------------------------------	--	------	--	--

21. Canned petfood containing non-mammalian high/low risk material

Animal health	Directives 90/667 92/118	H of A Act and Regs. Sec 40—52 Directive AH-PF-NAC- 02	Yes2	Statement of origin		H of A Act Manual of Procedures	Directive 92/118 Decision 94/309	Yes3		EC to evaluate Canadian submission on microbiological standard of final products EC to evaluate additional guarantees for petfood containing non-mammalian risk material Canada to submit list of approved plants
---------------	--------------------------------	---	------	---------------------	--	---------------------------------------	---	------	--	---

22. Canned petfood containing only low risk material

Animal health	Directives 90/667 92/118	H of A Act and Regs. Sec 40—52 Directive AH-96-PF- NAC-02	Yes2	Special certification for BSE Statement of origin	EC requests Canada to accept that trade shall proceed on the basis of the OIE recommendation as outlined in Chapter 3.2.13 of the International Animal Health Code	H of A Act Manual of Procedures	Directive 92/118 Decisions 94/309 96/449	Yes2	Certification as per Decision 94/309	EC to evaluate Canadian submission on microbiological standard of final products
---------------	--------------------------------	--	------	---	---	---------------------------------------	--	------	---	---

23. Dry and semi-moist petfood containing only low risk material

Animal health	Directives 90/667 92/118	H of A Act and Regs. Sec 40—52 Directive AH-96-PF- NAC-02	Yes2	Special certification for BSE Statement of origin	EC requests Canada to accept that trade shall proceed on the basis of the OIE recommendations as outlined in Chapter 3.2.13 of the International Animal Health Code	H of A Act Manual of Procedures	Directive 92/118 Decisions 94/309 96/449	Yes2	Certification as per Decision 94/309	EC to evaluate Canadian submission on microbiological standard of final products
---------------	--------------------------------	--	------	---	--	---------------------------------------	--	------	---	---

— Commodity — Species — Animal/public health	European Community exports to Canada					Canadian exports to the European Community				
	Trade conditions		Equiv. (Cat.)	Special Conditions	Actions	Trade conditions		Equiv. (Cat.)	Special Conditions	Actions
	EC Standards	Canadian Standards				Canadian Standards	EC Standards			

24. Dry and semi-moist petfood containing low risk material and/or processed animal protein derived from mammalian high risk material

Animal health	Directives 90/667 92/118	H of A Act and Regs. Sec 40—52 Directive AH-96-PF- NAC-02	Yes 2	Special certification for BSE Statement of origin	EC requests Canada to accept that trade shall proceed on the basis of the OIE recommendations as outlined in Chapter 3.2.13 of the International Animal Health Code	H of A Act Manual of Procedures	Directive 92/118 Decisions 94/309 94/344 96/449 97/534	Yes 3		EC to evaluate Canadian submission on microbiological standard of final products EC to evaluate Canadian submission on BSE status
---------------	--------------------------------	--	-------	---	--	---------------------------------------	--	-------	--	--

25. Dry and semi-moist petfood containing high/low risk material and/or processed animal protein derived from non-mammalian high risk

Animal health	Directives 90/667 92/118	H of A Act and Regs. Sec 40—52 Directive AH-96-PF- NAC-02	Yes 2	Statement of origin		H of A Act Manual of Procedures	Directive 92/118 Decisions 94/309 94/344 96/449	Yes 3		EC to evaluate Canadian submission on microbiological standard of final products EC to evaluate additional guarantees for petfood containing non-mammalian risk material Canada to submit list of approved plants
---------------	--------------------------------	--	-------	---------------------	--	---------------------------------------	--	-------	--	---

26. Bones and bone products for human consumption

Animal health										
— Ruminants and horses	Directives 64/432 72/461 72/462 80/215	H of A Act and Regs. Sec 40—44	E		EC requests Canada to accept that trade shall proceed on the basis of the OIE recommendations as outlined in Chapter 3.2.13 of the International Animal Health Code	H of A Act and Regs.	Directive 72/462 Decision 91/449	E		
— Pigs	Directives 64/432 72/461 72/462 80/215	H of A Act and Regs. Sec 40—44	E			H of A Act and Regs.	Directive 72/462 Decision 91/449	E		
— Poultry	Directives 80/215 92/118 94/438	H of A Act and Regs. Sec 40—44	Yes 3			H of A Act and Regs.	Directive 92/118	E		
— Wild game and farmed game	Directives 91/495 92/45	H of A Act and Regs. Sec 40—44	E			H of A Act and Regs.	Directives 91/495 92/45	E		
Public health	Directives 64/433 77/99	Meat Inspection Act & Regs. Food and Drugs Act & Regs. Consumer Packaging and Labelling Act & Regs. (if packaged for retail sale)	NE			Meat Inspection Act & Regs. Food and Drugs Act & Regs. Consumer Packaging and Labelling Act & Regs. (if packaged for retail sale)	Directives 77/99 92/118 Decision 97/534	NE		EC to examine Canadian submission on BSE status

— Commodity — Species — Animal/public health	European Community exports to Canada					Canadian exports to the European Community				
	Trade conditions		Equiv. (Cat.)	Special Conditions	Actions	Trade conditions		Equiv. (Cat.)	Special Conditions	Actions
	EC Standards	Canadian Standards				Canadian Standards	EC Standards			

27. Bones, horns and hooves (except meals) and their products not for human consumption

Animal health	Directives 90/667 92/118	H of A Act and Regs. Sec 40, 44, 45 Directive 90-03-AP-18	E			H of A Act and Regs.	Directives 90/667 92/118 Decisions 94/446 97/534	Yes2	Certificate as per Decision 97/534	EC to examine Canadian submission on BSE status.
---------------	-----------------------------	---	---	--	--	----------------------	---	------	------------------------------------	--

28. Processed animal protein for human consumption ('other products' as defined in Directive 77/99)

Animal health										
— Ruminants/ equidae	Directives 64/432 72/461 72/462 80/215	H of A Act and Regs. Sec 40, 41, 43 Directive AH-96-HPP-PHT-02	Yes2	Statement of origin		H of A Act and Regs.	Directive 72/462 Decision 91/449	Yes2	Certificate as per Decision 91/449	
— Pigs	Directives 64/432 72/461 72/462 80/215	H of A Act and Regs. Sec 40, 41 Directive AH-96-HPP-PHT-02	Yes2	Statement of origin		H of A Act and Regs.	Directive 72/462 Decision 91/449	Yes2	Certificate as per Decision 91/449	
— Poultry	Directives 80/215 92/118 94/438	H of A Act and Regs. Sec 40, 41 Directive AH-96-HPP-PHT-02	Yes2	Statement of origin		H of A Act and Regs.	Directive 92/118	Yes3		

— Wild game and farmed game	Directives 91/495 92/45	H of A Act and Regs. Sec 40, 41	Yes 2	Statement of origin		H of A Act and Regs.	Directives 91/495 92/45	Yes 3		
Public health	Directive 77/99	Meat Inspection Act & Regs. Food and Drugs Act & Regs. Consumer Packaging and Labelling Act & Regs. (if packaged for retail sale)	NE			Meat Inspection Act & Regs. Food and Drugs Act & Regs. Consumer Packaging and Labelling Act & Regs. (if packaged for retail sale)	Directives 77/99 92/118 Decision 97/534	NE		EC to examine Canadian submission on BSE status

29. Processed animal protein of mammalian origin not for human consumption (feedingstuffs)

Animal health	Directives 90/667 92/118 Decisions 92/562 94/381 94/382	H of A Act and Regs. Part V Directive AH-REN-EQU-01	Yes 2	Statement of origin	EC requests that Canada accept that trade shall proceed on the basis of the OIE recommendations as outlined in Chapter 3.2.13 of the International Animal Health Code	H of A Act Manual of Procedures AH-95-G-01 AH-95-HHP/PHT-01	Directives 90/667 92/118 Decisions 94/344 96/449 97/534	Yes 3		EC to evaluate Canadian submission on microbiological standard of final products EC to evaluate Canadian submission on BSE status EC to evaluate additional guarantees for processed animal protein containing non-mammalian risk material Canada to submit list of approved plants
----------------------	---	--	-------	---------------------	---	---	---	-------	--	---

— Commodity — Species — Animal/public health	European Community exports to Canada					Canadian exports to the European Community				
	Trade conditions		Equiv. (Cat.)	Special Conditions	Actions	Trade conditions		Equiv. (Cat.)	Special Conditions	Actions
	EC Standards	Canadian Standards				Canadian Standards	EC Standards			

30. Processed animal protein of non-mammalian origin not for human consumption (feedingstuffs)

Animal health	Directives 90/667 92/118	H of A Act and Regs. Sec 40-52 Directive AH-PF-NAC-02	E			H of A Act Manual of Procedures	Directive 92/118 Decisions 94/309 96/449	Yes 3		EC to evaluate Canadian submission on microbiological standard of final products EC to evaluate additional guarantees for petfood containing non-mammalian material Canada to submit list of approved plants
---------------	-----------------------------	--	---	--	--	---------------------------------	--	-------	--	--

31. Serum of equidae

Animal health	Directive 92/118	H of A Act and Regs. Sec 40, 51	Yes 2	Permit required. For lab use		H of A Act and Regs.	Directive 92/118 Decision 94/143	E		
---------------	------------------	---------------------------------	-------	------------------------------	--	----------------------	-------------------------------------	---	--	--

32. Blood and blood products intended for human consumption ('other products' as defined in Directive 77/99)

Animal health										
— Ruminants/horses — Pigs	Directives 64/432 72/461 72/462 80/215 Decision 96/405	H of A Act and Regs. Sec 40, 51 Directive AH-95-G-01	Yes 2	Heat treatment and statement of origin		H of A Act and Regs.	Directive 72/462 Decisions 91/449 96/405	Yes 2	Not regulated if shelf stable and packaged for sale	

— Poultry	Directives 72/462 80/215 91/494 92/118 94/438 Decision 96/405	H of A Act and Regs. Sec 40, 51 Directive AH-95-G-01	Yes2	Heat treatment and statement of origin		H of A Act and Regs.	Directives 91/494 92/118 Decision 96/405	Yes2	Not regulated if shelf stable and packaged for sale	
— Wild game and farmed game	Directives 91/495 92/45 Decision 96/405	H of A Act and Regs. Sec 40, 51 Directive AH-95-G-01	Yes2	Heat treatment and statement of origin		H of A Act and Regs.	Directives 91/495 92/45 Decision 96/405	Yes2	Not regulated if shelf stable and packaged for sale	
Public health	Directive 77/99	Meat Inspection Act & Regs. Food and Drugs Act & Regs. Consumer Packaging and Labelling Act & Regs. (if packaged for retail sale)	Yes2	Footnote A(ii) No trade in wild game blood and blood products		Meat Inspection Act & Regs. Food and Drugs Act & Regs. Consumer Packaging and Labelling Act & Regs. (if packaged for retail sale)	Directives 77/99 92/118	Yes2	Footnote A(i)	

33. Blood and blood products not intended for human consumption

Animal health	Directives 91/667 92/118 Decisions 92/183 94/187	H of A Act and Regs. Sec 40, 51	Yes2	Statement of origin		H of A Act Manual of Procedures	Directives 91/667 92/118 Decisions 92/183 96/405	Yes2	Not regulated if shelf stable and packaged for sale	
----------------------	---	---------------------------------------	------	---------------------	--	---------------------------------------	---	------	---	--

— Commodity — Species — Animal/public health	European Community exports to Canada					Canadian exports to the European Community				
	Trade conditions		Equiv. (Cat.)	Special Conditions	Actions	Trade conditions		Equiv. (Cat.)	Special Conditions	Actions
	EC Standards	Canadian Standards				Canadian Standards	EC Standards			

34. Lard and rendered fats intended for human consumption ('other products' as defined in Directive 77/99)

Animal health										
— Ruminants/ horses — Pigs	Directives 64/432 72/461 72/462 80/215	H of A Act and Regs. Sec 40 Directive AH-95-G-01	Yes2	Statement of origin		H of A Act and Regs.	Directive 72/462 Decision 91/449	Yes2	Not regulated if shelf stable and packaged for sale	
— Poultry	Directives 80/215 92/118 94/438	H of A Act and Regs. Sec 40 Directive AH-95-G-01	Yes2	Statement of origin		H of A Act and Regs.	Directive 92/118	Yes2	Not regulated if shelf stable and packaged for sale	
— Wild game and farmed game	Directives 91/495 92/45	H of A Act and Regs. Sec 40 Directive AH-95-G-01	Yes2	Statement or origin		H of A Act and Regs.	Directives 91/495 92/45	Yes2	Not regulated if shelf stable and packaged for sale.	
Public health	Directive 77/99	Meat Inspection Act & Regs. Food and Drugs Act & Regs. Consumer Packaging and Labelling Act & Regs. (if packaged for retail sale)	Yes2	Footnote A(ii) No trade in wild game lard and rendered fats		Meat Inspection Act & Regs. Food and Drugs Act & Regs. Consumer Packaging and Labelling Act & Regs. (if packaged for retail sale)	Directives 77/99 92/118 Decision 97/534	Yes2	Footnote A(i)	

35. Lard and rendered fats not intended for human consumption

Animal health	Directives 90/667 92/118	H of A Act and Regs. Sec 40 Directive AH-95-G-01	E			H of A Act Manual of Procedures	Directives 90/667 92/118 Decision 97/534	Yes2	Specify tallow for oleochemical industry	EC to consider issue of decision exempting those products from 92/118 and 90/667 EC to evaluate Canadian submission on BSE status
---------------	--------------------------	---	---	--	--	---------------------------------	--	------	--	--

36. Raw material for feedingstuffs, pharmaceutical or technical use

Animal health	Directives 90/667 92/118 Decisions 89/19 92/183	H of A Act and Regs. Sec 40, 51	Yes2	Statement of origin		H of A Act and Regs.	Directives 90/667 92/118 Decisions 89/19 92/183 97/534	Yes3		
Public health		Meat Inspection Act & Regs.	NE			Meat Inspection Act & Regs.	Directive 97/1	NE		

37. Apiculture products for apiculture

Animal health	Directive 92/118	H of A Act and Regs. Part VI. Industry consultation	Yes2	Must be subjected to treatment, i.e. freeze drying, irradiation, vacuum packaging	Review conditions	H of A Act and Regs. DC Manual of Procedures, Honeybee prohibition order Directive AH-95-BP/PA-01 Section 57, H of A Regs.	Directive 92/118 Decision 94/860	Yes2	Bee products used for animal or human feed or industrial use is not restricted. Bee products used for bee feeding must be treated	
---------------	------------------	---	------	---	-------------------	--	----------------------------------	------	---	--

— Commodity — Species — Animal/public health	European Community exports to Canada					Canadian exports to the European Community				
	Trade conditions		Equiv. (Cat.)	Special Conditions	Actions	Trade conditions		Equiv. (Cat.)	Special Conditions	Actions
	EC Standards	Canadian Standards				Canadian Standards	EC Standards			

38. Game trophies

Animal health	Directives 72/462 92/118	H of A Act and Regs. Sec 40, 42	Yes 2	Mounted — no restrictions Unmounted and raw — certificate of disinfection		H of A Act and Regs.	Directive 92/118 Decision 96/500	Yes 3		
---------------	-----------------------------	------------------------------------	-------	--	--	----------------------	-------------------------------------	-------	--	--

39. Manure

Animal health	Directive 92/118	H of A Act and Regs. Sec 46 Directive AH-96-FERT-01	NE			H of A Act and Regs.	Directive 92/118 Decision 96/109	NE		
---------------	------------------	---	----	--	--	----------------------	-------------------------------------	----	--	--

40. Wool, feathers and hair

Animal health										
— Wool	Directive 92/118	H of A Act and Regs. Sec 42, 52	Yes 2	Statement of origin. Must be clean		H of A Act and Regs.	Directive 92/118	Yes 2	Clean	
— Pigbristle	Directive 92/118 Decision 94/435	H of A Act and Regs. Sec 42, 52	Yes 2	Statement of origin. Must be clean		H of A Act and Regs.	Directive 92/118 Decision 94/435	Yes 2	Clean	

41. Honey

Animal health	Directive 92/118	Nil	NE				Directive 92/118	NE		
Public health	Directive 92/118	Food and Drugs Act and Regulations (Sections B 18.025 to B 18.027) Canada Agricultural Products Act Honey Regulations Consumer Packaging and Labelling Act and Regulations (if packaged for retail sale)	NE			Food and Drugs Act and Regulations (Sections B 18.025 to B 18.027) Canada Agricultural Products Act Honey Regulations Consumer Packaging and Labelling Act and Regulations (if packaged for retail sale)	Directive 92/118	NE		

42. Frogs' legs

Animal health			NE					NE		
Public health	Directive 92/118	Food and Drugs Act & Regs. Consumer Packaging and Labelling Act & Regs. (if packaged for retail sale)	NE			Food and Drugs Act & Regs. Consumer Packaging and Labelling Act & Regs. (if packaged for retail sale)	Directive 92/118 Decision 96/340	NE		

— Commodity — Species — Animal/public health	European Community exports to Canada					Canadian exports to the European Community				
	Trade conditions		Equiv. (Cat.)	Special Conditions	Actions	Trade conditions		Equiv. (Cat.)	Special Conditions	Actions
	EC Standards	Canadian Standards				Canadian Standards	EC Standards			

43. Snails for human consumption

Animal health			E					E		
Public health	Directive 92/118	Food and Drugs Act & Regs. Consumer Packaging and Labelling Act & Regs. (if packaged for retail sale)	E			Food and Drugs Act & Regs. Consumer Packaging and Labelling Act & Regs. (if packaged for retail sale)	Directive 92/118 Decision 96/340	E		

44. Egg products intended for human consumption

Animal health	Directive 92/118 Decision 94/187	H of A Act and Regs. Sec 34 Directive AH-96-EGG-OVO-01	Yes 2	Statement of origin		Directive AH-95-G-01	Directive 92/118 Decisions 94/187 94/344	Yes 1		
Public health	Directive 92/118 Decision 97/38	Canada Agricultural Products Act Egg Regulations Processed Egg Regulations Food and Drugs Act & Regs.	NE			Canada Agricultural Products Act Egg Regulations Processed Egg Regulations Food and Drugs Act and Regs.	Directive 92/118 Decision 97/38	NE		

		Consumer Packaging and Labelling Act & Regs. (if packaged for retail sale)				Consumer Packaging and Labelling Act & Regs. (if packaged for retail sale)				
--	--	--	--	--	--	--	--	--	--	--

45. Gelatin for human consumption and technical use

Animal health	Directive 92/118	H of A Act and Regs. Sec 40, 45 Directive AH-96-HPP-PHI-02	Yes2	Statement of origin		H of A Act and Regs.	Directive 92/118	E		
Public health	Directive 92/118	Food and Drugs Act & Regs	NE			Food and Drugs Act & Regs.	Directive 92/118 Decision 97/534	NE		

FOOTNOTES

*Footnote A***Fresh meat, meat products, poultry meat, game meat****I. CANADIAN EXPORTS TO THE EC:**

1. Canada has permanent official veterinary presence in slaughterhouses; and will apply daily official veterinary presence in cutting plants, and periodic official veterinary supervision of cold stores.
2. Handwash facilities must be easily accessible, not hand operable, and showers to be provided.
3. All establishments shall have an efficient drainage and plumbing system, and all drains and gutters shall be properly installed with traps and vents approved by CFIA.
4. Canada is phasing out the use of wooden pallets where there is exposed product. In the interim:
 - no wooden pallets shall be used with three metres of exposed product,
 - pallets shall be clean, structurally sound, and covered with a sanitary plastic sheet.

Those establishments which are already using plastic pallets shall continue to do so.

Where wooden pallets are used in coolers or freezers, all product present shall be hygienically packaged to prevent contact of product with wood.

5. Product flow to assure all hygiene requirements, e.g. separation of unpacked fresh meat and packaged meat.
6. Packaging material shall be kept in separate rooms that are used exclusively for this purpose and free of dust and vermin.

Waxed assembled boxes shall not be nested, unless a liner is added.

Boxes shall be assembled in a sanitary manner, either in a separate room or, if on the cutting room floor, never within three metres of exposed product.

7. Product temperatures not to exceed:
 - Offal: 3°C,
 - Fresh meat: 7°C,
 - Frozen meat: -12°C.
8. Compliance with EC water testing requirements.
9. Compliance with EC requirements on medical health certificates.
10. No export of mechanically recovered meat.
11. Meat must not be treated with tenderisers, or come from animals treated with hormonal growth promoters.
12. For trade from Canada to Sweden and Finland, Canada will certify in accordance with Council Decision 95/409/EC (fresh: veal, beef and pigmeat), Council Decision 95/410/EC (live poultry for slaughter), Council Decision 95/411/EC (fresh poultrymeat), Commission Decision 95/160/EC (breeding poultry and day-old chicks), and Commission Decision 95/161/EC (laying hens).

No attestation is required for consignments of fresh meat as defined in Directive 72/462/EEC intended for an establishment for the purposes of pasteurisation, sterilisation or for treatment having an equivalent effect.

13. Wood shall not be used for pens for sick and suspect animals.

Pens for sick and suspect animals shall be sited and constructed to preclude contact with animals intended for slaughter for export to the EC and effluent from such pens shall not flow into adjoining pens or passageways.

14. Separate office for inspection officials in cutting plants.
15. Hides must be removed from veal.
16. Trichina testing of horsemeat and pigmeat in accordance with Directive 77/96/EEC.
17. Shrouds not to be used on carcasses.
18. Compliance with EC rules on veterinary post-mortem and post-mortem inspection.
19. Compliance with EC rules on counter-flow chillers (Directive 71/118/EEC).
20. Compliance with EC rules on decontamination.

II. EC EXPORTS TO CANADA

1. Ensure separation of waste water and other effluents necessary to prevent backflow contamination.
2. Room temperatures not to exceed:
 - Cutting room: 10 °C,
 - Holding cooler: 4 °C,
 - Chilling cooler: 2 °C,
 - Freezer: -18 °C.

Product temperatures for refrigerated meat products not to exceed 4 °C.

3. Continuous assessment of health status of employees. Details on systems in place in Member States to be provided.
4. Compliance with Canada rules on post-mortem inspection for poultry.

Footnote B

Fisheries products for human consumption

I. CANADIAN EXPORTS TO THE EC:

1. For identification purposes, products should bear the Canadian registration number of the production facility, in accordance with Chapter VII of the Appendix to Directive 91/493/EEC.
2. Processing plants must have automatic temperature recorders in frozen fish storage areas and non-hand operated wash-basins in processing areas.
3. Cooked shellfish must meet the microbiological standards established in Decision 93/51/EEC.
4. Aquaculture products must meet the maximum residue levels as prescribed by Council Regulation (EC) No 3277/90.
5. All shipments of live lobsters and eels must meet the requirements for export under the 'Canadian Live Fish Certification Protocol'.

II. EC EXPORTS TO CANADA

1. Products must be labelled with the approved EC number, as per Directive 91/493/EEC.
2. Products must meet the microbiological guidelines as defined by the Canadian bacteriological guidelines for fish and fish products.
3. Products must meet the Canadian guidelines for chemical contaminants and toxins in fish and fish products.

4. Smoked fish packed in hermetically sealed containers must be frozen or contain a salt level not less than 9 % (water phase method).
5. Aquaculture products must meet the Canadian guidelines for therapeutic use.

Footnote C

Live bivalve molluscs for human consumption

I. CANADIAN EXPORTS TO THE EC:

1. The original harvest site must be within Canada.
2. Product must be destined for direct human consumption and not for wet storage, relaying or depuration in EC.
3. Labelling on each bag or container must be marked with the species of shellfish (common and scientific names), the official registration number identifying the processing plant (dispatch center) and the packing date.
4. Products must meet the microbiological and toxicological standards established in Chapter V of the Appendix to Directive 91/492/EEC.

II. EC EXPORTS TO CANADA:

1. The original harvest site must be within the EC.
2. Product must be destined for direct human consumption and not for wet storage, relaying or depuration in Canada.
3. Labelling on each bag or container must include the common name of the shellfish, date and area of harvest, name, address and registration number of the dispatch center.
4. Products must meet the microbiological guidelines as defined by the Canadian Bacteriological Guidelines for Fish and Fish Products.
5. Products must meet the Canadian Guidelines for Chemical Contaminants and Toxins in Fish and Fish Products.

Footnote D

Live bovine animals and bovine semen — IBR

Canada will certify in accordance with Article 3 of Commission Decision 93/42/EEC or Article 2 of Commission Decision 95/109/EC as appropriate for exports to Member States or regions of Member States which have been granted special conditions for intra-Community trade.

Footnote E

Live porcine animals and porcine semen — Aujeszky's disease

Canada will certify in accordance with Article 5 of Commission Decision 93/24/EEC or Article 4 of Commission Decision 93/244/EEC as appropriate for exports to Member States or regions of Member States which have been granted special conditions for intra-Community trade.

ANNEX VI

GUIDELINES ON PROCEDURES FOR CONDUCTING AN AUDIT

1. General principles

- 1.1. Audits should be made in cooperation between the auditing party (the 'auditor') and the audited party, (the 'auditee') in accordance with the provisions set out in this Annex.
- 1.2. Audits should be designed to check the effectiveness of the controlling authority rather than to reject individual animals, groups of animals, consignments of food or establishments. The process can include study of the relevant regulations, method of implementation, assessment of the end result, including assessments conducted, as considered necessary, at establishments or facilities, level of compliance and subsequent corrective actions. Where an audit reveals a serious risk to animal or human health, the auditee shall take immediate corrective action.
- 1.3. The frequency of audits should be based on performance. A low level of performance should result in an increased frequency of audit; unsatisfactory performance must be corrected by the auditee to the auditor's satisfaction.
- 1.4. Audits, and the decisions based on them, shall be made in a transparent and consistent manner.

2. Principles relating to the auditor

Those responsible for conducting the audit should prepare a plan, preferably in accordance with recognised international standards, that covers the following points:

- 2.1. the subject, depth and scope of the audit;
- 2.2. the date and place of the audit, along with a timetable up to and including the issue of the final report;
- 2.3. the language or languages in which the audit will be conducted and the report written;
- 2.4. the identity of the auditors including, if a team approach is used, the leader. Specialised professional skills may be required to carry out audits of specialised systems and programmes;
- 2.5. a schedule of meetings with officials and visits to establishments or facilities, as appropriate. The identity of establishments or facilities to be visited should be stated in advance, although additional or alternate facilities may be visited during the audit if it is considered necessary;
- 2.6. subject to provisions on freedom of information, respect of commercial confidentiality shall be observed by the auditor. Conflicts of interest must be avoided;
- 2.7. respect of the rules governing occupational health and safety.

This plan should be reviewed in advance with representatives of the auditee.

3. Principles relating to the auditee

The following principles apply to actions taken by the auditee, in order to facilitate audit.

- 3.1. The auditee must cooperate fully with the auditor and should nominate personnel responsible for this task. Cooperation may include, for example:
 - access to all relevant regulations and standards,
 - access to compliance programmes and appropriate records and documents,
 - access to audit and inspection reports,
 - documentation concerning corrective actions and sanctions,
 - facilitating entry to establishments or facilities.

- 3.2. The auditee must operate a documented programme to demonstrate to the auditor that standards are being met on a consistent and uniform basis.

4. Procedures

4.1. *Opening meeting*

An opening meeting should be held between representatives of both parties. At this meeting the auditor will be responsible for reviewing the audit plan and confirming that adequate resources, documentation, and any other necessary facilities are available for conducting the audit.

4.2. *Document review*

The document review may consist of a review of the documents and records referred to in paragraph 3.1, the structures and powers of the auditee, and any relevant changes to food inspection and certification systems since the adoption of this Agreement or since the previous audit, with emphasis on the implementation of elements of the system of inspection and certification for animals or products of interest. This may include an examination of relevant inspection and certification records and documents.

4.3. *On-site verification*

- 4.3.1. The decision to include this step should be based upon an assessment of risk, taking into account factors such as the animals or products concerned, the history of conformity with requirements by the industry sector or exporting country, the volume of product produced and imported or exported, changes in infrastructure and the nature of the inspection and certification systems.

- 4.3.2. On-site verification may involve visits, which may be unannounced, to production and manufacturing facilities, food handling or storage areas and control laboratories to check on compliance with the information contained in the documentary material referred to in 4.2.

4.4. *Follow-up audit*

Where a follow-up audit is being conducted in order to verify the correction of deficiencies, it may be sufficient to examine only those points which have been found to require correction.

5. Working documents

Working documents may include checklists of elements to evaluate, such as the following:

- legislation,
- structure and operations of inspection and certification services,
- establishment details and working procedures (including any HACCP documentation),
- health statistics, sampling plans and results,
- compliance action and procedures,
- reporting and complaint procedures, and
- training programmes.

6. Closing meeting

A closing meeting shall be held between representatives of both Parties. At this meeting the auditor will present the findings of the audit. The information should be presented in a clear, concise manner so that the conclusions of the audit are clearly understood.

The Parties may discuss specific actions to be taken as the result of the findings.

7. **Audit report**

The auditor shall provide the auditee with a draft report of the audit generally within 60 days of the conclusion of the audit. To the extent possible, the report shall be presented in a standardised format to be agreed upon by the Parties in order to make the approach to audit more uniform, transparent and efficient. The report will assess the adequacy of the auditee's enforcement and control programme and identify any deficiencies noted during the conduct of the audit. Thereafter, the auditee may within 60 days comment on the draft report and shall describe any specific corrective actions that will be taken, preferably with target dates for completion. Any comments made by the auditee shall be included in the final report.

ANNEX VII

CERTIFICATION

Official health certificates will cover consignments of live animals and/or animal products being traded between the Parties.

Health attestations:

(a) Equivalence agreed

Model health attestation to be used ('yes 1' for animal and/or public health).

'The live animals or animal products herein described comply with the relevant European Community/Canadian standards and requirements which have been recognised as equivalent to the Canadian/European Community standards and requirements as prescribed in the Canadian/EC Veterinary Agreement. Specifically in accordance with (insert: exporting country's legislation)'.

(b) Until certificates on the basis of equivalence have been adopted, existing certification shall continue to be used as set out in Annex V.

Language:

Exports from Canada: the official health certificate will be issued either in English or French or both as well as in one of the languages of the Member State in which the border inspection post is situated and where the consignment is presented.

Exports from the EC: the official health certificate will be issued in the language of the Member State of origin as well as either in English or French or both.

ANNEX VIII

FRONTIER CHECKS

Frequencies of frontier checks on consignments of live animals and animal products

The Parties may modify any frequency rate, within their responsibilities, as appropriate, taking into account the nature of any checks applied by the exporting Party prior to export, the importing Party's past experience with products imported from the exporting Party, any progress made toward the recognition of equivalence, or as a result of other actions or consultations provided for in this Agreement.

Type of frontier check	Normal rate as per Article 11(2)
1. Documentary and identity Both Parties will perform documentary and identity checks on all consignments	
2. Physical checks	
<i>Live animals</i>	100 %
<i>Semen/embryos/ova</i>	10 %
<i>Animal products for human consumption</i> Fresh meat including offal, and products of the bovine, ovine, caprine, porcine and equine species defined in Council Directive 92/5/EEC Whole eggs Lard and rendered fats Animal casings Gelatin Poultry meat and poultry meat products Rabbit meat, game meat (wild/farmed) and products Milk and milk products Egg products Honey Bone and bone products Meat preparations and minced meat Frogs' legs and snails	10 %
<i>Animal products not for human consumption</i> Lard and rendered fats Animal casings Milk and milk products Gelatin Bone and bone products	

Type of frontier check	Normal rate as per Article 11(2)
Hides and skins ungulates Game trophies Processed petfood Raw material for the manufacture of petfood Raw material, blood, blood products, glands and organs for pharmaceutical/technical use Processed animal protein (packaged)	10 %
Bristles, wool, hair and feathers Horns, horn products, hooves and hoof products Apiculture products Hatching eggs Manure Hay and straw	10 % 10 % 10 % 10 % 10 % 10 %
<i>Processed animal protein not for human consumption (bulked)</i>	100 % for the first six consignments (as per Council Directive 92/118/EEC), then 20 %
<i>Live bivalve molluscan shellfish</i>	15 %
<i>Fish and fishery products for human consumption</i> Fish products in hermetically sealed containers intended to render them stable at ambient temperatures, fresh and frozen fish and dry and/or salted fisheries products. Other fishery products.	15 %

For the purposes of this Agreement, 'consignment' means a quantity of products of the same type, covered by the same health certificate or document, conveyed by the same means of transport, consigned by a single consignee and originating from the same exporting Party or part of such Party.

*ANNEX IX***OUTSTANDING ISSUES**

1. The Parties agree that the following areas are to be explored as part of a work programme:
 - contaminants (including microbiological standards),
 - food additives,
 - animal feeding stuffs,
 - medicated feeds and premixes,
 - labelling of foodstuffs,
 - nutritional labelling,
 - flavours,
 - processing aids,
 - chemicals originating from the migration of substances from packaging materials,
 - irradiation,
 - sanitary stamps,
 - zootechnical standards.
 2. Canada has submitted a document outlining a proposed model for a risk based import inspection model. There is agreement between the Parties to explore the possibility of implementing this approach.
 3. The Parties agree to discuss issues associated with the transit of live animals through the territory of the Parties.
-

ANNEX X

CONTACT POINTS FOR THE ADMINISTRATION OF THIS AGREEMENT

A Party may unilaterally amend its section of this Annex. Such amendments shall be notified to the other Party without delay, and shall come into force on the date specified in the notification, but shall not come into force prior to the date of the notification.

Pursuant to Article 14(3), the following are the contact points for each of the Parties.

For Canada

The initial contact point is:

Agriculture Counsellor
Agriculture Section
Canadian Mission to the European Union
Avenue de Tervuren/Tervurenlaan 2
B-1040 Brussels;

Telephone: (32) 2 741-0610 (Agriculture Counsellor)
(32) 2 741-0698 (Agricultural Affairs Assistant)
(32) 2 741-0611 (Switchboard)
Fax: (32) 2 741-0629

Other important contacts are:

For matters related to live animals, agri-food, fish, and seafood products:

Executive Director
Animal Products Directorate
Canadian Food Inspection Agency
59 Camelot Drive
Nepean, Ontario
K1A 0Y9

Telephone: (613) 225-2342
Fax: (613) 228-6631

For matters specifically related to fish health and diseases:

Director
Aquaculture and Oceans Science Branch
Department of Fisheries and Oceans
200 Kent Street
Ottawa, Ontario
K1A 0E6

Telephone: (613) 990-0275
Fax: (613) 954-0807

For matters related to human health:

Director General
Food Directorate
Health Protection Branch
Health Canada
Health Protection Building, Tunney's Pasture
Ottawa, Ontario
K1A 0L2

For the Community

The initial contact point is:

The Director
DG VI.B.II Quality and Health
Commission of the European Communities
Rue de la Loi/Wetstraat 86 (Room 8/53)
Brussels;

Telephone: (32) 2 295 6838
Fax: (32) 2 296 4286

Information on the date of entry into force of the Agreement between the European Community and the Government of Canada on sanitary measures to protect public and animal health in respect of trade in live animals and animal products

The internal procedures applicable by the two Parties to the Agreement on sanitary measures to protect public and animal health in respect of trade in live animals and animal products between the European Communities and their Member States, of the one part, and the Government of Canada, of the other part, signed in Ottawa on 17 December 1998, have been completed. The Agreement entered into force on 17 December 1998.
