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## Legislation

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Price: EUR 18

<sup>(1)</sup> Text with EEA relevance

(Continued overleaf)

EN

Acts whose titles are printed in light type are those relating to day-to-day management of agricultural matters, and are generally valid for a limited period.

The titles of all other acts are printed in bold type and preceded by an asterisk.

**Commission**

2003/616/EC:

★ **Commission Decision of 11 August 2003 approving on behalf of the European Community amendments to the Annexes to the Agreement between the European Community and New Zealand on sanitary measures applicable to trade in live animals and animal products <sup>(1)</sup> ..... 36**

**Agreement in the form of an Exchange of Letters on the amendments to the Annexes to the agreement between the European Community and New Zealand on sanitary measures applicable to trade in live animals and animal products ..... 38**

<sup>(1)</sup> Text with EEA relevance

## I

(Acts whose publication is obligatory)

**COMMISSION REGULATION (EC) No 1489/2003  
of 25 August 2003  
establishing the standard import values for determining the entry price of certain fruit and  
vegetables**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 3223/94 of 21 December 1994 on detailed rules for the application of the import arrangements for fruit and vegetables <sup>(1)</sup>, as last amended by Regulation (EC) No 1947/2002 <sup>(2)</sup>, and in particular Article 4(1) thereof,

Whereas:

- (1) Regulation (EC) No 3223/94 lays down, pursuant to the outcome of the Uruguay Round multilateral trade negotiations, the criteria whereby the Commission fixes the standard values for imports from third countries, in respect of the products and periods stipulated in the Annex thereto.

- (2) In compliance with the above criteria, the standard import values must be fixed at the levels set out in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

*Article 1*

The standard import values referred to in Article 4 of Regulation (EC) No 3223/94 shall be fixed as indicated in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 26 August 2003.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 25 August 2003.

*For the Commission*  
J. M. SILVA RODRÍGUEZ  
*Agriculture Director-General*

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<sup>(1)</sup> OJ L 337, 24.12.1994, p. 66.

<sup>(2)</sup> OJ L 299, 1.11.2002, p. 17.

## ANNEX

**to the Commission Regulation of 25 August 2003 establishing the standard import values for determining the entry price of certain fruit and vegetables**

(EUR/100 kg)

| CN code                            | Third country code <sup>(1)</sup> | Standard import value |
|------------------------------------|-----------------------------------|-----------------------|
| 0702 00 00                         | 052                               | 64,3                  |
|                                    | 060                               | 47,2                  |
|                                    | 096                               | 22,5                  |
|                                    | 999                               | 44,7                  |
| 0707 00 05                         | 096                               | 14,5                  |
|                                    | 999                               | 14,5                  |
| 0709 90 70                         | 052                               | 74,2                  |
|                                    | 999                               | 74,2                  |
| 0805 50 10                         | 382                               | 45,4                  |
|                                    | 388                               | 52,1                  |
|                                    | 524                               | 46,9                  |
|                                    | 528                               | 47,9                  |
|                                    | 999                               | 48,1                  |
| 0806 10 10                         | 052                               | 98,6                  |
|                                    | 064                               | 114,9                 |
|                                    | 400                               | 194,3                 |
|                                    | 999                               | 135,9                 |
| 0808 10 20, 0808 10 50, 0808 10 90 | 388                               | 61,5                  |
|                                    | 400                               | 85,3                  |
|                                    | 508                               | 82,8                  |
|                                    | 512                               | 63,0                  |
|                                    | 528                               | 69,1                  |
|                                    | 720                               | 71,9                  |
|                                    | 800                               | 129,4                 |
|                                    | 804                               | 89,0                  |
|                                    | 999                               | 81,5                  |
| 0808 20 50                         | 052                               | 119,4                 |
|                                    | 388                               | 104,7                 |
|                                    | 512                               | 81,5                  |
|                                    | 800                               | 148,4                 |
|                                    | 999                               | 113,5                 |
| 0809 30 10, 0809 30 90             | 052                               | 122,3                 |
|                                    | 999                               | 122,3                 |
| 0809 40 05                         | 060                               | 63,5                  |
|                                    | 064                               | 56,8                  |
|                                    | 066                               | 48,0                  |
|                                    | 068                               | 50,0                  |
|                                    | 094                               | 58,0                  |
|                                    | 624                               | 154,7                 |
|                                    | 999                               | 71,8                  |

<sup>(1)</sup> Country nomenclature as fixed by Commission Regulation (EC) No 2020/2001 (OJ L 273, 16.10.2001, p. 6). Code '999' stands for 'of other origin'.

**COMMISSION REGULATION (EC) No 1490/2003  
of 25 August 2003**

**amending Annex I to Council Regulation (EEC) No 2377/90 laying down a Community procedure  
for the establishment of maximum residue limits of veterinary medicinal products in foodstuffs of  
animal origin**

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2377/90 of 26 June 1990 laying down a Community procedure for the establishment of maximum residue limits of veterinary medicinal products in foodstuffs of animal origin <sup>(1)</sup>, as last amended by Commission Regulation (EC) No 1029/2003 <sup>(2)</sup>, and in particular Articles 6, 7 and 8 thereof,

Whereas:

- (1) In accordance with Regulation (EEC) No 2377/90, maximum residue limits must be established progressively for all pharmacologically active substances which are used within the Community in veterinary medicinal products intended for administration to food-producing animals.
- (2) Maximum residue limits should be established only after the examination within the Committee for Veterinary Medicinal Products of all the relevant information concerning the safety of residues of the substance concerned for the consumer of foodstuffs of animal origin and the impact of residues on the industrial processing of foodstuffs.
- (3) In establishing maximum residue limits for residues of veterinary medicinal products in foodstuffs of animal origin, it is necessary to specify the animal species in which residues may be present, the levels which may be present in each of the relevant meat tissues obtained from the treated animal (target tissue) and the nature of the residue which is relevant for the monitoring of residues (marker residue).
- (4) In view of the reduced availability of veterinary medicinal products for certain food-producing species <sup>(3)</sup>, maximum residue limits may be established by methods of extrapolation from maximum residue limits set for other species on a strictly scientific basis.

- (5) For the control of residues, as provided for in appropriate Community legislation, maximum residue limits should usually be established for the target tissues of liver or kidney. However, the liver and kidney are frequently removed from carcasses moving in international trade, and maximum residue limits should therefore also always be established for muscle or fat tissues.
- (6) In the case of veterinary medicinal products intended for use in laying birds, lactating animals or honey bees, maximum residue limits must also be established for eggs, milk or honey.
- (7) Cypermethrin and Enamectin should be inserted into Annex I to Regulation (EEC) No 2377/90.
- (8) An adequate period should be allowed before the entry into force of this Regulation, in order to allow Member States to make any adjustment which may be necessary to the authorisations to place the veterinary medicinal products concerned on the market which have been granted in accordance with Directive 2001/82/EC of the European Parliament and of the Council <sup>(4)</sup> to take account of the provisions of this Regulation.
- (9) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Veterinary Medicinal Products,

HAS ADOPTED THE FOLLOWING REGULATION:

*Article 1*

Annex I to Regulation (EEC) No 2377/90 is hereby amended as set out in the Annex hereto.

*Article 2*

This Regulation shall enter into force on the third day following its publication in the *Official Journal of the European Union*.

It shall apply from the 60th day following its publication.

<sup>(1)</sup> OJ L 224, 18.8.1990, p. 1.

<sup>(2)</sup> OJ L 149, 17.6.2003, p. 15.

<sup>(3)</sup> 'Availability of veterinary medicinal products', Communication from the Commission to the Council and the European Parliament, COM(2000) 806 final.

<sup>(4)</sup> OJ L 311, 28.11.2001, p. 1.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 25 August 2003.

*For the Commission*

Erkki LIIKANEN

*Member of the Commission*

  

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## ANNEX

Annex I to Regulation (EEC) No 2377/90 is amended as follows:

2. Antiparasitic agents

2.2. Agents acting against ectoparasites

2.2.3. Pyrethroids

| Pharmacologically active substance(s) | Marker residue                | Animal species       | MRLs      | Target tissues      |
|---------------------------------------|-------------------------------|----------------------|-----------|---------------------|
| 'Cypermethrin                         | Cypermethrin (sum of isomers) | Bovine               | 20 µg/kg  | Muscle              |
|                                       |                               |                      | 200 µg/kg | Fat                 |
|                                       |                               |                      | 20 µg/kg  | Liver               |
|                                       |                               | Ovine <sup>(2)</sup> | 20 µg/kg  | Kidney              |
|                                       |                               |                      | 20 µg/kg  | Milk <sup>(1)</sup> |
|                                       |                               |                      | 20 µg/kg  | Muscle              |
|                                       |                               |                      | 200 µg/kg | Fat                 |
|                                       |                               |                      | 20 µg/kg  | Liver               |
|                                       |                               |                      | 20 µg/kg  | Kidney              |

<sup>(1)</sup> Further provisions in Council Directive 93/57/EC are to be observed.

<sup>(2)</sup> Not for use in animals from which milk is produced for human consumption.'

2.3. Agents acting against endo- and ectoparasites

2.3.1. Avermectins

| Pharmacologically active substance(s) | Marker residue | Animal species | MRLs      | Target tissues                          |
|---------------------------------------|----------------|----------------|-----------|-----------------------------------------|
| 'Emamectin                            | Emamectin B1a  | Fin fish       | 100 µg/kg | Muscle and skin in natural proportions' |

**COMMISSION REGULATION (EC) No 1491/2003  
of 25 August 2003**

**supplementing the Annex to Regulation (EC) No 2400/96 (Ficodindia dell'Etna, Monte Etna, Colline di Romagna, Pretuziano delle Colline Teramane, Torta del Casar, Manzana de Girona or Poma de Girona)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2081/92 of 14 July 1992 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs <sup>(1)</sup>, as last amended by Regulation (EC) No 806/2003 <sup>(2)</sup>, and in particular Article 6(3) and (4) thereof,

Whereas:

- (1) Pursuant to Article 5 of Regulation (EEC) No 2081/92, Italy has sent the Commission four applications, to register the names 'Ficodindia dell'Etna', 'Monte Etna', 'Colline di Romagna' and 'Pretuziano delle Colline Teramane' as designations of origin, and Spain has sent one application to register the name 'Torta del Casar' as a designation of origin and one application to register the name 'Manzana de Girona' or 'Poma de Girona' as a geographical indication.
- (2) The applications have been found, in accordance with Article 6(1) of that Regulation, to meet all the requirements laid down therein and in particular to contain all the information required under Article 4 thereof.
- (3) No objection under Article 7 of Regulation (EEC) No 2081/92 was sent to the Commission following the publication in the *Official Journal of the European Communities* <sup>(3)</sup> of the six names set out in the Annex hereto.

(4) Each of the six names should therefore be entered in the Register of protected designations and protected geographical indications and hence be protected throughout the Community as a protected designation of origin or protected geographical indication, as the case may be.

(5) The Annex hereto supplements the Annex to Commission Regulation (EC) No 2400/96 <sup>(4)</sup>, as last amended by Regulation (EC) No 1428/2003 <sup>(5)</sup>,

HAS ADOPTED THIS REGULATION:

*Article 1*

Each of the six names in the Annex hereto is added to the Annex to Regulation (EC) No 2400/96 and entered as a protected designation of origin (PDO) or protected geographical indication (PGI), as the case may be, as provided in Article 6(3) of Regulation (EEC) No 2081/92.

*Article 2*

This Regulation shall enter into force on the 20th day following its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 25 August 2003.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ L 208, 24.7.1992, p. 1.

<sup>(2)</sup> OJ L 122, 16.5.2003, p. 1.

<sup>(3)</sup> OJ C 275, 12.11.2002, p. 11 (Ficodindia dell'Etna).

OJ C 281, 19.11.2002, p. 5 (Monte Etna).

OJ C 286, 22.11.2002, p. 10 (Colline di Romagna).

OJ C 309, 12.12.2002, p. 2 (Pretuziano delle Colline Teramane).

OJ C 291, 26.11.2002, p. 2 (Torta del Casar).

OJ C 316, 18.12.2002, p. 14 (Manzana de Girona or Poma de Girona).

<sup>(4)</sup> OJ L 327, 18.12.1996, p. 11.

<sup>(5)</sup> OJ L 203, 12.8.2003, p. 7.

## ANNEX

**PRODUCTS LISTED IN ANNEX I TO THE EC TREATY, INTENDED FOR HUMAN CONSUMPTION****Fruit, vegetables and cereals**

ITALY

Ficodindia dell'Etna (PDO)

SPAIN

Manzana de Girona or Poma de Girona (PGI)

**Oils and fats/Olive oil**

ITALY

Monte Etna (PDO)

Colline di Romagna (PDO)

Pretuziano delle Colline Teramane (PDO)

**Cheese**

SPAIN

Torta del Casar (PDO)

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**COMMISSION REGULATION (EC) No 1492/2003****of 25 August 2003****derogating, for the marketing year 2003/04, from Regulation (EC) No 2316/1999 as regards the use of land set aside in Sweden**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1251/1999 of 17 May 1999 establishing a support system for producers of certain arable crops <sup>(1)</sup>, as last amended by Regulation (EC) No 1038/2001 <sup>(2)</sup>, and in particular Article 9 thereof,

Whereas:

- (1) Commission Regulation (EC) No 2316/1999 of 22 October 1999 laying down detailed rules for the application of Council Regulation (EC) No 1251/1999 establishing a support system for producers of certain arable crops <sup>(3)</sup>, as last amended by Regulation (EC) No 1035/2003 <sup>(4)</sup>, sets the terms on which area payments are granted for certain arable crops. Under Article 19(2) and (3) of Regulation (EC) No 2316/1999 areas set aside must remain so for a period commencing on 15 January at the latest and ending on 31 August at the earliest and, except as otherwise provided for, may not be used for agricultural production or a lucrative purpose.
- (2) Certain regions of Sweden have experienced excessively heavy rainfall in July 2003; this has seriously affected fodder supplies and resulted in severe income losses for livestock farmers because they have been obliged to sell their stock when its normal feed has been unavailable.
- (3) It is therefore advisable to find supplementary fodder supplies for feeding livestock between now and the autumn.

(4) A derogation from Regulation (EC) No 2316/1999 should therefore be introduced whereby the affected regions may allow arable crop set-aside land to be used for animal feed purposes before expiry of the set-aside period, while introducing measures to disallow any lucrative utilisation of such land.

(5) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

*Article 1*

1. By way of derogation from Article 19(2) and (3) of Regulation (EC) No 2316/1999, the Swedish regions listed in the Annex to this Regulation may allow land declared as set-aside to be used for animal feed purposes in the 2003/04 marketing year.

2. Sweden shall take all necessary measures to ensure that the set-aside land indicated in paragraph 1 is not used for lucrative purposes, and in particular that no dried fodder production aid under Council Regulation (EC) No 603/95 <sup>(5)</sup> is granted on crops from it.

*Article 2*

This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Union*.

It shall apply with effect from 1 August 2003.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 25 August 2003.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ L 160, 26.6.1999, p. 1.

<sup>(2)</sup> OJ L 145, 31.5.2001, p. 16.

<sup>(3)</sup> OJ L 280, 30.10.1999, p. 43.

<sup>(4)</sup> OJ L 150, 18.6.2003, p. 24.

<sup>(5)</sup> OJ L 63, 21.3.1995, p. 1.

## ANNEX

**Sweden**

Kalmar län

Jönköpings län

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**COMMISSION REGULATION (EC) No 1493/2003****of 25 August 2003****amending and correcting Regulation (EC) No 98/2003 as regards the forecast supply balance for the cereals sector for the French overseas departments and the forecast supply balance for the processed fruit and vegetable sector for the Canary Islands**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1452/2001 of 28 June 2001 introducing specific measures for certain agricultural products for the French overseas departments, amending Directive 72/462/EEC and repealing Regulations (EEC) No 525/77 and (EEC) No 3763/91 (Poseidom) <sup>(1)</sup>, and in particular Article 3(6) thereof,

Having regard to Council Regulation (EC) No 1454/2001 of 28 June 2001 introducing specific measures for certain agricultural products for the Canary Islands and repealing Regulation (EEC) No 1601/92 (Poseican) <sup>(2)</sup>, as last amended by Regulation (EC) No 1922/2002 <sup>(3)</sup>, and in particular Article 3(6) thereof,

Whereas:

(1) Part I of Annex I to Commission Regulation (EC) No 98/2003 of 20 January 2003 establishing the supply balances and Community aid for the supply of certain essential products for human consumption for processing and as agricultural inputs, and for the supply of live animals and eggs to the outermost regions under Council Regulations (EC) No 1452/2001, (EC) No 1453/2001 and (EC) No 1454/2001 <sup>(4)</sup>, as last amended by Regulation (EC) No 753/2003 <sup>(5)</sup>, establishes a forecast supply balance and Community aid for cereals and cereal products for the French overseas departments.

(2) The forecast supply balance provides for an annual quantity of 40 250 tonnes of cereals for Martinique and 4 303 tonnes of cereals for French Guiana. The current situation as regards implementation of the balance shows that the quantities laid down for supplying the two departments are insufficient to cover their needs.

(3) By letter dated 6 June 2003, the French authorities therefore submitted a request for an amendment to the balance for Martinique and French Guiana in order to satisfy the supply needs of the two departments.

(4) In the light of the supporting documentation provided, the quantities of cereals provided for in the forecast supply balance should be increased.

(5) Regulation (EC) No 98/2003 contains a technical error concerning the quantities of products processed from fruit and vegetables falling within CN code 2008 intended for processing or packing in the Canary Islands. That error in the forecast supply balance for the Canary Islands should consequently be corrected.

(6) Regulation (EC) No 98/2003 should therefore be amended and corrected.

(7) The measures provided for in this Regulation are in accordance with the opinions of the Management Committee for Cereals and the Management Committee for Products Processed from Fruit and Vegetables,

HAS ADOPTED THIS REGULATION:

*Article 1*

Part 1 of Annex I to Regulation (EC) No 98/2003 is hereby replaced by the Annex hereto.

*Article 2*

In Part 4 of Annex V to Regulation (EC) No 98/2003, note 2 is hereby corrected as follows:

‘<sup>(2)</sup> Including 5 300 tonnes for the products intended for processing and/or packaging.’

*Article 3*

This Regulation shall enter into force on the seventh day following its publication in the *Official Journal of the European Union*.

Article 2 shall apply from 1 January 2003.

<sup>(1)</sup> OJ L 198, 21.7.2001, p. 11.

<sup>(2)</sup> OJ L 198, 21.7.2001, p. 45.

<sup>(3)</sup> OJ L 293, 29.10.2002, p. 11.

<sup>(4)</sup> OJ L 14, 21.1.2003, p. 32.

<sup>(5)</sup> OJ L 107, 30.4.2003, p. 3.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 25 August 2003.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

## ANNEX

### Part 1

*Cereals and cereal products intended for human consumption and animal feed; oilseeds, protein crops, dried fodder*

Forecast supply balance and Community aid for the supply of Community products per calendar year

| Department    | Description                                                                | CN code                                                                                                       | Quantity<br>(in tonnes) | Aid<br>(EUR/tonne) |    |                  |
|---------------|----------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------|-------------------------|--------------------|----|------------------|
|               |                                                                            |                                                                                                               |                         | I                  | II | III              |
| Guadeloupe    | Common wheat, barley, maize and malt                                       | 1001 90, 1003 00, 1005 90 and 1107 10                                                                         | 51 200                  | —                  | 42 | ( <sup>1</sup> ) |
| French Guiana | Common wheat, barley, maize, products intended as animal feed and malt     | 1001 90, 1003 00, 1005 90, 2309 90 31, 2309 90 41, 2309 90 51, 2309 90 33, 2309 90 43, 2309 90 53 and 1107 10 | 6 445                   | —                  | 52 | ( <sup>1</sup> ) |
| Martinique    | Common wheat, barley, maize, groats and meal of durum wheat, oats and malt | 1001 90, 1003 00, 1005 90, 1103 11, 1004 00 and 1107 10                                                       | 52 000                  | —                  | 42 | ( <sup>1</sup> ) |
| Réunion       | Common wheat, barley, maize and malt                                       | 1001 90, 1003 00, 1005 90 and 1107 10                                                                         | 166 000                 | —                  | 48 | ( <sup>1</sup> ) |

(<sup>1</sup>) The amount shall be equal to the refund for products falling within the same CN code granted under Article 7 of Commission Regulation (EC) No 1501/95.<sup>7</sup>

**COMMISSION REGULATION (EC) No 1494/2003****of 25 August 2003****setting, for the 2003/04 marketing year, the buying-in price to be applied by storage agencies for unprocessed dried grapes and unprocessed dried figs**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2201/96 of 28 October 1996 on the common organisation of the markets in processed fruit and vegetable products <sup>(1)</sup>, as last amended by Commission Regulation (EC) No 453/2002 <sup>(2)</sup>, and in particular Article 9(8) thereof,

Whereas:

- (1) The criteria for setting the price at which storage agencies buy in unprocessed dried figs and unprocessed dried grapes are laid down in Article 9(2) of Regulation (EC) No 2201/96 and the conditions on which the storage agencies buy in and manage the products are laid down in Commission Regulation (EC) No 1622/1999 of 23 July 1999 laying down detailed rules for applying Council Regulation (EC) No 2201/96 as regards the scheme for the storage of unprocessed dried grapes and unprocessed dried figs <sup>(3)</sup>. The buying-in price should therefore be set for the 2003/04 marketing year on the basis, for dried grapes, of the evolution in world prices and, for dried figs, of the minimum price laid down in Commission Regulation (EC) No 1459/2003 of 18

August 2003 fixing, for the marketing year 2003/2004, the minimum price to be paid to producers for unprocessed dried figs and the amount of production aid for dried figs <sup>(4)</sup>.

- (2) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Products Processed from Fruit and Vegetables,

HAS ADOPTED THIS REGULATION:

*Article 1*

For the 2003/04 marketing year, the buying-in price referred to in Article 9(2) of Regulation (EC) No 2201/96 shall be:

- EUR 378,54 per tonne net for unprocessed dried grapes,
- EUR 542,70 per tonne net for unprocessed dried figs.

*Article 2*

This Regulation shall enter into force on the third day following its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 25 August 2003.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ L 297, 21.11.1996, p. 29.

<sup>(2)</sup> OJ L 72, 14.3.2002, p. 9.

<sup>(3)</sup> OJ L 192, 24.7.1999, p. 33.

<sup>(4)</sup> OJ L 208, 19.8.2003, p. 11.

**COMMISSION REGULATION (EC) No 1495/2003**  
**of 25 August 2003**  
**on the supply of common wheat as food aid**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1292/96 of 27 June 1996 on food-aid policy and food-aid management and special operations in support of food security <sup>(1)</sup>, as amended by Regulation (EC) No 1726/2001 <sup>(2)</sup>, and in particular Article 24(1)(b) thereof,

Whereas:

- (1) The abovementioned Regulation lays down the list of countries and organisations eligible for Community aid and specifies the general criteria on the transport of food aid beyond the fob stage.
- (2) Following the taking of a number of decisions on the allocation of food aid, the Commission has allocated cereals to Bangladesh.
- (3) It is necessary to provide for the carrying out of this measure in accordance with the rules laid down by Commission Regulation (EC) No 2519/97 of 16 December 1997 laying down general rules for the mobilisation of products to be supplied under Council Regulation (EC) No 1292/96 as Community food aid <sup>(3)</sup>. It is necessary to specify the time limits and conditions of supply to determine the resultant costs,

HAS ADOPTED THIS REGULATION:

*Article 1*

A tendering procedure is hereby initiated for the award of a contract for the supply of common wheat to Bangladesh in accordance with the provisions of Regulation (EC) No 2519/97 and with the conditions laid down in Annex I hereto.

The offer submitted shall be deemed to have been drawn up taking account of the charges and constraints resulting from specific clauses set out in the Exchange of Letters between the Commission and the recipient, published in part in Annex II. In particular, the laydays should be assessed on the basis of an average daily discharge rate of 2 400 tonnes in such a way that dispatch to be paid to the recipient by the European Community will be for the account of the supplier.

The tenderer is deemed to have noted and accepted all the general and specific conditions applicable. Any other condition or reservation included in his tender is deemed unwritten.

*Article 2*

This Regulation shall enter into force on the day following its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 25 August 2003.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

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<sup>(1)</sup> OJ L 166, 5.7.1996, p. 1.

<sup>(2)</sup> OJ L 234, 1.9.2001, p. 10.

<sup>(3)</sup> OJ L 346, 17.12.1997, p. 23.

## ANNEX I

## LOT A

1. **Action No:** 411/01
2. **Beneficiary** <sup>(2)</sup>: Bangladesh
3. **Beneficiary's representative:** The Secretary, Ministry of Food, Bangladesh Secretariat, Dhaka, Bangladesh
4. **Country of destination:** Bangladesh
5. **Product to be mobilised:** common wheat
6. **Total quantity (tonnes net):** 13 000
7. **Number of lots:** 1
8. **Characteristics and quality of the product** <sup>(3)</sup> <sup>(5)</sup>: see OJ C 312, 31.10.2000, p. 1 (A.1)
9. **Packaging:** in bulk
10. **Labelling or marking:** —
  - Language to be used for the markings: —
  - Supplementary markings: —
11. **Method of mobilisation of the product:** the Community market
12. **Specified delivery stage:** free at port of landing — undischarged <sup>(6)</sup>  
The recipient shall unload the wheat as per the conditions laid down in Annex II
13. **Alternative delivery stage:** free at port of shipment — fob stowed and trimmed
14. a) **Port of shipment:** —  
b) **Loading address:** —
15. **Port of landing:** Chittagong
16. **Place of destination:** —
  - port or warehouse of transit: —
  - overland transport route: —
17. **Period or deadline of supply at the specified stage:**
  - first deadline: 9.11.2003
  - second deadline: 23.11.2003
18. **Period or deadline of supply at the alternative stage:**
  - first deadline: 22-28.9.2003
  - second deadline: 6-12.10.2003
19. **Deadline for the submission of tenders (at 12 noon, Brussels time):**
  - first deadline: 9.9.2003
  - second deadline: 23.9.2003
20. **Amount of tendering guarantee:** EUR 5 per tonne
21. **Address for submission of tenders and tendering guarantees** <sup>(1)</sup>: M. Vestergaard, Commission européenne, Bureau: L130 7/46, B-1049 Bruxelles; fax: (32-2) 296 70 03/296 70 04
22. **Export refund** <sup>(4)</sup>: refund applicable on 20.8.2003, fixed by Commission Regulation (EC) No 1455/2003 (OJ L 206, 15.8.2003, p. 25)

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*Notes:*

- (<sup>1</sup>) Supplementary information: Torben Vestergaard (tel.: (32-2) 299 30 50; fax: (32-2) 296 20 05).
  - (<sup>2</sup>) The supplier shall contact the beneficiary or its representative as soon as possible to establish which consignment documents are required.
  - (<sup>3</sup>) The supplier shall deliver to the beneficiary a certificate from an official entity certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded. The radioactivity certificate must indicate the caesium-134 and -137 and iodine-131 levels.
  - (<sup>4</sup>) Commission Regulation (EC) No 2298/2001 (OJ L 308, 27.11.2001, p. 16) is applicable as regards the export refund. The date referred to in Article 2 of the said Regulation is that referred to in point 22 of this Annex.
  - (<sup>5</sup>) The supplier shall supply to the beneficiary or its representative, on delivery, the following documents:
    - phytosanitary certificate,
    - fumigation certificate.
  - (<sup>6</sup>) In addition to the provisions of Article 14(3) of Regulation (EC) No 2519/97, vessels chartered shall not appear on any of the four most recent quarterly lists of detained vessels as published by the Paris Memorandum of Understanding on Port State Control (Council Directive 95/21/EC (OJ L 157, 7.7.1995, p. 1)).
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## ANNEX II

**1. Type of vessel to be fixed**

The vessels (self-trimming bulk carriers) must have at least five hatches. Vessels to be geared and each crane/derrick to serve one or two hatches. The vessels must be capable of entering the Chittagong outer anchorage and, after necessary lighterage, be able to shift and berth at Chittagong jetties. To this end vessels should have a maximum length of 610 feet.

Charterers/shipowners must ensure that all certificated officers carry with them on board the original valid certificate of competency and that all vessels are manned strictly according to the STCW Convention 1995, failing which any delay to the vessel will be on owner's account.

**2. Discharging facilities**

Vessels will furnish at the discharge port, free of expenses to the recipient, winches and/or cranes and the power to drive them, gins and falls in good working condition and will also supply sufficient lights for night work, as on board, on deck and in the holds, if required. Vessels will provide winchmen at their own expense.

**3. Vessels' ETA information**

Master to wireless/cable nominees of the recipient, namely Movements Chittagong — telex 642237 CMS C BJ — (simultaneously informing Banglaship Chittagong — telex 66277 BSC BJ — and Movestore Dhaka — telex 642230 CMS BJ) for orders regarding discharge 10 days prior to their arrival at the discharge port, i.e. Chittagong, and state ETA and draft. Orders for discharging will be transmitted to the vessel within five days of the receipt of master's request.

Master to give the following notice to the recipient's nominees, i.e. Movements Chittagong, Banglaship Chittagong and Movestore Dhaka:

(a) upon sailing from load port vessels must state:

- (i) quantity loaded;
- (ii) arrival draft;
- (iii) TPI (tonnes per inch);

(b) 10 days beforehand ETA Chittagong port,

five days beforehand ETA Chittagong port,

72 hours, 48 hours and 24 hours beforehand ETA Chittagong port.

**4. Discharging rate and discharging port time counting**

The cargo is to be discharged by the recipient free of risk and expense to the vessel at the rate of 2 400 tonnes per weather working day of 24 consecutive hours. Time from 12 noon on Thursday or 5 p.m. on a day preceding a holiday until 9 a.m. on Saturday or next working day not to count as laytime even if used. The rate of discharge is based on four or more workable hatches. If, however, the number of workable hatches is less than the specified minimum, the discharging rate will be reduced proportionately.

Notice of readiness is to be tendered and accepted after vessel arrives at the Chittagong outer anchorage and laytime to commence 24 hours after NOR tendered during office hours (09.00-17.00), whether the vessel is in berth or not. However, in case a time period for the supply has been fixed by the Commission, laytime shall not commence before the first day of the said period. At discharge port, cost of shifting from anchorage to anchorage, anchorage to berth and berth to berth on owner's/charterer's account and time used for such shifting not to count as laytime.

Although stevedores appointed by recipients, all discharging operations to be carried out under masters' direction/approval. All necessary trimming will be at owner's time and expense.

At Chittagong anchorage, if a lighter vessel is required to cast off from the mother ship, due to heavy swell and/or bad weather, all time lost will not count as laytime. The time will stop counting from the time the lighter vessel casts off and will start counting again from the time the lighter vessel is re-tied alongside the mother ship.

**5. Lighterage at discharge port**

All necessary lighterage at Chittagong outer anchorage will be carried out by the recipients at their own cost and time. For vessels unable to enter the Chittagong outer anchorage, due to excessive draft, lighterage may be carried out at Kutubdia anchorage by the charterers/owners at their expense and such lighterage to be treated as transshipment and lighters engaged to be discharged on identical terms as the mother ship, and time used for lighterage at Kutubdia not to count as laytime. Collision damage, if any, during lighterage to be settled directly between the owners of the mother and the lighter vessels (notwithstanding whether engaged by owners/charterers for Kutubdia lighterage, or by the recipients for outer anchorage lighterage). In case of unsafe anchorage at Chittagong outer anchorage, any lighterage at Kutubdia is for recipients account.

Master of the vessel(s) at all times to extend full cooperation to the recipients and/or their nominees/agents/stevedores/lighterage contractors in order to expedite discharge. Lighter vessels to supply suitable fenders to avoid damage.

**6. Demurrage/Dispatch**

Should the vessel(s) not be discharged at the rate herein stipulated, demurrage shall be paid by the recipient at the rate stipulated in the charter party, subject to a maximum of EUR 8 000 per day or part thereof.

For working time saved at the port of discharge, dispatch money shall be paid to the recipient at the rate of 50 % of the rate of demurrage stipulated in the charter party, subject to a maximum of EUR 4 000 per day saved.

Demurrage or dispatch at the discharge port, if any, at the amounts specified above, shall be paid, as the case may be, by the recipient to the Commission or by the Commission to the recipient. Afterwards settlement of dispatch/demurrage, if any, between the supplier and the Commission will take place.

Laytime at port of discharge to be non-reversible.

**7. Miscellaneous**

Overtime expenses, if any, on account of port and customs personnel will be for the account of the party (owner/their agents or receiver/their agents) ordering the same, but if ordered by the Port Authorities, to be on the receiver's/owner's account on 50:50 basis. Overtime expenses for vessel's crew always to be on the owner's account.

At the port of discharge opening/closing of hatches on all occasions to be for owner's account and time not to count as laytime.

First opening and last closing of hatches at port of discharge to be done by vessel's crew.

Whatever the respective destination of the goods found damaged, they must be disposed of/destroyed as per port rules prior to sailing out of the vessel.

Dock worker management board's levy or any similar levy is for owner's account.

In the case where some extra costs requested by the owner/charterer are to be pre-financed by the recipient, they may be directly paid by the Commission on the recipient's behalf to the supplier.

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**DIRECTIVE 2003/44/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL  
of 16 June 2003**

**amending Directive 94/25/EC on the approximation of the laws, regulations and administrative  
provisions of the Member States relating to recreational craft**

(Text with EEA relevance)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE  
EUROPEAN UNION,

Having regard to the Treaty establishing the European Commu-  
nity, and in particular Article 95 thereof,

Having regard to the proposal from the Commission <sup>(1)</sup>,

Having regard to the opinion of the European Economic and  
Social Committee <sup>(2)</sup>,

Acting in accordance with the procedure laid down in Article  
251 of the Treaty <sup>(3)</sup> in the light of the joint text approved by  
the Conciliation Committee on 9 April 2003,

Whereas:

- (1) Developments since the adoption of Directive 94/25/EC of the European Parliament and of the Council of 16 June 1994 on the approximation of the laws, regulations and administrative provisions of the Member States relating to recreational craft <sup>(4)</sup> have made it necessary to amend that Directive.
- (2) Directive 94/25/EC does not cover personal watercraft, while since its adoption some Member States have introduced laws, regulations and administrative provisions concerning such craft.
- (3) The propulsion engines on recreational craft and personal watercraft produce exhaust emissions of carbon monoxide (CO), hydrocarbons (HC), nitrogen oxides (NOx), noise emissions and particle emissions which affect both human health and the environment.
- (4) Exhaust emissions produced by the engines of such recreational craft and personal watercraft and noise emissions produced by such craft are also not covered by Directive 94/25/EC.
- (5) It is now necessary to integrate environmental protection requirements into the various Community activities in order to promote sustainable development. Such provisions, which are already the subject of the Council Resolution of 3 December 1992 concerning the relationship

between industrial competitiveness and environmental protection <sup>(5)</sup>, were taken up in the conclusions of the Industry Council of 29 April 1999.

- (6) Laws, regulations and administrative provisions are in force in some Member States limiting noise and exhaust emissions from recreational craft and engines in order to protect human health, the environment and, where appropriate, domestic animal health. Those measures differ and are likely to affect the free movement of such products and constitute barriers to trade within the Community.
- (7) In the framework of Directive 98/34/EC of the European Parliament and of the Council of 22 June 1998 laying down a procedure for the provision of information in the field of technical standards and regulations and of rules on Information Society services <sup>(6)</sup> Member States have notified draft national regulations aimed at reducing noise and exhaust emissions from the engines of recreational craft. Such technical regulations are considered, like the national provisions already in force, to be likely to affect the free movement of such products or to create obstacles to the proper functioning of the internal market. It is therefore necessary to draw up a binding Community instrument.
- (8) The harmonisation of national laws is the only way to abolish such barriers to trade and unfair competition found in the internal market. The objective of limiting noise and exhaust emissions cannot be satisfactorily met by the Member States individually. The measures provided for in this Directive lay down only the essential requirements for the free movement of recreational craft, personal watercraft and all the types of engines to which this Directive applies.
- (9) These measures are in accordance with the principles set out in the Council Resolution of 7 May 1985 on a new approach to technical harmonisation and standards <sup>(7)</sup>, with reference being made to harmonised European standards.

<sup>(1)</sup> OJ C 62 E, 27.2.2001, p. 139 and OJ C 51 E, 26.2.2002, p. 339.

<sup>(2)</sup> OJ C 155, 29.5.2001, p. 1.

<sup>(3)</sup> Opinion of the European Parliament of 5 July 2001 (OJ C 65 E, 14.3.2002, p. 310), Council Common Position of 22 April 2002 (OJ C 170 E, 16.7.2002, p. 1) and Decision of the European Parliament of 26 September 2002 (not yet published in the Official Journal). European Parliament Decision of 14 May 2003 and Council Decision of 19 May 2003.

<sup>(4)</sup> OJ L 164, 30.6.1994, p. 15.

<sup>(5)</sup> OJ C 331, 16.12.1992, p. 5.

<sup>(6)</sup> OJ L 204, 21.7.1998, p. 37. Directive as amended by Directive 98/48/EC (OJ L 217, 5.8.1998, p. 18).

<sup>(7)</sup> OJ C 136, 4.6.1985, p. 1.

- (10) The provisions on exhaust and noise emissions laid down in this Directive should apply to all engines, whether inboard, outboard or stern drive with or without integral exhaust, and to personal watercraft in order to ensure optimum effectiveness in the protection of human health and the environment. Engines undergoing major modifications should be included as regards exhaust emissions. Craft with stern drive engines without integral exhausts or inboard propulsion engine installations undergoing major craft conversion should be included as regards noise emissions when placed on the Community market within five years following conversion.
- (11) Conformity with the essential requirements for emissions from the engines concerned is essential to protect human health and the environment. Maximum authorised levels should be laid down for exhaust emissions of carbon monoxide (CO), hydrocarbons (HC), nitrogen oxide (NOx) and particulate pollutants. As far as noise emissions are concerned, the maximum levels should be broken down as a function of the power of such engines and the number and type of engines on board. These measures should be consistent with all other measures to reduce engine emissions in order to protect human beings and the environment.
- (12) Member States should consider introducing national support measures to encourage the use of synthetic biodegradable lubrication oils to reduce water pollution by recreational craft. The introduction of measures at Community level should be considered during the review of this Directive.
- (13) For the two types of emission in question, the data certifying their conformity should always accompany the recreational craft, personal watercraft or engine.
- (14) Harmonised European standards, in particular as regards the measurement of levels and test methods, make it easier to demonstrate conformity with the essential requirements, also in the case of emissions from the recreational craft and personal watercraft covered by this Directive.
- (15) In view of the nature of the risks involved, it is necessary to adopt conformity assessment procedures to ensure the necessary level of protection. The manufacturer or his authorised representative or, if they do not fulfil their obligations, the person placing the product on the market and/or putting it into service, should ensure that the products covered by this Directive comply with relevant essential requirements, when they are placed on the market and/or put into service. Adequate procedures should be laid down which provide a choice between procedures with equivalent stringency. Those procedures should comply with Council Decision 93/465/EEC of 22 July 1993 concerning the modules for the various phases of the conformity assessment procedures and the rules for the affixing and use of the CE conformity marking which are intended to be used in technical harmonisation Directives <sup>(1)</sup>.
- (16) As far as exhaust emissions are concerned, all types of engines, including personal watercraft and other similar powered craft, should bear the CE mark affixed by the manufacturer or his authorised representative within the Community, except inboard engines and stern drive engines without integral exhaust, engines type-approved according to stage II of Directive 97/68/EC <sup>(2)</sup> and engines type-approved according to Directive 88/77/EEC <sup>(3)</sup> which should be accompanied by the manufacturer's declaration of conformity. As far as noise emissions are concerned, only outboard engines and stern drive engines with integral exhaust must bear the CE mark affixed by the manufacturer or his authorised representative or the person placing the product on the market and/or putting it into service within the Community. For noise emissions and for all types of engines, except outboard engines and of stern drive engines with integral exhaust, the CE mark affixed on the craft demonstrates conformity with the relevant essential requirements.
- (17) Directive 94/25/EC should be amended also to take account of manufacturing needs, which require a greater choice of certification procedures.
- (18) For the sake of legal certainty and to ensure the safe use of recreational craft, it is necessary to clarify a number of technical issues relating to the essential construction requirements of recreational craft concerning the boat design categories, the maximum recommended load, the craft identification number, the fuel tanks, the fire fighting equipment and the discharge prevention.
- (19) The Commission should closely monitor the evolution of engine technology and the need to meet future environmental protection requirements in order to examine the possibility of further reducing emission limit values for noise and exhaust emissions.

<sup>(1)</sup> OJ L 220, 30.8.1993, p. 23.

<sup>(2)</sup> OJ L 59, 27.2.1998, p. 1. Directive as amended by Commission Directive 2001/63/EC (OJ L 227, 23.8.2001, p. 41).

<sup>(3)</sup> OJ L 36, 9.2.1988, p. 33. Directive as last amended by Commission Directive 2001/27/EC, (OJ L 107, 18.4.2001, p. 10).

- (20) In order to facilitate the application of measures concerning the efficient functioning of legislation, the procedure establishing a close cooperation between the Commission and Member States in the framework of a Committee should be maintained and reinforced.
- (21) The measures necessary for the implementation of this Directive should be adopted in accordance with Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission <sup>(1)</sup>.
- (22) It is necessary to provide for a transitional arrangement enabling certain products complying with the national rules in force on the date of entry into force of this Directive to be placed on the market and/or put into service,

HAVE ADOPTED THIS DIRECTIVE:

#### Article 1

Directive 94/25/EC is hereby amended as follows:

1. Article 1 shall be replaced by the following:

#### 'Article 1

#### Scope and definitions

1. This Directive shall apply:

- (a) with regard to design and construction, to:
- (i) recreational craft and partly completed boats;
  - (ii) personal watercraft;
  - (iii) components referred to in Annex II when placed on the Community market separately and when intended for installation;
- (b) with regard to exhaust emissions, to:
- (i) propulsion engines which are installed or specifically intended for installation on or in recreational craft and personal watercraft;
  - (ii) propulsion engines installed on or in these craft that are subject to a "major engine modification";
- (c) with regard to noise emissions, to:
- (i) recreational craft with stern drive engines without integral exhausts or inboard propulsion engine installations;
  - (ii) recreational craft with stern drive engines without integral exhausts or with inboard propulsion installations which are subject to a major craft

conversion and subsequently placed on the Community market within five years following conversion;

- (iii) personal watercraft;
  - (iv) outboard engines and stern drive engines with integral exhausts intended for installation on recreational craft;
- (d) for products falling under (a)(ii), (b) and (c), the provisions of this Directive shall only apply from the first placing on the market and/or putting into service after the date of entry into force of this Directive.

2. The following shall be excluded from the scope of this Directive:

- (a) with regard to paragraph 1(a):
- (i) craft intended solely for racing, including rowing racing boats and training rowing boats, labelled as such by the manufacturer;
  - (ii) canoes and kayaks, gondolas and pedalos;
  - (iii) sailing surfboards;
  - (iv) surfboards, including powered surfboards;
  - (v) original historical craft and individual replicas thereof designed before 1950, built predominantly with the original materials and labelled as such by the manufacturer;
  - (vi) experimental craft, provided that they are not subsequently placed on the Community market;
  - (vii) craft built for own use, provided that they are not subsequently placed on the Community market during a period of five years;
  - (viii) craft specifically intended to be crewed and to carry passengers for commercial purposes, without prejudice to paragraph 3(a), in particular those defined in Council Directive 82/714/EEC of 4 October 1982 laying down technical requirements for inland waterway vessels <sup>(\*)</sup>, regardless of the number of passengers;
  - (ix) submersibles;
  - (x) air cushion vehicles;
  - (xi) hydrofoils;
  - (xii) External combustion steam powered craft, fuelled by coal, coke, wood, oil or gas;

- (b) with regard to paragraph 1(b):

- (i) propulsion engines installed or specifically intended for installation on the following:
  - craft intended solely for racing and labelled as such by the manufacturer,

<sup>(1)</sup> OJ L 184, 17.7.1999, p. 23.

<sup>(\*)</sup> OJ L 301, 28.10.1982, p. 1. Directive as amended by the 1994 Act of Accession.

- experimental craft, provided that they are not subsequently placed on the Community market,
  - craft specifically intended to be crewed and to carry passengers for commercial purposes, without prejudice to paragraph 3(a), in particular those defined in Directive 82/714/EEC, regardless of the number of passengers,
  - submersibles,
  - air cushion vehicles,
  - hydrofoils;
  - (ii) original and individual replicas of historical propulsion engines, which are based on a pre-1950 design, not produced in series and fitted on craft referred to in paragraph 2(a)(v) and (vii);
  - (iii) propulsion engines built for own use provided that they are not subsequently placed on the Community market during a period of five years;
- (c) with regard to paragraph 1(c):
- all craft referred to in point (b) of this paragraph,
  - craft built for own use, provided that they are not subsequently placed on the Community market during a period of five years.
3. For the purposes of this Directive the following definitions shall apply:
- (a) “recreational craft”: any boat of any type intended for sports and leisure purposes of hull length from 2,5 m to 24 m, measured according to the harmonised standard, regardless of the means of propulsion; the fact that the same boat could be used for charter or for recreational boating training shall not prevent it being covered by this Directive when it is placed on the Community market for recreational purposes;
  - (b) “personal watercraft”: a vessel less than 4 m in length which uses an internal combustion engine having a water jet pump as its primary source of propulsion and designed to be operated by a person or persons sitting, standing or kneeling on, rather than within the confines of, a hull;
  - (c) “propulsion engine”: any spark or compression ignition, internal combustion engine used for propulsion purposes, including two-stroke and four-stroke inboard, stern-drive with or without integral exhaust and outboard engines;
  - (d) “major engine modification”: the modification of an engine which:
    - could potentially cause the engine to exceed the emission limits set out in Annex I.B. excluding routine replacement of engine components that do not alter the emission characteristics, or
    - increases the rated power of the engine by more than 15 %;
  - (e) “major craft conversion”: a conversion of a craft which:
    - changes the means of propulsion of the craft,
    - involves a major engine modification,
    - alters the craft to such an extent that it is considered a new craft;
  - (f) “means of propulsion”: the mechanical method by which the craft is driven, in particular marine propellers or waterjet mechanical drive systems;
  - (g) “engine family”: the manufacturer's grouping of engines which, through their design, are expected to have similar exhaust emission characteristics and which comply with the exhaust emissions requirements of this Directive;
  - (h) “manufacturer”: any natural or legal person who designs and manufactures a product covered by this Directive or who has such a product designed and/or manufactured with a view to placing it on the market on his own behalf;
  - (i) “authorised representative”: any natural or legal person established in the Community who has received a written mandate from the manufacturer to act on his behalf with regard to the latter's obligation under this Directive.;
2. Article 4 shall be replaced by the following:
- ‘Article 4*
- Free movement of the products referred to in Article 1(1)**
1. Member States shall not prohibit, restrict or impede the placing on the market and/or putting into service in their territory of products referred to in Article 1(1) bearing the CE marking referred to in Annex IV, which indicates their conformity with all the provisions of this Directive, including the conformity procedures set out in Chapter II.
2. Member States shall not prohibit, restrict or impede the placing on the market of partly-completed boats where the builder or his authorised representative established in the Community or the person responsible for the placing on the market declares, in accordance with Annex IIIa, that they are intended to be completed by others.
3. Member States shall not prohibit, restrict or impede the placing on the market and/or putting into service of components referred to in Annex II and bearing the CE marking referred to in Annex IV which indicates their conformity with the relevant essential requirements where these components are accompanied by a written declaration of conformity as provided for in Annex XV and are intended to be incorporated into recreational craft, in accordance with the declaration, referred to in Annex IIIb, of the manufacturer, his authorised representative established in the Community or, in the case of imports from a third country, of any person who places those components on the Community market.

4. Member States shall not prohibit, restrict or impede the placing on the market and/or putting into service of:

- inboard engines and stern drive propulsion engines without integral exhaust,
- engines type-approved according to Directive 97/68/EC (\*) which are in compliance with stage II provided for in section 4.2.3 of Annex I to that Directive and of,
- engines type-approved according to Directive 88/77/EEC (\*\*);

where the manufacturer or his authorised representative established in the Community declares in accordance with Annex XV.3 that the engine will meet the exhaust emission requirements of this Directive, when installed in a recreational craft or personal watercraft in accordance with the manufacturer's supplied instructions.

5. At trade fairs, exhibitions, demonstrations, etc., Member States shall not create any obstacles to the showing of the products referred to in Article 1(1) which do not comply with this Directive, provided that a visible sign clearly indicates that such products may not be marketed or put into service until they have been made to comply.

6. Where the products referred to in Article 1(1) are subject to other Directives covering other aspects and which provide for the affixing of the CE marking, the latter shall indicate that such products are also presumed to conform to the provisions of those other Directives. The CE marking shall indicate conformity with the applicable Directives or relevant parts thereof. In this case, the particulars of the said Directives applied by the manufacturer, as published in the *Official Journal of the European Union*, must be given in the documents, declaration of conformity or instructions required by the Directives and accompanying such products.

(\*) Directive 97/68/EC of the European Parliament and of the Council of 16 December 1997 on the approximation of the laws of the Member States relating to measures against the emission of gaseous and particulate pollutants from internal combustion engines to be installed in non-road mobile machinery (OJ L 59, 27.2.1998, p. 1). Directive as amended by Commission Directive 2001/63/EC (OJ L 227, 23.8.2001, p. 41).

(\*\*) Council Directive 88/77/EEC of 3 December 1987 on the approximation of the laws of the Member States relating to the measures to be taken against the emission of gaseous and particulate pollutants from compression ignition engines for use in vehicles, and the emission of gaseous pollutants from positive ignition engines fuelled with natural gas or liquefied petroleum gas for use in vehicles (OJ L 36, 9.2.1988, p. 33). Directive as last amended by Commission Directive 2001/27/EC (OJ L 107, 18.4.2001, p. 10).;

3. the following Article shall be inserted:

'Article 6a

### **Committee procedure**

1. Amendments which are necessary, in the light of evolution of technical knowledge and new scientific evidence, to the requirements of Annex I.B.2 and Annex I.C.1 excluding direct or indirect modifications to exhaust or noise emission values and to the Froude and P/D ratio values shall be adopted by the Commission assisted by the Standing Committee set up pursuant to Article 6(3), acting as a regulatory committee in accordance with the procedure referred to in paragraph 2. Issues to be dealt with shall include the reference fuels and the standards to be used for exhaust and noise emissions testing.

2. Where reference is made to this paragraph, Articles 5 and 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.

The period laid down in Article 5(6) of Decision 1999/468/EC shall be set at three months.

3. The Committee shall adopt its rules of procedure.;

4. the first subparagraph of Article 7(1) shall be replaced by the following:

'1. Where a Member State ascertains that products falling within the scope of Article 1 and bearing the CE marking referred to in Annex IV, when correctly designed, constructed, installed where appropriate, maintained and used in accordance with their intended purpose may endanger the safety and health of persons, property or the environment, it shall take all appropriate interim measures to withdraw them from the market or prohibit or restrict their being placed on the market and/or put into service.;

5. Article 7(3) shall be replaced by the following:

'3. Where a non-complying product referred to in Article 1 bears the CE marking, the appropriate measures shall be taken by the Member State which has authority over whomsoever affixed the marking; that Member State shall inform the Commission and the other Member States thereof.;

6. Article 8 shall be replaced by the following:

'Article 8

1. Before placing on the market, and/or putting into service, products referred to in Article 1(1) the manufacturer or his authorised representative established within the Community shall apply the procedures referred to in paragraphs 2, 3 and 4 of this Article.

In the case of post-construction assessment for recreational craft, if neither the manufacturer nor his authorised representative established within the Community fulfils the responsibilities for the product's conformity to this Directive, these can be assumed by any natural or legal person established within the Community who places the product on the market, and/or puts it into service, under his own responsibility. In such a case, the person who places the product on the market or puts it into service must lodge an application for a post-construction report with a notified body. The person who places the product on the market and/or puts it into service must provide the notified body with any available document and technical file referring to the first placing on the market of the product in the country of origin. The notified body shall examine the individual product and carry out calculations and other assessment to ensure its equivalent conformity with the relevant requirements of the Directive. In this case, the Builder's plate described in Annex I, 2.2 shall include the words ("Post-construction certificate"). The notified body shall draw up a report of conformity concerning the assessment carried out and shall inform the person who places the product on the market and/or puts it into service of his obligations. That person shall draw up a declaration of conformity (see Annex XV) and affix, or cause to be affixed, the CE mark accompanied by the distinguishing number of the relevant notified body on the product.

2. With regard to design and construction of products referred to in Article 1(1)(a), the boat manufacturer or his authorised representative established in the Community shall apply the following procedures for boat design categories A, B, C and D as referred to in section 1 of Annex I.A:

(a) for categories A and B:

- (i) for boats from 2,5 m to 12 m hull length: the internal production control plus tests (module Aa) referred to in Annex VI, or the EC type-examination (module B) as described in Annex VII, supplemented by conformity to type (module C) referred to in Annex VIII, or any of the following modules: B+D, or B+E, or B+F, or G or H;
- (ii) for boats from 12 m to 24 m hull length: the EC type-examination (module B) referred to in Annex VII supplemented by conformity to type (module C) referred to in Annex VIII, or any of the following modules: B+D, or B+E, or B+F, or G or H;

(b) for category C:

- (i) for boats from 2,5 m to 12 m hull length:
  - where the harmonised standards relating to Sections 3.2 and 3.3 of Annex I.A are complied with: the internal production control (module A), referred to in Annex V, or internal production control plus tests (module Aa) referred to in Annex VI, or the EC type-examination (module B) as described in Annex VII, supplemented by conformity to type (module C) referred to in Annex VIII, or any of the following modules: B+D, or B+E, or B+F, or G or H;

mented by conformity to type (module C) referred to in Annex VIII, or any of the following modules: B+D, or B+E, or B+F, or G, or H,

- where the harmonised standards relating to Sections 3.2 and 3.3 of Annex I.A are not complied with: the internal production control plus tests (module Aa) referred to in Annex VI, or the EC type-examination (module B) as described in Annex VII, supplemented by conformity to type (module C) referred to in Annex VIII, or any of the following modules: B+D, or B+E, or B+F, or G, or H;

- (ii) for boats from 12 m to 24 m hull length: the EC type-examination (module B) referred to in Annex VII followed by conformity to type (module C) referred to in Annex VIII, or any of the following modules: B+D, or B+E, or B+F, or G or H;

(c) for category D:

for boats from 2,5 m to 24 m hull length: the internal production control (module A) referred to in Annex V, or the internal production control plus tests (module Aa) referred to in Annex VI, or the EC type-examination (module B) as described in Annex VII, supplemented by conformity to type (module C) referred to in Annex VIII, or any of the following modules: B+D, or B+E, or B+F or G or H;

(d) for personal watercraft:

the internal production control (module A) referred to in Annex V, or the internal production control plus tests (module Aa) referred to in Annex VI, or the EC type-examination (module B) as described in Annex VII followed by conformity to type (module C) referred to in Annex VIII, or any of the following modules: B+D, or B+E, or B+F, or G or H;

- (e) for components referred to in Annex II: any of the following modules: B+C, or B+D, or B+F, or G or H.

3. With regard to exhaust emissions:

for products referred to in Article 1(1)(b), the engine manufacturer or his authorised representative established in the Community shall apply the EC type-examination (module B) as described in Annex VII followed by conformity to type (module C) referred to in Annex VIII, or any of the following modules: B+D, or B+E, or B+F, or G or H.

4. With regard to noise emissions:

- (a) for products referred to in Article 1(1)(c)(i) and (ii), the boat manufacturer or his authorised representative established in the Community shall apply:

- (i) where tests are conducted using the harmonised standard (\*) for noise measurement: either internal production control plus tests (module Aa) referred to in Annex VI, or unit verification (module G) referred to in Annex XI, or full quality assurance (module H) referred to in Annex XII;

(\*) EN ISO 14509.

- (ii) where the Froude number and power displacement ratio method is used for assessment: either the internal production control (module A) referred to in Annex V, or the internal production control plus tests (module Aa) referred to in Annex VI, or unit verification (module G) referred to in Annex XI, or full quality assurance (module H) referred to in Annex XII;
- (iii) where certified reference boat data, established in accordance with point (i), is used for assessment: either internal production control (module A) referred to in Annex V, or internal production control plus supplementary requirements (module Aa) referred to in Annex VI, or unit verification (module G) referred to in Annex XI, or full quality assurance (module H) referred to in Annex XII;
- (b) for products referred to in Article 1(1)(c)(iii) and (iv), the personal watercraft/engine manufacturer or his authorised representative established in the Community shall apply: internal production control plus supplementary requirements referred to in Annex VI (module Aa) or module G or H.;

7. Article 10(1), (2) and (3) shall be replaced by the following:

‘1. When the following products are placed on the market, they shall bear the CE marking of conformity:

- (a) recreational craft, personal watercraft and components referred to in Annex II, which are regarded as meeting the corresponding essential requirements set out in Annex I;
- (b) outboard engines which are regarded as meeting the essential requirements set out in Annex I.B and I.C.;
- (c) stern drive engines with integral exhaust which are regarded as meeting the essential requirements set out in Annex I.B. and I.C.

2. The CE marking of conformity, as shown in Annex IV, must appear in a visible, legible and indelible form on the craft and the personal watercraft as in point 2.2 of Annex I.A, on components, as referred to in Annex II and/or on their packaging, and on outboard engines and stern drive engines with integral exhaust as in point 1.1 of Annex I.B.

The CE marking shall be accompanied by the identification number of the body responsible for implementation of the procedures set out in Annexes IX, X, XI, XII, and XVI.

3. The affixing of markings or inscriptions on products covered by this Directive which are likely to mislead third parties with regard to the meaning or the form of the CE marking shall be prohibited. Any other markings may be affixed to products covered by this Directive and/or on their packaging provided that the visibility and legibility of the CE marking is not thereby reduced.;

8. Annex I is hereby amended as follows:

- 1. the heading shall be replaced by the following:

‘ANNEX I

## ESSENTIAL REQUIREMENTS

### PRELIMINARY OBSERVATION

For the purposes of this Annex the term “craft” shall cover recreational craft and personal watercraft.

#### A. Essential safety requirements for the design and construction of craft.;

- 2. the table under ‘1. BOAT DESIGN CATEGORIES’ shall be replaced by the following:

| ‘Design category       | Wind force<br>(Beaufort scale) | Significant wave height<br>(H 1/3, metres) |
|------------------------|--------------------------------|--------------------------------------------|
| A - “Ocean”            | exceeding 8                    | exceeding 4                                |
| B - “Offshore”         | up to, and including, 8        | up to, and including, 4                    |
| C - “Inshore”          | up to, and including, 6        | up to, and including, 2                    |
| D - “Sheltered waters” | up to, and including, 4        | up to, and including, 0,3’                 |

3. the definition of Boat Design Category A shall be replaced by the following:

‘A. Ocean: Designed for extended voyages where conditions may exceed wind force 8 (Beaufort scale) and significant wave heights of 4 m and above but excluding abnormal conditions, and vessels largely self-sufficient.’;
4. the definition of Boat Design Category D shall be replaced by the following:

‘D. Sheltered waters — Designed for voyages on sheltered coastal waters, small bays, small lakes, rivers and canals when conditions up to, and including, wind force 4 and significant wave heights up to, and including, 0,3 m may be experienced, with occasional waves of 0,5 m maximum height, for example from passing vessels.’;
5. the last subparagraph under section 1. ‘Boat design categories’ shall be replaced by the following:

‘Craft in each Category must be designed and constructed to withstand these parameters in respect of stability, buoyancy, and other relevant essential requirements listed in Annex I, and to have good handling characteristics.’;
6. the text under section 2. ‘General requirements’ shall be replaced by the following:

‘Products falling under Article 1(1)(a) shall comply with the essential requirements in so far as they apply to them.’;
7. in section 2.1:
  - (a) the title should read as follows: ‘Craft identification’;
  - (b) the introductory wording shall read as follows:

‘Each craft shall be marked with an identification number including the following information.’;
8. in section 2.2 ‘Builder’s plate’, the fourth indent shall read as follows:

‘— manufacturer’s maximum recommended load derived from section 3.6 excluding the weight of the contents of the fixed tanks when full’;
9. in section 3.6 ‘Manufacturer’s maximum recommended load’ the following words shall be deleted:

‘..., as marked on the builder’s plate,...’;
10. the following section shall be added in section 5 ‘Installation requirements’:

‘5.1.5. Personal watercraft running without driver.

Personal watercraft shall be designed either with an automatic engine cut-off or with an automatic device to provide reduced speed, circular, forward movement when the driver dismounts deliberately or falls overboard.’;
11. section 5.2.2 shall be replaced by the following:

‘5.2.2. Fuel tanks

Fuel tanks, lines and hoses shall be secured and separated or protected from any source of significant heat. The material the tanks are made of and their method of construction shall be according to their capacity and the type of fuel. All tank spaces shall be ventilated.

Petrol fuel shall be kept in tanks which do not form part of the hull and are:

  - (a) insulated from the engine compartment and from all other source of ignition;
  - (b) separated from living quarters;

Diesel fuel may be kept in tanks that are integral with the hull.’;

12. section 5.6.2 shall be replaced by the following:

‘5.6.2. Fire-fighting equipment

Craft shall be supplied with fire-fighting equipment appropriate to the fire hazard, or the position and capacity of fire-fighting equipment appropriate to the fire hazard shall be indicated. The craft shall not be put into service until the appropriate fire-fighting equipment is in place. Petrol engine enclosures shall be protected by a fire extinguishing system that avoids the need to open the enclosure in the event of fire. Where fitted, portable fire extinguishers shall be readily accessible and one shall be so positioned that it can easily be reached from the main steering position of the craft.’;

13. section 5.8 shall be replaced by the following:

‘5.8. Discharge prevention and installations facilitating the delivery ashore of waste

Craft shall be constructed so as to prevent the accidental discharge of pollutants (oil, fuel, etc.) overboard.

Craft fitted with toilets shall have either:

- (a) holding tanks, or
- (b) provision to fit holding tanks.

Craft with permanently installed holding tanks shall be fitted with a standard discharge connection to enable pipes of reception facilities to be connected with the craft discharge pipeline.

In addition, any through-the-hull pipes for human waste shall be fitted with valves which are capable of being secured in the closed position.’;

14. the following parts shall be added:

**B. Essential requirements for exhaust emissions from propulsion engines**

Propulsion engines shall comply with the following essential requirements for exhaust emissions.

1. *Engine identification*

1.1. Each engine shall be clearly marked with the following information:

- engine manufacturer's trademark or trade-name,
- engine type, engine family, if applicable,
- a unique engine identification number,
- CE marking, if required under Article 10.

1.2. These marks must be durable for the normal life of the engine and must be clearly legible and indelible. If labels or plates are used, they must be attached in such a manner that the fixing is durable for the normal life of the engine, and the labels/plates cannot be removed without destroying or defacing them.

1.3. These marks must be secured to an engine part necessary for normal engine operation and not normally requiring replacement during the engine life.

1.4. These marks must be located so as to be readily visible to the average person after the engine has been assembled with all the components necessary for engine operation.

2. *Exhaust emission requirements*

Propulsion engines shall be designed, constructed and assembled so that when correctly installed and in normal use, emissions shall not exceed the limit values obtained from the following table:

Table 1

| Type                          | Carbon monoxide<br>$CO = A + B/P_N^n$ |       |     | Hydrocarbons<br>$HC = A + B/P_N^n$ |       |      | Nitrogen<br>oxides<br>$NO_x$ | Particulates<br>PT |
|-------------------------------|---------------------------------------|-------|-----|------------------------------------|-------|------|------------------------------|--------------------|
|                               | A                                     | B     | n   | A                                  | B     | n    |                              |                    |
| Two-stroke spark<br>ignition  | 150,0                                 | 600,0 | 1,0 | 30,0                               | 100,0 | 0,75 | 10,0                         | Not<br>applicable  |
| Four-stroke spark<br>ignition | 150,0                                 | 600,0 | 1,0 | 6,0                                | 50,0  | 0,75 | 15,0                         | Not<br>applicable  |
| Compression<br>ignition       | 5,0                                   | 0     | 0   | 1,5                                | 2,0   | 0,5  | 9,8                          | 1,0                |

Where A, B and n are constants in accordance with the table,  $P_N$  is the rated engine power in kW and the exhaust emissions are measured in accordance with the harmonised standard (\*).

For engines above 130 kW either E3 (IMO) or E5 (recreational marine) duty cycles may be used.

The reference fuels to be used for the emissions test for engines fuelled with petrol and diesel shall be as specified in Directive 98/69/EC (Annex IX, Tables 1 and 2), and for those engines fuelled with Liquefied Petroleum Gas as specified in Directive 98/77/EC.

### 3. Durability

The manufacturer of the engine shall supply engine installation and maintenance instructions, which if applied should mean that the engine in normal use will continue to comply with the above limits throughout the normal life of the engine and under normal conditions of use.

This information shall be obtained by the engine manufacturer by use of prior endurance testing, based on normal operating cycles, and by calculation of component fatigue so that the necessary maintenance instructions may be prepared by the manufacturer and issued with all new engines when first placed on the market.

The normal life of the engine is considered to mean:

- (a) inboard or stern drive engines with or without integral exhaust: 480 hours or 10 years, whichever occurs first;
- (b) personal watercraft engines: 350 hours or five years, whichever occurs first;
- (c) outboard engines: 350 hours or 10 years, whichever occurs first.

### 4. Owner's manual

Each engine shall be provided with an owner's manual in the Community language or languages, which may be determined by the Member State in which the engine is to be marketed. This manual shall:

- (a) provide instructions for the installation and maintenance needed to assure the proper functioning of the engine to meet the requirements of paragraph 3, (Durability);
- (b) specify the power of the engine when measured in accordance with the harmonised standard.

(\*) EN ISO 8178-1: 1996.

### C. Essential requirements for noise emissions

Recreational craft with inboard or stern drive engines without integral exhaust, personal watercraft and outboard engines and stern drive engines with integral exhaust shall comply with the following essential requirements for noise emissions.

#### 1. Noise emission levels

- 1.1. Recreational craft with inboard or stern drive engines without integral exhaust, personal watercraft and outboard engines and stern drive engines with integral exhaust shall be designed, constructed and assembled so that noise emissions measured in accordance with tests defined in the harmonised standard (\*\*) shall not exceed the limit values in the following table:

Table 2

| Single engine power<br>In kW | Maximum Sound Pressure Level = $L_{pASmax}$<br>In dB |
|------------------------------|------------------------------------------------------|
| $P_N \leq 10$                | 67                                                   |
| $10 < P_N \leq 40$           | 72                                                   |
| $P_N > 40$                   | 75                                                   |

where  $P_N$  = rated engine power in kW at rated speed and  $L_{pASmax}$  = maximum sound pressure level in dB.

(\*\*) EN ISO 14509.

For twin-engine and multiple-engine units of all engine types an allowance of 3 dB may be applied.

- 1.2. As an alternative to sound measurement tests, recreational craft with inboard engine configuration or stern drive engine configuration, without integral exhaust, shall be deemed to comply with these noise requirements if they have a Froude number of  $\leq 1,1$  and a power displacement ratio of  $\leq 40$  and where the engine and exhaust system are installed in accordance with the engine manufacturer's specifications.
- 1.3. "Froude number" shall be calculated by dividing the maximum boat speed  $V$  (m/s) by the square root of the waterline length  $lwl$  (m) multiplied by a given gravitational constant, ( $g = 9,8 \text{ m/s}^2$ )

$$Fn = \frac{V}{\sqrt{(g \cdot Lwl)}} .$$

"Power displacement ratio" shall be calculated by dividing the engine power  $P$  (kW) by the boat's displacement  $D$  (t) =  $\frac{P}{D}$

- 1.4. As a further alternative to sound measurement tests, recreational craft with inboard or stern drive engine configurations without integral exhaust, shall be deemed to comply with these noise requirements if their key design parameters are the same as or compatible with those of a certified reference boat to tolerances specified in the harmonised standard.
- 1.5. "Certified reference boat" shall mean a specific combination of hull/inboard engine or stern drive engine without integral exhaust that has been found to comply with the noise emission requirements, when measured in accordance with section 1.1, and for which all appropriate key design parameters and sound level measurements have been included subsequently in the published list of certified reference boats.

2. *Owner's Manual*

For recreational craft with inboard engine or stern drive engines with or without integral exhaust and personal watercraft, the owner's manual required under Annex I.A Section 2.5, shall include information necessary to maintain the craft and exhaust system in a condition that, insofar as is practicable, will ensure compliance with the specified noise limit values when in normal use.

For outboard engines, the owner's manual required under Annex I.B.4 shall provide instructions necessary to maintain the outboard engine in a condition, that insofar as is practicable, will ensure compliance with the specified noise limit values when in normal use.'

9. Section 4 of Annex II shall read as follows:

'4. Fuel tanks intended for fixed installations and fuel hoses.;

10. Annex VI shall be replaced by the following:

'ANNEX VI

**INTERNAL PRODUCTION CONTROL PLUS TESTS (Module Aa, option 1)**

This module consists of module A, as referred to in Annex V, plus the following supplementary requirements:

**A. Design and construction**

On one or several boats representing the production of the manufacturer one or more of the following tests, equivalent calculation or control shall be carried out by the manufacturer or on his behalf:

- (a) test of stability according to section 3.2 of the Essential Requirements (Annex IA);
- (b) test of buoyancy characteristics according to section 3.3 of the Essential Requirements (Annex IA).

Provisions common to both variations:

These tests or calculations or control shall be carried out under the responsibility of a notified body chosen by the manufacturer.

**B. Noise emissions**

For recreational craft fitted with inboard or stern drive engines without integral exhaust and for personal watercraft:

On one or several craft representing the production of the craft manufacturer, the sound emission tests defined in Annex I.C shall be carried out by the craft manufacturer, or on his behalf, under the responsibility of a notified body chosen by the manufacturer.

For outboard engines and stern drive engines with integral exhaust:

On one or several engines of each engine family representing the production of the engine manufacturer, the sound emission tests defined in Annex I.C shall be carried out by the engine manufacturer, or on his behalf, under the responsibility of a notified body chosen by the manufacturer.

Where more than one engine of an engine family is tested, the statistical method described in Annex XVII shall be applied to ensure conformity of the sample.;

11. the following point shall be added to Annex VIII:

- ‘4. With regard to the assessment of conformity with the exhaust emission requirements of this Directive and if the manufacturer is not working under a relevant quality system as described in Annex XII, a notified body chosen by the manufacturer may carry out or have carried out product checks at random intervals. When the quality level appears unsatisfactory or when it seems necessary to verify the validity of the data presented by the manufacturer, the following procedure shall be used:

An engine is taken from the series and subjected to the test described in Annex I.B. Test engines shall have been run in, partially or completely, according to the manufacturer's specifications. If the specific exhaust emissions of the engine taken from the series exceed the limit values according to Annex I.B, the manufacturer may ask for measurements to be done on a sample of engines taken from the series and including the engine originally taken. To ensure the conformity of the sample of engines defined above with the requirements of the Directive, the statistical method described in Annex XVII shall be applied.’;

12. the following subparagraph shall be added to section 5.3 in Annex X:

‘For the assessment of conformity with the exhaust emission requirements, the procedure defined in Annex XVII shall be applied.’;

13. Annex XIII shall be replaced by the following:

#### ‘ANNEX XIII

#### TECHNICAL DOCUMENTATION SUPPLIED BY THE MANUFACTURER

The technical documentation referred to in Annexes V, VII, VIII, IX, XI and XVI must comprise all relevant data or means used by the manufacturer to ensure that components or craft comply with the essential requirements relating to them.

The technical documentation shall enable understanding of the design, manufacture and operation of the product, and shall enable assessment of conformity with the requirements of this Directive.

The documentation shall contain so far as relevant for assessment:

- (a) a general description of the type,
- (b) conceptual design and manufacturing drawings and schemes of components, sub-assemblies, circuits, etc.,
- (c) descriptions and explanations necessary for the understanding of said drawings and schemes and the operation of the product,
- (d) a list of the standards referred to in Article 5, applied in full or in part, and descriptions of the solutions adopted to fulfil the essential requirements when the standards referred to in Article 5 have not been applied,
- (e) results of design calculations made, examinations carried out, etc.,
- (f) test reports, or calculations namely on stability according to section 3.2 of the Essential Requirements and on buoyancy according to section 3.3 thereof (Annex I.A),
- (g) exhaust emissions test reports demonstrating compliance with section 2 of the Essential Requirements (Annex I.B),
- (h) sound emissions test reports or reference boat data demonstrating compliance with section 1 of the Essential Requirements (Annex I.C).’;

14. point 1 of Annex XIV shall be replaced by the following:

- ‘1. The body, its director and the staff responsible for carrying out the verification tests shall not be the designer, manufacturer, supplier or installer of the products referred to in Article 1 which they inspect, nor the authorised representative of any of these parties. They shall not become either involved directly or as authorised representatives in the design, construction, marketing or maintenance of the said products. This does not preclude the possibility of exchanges of technical information between the manufacturer and the body.

1a. A notified body must be independent and must not be controlled by the manufacturers or by suppliers.’;

15. Annex XV shall be replaced by the following:

‘ANNEX XV

**WRITTEN DECLARATION OF CONFORMITY**

1. The written declaration of conformity to the provisions of the Directive must always accompany:
  - (a) the recreational craft and the personal watercraft and must be included with the owner's manual (Annex I.A section 2.5),
  - (b) the components, as referred to in Annex II,
  - (c) propulsion engines and must be included with the owner's manual (Annex I.B.4).
2. The written declaration of conformity shall include the following (\*):
  - (a) name and address of the manufacturer or his authorised representative established in the Community (\*\*),
  - (b) description of the product defined in point 1 (\*\*\*),
  - (c) references to the relevant harmonised standards used, or references to the specifications in relation to which conformity is declared,
  - (d) where appropriate, the references of the other Community Directives applied,
  - (e) where appropriate, reference to the EC type-examination certificate issued by a notified body,
  - (f) where appropriate, the name and address of the notified body,
  - (g) identification of the person empowered to sign on behalf of the manufacturer or his authorised representative established within the Community.
3. With regard to:
  - inboard engines and stern drive propulsion engines without integral exhaust,
  - engines type-approved according to Directive 97/68/EC which are in compliance with stage II provided for in section 4.2.3 of Annex I of the latter Directive and,
  - engines type-approved according to Directive 88/77/EEC,

the declaration of conformity shall include in addition to the information of point 2, a statement of the manufacturer that the engine will meet the exhaust emission requirements of this Directive, when installed in a recreational craft, in accordance with the manufacturer's supplied instructions and that this engine must not be put into service until the recreational craft into which it is to be installed has been declared in conformity, if so required, with the relevant provision of the Directive;

(\*) Must be drawn up in the language(s) as provided for under section 2.5 of Annex I.A.

(\*\*) Business name and full address; the authorised representative must also give the business name and address of the manufacturer.

(\*\*\*) Description of the product make, type, serial number, where appropriate.’

16. the following Annexes shall be added:

‘ANNEX XVI

**PRODUCT QUALITY ASSURANCE (MODULE E)**

1. This module describes the procedure whereby the manufacturer who satisfies the obligations of point 2 ensures and declares that the products concerned are in conformity with the type as described in the EC type-examination certificate and satisfy the requirements of the directive that apply to them. The manufacturer or his authorised representative established within the Community must affix the CE mark to each product and draw up a written declaration of conformity. The CE mark must be accompanied by the identification symbol of the notified body responsible for surveillance as specified in point 4.

2. The manufacturer must operate an approved quality system for final product inspection and testing as specified in point 3 and must be subject to surveillance as specified in point 4.
3. Quality system
- 3.1. The manufacturer must lodge an application for assessment of his quality system for the products concerned, with a notified body of his choice.

The application must include:

- all relevant information for the product category envisaged,
- the quality system's documentation,
- if applicable, the technical documentation of the approved type and a copy of the EC type-examination certificate.

- 3.2. Under the quality system, each product must be examined and appropriate tests as set out in the relevant standard(s) referred to in Article 5 or equivalent tests shall be carried out in order to ensure its conformity with the relevant requirements of the directive. All the elements, requirements and provisions adopted by the manufacturer must be documented in a systematic and orderly manner in the form of written policies, procedures and instructions. This quality system documentation must ensure a common understanding of the quality programmes, plans, manuals and records.

It must contain in particular an adequate description of:

- the quality objectives and the organisational structure, responsibilities and powers of the management with regard to product quality,
- the examinations and tests that will be carried out after manufacture,
- the means to monitor the effective operation of the quality system,
- quality records, such as inspection reports and test data, calibration data, qualification reports of the personnel concerned, etc.

- 3.3. The notified body must assess the quality system to determine whether it satisfies the requirements referred to in point 3.2.

It presumes conformity with these requirements in respect of quality systems that implement the relevant harmonised standard.

The auditing team must have at least one member experienced as an assessor in the product technology concerned. The assessment procedure must include an assessment visit to the manufacturer's premises.

The decision must be notified to the manufacturer. The notification must contain the conclusions of the examination and the reasoned assessment decision.

- 3.4. The manufacturer must undertake to fulfil the obligations arising from the quality system as approved and to maintain it in an appropriate and efficient manner.

The manufacturer or his authorised representative must keep the notified body which has approved the quality system informed of any intended updating of the quality system.

The notified body must evaluate the modifications proposed and decide whether the modified quality system will still satisfy the requirements referred to in point 3.2 or whether a reassessment is required.

It must notify its decision to the manufacturer. The notification must contain the conclusions of the examination and the reasoned assessment decision.

4. Surveillance under the responsibility of the notified body

- 4.1. The purpose of surveillance is to make sure that the manufacturer duly fulfils the obligations arising out of the approved quality system.

- 4.2. The manufacturer must allow the notified body entrance for inspection purposes to the locations of inspection, testing and storage and shall provide it with all necessary information, in particular:
  - the quality system documentation,
  - the technical documentation,
  - the quality records, such as inspection reports and test data, calibration data, qualification reports of the personnel concerned, etc.
- 4.3. The notified body must periodically carry out audits to ensure that the manufacturer maintains and applies the quality system and must provide an audit report to the manufacturer.
- 4.4. Additionally, the notified body may pay unexpected visits to the manufacturer. At the time of such visits, the notified body may carry out tests or have them carried out in order to check the proper functioning of the quality system where necessary; it must provide the manufacturer with a visit report and, if a test has been carried out, with a test report.
5. The manufacturer must, for a period ending at least 10 years after the last product has been manufactured, keep at the disposal of the national authorities:
  - the documentation referred to in the third indent of the second subparagraph of point 3.1,
  - the updating referred to in the second subparagraph of point 3.4,
  - the decisions and reports from the notified body which are referred to in the final subparagraph of point 3.4, points 4.3 and 4.4.
6. Each notified body must forward to the other notified bodies the relevant information concerning the quality system approvals issued and withdrawn.

#### ANNEX XVII

##### CONFORMITY OF PRODUCTION ASSESSMENT FOR EXHAUST AND NOISE EMISSIONS

1. For verifying the conformity of an engine family, a sample of engines is taken from the series. The manufacturer shall decide the size (n) of the sample, in agreement with the notified body.
2. The arithmetical mean  $\bar{X}$  of the results obtained from the sample shall be calculated for each regulated component of the exhaust and noise emission. The production of the series shall be deemed to conform to the requirements (pass decision) if the following condition is met:

$$\bar{X} + K \cdot S \leq L$$

S is standard deviation, where:

$$S^2 = \sum (x - \bar{X})^2 / (n - 1)$$

$\bar{X}$  = the arithmetical mean of the results

x = the individual results of the sample

L = the appropriate limit value

n = the number of engines in the sample

k = statistical factor depending on n (see table)

|   |       |       |       |       |       |       |       |       |       |
|---|-------|-------|-------|-------|-------|-------|-------|-------|-------|
| n | 2     | 3     | 4     | 5     | 6     | 7     | 8     | 9     | 10    |
| k | 0,973 | 0,613 | 0,489 | 0,421 | 0,376 | 0,342 | 0,317 | 0,296 | 0,279 |
| n | 11    | 12    | 13    | 14    | 15    | 16    | 17    | 18    | 19    |
| k | 0,265 | 0,253 | 0,242 | 0,233 | 0,224 | 0,216 | 0,210 | 0,203 | 0,198 |

If  $n \geq 20$  then  $k = 0,860/\sqrt{n}$ .  $k = 0,860/\sqrt{n}$ .

#### Article 2

By 31 December 2006 the Commission shall submit a report on the possibilities of further improving the environmental characteristics of engines and consider *inter alia* the need to revise the boat design categories. If deemed appropriate, in the light of this report, the Commission shall by 31 December 2007 submit appropriate proposals to the European Parliament and the Council. The Commission shall in the light of the experience gained take account of:

- (a) the need to further reduce emissions of air pollutants and noise in order to meet environment protection requirements;
- (b) the possible benefits of a system for 'in-use compliance';
- (c) the availability of cost efficient techniques for controlling emissions;
- (d) the need to reduce evaporation and spill of fuel;
- (e) the possibility of agreeing on international standards for exhaust and noise emissions;
- (f) possible simplifications of the system for conformity assessment procedures.

#### Article 3

1. Member States shall adopt and publish the laws, regulations and administrative provisions necessary to comply with the requirements of this Directive by 30 June 2004. They shall immediately inform the Commission thereof.

Member States shall apply such measures as from 1 January 2005.

2. Member States shall permit the placing on the market and/or putting into service of products which comply with the rules in force in their territory on the date of entry into force of this Directive, as follows:

- (a) until 31 December 2005 for the products falling under Article 1(1)(a);
- (b) until 31 December 2005 for compression ignition and four-stroke spark ignition engines; and,
- (c) until 31 December 2006 for two-stroke spark ignition engines.

3. When Member States adopt the measures referred to in paragraph 1, they shall contain a reference to this Directive or shall be accompanied by such reference on the occasion of their official publication. The methods of making such reference shall be laid down by Member States.

4. Member States shall communicate to the Commission the text of the provisions of national law which they adopt in the field governed by this Directive.

#### Article 4

Member States shall determine the penalties applicable to breaches of the national provisions adopted pursuant to this Directive. The penalties shall be effective, proportionate and dissuasive.

#### Article 5

This Directive shall enter into force on the day of its publication in the *Official Journal of the European Union*.

*Article 6*

This Directive is addressed to the Member States.

Done at Luxembourg, 16 June 2003.

*For the European Parliament*

*The President*

P. COX

*For the Council*

*The President*

G. PAPANDREOU

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## II

(Acts whose publication is not obligatory)

## COMMISSION

## COMMISSION DECISION

of 11 August 2003

**approving on behalf of the European Community amendments to the Annexes to the Agreement between the European Community and New Zealand on sanitary measures applicable to trade in live animals and animal products**

(Text with EEA relevance)

(2003/616/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Decision 97/132/EC of 17 December 1996 on the conclusion of the Agreement between the European Community and New Zealand on sanitary measures applicable to trade in live animals and animal products <sup>(1)</sup>, as amended by Decision 1999/837/EC <sup>(2)</sup>, and in particular Article 3, third paragraph thereof,

Whereas:

- (1) Council Decision 2002/957/EC of 28 November 2002 on the conclusion of an Agreement in the form of an Exchange of Letters concerning the amendment to the Annexes to the Agreement between the European Community and New Zealand on sanitary measures applicable to trade in live animals and animal products <sup>(3)</sup>, provided for the possibility of recognising the equivalence of the New Zealand certification systems for fresh meat and meat-based products and for other animal products.
- (2) The Joint Management Committee for the Agreement (the Committee), at its meeting on 27 and 28 February 2003, issued a recommendation concerning the determination of equivalence of certification systems for the following animal products: animal casings, hides and skins, pet food, bones and bone products, processed animal protein, blood and blood products, lard and rendered fats, raw materials for feedingstuffs, pharmaceutical or technical use and products obtained from poultrymeat. As a result of this recommendation it is appropriate to amend Annex V to the Agreement.

- (3) The Committee at that same meeting issued further recommendations concerning amendments of certain Annexes to the Agreement to take account of changes in the administrative structure of the responsible authorities and the contact point of New Zealand, and of changes relating to New Zealand legislation. The Committee also recommended amendment of Annex V with respect to BSE-related measures in accordance with the current legislation of both Parties.
- (4) Those amendments should be approved on behalf of the Community.
- (5) The measure provided for in this Decision is in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS DECISION:

*Article 1*

Pursuant to the recommendations made by the Joint Management Committee established under Article 16 of the Agreement between the European Community and New Zealand on sanitary measures applicable to trade in live animals and animal products the amendments to Annexes II, V and X to the said Agreement are hereby approved on behalf of the European Community. The text of the Agreement in the form of an Exchange of Letters, including the amendments to the Annexes to the Agreement, is attached to this Decision.

*Article 2*

The Director-General for Health and Consumer Protection is hereby empowered to sign the Agreement in the form of an Exchange of Letters in order to bind the Community.

<sup>(1)</sup> OJ L 57, 26.2.1997, p. 4.

<sup>(2)</sup> OJ L 332, 23.12.1999, p. 1.

<sup>(3)</sup> OJ L 333, 10.12.2002, p. 13.

*Article 3*

This Decision shall apply from the first day of the month following the month in which New Zealand notifies the Commission in writing that its internal procedures for the approval of the amendments referred to in Article 1 have been completed.

Done at Brussels, 11 August 2003.

*For the Commission*

David BYRNE

*Member of the Commission*

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**AGREEMENT IN THE FORM OF AN EXCHANGE OF LETTERS****on the amendments to the Annexes to the agreement between the European Community and New Zealand on sanitary measures applicable to trade in live animals and animal products***A. Letter from the European Community*

Brussels, ...

Your Excellency,

With reference to the Agreement between the European Community and New Zealand on sanitary measures applicable to trade in live animals and animal products, I have the honour to propose to you to amend the Annexes of the Agreement as follows:

As recommended by the Joint Management Committee established under Article 16(1) of the Agreement, replace the texts of Annexes II (Part A), V and X of the Agreement with the respective texts of Annexes A, B and C as attached hereto.

I would be obliged if you would confirm the agreement of New Zealand to such amendment of the Annexes to the Agreement.

Please accept, Sir, the assurance of my highest consideration.

Yours faithfully,

*For the European Community*

Robert J. COLEMAN

*B. Letter from New Zealand*

Brussels, ...

Dear Mr Coleman,

I have the honour to refer to your letter containing details of proposed amendments to Annexes II (Part A), V and X of the Agreement between the European Community and New Zealand on sanitary measures applicable to trade in live animals and animal products.

In this regard I have the honour to confirm the acceptability to New Zealand of the proposed amendments, as recommended by the Joint Management Committee established under Article 16(1) of the Agreement, a copy of which is attached hereto.

Please accept, Sir, the assurances of my highest consideration.

*For the competent authority of New Zealand*

Wade ARMSTRONG

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## ANNEX A

## 'ANNEX II

## PART A

**New Zealand**

Control in sanitary issues and veterinary affairs is shared between the Ministry of Agriculture and Forestry Biosecurity Authority and the New Zealand Food Safety Authority. In this respect the following applies:

- in terms of exports of live animals and germplasm to the Community the Biosecurity Authority is responsible for certification (official assurances) attesting to the agreed veterinary standards and requirements;
  - in terms of exports of all other animal products to the Community the New Zealand Food Safety Authority is responsible for certification (official assurances) attesting to the agreed veterinary standards and requirements;
  - in terms of imports the Ministry of Agriculture and Forestry Biosecurity Authority is responsible for animal health quarantine (zoo-sanitary) issues while the New Zealand Food Safety Authority is responsible for food safety (sanitary) and related standards and requirements.'
-

## ANNEX B

## 'ANNEX V

## RECOGNITION OF SANITARY MEASURES

## Glossary

|             |                                                                                                                                       |
|-------------|---------------------------------------------------------------------------------------------------------------------------------------|
| 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           | Still evaluating — under consideration — existing certification to be used in the interim                                             |
| [ ]         | Issues targeted for imminent resolution                                                                                               |
| No          | Not equivalent and/or further evaluation is required. Trade may occur if the exporting Party meets the importing Party's requirements |
| AI          | Avian influenza                                                                                                                       |
| BSE         | Bovine spongiform encephalopathy                                                                                                      |
| C           | Celsius                                                                                                                               |
| Channelling | Chapter XI, point 7, of Annex VIII to Regulation (EC) No 1774/2002                                                                    |
| CSF         | Classical swine fever                                                                                                                 |
| EBL         | Enzootic bovine leucosis                                                                                                              |
| EC/NZ       | European Community/New Zealand                                                                                                        |
| EIA         | Equine infectious anaemia                                                                                                             |
| Equiv       | Equivalent                                                                                                                            |
| IBD         | Infectious bursal disease                                                                                                             |
| IBR         | Infectious bovine rhinotracheitis                                                                                                     |
| IRL         | Ireland                                                                                                                               |
| min         | minute(s)                                                                                                                             |
| ND          | Newcastle disease                                                                                                                     |
| None        | No special conditions                                                                                                                 |
| OIE         | Office International des Epizooties                                                                                                   |
| PAP         | Processed animal protein                                                                                                              |
| PM          | Post mortem                                                                                                                           |
| ScVC        | Scientific Veterinary Committee                                                                                                       |
| Stds        | Standard(s)                                                                                                                           |
| SVD         | Swine vesicular disease                                                                                                               |
| UHT         | Ultra high temperature                                                                                                                |

| Commodity        | EC exports to New Zealand <sup>(1)</sup>                                        |                          |                  |                    |                                                                                                                                                                                  | New Zealand exports to EC                                                                                                                                             |                                                 |                                                                                 |                    |                                                                                       |
|------------------|---------------------------------------------------------------------------------|--------------------------|------------------|--------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------|---------------------------------------------------------------------------------|--------------------|---------------------------------------------------------------------------------------|
|                  | Trade conditions                                                                |                          | Equiva-<br>lence | Special conditions | Action                                                                                                                                                                           | Trade conditions                                                                                                                                                      |                                                 | Equiva-<br>lence                                                                | Special conditions | Action                                                                                |
|                  | EC standards                                                                    | NZ standards             |                  |                    |                                                                                                                                                                                  | NZ standards                                                                                                                                                          | EC standards                                    |                                                                                 |                    |                                                                                       |
| 1. Live animals  |                                                                                 |                          |                  |                    |                                                                                                                                                                                  |                                                                                                                                                                       |                                                 |                                                                                 |                    |                                                                                       |
| — <i>Equidae</i> | 90/426/EEC<br>92/260/EEC<br>93/195/EEC<br>93/196/EEC<br>93/197/EEC<br>94/467/EC | Biosecurity<br>1993 S 22 | Act              | No                 |                                                                                                                                                                                  | NZ to establish generic conditions and review requirements for isolation and specified diseases by December 1999                                                      | Biosecurity Act 1993 parts IV, V, VI, VII, VIII | 90/426/EEC<br>92/260/EEC<br>93/195/EEC<br>93/196/EEC<br>93/197/EEC<br>94/467/EC | Yes (3)            | Coggins test<br><br>EC to consider NZ status of EIA                                   |
| — Cattle         | 64/432/EEC<br>72/462/EEC<br>90/425/EEC                                          | Biosecurity<br>1993 S 22 | Act              | No                 |                                                                                                                                                                                  | NZ to establish generic conditions and review requirements for isolation and specified diseases by December 1999                                                      | Biosecurity Act 1993 parts IV, V, VI, VII, VIII | 72/462/EEC<br>93/491/EEC<br>Regulation (EC) No 999/2001                         | Yes (3)            | EBL requirements<br>IBR refer miscellaneous certification provisions (see Section 43) |
| — Sheep/goats    | 91/68/EEC<br>Regulation (EC) No 999/2001                                        | Biosecurity<br>1993 S 22 | Act              | No                 | Scrapie control programme applied post import                                                                                                                                    | NZ/EC to discuss respective scrapie control programmes                                                                                                                | Biosecurity Act 1993 parts IV, V, VI, VII, VIII | 91/68/EEC<br>Regulation (EC) No 999/2001                                        | Yes (3)            |                                                                                       |
| — Deer           | 92/65/EEC                                                                       | Biosecurity<br>1993 S 22 | Act              | Yes (2)            |                                                                                                                                                                                  | NZ to establish generic conditions for EC imports by December 1999                                                                                                    | Biosecurity Act 1993 parts IV, V, VI, VII, VIII | 92/65/EEC                                                                       | Yes (3)            | EC to draw up conditions for importation                                              |
| — Swine          | 64/432/EEC<br>72/462/EEC<br>90/425/EEC                                          | Biosecurity<br>1993 S 22 | Act              | NE                 | Not evaluated<br>In the interim, pending further information from the EC on CSF and elaboration of further EC rules on SVD, NZ reserves the right to require serological testing | Still to be addressed<br>EC to supply information on CSF and elaborate new standard on SVD.<br>NZ to assess CSF/SVD within three months of receipt of new information | Biosecurity Act 1993 parts IV, V, VI, VII, VIII | 72/462/EEC<br>93/491/EEC                                                        | Yes (3)            | Aujeszky's refer miscellaneous certification provisions (see Section 43)              |

| Commodity       | EC exports to New Zealand (1) |                       |             |                                                                                                                    |                                                                                             | New Zealand exports to EC                   |               |             |                                                                      |                                                                                                                         |
|-----------------|-------------------------------|-----------------------|-------------|--------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------|---------------------------------------------|---------------|-------------|----------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------|
|                 | Trade conditions              |                       | Equivalence | Special conditions                                                                                                 | Action                                                                                      | Trade conditions                            |               | Equivalence | Special conditions                                                   | Action                                                                                                                  |
|                 | EC standards                  | NZ standards          |             |                                                                                                                    |                                                                                             | NZ standards                                | EC standards  |             |                                                                      |                                                                                                                         |
| — Dogs and cats | 92/65/EEC                     | Biosecurity 1993 S 22 | Act No      | Treatment for heartworm<br>Test/treatment for leptospira<br>Test/treatment for hookworm<br>WHO Protocol for rabies | EC to present data on heartworm in EC<br>NZ to review import conditions within three months | Biosecurity 1993 parts IV, V, VI, VII, VIII | Act 92/65/EEC | No          | Rabies refer miscellaneous certification provisions (see Section 43) | EC to consider recognition of rabies freedom status of NZ for trade purposes<br>UK/IRL to reassess trade in pet animals |

## 2. Live poultry and hatching eggs

|                      |                          |                       |        |                                                                                                                                                                                                     |                                                                                        |                                             |                              |         |                                                                                   |                                                               |
|----------------------|--------------------------|-----------------------|--------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------|---------------------------------------------|------------------------------|---------|-----------------------------------------------------------------------------------|---------------------------------------------------------------|
| <b>Animal health</b> | 90/539/EEC<br>93/342/EEC | Biosecurity 1993 S 22 | Act No | IBD farm freedom for 30 days<br>In the interim, pending risk assessment for ND and AI, NZ requires regional freedom for 30 days<br>No live vaccines<br><i>Salmonella enteritidis</i> — farm freedom | NZ to carry out risk assessment for IBD, ND, AI and <i>Salmonella</i> by December 1999 | Biosecurity 1993 parts IV, V, VI, VII, VIII | Act 90/539/EEC<br>93/342/EEC | Yes (3) | <i>Salmonella</i> , refer miscellaneous certification provisions (see Section 43) | EC to carry out risk assessment for avian diseases of concern |
|----------------------|--------------------------|-----------------------|--------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------|---------------------------------------------|------------------------------|---------|-----------------------------------------------------------------------------------|---------------------------------------------------------------|

## 3. Semen

|          |            |                   |         |                                                                |                                                     |                   |                         |         |                                                                                                                                                         |                                                                                                  |
|----------|------------|-------------------|---------|----------------------------------------------------------------|-----------------------------------------------------|-------------------|-------------------------|---------|---------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------|
| — Cattle | 88/407/EEC | NZ semen standard | Yes (2) | Test programme as per NZ semen standard, plus test for Q fever | NZ to consider annual Q fever test by December 1999 | NZ semen standard | 88/407/EEC<br>94/577/EC | Yes (3) | For centre approved for EC on the basis that all animals are seronegative for IBR<br>IBR refer, miscellaneous certification provisions (see Section 43) | Centres to be approved by competent authority of exporting party and notified to importing party |
|----------|------------|-------------------|---------|----------------------------------------------------------------|-----------------------------------------------------|-------------------|-------------------------|---------|---------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------|

| Commodity     | EC exports to New Zealand <sup>(1)</sup> |                       |                  |                    |                                                                                                                                                                                            | New Zealand exports to EC                              |                                                 |                       |                    |               |                                     |
|---------------|------------------------------------------|-----------------------|------------------|--------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------|-------------------------------------------------|-----------------------|--------------------|---------------|-------------------------------------|
|               | Trade conditions                         |                       | Equiva-<br>lence | Special conditions | Action                                                                                                                                                                                     | Trade conditions                                       |                                                 | Equiva-<br>lence      | Special conditions | Action        |                                     |
|               | EC standards                             | NZ standards          |                  |                    |                                                                                                                                                                                            | NZ standards                                           | EC standards                                    |                       |                    |               |                                     |
| — Sheep/goats | 92/65/EEC                                | Biosecurity 1993 S 22 | Act              | No                 | Scrapie control programme applied post import                                                                                                                                              | NZ/EC to discuss respective scrapie control programmes | Biosecurity Act 1993 parts IV, V, VI, VII, VIII | 92/65/EEC             | NE                 | Not evaluated | Still to be addressed               |
| — Pigs        | 90/429/EEC                               | Biosecurity 1993 S 22 | Act              | NE                 | Not evaluated CSF regional freedom For SVD, from a centre where all pigs are derived from a free region or pigs from diseased region where a pre-entry and maintenance tests are performed | Still to be addressed                                  | Biosecurity Act 1993 parts IV, V, VI, VII, VIII | 90/429/EEC 93/199/EEC | NE                 | Not evaluated | Still to be addressed               |
| — Dogs        | 92/65/EEC                                | Biosecurity 1993 S 22 | Act              | NE                 | Not evaluated                                                                                                                                                                              | Still to be addressed                                  | Biosecurity Act 1993 parts IV, V, VI, VII, VIII | 92/65/EEC             | NE                 | Not evaluated | Still to be addressed               |
| — Deer        | 92/65/EEC                                | Biosecurity 1993 S 22 | Act              | Yes (3)            |                                                                                                                                                                                            | NZ to establish generic conditions by December 1999    | Biosecurity Act 1993 parts IV, V, VI, VII, VIII | 92/65/EEC             | No                 |               | EC to establish health certificates |

#### 4. Equine Semen, Embryos and Ova

|                      |                                     |                       |     |    |  |                                                                         |                                                 |                                     |         |  |  |
|----------------------|-------------------------------------|-----------------------|-----|----|--|-------------------------------------------------------------------------|-------------------------------------------------|-------------------------------------|---------|--|--|
| <b>Animal health</b> | 92/65/EEC<br>95/307/EC<br>95/294/EC | Biosecurity 1993 S 22 | Act | No |  | NZ to establish generic conditions for imports from EC by December 1999 | Biosecurity Act 1993 parts IV, V, VI, VII, VIII | 92/65/EEC<br>96/539/EC<br>96/540/EC | Yes (3) |  |  |
|----------------------|-------------------------------------|-----------------------|-----|----|--|-------------------------------------------------------------------------|-------------------------------------------------|-------------------------------------|---------|--|--|

| Commodity | EC exports to New Zealand (1) |              |             |                    |        | New Zealand exports to EC |              |             |                    |        |
|-----------|-------------------------------|--------------|-------------|--------------------|--------|---------------------------|--------------|-------------|--------------------|--------|
|           | Trade conditions              |              | Equivalence | Special conditions | Action | Trade conditions          |              | Equivalence | Special conditions | Action |
|           | EC standards                  | NZ standards |             |                    |        | NZ standards              | EC standards |             |                    |        |

### 5. Embryos

|                                  |            |                           |         |                                                                 |                                                                         |                                                 |                          |         |                                                                                    |                                                                                                  |
|----------------------------------|------------|---------------------------|---------|-----------------------------------------------------------------|-------------------------------------------------------------------------|-------------------------------------------------|--------------------------|---------|------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------|
| <b>Animal health</b><br>— Cattle | 89/556/EEC | NZ embryo standard        | Yes (2) | Test programme as per NZ embryo standard, plus test for Q fever | NZ to consider annual Q fever test by December 1999                     | NZ embryo standard                              | 89/556/EEC<br>92/471/EEC | Yes (2) | For centre approved for the EC only<br>Does not apply to micro-manipulated embryos | Centres to be approved by competent authority of exporting party and notified to importing party |
| — Sheep/goats                    | 92/65/EEC  | Biosecurity Act 1993 S 22 | No      | Scrapie control programme applied post import                   | NZ/EC to discuss respective scrapie control programmes                  | Biosecurity Act 1993 parts IV, V, VI, VII, VIII | 92/65/EEC                | No      |                                                                                    | EC to establish certificates                                                                     |
| — Pigs                           | 92/65/EEC  | Biosecurity Act 1993 S 22 | NE      | Not evaluated                                                   |                                                                         | Biosecurity Act 1993 parts IV, V, VI, VII, VIII | 92/65/EEC                | NE      | Not evaluated                                                                      |                                                                                                  |
| — Deer                           | 92/65/EEC  | Biosecurity Act 1993 S 22 | Yes (3) |                                                                 | NZ to establish generic conditions for imports from EC by December 1999 | Biosecurity Act 1993 parts IV, V, VI, VII, VIII | 92/65/EEC                | No      |                                                                                    | EC to establish health certificates                                                              |

### 6. Fresh meat: includes unprocessed (fresh) blood/bones/fat for human consumption

|                                                            |                                                                          |                           |         |                                           |                                          |                                                 |                                                            |         |  |  |
|------------------------------------------------------------|--------------------------------------------------------------------------|---------------------------|---------|-------------------------------------------|------------------------------------------|-------------------------------------------------|------------------------------------------------------------|---------|--|--|
| <b>Animal health</b><br>— Ruminants<br>— Equidae<br>— Pigs | 64/432/EEC<br>72/461/EEC<br>72/462/EEC<br>Regulation (EC)<br>No 999/2001 | Biosecurity Act 1993 S 22 | Yes (1) | Ovine livers to be frozen (hydatid cysts) | EC to supply data on <i>Echinococcus</i> | Biosecurity Act 1993 parts IV, V, VI, VII, VIII | 72/462/EEC<br>80/805/EEC<br>Regulation (EC)<br>No 999/2001 | Yes (1) |  |  |
|------------------------------------------------------------|--------------------------------------------------------------------------|---------------------------|---------|-------------------------------------------|------------------------------------------|-------------------------------------------------|------------------------------------------------------------|---------|--|--|

| Commodity            | EC exports to New Zealand (1)          |                                                              |             |                                                                                  |        | New Zealand exports to EC |                                        |             |                                                                                                                                                                                                                      |                                                                                                         |
|----------------------|----------------------------------------|--------------------------------------------------------------|-------------|----------------------------------------------------------------------------------|--------|---------------------------|----------------------------------------|-------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------|
|                      | Trade conditions                       |                                                              | Equivalence | Special conditions                                                               | Action | Trade conditions          |                                        | Equivalence | Special conditions                                                                                                                                                                                                   | Action                                                                                                  |
|                      | EC standards                           | NZ standards                                                 |             |                                                                                  |        | NZ standards              | EC standards                           |             |                                                                                                                                                                                                                      |                                                                                                         |
| <b>Public health</b> | 64/433/EEC Regulation (EC) No 999/2001 | Animal Products Act 1999<br>Food Act 1981<br>Health Act 1956 | Yes (1)     | Oval stamp<br>BSE refer, miscellaneous certification provisions (see Section 43) |        | Animal Products Act 1999  | 72/462/EEC Regulation (EC) No 999/2001 | Yes (1)     | Salmonella, refer miscellaneous certification provisions (see Section 43)<br>Prohibitions in 72/462/EEC Article 20 to remain until EC clarifies<br>BSE refer miscellaneous certification provisions (see Section 43) | NZ has requested consideration re restrictions/prohibitions in 72/462/EEC Article 20.<br>EC to consider |

## 7. Fresh poultrymeat

|                      |                         |                                  |         |                                                                                                                                     |                                                                     |                                                 |                                       |         |                                                                                            |                       |
|----------------------|-------------------------|----------------------------------|---------|-------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------|-------------------------------------------------|---------------------------------------|---------|--------------------------------------------------------------------------------------------|-----------------------|
| <b>Animal health</b> | 91/494/EEC<br>94/438/EC | Biosecurity Act 1993 S 22        | No      | Farm freedom from IBD, 30 days<br>No live vaccine used.<br>No comminglement — IBD cross contamination<br>ND and AI regional freedom | NZ to carry out risk assessment for IBD, ND and AI by December 1999 | Biosecurity Act 1993 parts IV, V, VI, VII, VIII | 91/494/EEC<br>93/342/EEC<br>94/984/EC | Yes (3) |                                                                                            |                       |
| <b>Public health</b> | 71/118/EEC              | Food Act 1981<br>Health Act 1956 | Yes (1) | Oval stamp                                                                                                                          |                                                                     | Animal Products Act 1999                        | 71/118/EEC                            | NE      | Not evaluated<br>Salmonella, refer miscellaneous certification provisions (see Section 43) | Still to be addressed |

| Commodity | EC exports to New Zealand (1) |              |             |                    |        | New Zealand exports to EC |              |             |                    |        |
|-----------|-------------------------------|--------------|-------------|--------------------|--------|---------------------------|--------------|-------------|--------------------|--------|
|           | Trade conditions              |              | Equivalence | Special conditions | Action | Trade conditions          |              | Equivalence | Special conditions | Action |
|           | EC standards                  | NZ standards |             |                    |        | NZ standards              | EC standards |             |                    |        |

## 8. Meat products

|                                                                                                                               |                                                                                                   |                       |     |         |                                                                                                  |                                                                                                                    |                                             |                                                                                    |         |                                                                   |  |
|-------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------|-----------------------|-----|---------|--------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------|---------------------------------------------|------------------------------------------------------------------------------------|---------|-------------------------------------------------------------------|--|
| <b>Animal health</b><br>Fresh meat:<br>— Red meat (ruminants/horses)<br>— Pigs<br>Farmed game<br>— Pigs<br>— Deer<br>— Rabbit | 64/432/EEC<br>72/461/EEC<br>72/462/EEC<br>80/215/EEC<br>91/495/EEC<br>Regulation (EC) No 999/2001 | Biosecurity 1993 S 22 | Act | Yes (1) | For animals derived from areas not subject to regionalisation restrictions                       |                                                                                                                    | Biosecurity 1993 parts IV, V, VI, VII, VIII | 72/462/EEC<br>91/449/EEC<br>91/495/EEC<br>92/118/EC<br>Regulation (EC) No 999/2001 | Yes (1) | BSE refer miscellaneous certification provisions (see Section 43) |  |
|                                                                                                                               |                                                                                                   |                       |     | Yes (2) | For animals derived from areas subject to disease restrictions<br>70 °C for 25 min or equivalent | EC to provide scientific basis for 70 °C core temperature. NZ to assess within 3 months of receipt of information. |                                             |                                                                                    |         |                                                                   |  |
| Fresh meat<br>— Poultry<br>Farmed and wild game<br>— Feathered                                                                | 92/118/EEC<br>80/215/EEC<br>72/462/EEC<br>94/438/EC<br>92/45/EEC<br>91/495/EEC                    | Biosecurity 1993 S 22 | Act | Yes (2) | 70 °C/50 min,<br>80 °C/9 min or<br>100 °C/1 min or<br>equivalent                                 |                                                                                                                    | Biosecurity 1993 parts IV, V, VI, VII, VIII | 92/118/EEC<br>97/221/EC<br>92/45/EEC<br>91/495/EEC                                 | Yes (3) |                                                                   |  |
| Wild game<br>— Pigs                                                                                                           | 92/45/EEC                                                                                         | Biosecurity 1993 S 22 | Act | Yes (1) | CSF refer miscellaneous certification provisions (see Section 43)                                |                                                                                                                    | Biosecurity 1993 parts IV, V, VI, VII, VIII | 92/45/EEC<br>97/221/EC                                                             | Yes (1) |                                                                   |  |
|                                                                                                                               |                                                                                                   |                       |     | Yes (2) | 70 °C for 25 min or equivalent                                                                   |                                                                                                                    |                                             |                                                                                    |         |                                                                   |  |
| — Deer<br>— Rabbit                                                                                                            | 92/45/EEC                                                                                         | Biosecurity 1993 S 22 | Act | Yes (1) |                                                                                                  |                                                                                                                    |                                             |                                                                                    |         |                                                                   |  |

| Commodity                                         | EC exports to New Zealand (1)                                                        |                                                                 |             |                                                                                                                               |        | New Zealand exports to EC   |                                                                                       |             |                                                                              |        |
|---------------------------------------------------|--------------------------------------------------------------------------------------|-----------------------------------------------------------------|-------------|-------------------------------------------------------------------------------------------------------------------------------|--------|-----------------------------|---------------------------------------------------------------------------------------|-------------|------------------------------------------------------------------------------|--------|
|                                                   | Trade conditions                                                                     |                                                                 | Equivalence | Special conditions                                                                                                            | Action | Trade conditions            |                                                                                       | Equivalence | Special conditions                                                           | Action |
|                                                   | EC standards                                                                         | NZ standards                                                    |             |                                                                                                                               |        | NZ standards                | EC standards                                                                          |             |                                                                              |        |
| <b>Public health</b><br>Fresh meat<br>Farmed game | 77/99/EEC<br>91/495/EEC<br>92/45/EEC<br>92/118/EEC<br>Regulation (EC)<br>No 999/2001 | Animal Products<br>Act 1999<br>Food Act 1981<br>Health Act 1956 | Yes (1)     | Oval stamp (fresh<br>meat and farmed<br>game)<br>BSE refer miscella-<br>neous certification<br>provisions (see<br>Section 43) |        | Animal Products<br>Act 1999 | 72/462/EEC<br>91/449/EEC<br>91/495/EEC<br>92/118/EC<br>Regulation (EC)<br>No 999/2001 | Yes (1)     | BSE refer miscella-<br>neous certification<br>provisions (see<br>Section 43) |        |
| Wild game                                         |                                                                                      |                                                                 |             | Pentagonal stamp<br>(wild game)                                                                                               |        |                             |                                                                                       |             | Pentagonal stamp<br>(wild game)                                              |        |
| Fresh meat<br>— Poultry                           | 92/118/EEC<br>80/215/EEC<br>94/438/EC<br>92/45/EEC<br>91/495/EEC                     | Animal Products<br>Act 1999<br>Food Act 1981<br>Health Act 1956 | Yes (1)     |                                                                                                                               |        | Animal Products<br>Act 1999 | 77/99/EEC<br>92/118/EEC                                                               | NE          | Not evaluated                                                                |        |
| Farmed and<br>wild game<br>— Feathered            |                                                                                      |                                                                 | NE          | Not evaluated                                                                                                                 |        |                             |                                                                                       |             |                                                                              |        |

#### 9. Farmed game meat

|                                          |                                                      |                              |         |               |  |                                                       |                          |         |  |  |
|------------------------------------------|------------------------------------------------------|------------------------------|---------|---------------|--|-------------------------------------------------------|--------------------------|---------|--|--|
| <b>Animal health</b><br>— Deer<br>— Pigs | 72/461/EEC<br>92/118/EEC<br>91/495/EEC<br>64/432/EEC | Biosecurity Act<br>1993 S 22 | Yes (1) |               |  | Biosecurity Act<br>1993 parts IV, V,<br>VI, VII, VIII | 92/118/EEC<br>91/495/EEC | Yes (1) |  |  |
| — Rabbit                                 | 91/495/EEC<br>92/118/EEC                             | Biosecurity Act<br>1993 S 22 | Yes (1) |               |  | Biosecurity Act<br>1993 parts IV, V,<br>VI, VII, VIII | 92/118/EEC<br>91/495/EEC | Yes (1) |  |  |
| — Other land<br>mammals                  | 92/118/EEC<br>91/495/EEC                             | Biosecurity Act<br>1993 S 22 | NE      | Not evaluated |  | Biosecurity Act<br>1993 parts IV, V,<br>VI, VII, VIII | 92/118/EEC<br>91/495/EEC | Yes (1) |  |  |

| Commodity                              | EC exports to New Zealand (1)          |                                                              |             |                                                                                                                                    |                                                                     | New Zealand exports to EC                       |                                        |             |                    |        |
|----------------------------------------|----------------------------------------|--------------------------------------------------------------|-------------|------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------|-------------------------------------------------|----------------------------------------|-------------|--------------------|--------|
|                                        | Trade conditions                       |                                                              | Equivalence | Special conditions                                                                                                                 | Action                                                              | Trade conditions                                |                                        | Equivalence | Special conditions | Action |
|                                        | EC standards                           | NZ standards                                                 |             |                                                                                                                                    |                                                                     | NZ standards                                    | EC standards                           |             |                    |        |
| — Feathered                            | 92/118/EEC<br>91/494/EEC<br>91/495/EEC | Biosecurity Act 1993 S 22                                    | No          | Farm freedom from IBD, 30 days<br>No live vaccine used<br>No comminglement — IBD cross contamination<br>ND and AI regional freedom | NZ to carry out risk assessment for IBD, ND and AI by December 1999 | Biosecurity Act 1993 parts IV, V, VI, VII, VIII | 92/118/EEC<br>91/494/EEC<br>91/495/EEC | Yes (3)     |                    |        |
| <b>Public health</b><br>— Land mammals | 91/495/EEC                             | Animal Products Act 1999<br>Food Act 1981<br>Health Act 1956 | Yes (1)     | Oval stamp                                                                                                                         |                                                                     | Animal Products Act 1999                        | 91/495/EEC                             | Yes (1)     |                    |        |
| — Feathered                            | 91/495/EEC                             |                                                              | NE          | Not evaluated                                                                                                                      |                                                                     |                                                 | 91/495/EEC                             | NE          | Not evaluated      |        |

#### 10. Wild game meat

|                                            |           |                           |         |                                                                   |                                                |                                                 |           |         |               |                                             |
|--------------------------------------------|-----------|---------------------------|---------|-------------------------------------------------------------------|------------------------------------------------|-------------------------------------------------|-----------|---------|---------------|---------------------------------------------|
| <b>Animal health</b><br>— Deer<br>— Rabbit | 92/45/EEC | Biosecurity Act 1993 S 22 | Yes (1) |                                                                   |                                                | Biosecurity Act 1993 parts IV, V, VI, VII, VIII | 92/45/EEC | Yes (1) |               |                                             |
| — Pigs                                     | 92/45/EEC | Biosecurity Act 1993 S 22 | Yes (1) | CSF refer miscellaneous certification provisions (see Section 43) |                                                | Biosecurity Act 1993 parts IV, V, VI, VII, VIII | 92/45/EEC | Yes (1) |               |                                             |
|                                            |           |                           | Yes (2) | 70 °C for 25 min or equivalent                                    |                                                |                                                 |           |         |               |                                             |
| — Other wild land mammals                  | 92/45/EEC | Biosecurity Act 1993 S 22 | NE      | Not evaluated                                                     |                                                | Biosecurity Act 1993 parts IV, V, VI, VII, VIII | 92/45/EEC | NE      | Not evaluated | EC to clarify status of possum meat imports |
| — Feathered                                | 92/45/EEC | Biosecurity Act 1993 S 22 | E       | Still evaluating                                                  | NZ to perform risk assessment by December 1999 | Biosecurity Act 1993 parts IV, V, VI, VII, VIII | 92/45/EEC | Yes (3) |               |                                             |

| Commodity                                   | EC exports to New Zealand (1) |                                                              |             |                    |        | New Zealand exports to EC |              |             |                    |        |
|---------------------------------------------|-------------------------------|--------------------------------------------------------------|-------------|--------------------|--------|---------------------------|--------------|-------------|--------------------|--------|
|                                             | Trade conditions              |                                                              | Equivalence | Special conditions | Action | Trade conditions          |              | Equivalence | Special conditions | Action |
|                                             | EC standards                  | NZ standards                                                 |             |                    |        | NZ standards              | EC standards |             |                    |        |
| <b>Public health</b><br>— Wild land mammals | 92/45/EEC                     | Animal Products Act 1999<br>Food Act 1981<br>Health Act 1956 | Yes (1)     | Pentagonal stamp   |        | Animal Products Act 1999  | 92/45/EEC    | Yes (1)     | Pentagonal stamp   |        |
| — Feathered                                 | 92/45/EEC                     | Animal Products Act 1999<br>Food Act 1981<br>Health Act 1956 | NE          | Not evaluated      |        | Animal Products Act 1999  | 92/45/EEC    | NE          | Not evaluated      |        |

#### 11. Fishery products for human consumption (excluding live)

|                                                                               |           |                           |         |                                                                                           |                       |                                                 |           |         |  |  |
|-------------------------------------------------------------------------------|-----------|---------------------------|---------|-------------------------------------------------------------------------------------------|-----------------------|-------------------------------------------------|-----------|---------|--|--|
| <b>Animal health</b><br>Wild marine                                           | 91/67/EEC | Biosecurity Act 1993 S 22 |         |                                                                                           |                       | Biosecurity Act 1993 parts IV, V, VI, VII, VIII | 91/67/EEC |         |  |  |
| — Salmonids (genera <i>Onchorhynchus</i> , <i>Salmo</i> , <i>Salvelinus</i> ) |           |                           | Yes (1) | Fresh/frozen/processed<br>— headed, gilled, gutted<br>— exclusion of sexually mature fish |                       |                                                 |           | Yes (1) |  |  |
| — Other salmonids                                                             |           |                           | NE      | Not evaluated                                                                             | Still to be addressed |                                                 |           | Yes (1) |  |  |
| — Other finfish                                                               |           |                           | Yes (1) |                                                                                           |                       |                                                 |           | Yes (1) |  |  |
| — Molluscs, echinoderms, tunicates, gastropods and crustaceans                |           |                           | Yes (1) |                                                                                           |                       |                                                 |           | Yes (1) |  |  |

| Commodity                                                                                 | EC exports to New Zealand <sup>(1)</sup> |                       |             |                                                                                           |                       | New Zealand exports to EC                   |              |             |                               |        |
|-------------------------------------------------------------------------------------------|------------------------------------------|-----------------------|-------------|-------------------------------------------------------------------------------------------|-----------------------|---------------------------------------------|--------------|-------------|-------------------------------|--------|
|                                                                                           | Trade conditions                         |                       | Equivalence | Special conditions                                                                        | Action                | Trade conditions                            |              | Equivalence | Special conditions            | Action |
|                                                                                           | EC standards                             | NZ standards          |             |                                                                                           |                       | NZ standards                                | EC standards |             |                               |        |
| Aquaculture products                                                                      | 91/67/EEC                                | Biosecurity 1993 S 22 | Act         |                                                                                           |                       | Biosecurity 1993 parts IV, V, VI, VII, VIII | Act          | 91/67/EEC   |                               |        |
| — Farmed fish Salmonids (genera <i>Onchorhynchus</i> , <i>Salmo</i> , <i>Salvelinus</i> ) |                                          |                       | Yes (1)     | Fresh/frozen/processed<br>— headed, gilled, gutted<br>— exclusion of sexually mature fish |                       |                                             |              | Yes (1)     | Gutted-fresh/frozen/processed |        |
| — Other salmonids                                                                         |                                          |                       | NE          | Not evaluated                                                                             | Still to be addressed |                                             |              | Yes (1)     | Gutted-fresh/frozen/processed |        |
| — Other finfish                                                                           |                                          |                       | NE          | Not evaluated                                                                             | Still to be addressed |                                             |              | Yes (1)     |                               |        |
| Farmed molluscs, echinoderms, crustaceans                                                 |                                          |                       | Yes (1)     | Frozen/processed                                                                          |                       |                                             |              | Yes (1)     | Frozen/processed              |        |
| Wild freshwater                                                                           | 91/67/EEC                                | Biosecurity 1993 S 22 | Act         |                                                                                           |                       | Biosecurity 1993 parts IV, V, VI, VII, VIII | Act          | 91/67/EEC   |                               |        |
| — Salmonids (genera <i>Onchorhynchus</i> , <i>Salmo</i> , <i>Salvelinus</i> )             |                                          |                       | Yes (1)     | Fresh/frozen/processed<br>— headed, gilled, gutted<br>— exclusion of sexually mature fish |                       |                                             |              | Yes (1)     |                               |        |
| — Other salmonids                                                                         |                                          |                       | NE          | Not evaluated                                                                             | Still to be addressed |                                             |              | Yes (1)     |                               |        |
| — Other finfish                                                                           |                                          |                       | NE          | Not evaluated                                                                             | Still to be addressed |                                             |              | Yes (1)     |                               |        |
| Crayfish                                                                                  |                                          |                       | Yes (1)     | Frozen/processed                                                                          |                       |                                             |              | Yes (1)     | Frozen/processed              |        |

| Commodity                                             | EC exports to New Zealand (1) |                                  |                  |                    |                       | New Zealand exports to EC                             |                          |                    |                                                                                                           |        |
|-------------------------------------------------------|-------------------------------|----------------------------------|------------------|--------------------|-----------------------|-------------------------------------------------------|--------------------------|--------------------|-----------------------------------------------------------------------------------------------------------|--------|
|                                                       | Trade conditions              |                                  | Equiva-<br>lence | Special conditions | Action                | Trade conditions                                      |                          | Equiva-<br>lence   | Special conditions                                                                                        | Action |
|                                                       | EC standards                  | NZ standards                     |                  |                    |                       | NZ standards                                          | EC standards             |                    |                                                                                                           |        |
| Eggs/roes<br>— hermetically<br>sealed in<br>glass/can | 91/67/EEC                     | Biosecurity<br>1993 S 22 Act     | Yes (1)          |                    |                       | Biosecurity Act<br>1993 parts IV, V,<br>VI, VII, VIII | 91/67/EEC                | Yes (1)            |                                                                                                           |        |
| — other                                               |                               |                                  | NE               | Not evaluated      | Still to be addressed |                                                       |                          | Yes (1)            |                                                                                                           |        |
| <b>Public health</b><br>Finfish<br>Crustaceans        | 91/493/EEC                    | Food Act 1981<br>Health Act 1956 | Yes (1)          |                    |                       | Animal Products<br>Act 1999                           | 91/493/EEC               | Yes (1)            |                                                                                                           |        |
| Bivalve<br>molluscs                                   | 91/492/EEC<br>91/493/EEC      | Food Act 1981<br>Health Act 1956 | Yes (1)          |                    |                       | Animal Products<br>Act 1999                           | 91/492/EEC<br>91/493/EEC | Yes (1)<br>Yes (3) | Yes (1) For molluscs<br>grown above the<br>sea floor<br>Yes (3) For molluscs<br>grown on the sea<br>floor |        |
| Echinoderms,<br>tunicates,<br>marine gastro-<br>pods  |                               |                                  | Yes (1)          |                    |                       |                                                       |                          | Yes (1)            |                                                                                                           |        |
| Eggs/roes                                             | 91/493/EEC                    | Food Act 1981<br>Health Act 1956 | Yes (1)          |                    |                       | Animal Products<br>Act 1999                           | 91/493/EEC               | Yes (1)            |                                                                                                           |        |

| Commodity                                                                                                                     | EC exports to New Zealand <sup>(1)</sup> |                                  |             |                    |               | New Zealand exports to EC |                                             |             |                     |                    |                                                                                               |                                          |
|-------------------------------------------------------------------------------------------------------------------------------|------------------------------------------|----------------------------------|-------------|--------------------|---------------|---------------------------|---------------------------------------------|-------------|---------------------|--------------------|-----------------------------------------------------------------------------------------------|------------------------------------------|
|                                                                                                                               | Trade conditions                         |                                  | Equivalence | Special conditions | Action        | Trade conditions          |                                             | Equivalence | Special conditions  | Action             |                                                                                               |                                          |
|                                                                                                                               | EC standards                             | NZ standards                     |             |                    |               | NZ standards              | EC standards                                |             |                     |                    |                                                                                               |                                          |
| 12. Live fish, molluscs, crustaceans, including eggs and gametes                                                              |                                          |                                  |             |                    |               |                           |                                             |             |                     |                    |                                                                                               |                                          |
| <b>Animal health</b><br>For consumption<br>— live finfish<br>— live molluscs<br>— live crustaceans<br>— other aquatic animals | 91/67/EEC<br>95/70/EC                    | Biosecurity 1993 S 22            | Act         | NE                 | Not evaluated |                           | Biosecurity 1993 parts IV, V, VI, VII, VIII | Act         | 91/67/EEC           | NE                 | Not evaluated                                                                                 | EC to clarify certification requirements |
| For breeding, farming, rearing, relaying (molluscs)<br><br>— <i>Crassostrea gigas</i>                                         | 91/67/EEC<br>95/70/EC                    | Biosecurity 1993 S 22            | Act         | NE                 | Not evaluated |                           | Biosecurity 1993 parts IV, V, VI, VII, VIII | Act         | 91/67/EEC 95/352/EC | Yes (3)            |                                                                                               |                                          |
| — Other species                                                                                                               | 91/67/EEC<br>93/53/EEC<br>95/70/EC       | Biosecurity 1993 S 22            | Act         | NE                 | Not evaluated |                           | Biosecurity 1993 parts IV, V, VI, VII, VIII | Act         | 91/67/EEC           | NE                 | Not evaluated                                                                                 |                                          |
| <b>Public health</b><br>— Bivalve molluscs                                                                                    | 91/492/EEC                               | Food Act 1981<br>Health Act 1956 |             | Yes (1)            |               |                           | Animal Products Act 1999                    |             | 91/492/EEC          | Yes (1)<br>Yes (3) | Yes (1) For molluscs grown above the sea floor<br>Yes (3) For molluscs grown on the sea floor |                                          |
| — Echinoderms, tunicates, marine gastropods                                                                                   |                                          |                                  |             | Yes (1)            |               |                           |                                             |             |                     | Yes (1)            |                                                                                               |                                          |
| — Other fish                                                                                                                  | 91/493/EEC                               |                                  |             | Yes (1)            |               |                           |                                             |             | 91/493/EEC          | Yes (1)            |                                                                                               |                                          |

| Commodity | EC exports to New Zealand <sup>(1)</sup> |              |             |                    |        | New Zealand exports to EC |              |             |                    |        |
|-----------|------------------------------------------|--------------|-------------|--------------------|--------|---------------------------|--------------|-------------|--------------------|--------|
|           | Trade conditions                         |              | Equivalence | Special conditions | Action | Trade conditions          |              | Equivalence | Special conditions | Action |
|           | EC standards                             | NZ standards |             |                    |        | NZ standards              | EC standards |             |                    |        |

### 13. Milk and milk products for human consumption

|                                                                          |                         |                                  |         |                  |                                                                    |                                                 |                        |         |                  |                                                                               |
|--------------------------------------------------------------------------|-------------------------|----------------------------------|---------|------------------|--------------------------------------------------------------------|-------------------------------------------------|------------------------|---------|------------------|-------------------------------------------------------------------------------|
| <b>Animal health</b><br>— Cattle including Buffalo<br>— Sheep<br>— Goats | 64/432/EEC<br>92/46/EEC | Biosecurity Act 1993 S 22        | Yes (1) |                  | EC to provide data on risks of matured cheeses                     | Biosecurity Act 1993 parts IV, V, VI, VII, VIII | 92/46/EEC<br>95/343/EC | Yes (1) |                  |                                                                               |
| <b>Public health</b><br>— Pasteurised                                    | 92/46/EEC               | Food Act 1981<br>Health Act 1956 | Yes (1) |                  |                                                                    | Dairy Industry Act 1952<br>Food Act 1981        | 92/46/EEC              | Yes (1) |                  | NZ has requested consideration for colostrum and derivatives<br>EC to clarify |
| — Not pasteurised (thermised only) i.e. 62 °C                            | 92/46/EEC               | Food Act 1981<br>Health Act 1956 | E       | Still evaluating | NZ to consider thermised process for use in manufacture of cheeses | Dairy Industry Act 1952<br>Food Act 1981        | 92/46/EEC              | E       | Still evaluating | NZ has requested consideration for colostrum and derivatives<br>EC to clarify |
| — Raw milk                                                               | 92/46/EEC               | Food Act 1981<br>Health Act 1956 | E       | Still evaluating | EC to present a paper for consideration                            | Dairy Industry Act 1952<br>Food Act 1981        | 92/46/EEC              | E       | Still evaluating | NZ has requested consideration for colostrum and derivatives<br>EC to clarify |

### 14. Milk and milk products not for human consumption

|                                                                                                            |                                            |                           |         |  |  |                                                 |                                           |         |  |  |
|------------------------------------------------------------------------------------------------------------|--------------------------------------------|---------------------------|---------|--|--|-------------------------------------------------|-------------------------------------------|---------|--|--|
| <b>Animal health</b><br>— Cattle including Buffalo<br>— Sheep<br>— Goats<br>Pasteurised, UHT or sterilised | Regulation (EC) No 1774/2002<br>64/432/EEC | Biosecurity Act 1993 S 22 | Yes (1) |  |  | Biosecurity Act 1993 parts IV, V, VI, VII, VIII | Regulation (EC) No 1774/2002<br>95/341/EC | Yes (1) |  |  |
|------------------------------------------------------------------------------------------------------------|--------------------------------------------|---------------------------|---------|--|--|-------------------------------------------------|-------------------------------------------|---------|--|--|

| Commodity                                                 | EC exports to New Zealand (1) |                           |             |                    |        | New Zealand exports to EC                       |                              |             |                    |                                               |
|-----------------------------------------------------------|-------------------------------|---------------------------|-------------|--------------------|--------|-------------------------------------------------|------------------------------|-------------|--------------------|-----------------------------------------------|
|                                                           | Trade conditions              |                           | Equivalence | Special conditions | Action | Trade conditions                                |                              | Equivalence | Special conditions | Action                                        |
|                                                           | EC standards                  | NZ standards              |             |                    |        | NZ standards                                    | EC standards                 |             |                    |                                               |
| — Unpasteurised colostrum and milk for pharmaceutical use | Regulation (EC) No 1774/2002  | Biosecurity Act 1993 S 22 | E           | Still evaluating   |        | Biosecurity Act 1993 parts IV, V, VI, VII, VIII | Regulation (EC) No 1774/2002 | E           | Still evaluating   | EC to clarify legal coverage for this product |
| <b>Public health</b>                                      |                               |                           |             | None               |        |                                                 |                              |             | None               |                                               |

#### 15. Minced meat/Meat preparations derived from fresh meat — 72/462/EEC

|                                                                   |                                                                       |                                                              |         |                                                                                 |  |                                                 |                                                        |         |                                                                                  |                                             |
|-------------------------------------------------------------------|-----------------------------------------------------------------------|--------------------------------------------------------------|---------|---------------------------------------------------------------------------------|--|-------------------------------------------------|--------------------------------------------------------|---------|----------------------------------------------------------------------------------|---------------------------------------------|
| <b>Animal health</b><br>— Ruminants<br>— <i>Equidae</i><br>— Pigs | 64/432/EEC<br>72/461/EEC<br>72/462/EEC<br>Regulation (EC) No 999/2001 | Biosecurity Act 1993 S 22                                    | Yes (1) | BSE refer miscellaneous certification provisions (see Section 43)<br>Oval stamp |  | Biosecurity Act 1993 parts IV, V, VI, VII, VIII | 72/462/EEC<br>Regulation (EC) No 999/2001              | Yes (1) | Frozen Only<br>BSE refer miscellaneous certification provisions (see Section 43) |                                             |
| <b>Public health</b>                                              | 94/65/EC<br>Regulation (EC) No 999/2001                               | Animal Products Act 1999<br>Food Act 1981<br>Health Act 1956 | Yes (1) |                                                                                 |  | Animal Products Act 1999                        | 94/65/EC<br>2000/572/EC<br>Regulation (EC) No 999/2001 | Yes (1) |                                                                                  | NZ has submitted alternative EC to consider |

#### 16. Meat preparations derived from fresh poultrymeat

|                      |                         |                           |    |                                                                                                                                    |                                                                     |                                                 |                                       |         |  |  |
|----------------------|-------------------------|---------------------------|----|------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------|-------------------------------------------------|---------------------------------------|---------|--|--|
| <b>Animal health</b> | 91/494/EEC<br>94/438/EC | Biosecurity Act 1993 S 22 | No | Farm freedom from IBD, 30 days<br>No live vaccine used<br>No comminglement — IBD cross contamination<br>ND and AI regional freedom | NZ to carry out risk assessment for IBD, ND and AI by December 1999 | Biosecurity Act 1993 parts IV, V, VI, VII, VIII | 91/494/EEC<br>93/342/EEC<br>94/984/EC | Yes (3) |  |  |
|----------------------|-------------------------|---------------------------|----|------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------|-------------------------------------------------|---------------------------------------|---------|--|--|

| Commodity            | EC exports to New Zealand (1) |                                                              |             |                    |        | New Zealand exports to EC |                         |             |                    |        |
|----------------------|-------------------------------|--------------------------------------------------------------|-------------|--------------------|--------|---------------------------|-------------------------|-------------|--------------------|--------|
|                      | Trade conditions              |                                                              | Equivalence | Special conditions | Action | Trade conditions          |                         | Equivalence | Special conditions | Action |
|                      | EC standards                  | NZ standards                                                 |             |                    |        | NZ standards              | EC standards            |             |                    |        |
| <b>Public health</b> | 94/65/EC                      | Food Act 1981<br>Health Act 1956<br>Animal Products Act 1999 | Yes (1)     | Oval stamp         |        | Animal Products Act 1999  | 94/65/EC<br>2000/572/EC | NE          | Not evaluated      |        |

#### 17. Meat preparations derived from farmed game meat

|                                          |                                                      |                                                              |         |                                                                                                                                    |                                                                     |                                                 |                                        |         |               |                                             |
|------------------------------------------|------------------------------------------------------|--------------------------------------------------------------|---------|------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------|-------------------------------------------------|----------------------------------------|---------|---------------|---------------------------------------------|
| <b>Animal health</b><br>— Deer<br>— Pigs | 72/461/EEC<br>92/118/EEC<br>91/495/EEC<br>64/432/EEC | Biosecurity Act 1993 S 22                                    | Yes (1) |                                                                                                                                    |                                                                     | Biosecurity Act 1993 parts IV, V, VI, VII, VIII | 92/118/EEC<br>91/495/EEC               | Yes (1) |               |                                             |
| — Rabbit                                 | 92/118/EEC<br>91/495/EEC                             | Biosecurity Act 1993 S 22                                    | Yes (1) |                                                                                                                                    |                                                                     | Biosecurity Act 1993 parts IV, V, VI, VII, VIII | 92/118/EEC<br>91/495/EEC               | Yes (1) |               |                                             |
| — Feathered                              | 92/118/EEC<br>91/494/EEC<br>91/495/EEC               | Biosecurity Act 1993 S 22                                    | No      | Farm freedom from IBD, 30 days<br>No live vaccine used<br>No comminglement — IBD cross contamination<br>ND and AI regional freedom | NZ to carry out risk assessment for IBD, ND and AI by December 1999 | Biosecurity Act 1993 parts IV, V, VI, VII, VIII | 92/118/EEC<br>91/494/EEC<br>91/495/EEC | Yes (3) |               |                                             |
| <b>Public health</b><br>— Land mammals   | 94/65/EC                                             | Animal Products Act 1999<br>Food Act 1981<br>Health Act 1956 | Yes (1) | Oval stamp                                                                                                                         |                                                                     | Animal Products Act 1999                        | 94/65/EC<br>2000/572/EC                | Yes (1) | Frozen only   | NZ has submitted alternative EC to consider |
| — Feathered                              | 94/65/EC                                             |                                                              | NE      | Not evaluated                                                                                                                      |                                                                     |                                                 | 94/65/EC<br>2000/572/EC                | NE      | Not evaluated |                                             |

| Commodity | EC exports to New Zealand (1) |              |             |                    |        | New Zealand exports to EC |              |             |                    |        |
|-----------|-------------------------------|--------------|-------------|--------------------|--------|---------------------------|--------------|-------------|--------------------|--------|
|           | Trade conditions              |              | Equivalence | Special conditions | Action | Trade conditions          |              | Equivalence | Special conditions | Action |
|           | EC standards                  | NZ standards |             |                    |        | NZ standards              | EC standards |             |                    |        |

#### 18. Meat preparations derived from wild game meat

|                                                |           |                                                                 |     |         |                                                                              |                                                                              |                                                   |                         |         |               |                                                   |
|------------------------------------------------|-----------|-----------------------------------------------------------------|-----|---------|------------------------------------------------------------------------------|------------------------------------------------------------------------------|---------------------------------------------------|-------------------------|---------|---------------|---------------------------------------------------|
| <b>Animal health</b><br>— Deer<br>— Rabbit     | 92/45/EEC | Biosecurity<br>1993 S 22                                        | Act | Yes (1) |                                                                              |                                                                              | Biosecurity<br>1993 parts IV, V,<br>VI, VII, VIII | 92/45/EEC               | Yes (1) |               |                                                   |
| — Pigs                                         | 92/45/EEC | Biosecurity<br>1993 S 22                                        | Act | Yes (1) | CSF refer miscella-<br>neous certification<br>provisions (see<br>Section 43) |                                                                              | Biosecurity<br>1993 parts IV, V,<br>VI, VII, VIII | 92/45/EEC               | Yes (1) |               |                                                   |
|                                                |           |                                                                 |     | Yes (2) | 70 °C for 25 min<br>or equivalent                                            |                                                                              |                                                   |                         |         |               |                                                   |
| — Feathered                                    | 92/45/EEC | Biosecurity<br>1993 S 22                                        | Act | E       | Still evaluating                                                             | NZ to carry out risk<br>assessment for IBD,<br>ND and AI by<br>December 1999 | Biosecurity<br>1993 parts IV, V,<br>VI, VII, VIII | 92/45/EEC               | Yes (3) |               |                                                   |
| <b>Public health</b><br>— Wild land<br>mammals | 94/65/EC  | Animal Products<br>Act 1999<br>Food Act 1981<br>Health Act 1956 | Act | Yes (1) | Pentagonal stamp                                                             |                                                                              | Animal Products<br>Act 1999                       | 94/65/EC<br>2000/572/EC | Yes (1) | Frozen Only   | NZ has submitted<br>alternative<br>EC to consider |
| — Feathered                                    | 94/65/EC  |                                                                 |     | NE      | Not evaluated                                                                |                                                                              |                                                   | 94/65/EC<br>2000/572/EC | NE      | Not evaluated |                                                   |

#### 19. Animal casings for human consumption

|                                                                  |                                                                                        |                          |     |         |            |  |                                                   |                                                           |         |  |  |
|------------------------------------------------------------------|----------------------------------------------------------------------------------------|--------------------------|-----|---------|------------|--|---------------------------------------------------|-----------------------------------------------------------|---------|--|--|
| <b>Animal health</b><br>— Cattle<br>— Sheep<br>— Goats<br>— Pigs | 92/118/EEC<br>64/432/EEC<br>72/461/EEC<br>72/462/EEC<br>Regulation (EC)<br>No 999/2001 | Biosecurity<br>1993 S 22 | Act | Yes (1) | Oval stamp |  | Biosecurity<br>1993 parts IV, V,<br>VI, VII, VIII | 92/118/EEC<br>94/187/EC<br>Regulation (EC)<br>No 999/2001 | Yes (1) |  |  |
|------------------------------------------------------------------|----------------------------------------------------------------------------------------|--------------------------|-----|---------|------------|--|---------------------------------------------------|-----------------------------------------------------------|---------|--|--|

| Commodity            | EC exports to New Zealand (1)         |                                                              |             |                                                                   |        | New Zealand exports to EC |                                       |             |                                                                   |        |
|----------------------|---------------------------------------|--------------------------------------------------------------|-------------|-------------------------------------------------------------------|--------|---------------------------|---------------------------------------|-------------|-------------------------------------------------------------------|--------|
|                      | Trade conditions                      |                                                              | Equivalence | Special conditions                                                | Action | Trade conditions          |                                       | Equivalence | Special conditions                                                | Action |
|                      | EC standards                          | NZ standards                                                 |             |                                                                   |        | NZ standards              | EC standards                          |             |                                                                   |        |
| <b>Public health</b> | 77/99/EEC Regulation (EC) No 999/2001 | Animal Products Act 1999<br>Food Act 1981<br>Health Act 1956 | Yes (1)     | BSE refer miscellaneous certification provisions (see Section 43) |        | Animal Products Act 1999  | 77/99/EEC Regulation (EC) No 999/2001 | Yes (1)     | BSE refer miscellaneous certification provisions (see Section 43) |        |

## 20. Animal casings not for human consumption

|                                                                  |                                                                                                       |                                                                             |         |                                                    |                                   |                                                                             |                                                                          |         |                                                                   |  |
|------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|---------|----------------------------------------------------|-----------------------------------|-----------------------------------------------------------------------------|--------------------------------------------------------------------------|---------|-------------------------------------------------------------------|--|
| <b>Animal health</b><br>— Cattle<br>— Sheep<br>— Goats<br>— Pigs | Regulation (EC) No 1774/2002<br>64/432/EEC<br>72/461/EEC<br>72/462/EEC<br>Regulation (EC) No 999/2001 | Biosecurity Act 1993 S 22                                                   | Yes (2) | Restrictions with respect to scrapie<br>Oval stamp | NZ to re-examine by December 1999 | Biosecurity Act 1993 parts IV, V, VI, VII, VIII<br>Animal Products Act 1999 | Regulation (EC) No 1774/2002<br>94/187/EC<br>Regulation (EC) No 999/2001 | Yes (1) | BSE refer miscellaneous certification provisions (see Section 43) |  |
| <b>Public health</b>                                             | Regulation (EC) No 1774/2002<br>Regulation (EC) No 999/2001                                           | Health Act 1956<br>Agricultural Compounds and Veterinary Medicines Act 1997 | NE      |                                                    |                                   |                                                                             | Regulation (EC) No 999/2001<br>Regulation (EC) No 1774/2002              |         | BSE refer miscellaneous certification provisions (see Section 43) |  |

## 21. Hides and skins

|                                                              |                                                                                      |                           |         |               |  |                                                                             |                              |         |               |  |
|--------------------------------------------------------------|--------------------------------------------------------------------------------------|---------------------------|---------|---------------|--|-----------------------------------------------------------------------------|------------------------------|---------|---------------|--|
| <b>Animal health</b><br>— Ungulates excluding <i>Equidae</i> | Regulation (EC) No 1774/2002<br>72/461/EEC<br>72/462/EEC<br>64/432/EEC<br>91/495/EEC | Biosecurity Act 1993 S 22 | Yes (1) |               |  | Biosecurity Act 1993 parts IV, V, VI, VII, VIII<br>Animal Products Act 1999 | Regulation (EC) No 1774/2002 | Yes (1) |               |  |
| — <i>Equidae</i><br>— Other mammals                          |                                                                                      |                           | NE      | Not evaluated |  |                                                                             |                              | Yes (1) |               |  |
| — Ratite (Ostrich, emu, rhea)                                | 92/118/EEC                                                                           | Biosecurity Act 1993 S 22 | NE      | Not evaluated |  |                                                                             |                              | NE      | Not evaluated |  |

| Commodity            | EC exports to New Zealand <sup>(1)</sup> |              |             |                    |        | New Zealand exports to EC |              |             |                    |        |
|----------------------|------------------------------------------|--------------|-------------|--------------------|--------|---------------------------|--------------|-------------|--------------------|--------|
|                      | Trade conditions                         |              | Equivalence | Special conditions | Action | Trade conditions          |              | Equivalence | Special conditions | Action |
|                      | EC standards                             | NZ standards |             |                    |        | NZ standards              | EC standards |             |                    |        |
| <b>Public health</b> |                                          |              |             | None               |        |                           |              |             | None               |        |

## 22. Wool and fibre/hair

|                                 |                                        |                           |         |                   |                                                |                                                                          |                              |         |      |  |
|---------------------------------|----------------------------------------|---------------------------|---------|-------------------|------------------------------------------------|--------------------------------------------------------------------------|------------------------------|---------|------|--|
| <b>Animal health</b><br>— Sheep | Regulation (EC) No 1774/2002 97/168/EC | Biosecurity Act 1993 S 22 | Yes (2) | Scoured wool only | NZ to perform risk assessment by December 1999 | Biosecurity Act 1993 parts IV, V, VI, VII, VIII Animal Products Act 1999 | Regulation (EC) No 1774/2002 | Yes (1) |      |  |
| — Ruminants and pigs            |                                        |                           | NE      | Not evaluated     |                                                |                                                                          |                              | Yes (1) |      |  |
| — Other                         |                                        |                           | NE      | Not evaluated     |                                                |                                                                          |                              | Yes (1) |      |  |
| <b>Public health</b>            |                                        |                           |         | None              |                                                |                                                                          |                              |         | None |  |

## 23A. Petfood (includes processed) containing only low risk material

|                                                                               |                                                             |                           |         |                                                                   |  |                                                                          |                                                                       |         |                                                                   |  |
|-------------------------------------------------------------------------------|-------------------------------------------------------------|---------------------------|---------|-------------------------------------------------------------------|--|--------------------------------------------------------------------------|-----------------------------------------------------------------------|---------|-------------------------------------------------------------------|--|
| <b>Animal health</b><br>Article 5 90/667/EEC<br>Processed petfood (mammalian) | Regulation (EC) No 1774/2002<br>Regulation (EC) No 999/2001 | Biosecurity Act 1993 S 22 | Yes(1)  | BSE refer miscellaneous certification provisions (see Section 43) |  | Biosecurity Act 1993 parts IV, V, VI, VII, VIII Animal Products Act 1999 | Regulation (EC) No 1774/2002 94/309/EC<br>Regulation (EC) No 999/2001 |         | BSE refer miscellaneous certification provisions (see Section 43) |  |
| — Hermetically sealed containers                                              |                                                             |                           | Yes (1) |                                                                   |  |                                                                          |                                                                       | Yes (1) |                                                                   |  |
| — Semi-moist and dried petfood                                                |                                                             |                           | Yes (2) | 70 °C for 25 min or equivalent. Dog chews are exempt              |  |                                                                          |                                                                       | Yes (1) |                                                                   |  |

| Commodity                          | EC exports to New Zealand <sup>(1)</sup> |                           |             |                                                         |                                                                     | New Zealand exports to EC                                                |              |             |                                                                                 |                             |
|------------------------------------|------------------------------------------|---------------------------|-------------|---------------------------------------------------------|---------------------------------------------------------------------|--------------------------------------------------------------------------|--------------|-------------|---------------------------------------------------------------------------------|-----------------------------|
|                                    | Trade conditions                         |                           | Equivalence | Special conditions                                      | Action                                                              | Trade conditions                                                         |              | Equivalence | Special conditions                                                              | Action                      |
|                                    | EC standards                             | NZ standards              |             |                                                         |                                                                     | NZ standards                                                             | EC standards |             |                                                                                 |                             |
| Processed petfood (non-mammalian)  |                                          |                           | Yes (1)     |                                                         |                                                                     |                                                                          |              | Yes (1)     |                                                                                 |                             |
| — Hermetically sealed containers   |                                          |                           |             |                                                         |                                                                     |                                                                          |              |             |                                                                                 |                             |
| — Semi-moist and dried petfood     |                                          |                           | Yes (1)     |                                                         |                                                                     |                                                                          |              | Yes (1)     |                                                                                 |                             |
| — fish material                    |                                          |                           |             |                                                         |                                                                     |                                                                          |              |             |                                                                                 |                             |
| — avian material                   |                                          |                           | Yes (2)     | 70 °C/50 min, 80 °C/9 min or 100 °C/1 min or equivalent | NZ to carry out risk assessment for IBD, ND and AI by December 1999 |                                                                          |              | Yes (1)     |                                                                                 |                             |
| Raw petfood For direct consumption |                                          | Biosecurity Act 1993 S 22 | NE          | Not evaluated                                           |                                                                     | Biosecurity Act 1993 parts IV, V, VI, VII, VIII Animal Products Act 1999 |              | NE          | Not evaluated BSE refer miscellaneous certification provisions (see Section 43) | EC to consider import rules |
| Public health                      |                                          |                           |             | None                                                    |                                                                     |                                                                          |              |             | None                                                                            |                             |

| Commodity | EC exports to New Zealand (1) |              |             |                    |        | New Zealand exports to EC |              |             |                    |        |
|-----------|-------------------------------|--------------|-------------|--------------------|--------|---------------------------|--------------|-------------|--------------------|--------|
|           | Trade conditions              |              | Equivalence | Special conditions | Action | Trade conditions          |              | Equivalence | Special conditions | Action |
|           | EC standards                  | NZ standards |             |                    |        | NZ standards              | EC standards |             |                    |        |

### 23 B. Processed petfood containing processed animal protein derived from high risk animal waste

|                                                                                          |                                                                                               |                          |     |         |                                                                                                                      |                                       |                                                                                   |                                                                                |         |                                                                   |                                                        |
|------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------|--------------------------|-----|---------|----------------------------------------------------------------------------------------------------------------------|---------------------------------------|-----------------------------------------------------------------------------------|--------------------------------------------------------------------------------|---------|-------------------------------------------------------------------|--------------------------------------------------------|
| <b>Animal health,</b><br>Article 28 of<br>Regulation (EC)<br>No 1774/2002<br>— Mammalian | Regulation (EC)<br>No 1774/2002<br>97/735/EC<br>1999/534/EC<br>Regulation (EC)<br>No 999/2001 | Biosecurity<br>1993 S 22 | Act | Yes (1) | BSE refer miscellaneous certification provisions (see Section 43)<br>High risk ruminant PAP prohibited entry into NZ | EC to submit paper.<br>NZ to consider | Biosecurity Act<br>1993 parts IV, V, VI, VII, VIII<br>Animal Products<br>Act 1999 | Regulation (EC)<br>No 1774/2002<br>94/309/EC<br>Regulation (EC)<br>No 999/2001 | Yes (3) | BSE refer miscellaneous certification provisions (see Section 43) | EC to consider NZ technical submission and BSE freedom |
| — Non-mammalian                                                                          | Regulation (EC)<br>No 1774/2002<br>92/562/EEC                                                 | Biosecurity<br>1993 S 22 | Act | Yes (1) |                                                                                                                      |                                       |                                                                                   |                                                                                | Yes (2) |                                                                   | EC to consider NZ technical submission                 |
| <b>Public health</b>                                                                     |                                                                                               |                          |     |         | None                                                                                                                 |                                       |                                                                                   |                                                                                |         | None                                                              |                                                        |

### 24. Bones and bone products for human consumption — Other products as defined in 77/99/EEC

|                                                                                                                   |                                                                                                      |                          |     |         |                                                                                               |                                                                                                                         |                                                    |                                                                          |         |                                                                   |  |
|-------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------|--------------------------|-----|---------|-----------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------|--------------------------------------------------------------------------|---------|-------------------------------------------------------------------|--|
| <b>Animal health</b><br>Fresh meat:<br>— Red meat (ruminants/horses)<br>— Pigs<br>Farmed game<br>— Pigs<br>— Deer | 64/432/EEC<br>72/461/EEC<br>80/215/EEC<br>72/462/EEC<br>91/495/EEC<br>Regulation (EC)<br>No 999/2001 | Biosecurity<br>1993 S 22 | Act | Yes (1) | For animals derived from areas not subject to regionalisation restrictions                    |                                                                                                                         | Biosecurity Act<br>1993 parts IV, V, VI, VII, VIII | 72/462/EEC<br>91/449/EEC<br>91/495/EEC<br>Regulation (EC)<br>No 999/2001 | Yes (1) | BSE refer miscellaneous certification provisions (see Section 43) |  |
|                                                                                                                   |                                                                                                      |                          |     | Yes (2) | For animals derived from areas subject to disease restrictions 70 °C for 25 min or equivalent |                                                                                                                         |                                                    |                                                                          |         |                                                                   |  |
| Fresh meat<br>— Poultry<br>Farmed and wild game<br>— Feathered                                                    | 92/118/EEC<br>80/215/EEC<br>72/462/EEC<br>94/438/EC<br>92/45/EEC<br>91/494/EEC<br>91/495/EEC         | Biosecurity<br>1993 S 22 | Act | Yes (2) | 70 °C/50 min,<br>80 °C/9 min or<br>100 °C/1 min or<br>equivalent                              | EC to provide scientific basis for 70 °C core temperature<br>NZ to assess within three months of receipt of information | Biosecurity Act<br>1993 parts IV, V, VI, VII, VIII | 92/118/EEC<br>92/45/EEC<br>91/494/EEC<br>91/495/EEC                      | Yes (3) |                                                                   |  |

| Commodity                                         | EC exports to New Zealand (1)                                                     |                                                              |             |                                                                                                              |        | New Zealand exports to EC                                    |                                                        |             |                                                                   |        |
|---------------------------------------------------|-----------------------------------------------------------------------------------|--------------------------------------------------------------|-------------|--------------------------------------------------------------------------------------------------------------|--------|--------------------------------------------------------------|--------------------------------------------------------|-------------|-------------------------------------------------------------------|--------|
|                                                   | Trade conditions                                                                  |                                                              | Equivalence | Special conditions                                                                                           | Action | Trade conditions                                             |                                                        | Equivalence | Special conditions                                                | Action |
|                                                   | EC standards                                                                      | NZ standards                                                 |             |                                                                                                              |        | NZ standards                                                 | EC standards                                           |             |                                                                   |        |
| Wild game<br>— Pigs                               | 92/45/EEC                                                                         | Biosecurity Act 1993 S 22                                    | Yes (1)     | CSF refer miscellaneous certification provisions (see Section 43)                                            |        | Biosecurity Act 1993 parts IV, V, VI, VII, VIII              | 92/45/EEC                                              | Yes (1)     |                                                                   |        |
| — Deer                                            |                                                                                   |                                                              | Yes (2)     | 70 °C for 25 min or equivalent                                                                               |        |                                                              |                                                        |             |                                                                   |        |
|                                                   | 92/45/EEC                                                                         | Biosecurity Act 1993 S 22                                    | Yes (1)     |                                                                                                              |        |                                                              |                                                        |             |                                                                   |        |
| <b>Public health</b><br>Fresh meat<br>Farmed game | 77/99/EEC<br>91/495/EEC<br>92/45/EEC<br>92/118/EEC<br>Regulation (EC) No 999/2001 | Animal Products Act 1999<br>Food Act 1981<br>Health Act 1956 | Yes (1)     | Oval stamp (fresh meat and farmed game)<br>BSE refer miscellaneous certification provisions (see Section 43) |        | Animal Products Act 1999                                     | 77/99/EEC<br>92/118/EEC<br>Regulation (EC) No 999/2001 | Yes (1)     | BSE refer miscellaneous certification provisions (see Section 43) |        |
| Wild game                                         |                                                                                   |                                                              |             | Pentagonal stamp (wild game)                                                                                 |        |                                                              |                                                        |             | Pentagonal stamp (wild game)                                      |        |
| Fresh meat<br>— Poultry                           | 92/118/EEC<br>80/215/EEC<br>94/438/EC<br>92/45/EEC<br>91/495/EEC                  | Animal Products Act 1999<br>Food Act 1981<br>Health Act 1956 | Yes (1)     |                                                                                                              |        | Animal Products Act 1999<br>Food Act 1981<br>Health Act 1956 | 77/99/EEC<br>92/118/EEC                                | NE          | Not evaluated                                                     |        |
| Farmed and wild game<br>— Feathered               |                                                                                   |                                                              | NE          | Not evaluated                                                                                                |        |                                                              |                                                        |             |                                                                   |        |

| Commodity | EC exports to New Zealand (1) |              |             |                    |        | New Zealand exports to EC |              |             |                    |        |
|-----------|-------------------------------|--------------|-------------|--------------------|--------|---------------------------|--------------|-------------|--------------------|--------|
|           | Trade conditions              |              | Equivalence | Special conditions | Action | Trade conditions          |              | Equivalence | Special conditions | Action |
|           | EC standards                  | NZ standards |             |                    |        | NZ standards              | EC standards |             |                    |        |

**25. Processed bones and bone products not for human or animal consumption (Rendered bones for animal meals refer processed proteins for animal feedingstuffs)**

|                      |                                                            |                          |     |    |               |                       |                                                                                      |                                                                        |         |                                                                                             |                       |
|----------------------|------------------------------------------------------------|--------------------------|-----|----|---------------|-----------------------|--------------------------------------------------------------------------------------|------------------------------------------------------------------------|---------|---------------------------------------------------------------------------------------------|-----------------------|
| <b>Animal health</b> | 92/118/EEC<br>90/667/EEC<br>Regulation (EC)<br>No 999/2001 | Biosecurity<br>1993 S 22 | Act | NE | Not evaluated | Still to be addressed | Biosecurity Act<br>1993 parts IV, V,<br>VI, VII, VIII<br>Animal Products<br>Act 1999 | 92/118/EEC<br>94/446/EC<br>97/197/EC<br>Regulation (EC)<br>No 999/2001 | Yes (1) | Channelling<br>BSE refer miscella-<br>neous certification<br>provisions (see<br>Section 43) | Still to be addressed |
| <b>Public health</b> |                                                            |                          |     |    | None          |                       |                                                                                      |                                                                        |         | None                                                                                        |                       |

**26. Processed animal protein for human consumption — Other products as defined in 77/99/EEC**

|                                                                                                                          |                                                                                                      |                          |     |         |                                                                                                                  |                                                                                                                                               |                                                       |                                                                          |         |                                                                              |  |
|--------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------|--------------------------|-----|---------|------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------|--------------------------------------------------------------------------|---------|------------------------------------------------------------------------------|--|
| <b>Animal health</b><br>Fresh meat:<br>— Red meat<br>(ruminants/<br>horses)<br>— Pigs<br>Farmed game<br>— Pigs<br>— Deer | 64/432/EEC<br>72/461/EEC<br>72/462/EEC<br>80/215/EEC<br>91/495/EEC<br>Regulation (EC)<br>No 999/2001 | Biosecurity<br>1993 S 22 | Act | Yes (1) | For animals derived<br>from areas not<br>subject to regionali-<br>sation restrictions                            |                                                                                                                                               | Biosecurity Act<br>1993 parts IV, V,<br>VI, VII, VIII | 72/462/EEC<br>91/449/EEC<br>91/495/EEC<br>Regulation (EC)<br>No 999/2001 | Yes (1) | BSE refer miscella-<br>neous certification<br>provisions (see<br>Section 43) |  |
|                                                                                                                          |                                                                                                      |                          |     | Yes (2) | For animals derived<br>from areas subject<br>to disease restric-<br>tions 70 °C for<br>25 min or equiva-<br>lent |                                                                                                                                               |                                                       |                                                                          |         |                                                                              |  |
| Fresh meat<br>— Poultry<br>Farmed and<br>wild game<br>— Feathered                                                        | 92/118/EEC<br>80/215/EEC<br>72/462/EEC<br>94/438/EEC<br>92/45/EEC<br>91/494/EEC<br>91/495/EEC        | Biosecurity<br>1993 S 22 | Act | Yes (2) | 70 °C/50 min,<br>80 °C/9 min or<br>100 °C/1 min or<br>equivalent                                                 | EC to provide<br>scientific basis for<br>70 °C core tempera-<br>ture<br>NZ to assess within<br>three months of<br>receipt of informa-<br>tion | Biosecurity Act<br>1993 parts IV, V,<br>VI, VII, VIII | 92/118/EEC<br>92/45/EEC<br>91/494/EEC<br>91/495/EEC                      | Yes (3) |                                                                              |  |

| Commodity                                                      | EC exports to New Zealand ( <sup>1</sup> )                                     |                                                              |             |                                                                                                              |        | New Zealand exports to EC                       |                                                     |             |                                                                   |        |
|----------------------------------------------------------------|--------------------------------------------------------------------------------|--------------------------------------------------------------|-------------|--------------------------------------------------------------------------------------------------------------|--------|-------------------------------------------------|-----------------------------------------------------|-------------|-------------------------------------------------------------------|--------|
|                                                                | Trade conditions                                                               |                                                              | Equivalence | Special conditions                                                                                           | Action | Trade conditions                                |                                                     | Equivalence | Special conditions                                                | Action |
|                                                                | EC standards                                                                   | NZ standards                                                 |             |                                                                                                              |        | NZ standards                                    | EC standards                                        |             |                                                                   |        |
| Wild game<br>— Pigs<br>— Deer                                  | 92/45/EEC                                                                      | Biosecurity Act 1993 S 22                                    | Yes (1)     | CSF refer miscellaneous certification provisions (see Section 43)                                            |        | Biosecurity Act 1993 parts IV, V, VI, VII, VIII | 92/45/EEC                                           | Yes (1)     |                                                                   |        |
|                                                                |                                                                                |                                                              | Yes (2)     | 70 °C for 25 min or equivalent                                                                               |        |                                                 |                                                     |             |                                                                   |        |
|                                                                | 92/45/EEC                                                                      | Biosecurity Act 1993 S 22                                    | Yes (1)     |                                                                                                              |        |                                                 |                                                     |             |                                                                   |        |
| <b>Public health</b><br>Fresh meat<br>Farmed game              | 77/99/EEC<br>91/495/EEC<br>92/45/EEC<br>92/118/EEC Regulation (EC) No 999/2001 | Animal Products Act 1999<br>Food Act 1981<br>Health Act 1956 | Yes (1)     | Oval stamp (fresh meat and farmed game)<br>BSE refer miscellaneous certification provisions (see Section 43) |        | Animal Products Act 1999                        | 77/99/EEC<br>92/118/EEC Regulation (EC) No 999/2001 | Yes (1)     | BSE refer miscellaneous certification provisions (see Section 43) |        |
|                                                                |                                                                                |                                                              |             | Pentagonal stamp (wild game)                                                                                 |        |                                                 |                                                     |             | Pentagonal stamp (wild game)                                      |        |
| Wild game                                                      |                                                                                |                                                              |             |                                                                                                              |        |                                                 |                                                     |             |                                                                   |        |
| Fresh meat<br>— Poultry<br>Farmed and wild game<br>— Feathered | 92/118/EEC<br>80/215/EEC<br>94/438/EC<br>92/45/EEC<br>91/495/EEC               | Animal Products Act 1999<br>Food Act 1981<br>Health Act 1956 | Yes (1)     |                                                                                                              |        | Animal Products Act 1999                        | 77/99/EEC<br>92/118/EEC                             | NE          | Not evaluated                                                     |        |
|                                                                |                                                                                |                                                              | NE          | Not evaluated                                                                                                |        |                                                 |                                                     |             |                                                                   |        |

| Commodity | EC exports to New Zealand <sup>(1)</sup> |              |             |                    |        | New Zealand exports to EC |              |             |                    |        |
|-----------|------------------------------------------|--------------|-------------|--------------------|--------|---------------------------|--------------|-------------|--------------------|--------|
|           | Trade conditions                         |              | Equivalence | Special conditions | Action | Trade conditions          |              | Equivalence | Special conditions | Action |
|           | EC standards                             | NZ standards |             |                    |        | NZ standards              | EC standards |             |                    |        |

## 27. Processed (rendered) animal protein for feedingstuffs

|                                                                                               |                                                                                                                                                               |                          |     |         |                                                                                                                                      |                                                                            |                                                                             |                                                                          |         |                                                                   |                                                        |
|-----------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|-----|---------|--------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------|-----------------------------------------------------------------------------|--------------------------------------------------------------------------|---------|-------------------------------------------------------------------|--------------------------------------------------------|
| <b>Animal health</b><br>PAP derived from mammalian animal waste                               | 92/118/EEC<br>90/667/EEC<br>97/735/EEC<br>1999/534/EC<br>Regulation (EC)<br>No 1774/2002<br>Regulation (EC)<br>No 999/2001<br>Regulation (EC)<br>No 1774/2002 | Biosecurity<br>1993 S 22 | Act | No      | High risk ruminant PAP prohibited entry into NZ<br>Ruminant PAP Packaging to be labelled: not for use in ruminant feedingstuffs      | EC to submit paper.<br>NZ to consider                                      | Biosecurity Act 1993 parts IV, V, VI, VII, VIII<br>Animal Products Act 1999 | 90/667/EEC<br>92/118/EEC<br>92/562/EEC<br>Regulation (EC)<br>No 999/2001 | Yes (3) | BSE refer miscellaneous certification provisions (see Section 43) | EC to consider NZ technical submission and BSE freedom |
| PAP derived from low risk mammalian animal waste and destined to be incorporated into petfood |                                                                                                                                                               |                          |     | Yes (1) | Packaging to be labelled: not for use in ruminant feedingstuffs<br>BSE refer miscellaneous certification provisions (see Section 43) | EC to consider possible extension of Community fur animal derogation to NZ |                                                                             |                                                                          | Yes (1) | BSE refer miscellaneous certification provisions (see Section 43) |                                                        |
| PAP derived exclusively from/containing high risk non-mammalian animal waste                  | 92/118/EEC<br>90/667/EEC<br>92/562/EEC<br>Regulation (EC)<br>No 1774/2002                                                                                     | Biosecurity<br>1993 S 22 | Act | Yes (1) | BSE refer miscellaneous certification provisions (see Section 43)                                                                    |                                                                            |                                                                             |                                                                          | Yes (2) | Heat treatment as laid down in 92/562/EEC                         | EC to consider NZ technical submission                 |

| Commodity                                                            | EC exports to New Zealand (1)                               |                              |             |                                                                  |                                                                     | New Zealand exports to EC |              |             |                    |        |
|----------------------------------------------------------------------|-------------------------------------------------------------|------------------------------|-------------|------------------------------------------------------------------|---------------------------------------------------------------------|---------------------------|--------------|-------------|--------------------|--------|
|                                                                      | Trade conditions                                            |                              | Equivalence | Special conditions                                               | Action                                                              | Trade conditions          |              | Equivalence | Special conditions | Action |
|                                                                      | EC standards                                                | NZ standards                 |             |                                                                  |                                                                     | NZ standards              | EC standards |             |                    |        |
| PAP derived from low risk non-mammalian animal waste — fish material | 92/118/EEC<br>90/667/EEC<br>Regulation (EC)<br>No 1774/2002 | Biosecurity Act<br>1993 S 22 | Yes (1)     |                                                                  |                                                                     |                           |              | Yes (1)     |                    |        |
| — avian material                                                     |                                                             |                              | Yes (2)     | 70 °C/50 min,<br>80 °C/9 min or<br>100 °C/1 min or<br>equivalent | NZ to carry out risk assessment for IBD, ND and AI by December 1999 |                           |              | Yes (1)     |                    |        |
| Public health                                                        |                                                             |                              |             | None                                                             |                                                                     |                           |              |             | None               |        |

28. Serum from *equidae*

|               |                                              |                              |    |               |                       |                                                       |                                              |    |               |                       |
|---------------|----------------------------------------------|------------------------------|----|---------------|-----------------------|-------------------------------------------------------|----------------------------------------------|----|---------------|-----------------------|
| Animal health | Regulation (EC)<br>No 1774/2002<br>94/143/EC | Biosecurity Act<br>1993 S 22 | NE | Not evaluated | Still to be addressed | Biosecurity Act<br>1993 parts IV, V,<br>VI, VII, VIII | Regulation (EC)<br>No 1774/2002<br>94/143/EC | NE | Not evaluated | Still to be addressed |
| Public health |                                              |                              |    | None          |                       |                                                       |                                              |    | None          |                       |

| Commodity | EC exports to New Zealand (1) |              |             |                    |        | New Zealand exports to EC |              |             |                    |        |
|-----------|-------------------------------|--------------|-------------|--------------------|--------|---------------------------|--------------|-------------|--------------------|--------|
|           | Trade conditions              |              | Equivalence | Special conditions | Action | Trade conditions          |              | Equivalence | Special conditions | Action |
|           | EC standards                  | NZ standards |             |                    |        | NZ standards              | EC standards |             |                    |        |

29. **Blood and blood products for human consumption — Other products as defined in 77/99/EEC**

|                                                                                                                       |                                                                                                   |                       |     |         |                                                                                               |                                                                                                                       |                                             |                                                                       |         |                                                                   |  |
|-----------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------|-----------------------|-----|---------|-----------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------|---------------------------------------------|-----------------------------------------------------------------------|---------|-------------------------------------------------------------------|--|
| <b>Animal health</b><br>Fresh meat:<br>— Red meat (ruminants/horses)<br>— Pigs<br><br>Farmed game<br>— Pigs<br>— Deer | 64/432/EEC<br>72/461/EEC<br>80/215/EEC<br>72/462/EEC<br>91/495/EEC<br>Regulation (EC) No 999/2001 | Biosecurity 1993 S 22 | Act | Yes (1) | For animals derived from areas not subject to regionalisation restrictions                    |                                                                                                                       | Biosecurity 1993 parts IV, V, VI, VII, VIII | 72/462/EEC<br>91/449/EEC<br>91/495/EEC<br>Regulation (EC) No 999/2001 | Yes (1) | BSE refer miscellaneous certification provisions (see Section 43) |  |
|                                                                                                                       |                                                                                                   |                       |     | Yes (2) | For animals derived from areas subject to disease restrictions 70°C for 25 min or equivalent  |                                                                                                                       |                                             |                                                                       |         |                                                                   |  |
| Fresh meat<br>Poultry<br>— Farmed and wild game<br>Feathered                                                          | 92/118/EEC<br>80/215/EEC<br>72/462/EEC<br>94/438/EEC<br>92/45/EEC<br>91/494/EEC<br>91/495/EEC     | Biosecurity 1993 S 22 | Act | Yes (2) | 70 °C/50 min,<br>80 °C/9 min or<br>100 °C/1 min or<br>equivalent                              | EC to provide scientific basis for 70 °C core temperature. NZ to assess within three months of receipt of information | Biosecurity 1993 parts IV, V, VI, VII, VIII | 92/118/EEC<br>92/45/EEC<br>91/494/EEC<br>91/495/EEC                   | Yes (3) |                                                                   |  |
| Wild game<br>— Pigs                                                                                                   | 92/45/EEC                                                                                         | Biosecurity 1993 S 22 | Act | Yes (1) | CSF refer miscellaneous certification provisions (see Section 43)                             |                                                                                                                       | Biosecurity 1993 parts IV, V, VI, VII, VIII | 92/45/EEC                                                             | Yes (1) |                                                                   |  |
|                                                                                                                       |                                                                                                   |                       |     | Yes (2) | For animals derived from areas subject to disease restrictions 70 °C for 25 min or equivalent |                                                                                                                       |                                             |                                                                       |         |                                                                   |  |

| Commodity                                         | EC exports to New Zealand (1)                                                     |                                                              |             |                                                                                                              |        | New Zealand exports to EC |                                                        |             |                                                                   |        |
|---------------------------------------------------|-----------------------------------------------------------------------------------|--------------------------------------------------------------|-------------|--------------------------------------------------------------------------------------------------------------|--------|---------------------------|--------------------------------------------------------|-------------|-------------------------------------------------------------------|--------|
|                                                   | Trade conditions                                                                  |                                                              | Equivalence | Special conditions                                                                                           | Action | Trade conditions          |                                                        | Equivalence | Special conditions                                                | Action |
|                                                   | EC standards                                                                      | NZ standards                                                 |             |                                                                                                              |        | NZ standards              | EC standards                                           |             |                                                                   |        |
| — Deer                                            | 92/45/EEC                                                                         | Biosecurity Act 1993 S 22                                    | Yes (1)     |                                                                                                              |        |                           |                                                        |             |                                                                   |        |
| <b>Public health</b><br>Fresh meat<br>Farmed game | 77/99/EEC<br>91/495/EEC<br>92/45/EEC<br>92/118/EEC<br>Regulation (EC) No 999/2001 | Animal Products Act 1999<br>Food Act 1981<br>Health Act 1956 | Yes (1)     | Oval stamp (fresh meat and farmed game)<br>BSE refer miscellaneous certification provisions (see Section 43) |        | Animal Products Act 1999  | 77/99/EEC<br>92/118/EEC<br>Regulation (EC) No 999/2001 | Yes (1)     | BSE refer miscellaneous certification provisions (see Section 43) |        |
| Wild game                                         |                                                                                   |                                                              |             | Pentagonal stamp (wild game)                                                                                 |        |                           |                                                        |             | Pentagonal stamp (wild game)                                      |        |
| Fresh meat<br>— Poultry                           | 92/118/EEC<br>80/215/EEC<br>94/438/EEC<br>92/45/EEC<br>91/495/EEC                 | Animal Products Act 1999<br>Food Act 1981<br>Health Act 1956 | Yes (1)     |                                                                                                              |        | Animal Products Act 1999  | 77/99/EEC<br>92/118/EEC                                | NE          | Not evaluated                                                     |        |
| Farmed and wild game<br>— Feathered               |                                                                                   |                                                              | NE          | Not evaluated                                                                                                |        |                           |                                                        |             |                                                                   |        |

### 30. Processed blood and blood products (excluding serum from *equidae*) for pharmaceutical or technical use

|                                                                          |                                            |                           |         |               |                       |                                                                             |                                            |         |               |                       |
|--------------------------------------------------------------------------|--------------------------------------------|---------------------------|---------|---------------|-----------------------|-----------------------------------------------------------------------------|--------------------------------------------|---------|---------------|-----------------------|
| <b>Animal health</b><br>Fresh meat:<br>— Bovine, ovine, caprine, Porcine | 92/183/EEC<br>Regulation (EC) No 1774/2002 | Biosecurity Act 1993 S 22 | Yes (1) |               |                       | Biosecurity Act 1993 parts IV, V, VI, VII, VIII<br>Animal Products Act 1999 | 92/183/EEC<br>Regulation (EC) No 1774/2002 | Yes (1) |               |                       |
| — <i>Equidae</i>                                                         | 92/183/EEC<br>Regulation (EC) No 1774/2002 | Biosecurity Act 1993 S 22 | NE      | Not evaluated | Still to be addressed | Biosecurity Act 1993 parts IV, V, VI, VII, VIII                             | 92/183/EEC<br>Regulation (EC) No 1774/2002 | NE      | Not evaluated | Still to be addressed |

| Commodity            | EC exports to New Zealand (1)           |                                                                   |             |                    |                       | New Zealand exports to EC                       |                                         |             |                    |                       |
|----------------------|-----------------------------------------|-------------------------------------------------------------------|-------------|--------------------|-----------------------|-------------------------------------------------|-----------------------------------------|-------------|--------------------|-----------------------|
|                      | Trade conditions                        |                                                                   | Equivalence | Special conditions | Action                | Trade conditions                                |                                         | Equivalence | Special conditions | Action                |
|                      | EC standards                            | NZ standards                                                      |             |                    |                       | NZ standards                                    | EC standards                            |             |                    |                       |
| — Avian              | 92/183/EEC Regulation (EC) No 1774/2002 | Biosecurity Act 1993 S 22                                         | NE          | Not evaluated      | Still to be addressed | Biosecurity Act 1993 parts IV, V, VI, VII, VIII | 92/183/EEC Regulation (EC) No 1774/2002 | NE          | Not evaluated      | Still to be addressed |
| <b>Public health</b> | Regulation (EC) No 1774/2002            | Health Act 1956 Agricultural Compounds & Veterinary Medicines Act | NE          |                    |                       |                                                 |                                         |             | None               |                       |

### 31. Lard and rendered fats for human consumption i.e. other products as defined in 77/99/EEC

|                                                                                                                  |                                                                                                   |                           |         |                                                                                               |                                                                                                                       |                                                 |                                                         |         |  |  |
|------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------|---------------------------|---------|-----------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------|-------------------------------------------------|---------------------------------------------------------|---------|--|--|
| <b>Animal health</b><br>Fresh meat:<br>— Red meat (ruminants/horses)<br>— Pigs<br>Farmed game<br>— Pig<br>— Deer | 64/432/EEC<br>72/461/EEC<br>80/215/EEC<br>72/462/EEC<br>91/495/EEC<br>Regulation (EC) No 999/2001 | Biosecurity Act 1993 S 22 | Yes (1) | For animals derived from areas not subject to regionalisation restrictions                    |                                                                                                                       | Biosecurity Act 1993 parts IV, V, VI, VII, VIII | 72/462/EEC<br>91/449/EEC<br>91/495/EEC (EC) No 999/2001 | Yes (1) |  |  |
|                                                                                                                  |                                                                                                   |                           | Yes (2) | For animals derived from areas subject to disease restrictions 70 °C for 25 min or equivalent |                                                                                                                       |                                                 |                                                         |         |  |  |
| Fresh meat<br>— Poultry<br>Farmed and wild game<br>— Feathered                                                   | 92/118/EEC<br>80/215/EEC<br>72/462/EEC<br>94/438/EEC<br>92/45/EEC<br>91/494/EEC<br>91/495/EEC     | Biosecurity Act 1993 S 22 | Yes (2) | 70 °C/50 min,<br>80 °C/9 min or<br>100 °C/1 min or<br>equivalent                              | EC to provide scientific basis for 70 °C core temperature. NZ to assess within three months of receipt of information | Biosecurity Act 1993 parts IV, V, VI, VII, VIII | 92/118/EEC<br>92/45/EEC<br>91/494/EEC<br>91/495/EEC     | Yes (3) |  |  |

| Commodity                                         | EC exports to New Zealand (1)                                                        |                                                              |             |                                                                                                              |        | New Zealand exports to EC                       |                         |             |                                                                   |        |
|---------------------------------------------------|--------------------------------------------------------------------------------------|--------------------------------------------------------------|-------------|--------------------------------------------------------------------------------------------------------------|--------|-------------------------------------------------|-------------------------|-------------|-------------------------------------------------------------------|--------|
|                                                   | Trade conditions                                                                     |                                                              | Equivalence | Special conditions                                                                                           | Action | Trade conditions                                |                         | Equivalence | Special conditions                                                | Action |
|                                                   | EC standards                                                                         | NZ standards                                                 |             |                                                                                                              |        | NZ standards                                    | EC standards            |             |                                                                   |        |
| Wild game<br>— Pigs                               | 92/45/EEC                                                                            | Biosecurity Act 1993 S 22                                    | Yes (1)     | CSF refer miscellaneous certification provisions (see Section 43)                                            |        | Biosecurity Act 1993 parts IV, V, VI, VII, VIII | 92/45/EEC               | Yes (1)     |                                                                   |        |
|                                                   |                                                                                      |                                                              | Yes (2)     | 70 °C for 25 min or equivalent                                                                               |        |                                                 |                         |             |                                                                   |        |
| — Deer                                            |                                                                                      |                                                              | Yes (1)     |                                                                                                              |        |                                                 |                         |             |                                                                   |        |
| <b>Public health</b><br>Fresh meat<br>Farmed game | 77/99/EEC<br>91/495/EEC<br>92/45/EEC<br>92/118/EEC<br>Regulation (EC)<br>No 999/2001 | Animal Products Act 1999<br>Food Act 1981<br>Health Act 1956 | Yes (1)     | Oval stamp (fresh meat and farmed game)<br>BSE refer miscellaneous certification provisions (see Section 43) |        | Animal Products Act 1999                        | 77/99/EEC<br>92/118/EEC | Yes (1)     | BSE refer miscellaneous certification provisions (see Section 43) |        |
| Wild game                                         |                                                                                      |                                                              |             | Pentagonal stamp (wild game)                                                                                 |        |                                                 |                         |             | Pentagonal stamp (wild game)                                      |        |
| Fresh meat<br>— Poultry                           | 92/118/EEC<br>80/215/EEC<br>94/438/EEC<br>92/45/EEC<br>91/495/EEC                    | Animal Products Act 1999<br>Food Act 1981<br>Health Act 1956 | Yes (1)     |                                                                                                              |        | Animal Products Act 1999                        | 77/99/EEC<br>92/118/EEC | NE          | Not evaluated                                                     |        |
| Farmed and wild game<br>— Feathered               |                                                                                      |                                                              | NE          | Not evaluated                                                                                                |        |                                                 |                         |             |                                                                   |        |

| Commodity | EC exports to New Zealand <sup>(1)</sup> |              |             |                    |        | New Zealand exports to EC |              |             |                    |        |
|-----------|------------------------------------------|--------------|-------------|--------------------|--------|---------------------------|--------------|-------------|--------------------|--------|
|           | Trade conditions                         |              | Equivalence | Special conditions | Action | Trade conditions          |              | Equivalence | Special conditions | Action |
|           | EC standards                             | NZ standards |             |                    |        | NZ standards              | EC standards |             |                    |        |

### 32. Lard and rendered fats not for human consumption

|               |                                                                           |                           |                          |                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                   |                                                                           |                                                             |                    |                                                                                                                                                               |                                                 |
|---------------|---------------------------------------------------------------------------|---------------------------|--------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------|-------------------------------------------------------------|--------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------|
| Animal health | Regulation (EC) No 1774/2002<br>72/461/EEC<br>Regulation (EC) No 999/2001 | Biosecurity Act 1993 S 22 | Yes (1)<br>Rendered fats | Packaging to be labelled: Not for use in ruminant feedingstuffs<br>BSE refer miscellaneous certification provisions (see Section 43)                                                                                                                                                                                                                                                               |                                                                                                                   | Biosecurity Act 1993 parts IV, V, VI, VII, VIII, Animal Products Act 1999 | Regulation (EC) No 1774/2002<br>Regulation (EC) No 999/2001 | Yes (1)<br>Yes (3) | Yes (1) for Article 5 90/667/EEC materials<br>Yes (3) for Article 3 90/667/EEC materials<br>BSE refer miscellaneous certification provisions (see Section 43) | EC to consider NZ alternative treatment methods |
|               |                                                                           |                           | Yes (2)<br>Lards         | Fresh poultrymeat and feathered farmed and wild game — 70 °C/ 50 min, 80 °C/ 9 min or 100 °C/ 1 min or equivalent<br>From a restricted region fresh meat: red meat (ruminants/horses/pigs) and farmed game (pigs/deer) and wild game (pig) from Member States with CSF within the last 30 days — 70 °C for 25 min or equivalent<br>Packaging to be labelled: Not for use in ruminant feedingstuffs | EC to provide scientific basis for 70 °C core temperature. NZ to assess within 3 months of receipt of information |                                                                           |                                                             | Yes (3)            |                                                                                                                                                               |                                                 |

| Commodity            | EC exports to New Zealand <sup>(1)</sup> |              |                  |                                                                                                                                                                                                    |        | New Zealand exports to EC                                                 |              |             |                    |        |
|----------------------|------------------------------------------|--------------|------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------|---------------------------------------------------------------------------|--------------|-------------|--------------------|--------|
|                      | Trade conditions                         |              | Equivalence      | Special conditions                                                                                                                                                                                 | Action | Trade conditions                                                          |              | Equivalence | Special conditions | Action |
|                      | EC standards                             | NZ standards |                  |                                                                                                                                                                                                    |        | NZ standards                                                              | EC standards |             |                    |        |
|                      |                                          |              | Yes (1)<br>Lards | Product to be derived from fresh meat, farmed and wild game with Yes (1) for animal health indicated previously. No comminglement. Packaging to be labelled: Not for use in ruminant feedingstuffs |        | Biosecurity Act 1993 parts IV, V, VI, VII, VIII; Animal Products Act 1999 | 92/118/EEC   | Yes (3)     |                    |        |
| <b>Public health</b> |                                          |              |                  | None                                                                                                                                                                                               |        |                                                                           |              |             | None               |        |

### 33. Raw materials for feedingstuffs, pharmaceutical or technical use — low risk only

|                                                                                                        |                                                             |                           |         |                                                                                                                                                                                                   |  |                                                                          |                                                             |         |                                                                               |                                                    |
|--------------------------------------------------------------------------------------------------------|-------------------------------------------------------------|---------------------------|---------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--------------------------------------------------------------------------|-------------------------------------------------------------|---------|-------------------------------------------------------------------------------|----------------------------------------------------|
| <b>Animal health</b><br>Fresh meat<br>Farmed game<br>— Pigs<br>— Deer<br>Wild game<br>— Pigs<br>— Deer | Regulation (EC) No 1774/2002<br>Regulation (EC) No 999/2001 | Biosecurity Act 1993 S 22 | Yes (1) | Product to be derived from fresh meat, farmed and wild game with Yes (1) for animal health indicated previously. Packaging to be labelled: Not for use in ruminant feedingstuffs<br>Not evaluated |  | Biosecurity Act 1993 parts IV, V, VI, VII, VIII Animal Products Act 1999 | Regulation (EC) No 1774/2002<br>Regulation (EC) No 999/2001 | Yes (1) | Channelling BSE refer miscellaneous certification provisions (see Section 43) | EC to consider import rules for direct consumption |
| Fresh meat<br>— Poultry<br>Farmed and wild game<br>— Feathered                                         | Regulation (EC) No 1774/2002                                | Biosecurity Act 1993 S 22 | NE      |                                                                                                                                                                                                   |  | Biosecurity Act 1993 parts IV, V, VI, VII, VIII Animal Products Act 1999 | Regulation (EC) No 1774/2002                                | NE      | Not evaluated                                                                 |                                                    |

| Commodity            | EC exports to New Zealand <sup>(1)</sup>                    |                                                                      |             |                    |        | New Zealand exports to EC |              |             |                    |        |
|----------------------|-------------------------------------------------------------|----------------------------------------------------------------------|-------------|--------------------|--------|---------------------------|--------------|-------------|--------------------|--------|
|                      | Trade conditions                                            |                                                                      | Equivalence | Special conditions | Action | Trade conditions          |              | Equivalence | Special conditions | Action |
|                      | EC standards                                                | NZ standards                                                         |             |                    |        | NZ standards              | EC standards |             |                    |        |
| <b>Public health</b> | Regulation (EC) No 1774/2002<br>Regulation (EC) No 999/2001 | Health Act 1956<br>Agricultural Compounds & Veterinary Medicines Act | NE          |                    |        |                           |              |             | None               |        |

#### 34. Apiculture products — not for human consumption

|                      |                              |                           |    |               |                       |                                                 |                              |    |               |                       |
|----------------------|------------------------------|---------------------------|----|---------------|-----------------------|-------------------------------------------------|------------------------------|----|---------------|-----------------------|
| <b>Animal health</b> | Regulation (EC) No 1774/2002 | Biosecurity Act 1993 S 22 | NE | Not evaluated | Still to be addressed | Biosecurity Act 1993 parts IV, V, VI, VII, VIII | Regulation (EC) No 1774/2002 | NE | Not evaluated | Still to be addressed |
| <b>Public health</b> |                              |                           |    | None          |                       |                                                 |                              |    | None          |                       |

#### 35. Game trophies

|                                     |                                            |                           |         |               |                       |                                                 |                              |         |               |                       |
|-------------------------------------|--------------------------------------------|---------------------------|---------|---------------|-----------------------|-------------------------------------------------|------------------------------|---------|---------------|-----------------------|
| <b>Animal health</b><br>— Mammalian | Regulation (EC) No 1774/2002<br>72/462/EEC | Biosecurity Act 1993 S 22 | Yes (1) |               |                       | Biosecurity Act 1993 parts IV, V, VI, VII, VIII | Regulation (EC) No 1774/2002 | Yes (1) |               |                       |
| — Avian                             |                                            |                           | NE      | Not evaluated | Still to be addressed |                                                 |                              | NE      | Not evaluated | Still to be addressed |
| <b>Public health</b>                |                                            |                           |         | None          |                       |                                                 |                              |         | None          |                       |

#### 36. Manure

|                      |                              |                           |    |               |                       |                                                 |                              |    |               |                       |
|----------------------|------------------------------|---------------------------|----|---------------|-----------------------|-------------------------------------------------|------------------------------|----|---------------|-----------------------|
| <b>Animal health</b> | Regulation (EC) No 1774/2002 | Biosecurity Act 1993 S 22 | NE | Not evaluated | Still to be addressed | Biosecurity Act 1993 parts IV, V, VI, VII, VIII | Regulation (EC) No 1774/2002 | NE | Not evaluated | Still to be addressed |
| <b>Public health</b> |                              |                           |    | None          |                       |                                                 |                              |    | None          |                       |

| Commodity | EC exports to New Zealand (1) |              |             |                    |        | New Zealand exports to EC |              |             |                    |        |
|-----------|-------------------------------|--------------|-------------|--------------------|--------|---------------------------|--------------|-------------|--------------------|--------|
|           | Trade conditions              |              | Equivalence | Special conditions | Action | Trade conditions          |              | Equivalence | Special conditions | Action |
|           | EC standards                  | NZ standards |             |                    |        | NZ standards              | EC standards |             |                    |        |

## 37. Honey

|                      |                              |                                  |    |               |                       |                                                              |                              |    |               |                       |
|----------------------|------------------------------|----------------------------------|----|---------------|-----------------------|--------------------------------------------------------------|------------------------------|----|---------------|-----------------------|
| <b>Animal health</b> |                              | Biosecurity Act 1993 S 22        | NE | Not evaluated | Still to be addressed | Biosecurity Act 1993 parts IV, V, VI, VII, VIII              |                              | NE | Not evaluated | Still to be addressed |
| <b>Public health</b> | Regulation (EC) No 1774/2002 | Food Act 1981<br>Health Act 1956 | NE | Not evaluated | Still to be addressed | Food Act 1981<br>Health Act 1956<br>Animal Products Act 1999 | Regulation (EC) No 1774/2002 | NE | Not evaluated | Still to be addressed |

## 38. Frogs' legs

|                      |            |                                  |    |               |                       |                                                               |            |    |               |                       |
|----------------------|------------|----------------------------------|----|---------------|-----------------------|---------------------------------------------------------------|------------|----|---------------|-----------------------|
| <b>Animal health</b> |            | Biosecurity Act 1993 S 22        | NE | Not evaluated | Still to be addressed | Biosecurity Act 1993 parts IV, V, VI, VII, VIII               |            | NE | Not evaluated | Still to be addressed |
| <b>Public health</b> | 92/118/EEC | Food Act 1981<br>Health Act 1956 | NE | Not evaluated | Still to be addressed | Food Act 1981,<br>Health Act 1956<br>Animal Products Act 1999 | 92/118/EEC | NE | Not evaluated | Still to be addressed |

## 39. Snails for human consumption

|                      |            |                                  |    |               |                       |                                                              |            |    |               |                       |
|----------------------|------------|----------------------------------|----|---------------|-----------------------|--------------------------------------------------------------|------------|----|---------------|-----------------------|
| <b>Animal health</b> |            | Biosecurity Act 1993 S 22        | NE | Not evaluated | Still to be addressed | Biosecurity Act 1993 parts IV, V, VI, VII, VIII              |            | NE | Not evaluated | Still to be addressed |
| <b>Public health</b> | 92/118/EEC | Food Act 1981<br>Health Act 1956 | NE | Not evaluated | Still to be addressed | Food Act 1981<br>Health Act 1956<br>Animal Products Act 1999 | 92/118/EEC | NE | Not evaluated | Still to be addressed |

| Commodity | EC exports to New Zealand (1) |              |             |                    |        | New Zealand exports to EC |              |             |                    |        |
|-----------|-------------------------------|--------------|-------------|--------------------|--------|---------------------------|--------------|-------------|--------------------|--------|
|           | Trade conditions              |              | Equivalence | Special conditions | Action | Trade conditions          |              | Equivalence | Special conditions | Action |
|           | EC standards                  | NZ standards |             |                    |        | NZ standards              | EC standards |             |                    |        |

## 40. Egg products

|                      |                                                    |                               |    |               |                       |                                                        |                                                    |    |                                                                                         |                       |
|----------------------|----------------------------------------------------|-------------------------------|----|---------------|-----------------------|--------------------------------------------------------|----------------------------------------------------|----|-----------------------------------------------------------------------------------------|-----------------------|
| <b>Animal health</b> | 90/539/EEC Regulation (EC) No 1774/2002            | Biosecurity Act 1993 S 22     | NE | Not evaluated | Still to be addressed | Biosecurity Act 1993 parts IV, V, VI, VII, VIII        | 90/539/EEC Regulation (EC) No 1774/2002            | NE | Not evaluated                                                                           | Still to be addressed |
| <b>Public health</b> | 92/118/EEC Regulation (EC) No 1774/2002 89/437/EEC | Food Act 1981 Health Act 1956 | NE | Not evaluated | Still to be addressed | Food Act 1981 Health Act 1956 Animal Products Act 1999 | 92/118/EEC Regulation (EC) No 1774/2002 89/437/EEC | NE | Not evaluated Salmonella, refer miscellaneous certification provisions (see Section 43) | Still to be addressed |

## 41. Gelatines for technical and human consumption

|                      |                                                                      |                                                        |    |                                                                                 |                       |                                                        |                              |    |                                                                                                                 |                       |
|----------------------|----------------------------------------------------------------------|--------------------------------------------------------|----|---------------------------------------------------------------------------------|-----------------------|--------------------------------------------------------|------------------------------|----|-----------------------------------------------------------------------------------------------------------------|-----------------------|
| <b>Animal health</b> | Regulation (EC) No 999/2001 Regulation (EC) No 1774/2002             | Biosecurity Act 1993 S 22                              | NE | Not evaluated                                                                   | Still to be addressed | Biosecurity Act 1993 parts IV, V, VI, VII, VIII        |                              | NE | Not evaluated                                                                                                   | Still to be addressed |
| <b>Public health</b> | Regulation (EC) No 1774/2002 Regulation (EC) No 999/2001, as amended | Animal Products Act 1999 Food Act 1981 Health Act 1956 | NE | Not evaluated BSE refer miscellaneous certification provisions (see Section 43) | Still to be addressed | Animal Products Act 1999 Food Act 1981 Health Act 1956 | Regulation (EC) No 1774/2002 | NE | Not evaluated BSE refer to miscellaneous certification provisions where for human consumption: (see Section 43) | Still to be addressed |

| Commodity | EC exports to New Zealand <sup>(1)</sup> |              |             |                    |        | New Zealand exports to EC |              |             |                    |        |
|-----------|------------------------------------------|--------------|-------------|--------------------|--------|---------------------------|--------------|-------------|--------------------|--------|
|           | Trade conditions                         |              | Equivalence | Special conditions | Action | Trade conditions          |              | Equivalence | Special conditions | Action |
|           | EC standards                             | NZ standards |             |                    |        | NZ standards              | EC standards |             |                    |        |

#### 42 A. Horizontal Issues

|                                                             |                        |                                             |         |                                                      |                       |                          |                      |         |                                                      |                                                 |
|-------------------------------------------------------------|------------------------|---------------------------------------------|---------|------------------------------------------------------|-----------------------|--------------------------|----------------------|---------|------------------------------------------------------|-------------------------------------------------|
| <b>Definitions</b>                                          |                        |                                             |         |                                                      |                       |                          |                      |         | For “serious infectious disease” and “epizootic”     | EC to confirm                                   |
| <b>Water</b>                                                | 80/778/EEC<br>98/83/EC | Animal Products Act 1999<br>Health Act 1956 | Yes (1) |                                                      |                       | Animal Products Act 1999 | 80/778/EEC           | Yes (1) |                                                      | EC to evaluate new NZ proposal for water system |
| <b>Residues</b><br>Residue monitoring<br>— Red meat species | 96/22/EC<br>96/23/EC   | Animal Products Act 1999<br>Food Act 1981   | Yes (1) |                                                      |                       | Animal Products Act 1999 | 96/22/EC<br>96/23/EC | Yes (1) |                                                      |                                                 |
| — Other species                                             |                        |                                             | NE      | Not evaluated                                        | Still to be addressed |                          |                      | NE      | Not evaluated                                        | Still to be addressed                           |
| — Standards                                                 |                        |                                             | NE      | Not evaluated (currently outside scope of Agreement) | Still to be addressed |                          |                      | NE      | Not evaluated (currently outside scope of Agreement) |                                                 |

| Commodity                    | EC exports to New Zealand (1) |                          |             |                                                                                                                                                     |        | New Zealand exports to EC |                                                                                                      |             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                             |
|------------------------------|-------------------------------|--------------------------|-------------|-----------------------------------------------------------------------------------------------------------------------------------------------------|--------|---------------------------|------------------------------------------------------------------------------------------------------|-------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------|
|                              | Trade conditions              |                          | Equivalence | Special conditions                                                                                                                                  | Action | Trade conditions          |                                                                                                      | Equivalence | Special conditions                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Action                                                                                                      |
|                              | EC standards                  | NZ standards             |             |                                                                                                                                                     |        | NZ standards              | EC standards                                                                                         |             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                             |
| <b>Certification Systems</b> | 96/93/EC                      | Animal Products Act 1999 | Yes (1)     | Equivalency status applies to all animals and animal product commodities accorded both animal and public health equivalence (Yes 1) as appropriate. |        | Animal Products Act 1999  | 72/462/EEC<br>91/495/EEC<br>92/5/EEC<br>92/45/EEC<br>92/118/EEC<br>94/65/EC<br>96/93/EC<br>1774/2002 | Yes (1)     | Equivalency status applies to animals and animal product commodities under the scope of Directives 72/462/EEC, 91/495/EEC, 92/5/EEC, 92/118/EEC (Annex I, Chapters 2, 3, 4, 5, 6, 7, 9, 10 and 11, and Annex II Chapter 1) 92/45/EEC, 94/65/EC, 1774/2002 (Annex X, Chapters 1, 3, 5 and 8) accorded both animal and public health equivalence (Yes 1) as appropriate. When the official health certificate is issued after the departure of the consignment, it shall include reference to the appropriate Eligibility Number (ED), date of issuance of the eligibility document that supports the official health certificate, the date of departure of the consignment and the date of signing of the official health certificate. New Zealand shall inform the border inspection post of arrival of any certification problem after departure from New Zealand. | For commodities other than those accorded certification systems equivalence the EC to evaluate equivalence. |

| Commodity                      | EC exports to New Zealand (!)                                                                                |              |                  |                    |                                                                                    | New Zealand exports to EC |              |                  |                    |        |
|--------------------------------|--------------------------------------------------------------------------------------------------------------|--------------|------------------|--------------------|------------------------------------------------------------------------------------|---------------------------|--------------|------------------|--------------------|--------|
|                                | Trade conditions                                                                                             |              | EQUIVA-<br>lence | Special conditions | Action                                                                             | Trade conditions          |              | EQUIVA-<br>lence | Special conditions | Action |
|                                | EC standards                                                                                                 | NZ standards |                  |                    |                                                                                    | NZ standards              | EC standards |                  |                    |        |
| 42. B <b>Horizontal issues</b> | <b>Issue</b>                                                                                                 |              |                  |                    | <b>Action</b>                                                                      |                           |              |                  |                    |        |
| Premises listings              | Competent authority to recommend listing<br>Still require lists currently.                                   |              |                  |                    | Still to be addressed<br>Still to be addressed                                     |                           |              |                  |                    |        |
| Certification                  | Consistency of required information<br>Modification to existing certificates<br>Principles of health marking |              |                  |                    | Still to be addressed<br>NZ has requested. EC to consider<br>Still to be addressed |                           |              |                  |                    |        |
| Compliance                     | Resolution/transparency<br>Linkage to audit process                                                          |              |                  |                    | Still to be addressed<br>Still to be addressed                                     |                           |              |                  |                    |        |
| Premises supervision           | Veterinary supervision                                                                                       |              |                  |                    | EC to clarify internal/external requirements                                       |                           |              |                  |                    |        |

**43. Miscellaneous certification provisions: Attestations are to appear on the public or animal health certificate.**

| Issue                     | Certification provisions                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|---------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>IBR</b>                | For trade from New Zealand to Denmark, Austria, Finland and Sweden in bovine animals and bovine semen, New Zealand will certify in accordance with Article 3 of Commission Decision 93/42/EEC. For trade from New Zealand to the province of Bolzano (Italy) in bovine animals and bovine semen, New Zealand will certify in accordance with Article 2 of Commission Decision 95/109/EC. This attestation will appear on the health certificate.                                                                                                                                                                                                                                                                                                                                                                                 |
| <b>Aujeszky's disease</b> | For trade from New Zealand to Great Britain, Denmark, South West France, Germany, Finland, Sweden, Austria and Luxembourg, in live pigs, New Zealand will certify in accordance with Article 5 of Commission Decision 93/24/EEC or Article 4 of Commission Decision 93/244/EEC as appropriate. This attestation will appear on the health certificate.                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <b>BSE</b>                | <p><u>EC exports of products containing bovine, ovine or caprine materials to NZ (in addition to full compliance with all other relevant EC standards)</u></p> <p>"This product does not contain and is not derived from bovine, ovine and caprine materials other than those derived from animals born, continuously reared and slaughtered in the European Union and which has been produced in full compliance with EC 999/2001 and EC 1774/2002 as applicable."</p> <p><i>Note:</i> Products which contain bovine, ovine or caprine materials other than from those derived from animals born, continuously reared and slaughtered in the European Union are required to have that component certified in accordance with the relevant, additional third country provisions in the applicable NZ certification decision.</p> |

| Commodity                          | EC exports to New Zealand <sup>(1)</sup>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |              |             |                    |        | New Zealand exports to EC |              |             |                    |        |
|------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|-------------|--------------------|--------|---------------------------|--------------|-------------|--------------------|--------|
|                                    | Trade conditions                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |              | Equivalence | Special conditions | Action | Trade conditions          |              | Equivalence | Special conditions | Action |
|                                    | EC standards                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | NZ standards |             |                    |        | NZ standards              | EC standards |             |                    |        |
| <b>BSE</b>                         | <p><u>NZ export of products containing bovine, ovine or caprine materials to EC</u></p> <p>“This product does not contain and is not derived from (delete as appropriate) specified risk material as defined in Annex XI, section A, to Regulation (EC) No 999/2001 produced after March 2001, or mechanically recovered meat obtained from bones of bovine, ovine or caprine animals produced after 31 March 2001. After March 31 2001 the bovine, ovine or caprine animals, from which this product is derived, have not been slaughtered after stunning by means of gas injected into the cranial cavity or killed by the same method or slaughtered by laceration after stunning of central nervous tissue by means of an elongated rod-shaped instrument introduced into the cranial cavity”</p> <p>or</p> <p>bovine, ovine and caprine materials other than those derived from animals born, continuously reared and slaughtered in the following countries: (insert name of a country or countries assigned a GBR and/or Category 1 status by the EC).</p> |              |             |                    |        |                           |              |             |                    |        |
| <b>CSF — feral pigs only</b>       | For trade from the EC to NZ the Member State competent authority will certify that the products were derived from areas free from CSF in the feral porcine population for the preceding 60 days. This attestation will appear on the health certificate.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |              |             |                    |        |                           |              |             |                    |        |
| <b>Rabies</b>                      | For trade from New Zealand to UK, Ireland and Sweden. Cats and dogs may require post import quarantine and/or vaccination and/or serological testing.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |              |             |                    |        |                           |              |             |                    |        |
| <b>Colours for sanitary stamps</b> | Directive 94/36/EC prescribes the colours that could be used for sanitary stamps.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |              |             |                    |        |                           |              |             |                    |        |
| <b>Salmonella</b>                  | For trade from New Zealand to Sweden and Finland. New Zealand 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), Commission Decision 95/161/EC (laying hens) and Commission Decision 95/168/EC (table eggs for human consumption). No attestation is required for fresh meat as defined in Council Directive 72/462/EEC intended for the purposes of pasteurisation, sterilisation or for treatment having an equivalent effect.                                                                                                                                                                                                                                                                                                                                                                                                            |              |             |                    |        |                           |              |             |                    |        |

<sup>(1)</sup> Commodities must be fully eligible for unrestricted intra-Community trade, unless otherwise indicated.’

ANNEX C

‘ANNEX X

#### CONTACT POINTS

##### **For New Zealand**

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##### **For the European Community**

The Director  
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Directorate-General Health and Consumer Protection  
European Commission  
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