Corrigendum to Commission Decision 2004/437/EC of 29 April 2004 amending Decision 2000/572/EC as regards the animal health conditions and veterinary certification for meat preparations transiting or being temporarily stored in the Community

(Official Journal of the European Union L 154 of 30 April 2004)

Decision 2004/437/EC should read as follows:

COMMISSION DECISION
of 29 April 2004
amending Decision 2000/572/EC as regards the animal health conditions and veterinary certification for meat preparations transiting or being temporarily stored in the Community
(notified under document number C(2004) 1672)
(Text with EEA relevance)
(2004/437/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,


Whereas:

(1) Council Directive 94/65/EC (2) lays down the the requirements for the production and placing on the market of minced meat and meat preparations including conditions for imports into the Community.

(2) Commission Decision 2000/572/EC (3) lays down animal and public health conditions and veterinary certification for imports of meat preparations from third countries.

(3) Commission Decision 94/984/EC (4) lays down animal health conditions and veterinary certificates for the importation of fresh poultry meat from certain third countries.

(4) Commission Decision 2000/585/EC (5) lays down animal and public health conditions and veterinary certifications for import of wild and farmed game meat and rabbit meat from third countries.

(5) Council Directive 97/78/EC (6) lays down the principles governing the organisation of veterinary checks on products entering the Community from third countries and certain provisions for transit are already provided for in Article 11 such as the use of ANIMO messages and of the common veterinary entry document.

(6) However, it is necessary in order to safeguard the disease situation in the Community to further ensure that consignments of meat preparations transiting through the Community, comply with the animal health import conditions applicable for authorised countries in regard to the relevant species concerned.

(7) Council Decision 79/542/EEC of 21 December 1979 drawing up a list of third countries or parts of third countries, and laying down animal and public health, and veterinary certification conditions for the importation into the Community of certain live animals and their fresh meat (7), has recently been amended to include transit conditions and a derogation for transit between Russia with a reference to the specific border inspection posts designated for this latter purpose.

In the light of experience, it appears that the presentation to the border inspection post, pursuant to Article 7 of Directive 97/78/EC, of the original veterinary documents established in the exporting third country to fulfil the regulatory requirement of the third country of destination, is not sufficient to ensure that the animal health conditions required for the safe introduction into the territory of the Community of the products concerned are effectively satisfied. It is therefore appropriate to establish a specific model of animal health certificate to be used in transit situations for the products concerned.

It is further appropriate to clarify the implementation of the condition laid down in Article 11 of Directive 97/78/EC, that transit is only allowed from third countries which products are not prohibited for introduction in the territory of the Community, by making reference to the list of third countries annexed to Decisions 79/542/EEC, 94/984/EC and 2000/585/EC respectively.

However specific conditions for transits via the Community of consignments to and from Russia should be foreseen due to the geographical situation of Kaliningrad and taking into account climatic problems impeding the use of some ports at certain times of the year.

Commission Decision 2001/881/EC (1) draws up a list of border inspection posts agreed for veterinary checks on animals and animal products from third countries and it is appropriate to specify the border inspection posts designated for the control of such transits taking into account this Decision.

Decision 2000/572/EC should be amended accordingly.

The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health.

HAS ADOPTED THIS DECISION:

Article 1

Commission Decision 2000/572/EC is amended as follows:

1. The following Article 4a is inserted:

   'Article 4a

Member States shall ensure that consignments of meat preparations for human consumption, introduced onto the territory of the Community and which are destined for a third country either by transit immediately or after storage in accordance with Articles 12 (4) or 13 of Directive 97/78/EC, and not intended for importation into the Euro-

(d) the consignment is certified as acceptable for transit on the Common Veterinary Entry Document by the Official Veterinarian of the Border Inspection Post of introduction.

2. Unloading or storage, as defined in Article 12 (4) or Article 13 of Directive 97/78/EC, on EC territory of such consignments shall not be allowed.

3. Regular audits shall be made by the competent authority to ensure that the number of consignments and the quantities of products leaving the European Community territory matches the number and quantities entering.¹

3. A new Annex III is added in accordance with the Annex to this Decision.

Article 2
This Decision shall apply from 1 May 2004.
Article 1(1) and the Annex shall only apply from 1 January 2005.

Article 3
This Decision is addressed to the Member States.

Done at Brussels, 29 April 2004.

[Signature]

For the Commission
David BYRNE
Member of the Commission
ANNEX

ANNEX III

Model TRANSIT/STORAGE

<table>
<thead>
<tr>
<th>1. Consignor (name and address in full)</th>
<th>VETERINARY CERTIFICATE for meat preparations (^{(1)}) for [transit] (^{(2)}) [storage] (^{(3)}) in the European Community</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>No (*) ORIGIN</td>
</tr>
<tr>
<td>2. Consignee (name and address in full)</td>
<td>3. Origin of the meat preparation (*)</td>
</tr>
<tr>
<td></td>
<td>3.1. ISO code and name of Country:</td>
</tr>
<tr>
<td></td>
<td>3.2. Code of territory:</td>
</tr>
<tr>
<td>5. Intended [transit][storage]--- destiny of the meat preparation</td>
<td>4. Competent authority</td>
</tr>
<tr>
<td>5.1. Storage in:</td>
<td>4.1. Ministry:</td>
</tr>
<tr>
<td>EU Member State:</td>
<td>4.2. Service:</td>
</tr>
<tr>
<td></td>
<td>4.3. Local/regional level:</td>
</tr>
<tr>
<td></td>
<td>5.2. Final third country destination after [transit][storage] (^{(4)}) Exit Community BIP name and address (^{(5)}):</td>
</tr>
<tr>
<td></td>
<td>6. Place of loading for exportation</td>
</tr>
<tr>
<td>7. Means of transport and consignment identification (^{(6)})</td>
<td>7.3. Consignment identification details (*)</td>
</tr>
<tr>
<td>7.1. [Lorry][rail-wagon][ship][aircraft] (^{(7)})</td>
<td></td>
</tr>
<tr>
<td>7.2. Registration number(s), ship name or flight number:</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>8. Identification of the meat preparation</td>
<td></td>
</tr>
<tr>
<td>8.1. Meat from: ((animal species))</td>
<td></td>
</tr>
<tr>
<td>8.2. Temperature conditions of the meat preparations included in this consignment: chilled/frozen (^{(8)})</td>
<td></td>
</tr>
<tr>
<td>8.3. Individual identification of the meat preparations included in this consignment:</td>
<td></td>
</tr>
<tr>
<td>Nature of the Preparations (^{(9)})</td>
<td>Address of the establishment(s)</td>
</tr>
<tr>
<td>Meat preparation</td>
<td>Cold store</td>
</tr>
<tr>
<td>Total</td>
<td></td>
</tr>
</tbody>
</table>

\(\text{---} \) indicates information that needs to be filled in by the consignor or the competent authority.
9. **Animal health attestation**

I, the undersigned official veterinarian, hereby certify, that the meat preparations described above:

9.1. comes from a country or region authorised for imports of fresh meat of the species concerned into the European Community as laid down in [Annex II part 1 to Decision 79/542/EEC and/or [Annex I part 1 to Decision 94/984/EC] (1) and/or [Annex I to Decision 2000/585/EC] (2) at the time of slaughter,

9.2. complies with the relevant animal health conditions as laid down in the animal health attestation in the model certificate(s) [BOV]([PO])([OV])([EU])([RU])([SU])([SUW])([EO]) (in Annex II part 2 to Decision 79/542/EEC and/or [Annex I part 2 model [A] (3) or [B] (4) to Decision 94/984/EC] (5) and/or [Annex III model [C]]([D])[F][H][I] (6) to Decision 2000/585/EC) (7) and

9.3. is derived from animals which were slaughtered and processed on or between …… (8).

**Official stamp and signature**

Done at …………………………………………………………… on ……………………………………………………………

(stamp) (9)

(signature of official veterinarian) (9)

(name in capital letters, qualifications and title)

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**Notes**

(1) Meat preparations within the meaning of Article 3(1) of Directive 94/65/EC.
(2) In accordance with Article 12(4) or Article 13 of Directive 97/78/EC.
(3) Issued by the competent authority.
(4) Country and description of territory. Meat in the meat preparation must come from a country or region authorised for imports of the species concerned into the EC as laid down in Annex I to Decision 2000/585/EC and/or Annex I part 1 to Decision 94/984/EC and/or Annex II part 1 to Decision 79/542/EEC (as last amended).
(5) Address (and approval number if known) of the warehouse in a free zone, free warehouse, customs warehouse or ship chandler shall be included.
(6) The registration number(s) of rail-wagon or lorry and the name of the ship should be given as appropriate. If known, the flight number of the aircraft.
(7) In case of transport in containers or boxes, the total number, their registration and seal numbers, if present, should be indicated under point 7.3.
(8) Keep as appropriate.
(9) Date or dates of slaughter. Imports of meat preparations shall not be allowed when the meat in the meat preparation has been obtained from animals slaughtered either prior to the date of authorisation for exportation to the European Community of the territory mentioned in footnote (4), or during a period where restrictive measures have been adopted by the European Community against imports of meat of the species concerned from this territory.
(10) Complete as appropriate.
(11) The colour of the signature shall be different to that of the printing. The same rule applies to the stamps other than those embossed or watermarked.