

Committee on Sanitary and Phytosanitary Measures

Original: English

NEW EUROPEAN UNION RULES - "SPECIFIED RISK MATERIAL (SRM)"
IN PRODUCTS OF ANIMAL ORIGIN
COMMISSION DECISION 97/534/EC OF 30 JULY 1997

Submission by the Czech Republic

The following communication was received from the Czech Republic on 31 October 1997.

Introduction

1. The European Commission issued on 30 July 1997 the notified document: Commission Decision 97/534/EC on the prohibition of the use of materials presenting risks as regards transmissible spongiform encephalopathies. The document was notified on 23 September 1997, more than 6 weeks after its adoption (G/SPS/N/EEC/49). Final date for comments: 2 November 1997.

Scientific comments

2. The above-mentioned Decision does not take into consideration the BSE disease status in different aspects, namely:

- Regular BSE monitoring is being carried out on the state territory of the Czech Republic with up-to-date no positive findings.
- Since the year 1991 the ban on bone and meat meal feedings has been implemented.
- The ban on animal (mammalian) proteins use in feedingstuff prescriptions for the Czech cattle husbandry is in force.
- For animal tissue processings in Czech rendering plants, the temperature, pressure and time duration parameters have been determined and are in force in full compliance with Commission Decision 96/449/EC.
- No sources of potential risks regarding the BSE occurrence in the Czech Republic have been acknowledged.

Procedural comments

3. The Czech Republic regrets to disagree with Commission Decision 97/534/EC of 20 July 1997 which in its wording imposes the same restrictions on animal products from both countries where no BSE outbreak has ever been reported and the same restrictions, without any difference, on animal

products from countries where the BSE outbreaks have been and are still reported. Evaluating the wording, the above-mentioned Decision imposes considerably restrictive measures with potentially negative consequences for both animal health and international trade impediments.

4. The Czech Republic agrees with conclusions presented by the US Submission (G/SPS/GEN/36) particularly in the Directive passages which are in contradiction to procedures recommended by the OIE and as well points to discrepancies arising if the EC legislation as such is considered.

5. The Czech Republic fully agrees with endeavours to control BSE and supports all scientifically-based measures to protect the public health. However the measures projected in the Decision shall predominantly determine the sources of risks and shall not affect an accessibility of wholesome animal products. The above-mentioned Decision as proposed for comments does not meet these criteria and discriminates trade activities of countries with no BSE occurrence.

Conclusion

6. The Czech Republic hereby requests the European Commission to reconsider Decision 97/534/EC so that it would be respectful of specificities of all countries involved and so that could not arise any unfavourable impact both on public health and international trade. The Czech Republic is ready to provide Czech experts to participate in ongoing discussions with the EC to protect consumers against BSE risks without any negative impact both on international trade and the public health sphere.