

**CERTIFICATION REGIME APPLICABLE FOR IMPORTS INTO THE EUROPEAN  
COMMUNITIES OF BOVINE ANIMALS AND OF CERTAIN PRODUCTS OF ANIMAL  
ORIGIN WITH REGARD TO PROVISIONS RELATED TO CERTAIN TRANSMISSIBLE  
SPONGIFORM ENCEPHALOPATHIES**

Communication from the European Communities

The following communication, dated 19 September 2007, is being circulated at the request of the Delegation of the European Communities.

Table of Contents

|             |                                                                                                                                                                                                    |          |
|-------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|
| <b>I.</b>   | <b>AIM OF THIS COMMUNICATION .....</b>                                                                                                                                                             | <b>2</b> |
| <b>II.</b>  | <b>BACKGROUND .....</b>                                                                                                                                                                            | <b>2</b> |
| <b>III.</b> | <b>CERTIFICATION REQUIRED FOR IMPORTS INTO THE EUROPEAN<br/>COMMUNITIES OF LIVE BOVINE ANIMALS.....</b>                                                                                            | <b>3</b> |
| A.          | COUNTRY OR REGION WITH NEGLIGIBLE BSE RISK .....                                                                                                                                                   | 3        |
| B.          | COUNTRY OR REGION WITH CONTROLLED BSE RISK .....                                                                                                                                                   | 4        |
| C.          | COUNTRY OR REGION WITH UNDETERMINED BSE RISK.....                                                                                                                                                  | 4        |
| <b>IV.</b>  | <b>CERTIFICATION REQUIRED FOR IMPORTS INTO THE EUROPEAN<br/>COMMUNITIES OF PRODUCTS OF BOVINE, OVINE AND CAPRINE<br/>ANIMAL ORIGIN.....</b>                                                        | <b>5</b> |
| A.          | COUNTRY OR REGION WITH NEGLIGIBLE BSE RISK .....                                                                                                                                                   | 5        |
| B.          | COUNTRY OR REGION WITH CONTROLLED BSE RISK .....                                                                                                                                                   | 5        |
| C.          | COUNTRY OR REGION WITH UNDETERMINED BSE RISK.....                                                                                                                                                  | 6        |
| <b>V.</b>   | <b>CERTIFICATION REQUIRED FOR IMPORTS INTO THE EUROPEAN<br/>COMMUNITIES OF ANIMAL BY-PRODUCTS AND PROCESSED<br/>PRODUCTS DERIVED THEREFROM OF BOVINE, OVINE AND CAPRINE<br/>ANIMAL ORIGIN.....</b> | <b>7</b> |
| <b>VI.</b>  | <b>LEGISLATION MENTIONED (CHRONOLOGICAL ORDER) AND LINKS<br/>FROM WHERE THEY ARE AVAILABLE.....</b>                                                                                                | <b>8</b> |

## **CERTIFICATION REGIME APPLICABLE FOR IMPORTS FROM THIRD COUNTRIES OF CERTAIN PRODUCTS OF ANIMAL ORIGIN WITH REGARD TO PROVISIONS RELATED TO CERTAIN TRANSMISSIBLE SPONGIFORM ENCEPHALOPATHIES**

### **I. AIM OF THIS COMMUNICATION**

1. The aim of this communication is to clarify which is the certification regime (i.e. models of certificates) that should be accompanied by an additional BSE attestation. Following recent simplification in the European Communities (EC) legislation (see G/SPS/GEN/742) including the adoption of the BSE risk categorization system of countries established by the World Organisation for Animal Health (OIE), the European Commission, with a view to avoid trade disturbances, decided to maintain the present certification regime until an update of the EC models of the import certificates is made. Heading VI provides a clear reference to the corresponding legislation.

### **II. BACKGROUND**

2. In its Communication G/SPS/GEN/489 (dated 18 May 2004) the European Communities informed its trade partners about the introduction of TRACES, a new automated system designed to improve the management of animal movements both from outside and within the European Communities by reducing administrative formalities for imported products. To make this system operative, the European Communities informed in communication G/SPS/GEN/742 (dated 1 December 2006) of an extensive simplification consolidating numerous certificates in two single texts and deleting more than one hundred legal acts. The two simplifying acts, with enforcement date of 1 May 2007 are:

- (a) *Commission Decision 2006/696/EC of 28 August 2006 laying down a list of third countries from which poultry, hatching eggs, day-old chicks, meat of poultry, ratites and wild game-birds, eggs and egg products and specified pathogen-free eggs may be imported into and transit through the Community and the applicable veterinary certification conditions, and amending Decisions 93/342/EEC, 2000/585/EC and 2003/812/EC (OJ L295 25.10.2006 p.1-76); and*
- (b) *Commission Regulation (EC) No. 1664/2006 of 6 November 2006 amending Regulation (EC) No. 2074/2005 as regards implementing measures for certain products of animal origin intended for human consumption and repealing certain implementing measures (OJ L320, 18.11.2006 p. 13-45).*

3. Subsequently, on 25 June 2007 the European Commission adopted *Regulation (EC) No. 722/2007 amending Regulation (EC) No. 999/2001 laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies*, (OJ L 164, 26.6.2007, p. 7–23) notified in G/SPS/N/EEC/72/Add.2 (dated 4 May 2007) bringing into line the EC categorization system of countries according their BSE risk with OIE, listing all countries under the categories of "negligible BSE risk", "controlled BSE risk" or "undetermined BSE risk" and introducing trade rules according to each risk category. This Regulation entered into force on 1 July 2007. On 29 June 2007 a categorization of countries according to their BSE risk status was made: *Commission Decision 2007/453/EC of 29 June 2007 establishing the BSE status of Member States or third countries or regions thereof according to their BSE risk* (OJ L172, 30.06.2007 p. 84-86).

4. Following the entry into force of these new legal acts, the EC models of import certificates require amendment to include the additional BSE attestations. Nevertheless, awaiting the update of the EC models of the import certificates and in order to prevent any disturbance to trade flows, the European Commission decided to maintain the certification regime in place, provided that current

models of certificates are accompanied by the additional BSE attestations as defined in Chapter B, C and D of annex IX to Regulation (EC) No. 999/2001 and detailed thereafter.

5. The models of certificates that should be accompanied by an additional BSE attestation are defined by the followings texts:

- (a) *Council Decision 79/542/EEC of 21 December 1976 drawing up a list of third countries from which the Member States authorize imports of bovine animals, swine and fresh meat* (OJ L 146, 14.6.1979, p. 15–17) as last amended;
- (b) *Commission Decision 2005/432/EC of 3 June 2005 laying down the animal and public health conditions and model certificates for imports of meat products for human consumption from third countries and repealing Decisions 97/41/EC, 97/221/EC and 97/222/EC* (OJ L 151, 14.6.2005, p. 3–18) as last amended;
- (c) *Commission Decision 2000/572/EC of 8 September 2000 laying down animal and public health conditions and veterinary certification for imports of minced meat and meat preparations from third countries and repealing Decision 97/29/EC* (OJ L 240, 23.9.2000, p. 19–24) as last amended;
- (d) *Commission Regulation (EC) No. 2074/2005 of 5 December 2005 laying down implementing measures for certain products under Regulation (EC) No. 853/2004 of the European Parliament and of the Council and for the organisation of official controls under Regulation (EC) No. 854/2004 of the European Parliament and of the Council and Regulation (EC) No. 882/2004 of the European Parliament and of the Council, derogating from Regulation (EC) No. 852/2004 of the European Parliament and of the Council and amending Regulations (EC) No. 853/2004 and (EC) No. 854/2004* (OJ L 338, 22.12.2005, p. 27–59) as last amended;
- (e) *Regulation (EC) No. 1774/2002 of the European Parliament and of the Council of 3 October 2002 laying down health rules concerning animal by-products not intended for human consumption* (OJ L 273, 10.10.2002, p. 1–95) as last amended. (For this last one, it shall be noted that no specific modification is foreseen to integrate the additional BSE attestation in certificates); and
- (f) EC member States models of certificates defined in accordance with *Council Directive 92/118/EEC of 17 December 1992 laying down animal health and public health requirements governing trade in and imports into the Community of products not subject to the said requirements laid down in specific Community rules referred to in Annex A (I) to Directive 89/662/EEC and, as regards pathogens, to Directive 90/425/EEC* (OJ L 62, 15.3.1993, p. 49–68) laying down the import requirements for lard and rendered fats.

6. According to commodities concerned, the rules that will apply are indicated under headings III to V below. The legislation mentioned is listed in heading VI.

### **III. CERTIFICATION REQUIRED FOR IMPORTS INTO THE EUROPEAN COMMUNITIES OF LIVE BOVINE ANIMALS.**

#### **A. COUNTRY OR REGION WITH NEGLIGIBLE BSE RISK**

7. Imports of bovine animals from a country or a region with negligible BSE risk shall be subject to the presentation of an animal health certificate attesting that:

- (a) the animals were born and continuously reared in a country or region classified in accordance with Article 5(2) of Regulation (EC) No. 999/2001 as a country or region posing a negligible BSE risk;
- (b) the animals are identified by a permanent identification system enabling them to be traced back to the dam and herd of origin, and are not exposed bovine animals as described in Chapter C, part I, point (4) (b) (iv) of Annex II; and
- (c) if there have been BSE indigenous cases in the country concerned, the animals were born after the date from which the ban on the feeding of ruminants with meat-and-bone meal and greaves derived from ruminants had been effectively enforced or after the date of birth of the last BSE indigenous case if born after the date of the feed ban.

B. COUNTRY OR REGION WITH CONTROLLED BSE RISK

8. Imports of bovine animals from a country or a region with controlled BSE risk shall be subject to the presentation of an animal health certificate attesting that:

- (a) the country or region is classified in accordance with Article 5(2) of Regulation (EC) No 999/2001 as a country or region posing a controlled BSE risk;
- (b) the animals are identified by a permanent identification system enabling them to be traced back to the dam and herd of origin, and are not exposed bovine animals as described in Chapter C, Part II, point (4)(b)(iv) of Annex II; and
- (c) the animals were born after the date from which the ban on the feeding of ruminants with meat-and-bone meal and greaves derived from ruminants had been effectively enforced or after the date of birth of the last BSE indigenous case if born after the date of the feed ban.

C. COUNTRY OR REGION WITH UNDETERMINED BSE RISK

9. Imports of bovine animals from a country or a region with an undetermined BSE risk shall be subject to the presentation of an animal health certificate attesting that:

- (a) the country or region has not been categorized in accordance with Article 5(2) of Regulation (EC) No. 999/2001 or has been categorized as a country or region with undetermined BSE risk;
- (b) the animals are identified by a permanent identification system enabling them to be traced back to the dam and herd of origin, and are not exposed bovine animals as described in Chapter C, Part II, point (4)(b)(iv) of Annex II; and
- (c) the animals were born at least two years after the date from which the ban on the feeding of ruminants with meat-and-bone meal and greaves derived from ruminants had been effectively enforced or after the date of birth of the last BSE indigenous case if born after the date of the feed ban.

#### **IV. CERTIFICATION REQUIRED FOR IMPORTS INTO THE EUROPEAN COMMUNITIES OF PRODUCTS OF BOVINE, OVINE AND CAPRINE ANIMAL ORIGIN**

10. The following products of bovine, ovine and caprine animal origin, as defined by Regulation (EC) No. 853/2004 of the European Parliament and of the Council listed below shall be subject to the conditions laid down in Sections B, C and D depending on the BSE risk category of the country of origin:

- (a) fresh meat,
- (b) minced meat and meat preparations,
- (c) meat products,
- (d) rendered animal fats,
- (e) greaves, and
- (f) gelatine.

##### **A. COUNTRY OR REGION WITH NEGLIGIBLE BSE RISK**

11. Imports of products of bovine, ovine and caprine animal origin referred to in Section A from a country or a region with a negligible BSE risk shall be subject to the presentation of an animal health certificate attesting that:

- (a) the country or region is classified in accordance with Article 5(2) of Regulation (EC) No 999/2001 as a country or region posing a negligible BSE risk;
- (b) the animals from which the products of bovine, ovine and caprine animal origin were derived were born, continuously reared and slaughtered in the country with negligible BSE risk and passed ante-mortem and post-mortem inspections; and
- (c) if in the country or region there have been BSE indigenous cases:
  - (i) the animals were born after the date from which the ban on the feeding of ruminants with meat-and-bone meal and greaves derived from ruminants had been enforced; or
  - (ii) the products of bovine, ovine and caprine animal origin do not contain and are not derived from specified risk material as defined in Annex V to Regulation (EC) No 999/2001, or mechanically separated meat obtained from bones of bovine, ovine or caprine animals.

##### **B. COUNTRY OR REGION WITH CONTROLLED BSE RISK**

12. Imports of products of bovine, ovine and caprine animal origin referred to in Section A from a country or a region with a controlled BSE risk shall be subject to the presentation of an animal health certificate attesting that:

- (a) the country or region is classified in accordance with Article 5(2) of Regulation (EC) No 999/2001 as a country or region posing a controlled BSE risk;

- (b) the animals from which the products of bovine, ovine and caprine animal origin were derived passed ante-mortem and post-mortem inspections;
- (c) animals from which the products of bovine, ovine and caprine animal origin destined for export were 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; and
- (d) the products of bovine, ovine and caprine animal origin do not contain and are not derived from specified risk material as defined in Annex V to Regulation (EC) No 999/2001, or mechanically separated meat obtained from bones of bovine, ovine or caprine animals.

13. By way of derogation from point 1(d) carcasses, half carcasses or half carcasses cut into no more than three wholesale cuts, and quarters containing no specified risk material other than the vertebral column, including dorsal root ganglia, may be imported.

14. When removal of the vertebral column is not required, carcasses or wholesale cuts of carcasses of bovine animals containing vertebral column shall be identified by a blue stripe on the label referred to in Regulation (EC) No 1760/2000.

15. The number of bovine carcasses or wholesale cuts of carcasses, from which the removal of the vertebral column is required as well as the number where the removal of the vertebral column is not required, shall be added to the document referred to in Article 2(1) of Regulation (EC) No 136/2004 in the case of imports.

C. COUNTRY OR REGION WITH UNDETERMINED BSE RISK

16. Imports of products of bovine, ovine and caprine animal origin referred to in Section A from a country or a region with an undetermined BSE risk, shall be subject to the presentation of an animal health certificate attesting that:

- (a) the animals from which the products of bovine, ovine and caprine animal origin were derived have not been fed meat-and-bone meal or greaves derived from ruminants and have passed ante-mortem and post-mortem inspections;
- (b) the animals from which the products of bovine, ovine and caprine animal origin were 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 rodshaped instrument introduced into the cranial cavity;
- (c) the products of bovine, ovine and caprine animal origin are not derived from:
  - (i) specified risk material as defined in Annex V;
  - (ii) nervous and lymphatic tissues exposed during the deboning process;
  - (iii) mechanically separated meat obtained from bones of bovine, ovine or caprine animals.

17. By way of derogation from point 1(c), carcasses, half carcasses or half carcasses cut into no more than three wholesale cuts, and quarters containing no specified risk material other than the vertebral column, including dorsal root ganglia, may be imported.

18. When removal of the vertebral column is not required, carcasses or wholesale cuts of carcasses of bovine animals containing vertebral column shall be identified by a clearly visible blue stripe on the label referred to in Regulation (EC) No. 1760/2000.

19. Specific information on the number of bovine carcasses or wholesale cuts of carcasses, from which removal of the vertebral column is required and from which removal of the vertebral column is not required shall be added to the document referred to in Article 2(1) of Regulation (EC) No. 136/2004 in the case of imports.

**V. CERTIFICATION REQUIRED FOR IMPORTS INTO THE EUROPEAN COMMUNITIES OF ANIMAL BY-PRODUCTS AND PROCESSED PRODUCTS DERIVED THEREFROM OF BOVINE, OVINE AND CAPRINE ANIMAL ORIGIN**

20. This Chapter shall apply to the following animal by-products and processed products derived therefrom of bovine, ovine and caprine animal origin as referred to in Regulation (EC) No. 1774/2002:

- (a) rendered fats,
- (b) pet food,
- (c) blood products,
- (d) processed animal protein,
- (e) bones and bone products,
- (f) category 3 material, and
- (g) gelatine.

21. Imports of animal by-products and processed products derived therefrom of bovine, ovine and caprine animal origin shall be subject to the presentation of an animal health certificate attesting that:

- (a) the animal by-product does not contain and is not derived from specified risk material as defined in Annex V or mechanically separated meat obtained from bones of bovine, ovine or caprine animals;
- (b) the animals from which this animal by-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 of central nervous tissue by means of an elongated rod-shaped instrument introduced into the cranial cavity,  
  
or
- (c) the animal by-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 a country or region classified in accordance with Article 5(2) of Regulation (EC) No 999/2001 as a country or region posing a negligible BSE risk.

**VI. LEGISLATION MENTIONED (CHRONOLOGICAL ORDER) AND LINKS FROM WHERE THEY ARE AVAILABLE**

(Note: If available, the link leads to the latest consolidated version).

*Council Decision 79/542/EEC of 21 December 1976 drawing up a list of third countries from which the Member States authorize imports of bovine animals, swine and fresh meat* (OJ L 146, 14.6.1979, p. 15–17)

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:31979D0542:EN:HTML>

*Council Directive 92/118/EEC of 17 December 1992 laying down animal health and public health requirements governing trade in and imports into the Community of products not subject to the said requirements laid down in specific Community rules referred to in Annex A (I) to Directive 89/662/EEC and, as regards pathogens, to Directive 90/425/EEC* (OJ L 62, 15.3.1993, p. 49–68). Latest consolidated version available from the link below

<http://eur-lex.europa.eu/LexUriServ/site/en/consleg/1992/L/01992L0118-20060101-en.pdf>

*Regulation (EC) No 1760/2000 of the European Parliament and of the Council of 17 July 2000 establishing a system for the identification and registration of bovine animals and regarding the labelling of beef and beef products and repealing Council Regulation (EC) No 820/97* (OJ L 204, 11.8.2000, p. 1–10). Latest consolidated version available from the link below

<http://eur-lex.europa.eu/LexUriServ/site/en/consleg/2000/R/02000R1760-20070101-en.pdf>

*Commission Decision 2000/572/EC of 8 September 2000 laying down animal and public health conditions and veterinary certification for imports of minced meat and meat preparations from third countries and repealing Decision 97/29/EC* (OJ L 240, 23.9.2000, p. 19–24) Latest consolidated version available from the link below

<http://eur-lex.europa.eu/LexUriServ/site/en/consleg/2000/D/02000D0572-20050101-en.pdf>

*Regulation (EC) No 999/2001 of the European Parliament and of the Council of 22 May 2001 laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies* (OJ L 147, 31.5.2001, p. 1–40). Latest consolidated version available from the link below

<http://eur-lex.europa.eu/LexUriServ/site/en/consleg/2001/R/02001R0999-20070119-en.pdf>

*Regulation (EC) No 1774/2002 of the European Parliament and of the Council of 3 October 2002 laying down health rules concerning animal by-products not intended for human consumption* (OJ L 273, 10.10.2002, p. 1–95). Latest consolidated version available from the link below

<http://eur-lex.europa.eu/LexUriServ/site/en/consleg/2002/R/02002R1774-20070101-en.pdf>

*Commission Regulation (EC) No 136/2004 of 22 January 2004 laying down procedures for veterinary checks at Community border inspection posts on products imported from third countries* (OJ L 21, 28.1.2004, p. 11–23)

[http://eur-lex.europa.eu/LexUriServ/site/en/oj/2004/l\\_021/l\\_02120040128en00110023.pdf](http://eur-lex.europa.eu/LexUriServ/site/en/oj/2004/l_021/l_02120040128en00110023.pdf)

*Regulation (EC) No 853/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific hygiene rules for food of animal origin* (OJ L 139, 30.4.2004, p. 55–205). Latest consolidated version available from the link below.

<http://eur-lex.europa.eu/LexUriServ/site/en/consleg/2004/R/02004R0853-20070101-en.pdf>



*Commission Decision 2005/432/EC of 3 June 2005 laying down the animal and public health conditions and model certificates for imports of meat products for human consumption from third countries and repealing Decisions 97/41/EC, 97/221/EC and 97/222/EC (OJ L 151, 14.6.2005, p. 3–18)* Latest consolidated version available from the link below

<http://eur-lex.europa.eu/LexUriServ/site/en/consleg/2005/D/02005D0432-20070301-en.pdf>

*Commission Regulation (EC) No 2074/2005 of 5 December 2005 laying down implementing measures for certain products under Regulation (EC) No 853/2004 of the European Parliament and of the Council and for the organisation of official controls under Regulation (EC) No 854/2004 of the European Parliament and of the Council and Regulation (EC) No 882/2004 of the European Parliament and of the Council, derogating from Regulation (EC) No 852/2004 of the European Parliament and of the Council and amending Regulations (EC) No 853/2004 and (EC) No 854/2004 (OJ L 338, 22.12.2005, p. 27–59).* Latest consolidated version available from the link below

<http://eur-lex.europa.eu/LexUriServ/site/en/consleg/2005/R/02005R2074-20061125-en.pdf>

*Commission Decision 2006/696/EC of 28 August 2006 laying down a list of third countries from which poultry, hatching eggs, day-old chicks, meat of poultry, ratites and wild game-birds, eggs and egg products and specified pathogen-free eggs may be imported into and transit through the Community and the applicable veterinary certification conditions, and amending Decisions 93/342/EEC, 2000/585/EC and 2003/812/EC (OJ L 295, 25.10.2006, p. 1–76)*

[http://eur-lex.europa.eu/LexUriServ/site/en/oj/2006/l\\_295/l\\_29520061025en00010076.pdf](http://eur-lex.europa.eu/LexUriServ/site/en/oj/2006/l_295/l_29520061025en00010076.pdf)

*Commission Regulation (EC) No 1664/2006 of 6 November 2006 amending Regulation (EC) No 2074/2005 as regards implementing measures for certain products of animal origin intended for human consumption and repealing certain implementing measures (OJ L320, 18.11.2006, p. 13–45)*

[http://eur-lex.europa.eu/LexUriServ/site/en/oj/2006/l\\_320/l\\_32020061118en00130045.pdf](http://eur-lex.europa.eu/LexUriServ/site/en/oj/2006/l_320/l_32020061118en00130045.pdf)

*Commission Regulation (EC) No 722/2007 of 25 June 2007 amending Annexes II, V, VI, VIII, IX and XI to Regulation (EC) No 999/2001 of the European Parliament and of the Council laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies (OJ L 164, 26.6.2007, p. 7–23)*

[http://eur-lex.europa.eu/LexUriServ/site/en/oj/2007/l\\_164/l\\_16420070626en00070023.pdf](http://eur-lex.europa.eu/LexUriServ/site/en/oj/2007/l_164/l_16420070626en00070023.pdf)

*Commission Decision 2007/453/EC of 29 June 2007 establishing the BSE status of Member States or third countries or regions thereof according to their BSE risk (OJ L 172, 30.6.2007, p. 84–86)*

[http://eur-lex.europa.eu/LexUriServ/site/en/oj/2007/l\\_172/l\\_17220070630en00840086.pdf](http://eur-lex.europa.eu/LexUriServ/site/en/oj/2007/l_172/l_17220070630en00840086.pdf)

---