

**CONTROL REGIME APPLICABLE FOR IMPORTS FROM THIRD COUNTRIES OF
CERTAIN PRODUCTS OF ANIMAL ORIGIN AND OF LIVE ANIMALS WITH
REGARD TO PROVISIONS RELATED TO THE AGREEMENT BETWEEN
THE EUROPEAN COMMUNITIES AND THE SWISS CONFEDERATION
ON TRADE IN AGRICULTURAL PRODUCTS**

Communication from the European Communities

The following communication, received on 26 January 2009, is being circulated at the request of the European Communities.

I. AIM OF THIS COMMUNICATION

1. The aim of this communication is to clarify the new import control regime applicable for imports from third countries of certain products of animal origin and of live animals following recent amendments to the Agreement between the European Communities and the Swiss Confederation on trade in agricultural products. Heading VI provides a clear reference to the corresponding legislation.

II. BACKGROUND

2. The Agreement between the European Communities and the Swiss Confederation on trade in agricultural products (the "Agreement") entered into force on 1 June 2002. The Agreement contains 11 Annexes. Annex 11 deals with animal health, veterinary public health and zoo technical measures applicable to trade in live animals and animal products.

3. For animal health, the Agreement is based on the principle of recognition of "similar legislation leading to identical result" as regards trade in live animals, semen, ova, embryos and other products of animal origin and based on rules applicable for intra-Community trade. For veterinary public health, the Agreement is based on principles of equivalency with a view to facilitate trade of products of animal origin. The main consequences of this Agreement are that live animals, semen, ova and embryos traded between EC member States and Switzerland are accompanied by intra-community trade animal health certificates only. Products of animal origin are accompanied by commercial documents only as foreseen for trade between EC member States.

4. The last equivalence determination between the European Communities and the Swiss Confederation led to the reciprocal abolition of veterinary checks between Switzerland and the European Communities. For this to happen, Switzerland undertook to apply EC legislation relating to import conditions of certain products of animal origin and of live animals as well as EC import control procedures.

5. This development impacts on goods transiting either the European Communities or the Swiss territory and intended to be placed on the market of the other Party. In particular, it leads to border control simplification for products of animal origin and live animals imported from third countries.

III. CERTIFICATION REQUIRED FOR IMPORTS OF CERTAIN PRODUCTS OF ANIMAL ORIGIN AND OF LIVE ANIMALS INTO SWITZERLAND AND FOR TRANSIT THROUGH THE EUROPEAN COMMUNITIES TERRITORY

6. Conditions to be met for exporting products of animal origin and live animals to Switzerland are those that have to be met for corresponding export to the European Communities. Those conditions relate to the lists of third countries from which imports of the said commodity are allowed by the European Communities taking into account the animal health situation; the residues, contaminants and additives controls; the microbiological and zoonosis controls; the food safety standards in processing establishments; the BSE-related import controls; and the national authority standards. The import conditions to be met include also lists of establishments as well as models of health certificates and additional attestations as laid down in EC legislation.

7. Health certificates designed for consignments that transit through the European Communities territory are no longer required for goods intended to be placed on the Swiss market considering that they have to be accompanied with usual EC animal and public health import certificates.

8. Special import conditions are applied by Switzerland for imports of meat and meat products treated with hormones for growth purposes.

9. Finally, as a consequence of the Agreement, modifications of EC import conditions apply simultaneously in Switzerland as they apply in EC member States.

10. For more information on EC import conditions see: http://ec.europa.eu/food/international/trade/index_en.htm

IV. RULES FOR VETERINARY BORDER CONTROLS

11. The Agreement recognizes the adoption and the implementation by Switzerland of identical import control rules of certain products of animal origin and of live animals to those that apply within the European Communities, including the collection of fees for controls. For more information on EC import rules see: http://ec.europa.eu/food/animal/bips/index_en.htm

12. Border inspection posts of Geneva and Zurich airports are both approved for border veterinary controls of all packed products for human consumption, other products not intended for human consumption and small animals (including zoo animals).

13. As a consequence of the Agreement, a reciprocal control delegation is given to both the EC member States and the Swiss competent authorities to control incoming products of animal origin and live animals from third countries irrespective of their final destination. The phasing out of border veterinary controls between Switzerland and the European Communities also leads to control simplification for goods in transit. These goods are no longer subject to veterinary exit formalities when transiting through the territory of one of the Parties, leading to major simplification for third country suppliers.

V. ENTRY INTO FORCE

14. The Decision n°1/2008 of the Joint Veterinary Committee set up by the Agreement between the European Communities and the Swiss Confederation on trade in agricultural products of

23 December 2008 regarding the amendment of Appendices 2, 3, 4, 5, 6 and 10 to Annex 11 to the Agreement (2008/.../EC) entered into force on 1 January 2009.

VI. LEGISLATION MENTIONED AND LINKS TO WHERE THEY ARE AVAILABLE

15. *Agreement between the European Community and the Swiss Confederation on trade in agricultural products (OJ L132, 30.4.2002, p.132)*

http://eur-lex.europa.eu/pri/en/oj/dat/2002/l_114/l_11420020430en01320349.pdf

16. *Decision No 1/2008 of the Joint Veterinary Committee set up by the Agreement between the European Community and the Swiss Confederation on trade in agricultural products regarding the amendment of Appendices 2, 3, 4, 5, 6 and 10 to Annex 11 to the Agreement*

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2009:006:0089:0116:EN:PDF>

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