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COMMISSION DECISION

of 21 November 2008

amending Annex II to Council Decision 79/542/EEC as regards the regionalisation for Brazil in the list of third countries or parts thereof from which imports into the Community of certain fresh meat is authorised

(notified under document number C(2008) 6977)

(Text with EEA relevance)

(2008/883/EC)

(OJ L 316, 26.11.2008, p. 14)

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THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 2002/99/EC of 16 December 2002 laying down the animal health rules governing the production, processing, distribution and introduction of products of animal origin for human consumption ⁽¹⁾, and in particular the introductory phrase of Article 8, the first subparagraph of point 1 of Article 8 and point 4 of Article 8 thereof,

Whereas:

- (1) Council Decision 79/542/EEC of 21 December 1976 drawing up a list of third countries or parts of third countries, and laying down animal and public health and veterinary certification conditions, for importation into the Community of certain live animals and their fresh meat ⁽²⁾ establishes the sanitary conditions for the importation into the Community of live animals, excluding equidae, and the importation of fresh meat of such animals, including equidae, but excluding meat preparations.
- (2) Decision 79/542/EEC provides that imports of fresh meat intended for human consumption are only allowed if such meat comes from a territory of a third country or a part thereof listed in Part 1 of Annex II to that Decision, and the fresh meat meets the requirements set out in the appropriate veterinary certificate for that meat in accordance with the models set out in Part 2 of that Annex, taking into account any specific conditions or supplementary guarantees required for the meat.
- (3) Requirements for imports of meat from third countries depend largely on the animal health status of the exporting third country or region. If a region is free of foot-and-mouth disease without vaccination, imports of bone-in fresh meat is allowed, whereas if the region is free of foot-and-mouth disease with vaccination, then only de-boned and matured meat may be imported into the Community. The World Organisation for Animal Health (OIE) determines the foot-and-mouth disease status of the OIE member countries and the Commission's inspections verify the animal health status of third countries and their ability to meet Community requirements.
- (4) In July 2008, the status of free of foot-and-mouth disease with vaccination was reinstated by the OIE for the Brazilian State of Mato Grosso do Sul.
- (5) Considering the free of foot-and-mouth disease status of Mato Grosso do Sul, and considering the results of the Commission's

⁽¹⁾ OJ L 18, 23.1.2003, p. 11.

⁽²⁾ OJ L 146, 14.6.1979, p. 15.

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inspections carried out in Brazil, that State should be re-included in the list of territories from which imports into the Community of fresh de-boned and matured bovine meat are authorised under the uniform conditions applicable to the other Brazilian States free of foot-and-mouth disease with vaccination and currently authorised for such imports into the Community.

- (6) Certain parts of the Brazilian States of Mato Grosso and Minas Gerais are at present not included in the list of territories in Part 1 of Annex II to Decision 79/542/EEC from which imports into the Community of fresh de-boned and matured bovine meat are authorised. However, the entirety of those States is recognised by the OIE as free of foot-and-mouth disease with vaccination. In addition, the results of the Commission's inspections carried out in Brazil provided sufficient guarantees as regards the animal health controls in place in the entirety of the States of Mato Grosso and Minas Gerais, in particular taking into account the system of specifically approved farms. Based on the OIE recognition and on those guarantees, it is opportune to include the entirety of the States of Mato Grosso and Minas Gerais in the list of territories from which imports into the Community of fresh de-boned and matured bovine meat are authorised.
- (7) The State of Mato Grosso do Sul and all parts of the States of Minas Gerais and Mato Grosso will be allowed to export fresh de-boned and matured bovine meat under the uniform conditions applicable to the Brazilian States free of foot-and-mouth disease with vaccination and currently authorised for such imports into the Community.
- (8) Decision 79/542/EEC should therefore be amended accordingly.
- (9) 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

Part 1 of Annex II to Decision 79/542/EEC is replaced by the text in the Annex to this Decision.

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Article 2

Consignments of fresh de-boned and matured bovine meat from the territory of Brazil with code BR-1, as set out in Part 1 of Annex II to Decision 79/542/EEC, as amended by Commission Decision 2008/642/EC ⁽¹⁾, from animals slaughtered on or before 1 December 2008 may continue to be imported into the Community until 30 June 2009.

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Article 3

This Decision shall apply from 1 December 2008.

Article 4

This Decision is addressed to the Member States.

⁽¹⁾ OJ L 207, 5.8.2008, p. 36.



ANNEX

PART 1

List of third countries or parts thereof (*)

Country	Code of Territory	Description of territory	Veterinary certificate		Specific conditions	Closing date (**)	Opening date (***)
			Model(s)	SG			
1	2	3	4	5	6	7	8
AL — Albania	AL-0	Whole country	—				
AR — Argentina	AR-0	Whole country	EQU				
	AR-1	The provinces of: Buenos Aires, Catamarca, Corrientes (except the departments of Berón de Astrada, Capital, Empedrado, General Paz, Itati, Mburucuyá, San Cosme and San Luis del Palmar), Entre Ríos, La Rioja, Mendoza, Misiones, Part of Neuquén (excluding territory included in AR-4), part of Río Negro (excluding territory included in AR-4), San Juan, San Luis, Santa Fe, Tucuman, Cordoba, La Pampa, Santiago del Estero, Chaco Formosa, Jujuy and Salta, excluding the buffer area of 25 km from the border with Bolivia and Paraguay that extends from the Santa Catalina District in the Province of Jujuy, to the Laishi District in the Province of Formosa	BOV	A	1		18 March 2005
			RUF	A	1		1 December 2007
	AR-2	Chubut, Santa Cruz and Tierra del Fuego	BOV, OVI, RUW, RUF				1 March 2002
	AR-3	Corrientes: the departments of Berón de Astrada, Capital, Empedrado, General Paz, Itati, Mburucuyá, San Cosme and San Luis del Palmar	BOV RUF	A	1		1 December 2007
	AR-4	Part of Río Negro (except: in Avellaneda the zone located north of the Provincial road 7 and east of the Provincial road 250, in Conesa the zone located east of the Provincial road 2, in El Cuy the zone located north of the Provincial road 7 from its intersection with the Provincial road 66 to the border with the Department of Avellaneda, and in San	BOV, OVI, RUW, RUF				1 August 2008

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1	2	3	4	5	6	7	8
		Antonio the zone located east of the Provincial roads 250 and 2), part of Neuquén (except in Confluencia the zone located east of the Provincial road 17, and in Picun Leufú the zone located east of the Provincial road 17)					
AU — Australia	AU-0	Whole country	BOV, OVI, POR, EQU, RUF, RUW, SUF, SUW				
BA — Bosnia and Herzegovina	BA-0	Whole country	—				
BH — Bahrain	BH-0	Whole country	—				
BR — Brazil	BR-0	Whole country	EQU				
	BR-1	State of Minas Gerais, State of Espírito Santo, State of Goiás, State of Mato Grosso, State of Rio Grande Do Sul, State of Mato Grosso Do Sul (except for the designated high surveillance zone of 15 km from the external borders in the municipalities of Porto Mutinho, Bela Vista, Ponta Porã, Aral Moreira, Coronel Sapucaia, Paranhos, Sete Quedas, Japorã and Mundo Novo and the designated high surveillance zone in the municipalities of Corumbá and Ladário).	BOV	A and H	1		1 December 2008
	BR-2	State of Santa Catarina	BOV	A and H	1		31 January 2008
	BR-3	States of Paraná and São Paulo	BOV	A and H	1		1 August 2008
BW — Botswana	BW-0	Whole country	EQU, EQW				
	BW-1	The veterinary disease control zones 3c, 4b, 5, 6, 8, 9 and 18	BOV, OVI, RUF, RUW	F	1		1 December 2007
	BW-2	The veterinary disease control zones 10, 11, 12, 13 and 14	BOV, OVI, RUF, RUW	F	1		7 March 2002
BY — Belarus	BY-0	Whole country	—				
BZ — Belize	BZ-0	Whole country	BOV, EQU				

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1	2	3	4	5	6	7	8
CA — Canada	CA-0	Whole country	BOV, OVI, POR, EQU, SUF, SUW RUF, RUW	G			
CH — Switzerland	CH-0	Whole country	•				
CL — Chile	CL-0	Whole country	BOV, OVI, POR, EQU, RUF, RUW, SUF				
CN — China	CN-0	Whole country	—				
CO — Colombia	CO-0	Whole country	EQU				
CR — Costa Rica	CR-0	Whole country	BOV, EQU				
CU — Cuba	CU-0	Whole country	BOV, EQU				
DZ — Algeria	DZ-0	Whole country	—				
ET — Ethiopia	ET-0	Whole country	—				
FK — Falkland Islands	FK-0	Whole country	BOV, OVI, EQU				
GL — Greenland	GL-0	Whole country	BOV, OVI, EQU, RUF, RUW				
GT — Guatemala	GT-0	Whole country	BOV, EQU				
HK — Hong Kong	HK-0	Whole country	—				
HN — Honduras	HN-0	Whole country	BOV, EQU				
HR — Croatia	HR-0	Whole country	BOV, OVI, EQU, RUF, RUW				
IL — Israel	IL-0	Whole country	—				
IN — India	IN-0	Whole country	—				
IS — Iceland	IS-0	Whole country	BOV, OVI, EQU, RUF, RUW				
KE — Kenya	KE-0	Whole country	—				
MA — Morocco	MA-0	Whole country	EQU				
ME — Montenegro	ME-0	Whole country	BOV, OVI, EQU				

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1	2	3	4	5	6	7	8
MG — Madagascar	MG-0	Whole country	—				
MK — former Yugoslav Republic of Macedonia (****)	MK-0	Whole country	OVI, EQU				
MU — Mauritius	MU-0	Whole country	—				
MX — Mexico	MX-0	Whole country	BOV, EQU				
NA — Namibia	NA-0	Whole country	EQU, EQW				
	NA-1	South of the cordon fences which extend from Palgrave Point in the west to Gam in the east	BOV, OVI, RUF, RUW	F	1		
NC — New Caledonia	NC-0	Whole country	BOV, RUF, RUW				
NI — Nicaragua	NI-0	Whole country	—				
NZ — New Zealand	NZ-0	Whole country	BOV, OVI, POR, EQU, RUF, RUW, SUF, SUW				
PA — Panama	PA-0	Whole country	BOV, EQU				
PY — Paraguay	PY-0	Whole country	EQU				
	PY-1	Whole country except for the designated high surveillance zone of 15 km from the external borders	BOV	A	1		1 August 2008
RS — Serbia (****)	RS-0	Whole country	BOV, OVI, EQU				
RU — Russian Federation	RU-0	Whole country	—				
	RU-1	Region of Murmansk, Yamalo-Nenets autonomous area	RUF				
SV — El Salvador	SV-0	Whole country	—				
SZ — Swaziland	SZ-0	Whole country	EQU, EQW				
	SZ-1	Area west of the “red line” fences which extends northwards from the River Usutu to the frontier with South Africa west of Nkalashane	BOV, RUF, RUW	F	1		
	SZ-2	The veterinary foot-and-mouth surveillance and vaccination control areas as gazetted as a Statutory	BOV, RUF, RUW	F	1		4 August 2003

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1	2	3	4	5	6	7	8
		Instrument under legal notice No 51 of 2001					
TH — Thailand	TH-0	Whole country	—				
TN — Tunisia	TN-0	Whole country	—				
TR — Turkey	TR-0	Whole country	—				
	TR-1	The provinces of Amasya, Ankara, Aydin, Balikesir, Bursa, Cankiri, Corum, Denizli, Izmir, Kastamonu, Kutahya, Manisa, Usak, Yozgat and Kirikkale	EQU				
UA — Ukraine	UA-0	Whole country	—				
US — United States	US-0	Whole country	BOV, OVI, POR, EQU, SUF, SUW, RUF, RUW	G			
UY — Uruguay	UY-0	Whole country	EQU				
			BOV	A	1		1 November 2001
			OVI	A	1		
ZA — South Africa	ZA-0	Whole country	EQU, EQW				
	ZA-1	The whole country except: — the part of the foot-and-mouth disease control area situated in the veterinary regions of Mpumalanga and northern provinces, in the district of Ingwavuma of the veterinary region of Natal and in the border area with Botswana east of longitude 28°, and — the district of Camperdown, in the province of KwaZulu-Natal	BOV, OVI, RUF, RUW	F	1		
ZW — Zimbabwe	ZW-0	Whole country	—				

(*) Without prejudice to specific certification requirements provided for in Community agreements with third countries.

(**) Meat from animals slaughtered on or before the date indicated in column 7 can be imported into the Community for 90 days from that date.

Consignments on the high seas can be imported into the Community if certified before the date indicated in column 7 for 40 days from that date.

(NB: no date in column 7 means that there are no time restrictions).

(***) Only meat from animals slaughtered on or after the date indicated in column 8 can be imported into the Community (no date in column 8 means that there are no time restrictions).

(****) The former Yugoslav Republic of Macedonia; provisional code that does not prejudice in any way the definitive nomenclature for this country, which will be agreed following the conclusion of negotiations currently taking place on this subject in the United Nations.

(*****) Not including Kosovo as defined by United Nations Security Council Resolution 1244 of 10 June 1999.

• = Certificates in accordance with the agreement between the European Community and the Swiss Confederation on trade in agricultural products (OJ L 114, 30.4.2002, p. 132).

— = No certificate laid down and fresh meat imports are prohibited (except for those species where indicated in the line for the whole country).

1 = Category restrictions: No offal authorised (except, in the case of bovine species, diaphragm and masseter muscles).⁷