



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 24.07.1996
COM(96) 393 final

96/0197 (CNS)

**Proposal for a
COUNCIL DIRECTIVE**

**amending 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**

(presented by the Commission)

EXPLANATORY MEMORANDUM

On 17 December 1992 the Council adopted Directive 92/118/EEC 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⁽¹⁾, as last amended by Decision 95/103/EC⁽²⁾.

Directive 92/118/EEC provides for the drawing up of lists of third country establishments for imports of products covered by the Directive. In the light of experience on animal and public health protection, such lists are not warranted for certain products such as ungulate hides and skins, bones and bone products not for animal or human consumption, apiculture products, game trophies, slurry, wools, feathers and honey. With a view to simplification, the requirement to draw up such lists should be abolished.

In the case of certain other products, it is proposed that the requirement to draw up lists of establishments for third countries whose entire production satisfies Community requirements should also be waived.

It is also proposed to delegate to the Commission (after receiving the opinion of the Standing Veterinary Committee) the task of drawing up the health rules applying to meat of species not covered by specific requirements, reptile meat in particular.

The planned measure is the exclusive responsibility of the Community. It falls within the adjustment of the existing rules and regulations and simplifies certain provisions on imports. The Member States are not expected to have any difficulty in transposing it into national law.

The proposal has no impact on the Community budget.

⁽¹⁾ OJ No L 62, 15.3.1993, p. 49.

⁽²⁾ OJ No L 24, 31.1.1996, p. 28.

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THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 43 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

Having regard to the opinion of the Economic and Social Committee,

Whereas 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⁽¹⁾, as last amended by Commission Decision 96/103/EC⁽²⁾ provides for the drawing up of Community lists of establishments for which the competent authority in the third country has given the Community guarantees that the establishments in question comply with Community requirements;

⁽¹⁾ OJ No L 62, 15.3.1993, p. 49.

⁽²⁾ OJ No L 24, 31.1.1996, p. 28.

Whereas, by virtue of the conditions under which the products are produced and their lack of effect on human or animal health, the preparation of such lists is not warranted for products such as ungulate skins and hides, bones, horns, hooves and products thereof, apiculture products, game trophies, manure, wool, hair, bristles and feathers listed respectively in Chapters 3, 5(B), 12, 13, 14 and 15, and honey; whereas it is enough that the establishment has been registered by the competent authority in the third country;

Whereas for the other products covered by Directive 92/118/EEC the same establishment registration scheme should be laid down for certain third countries whose entire production complies with Community requirements;

Whereas, because the meat of reptiles and species not covered by specific requirements and products derived from them are being consumed in the Community, health conditions should be laid down on the production, placing on the market and importation of these animal products.

HAS ADOPTED THIS DIRECTIVE:

Article 1

Directive 92/118/EEC is amended as follows:

1. Article 10(2)(b) is replaced by the following:

- "(b) - except for honey and the products referred to in Chapters 3, 5(B), 12, 13, 14, 15 of Annex I, they must come from an establishment that has been registered by the competent authority in the third country;
- in the case of products other than those referred to in the above indent, they must come from an establishment on a Community list to be drawn up in accordance with the procedure provided for in Article 18.

This condition is not required, however, for products from a third country appearing on a list to be drawn up in accordance with the procedure provided for in Article 18. For a product to appear on that list, all the establishments located in the third country in question must comply with Community rules and regulations on the product concerned, and be registered by the competent authorities of the third country."

2. Article 10(3)(b) is deleted.
3. In the first sentence in Annex II Chapter 2 the words "Before 1 January 1994" are deleted.
4. The following indent is added in Annex II Chapter 2:

"- the production, placing on the market and importation of meat of species not covered by specific requirements, and in particular reptile meat and products thereof, intended for human consumption."

Article 2

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by 1 July 1996. They shall notify the Commission immediately thereof.

The provisions adopted pursuant to this paragraph shall contain a reference to this Directive or shall be accompanied by such reference at the time of their official publication. The procedure for such reference shall be adopted by the Member States.

2. Member States shall communicate to the Commission the texts of the provisions of national law which they adopt in the field covered by this Directive.

Article 3

This Directive shall enter into force on the day of its publication in the Official Journal of the European Communities.

Article 4

This Directive is addressed to the Member States.

Done at Brussels,

for the Council

The President

COM(96) 393 final

DOCUMENTS

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Catalogue number : CB-CO-96-388-EN-C

ISBN 92-78-07435-7

Office for Official Publications of the European Communities

L-2985 Luxembourg