



COMMISSION OF THE EUROPEAN COMMUNITIES

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96/0048 (CNS)

Proposal for a
COUNCIL DIRECTIVE
amending

Directive 77/99/EEC and Directive 92/118/EEC with regard to the rules applicable to
minced meat, meat preparations and certain other products of animal origin

(presented by the Commission)

EXPLANATORY MEMORANDUM

On 10 February 1992, the Council adopted Directive 92/5/EEC amending and updating Directive 77/99/EEC on health problems affecting the production and marketing of meat products and certain other products of animal origin⁽¹⁾. That Directive provides for the use of meat as referred to in Directive 88/657/EEC in the preparation of meat products. Directive 88/657/EEC has been repealed with effect from 1 January 1996 and replaced by Council Directive 94/65/EC of 14 December 1994 laying down the requirements for the production and placing on the market of minced meat and meat preparations⁽²⁾. In order to ensure legal certainty, therefore, references to the said Directives should be amended.

Moreover, it seems appropriate to delete those rules which are of a restricted nature and currently superfluous

Furthermore, given the special nature of the preparation of stomachs, bladders and intestines, health rules must be applied to them outside Directive 77/99/EEC. It is therefore proposed to include in Directive 92/118/EEC the health rules applying to those products. Directive 92/118/EEC must consequently be amended.

The adoption of this proposal will give greater legal certainty and, at the same time, simplify the procedures for stomachs, bladders and intestines without lowering the health standards laid down by the Directive.

⁽¹⁾ OJ No L 57, 2.3.1992, p. 1.

⁽²⁾ OJ No L 368, 31.12.1994, p. 10.

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Directive 77/99/EEC and Directive 92/118/EEC with regard to the rules applicable to
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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⁽¹⁾,

Having regard to the opinion of the European Parliament⁽²⁾,

Having regard to the opinion of the Economic and Social Committee⁽³⁾,

Whereas Council Directive 77/99/EEC on health problems affecting the production and marketing of meat products and certain other products of animal origin, updated by Council Directive 92/5/EEC of 10 February 1992⁽⁴⁾, and last amended by the Act of Accession of Austria, Finland and Sweden, provides for the possibility of using meat as referred to in Article 2 of Directive 88/657/EEC in the preparation of meat products;

Whereas Directive 88/657/EEC has been repealed with effect from 1 January 1996 and replaced by Council Directive 94/65/EC of 14 December 1994 laying down the requirements for the production and placing on the market of minced meat and meat preparations⁽⁵⁾, whereas, in order to ensure legal certainty, references to the said Directives should be amended accordingly;

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⁽²⁾

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⁽⁴⁾ OJ No L 57, 2.3.1992, p. 1.

⁽⁵⁾ OJ No L 368, 31.12.1994, p. 10.

Whereas, furthermore, given the special production conditions for stomachs, bladders and intestines, arrangements other than those previously laid down by Directive 77/99/EEC should be applied to them and they should be included in Annex II to Directive 92/118/EEC;

Whereas those provisions which, because of their temporary nature, are now out of date should be deleted from Directive 77/99/EEC,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Directive 77/99/EEC is hereby amended as follows:

1. Article 2(b)(vi) is deleted.
2. In the fifth indent of Article 2(d), the reference to «Directive 88/657/EEC» is replaced by «Directive 94/65/EC».
3. Article 3(A)(9) is amended as follows:
 - (a) Paragraph (a) is deleted.
 - (b) The words «(b) from 1 July 1993» are deleted.
 - (c) Point (i) becomes point (a) and point (ii) becomes point (b).
4. In Article 13(1)(c), the words «until 1 July 1993, the health certificate provided for in Annex D» are deleted.
5. In the final subparagraph of Article 13(1), the reference to «Directive 88/657/EEC» is replaced by a reference to «Directive 94/65/EC»
6. In the first indent of point 2 of Chapter III of Annex B, the reference to «Directive 88/657/EEC» is replaced by a reference to «Directive 94/65/EC».
7. Chapter III of Annex C is deleted.

Article 2

The following indent is added to Chapter 2 of Annex II to Directive 92/118/EEC:

«- the preparation, placing on the market and import of stomachs, bladders and intestines, cleaned, salted or dried, and/or heated.»

Article 3

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive before 1 June 1996.

They shall immediately inform the Commission thereof.

When these measures are adopted by the Member States, they shall contain a reference to this Directive or shall be accompanied by such a reference when officially published. The methods of making such a reference shall be laid down by the Member State.

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

Article 4

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

Article 5

This Directive is addressed to the Member States.

Done at Brussels,

For the Council

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