

NEWSLETTER ON THE COMMON AGRICULTURAL POLICY

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Veterinary matters: harmonization of legislation,
and other activities

VETERINARY MATTERS: HARMONIZATION OF LEGISLATION, AND OTHER ACTIVITIES

1. On 26 June 1964 the Council issued two directives on health regulations for trade in fresh meat and in cattle and pigs. These are the first of a series of standards intended to ensure gradually that trade in meat and livestock is not hampered by disparities between the veterinary and sanitary provisions of the Member States.

Harmonization of legislation must also take into account the need to work out Community rules to safeguard the health and life of humans and animals. One of the major difficulties of harmonization has in fact been the reconciliation of these two aims - liberalization of trade and protection of health.

The directives have emerged from long and often difficult bargaining sessions in working parties and subsidiary bodies made up of official representatives of the Member States. In preparing and elaborating its drafts, the Commission called on technical and other officials dealing with these matters in each Member State. These experts have administrative and practical experience in implementing the national regulations on this complex and difficult subject, and their co-operation has made it possible for the Community rules to be drawn up on the basis of reliable technical and administrative data.

This procedure also has the advantage of gradually bringing viewpoints closer together, promoting mutual confidence in each other's working methods, and increasing understanding of the problems peculiar to each Member State.

Furthermore, the work on harmonization provided an opportunity for revising, in a progressive, Community spirit, certain old national provisions that no longer fully satisfied current technical and scientific requirements.

The Commission did not omit to consult the appropriate trade organizations at Community level, and their opinions were very valuable.

To understand these directives, we must distinguish between two types of problem: on the one hand routine health problems, and on the other problems encountered in combating infectious diseases - problems of sanitary supervision.

As regards standard health requirements, rules had to be worked out to ensure that the products in question were properly tested for any adulteration that would render them unfit for human consumption.

The sanitary problems relate to means of preventing the spread of infectious diseases from livestock or tainted meat.

The directive on health requirements for intra-Community trade in fresh meat (1)

2. This directive covers all meats, i.e. those parts of the main domestic animals which can be eaten by human beings; poultrymeat, however, will be dealt with separately. Refrigerated meats, whatever the degree of refrigeration, are also covered, since they do not essentially differ from non-refrigerated fresh meat in origin and composition.

The directive lays down what sanitary guarantees must be provided by exporting countries to importing countries so that the latter can be assured that food has been treated in conformity with Community standards. This is attested by an official veterinarian, who signs the health certificate accompanying the goods. To strengthen supervision of Community provisions, the authorities in each Member State are empowered to approve slaughterhouses and cutting-up shops and to withdraw their approval if necessary.

The Commission may authorize the Member States, after an on-the-spot investigation, to impose a temporary ban on imports of meat from a slaughterhouse or cutting-up shop which does not fulfil the conditions required for approval. However, this will happen only if matters cannot be settled amicably.

Each Member State has been given the power to inspect meat consignments from another Member State before allowing them to enter. It may then take all necessary measures, including sending the meat back if there is no danger involved in doing so. Member States' efforts to promote adaptation to Community standards of their slaughterhouses, cutting-up shops, cold stores and means of transport will, it is hoped, gradually obviate the need for frontier controls. A consignor must be notified of any ban and of the grounds on which it is based. In order to safeguard owners whose meat is refused entry, a veterinarian selected from lists published by the Commission may be called in by the consignor, who may use the expert's report as evidence in appeal proceedings before the authorities in the importing country.

Community provisions will be issued later to regulate certain matters that give rise to special problems - such as the effects on the wholesomeness of meat of treating animals or meat itself with foreign substances such as antibiotics, oestrogens, thyreostatics or some forms of radiation; and the conditions for approval of cold stores. For the time being, therefore, these matters remain governed by municipal law.

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(1) See official gazette of the European Communities, No. 121, 29 July 1964, p. 2012.

Lastly, in this directive the first steps have been taken towards harmonization of sanitary requirements in intra-Community trade in meat. Since meat can be a carrier of disease, each Member State has regulations to protect itself against this danger.

Pending further harmonization, the directive recognizes the principle of territoriality in that, where there are centres of infectious disease in an exporting country but the disease is not widespread, only meat from the infected areas is refused entry, not from the country as a whole.

As regards external trade, the directive lays down that municipal legislation in the Member States may not contain provisions more favourable to non-member countries than those deriving from the Community directive. This means that minimum requirements are fixed, but the individual Member States are free to make them as much more stringent as they think fit. In accordance with the opinions expressed by the various Community institutions, the Commission intends shortly to put before the Council a whole range of Community rules on veterinary requirements vis-à-vis the outside world.

All details on the specific measures to be taken are contained in annexes to the directive, which have the same binding force as the text proper. The annexes cover conditions for approval of slaughterhouses and cutting-up shops, ante-mortem and post-mortem sanitary inspection, storage, transport, stamping and health certificate.

The directive on health requirements for intra-Community trade in cattle and pigs (1)

3. This directive covers two kinds of domestic animal; the others - sheep, goats, solipeds and poultry - will be dealt with at a later date. Priority has been given to cattle and pigs for practical reasons. The aim of the directive, in the vast and intricate field of prophylaxis and the fight against disease, is to ensure that importing Member States may have every confidence in the sanitary precautions taken by exporting Member States and thus to encourage intra-Community trade. The most adequate means to this end appeared to be to lay down what sanitary measures must be taken to prevent animals from infected areas or farms from entering intra-Community trade and/or to ensure that such animals are effectively immunized. Special rules have also been made for animals passing through dealers' sheds or through a market. As in the case of fresh meat, supervision is exercised by a veterinarian designated by the appropriate authority in each Member State, and this is one of the central factors in the system.

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(1) See official gazette of the European Communities, No. 121, 29 July 1964, p. 1977.

The health certificate signed by a veterinarian will constitute proof, for the consignor and for the importing Member State, that the formalities required by the directive have been observed. It is up to the exporting country to ensure that veterinary supervision is effected at all stages before animals are sent off, so that the health certificate can be signed in full knowledge of the case. This means, in particular, that there must be adequate supervision of farms, dealers' sheds, markets, loading points and transport. In view of all this, the directive will certainly have the indirect effect of influencing harmonization within the Member States of prophylaxis and the fight against infectious diseases - even as regards animals for the domestic market, which are not formally covered by the directive.

The consignor must be notified of any refusal of entry and of the reasons for it. There is a danger that animals may be in the incubation period at the time of examination, that contagion may occur en route or at gathering centres. There is also a general need to improve the effectiveness of the measures laid down by the directive and to see that they are implemented. Hence importing countries may, after an examination at the frontier, take appropriate protective measures such as quarantine or slaughter or returning the animals in question. This last measure must be permitted if the consignor requests it, provided no danger is involved. The consignor may also ask for these measures to be suspended, except for slaughter in serious cases, while he seeks expert opinion under the procedure laid down in the directive on fresh meat.

The directive covers non-member countries in an article similar to that in the directive on fresh meat, and here too the Commission intends to produce definitive rules as soon as possible.

The annexes have been based on the work of a veterinary committee under the chairmanship of Dr. Willems, honorary director of the Veterinary Research Institute at Uccle, Belgium. They contain rules which, it is hoped, will enable one of the most serious causes of uncertainty in livestock trade to be removed and will encourage collaboration in laboratories in the Community. Methods are laid down for diagnosing the most important diseases found on Community territory, such as tuberculosis, brucellosis and mastitis, and details are given of what reagents must be used, what tests employed, and how the tests should be interpreted in a uniform manner.

There is also an annex establishing criteria, tests, and the frequency of tests for declaring livestock free of tuberculosis and brucellosis. It is through details of this kind that the directive is intended to have an indirect but real effect on the fight against disease within the Member States.

There are different health certificates for animals for breeding, for slaughter or for other purposes, since these different types have different patterns of movement and are therefore liable to spread infection in varying degree.

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4. These two directives are an indispensable complement to the regulations on common agricultural policy relating to the meat and livestock in question. From the outset the Commission has underlined the need for the gradual harmonization of health requirements to be effected as far as possible in step with the common agricultural policy. This need has been recognized by all the institutions and organizations concerned with trade in these essential agricultural items - particularly by the European Parliament and the Economic and Social Committee, which were consulted by the Council. Both the Parliament and the ESC gave energetic support to the Commission's action.

International organizations concerned with these problems - such as the OECD, FAO and International Office of Epizootics - welcomed the results obtained by the MEC, which certainly influenced the work being done in these organizations.

5. Further proposed directives have now been submitted to the Council, which may be hoped to approve them soon. The Commission has put forward proposals for a directive on trade in fresh poultrymeat and a directive on trade in meat products, which will be complementary to the first two directives, discussed here. The working parties set up by the Commission will produce others as soon as possible.

Matters that will rapidly have to be harmonized cover the following fields:

- (a) arrangements applicable to non-member countries for products already covered by intra-Community provisions,
- (b) sheep, goats and solipeds;
- (c) boned meat,
- (d) prepared poultrymeat;
- (e) sanitary requirements within Member States in the case of outbreaks of epizootic diseases;
- (f) live poultry;
- (g) eggs;
- (h) fresh fish and derived products.

In addition, implementing directives are to be issued by the Council and/or the Commission for the two directives already adopted and for most of those to follow. These will deal with a number of specific problems or indicate how the basic directives are to be applied; they will include rules for examination by experts, the training and duties of veterinary assistants, and so on.

6. In the directives already issued or proposed, the Commission has, in agreement with the Member States, been guided by the formulas and arrangements adopted in their municipal legislation. Where modifications proved necessary in the light of discussions, experience, and technical and scientific developments, joint solutions were reached after extensive debate and thorough consultation. The Member States have been given sufficient time to adapt municipal law to Community law as required. Once this is done, the stage of implementation proper will be reached. However, it is impossible to regulate on paper all the problems that will be raised in the application or interpretation of these complex documents, and hence close collaboration between the appropriate experts and the Commission will certainly be needed in the next few years. The same holds good as regards the common position to be taken up in relation to non-member countries. To make collaboration as effective as possible, the Commission is already examining adequate, flexible and durable forms of consultation and joint work.

7. It should not be forgotten that there has been close collaboration with government veterinary experts in fields other than harmonization of legislation, and very satisfactory results have been obtained. Following a request by FAO, acting in conjunction with IOE, the Commission submitted a proposal to the Council that was prepared on the basis of consultation with these experts - and with the active collaboration of Dr. Willems - with a view to an EEC financial contribution to the FAO campaign against an exotic type of foot-and-mouth disease (SAT 1) in Greece and Turkey. The main purpose was to provide FAO with means of preventing the disease from spreading to EEC countries.

On 2 April 1963 the Council decided to transfer 1 500 000 units of account to FAO for this purpose. This sum was used in accordance with the Council's instructions to buy vaccine for use in the buffer areas, to equip specialized laboratories in Greece and Turkey, and to secure the services of technicians. As the grant did prevent the disease from spreading, FAO asked the EEC in 1964 to make a further contribution to finance revaccination so as not to nullify results by withdrawing too soon. After the government veterinary experts had agreed, the Commission put a proposal to this effect before the Council, which on 16 June approved a grant of 525 000 units of account to FAO.
