

# COMMISSION OF THE EUROPEAN COMMUNITIES

COM(79) 299 final

Brussels, 28 June 1979

Proposal for a  
COUNCIL DIRECTIVE

amending Directive 71/118/EEC on health problems affecting  
trade in fresh poultrymeat

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(submitted to the Council by the Commission)



## EXPLANATORY MEMORANDUM

Council Directive 71/118/EEC of 15 February 1971 on health problems affecting trade in fresh poultrymeat laid down the slaughtering and inspection requirements for such meat intended for intra-Community trade and trade within Member States. It has become apparent that the application of certain aspects of the Directive would cause difficulties for a large number of small-scale producers.

In order to permit the continuation of this production which, in the regions where it is made, contributes appreciably to farmers' incomes, while at the same time maintaining the hygiene and health inspection standards established by Community rules, it appears essential to make the relevant technical amendments to the Directive.

The proposed amendments include the removal of the time limits in the derogations for small-scale producers, particularly at local markets, and the authorisation for <sup>post-mortem</sup> inspection to take place separately from the place of slaughter in the case of birds reared for the production of "foie gras". In the latter case, slaughter should be permitted on the farm in order to prevent unnecessary suffering resulting from the transport of the fattened birds to a separate place.



Draft  
COUNCIL DIRECTIVE

amending Directive 71/118/EEC on health problems  
affecting trade in fresh poultrymeat.

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THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and  
in particular Articles 43 and 100 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 71/118/EEC of 15 February 1971 on health problems  
affecting trade in fresh poultrymeat<sup>(1)</sup>, as last amended by Directive 77/27/EEC<sup>(2)</sup>,  
lays down the slaughtering and inspection requirements for poultrymeat intended  
for intra-Community trade and trade within Member States;

Whereas the poultry rearing and the marketing of the meat is carried on to a  
large extent by small-scale producers who sell their produce at local markets  
and constitute an important agricultural activity in certain Community regions;  
whereas such activities should be allowed to continue under certain conditions;

Whereas the method of production of "foie gras" makes evisceration of the  
recently slaughtered bird impossible without seriously damaging the liver;

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(1) O.J. No L 55, 8.3.1971, p. 23.

(2) O.J. No L 6, 8.1.1977, p. 19.

Whereas, while ensuring that the hygiene and inspection requirements established thereby are strictly maintained, the necessary specific amendments should be made to Community rules,

HAS ADOPTED THIS DIRECTIVE :

Article 1

Directive 71/118/EEC is hereby amended as follows:

1. The following subparagraph shall be added to Article 3(1A)(a):  
"However, carcasses and offal of ducks and geese reared and slaughtered for the production of "foie gras" may have been obtained after bleeding and plucking on the farm in a separate room meeting the requirements set out in Chapter I(1)(r) of Annex I and having a supply of potable running water, and evisceration in a cutting plant approved and inspected in accordance with Article 5(1) and containing the special room provided for in Chapter II (2)(b)a of Annex I".
  
2. In the second subparagraph of Article 3(5), the words  
"and until 15 August 1981" shall be deleted.
  
3. In Chapter II(2) of Annex I,  
- the following point (b)a shall be added:  
"Where necessary, a room for the evisceration of ducks and geese reared for the production of "foi gras" and bled and plucked on the farm";  
- the words "and under (b)a" shall be added to the first line of point (h).
  
4. In Chapter III(3)(c) of Annex I, "(b)a" shall be inserted after the words "and to (2)(b)".

5. The following second subparagraph shall be added to Chapter IV(13) of Annex I:

"However, in the case of ducks and geese reared for the production of "foie gras" and bled and plucked on the farm, the ante mortem inspection may be carried out in the last week of fattening".

6. The following third subparagraph shall be added to Chapter IV(14) of Annex I:

"In the case of ducks and geese reared for the production of "foie gras" and bled and plucked on the farm, the certificate referred to in the second subparagraph must accompany the non-eviscerated carcasses on arrival at the cutting plant containing the special room for evisceration".

7. The following subparagraph shall be added to Chapter V(23) of Annex I:

"However, ducks and geese reared and slaughtered for the production of "foie gras" may be eviscerated within 24 hours, provided that carcasses which are not eviscerated are kept at the temperature laid down in Chapter XII and transported in accordance with the rules of hygiene".

8. The model health certificate in Annex III shall be replaced by the following model:  
"Health certificate for poultry transported from the holding to the slaughterhouse or for the carcasses of ducks and geese reared for the production of "foie gras", bled and plucked on the farm and transported to the cutting plant containing a special room for evisceration.

Competent service ..... Number <sup>(1)</sup> .....

I. Identification of birds <sup>(2)</sup> of non-eviscerated carcasses <sup>(2)</sup> :

Bird species .....

Number of birds <sup>(2)</sup> - of non-eviscerated carcasses <sup>(2)</sup> : .....

II. Origin of birds<sup>(2)</sup> - of non-eviscerated carcasses<sup>(2)</sup> :

Address of holding of origin : .....  
.....

III. Destination of birds<sup>(2)</sup> - non-eviscerated carcasses<sup>(2)</sup>

The birds will be transported to the following slaughterhouse<sup>(2)</sup> : .....  
.....

The non-eviscerated carcasses will be transported to the following cutting plant<sup>(2)</sup> : .....  
.....

by the following means of transport : .....

IV. Attestation

I, the undersigned, official veterinarian, certify that :

- the birds described above<sup>(2)</sup>,
- the non-eviscerated carcasses described above are from birds which<sup>(2)</sup> were examined ante mortem on the abovementioned holding at ..... on ..... and found to be healthy.

Done at ..... on .....

.....  
Signature of official veterinarian

(1) Optional.

(2) Delete as appropriate".

Article 2

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive on 1 July 1980.

Article 3

This Directive is addressed to the Member States.

Done at Brussels,

For the Council

The President