

# COMMISSION OF THE EUROPEAN COMMUNITIES

COM(81) 107 final.

Brussels, 16 March 1981

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)

COM(81) 107 final.



## EXPLANATORY MEMORANDUM

The amendments made to Council Directive 71/118/EEC in this proposal for a Directive cover the following points:

1. Health controls and inspections in the establishments producing fresh poultrymeat. According to a survey carried out in the Member States by the Commission staff in collaboration with the competent national authorities, these establishments present differences as regards, in particular, the organization of inspection systems, the employment of auxiliary personnel, the way in which post-mortem tests are carried out and the time allotted to such tests.

The purpose of the proposals contained in this document is precisely to lay down more explicitly the criteria and the principles according to which such health controls and inspections should be carried out.

2. Financing of the costs arising from health inspection in the establishments; this proposal aims at standardizing the systems for financing these costs so as to eliminate differences as between the Member States which are liable to cause distortion of competition. The proposal is based on the principle, already applied by most Member States, whereby the cost of health controls and inspections should be charged against the product.
3. Date on which the derogation relating to slaughter and evisceration expires (15 August 1981); given the introduction of the new provisions concerning health controls and inspections, and in view of the fact that in certain Member States the production of drawn poultrymeat is still important, it would be appropriate to postpone the date of expiry of the derogation by five years, foreseeing appropriate measures to ensure the respect of this deadline.

Proposal for a  
COUNCIL DIRECTIVE

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

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Having regard to the Opinion of the European Parliament<sup>1</sup>,

Having regard to the Opinion of the Economic and Social Committee<sup>2</sup>,

Whereas, in view of the differences obtaining in the Member States as regards the practical application of Council Directive 71/118/EEC<sup>3</sup>, as last amended by Directive 80/216/EEC<sup>4</sup>, in connection with health inspection and health controls, it is necessary to incorporate into the present text certain additional standards;

Whereas, given the introduction of the new provisions concerning health controls and inspections and in view of the fact that in certain Member States the production of down poultrymeat is still important, the date on which the derogation relating to slaughter and evisceration comes to an end should be postponed;

Whereas, to prevent major disparities such as might distort competition, the system for financing the costs of health controls and inspection should be standardized;

Whereas a procedure ensuring close cooperation between the Member States and the Commission should be set up for taking definitive decisions, in particular, to the change of the date on which the derogation which has been granted to certain Member States expires;

and whereas it is necessary

Article 1

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

. The following paragraph is inserted in Article 4:

"1a The number of official veterinarians and assistants employed in each establishment must be sufficient to ensure that all the supervisory and inspection requirements of this Directive are met, in particular the ante and post mortem inspection requirements of Chapters IV and VI of Annex I.

The time provided for post-mortem inspection of each bird must be sufficient to ensure effective inspection in accordance with the requirements of Chapter VI of Annex I; in particular sufficient time must be allowed to permit inspection of all parts of each bird. In all cases the number of birds which may be inspected by one person designated for the purpose may not exceed the relevant figure indicated in paragraph 31a of Chapter VI of Annex I. It may be decided, if necessary, to amend or extend the provisions of paragraph 31a of Chapter VI in accordance with the procedure laid down in Article 12a, in order to take account of changes in the health status of poultry in the Community and of technical progress.

At least whilst slaughter is taking place, the official veterinarian mentioned in paragraph 1 must be present in the slaughterhouse.

However, in accordance with the procedure laid down in Article 12a, special provisions may be adopted as regards the presence of the official veterinarian during slaughterings for slaughterhouses having a slaughter capacity not exceeding 1,500 poultry per day."

. The following paragraph is added to Article 4:

"4. All costs resulting from the inspections and health controls provided for in paragraph 1, including those resulting from the inspections and the controls carried out in the slaughterhouses referred to in the second sentence of the third subparagraph of paragraph 1a, shall be charged at a standard rate to the product without reimbursement from public funds."

3. In the first sentence of Article 5a, the phrase "particularly those of Chapters I, II and III of Annex I" is replaced by the phrase "particularly those of Chapters I, II, III, IV and VI of Annex I".

4. In Article 16a (a):

- in the third indent, "15 August 1981" is replaced by "15 August 1986";

- the following text is added after the last sentence of the final indent:

"Furthermore, they shall send to the Commission each year a report on any changes in their country as regards derogations relating to slaughtering and evisceration; this report should reflect the gradual decline in the number of slaughterhouses benefiting from the derogation, the aim being to arrive at the application, not later than 15 August 1986, of the provisions of the Directive on slaughtering and evisceration to all slaughterhouses throughout their country."

5. In Chapter V of Annex I, paragraph 23 is amended as follows:

- in the third sentence, "heart" is inserted after "Liver",

- the following is inserted at the end of the third sentence: "If the viscera are detached, it must be possible to identify the carcass to which they belong, and they must remain in close proximity to the carcass until the completion of inspection."

6. Chapter VI is replaced by the following:

#### "Chapter VI

#### POST-MORTEM INSPECTION

29. All parts of the bird must be inspected immediately after slaughter.

30. The post-mortem inspection must include:

- (a) visual inspection of the slaughtered bird; in particular the examination of:
  - the outer surface of the carcass including head and legs,
  - the viscera; intestines, proventriculus, gizzards, liver, spleen, heart, lungs, kidneys and, where applicable, testicles, ovaries and oviduct,
  - the cavities of the carcass;
- (b) where necessary, palpation and incision of the slaughtered bird,
- (c) investigation of abnormalities in consistency, colour, smell and, where appropriate, taste,
- (d) where necessary, laboratory tests.

31. The post-mortem inspection must be carried out in suitable light; there must be adequate space for the post-mortem inspection.

- 31 a. As regards post mortem inspection, the number of birds that may be inspected by one officially designated person shall not exceed the following figures:
- 1,200 per hour in the case of table chickens and guinea fowl;
  - 600 per hour in the case of laying hens, geese, turkeys and ducks.

The number of veterinarians and assistants assigned to post-mortem inspections must be sufficient to ensure adequate rest periods for all persons involved in this inspection.

In the case of a batch of poultry showing a high incidence of disease, the inspectors must spend more time on the post-mortem inspection."

#### Article 2

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive

- not later than 15 July 1981 as regards the provisions of Article 1 (4);
- not later than 15 August 1982 as regards the other provisions.

They shall forthwith inform the Commission thereof.

#### Article 3

This Directive is addressed to the Member States.

Done at Brussels,

For the Council  
The President.

