

COMMISSION OF THE EUROPEAN COMMUNITIES

SEC (94) 1462, 12 September 1994

Proposal for Recommendation No 1/94 of the EEC/Switzerland Joint Committee on the simplification of veterinary checks and formalities in respect of products of animal origin and live animals

Draft Community Position

Communication to the Commission

1. The Agreement between the EEC and Switzerland on the simplification of inspections and formalities in respect of the carriage of goods came into force on 1 July 1991¹.
2. Council Directive 90/675/EEC² laying down the principles governing the organization of veterinary checks on products entering the Community from third countries was introduced under the internal market programme. It requires each consignment of products to undergo veterinary checks at a border inspection post on import into the Community.
3. Article 8(2) of the Directive requires the official veterinarian to carry out a physical check of each consignment submitted.
4. In Decisions 92/430/EEC and 92/431/EEC of 15 July 1992,³ the Commission lists the border inspection posts preselected for veterinary checks on products and animals from non-Community countries.
5. The Joint Committee set up pursuant to Article 15 of the Agreement on the simplification of inspections and formalities in respect of the carriage of goods is required to make recommendations applying the Agreement's principles in areas relating to the protection of human and animal health and animal protection.
6. It is proposed to introduce a number of simplifications concerning checks of registered equidae and live animals at preselected border inspection posts, the cross-border pasturing of animals, local and regional border trade and the procedure relating to the non-admittance of products of animal origin.
7. For these reasons it is suggested that the Commission adopt the attached proposal by means of the written procedure so that it may be transmitted to the Council which will be called upon to determine the joint position.

1 O.J. No. L116 of 8.5.1990, p. 18

2 O.J. No. L373 of 31.12.1990, p. 1

3 O.J. No. L237 of 20.08.1992, p. 16

Communication from the Commission to the Council

1. The Agreement between the EEC and Switzerland on the simplification of inspections and formalities in respect of the carriage of goods came into force on 1 July 1991.¹
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4. In Decisions 92/430/EEC and 92/431/EEC of 15 July 1992,³ the Commission lists the border inspection posts preselected for veterinary checks on products and animals from non-Community countries.
5. The Joint Committee set up pursuant to Article 15 of the Agreement on the simplification of inspections and formalities in respect of the carriage of goods is required to make recommendations applying the Agreement's principles in areas relating to the protection of human and animal health and animal protection.
6. It is proposed to introduce a number of simplifications concerning checks of registered equidae and live animals at preselected border inspection posts, the cross-border pasturing of animals, local and regional border trade and the procedure relating to the non-admittance of products of animal origin.
7. The Commission hereby recommends that the Council adopt the appended proposal so it can be put before the EEC-Switzerland Joint Committee at its next meeting.

1 O.J. No. L116 of 8.5.1990, p. 18

2 O.J. No. L 373 of 31.12.1990, p.1

3 O.J. No. L237 of 20.08.1992, p.16

**Proposal
for
Recommendation No 1/94 of the EEC-Switzerland Joint Committee
of 1994**

**on the simplification of veterinary checks and formalities
in respect of products of animal origin and live animals**

The Joint Committee,

Having regard to the Agreement between the European Economic Community and the Swiss Confederation on the simplification of inspections and formalities in respect of the carriage of goods¹, and in particular Articles 5 and 17(1) thereof,

Whereas it is necessary to simplify a number of veterinary checks and formalities in trade between Switzerland and the European Union,

HEREBY RECOMMENDS the Contracting Parties to the Agreement:

- to carry out checks of live animals and products of animal origin at the border inspections posts listed in Annex I;
- to check animals intended for cross-border pasturing in accordance with the provisions set out in Annex II;
- to apply the provisions set out in Annex III to cross-border regional trade in products of animal origin;
- to apply the provisions of Annex IV to the non-admittance of products of animal origin;
- to check registered equidae in accordance with the provisions set out in Annex V;
- to inform each other, by means of an exchange of letters, of the acceptance and date of entry into force of this Recommendation.

Done at Brussels, ...

**For the Joint Committee
The Chairman**

PROGRESS REPORT - BORDER INSPECTION POSTS VISITS

Italy - Switzerland

Border inspection posts Inspection centres	CURRENT SITUATION						POST-INSPECTION SITUATION						
	Air		Road		Rail		Air		Road		Rail		
	Product	Animal	Product	Animal	Product	Animal	Product	Animal	Product	Animal	Product	Animal	
CAMPOCOLOGNO													X
LUENO: Road Station			X		X								
BORGOMOSSOLA					X	X						X	
GRAND SAINT BERNARD			X						X	X		X	
CHIASSO Motorway Station			X						X	X		(1)	X

(1)

The Italian veterinary authorities may use the rail inspection post to check live animals pursuant to Decision 91/495/EEC.

PROGRESS REPORT - BORDER INSPECTION POSTS VISITS

France - Switzerland

Border inspection posts Inspection centres	CURRENT SITUATION						POST-INSPECTION SITUATION					
	Air		Road		Rail		Air		Road		Rail	
	Product	Animal	Product	Animal	Product	Animal	Product	Animal	Product	Animal	Product	Animal
SAINT LOUIS Motorway Airport Maritime station	X	X	X	X	X	X		X	X	X	X	(1)
PONTARLIER (Ch. Français) Ventes et la Ferrière crossing points			?						X			
LA CURE												
FERNEY-VOLTAIRE	X	X	X	X				X				
EVYONNE LES BAINS				?								X horses
SANT JULIEN			X	X					X			X

(1)

The French veterinary authorities may use the Weil am Rhein inspection post to check equidae registered under Decision 93/521/EEC

ANIMALS INTENDED FOR BORDER PASTURING

Basic conditions:

1. The official veterinarian of the country of dispatch:
 - (a) shall inform the official veterinarian of the country of destination of the animals' dispatch 48 hours in advance;
 - (b) shall examine the animals within the 48 hours preceding their departure for pasturing; these animals must be properly identified;
 - (c) shall issue a certificate confirming that the animals comply with the requirements of Community, national or Swiss veterinary legislation.

2. The official veterinarian of the country of destination:
 - (a) shall check the animals when they enter the country of destination to ensure that they comply with the requirements of Community, national or Swiss legislation;
 - (b) shall inform the official veterinarian of the country of dispatch of the animals' re-dispatch 48 hours in advance;
 - (c) shall examine the animals within the 48 hours preceding their re-dispatch for pasturing;
 - (d) shall issue a certificate confirming that the re-dispatched animals comply with the requirements of Community, national or Swiss veterinary legislation.

3. The animals must remain under customs control throughout the duration of pasturing.

4. The relevant Community, national or Swiss veterinary legislation shall apply to animals admitted for pasturing in the Community/Switzerland throughout the whole period of pasturing.

5. The owner of the animals must make a written declaration:
 - (a) agreeing to comply with all the measures taken pursuant to Community, national or Swiss veterinary legislation with which a Community/Swiss owner has to comply;
 - (b) agreeing to bear any costs of checks undertaken as result of the application of Community, national or Swiss veterinary legislation;
 - (c) agreeing to cooperate fully in customs or veterinary checks required by the authorities of the country of dispatch or destination.

6. Pasturing must be confined to a 10 km border area or, in special justified cases, a wider area extending from one side of the Swiss/Community border to the other.
7. In the case of Italy, the official veterinarian shall be either the state veterinarian or the local health authority's veterinarian.

ANNEX 3**PRODUCTS INTENDED FOR CROSS-BORDER TRADE**

Under the EEC-Switzerland Agreement these provisions shall apply to products of animal origin which are the subject of cross-border trade within a 10 km border area or, in special justified cases, a wider area extending from one side of the Swiss/Community border to another.

1. The competent authority of the country of dispatch must issue a certificate confirming:
 - (a) that the products are of Swiss, French, German or Italian origin, originate in the border area or have been dispatched to a company located in the border area;
 - (b) that the products comply with the rules applying in the Community/Switzerland or, in the case of non-harmonized products, the rules of the Member State in question;
 - (c) that the products are intended solely for release into free circulation in the border area.
2. The operator must present the products at one of the border crossing points listed in point 6 to enable the competent authority of the country of destination to undertake document and identity checks during office hours.
3. Consignments shall be limited to a maximum weight of 250 kg per consignment.
4. Random checks at the place of destination must be undertaken whenever the competent authorities of the country of destination deem it necessary.
5. In the case of Italy, the official veterinarian shall be the state veterinarian or the local health authority's veterinarian.
6. The list of border crossing points referred to in point 2 is given below:
 - (a) Swiss-German border:
 - Basel/Weil am Rhein - motorway (Weil am Rhein motorway)
 - Riehen (Lörrach - Stetten)
 - Riehen - Grenzacherstraße (Grenzach)
 - Stein - Bad Säckingen (Bad Säckingen)
 - Koblenz (Waldshut - Rheinbrücke)
 - Trasadingen (Erzingen)
 - Bargen (Neuhaus)
 - Thayngen (Bietingen)
 - Ramsen (Rielasingen)
 - Kreuzlingen and Tägerwilen office (Konstanz)
 - Romanshorn (Friedrichshafen)

(b) Swiss-Italian border:

Müstair (Tubre)
 Campocologno (Plattamala/Tirano)
 Castasegna (Villa di Chiavenna)
 Gandria (Oria)
 Arogno (Valmara/Lanzo)
 Pizzamiglio (Maslianico)
 Chiasso Strada (Ponte Chiasso)
 Stabio (Gaggiolo)
 Ponte Tresa (Ponte Tresa Italia)
 Dirinella (Zenna)
 Madonna di Ponte (Piaggio Valmara)
 Camedo (Ponte-Ribellasca)
 Gondo (Paglino)
 Grand St. Bernard-Tunnel (Etroubles)

(c) Swiss-French border:

Le Châtelard (Vallorcine)
 St. Gingolph (St. Gingolph France)
 Anières (Veigy)
 Thônex-Vallard (Vallard)
 Croix-de-Rozon (Collonges sous Salève)
 Bardonnex (St. Julien)
 Meyrin (Prévessin RN 87)
 Mategnin (Prévessin)
 Ferney-Voltaire (Ferney-Voltaire-boundary)
 Chavannes-de-Bogis (Divonne)
 La Cure (La Cure France)
 Le Brassus (Bois d'Amont)
 Vallorbe Route (La Ferrière s/Jougne)
 Les Verrières (Les Verrières-de-Joux)
 Le Col-des-Roches (Col-France)
 Bïaufond (La Cheminée)
 Boncourt (Delle)
 Allschwil I (Hégenheim)
 Basel/St. Louis motorway

ANNEX 4

Switzerland and the Community agree - as regards the Community, notwithstanding subparagraph (a) of Article 12(1) of Directive 90/675/EEC - to apply the following procedure to consignments refused entry to their respective territories:

1. The customs and veterinary authorities at the border inspection post through which the products refused entry entered the Community (Switzerland) in transit for a third country (Member State) shall be notified in advance of any consignment of products which the Swiss (Community) authorities wish to send back by road or rail through the Community (Switzerland).
2. The official veterinarian at the border inspection post of re-entry:
 - (a) shall undertake document and identity checks,
 - (b) shall inform the official veterinarian at the border inspection post through which the products will leave the Community (Switzerland) for a third country (Member State).
3. The products shall transit through the Community (Switzerland) under the control of the relevant authorities, without being unloaded, in vehicles or containers sealed by the relevant authorities; the only handling authorized during transport shall be that carried out at the point of entry into or point of exit from the Community (Switzerland).

ANNEX V

The time limit of 10 days laid down in Article 1(4) of Decision 93/321/EEC¹ of 10 May 1993 for the readmittance of equidae under temporary admission arrangements pursuant to Decision 92/260/EEC² is hereby extended to 30 days.

1 O.J. No. L123 of 19.05.1993, p.36
2 O.J. No. L130 of 15.05.1992, p.66

Justification du Calendrier

La troisième réunion de la Commission-mixte CEE-Suisse de l'Accord relatif à la facilitation des contrôles et des formalités lors du transport des marchandises qui se tiendra à Bruxelles le 3 octobre 1994 devrait adopter formellement ces projets de Recommandations.

Date de l'avis final du Parlement européen

néant

Date ultime de la détermination de la position commune par le Conseil

Le Conseil devrait être en mesure de déterminer la position commune au mois de septembre 1994