COMMISSION DECISION

of 16 October 1990

concerning certain protection measures relating to classical swine fever in the Federal Republic of Germany

(90/513/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 90/425/EEC of 26 June 1990 concerning veterinary and zootechnical checks applicable in intra-Community trade in certain live animals and products with a view to the completion of the internal market [1], and in particular Article 10 thereof,

Having regard to Council Directive 89/662/EEC of 11 December 1989 concerning veterinary checks in intra-Community trade with a view to the completion of the internal market [2], and in particular Article 9 thereof,

Whereas several outbreaks of classical swine fever have occurred in different parts of the Federal Republic of Germany;

Whereas these outbreaks are liable to endanger the herds of other Member States, in view of the trade in live pigs, fresh pigmeat and certain meat-based products;

Whereas as a result of the epizootic of classical swine fever, the Commission adopted Decision 90/231/EEC of 7 May 1990 concerning certain protection measures relating to classical swine fever in the Federal Republic of Germany [3], as amended by Decision 90/467/EEC [4];

Whereas it appears necessary to adjust the restrictive measures to take account of the evolution of the disease;

Whereas in the interest of clarity Decision 90/231/EEC should therefore be repealed and a consolidated text adopted;

Whereas the authorities of the Federal Republic of Germany have engaged themselves to implement national measures that are necessary to guarantee the efficient implementation of the Decision;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Veterinary Committee,

HAS ADOPTED THIS DECISION:

Article 1

1. The Federal Republic of Germany shall not send to other Member States:

— live pigs, after 17 October, coming from those parts of its territory described in the Annex;

— fresh pigmeat and pigmeat products obtained from pigs slaughtered after 1 March 1990, coming from those parts of its territory described in the Annex.

2. The restrictions described in paragraph 1 shall not apply to meat products which have undergone one of the treatments laid down in Article 4 (1) of Council Directive 80/215/EEC of 22 January 1980 on health problems affecting intra-Community trade in meat products [5].

Article 2

1. The health certificate provided for in Council Directive 64/432/EEC of 26 June 1984 on animal health problems affecting intra-Community trade in bovine animals and swine [6], accompanying pigs sent from the Federal Republic of Germany must be completed by the following:

'Animals in accordance with Commission Decision 90/513/EEC of 16 October 1990 concerning certain protection measures relating to classical swine fever in the Federal Republic of Germany.'

2. The health certificate provided for in Council Directive 64/433/EEC of 26 June 1964 on health problems affecting intra-Community trade in fresh meat [7] accompanying pigmeat sent from the Federal Republic of Germany must be completed by the following:

'Meat in accordance with Commission Decision 90/513/EEC of 16 October 1990 concerning certain protection measures relating to classical swine fever in the Federal Republic of Germany.'

[1] OJ No L 224, 18. 8. 1990, p. 29.
[2] OJ No L 395, 30. 12. 1989, p. 13.
[3] OJ No L 128, 18. 5. 1990, p. 17.
[4] OJ No L 250, 13. 9. 1990, p. 18.
[5] OJ No L 47, 21. 2. 1990, p. 4.
[6] OJ No 121, 29. 7. 1964, p. 1977/64.
[7] OJ No 121, 29. 7. 1964, p. 2012/64.

3. The health certificate provided for in Council Directive 77/99/EEC of 21 December 1976 on animal health problems affecting intra-Community trade in meat products [1] accompanying meat products sent from the Federal Republic of Germany must be completed by the following:

'Products in accordance with Commission Decision 90/513/EEC of 16 October 1990 concerning certain protection measures relating to classical swine fever in the Federal Republic of Germany.'

Article 3

Decision 90/231/EEC is hereby repealed.

Article 4

The Member States shall amend the measures which they apply to trade so as to bring them into compliance with this Decision. They shall immediately inform the Commission thereof.

Article 5

The Commission will follow developments in the situation and may amend this Decision in the light of such developments.

Article 6

This Decision is addressed to the Member States.

Done at Brussels, 16 October 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

The territory of:

— The Rheingau-Taunus Kreis

[1] OJ No L 26, 31. 1. 1977, p. 85.