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COMMISSION DECISION

of 30 April 1999

amending Decision 87/257/EEC on the list of establishments in the United States of America approved for the purpose of importing fresh meat into the Communiy and amending Council Decision 79/542/EEC drawing up a list of third countries from which the Member States authorise imports of bovine animals, swine, fresh meat and meat products

(notified under document number C(1999) 1165)

(Text with EEA relevance)

(1999/301/EC)

(OJ L 117, 5.5.1999, p. 52)

Amended by:

	Official Journal		
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(Text with EEA relevance)

(1999/301/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 72/462/EEC of 12 December 1972 on health and veterinary inspection problems upon importation of bovine, ovine and caprine animals and swine, fresh meat or meat products from third countries ([1]), as last amended by Directive 97/79/EC ([2]), and in particular Article 3(1), Article 4(1) and Article 18(1) thereof,

Having regard to Council Directive 96/22/EC of 29 April 1996 concerning the prohibition on the use in stock farming of certain substances having a hormonal or thyrostatic action and of beta-agonists, and repealing Directives 81/602/EEC, 88/146/EEC and 88/299/EEC ([3]), and in particular Article 11 thereof,

(1) Whereas a list of establishments in the United States of America, approved for the purpose of importing fresh meat into the Community, was drawn up initially by Commission Decision 87/257/EEC ([4]), as last amended by Decision 1999/220/EC ([5]); whereas that list may be amended at any time in the light of the results of Community inspections carried out in the United States of America;

(2) Whereas routine inspections made in application of Article 5 of Directive 72/462/EEC have revealed that the level of hygiene of certain establishments may be considered to be satisfactory; whereas these establishments may therefore be maintained or entered on the said list;

(3) Whereas the list of establishments must be amended accordingly;

(4) Whereas Member States can only import fresh meat including offal from third countries or parts of third countries appearing on a list established by the Council upon a proposal from the Commission;

(5) Whereas the list of these third countries or parts thereof is contained in Council Decision 79/542/EEC ([6]), as last amended by Commission Decision 1999/236/EC ([7]);

(6) Whereas the United States of America appears on this list as a third country from which the Member States are authorised to import fresh meat and meat products;

(7) Whereas Directive 96/22/EC prohibits the use of certain substances having a hormonal action for growth promotion;

([1]) OJ L 302, 31.12.1972, p. 28.
([2]) OJ L 24, 30.1.1998, p. 31.
([3]) OJ L 125, 23.5.1996, p. 3.
([4]) OJ L 121, 9.5.1987, p. 55.
([5]) OJ L 80, 25.3.1999, p. 29.
([6]) OJ L 146, 14.6.1979, p. 15.
([7]) OJ L 87, 31.3.1999, p. 13.

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(8) Whereas the import of fresh meat from third countries in which the use of certain substances having a hormonal action for growth promotion is not prohibited is subject to the presentation of guarantees at least equivalent to the rules laid down for Community production;

(9) Whereas several inspection missions carried out in the United States of America have revealed deficiencies in the implementation of the conditions agreed between the United States of America and the European Community for control of residues;

(10) Whereas sampling and analyses, for detection of residues of hormones in fresh bovine meat and liver imported from the United States of America intended for human consumption, have shown the presence of xenobiotic growth promoting hormones;

(11) Whereas the situation requires an immediate intensification of import checks for residues of growth-promoting hormones to be carried out on fresh bovine meat including offal imported from the United States of America; whereas the intensity and organisation of these checks have been set down in Decision 1999/302/EC [1];

(12) Whereas in circumstances like those described above, the relevant Community legislation and international agreements applicable in this case enable the European Community to suspend imports from the United States of America; whereas a limited period of time should be provided for the United States of America to take the necessary measures and action required to satisfy objectively that the level of sanitary protection applied in the European Community is respected;

(13) Whereas the United States of America should therefore be suspended from the list of third countries from which the Member States are authorised to import fresh bovine meat for human consumption with effect from 15 June 1999; whereas, suspension of imports, in the circumstances of the present case, is the only type of measure that is reasonably available to the European Community;

(14) 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

The Annex to Decision 87/257/EEC is hereby replaced by the Annex hereto.

Article 2

Part I of the Annex to Decision 79/542/EEC is amended as follows:

1. the line

‘US | United States of America | × | × | × | × | × | × | × | × | × | | | | XR(b)’

is replaced by:

‘US | United States of America | s | × | × | × | × | × | × | × | × | | | | XR(b);’

▼M1

2. The following footnote is added after ‘o = unauthorised’:

‘s =suspended for export of bovine meat including offals, other than bison meat including offal, product for human consumption’.

[1] See page 58 of this Official Journal.

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Article 3

The Member States shall alter the measures they apply in trade in order to bring them into line with Article 2 of this Decision and Decision 1999/302/EC. They shall immediately inform the Commission thereof.

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Article 4

The provisions of Article 2 shall be reviewed before 15 December 1999, in particular in the light of the outcome of verification by the European Commission of the effectiveness of the measures applied by the United States of America, or any changes in the measures applied by the United States of America.

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Article 5

1. Article 1 shall apply from the date of notification of this Decision.

2. Article 2 shall apply from ►M1 15 December 1999 ◄.

Article 6

This Decision is addressed to the Member States.

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ANNEX

List of establishments in the United States of America approved for the purpose of importing fresh meat into the Community

Approval Number	Establishment/address	Category (*)							SR
		SL	CP	CS	B	S/G	P	SP	
3 W	Swift & Company, Worthington, MN	×	×				×		10(a), T
53	American Freezer Services, Norfolk, NE			×					1
I-113	US Cold Storage, Philadelphia, PA			×					1
I-149	C W Storage, Albany, NY			×					1
I-182	Garden State Cold Storage Inc., Mullica Hill, NJ			×					1, TF
I-183	Blue Grass Inspection Service, Philadelphia, PA			×					1
I-195	Rosenberger's Cold Storage Inc., Hatfield, PA			×					1
244 P	Transcontinental Cold Storage, Perry, IA			×					1, TF
244 W	IBP, Waterloo, IA	×	×				×		5, 16, TF
245 L	IBP, Lexington, NE	×	×		×				14
I-305	Georgia Ports Authority, Savannah, GA			×					1
320M	Premium Standard Foods, Milan, MO	×	×				×		T
I-335	Service Cold Storage, Miami, FL			×					1
382G	Smithfield Packing Co., Norfolk, VA			×					1
410	Green Bay Dressed Beef Inc., Green Bay, WI	×			×				10
E-713	Central Nebraska Packing Inc., North Platte, NE	×	×					×	15
889 A	J.F. O'Neill Packing Co., Omaha, NE	×	×		×				14
1 620	Quality Pork Processors Inc., Austin, MN	×					×		7, 13
E-2018	Dallas Crow Inc., Kaufman, TX	×	×					×	15
2 508	The Bruss Company, Chicago, IL		×		×		×		
3 056	Termicol Inc., Wallula, WA			×					1
3 131	Minnesota Freezer Warehouse Company, Worthington, MN			×					1, TF
3 136	Cloverleaf Cold Storage of Fairmont, Fairmont, MN			×					1, TF
3 149	Milliard Refrigerated Services, Des Moines, IA			×					1, TF
3 157	Des Moines Cold Storage Co. Inc., Des Moines, IA			×					1, TF
3 158	Freezer Services Inc., Amarillo, TX			×					1
3 161	Monument Distribution Warehouse Inc., Indianapolis, IN			×					1
3 170	Logansport Refrig Services, Logansport, IN			×					1
3 190	American Freezer Services Inc., Fremont, NE			×					1
3 198	Milliard Refrigerated Services, Denison, IA			×					1
3 215	Napoleon Warehouse Inc., Napoleon, OH			×					1
3 216	Freezer Services Inc. of Texas, Garden City, KS			×					1

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Approval Number	Establishment/address	Category (*)							SR
		SL	CP	CS	B	S/G	P	SP	
3 229	Iowa Beef Processors Inc., Emporia, KS			×					1
3 241	AMC Warehouses, Grand Prairie, TX			×					1
3 245	United Refrigerated Services, Marshall, MO			×					1
3 261	Rosenberger's Cold Storage Inc., Hatfield, PA			×					1
3 283	Industrial Cold Storage, 2625 West 5th St., Jacksonville, FL			×					1
3 338	Millard Refrigerated Services, Iowa City, IA			×					1
3 363	Millard Refrigerated Services, Friona, TX			×					1
3 396	Americold, Bettendorf, IA			×					1
3 397	Alford Refrigerated Warehouse, Richardson, TX			×					1
3 398	Millard Refrigerated Services, Grand Island, NE			×					1
3 407	Bell Cold Storage, St Paul, MN			×					1
3 431	Texas Cold Storage, Fort Worth, TX			×					1
3 447	Mohawk Cold Storage Division, Wauwatosa, WI			×					1
3 475	Atlas Cold Storage, Green Bay, WI			×					1
3 505	Dakota Cold Storage, Huron, SD			×					1
3 535	Ashland Cold Storage Co., Chicago, IL			×					1
3 552	Cloverleaf Cold Storage Co. (No 2), Sioux City, IA			×					1
3 554	Cloverleaf Cold Storage Co., Sioux City, IA			×					1
3 555	Cloverleaf Cold Storage Co. (No 5), Sioux City, IA			×					1, TF
3 573	Albert Lea Freezer Warehouse Co., Albert Lea, MN			×					1, TF
3 610	Millard Refrigerated Services, Dodge City, KS			×					1
3 688	Newport St Paul Cold Storage, Newport, MN			×					1
3 707	United States Cold Storage Inc., Omaha, NE			×					1
3 738	Artesian Ice and Cold Storage Co., St Joseph, MO			×					1, TF
3 748	Cloverleaf Cold Storage Co., Sioux City, IA			×					1
3 854	Merchants Refrigerating Co., Vinita Park, MO			×					1
3 860	Central Storage and Warehouse Inc., Eau Claire, WI			×					1
3 871	York Cold Storage Co., York, NE			×					1
3 910	United States Cold Storage, East Peoria, IL			×					1
3 942	Wilkerson Cold Storage, Lubbock, TX			×					1
4 104	Goldberg & Solovy Foods, 5925 Alcor, CA 90058		×		×				
4 816	Frontier Game Company, Whiteface, TX	×	×		×				
E-7041	Beltex Corporation, Fort Worth, TX	×	×					×	15, 18
7 271	Custom Meat Corp., Dallas, TX		×		×	×	×		
8 904	Bell Cold Storage, St Paul, MN			×					1
8 984	Provimi Veal Corp., Seymour, WI	×	×		×				3
9 400	Taylor Packing Inc., Wyalusing, PA	×	×		×				9
13 182	Millard Refrigerated Services, Omaha, NE			×					1, TF

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Approval Number	Establishment/address	Category (*)							SR
		SL	CP	CS	B	S/G	P	SP	
13 225	Quality Refrigerated Services, Omaha, NE			×					1
13 331	Millard Processing Services, Omaha, NE (West)			×					1, TF
13 531	Beef America Operating Co., York, NE		×		×	×	×		
E-15849	Cavel International, De Kalb, IL	×	×					×	15
17 054	RCS/Smithfield Inc., Smithfield, VA			×					1
17 068	US Coldstorage, Cumberton, NC			×					1
17 354	CSW Central Storage & Warehouse Co. Inc., Madison, WI			×					1
17 461	Millard Refrigerated Services, Greeley, CO			×					1
17 624	Wiscold Inc. Rochelle, Rochelle, IL			×					1, TF
17 756	Millard Refrigerated Services, Sioux City, IA			×					1, TF
17 993	Richmond Cold Storage, 5501 Corrugated Road, Sandston, VA			×					1, TF
18 163	Quality Refrigerated Services, Spencer, IA			×					1, TF
18 265	Alford Refrigerated Warehouses, Houston, TX			×					1
18 294	Marshall Cold Store, Marshalltown, IA			×					TF, 1
18 435	Carolina Cold Storage, Tar Heel, NC			×					TF, 1
18 674	Millard Refrigerated Services, Edwardsville, KS			×					1, TF
18 793	Cloverleaf Cold Storage, Austin, MN			×					TF, 1
18 859	North American Bison Cooperative, New Rockford, ND	×	×		×				
18 930	Jacintoport Corp., 16203 Peninsula Blvd, Houston, TX			×					1
18 986	Alford Refrigerated Warehouse, Laporte, TX			×					1, TF
19 086	Gress Refrigerated Services, Scranton, PA			×					1
19 087	Inter Cities Cold Storage, Inc., Pittston, PA			×					1
19 246	Cloverleaf Cold Storage, Sioux City, IO			×					1, TF
19 288	United States Cold Storage, PO Box 242, Milford, DE			×					1
19 470	Nordic Warehouse Inc., 403 Commerce Ct., Goldsboro, NC			×					1, TF
19 593	Ball Packing Inc., Idaho Falls, ID			×					1
19 690	T&T Freezers, 2192 NV Blvd, Vineland, NJ			×					1
19 797	Burris Refrigerated Svcs, Gilbert Rd, Benson, NC			×					1, TF
19 870	United States Cold Storage, PO Box 627, Warszaw, NC			×					1
20 012	Lakeway International Food Group LLC, Omaha, NE		×		×				
20 190	Interstate Warehousing, Newport News, VA			×					1
20 374	Quality Refrigerated Services, Omaha, NE			×					1

(*) SL: Slaughterhouse
CP: Cutting premises
CS: Coldstore
B: Bovine meat
S/G: Sheepmeat/Goatmeat
P: Pigmeat
SP: Meat from solipeds
SR: Special remarks

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1 = Only storage of meat already finally packaged in approved slaughtering or cutting establishments.

2 = Offal only.

3 = Also for sliced bovine livers.

4 = Only sliced bovine livers.

5 = Tongues, hearts and carcase meat only.

6 = Tongues, hearts and kidneys only.

7 = Tongues, hearts, kidneys and livers only.

8 = Tongues, hearts, kidneys, livers and brains only.

9 = Tongues, hearts, stomachs and carcase meat only.

10 = Tongues, hearts, kidneys, livers and stomachs only.

10(a) = Tongues, hearts, kidneys, livers, stomachs and carcase meat only.

11 = Carcase meat, tongues, hearts, kidneys, livers and brains only.

12 = Hearts and stomachs only.

13 = Only packaged offal which has undergone the freezing treatment provided for in Article 3 of Directive 77/96/EEC.

14 = Offal excluded.

15 = Livers and kidneys excluded.

16 = Only carcase meat and packaged offal which has undergone the freezing treatment provided for in Article 3 of Directive 77/96/EEC.

17 = Tongues, hearts, kidneys, livers, brains and tails.

18 = Bison included.

TF = The establishments with the indication ‘TF’ are authorised, within the meaning of Article 4 of Directive 77/96/EEC, to perform the freezing treatment provided for in Article 3 of the same Directive.

T = This establishment is authorised, within the meaning of Article 4 of Directive 77/96/EEC, to perform the examination for detection of trichinae provided for in Article 2 of the abovementioned Directive.