COMMISSION DECISION

of 4 May 2001

laying down animal health conditions and veterinary certification for the import of specified pathogen free eggs from non-member countries and drawing up a list of non-member countries from which Member States authorise imports of such eggs

(notified under document number C(2001) 1174)

(Text with EEA relevance)

(2001/393/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 90/539/EEC of 15 October 1990 on animal health conditions governing intra-Community trade in and imports from third countries of poultry and hatching eggs [1], as last amended by Directive 1999/90/EC [2], and in particular Articles 23, 24(2), 26 and 27a thereof,

Whereas:

(1) Specified pathogen free (SPF) eggs are hatching eggs, which are used for diagnostic procedures in laboratories, for the production and testing of vaccines and for research and pharmaceutical purposes and have to be marked with a stamp.

(2) Council Regulation (EEC) No 2782/75 of 29 October 1975 on the production and marketing of eggs for hatching and of farmyard poultry chicks [3] lays down the requirements for marking of hatching eggs and its implementing Commission Regulation (EEC) No 1868/77 [4], lays down detailed rules of application in particular concerning marking of hatching eggs.

(3) SPF eggs are not fit for human consumption.

(4) SPF eggs are not speficically definied as such in Community legislation therefore a specific definition has to be laid down.

(5) The SPF eggs have to be produced in accordance with the valid European Pharmacopoeia [5], in which the requirements are defined.

(6) These particular characteristics should prevent the introduction of avian influenza, Newcastle disease and other relevant poultry diseases into the Community on condition that all the other provisions of this Decision are applied.

(7) Member States wish to import SPF eggs from countries, which are not considered as free from Newcastle disease and avian influenzua, but can offer satisfactory animal health guarantees for this specific product.

(8) SPF eggs may only be used in facilities, where they have to be destroyed or otherwise treated after use in such a way that any risk of spread of disease is prevented.

(9) An animal health certificate for this category of eggs and a corresponding list of non-member countries, which are allowed to use this certificate for the exportation of such eggs to the Community has to be drawn up.

(10) The measures provided for in this Decision are in accordance with the opinion of the Standing Veterinary Committee,

HAS ADOPTED THIS DECISION:

Article 1

For the purpose of this Decision the following definition shall apply: 'Specified pathogen free (SPF) eggs' are hatching eggs as laid down in Article 2(2) of Council Directive 90/539/EEC, which are derived from 'chicken flocks free from specified pathogens' as described in the European Pharmacopoeia and which are intended for diagnostic, research or pharmaceutical use only.

Article 2

1. Member States shall authorise the importation of SPF eggs from non-member countries or parts of non-member countries listed in Annex I, provided that they meet the requirements of the corresponding animal health certificate set out in Annex II and that they are accompanied by such a certificate, duly completed and signed.

[1] OJ L 303, 31.10.1990, p. 6.
[2] OJ L 300, 23.11.1999, p. 19.
[3] OJ L 282, 1.11.1975, p. 100.
[4] OJ L 209, 17.8.1977, p. 1.
[5] Third edition, Council of Europe, 1997.

2. Member States shall authorise the importation of SPF eggs only when they are marked with a stamp indicating the ISO code of the country and the approval number of the establishment and when their packaging bears the same information clearly visible and readable indicating that the consignment contains this specific product; furthermore after the import control the consignment must be transported directly to its final destination. Such a marking shall be in conformity with the general requirements for marketing of eggs laid down in Article 6 of Regulation (EEC) No 2782/75 as last amended and its implementing Regulation (EEC) No 1868/77.

Article 3

Unused eggs, all packaging material and any waste parts or waste products of the eggs must be incinerated or otherwise treated after use in such a way that any risk of spread of disease is prevented.

Article 4

This Decision shall apply for specified pathogen free eggs certified as from 30 April 2001.

Article 5

This Decision is addressed to the Member States.

Done at Brussels, 4 May 2001.

For the Commission

David BYRNE

Member of the Commission

ANNEX I

Non-member countries which are allowed to use the certificate laid down in Annex II to this Decision for imports of specified pathogen free (SPF) eggs into the European Union are those countries which are listed in Part I of the Annex to Council Decision 79/542/EEC.

ANNEX II

ANIMAL HEALTH CERTIFICATE

for specified pathogen free (SPF) eggs intended for consignment to the European Community

After the import control this consignment must be transported directly to its final destination.

1. Consignor (name and address in full)	2. **HEALTH CERTIFICATE** Nr. ORIGINAL
3. Consignee (name and address in full)	4. Country of origin
5. COMPETENT AUTHORITY: 5.1. Ministry 5.2. Service	6. Place of loading
7. ISSUING COMPETENT AUTHORITY (LOCAL LEVEL)	8. Means of transport [1]
9. Address of breeding establishment of origin	10.1. Member State of destination: 10.2. Final destination (Name and address in full)
11. Approval numbers(s) of the breeding establishment(s) of origin	12. Consignment identification details: (including any container seal numbers)
13. Egg marks (including establishment number and ISO-code of the country of origin)	14. Quantity (in words and figures) 14.1. Number of eggs 14.2. Number of boxes 14.3. Net weight
Notes: (a) A separate certificate must be provided for each consignment of hatching eggs transported in the same railway wagon, lorry, aircraft or ship and consigned to the same destination.	(b) The original of the certificate must accompany the consignment until it reaches the border inspection post. (c) It must be completed on the day of loading and all time limits referred to relate to that date.

[1] Indicate means of transport and registration marks or registered name, as appropriate.

15. I, the undersigned official veterinarian, hereby certify, in accordance with the provisions of Directive 90/539/EEC:

Health information

1. that the SPF eggs described in this certificate come from chicken flocks which meet the following requirements:
   (a) they are free from specified pathogens as described in the European Pharmacopoeia ([2]) and all tests and clinical examinations required for this specific status have given favourable results including negative testing results for avian influenza and Newcastle disease carried out within the last 30 days preceding dispatch;
   (b) they have been clinically examined at least once a week as described in the European Pharmacopoeia ([2]) and no clinical signs or suspicion of disease were detected
   (c) they have been held for more than six weeks in the following establishment(s) officially approved in accordance with requirements which are at least equivalent to those laid down in Annex II to Directive 90/539/EEC: ..... ([3])
   — for which the approval is not suspended or withdrawn,
   — which is (are) not subject to any animal health restriction;
   (d) they have during the period mentioned in (c) had no contact with poultry not meeting the requirements laid down in this certificate or with wild birds.
2. They have been marked as indicated in point 13 of the certifiate using coloured ink.
3. That the eggs have been collected from ..... to ..... (dates).
4. That the eggs are transported in disposable boxes used for the first time:
   (a) which contain only eggs coming from the same establishment;
   (b) which are clearly marked indicating the following:
   — the name of the country of origin,
   — SPF eggs for diagnostic, research or pharmaceutical use only,
   — the number of eggs,
   — the name, address and approval number of production establishment,
   — the Member State of destination;
   (c) which are closed in accordance with the instructions of the competent authority in such a way as to avoid any possibility of substitution of the contents and which shall be leak proof.
5. That the containers and vehicles in which the boxes mentioned in point 4 have been cleansed and disinfected before loading in accordance with the instructions of the competent authorities.

16. This certificate is valid for five days.

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

Stamp ([4])

.....
(signature of official veterinarian) ([4])

.....
(name in capital letters, qualifications and title)

([2]) third edition, Council of Europe, 1997.
([3]) Approval number(s) of approved establishment(s) of origin.
([4]) Stamp and signature in a colour different to that of the printing.