COMMISSION DECISION

of 27 February 2003

amending Decision 93/402/EEC as regards imports of fresh meat from Paraguay

(notified under document number C(2003) 677)

(Text with EEA relevance)

(2003/137/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 97/78/EC of 18 December 1997 laying down the principles governing the organisation of veterinary checks on products entering the Community from third countries [1], and in particular Article 22(1) thereof,

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 [2], as last amended by Regulation (EC) No 1452/2001 [3], and in particular Article 14(3) and Article 16 thereof,

Whereas:

(1) Commission Decision 93/402/EEC of 10 June 1993 concerning animal health conditions and veterinary certification for imports of fresh meat from South American countries [4], as last amended by Decision 2002/908/EC [5], applies to Argentina, Brazil, Chile, Colombia, Paraguay and Uruguay.

(2) An outbreak of foot-and-mouth disease was detected in October 2002 in Paraguay in an area which is adjacent to areas from which exports to the Community are approved (Community-approved areas) and is close to the border with Brazil.

(3) In order to assess the situation as regards foot-and-mouth disease in the area in which the outbreak occurred and also in the Community-approved areas, an inspection by the Food and Veterinary Office (FVO) was carried out between 4 and 14 February 2003.

(4) The inspection has shown that the general situation in Paraguay as regards veterinary controls on the livestock and on the meat production does not fulfill the requirements for export to the Community.

(5) It was established that there were a number of serious deficiencies and a lack of controls on the systems put in place by the Paraguayan authorities following earlier FVO inspections in order to ensure that only boned and matured meat obtained from animals coming from the Community-approved areas of the country could be exported in compliance with Community requirements.

(6) In view of the findings of the inspection, it is appropriate to withdraw the authorisation to Paraguay to export boned and matured bovine fresh meat to the Community.

(7) However, in the absence of clear evidence of active disease in Paraguay, the importation into the Community of boned and matured bovine fresh meat for human consumption and boned meat and offal for petfood slaughtered, produced, certified and en route to the Community prior to 20 February 2003 should be permitted. The situation should be reviewed when the Paraguayan authorities can give sufficient guarentees that the deficiencies found have been rectified and this has been positively assessed by a further FVO inspection.

(8) Decision 93/402/EEC should therefore be amended accordingly.

(9) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS DECISION:

Article 1

Annex II to Decision 93/402/EEC is replaced by the text in the Annex to this Decision.

Article 2

The Member States shall amend the measures they apply to imports so as to bring them into compliance with this Decision and they shall give immediate appropriate publicity to the measures adopted. They shall immediately inform the Commission thereof.

Article 3

These measures shall be reviewed within 12 months.

[1] OJ L 24, 31.1.1998, p. 9.
[2] OJ L 302, 31.12.1972, p. 28.
[3] OJ L 198, 21.7.2001, p. 11.
[4] OJ L 179, 22.7.1993, p. 11.
[5] OJ L 313, 16.11.2002, p. 34.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 27 February 2003.

For the Commission
David BYRNE
Member of the Commission

ANNEX

'ANNEX II

ANIMAL HEALTH GUARANTEES REQUESTED ON CERTIFICATION [1]

Country	Territory	Model certificate for fresh meat excluding offal				Model certificate for offal								
		Species				of bovine animals						of ovines		soliped
		Bovine	Ovine-caprine	Porcine	Soliped	HC	MP				PF	HC	PF	
							1	2	3	4				
Argentina	AR	—	—	—	D	—	—	—	—	—	—	—	—	D
	AR-1	A [4]	—	—	D	—	—	—	—	—	F [5]	—	—	D
	AR-3	B [6]	B [6]	—	D	B [6]	B [6]	B [6]	B [6]	B [6]	B [6]	B [6]	B [6]	D
Brazil	BR	—	—	—	D	—	—	—	—	—	—	—	—	D
	BR-1	A [3]	—	—	D	—	—	—	—	—	F [3]	—	—	D
	BR-2	A [8]	—	—	D	—	—	—	—	—	F [9]	—	—	D
Chile	CL	B	B	H	D	B	B	B	B	B	B	B	B	D
Colombia	CO	—	—	—	D	—	—	—	—	—	—	—	—	D
	CO-1	A	—	—	D	—	—	—	—	—	—	—	—	D
	CO-2	—	—	—	D	—	—	—	—	—	—	—	—	D
	CO-3	A	—	—	D	—	—	—	—	—	—	—	—	D
Paraguay	PY	—	—	—	D	—	—	—	—	—	—	—	—	D
	PY-1	A [7]	—	—	D	—	—	—	—	—	F [7]	—	—	D
Uruguay	UY	A [2]	C [2]	—	D	—	—	—	—	—	F	—	G	D

HC Human consumption.

MP Destined for heat-treated meat products industry:
1 = hearts;
2 = livers;
3 = masseter muscles;
4 = tongues.

PF Destined for the pet food industry.

(1) The letters (A, B, C, D, E, F, G, and H) appearing in the table, refer to the models of animal health guarantees as described in part 2 of Annex III, to be applied for each product and origin in accordance with Article 2; a dash (—) indicates that imports are not authorised.

(2) Only to be used for boned meat from animals slaughtered after 1 November 2001.

(3) In the case of Rio Grande do Sul only to be used for boned meat from bovine animals and offal for pet food from animals slaughtered after 30 November 2001.

(4) Only to be used for boned meat from bovine animals slaughtered after 31 January 2002, except in the cases of La Pampa and Santiago del Estero for which the date is 8 March 2002 and of Córdoba for which the date is 26 March 2002.

(5) Only to be used for offal for pet food from bovine animals slaughtered after 31 January 2002 except in the cases of La Pampa and Santiago del Estero for which the date is 8 March 2002 and of Córdoba for which the date is 26 March 2002.

(6) Only to be used for fresh meat (including offal) from ovine, caprine and bovine animals slaughtered after 1 March 2002 in the provinces of Chubut, Santa Cruz, and Tierra del Fuego.

(7) Only to be used for boned meat for human consumption and boned meat and offal for pet food from bovine animals slaughtered, produced and certified after 1 September 2002 and before 20 February 2003 and en route to the Community prior to 20 February 2003.

(8) Only to be used for boned meat from bovine animals slaughtered before 31 October 2002.

(9) Only to be used for offal for pet food from bovine animals slaughtered before 31 October 2002.'