II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION
of 31 January 2003
amending Commission Decisions 1999/283/EC and 2000/585/EC as regards Botswana

(notified under document number C(2003) 403)

(Text with EEA relevance)

(2003/74/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 Regulation (EC) No 1452/2001 ([2]), and in particular Article 14(3) thereof,

Having regard to Council Directive 92/45/EC of 16 June 1992 on public health and animal health problems relating to the killing of wild game and the placing on the market of wild game meat ([3]), as last amended by Directive 97/79/EC ([4]), and in particular Article 16(3) thereof,

Having regard to Council Directive 92/118/EEC of 17 December 1992 laying down animal health and public health requirements governing trade in and imports into the Community of products not subject to the said requirements laid down in specific Community rules referred to in Annex A(I) to Directive 89/662/EEC and, as regards pathogens, to Directive 90/425/EEC ([5]), as last amended by Commission Decision 2003/42/EC ([6]), and in particular Article 10,

Whereas:

(1) The animal health and veterinary certification conditions for imports of fresh meat from certain African countries are laid down by Decision 1999/283/EC ([7]), as last amended by Decision 2002/646/EC ([8]).

(2) The animal and public health and veterinary certification conditions for import of wild and farmed game meat and rabbit meat from third countries are laid down by Decision 2000/585/EC ([9]), as last amended by Decision 2002/646/EC.

(3) An outbreak of foot-and-mouth disease was confirmed in Botswana in the approved EC zone number 6 on 7 January 2003, with the initial infection on the holding detected on 23 December 2002, and the competent veterinary authority of Botswana immediately suspended exports of de-boned fresh meat of bovine, ovine and caprine species and farmed and wild ungulates to the Community from the whole of the country.

(4) The Botswanan authorities are carrying out emergency vaccination and investigations on the outbreak in order to assess the situation in the country. However, while the outcome of this assessment is not available it is not possible to regionalise Botswana to allow importation of de-boned fresh meat of bovine, ovine and caprine species and farmed and wild ungulates.

([1]) OJ L 302, 31.12.1972, p. 28.
([2]) OJ L 198, 21.7.2001, p. 11.
([3]) OJ L 268, 14.9.1992, p. 35.
([4]) OJ L 24, 30.1.1998, p. 31.
([5]) OJ L 62, 15.3.1993, p. 49.
([6]) OJ L 13, 18.1.2003, p. 24.
([7]) OJ L 110, 28.4.1999, p. 16.
([8]) OJ L 211, 7.8.2002, p. 23.
([9]) OJ L 251, 6.10.2000, p. 1.

(5) In this situation, the importation of fresh meat from Botswana may constitute a risk of introducing foot-and-mouth disease in the territory of the Community. In consequence importation of de-boned fresh meat of bovine, ovine and caprine species and farmed and wild ungulates should be temporarily suspended from the previously approved zones of Botswana.

(6) However, the Botswanan authorities have provided detailed information on en route consignments of fresh meat sent to the Community, with guarantees that those consignments were produced before the date of infection. Therefore, these consignments and consignments obtained from animals slaughtered before the date of infection should be authorised for importation into the territory of the European Union.

(7) The provisions of this Decision shall be reviewed within three months in particular in the light of the disease evolution and further information received from the authorities of Botswana.

(8) Decisions 1999/283/EC and 2000/585/EC must 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

1. Annex II to Decision 1999/283/EC is replaced by the text in Annex I to this Decision.

2. In Annex III to Decision 1999/283/EC, footnote 5 of the health attestation in model A is deleted.

Article 2

1. Annex II to Decision 2000/585/EC is replaced by the text in Annex II to this Decision.

2. In Annex III to Decision 2000/585/EC, footnote 8 of the health attestation in model A, and footnote 7 of the health attestation in model F are replaced by 'Version Number referred to in the relevant and current Decision for fresh meat of the corresponding susceptible domestic species must be included.'

Article 3

This Decision shall be reviewed within three months in the light of the evolution of the foot-and-mouth disease situation in Botswana.

Article 4

This Decision shall apply from 7 February 2003.

Article 5

This Decision is addressed to the Member States.

Done at Brussels, 31 January 2003.

For the Commission

David BYRNE

Member of the Commission

ANNEX I

'ANNEX II

MODELS OF ANIMAL HEALTH CERTIFICATES TO BE REQUESTED

Country	Code	Fresh meat for human consumption								Fresh meat intended for purposes other than human consumption
		Bovine		Swine		Ovine/Caprine		Solipeds		
		MC [1]	SG [2]	MC [1]	SG [2]	MC [1]	SG [2]	MC [1]	SG [2]	
Botswana	BW	—		—		—		D		—
	BW-01	A [4]	a	—		C [4]	a	D		
	BW-02	A [5]	a	—		C [5]	a	D		—
Morocco	MA	—		—		—		D		—
Madagascar	MG	—		—		—		—		—
Namibia	NA	—		—		—		D		—
	NA-01	A	a	—		C	a	D		—
Swaziland	SZ	—		—		—		D		—
	SZ-01	A	a	—		—		D		—
South Africa	ZA	—		—		—		D		—
	ZA-01	A	a	—		C	a	D		—
Zimbabwe	ZW	—		—		—		—		—
	ZW-01	—		—		—		—		—

[1] MC: Model of certificate to be completed: The letters (A,B,C,D etc.) appearing on the tables are referring to the models of animal health guarantees as described in Annex III, to be applied for each product category in accordance with Article 2 of this decision; a dash "-" indicates that imports are not authorised.

[2] SG: Supplementary guarantees. The letters (a, b, c, d) appearing on the tables are referring to the supplementary guarantees to be provided by the exporting country as described in Annex IV. These supplementary guarantees must be inserted by the exporting country in the section V of each model of certificate laid down in Annex III.

[4] Only meat produced from animals slaughtered after 7 July 2002 and before 23 December 2002 can be imported into the Community.

[5] Only meat produced from animals slaughtered after 7 March 2002 and before 23 December 2002 can be imported into the Community.'

ANNEX II

'ANNEX II

ANIMAL HEALTH GUARANTEES TO BE REQUESTED ON CERTIFICATION OF WILD AND FARMED GAME MEAT AND RABBIT MEAT

Country		Code of territory	Cloven-hoofed game, excluding wild swine				Wild swine				Game birds				Wild solipeds		*leporidae* (rabbit and hare)				Other wild land-mammals	
			Wild		Farmed		Wild		Farmed		Wild		Farmed				Wild		Domestic rabbit			
			MC [1]	SC [2]	MC [1]	SC [2]	MC [1]	SC [2]	MC [1]	SC [2]	MC [1]	SC [2]	MC [1]	SC [2]	MC [1]	SC [2]	MC [1]	SC [2]	MC [1]	SC [2]	MC [1]	SC [2]
AR	Argentina	AR	—		—		—		—		D	8	I		—		C		H		—	
AU	Australia	AU	A	9	F		J	9	G		D	8	I		—		C		H		E	
BG	Bulgaria	BG	—		—		—		—		D		I		—		C		H		—	
		BG-1	A		F		—		—		D		I		—		C		H		—	
		BG-2	A		F		—		—		D		I		—		C		H		—	
		BG-3	—		—		—		—		D		I		—		C		H		—	
BR	Brazil	BR	—		—		—		—		—		—		—		C		H		—	
		BR-1	—		—		—		—		D	8	I		—		C		H		—	
BW	Botswana	BW	—		—		—		—		—		—		B		C		H		—	
		BW-01	A [y]	1, 2	F [y]	2, 3	—		—		—		—		B		C		H		—	
		BW-02	A [x]	1, 2	F [x]	2, 3	—		—		—		—		B		C		H		—	
CA	Canada	CA	A	9	F		J	9	G		D	8	I		—		C		H		E	
CH	Switzerland	CH	A		F		J		G		D		I		—		C		H		—	
CL	Chile	CL	A	9	F		—		—		D	8	I		—		C		H		—	
CY	Cyprus	CY	A	9	F		J	9	G		D	8	I		—		C		H		—	
CZ	Czech Republic	CZ	A		F		—		G		D		I		—		C		H		—	
		CZ-1	A		F		J		G		D		I		—		C		H		—	
		CZ-2	A		F		—		G		D		I		—		C		H		—	
EE	Estonia	EE	A		F		—		—		—		—		—		C		H		E	
GL	Greenland	GL	A		F		—		—		D		—		—		C		H		E	

Country		Code of territory	Cloven-hoofed game, excluding wild swine				Wild swine				Game birds				Wild solipeds		*leporidae* (rabbit and hare)				Other wild land-mammals	
			Wild		Farmed		Wild		Farmed		Wild		Farmed				Wild		Domestic rabbit			
			MC [1]	SC [2]	MC [1]	SC [2]	MC [1]	SC [2]	MC [1]	SC [2]	MC [1]	SC [2]	MC [1]	SC [2]	MC [1]	SC [2]	MC [1]	SC [2]	MC [1]	SC [2]	MC [1]	SC [2]
HR	Croatia	HR	A		F		—		—		D		I		—		C		H		—	
HU	Hungary	HU	A		F		J	7	G		D		I		—		C		H		—	
IL	Israel	IL	—		—		—	—	—		D	8	I		—		C		H		—	
LI	Lithuania	LI	A		F		—		—		D		I		—		C		H		E	
LV	Latvia	LV	A		F		—		—		—		—		—		C		H		E	
NA	Namibia	NA	—		—		—		—		—		—		B		C		H		—	
		NA-01	A	1, 2	F	2, 3	—		—		—		—		B		C		H		—	
NC	New Caledonia	NC	A		F		—		—		—		—		—		C		H		—	
NZ	New Zealand	NZ	A	9	F		J	9	G		D	8	I		—		C		H		E	
PL	Poland	PL	A		F		—		—		D		I		—		C		H		—	
RO	Romania	RO	A		F		—		—		D		I		—		C		H		E	
RU	Russia	RU	—		—	—	—		—		—		—	—	—		C		H		E	
		RU-1	—	—	F	5			—		—						C		H		E	
SL	Slovenia	SL	A		F		—		—		D		I		—		C		H		—	
SK	Slovak Republic	SK	A		F		—		—		D		I		—		C		H		—	
SZ	Swaziland	SZ	—		—		—		—		—		—		B		C		H		—	
		SZ-01	A	1, 2	F	2, 3	—		—		—		—		B		C		H		—	
TH	Thailand	TH	—		—		—		—		D	8	I		—		C		H		—	
TN	Tunisia	TN	—		—		—		—		D	8	I		—		C		H		—	
US	United States of America	US	A	9	F		J	9	G		D	8	I		—		C		H		—	

Country		Code of territory	Cloven-hoofed game, excluding wild swine				Wild swine				Game birds				Wild solipeds		*leporidae* (rabbit and hare)				Other wild land-mammals	
			Wild		Farmed		Wild		Farmed		Wild		Farmed				Wild		Domestic rabbit			
			MC [1]	SC [2]	MC [1]	SC [2]	MC [1]	SC [2]	MC [1]	SC [2]	MC [1]	SC [2]	MC [1]	SC [2]	MC [1]	SC [2]	MC [1]	SC [2]	MC [1]	SC [2]	MC [1]	SC [2]
UY	Uruguay	UY	—		—		—		—		—		—		—		C		H		—	
ZA	South Africa	ZA	—		—		—		—		—		—		B		C		H		—	
		ZA-01	A	1, 2	F	2, 3	—		—						B		C		H		—	
ZW	Zimbabwe	ZW	—		—		—		—		—		—				C		H		—	
		ZW-01	—		—		—		—								C		H		—	
Third countries, other than those above, appearing on the list of the first part of the Annex to Decision 79/542/EEC as last amended			—		—		—		—		—		—		—		C		H		—	

[1] MC: Model certificate to be completed. The letters (A, B, C, D, etc.) appearing in the tables refer to the models of animal health guarantees, as described in Annex III to the present Decision, to be applied for each categories of fresh meat and origin in accordance with Article 2 of this Decision. A dash "—" indicates that imports are not authorised.

[2] SC: specific conditions. The numbers (1, 2, 3, etc.) appearing in the table refer to the special conditions to be provided by the exporting country as described in Annex IV. These supplementary guarantees must be inserted by the exporting country in section V of each model of certificate set down in Annex III.

NB: [y] Only meat produced from animals slaughtered after 7 July 2002 and before 23 December 2002 can be imported into the Community.
[x] Only meat produced from animals slaughtered after 7 March 2002 and before 23 December 2002 can be imported into the Community.'