COMMISSION DECISION

of 20 February 2009

amending Annex II to Council Decision 79/542/EEC as regards the entry for Botswana in the list of third countries or parts thereof from which imports into the Community of certain fresh meat are authorised

(notified under document number C(2009) 1031)

(Text with EEA relevance)

(2009/151/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 2002/99/EC of 16 December 2002 laying down the animal health rules governing the production, processing, distribution and introduction of products of animal origin for human consumption [1], and in particular the introductory phrase of Article 8, the first subparagraph of Article 8(1) and Article 8(4) thereof,

Whereas:

(1) Council Decision 79/542/EEC of 21 December 1976 drawing up a list of third countries or parts of third countries, and laying down animal and public health and veterinary certification conditions, for importation into the Community of certain live animals and their fresh meat [2] establishes the sanitary conditions for the importation into the Community of live animals excluding equidae, and for the importation of fresh meat of such animals, including equidae, but excluding meat preparations.

(2) Decision 79/542/EEC provides that imports of fresh meat intended for human consumption are only allowed if such meat comes from a territory of a third country or a part thereof listed in Part 1 of Annex II to that Decision, and the fresh meat meets the requirements set out in the appropriate veterinary certificate for that meat in accordance with the models set out in Part 2 of that Annex, taking into account any specific conditions or supplementary guarantees required for the meat.

(3) Botswana is listed in Part 1 of Annex II to Decision 79/542/EEC and has been divided into different territories, mainly according to their animal health status. Those territories are authorised to export to the Community de-boned and matured fresh meat of domestic bovine animals, of domestic sheep and goats, and of certain farmed and wild non-domestic animals (fresh meat).

(4) On 20 October 2008, an outbreak of foot-and-mouth disease was suspected in a farm located in the district of Ghanzi, situated in the veterinary disease control zone 12 of Botswana. As soon as the outbreak was confirmed, the competent authority in Botswana suspended exports of fresh meat to the Community from the whole of the country.

(5) In view of these circumstances, imports into the Community of fresh meat from the veterinary disease control zone 12 of Botswana was no longer authorised by Decision 79/542/EEC, as amended by Commission Decision 2009/4/EC [3].

(6) Considering that the competent authority in Botswana has now provided sufficient guarantees regarding the measures put in place to control the spread of the disease which have been effective in eliminating infection of foot-and-mouth disease it is appropriate to re-instate veterinary disease control zone 12 thereby once again allowing exports of fresh meat into the Community from that zone.

(7) Part 1 of Annex II to Decision 79/542/EEC should therefore be amended accordingly.

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

[1] OJ L 18, 23.1.2003, p. 11.
[2] OJ L 146, 14.6.1979, p. 15.
[3] OJ L 2, 6.1.2009, p. 11.

HAS ADOPTED THIS DECISION:

Article 1

Part 1 of Annex II to Decision 79/542/EEC is replaced by the text in the Annex to this Decision.

Article 2

This Decision shall apply from 1 February 2009.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 20 February 2009.

For the Commission
Androulla VASSILIOU
Member of the Commission

ANNEX

'PART 1

List of third countries or parts thereof (*)

Country	Code of Territory	Description of territory	Veterinary certificate		Specific conditions	Closing date (1)	Opening date (2)
			Model(s)	SG			
1	2	3	4	5	6	7	8
AL — Albania	AL-0	Whole country	—				
AR — Argentina	AR-0	Whole country	EQU				
	AR-1	The provinces of: Buenos Aires, Catamarca, Corrientes (except the departments of Berón de Astrada, Capital, Empedrado, General Paz, Itati, Mbucuruyá, San Cosme and San Luís del Palmar), Entre Ríos, La Rioja, Mendoza, Misiones, part of Neuquén (excluding territory included in AR-4), part of Río Negro (excluding territory included in AR-4), San Juan, San Luis, Santa Fe, Tucuman, Cordoba, La Pampa, Santiago del Estero, Chaco Formosa, Jujuy and Salta, excluding the buffer area of 25 km from the border with Bolivia and Paraguay that extends from the Santa Catalina District in the Province of Jujuy, to the Laishi District in the Province of Formosa	BOV	A	1		18 March 2005
			RUF	A	1		1 December 2007
	AR-2	Chubut, Santa Cruz and Tierra del Fuego	BOV, OVI, RUW, RUF				1 March 2002
	AR-3	Corrientes: the departments of Berón de Astrada, Capital, Empedrado, General Paz, Itati, Mbucuruyá, San Cosme and San Luís del Palmar	BOV RUF	A	1		1 December 2007
	AR-4	Part of Río Negro (except: in Avellaneda the zone located north of the Provincial road 7 and east of the Provincial road 250, in Conesa the zone located east of the Provincial road 2, in El Cuy the zone located north of the Provincial road 7 from its intersection with the Provincial road 66 to the border with the Department of Avellaneda, and in San Antonio the zone located east of the Provincial roads 250 and 2), part of Neuquén (except in Confluencia the zone located east of the Provincial road 17, and in Picun Leufú the zone located east of the Provincial road 17)	BOV, OVI, RUW, RUF				1 August 2008
AU — Australia	AU-0	Whole country	BOV, OVI, POR, EQU, RUF, RUW, SUF, SUW				
BA — Bosnia and Herzegovina	BA-0	Whole country	—				
BH — Bahrain	BH-0	Whole country	—				

1	2	3	4	5	6	7	8
BR — Brazil	BR-0	Whole country	EQU				
	BR-1	State of Minas Gerais, State of Espírito Santo, State of Goiás, State of Mato Grosso, State of Rio Grande Do Sul, State of Mato Grosso Do Sul (except for the designated high surveillance zone of 15 km from the external borders in the municipalities of Porto Mutinho, Caracol, Bela Vista, Antônio João, Ponta Porã, Aral Moreira, Coronel Sapucaia, Paranhos, Sete Quedas, Japora', and Mundo Novo and the designated high surveillance zone in the municipalities of Corumbá and Ladário)	BOV	A and H	1		1 December 2008
	BR-2	State of Santa Catarina	BOV	A and H	1		31 January 2008
	BR-3	States of Paraná and São Paulo	BOV	A and H	1		1 August 2008
BW — Botswana	BW-0	Whole country	EQU, EQW				
	BW-1	The veterinary disease control zones 3c, 4b, 5, 6, 8, 9 and 18	BOV, OVI, RUF, RUW	F	1		1 December 2007
	BW-2	The veterinary disease control zones 10, 11, 13 and 14	BOV, OVI, RUF, RUW	F	1		7 March 2002
	BW-3	The veterinary disease control zone 12	BOV, OVI, RUF, RUW	F	1	20 October 2008	20 January 2009
BY — Belarus	BY-0	Whole country	—				
BZ — Belize	BZ-0	Whole country	BOV, EQU				
CA — Canada	CA-0	Whole country	BOV, OVI, POR, EQU, SUF, SUW RUF, RUW	G			
CH — Switzerland	CH-0	Whole country	*				
CL — Chile	CL-0	Whole country	BOV, OVI, POR, EQU, RUF, RUW, SUF				
CN — China	CN-0	Whole country	—				
CO — Colombia	CO-0	Whole country	EQU				
CR — Costa Rica	CR-0	Whole country	BOV, EQU				
CU — Cuba	CU-0	Whole country	BOV, EQU				

1	2	3	4	5	6	7	8
DZ — Algeria	DZ-0	Whole country	—				
ET — Ethiopia	ET-0	Whole country	—				
FK — Falkland Islands	FK-0	Whole country	BOV, OVI, EQU				
GL — Greenland	GL-0	Whole country	BOV, OVI, EQU, RUF, RUW				
GT — Guatemala	GT-0	Whole country	BOV, EQU				
HK — Hong Kong	HK-0	Whole country	—				
HN — Honduras	HN-0	Whole country	BOV, EQU				
HR — Croatia	HR-0	Whole country	BOV, OVI, EQU, RUF, RUW				
IL — Israel	IL-0	Whole country	—				
IN — India	IN-0	Whole country	—				
IS — Iceland	IS-0	Whole country	BOV, OVI, EQU, RUF, RUW				
KE — Kenya	KE-0	Whole country	—				
MA — Morocco	MA-0	Whole country	EQU				
ME — Montenegro	ME-0	Whole country	BOV, OVI, EQU				
MG — Madagascar	MG-0	Whole country	—				
MK — Former Yugoslav Republic of Macedonia [3]	MK-0	Whole country	OVI, EQU				
MU — Mauritius	MU-0	Whole country	—				
MX — Mexico	MX-0	Whole country	BOV, EQU				
NA — Namibia	NA-0	Whole country	EQU, EQW				
	NA-1	South of the cordon fences which extend from Palgrave Point in the west to Gam in the east	BOV, OVI, RUF, RUW	F	1		
NC — New Caledonia	NC-0	Whole country	BOV, RUF, RUW				
NI — Nicaragua	NI-0	Whole country	—				

1	2	3	4	5	6	7	8
NZ — New Zealand	NZ-0	Whole country	BOV, OVI, POR, EQU, RUF, RUW, SUF, SUW				
PA — Panama	PA-0	Whole country	BOV, EQU				
PY — Paraguay	PY-0	Whole country	EQU				
	PY-1	Whole country except for the designated high surveillance zone of 15 km from the external borders	BOV	A	1		1 August 2008
RS — Serbia [4]	RS-0	Whole country	BOV, OVI, EQU				
RU — Russian Federation	RU-0	Whole country	—				
	RU-1	Region of Murmansk, Yamolo-Nenets autonomous area	RUF				
SV — El Salvador	SV-0	Whole country	—				
SZ — Swaziland	SZ-0	Whole country	EQU, EQW				
	SZ-1	Area west of the "red line" fences which extends northwards from the river Usutu to the frontier with South Africa west of Nkalashane	BOV, RUF, RUW	F	1		
	SZ-2	The veterinary foot and mouth surveillance and vaccination control areas as gazetted as a Statutory Instrument under legal notice number 51 of 2001	BOV, RUF, RUW	F	1		4 August 2003
TH — Thailand	TH-0	Whole country	—				
TN — Tunisia	TN-0	Whole country	—				
TR — Turkey	TR-0	Whole country	—				
	TR-1	The provinces of Amasya, Ankara, Aydin, Balikesir, Bursa, Cankiri, Corum, Denizli, Izmir, Kastamonu, Kutahya, Manisa, Usak, Yozgat and Kirikkale	EQU				
UA — Ukraine	UA-0	Whole country	—				
US — United States	US-0	Whole country	BOV, OVI, POR, EQU, SUF, SUW, RUF, RUW	G			
UY — Uruguay	UY-0	Whole country	EQU				
			BOV	A	1		1 November 2001
			OVI	A	1		

1	2	3	4	5	6	7	8
ZA — South Africa	ZA-0	Whole country	EQU, EQW				
	ZA-1	The whole country except: — the part of the foot-and-mouth disease control area situated in the veterinary regions of Mpumalanga and Northern provinces, in the district of Ingwavuma of the veterinary region of Natal and in the border area with Botswana east of longitude 28°, and — the district of Camperdown, in the Province of KwaZuluNatal	BOV, OVI, RUF, RUW	F	1		
ZW — Zimbabwe	ZW-0	Whole country	—				

(*) Without prejudice to specific certification requirements provided for in Community agreements with third countries.

([1]) Meat from animals slaughtered on or before the date indicated in column 7 can be imported into the Community for 90 days from that date. Consignments on the high seas can be imported into the Community if certified before the date indicated in column 7 for 40 days from that date (NB: no date in column 7 means that there are no time restrictions).

([2]) Only meat from animals slaughtered on or after the date indicated in column 8 can be imported into the Community (no date in column 8 means that there are no time restrictions).

([3]) The former Yugoslav Republic of Macedonia; provisional code that does not prejudge in any way the definitive nomenclature for this country, which will be agreed following the conclusion of negotiations currently taking place on this subject in the United Nations.

([4]) Not including Kosovo as defined by United Nations Security Council Resolution 1244 of 10 June 1999.

* = Certificates in accordance with the agreement between the European Community and the Swiss Confederation on trade in agricultural products (OJ L 114, 30.4.2002, p. 132).

— = No certificate laid down and fresh meat imports are prohibited (except for those species where indicated in the line for the whole country).

1 = Category restrictions:
No offal authorised (except, in the case of bovine species, diaphragm and masseter muscles).'