# Commission Regulation (EC) No 1664/2006 of 6 November 2006 amending Regulation (EC) No 2074/2005 as regards implementing measures for certain products of animal origin intended for human consumption and repealing certain implementing measures (Text with EEA relevance)

## COMMISSION REGULATION (EC) No 1664/2006

of 6 November 2006

amending Regulation (EC) No 2074/2005 as regards implementing measures for certain products of animal origin intended for human consumption and repealing certain implementing measures

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Regulation (EC) No 853/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific hygiene rules for food of animal origin[(1)], and in particular Articles 9 and11 thereof,

Having regard to Regulation (EC) No 854/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific rules for the organisation of official controls on products of animal origin intended for human consumption[(2)], and in particular Article 16 thereof,

Having regard to Regulation (EC) No 882/2004 of the European Parliament and of the Council of 29 April 2004 on official controls performed to ensure the compliance with feed and food law, animal health and animal welfare rules[(3)], and in particular Article 11(4) thereof,

Whereas:

(1) Commission Regulation (EC) No 2074/2005[(4)] lays down implementing measures for Regulations (EC) No 853/2004, (EC) No 854/2004 and (EC) No 882/2004.

(2) Annex VI to Regulation (EC) No 2074/2005 lays down model health certificates for imports of certain products of animal origin intended for human consumption. These certificates have been developed to comply with the expert system Traces developed by the Commission to follow any movements of animals and products derived therefrom within the EU territory and from third countries. Particulars concerning the description of the commodities have recently been updated. The existing model health certificates should therefore be amended accordingly.

(3) Regulations (EC) No 852/2004 of the European Parliament and of the Council[(5)] and (EC) No 853/2004 lay down rules on the production of fishery products, live bivalve molluscs and honey intended for human consumption. Specific requirements, including model health certificates, should be laid down in Regulation (EC) No 2074/2005 for imports of these products from third countries. Existing Decisions setting the import

certificates should consequently be repealed after a delay to give third countries the possibility to adapt their legislation.

(4) It is also appropriate to simplify the certification procedure for fishery products and live bivalve molluscs and, for consignments intended for human consumption, to incorporate the animal health certification requirements set out in Commission Decision 2003/804/EC of 14 November 2003 laying down animal health conditions and certification requirements for imports of molluscs their eggs and gametes for further growth, fattening, relaying or human consumption[(6)], and Commission Decision 2003/858/EC of 21 November 2003 laying down animal health conditions and certification requirements for imports of live fish, their eggs and gametes intended for farming, and live fish of aquaculture origin and products thereof intended for human consumption[(7)].

(5) In accordance with Article 11(4) of Regulation (EC) No 882/2004, methods for analysis and testing of milk and milk-based products should be established. In this context, the Community reference laboratory has compiled a list of updated reference methods, which was approved by national reference laboratories during their 2005 meeting. It is therefore necessary to provide in Regulation (EC) No 2074/2005 the last agreed list of reference methods of analysis and testing to be used to monitor compliance with the requirements laid down in Regulation (EC) No 853/2004. Commission decision 91/180/CEEof 14 February 1991 laying down certain methods of analysis and testing of raw milk and heat-treated milk[(8)] should consequently be repealed. A delay should be granted to give the Member States the time to comply with the new methods.

(6) Regulation (EC) No 2074/2005 establishes the analytical methods for the detection of the paralytic shellfish poison (PSP) content of edible parts of molluscs (the whole body or any part edible separately). The so-called Lawrence method as published in AOAC Official Method 2005.06 (Paralytic Shellfish Poisoning Toxins in Shellfish) should be considered as an alternative method for the detection of PSP in bivalve molluscs. Its use should be reviewed in light of the analytical work currently carried out by the Community Reference Laboratory for marine biotoxins.

(7) Regulation (EC) No 2074/2005 should therefore be amended accordingly.

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

HAS ADOPTED THIS REGULATION:

*Article 1*

Regulation (EC) No 2074/2005 is amended as follows:

(1) Article 6 is replaced by the following:

*Article 6*

**Model health certificates for imports of certain products of animal origin for the purpose of Regulation (EC) No 853/2004**

The model health certificates, as referred to in Article 6(1)(d) of Regulation (EC) No 853/2004, to be used when importing products of animal origin listed in Annex VI to this Regulation are as set out in that Annex VI.

(2) The following Article 6a is inserted:

*Article 6a*

**Testing methods for raw milk and heat-treated milk**

The analytical methods set out in Annex VIa to this Regulation shall be used by the competent authorities, and, where appropriate, by food business operators, to check compliance with the limits laid down in Annex III, Section IX, Chapter I, Part III to Regulation (EC) No 853/2004 and to ensure appropriate application of a pasteurisation process to dairy products as referred to in Annex III, Section IX, Chapter II, Part II to that Regulation.

(3) Annex III is amended in accordance with Annex I to this Regulation.

(4) Annex VI is amended in accordance with Annex II to this Regulation.

(5) Annex VIa is inserted in accordance with Annex III to this Regulation.

*Article 2*

The Decisions listed in Annex IV to this Regulation are repealed with effect from 1 May 2007.

*Article 3*

This Regulation shall enter into force on the seventh day following its publication in the *Official Journal of the European Union*.

Annex III to this Regulation shall apply at the latest six months after the entry into force of this Regulation.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 6 November 2006.

*For the Commission*

Markos KYPRIANOU

*Member of the Commission*

**Changes to legislation:** *There are currently no known outstanding effects for the Commission Regulation (EC) No 1664/2006. (See end of Document for details)*

***Changes to legislation:** There are currently no known outstanding effects for the Commission Regulation (EC) No 1664/2006. (See end of Document for details)*

ANNEX I

Chapter I of Annex III to Regulation (EC) No 2074/2005 is replaced by the following:

CHAPTER I

**PARALYTIC SHELLFISH POISON (PSP) DETECTION METHOD**

1. The paralytic shellfish poison (PSP) content of edible parts of molluscs (the whole body or any part edible separately) must be detected in accordance with the biological testing method or any other internationally recognised method. The so-called Lawrence method may also be used as an alternative method for the detection of those toxins as published in AOAC Official Method 2005.06 (Paralytic Shellfish Poisoning Toxins in Shellfish).

2. If the results are challenged, the reference method shall be the biological method.

3. Points 1 and 2 will be reviewed in light of the successful completion of the harmonisation of the implementing steps of the Lawrence method by the Community Reference Laboratory for marine biotoxins.

ANNEX II

Annex VI to Regulation (EC) No 2074/2005 is replaced by the following:

"ANNEX VI

**MODEL HEALTH CERTIFICATES FOR IMPORTS OF CERTAIN PRODUCTS OF ANIMAL ORIGIN INTENDED FOR HUMAN CONSUMPTION**

SECTION I

**FROGS' LEGS AND SNAILS**

Health certificates as referred to in Article 6(1)(d) of Regulation (EC) No 853/2004 for imports of frogs' legs and snails shall comply with the models laid down respectively in Part A and Part B of Appendix I to this Annex.

SECTION II

**GELATINE**

Without prejudice to other specific Community legislation, in particular to legislation on transmissible spongiform encephalopathies and hormones, health certificates as referred to in Article 6(1)(d) of Regulation (EC) No 853/2004 for imports of gelatine and raw materials for the production of gelatine shall comply with the models laid down respectively in Part A and Part B of Appendix II to this Annex.