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COUNCIL DIRECTIVE

of 29 July 1991

►M1 amending and updating ◄ Directive 64/433/EEC on health problems affecting intra-Community trade in fresh meat to extend it to the production and marketing of fresh meat ►M1 and amending Directive 72/462/EEC ◄

(91/497/EEC)

(OJ L 268, 24.9.1991, p. 69)

Amended by:

		Official Journal		
		No	page	date
►**M1**	Council Directive 92/5/EEC of 10 February 1992	L 57	1	2.3.1992
►**M2**	Council Regulation (EC) No 806/2003 of 14 April 2003	L 122	1	16.5.2003

Corrected by:

►**C1** Corrigendum, OJ L 231, 29.8.2001, p. 20 (91/497/EEC)

▼B

COUNCIL DIRECTIVE

of 29 July 1991

►M1 amending and updating ◄ Directive 64/433/EEC on health problems affecting intra-Community trade in fresh meat to extend it to the production and marketing of fresh meat ►M1 and amending Directive 72/462/EEC ◄

(91/497/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof,

Having regard to the proposals from the Commission [1],

Having regard to the opinion of the European Parliament [2],

Having regard to the opinion of the Economic and Social Committee [3],

Whereas meat from bovine animals, swine, sheep and goats and domestic solipeds is included in the list of products in Annex II to the Treaty; whereas production of and trade in fresh meat constitutes an important source of income for part of the farming population;

Whereas in order to ensure the rational development of this sector and to increase productivity, public health rules governing production and placing on the market must be laid down at Community level;

Whereas the Community has to adopt measures for the gradual establishment of the internal market over a period expiring on 31 December 1992;

Whereas Directive 64/433/EEC [4] laid down the health requirements to be complied with in intra-Community trade in meat from bovine animals, swine, sheep and goats and domestic solipeds;

Whereas Directive 89/662/EEC [5] laid down rules on the checks to be applied with a view to the completion of the internal market, and in particular abolished veterinary checks at frontiers between Member States;

Whereas to take account of the abolition of the said checks and of the introduction of more stringent guarantees at origin when it is no longer possible to distinguish between products for the domestic market and products to be marketed in another Member State, the requirements of Directive 64/433/EEC should be adapted and extended to all meat production;

Whereas to that end it is necessary to harmonize the conditions under which certain meat is declared unfit for human consumption;

Whereas Directive 64/433/EEC has been substantially amended on a number of occasions; whereas for the sake of clarity that Directive should be consolidated;

Whereas it is necessary to adapt the references in Council Directive 72/462/EEC of 12 December 1972, on health and veterinary inspection problems upon importation of bovine animals and swine and ovine and caprine animals and fresh meat or meat products from third countries [6], in the light of that consolidation,

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(1) OJ No C 84, 2. 4. 1990, p. 8, and proposal forwarded on 10 November 1983 (not published in the Official Journal).
(2) OJ No C 183, 15. 7. 1991.
(3) OJ No C 332, 31. 12. 1990, p. 53.
(4) OJ No 121, 29. 7. 1964, p. 2012/64. Directive last amended by Directive 89/662/EEC (OJ No L 395, 30. 12. 1989, p. 13).
(5) OJ No L 395, 30. 12. 1989, p. 13. Directive amended by Directive 90/675/EEC (OJ No L 373, 31. 12. 1990, p. 1).
(6) OJ No L 302, 31. 12. 1972, p. 28. Directive as last amended by Directive 91/69/EEC (OJ No L 46, 19. 2. 1991, p. 37).

▼B

HAS ADOPTED THIS DIRECTIVE:

▼M1

Article 1

As from 1 January 1993 the title and Articles of Directive 64/433/EEC shall be replaced in accordance with the Annex to this Directive.

▼B

Article 2

Directive 72/462/EEC is hereby amended as follows:

1) in the third indent of Article 1 (1), the text in brackets shall be replaced by the following:

   '(including the species *Bubalus bubalis* and *Bison bison*)';

2) In Article 4 (c):

   (a) in the second subparagraph

   — '13' shall be replaced by '14',

   — '24' shall be deleted,

   — '41 (C)' shall be replaced by '42 (A) (2)';

   (b) the following subparagraph shall be added:

   'In accordance with the same procedure, specific guarantees may be required concerning the quality of the potable water used by establishments and the medical supervision of staff working on and handling fresh meat.';

3) In Article 17:

   (a) paragraph 2:

   — in (b) 'Chapter V' shall be replaced by 'Chapter VI',

   — in (c) 'Chapter VI' shall be replaced by 'Chapter VII',

   — in (d) 'Chapter VII' shall be replaced by 'Chapter VIII',

   — in (e) 'Chapter X' shall be replaced by 'Chapter XI' and 'Chapter XIII' shall be replaced by 'Chapter XIV',

   — in (g) 'Chapter XIV' shall be replaced by 'Chapter XV'.

   (b) paragraph 3:

   — 'Chapter XIII' shall be replaced by 'Chapter XIV';

4) In Article 18:

   (a) paragraph 1 (b):

   (i) 'Chapter VIII' shall be replaced by 'Chapter IX';

   (ii) 'Chapter IX' shall be replaced by 'Chapter X';

   (iii) 'Chapter XI' shall be replaced by 'Chapter XII';

   (b) paragraph 3:

   — 'paragraph 45 (d) of Chapter VIII' shall be replaced by 'paragraph 46 of Chapter IX';

5) in Article 20 (d) 'paragraph 57 of Chapter X' shall be replaced by 'paragraph 58 of Chapter XI'.

Article 3

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive not later than 1 January 1993. They shall forthwith inform the Commission thereof.

When Member States adopt these measures, they shall contain a reference to this Directive or shall be accompanied by such reference on the occasion of their official publication. The methods of making such a reference shall be laid down by the Member States.

▼B

Article 4

This Directive is addressed to the Member States.

▼B

ANNEX

COUNCIL DIRECTIVE 64/433/EEC

►M1 ——————— ◄

on health conditions for the production and marketing of fresh meat

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

Having regard to the opinion of the Economic and Social Committee,

Whereas Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal [1], Council Regulation (EEC) No 2759/75 of 29 October 1975 on the common organization of the market in pigmeat [2] and Council Regulation (EEC) No 3013/89 of 25 September 1989 on the common organization of the market in sheepmeat and goatmeat [3], laid the basis for the free movement of beef and veal, pigmeat, sheepmeat and goatmeat;

Whereas, so long as intra-Community trade is hindered by differences between the health requirements of Member States concerning meat, the implementation of the abovementioned regulations will not have the desired effect;

Whereas, to eliminate such differences, the health provisions of the Member States must be approximated in line with the above regulations;

Whereas the object of this approximation must be in particular to standardize health requirements for meat in slaughterhouses and cutting rooms and during storage and transportation; whereas a system of approval should be introduced for slaughterhouses and cutting plants which meet the health requirements laid down by this Directive, together with a Community inspection procedure to ensure that the conditions for such approval are observed; whereas provision should also be made for approval of cold stores;

Whereas low-capacity establishments should be approved by means of simplified structure and infrastructure criteria, while complying with the rules of hygiene laid down in this Directive;

Whereas health marking of meat and authorization of the transport document by the official veterinarian of the establishment of origin is the best way of satisfying the competent authorities of the place of destination that a consignment of meat complies with the provisions of this Directive; whereas the health certificate should be maintained for the purposes of verifying the destination of certain meat;

Whereas the rules, principles and safeguard measures established by Council Directive 90/675/CEE of 10 December 1990 laying down the principles governing the organization of veterinary checks on products entering the Community from third countries [4] should apply here;

Whereas in the context of trade between the Member States, the rules laid down in Council Directive 89/662/EEC of 11 December 1989 concerning veterinary checks in intra-Community trade with a view of the completion of the internal market [5] should also be applied;

Whereas the Commission should be entrusted with the task of adopting certain measures for implementing this Directive; whereas, to that end, procedures should be laid down establishing close and effective cooperation between the Commission and the Member States within the Standing Veterinary Committee.

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(1) OJ No L 148, 28. 6. 1968, p. 24. Regulation last amended by Regulation (EEC) No 3577/90 (OJ No L 353, 17. 12. 1990, p. 23).
(2) OJ No L 282, 1. 11. 1975, p. 1. Regulation last amended by Regulation (EEC) No 1249/89 (OJ No L 129, 11. 5. 1989, p. 12).
(3) OJ No L 289, 7. 10. 1989, p. 1. Regulation amended by Regulation (EEC) No 3577/90 (OJ No L 353, 17. 12. 1990, p. 23).
(4) OJ No L 373, 31. 12. 1990, p. 1.
(5) OJ No L 395, 30. 12. 1989, p. 13. Directive amended by Directive 90/675/EEC (OJ No L 373, 31. 12. 1990, p. 1).