II

*(Acts whose publication is not obligatory)*

# COUNCIL

## COUNCIL DIRECTIVE

**of 21 May 1991**

**amending Directive 72/461/EEC on health problems affecting intra-Community trade in fresh meat and Directive 72/462/EEC on health and veterinary inspection problems upon importation of bovine, ovine and caprine animals and swine and fresh meat or meat products from third countries**

(91/266/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 proposal 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 Directive 72/461/EEC (4), as last amended by Directive 89/662/EEC (5), lays down the health requirements which must be fulfilled by animals from which fresh meat is obtained for intra-Community trade; whereas Directive 72/462/EEC (6), as last amended by Directive 91/69/EEC (7), lays down health and veterinary inspection requirements applicable to imports of bovine, ovine and caprine animals and swine and fresh meat or meat products from third countries;

Whereas glands and organs, including blood, are within the scope of the abovementioned Directives; whereas they are required in large quantity by the pharmaceutical manufacturing industries of the Member States to ensure the availability of extracts and enzymes for human and veterinary medicine;

Whereas this means that Member States should be afforded the possibility of authorizing on a more liberal basis the importation from third countries of glands and organs, including blood, for pharmaceutical manufacturing purposes; whereas, with a view to ensuring the proper and specific use of such raw materials, authorization should be granted only when certain conditions, to be determined in accordance with a Community procedure, are fulfilled;

Whereas, in order to maintain Community preference, the same facilities should be applied in intra-Community trade in glands and organs, including blood, for pharmaceutical manufacturing purposes under certain minimum conditions which ensure the proper and specific use of such raw materials;

Whereas by its Judgment of 16 November 1989 in Case 131/87 the Court of Justice declared void Directive 87/64/EEC (8) which covered the aforementioned matters; whereas it is therefore necessary to adopt a new Directive on the appropriate legal basis;

Whereas, given this situation, the deadline for transposition laid down by Directive 87/64/EEC may be maintained,

(1) OJ No C 154, 23. 6. 1990, p. 4.
(2) OJ No C 129, 20. 5. 1991.
(3) OJ No C 332, 31. 12. 1990, p. 27.
(4) OJ No L 302, 31. 12. 1972, p. 24.
(5) OJ No L 395, 30. 12. 1989, p. 13.
(6) OJ No L 302, 31. 12. 1972, p. 28.
(7) OJ No L 46, 19. 2. 1991, p. 37.
(8) OJ No L 34, 5. 2. 1987, p. 52.