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COUNCIL DIRECTIVE

of 22 January 1980

on animal health problems affecting intra-Community trade in meat products

(80/215/EEC)

(OJ L 47, 21.2.1980, p. 4)

Amended by:

		Official Journal		
		No	page	date
►M1	Council Directive 80/1100/EEC of 11 November 1980	L 325	16	1.12.1980
►M2	Council Directive 81/476/EEC of 24 June 1981	L 186	20	8.7.1981
►M3	Council Directive 85/321/EEC of 12 June 1985	L 168	39	28.6.1985
►M4	Council Regulation (EEC) No 3768/85 of 20 December 1985	L 362	8	31.12.1985
►M5	Council Directive 87/491/EEC of 22 September 1987	L 279	27	2.10.1987
►M6	Council Directive 88/660/EEC of 19 December 1988	L 382	35	31.12.1988
►M7	Council Directive 89/662/EEC of 11 December 1989	L 395	13	30.12.1989
►M8	Council Directive 91/687/EEC of 11 December 1991	L 377	16	31.12.1991
►M9	Council Regulation (EC) No 807/2003 of 14 April 2003	L 122	36	16.5.2003

Amended by:

►A1	Act of Accession of Austria, Sweden and Finland	C 241	21	29.8.1994
	(adapted by Council Decision 95/1/EC, Euratom, ECSC)	L 1	1	1.1.1995

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on animal health problems affecting intra-Community trade in meat products

(80/215/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 43 and 100 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament [1],

Whereas Council Directive 77/99/EEC of 21 December 1976 on health problems affecting intra-Community trade in meat products [2] has been applicable since 1 July 1979;

Whereas the implementation of the above Directive will not have the desired effect so long as intra-Community trade is hindered by differences between the health requirements of Member States concerning meat products; whereas, in particular with a view to eliminating these differences, common provisions should be laid down in this field;

Whereas, in order to avoid the spread of epizootic diseases by means of meat products it should be laid down that the meat from which some of the said meat products are manufactured should comply with the health provisions applicable to fresh meat;

Whereas care should be taken that meat products which do not comply with Community rules are not given the health mark provided for in those rules;

Whereas when meat products have been treated in such a way as to destroy all germs of diseases which may be passed on to animals, such treatment should be mentioned on the health certificate which accompanies the products concerned;

Whereas the Member States must have the right to refuse the entry into free circulation in their territory of meat products which have been found to contain germs of a contagious or infectious disease or which do not comply with Community health provisions;

Whereas the consignor should at his own request or at that of a representative be allowed to have the meat products returned to him unless there are health grounds for not doing so;

Whereas, in order to enable those concerned to appreciate the basis for any prohibition or restriction imposed, the reasons for such prohibition or restriction should be brought to the notice of the consignor or his representative and, in certain cases, the competent authorities of the consigning country;

Whereas the consignor should be afforded the opportunity of requesting the opinion of a veterinary expert in the event of a dispute between the consignor and the authorities of the country of destination as to whether a prohibition or restriction is justified;

Whereas the Member States must have the right to prohibit the introduction into their territory of certain meat products from a Member State where an epizootic disease has broken out; whereas, depending on the nature and character of this epizootic disease, such a prohibition may either be limited to meat products coming from a part of the territory of the exporting country, or extended to the whole of that territory; whereas, in the event of an outbreak of a contagious or infectious disease in the territory of a Member State appropriate measures must be taken rapidly to control it; whereas the dangers inherent in such

[1] OJ No C 114, 11. 11. 1971, p. 40.
[2] OJ No L 26, 31. 1. 1977, p. 85.

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diseases and the requisite protective measures should be viewed in the same light throughout the Community;

Whereas, to facilitate the implementation of the provisions envisaged, a procedure should be laid down establishing close cooperation between the Member States and the Commission within the Standing Veterinary Committee set up by the Council Decision of 15 October 1968 ([1]),

HAS ADOPTED THIS DIRECTIVE:

Article 1

This Directive lays down animal health requirements for intra-Community trade in meat products.

Article 2

For the purposes of this Directive, the definitions contained in Article 2 of Council Directive 72/461/EEC of 12 December 1972 on health problems affecting intra-Community trade in fresh meat ([2]), as amended by Directive 78/54/EEC ([3]), and in Article 2 of Directive 77/99/EEC shall apply where relevant.

Products which have been subjected to natural fermentation and maturation for a long period shall be regarded as having undergone complete treatment until the Council, acting unanimously on a proposal by the Commission, amends the limits given in Annex A, Chapter V (27) (b) to Directive 77/99/EEC.

Article 3

Each Member State shall ensure that meat products intended for intra-Community trade are prepared from or with:

— fresh meat as defined in ►**M5** Article 2 of Council Directive 64/433/EEC ◄ of 26 June 1964 on health problems affecting intra-Community trade in fresh meat ([4]), as last amended by Directive 75/379/EEC ([5]), and fulfilling the animal health requirements of Articles 3 and 4 of Directive 72/461/EEC,

— fresh meat as defined in Article 2 ►**M5** ——— ◄ of Council Directive 72/462/EEC of 12 December 1972 on health and veterinary inspection problems upon importation of bovine animals and swine and fresh meat from third countries ([6]), as last amended by Directive 77/98/EEC ([7]), and complying with the animal health requirements of Directive 72/462/EEC.

Article 4

1. By way of derogation from the first indent of Article 3, and subject to the application of paragraph 2, meat products may be intended for intra-Community trade, which are prepared in whole or in part from or with fresh meat as defined in ►**M5** Article 2 of Directive 64/433/EEC ◄ which fulfils the requirements laid down by Article 5a of Directive 72/461/EEC, may enter intra-Community trade if they have also undergone one of the following forms of treatment:

▼M5

(a) heat treatment carried out:

(i) either in a hermetically sealed container, with an Fc value of 3,00 or more;

([1]) OJ No L 255, 28. 10. 1968, p. 23.
([2]) OJ No L 302, 31. 12. 1972, p. 24.
([3]) OJ No L 16, 20. 1. 1978, p. 22.
([4]) OJ No 121, 29. 7. 1964, p. 2012/64.
([5]) OJ No L 172, 3. 7. 1975, p. 17.
([6]) OJ No L 302, 31. 12. 1972, p. 28.
([7]) OJ No L 26, 31. 1. 1977, p. 81.