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►B ►M17 **COUNCIL DIRECTIVE**

of 12 December 1972

on health and veterinary inspection problems upon importation of bovine, ovine and caprine animals and swine, fresh meat or meat products from third countries

(72/462/EEC) ◄

(OJ L 302, 31.12.1972, p. 28)

Amended by:

	Official Journal		
	No	page	date
►M1 Council Directive 73/358/EEC of 19 November 1973	L 326	17	27.11.1973
►M2 Council Directive 74/387/EEC of 15 July 1974	L 202	36	24.7.1974
►M3 Council Directive 75/379/EEC of 24 June 1975	L 172	17	3.7.1975
►M4 Council Directive 77/98/EEC of 21 December 1976	L 26	81	31.1.1977
►M5 Council Directive 81/476/EEC of 24 June 1981	L 186	20	8.7.1981
►M6 Council Directive 83/91/EEC of 7 February 1983	L 59	34	5.3.1983
►M7 Council Regulation (EEC) No 3768/85 of 20 December 1985	L 362	8	31.12.1985
►M8 Council Directive 86/469/EEC of 16 September 1986	L 275	36	26.9.1986
►M9 Council Directive 87/64/EEC of 30 December 1986	L 34	52	5.2.1987
►M10 Council Directive 88/289/EEC of 3 May 1988	L 124	31	18.5.1988
►M11 Council Directive 88/657/EEC of 14 December 1988	L 382	3	31.12.1988
►M12 Council Directive 89/227/EEC of 21 March 1989	L 93	25	6.4.1989
►M13 Council Directive 89/662/EEC of 11 December 1989	L 395	13	30.12.1989
►M14 Council Directive 90/423/EEC of 26 June 1990	L 224	13	18.8.1990
►M15 Council Directive 90/425/EEC of 26 June 1990	L 224	29	18.8.1990
►M16 Council Directive 90/675/EEC of 10 December 1990	L 373	1	31.12.1990
►M17 Council Directive 91/69/EEC of 28 January 1991	L 46	37	19.2.1991
►M18 Council Directive 91/266/EEC of 21 May 1991	L 134	45	29.5.1991
►M19 Council Directive 91/496/EEC of 15 July 1991	L 268	56	24.9.1991
►M20 Council Directive 91/497/EEC of 29 July 1991	L 268	69	24.9.1991
►M21 amended by Council Directive 92/5/EEC of 10 February 1992	L 57	1	2.3.1992
►M22 Council Regulation (EEC) No 3763/91 of 16 December 1991	L 356	1	24.12.1991
►M23 Council Directive 91/688/EEC of 11 December 1991	L 377	18	31.12.1991
►M24 Council Regulation (EEC) No 1601/92 of 15 June 1992	L 173	13	27.6.1992
►M25 Council Directive 96/91/EC of 17 December 1996	L 13	26	16.1.1997
►M26 Council Directive 97/76/EC of 16 December 1997	L 10	25	16.1.1998
►M27 Council Directive 97/79/EC of 18 December 1997	L 24	31	30.1.1998
►M28 Council Regulation (EC) No 1452/2001 of 28 June 2001	L 198	11	21.7.2001
►M29 Council Regulation (EC) No 807/2003 of 14 April 2003	L 122	36	16.5.2003

Amended by:

►**A1**	Act of Accession of Greece	L 291	17	19.11.1979
►**A2**	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

Corrected by:

►**C1** Consolidated text of corrigenda to instruments published in Special Editions 1952-72, p. 113 (72/462/EEC)

►**C2** Corrigendum, OJ L 211, 3.8.1983, p. 30 (83/91/EEC)

►**C3** Corrigendum, OJ L 189, 20.7.1988, p. 28 (88/289/EEC)

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(72/462/EEC)

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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;

Whereas the Community has issued regulations in respect of health requirements for intra-Community trade in bovine animals and swine and fresh meat;

Whereas it is necessary, as provided for in the aforesaid regulations, to define Community provisions applicable to importation of such animals and meat from third countries;

Whereas such provisions necessitate the drawing up of a list, valid for the Community as a whole of third countries or parts of third countries from which animals and fresh meat may be imported, and establishments from which fresh meat may be imported;

Whereas the choice of these countries and establishments must be based on criteria of a general nature such as the state of health of the cattle, the organisation and powers of the veterinary services and the health regulations in force; whereas, furthermore, it should be laid down that the establishments must meet a certain number of special standards designed to guarantee that meat originating there satisfies the health requirements judged necessary by the Community;

Whereas, in addition, importation, either of animals or fresh meat, should not be authorised from countries infected with contagious animal diseases from which the Community is free or from countries which have been free from such infection for too short a period and which consequently present a serious risk to Community herds; whereas these considerations are also valid for importation from third countries in which vaccination against such diseases is carried out;

Whereas the general conditions applicable to importation from all third countries must be supplemented by special conditions drawn up on the basis of the health situation in each of them; whereas owing to the technical nature and the diversity of the criteria on which these special conditions depend, there must, in order to define them, be recourse to a flexible and rapid Community procedure in which the Commission and the Member States cooperate closely;

Whereas the presentation of a standard form of certificate upon importation of animals constitutes an effective means of verifying that the Community regulations are being applied; whereas such regulations may include special provisions which may vary according to the third country concerned, and whereas this must be taken into account in drawing up the standard forms of certificate;

Whereas inspection carried out upon importation must also cover the origin and the state of health of the animals;

Whereas the Member States must be allowed, on the arrival of animals in the territory of the Community and during transit to their place of destination, to take all measures, including slaughter and disposal, required for the purpose of safeguarding public and animal health;

Whereas it must be required that fresh meat comes from approved establishments and the health and inspection requirements with which

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the meat must comply, particularly during production, storage and transportation, must be specified;

Whereas it is necessary that the Member States should adopt a common attitude as regards fresh meat the introduction of which into the Community is banned for health reasons and that, in particular, importation of meat containing traces of substances which are harmful or likely to render consumption thereof dangerous or injurious to human health should be prohibited;

Whereas the presentation of a public health certificate and an animal health certificate prepared by an official veterinarian of the exporting third country is the most appropriate method of guaranteeing that a consignment of fresh meat is fit for importation;

Whereas fresh meat must, whatever the customs procedure under which it is declared, undergo health inspection upon reaching Community territory in order to prevent re-routing of meat unaccompanied by the required certificates, coming from third countries from which importation is not authorised or which do not have a properly completed public health certificate;

Whereas, in order to verify that the provisions of this Directive are complied with by the exporting third country and to prevent importation of meat dangerous to human health, the Member States must submit every consignment of fresh meat upon importation to health and veterinary inspection which must be carried out by an official veterinarian; whereas it must be laid down that, in order that such import inspection may be standardised, the rules for its application are to be adopted according to a procedure in which the Commission and the Member States cooperate closely;

Whereas each consignment of fresh meat admitted to a Member State following the import inspection must; in the case of fresh meat re-routed to another Member State, with the exception of meat cut up after importation in an approved cutting plant, be accompanied by a certificate officially stating that the prescribed import requirements have been fulfilled;

Whereas inspection, both of animals and of meat, is carried out in the general interests of the Community; whereas it should therefore be stipulated that the inspection be carried out in premises approved in accordance with Community criteria and a Community procedure;

Whereas every Member State must have the right to place an immediate prohibition on imports from a third country when such imports may be dangerous for public or animal health; whereas in such a case coordination of the attitudes of the Member States with regard to this third country must be assured without delay, without prejudice to possible amendments to the list of countries and establishments authorised to export to the Community;

Whereas Community veterinary experts should be instructed to verify that the Directive is adhered to in third countries especially;

Whereas, before the Community provisions so drawn up can enter into force the Community must prepare a number of acts necessary for their operation and the Member States must make substantial changes to their laws; whereas the implementation of these provisions should therefore be carried out in stages,

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HAS ADOPTED THIS DIRECTIVE:

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CHAPTER I

General provisions

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Article 1

1. This Directive shall apply to imports from third countries of:

— domestic bovine animals and swine for breeding, production or slaughter,

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— domestic ovine or caprine animals for breeding, rearing, fattening or slaughter,

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— fresh meat from domestic animals of the following species: bovine animals ►M20 (including the species *Bubalus bubalis* and *Bison bison*) ◄, swine, sheep and goats and from domestic solipeds,

— for the purposes of Article 3, fresh meat of cloven-hoofed wild animals and wild solipeds, in so far as this concerns permitted importation from certain third countries of origin,

— meat products produced from fresh meat as defined in the second indent, with the exception of fresh meat referred to in Article 5 of Directive 64/433/EEC and in the corresponding provisions of Article 20 of Directive 72/462/EEC.

2. This Directive shall not apply to:

(a) animals intended exclusively for grazing or draught purposes, on a temporary basis, in the vicinity of the Community frontiers;

(b) meat and meat products other than those referred to in (e) forming part of travellers' personal luggage and intended for their personal consumption, in so far as the amount or quantity transported does not exceed one kilogram per person and provided that they come from a third country or part thereof appearing on the list drawn up in accordance with Article 3 and from which importation is not prohibited under Article 28;

(c) meat and meat products other than those referred to in (e) sent as small packages to private persons, provided that such meat and meat products are not imported by way of trade, that the quantity does not exceed one kilogram and that they come from a third country or part thereof appearing on the list drawn up in accordance with Article 3 and from which importation is not prohibited under Article 28;

(d) meat and meat products for consumption by the crew and passengers on board means of transport operating internationally.

Where such meat and meat products or their kitchen waste are unloaded, they must be destroyed. It is not, however, necessary to destroy meat or meat products when they are transferred, directly or after being placed provisionally under customs supervision, from one means of transport to another;

(e) where quantities of no more than one kilogram are involved, meat products having undergone heat treatment in a hermetically sealed container to a Fo value of 3,00 or more:

(i) forming part of travellers' personal luggage and intended for their personal consumption;

(ii) sent as small packages to private persons, provided that such meat products are not imported by way of trade.

Article 2

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For the purposes of this Directive, the definitions given in Articles 2 of Directives 64/432/EEC, 64/433/EEC and in Council Directive 72/461/EEC of 12 December 1972 on health and veterinary inspection