

**DECISION No 1/2006 OF THE JOINT VETERINARY COMMITTEE CREATED BY AN AGREEMENT
BETWEEN THE EUROPEAN COMMUNITY AND THE SWISS CONFEDERATION ON TRADE IN
AGRICULTURAL PRODUCTS**

of 1 December 2006

amending Appendices 1, 2, 3, 4, 5, 6 and 10 to Annex 11 of the Agreement

(2007/61/EC)

THE COMMITTEE,

Having regard to the Agreement between the European Community and the Swiss Confederation on trade in agricultural products (hereinafter the 'Agriculture Agreement'), and in particular Article 19(3) of Annex 11 thereto,

Whereas:

- (1) The Agriculture Agreement entered into force on 1 June 2002.
- (2) Article 19(1) of Annex 11 to the Agriculture Agreement sets up a Joint Veterinary Committee responsible for examining all questions relating to the said Annex and its implementation and for carrying out the tasks provided for therein. Article 19(3) authorises the Joint Veterinary Committee to decide to amend the appendices to Annex 11, in particular with a view to their adaptation and updating.
- (3) Appendices 1, 2, 3, 4, 5, 6 and 11 to Annex 11 to the Agriculture Agreement were amended for the first time by Decision No 2/2003 of the Joint Veterinary Committee set up under the Agreement between the European Community and the Swiss Confederation on trade in agricultural products of 25 November 2003 regarding the amendment of Appendices 1, 2, 3, 4, 5, 6 and 11 to Annex 11 to the Agreement ⁽¹⁾.
- (4) Appendices 1, 2, 3, 4, 5 and 11 to Annex 11 to the Agriculture Agreement were last amended by Decision No 2/2004 of the Joint Veterinary Committee set up under the Agreement between the European Community and the Swiss Confederation on trade in agricultural products of 9 December 2004 regarding the amendment of Appendices 1, 2, 3, 4, 5, 6 and 11 to Annex 11 to the Agreement ⁽²⁾.
- (5) Appendix 6 to Annex 11 to the Agricultural Agreement was amended by Decision No 1/2005 of the Joint Veterinary Committee set up by the Agreement between the European Community and the Swiss Confederation on trade in agricultural products of 21 December 2005 regarding the amendment of Appendix 6 to Annex 11 to the Agreement ⁽³⁾.

- (6) The Swiss Confederation has undertaken to incorporate in its national legislation the provisions of Directive 2003/99/EC of the European Parliament and of the Council of 17 November 2003 on the monitoring of zoonoses and zoonotic agents, amending Council Decision 90/424/EEC and repealing Council Directive 92/117/EEC ⁽⁴⁾, Regulation (EC) No 2160/2003 of the European Parliament and of the Council of 17 November 2003 on the control of salmonella and other specified food-borne zoonotic agents ⁽⁵⁾ and Commission Regulation (EC) No 1003/2005 of 30 June 2005 implementing Regulation (EC) No 2160/2003 of the European Parliament and of the Council as regards a Community target for the reduction of the prevalence of certain salmonella serotypes in breeding flocks of *Gallus gallus* and amending Regulation (EC) No 2160/2003 ⁽⁶⁾.
- (7) The Swiss Confederation has undertaken to incorporate in its national legislation the provisions of Council Directive 97/78/EC of 18 December 1997 laying down the principles governing the organisation of veterinary checks on products entering the Community from third countries ⁽⁷⁾.
- (8) The Swiss Confederation has undertaken to incorporate in its national legislation the provisions of Commission Regulation (EC) No 2073/2005 of 15 November 2005 on microbiological criteria for foodstuffs ⁽⁸⁾, the provisions of Commission Regulation (EC) No 2074/2005 of 5 December 2005 laying down implementing measures for certain products under Regulation (EC) No 853/2004 of the European Parliament and of the Council and for the organisation of official controls under Regulation (EC) No 854/2004 of the European Parliament and of the Council and Regulation (EC) No 882/2004 of the European Parliament and of the Council, derogating from Regulation (EC) No 852/2004 of the European Parliament and of the Council and amending Regulations (EC) No 853/2004 and (EC) No 854/2004 ⁽⁹⁾, and the provisions of Commission Regulation (EC) No 2075/2005 of 5 December 2005 laying down specific rules on official controls for *Trichinella* in meat ⁽¹⁰⁾.
- (9) Appendix 1 to Annex 11 to the Agriculture Agreement should be amended to take into account the Community

⁽¹⁾ OJ L 23, 28.1.2004, p. 27.

⁽²⁾ OJ L 17, 20.1.2005, p. 1.

⁽³⁾ OJ L 347, 30.12.2005, p. 93.

⁽⁴⁾ OJ L 325, 12.12.2003, p. 31.

⁽⁵⁾ OJ L 325, 12.12.2003, p. 1.

⁽⁶⁾ OJ L 170, 1.7.2005, p. 12.

⁽⁷⁾ OJ L 24, 30.1.1998, p. 9.

⁽⁸⁾ OJ L 338, 22.12.2005, p. 1.

⁽⁹⁾ OJ L 338, 22.12.2005, p. 27.

⁽¹⁰⁾ OJ L 338, 22.12.2005, p. 60.

and Swiss legislation on zoonoses and the specific arrangements applying to trade between the European Community and the Swiss Confederation.

- (10) Appendices 1, 2, 3, 4, 5 and 10 to Annex 11 to the Agriculture Agreement should be amended to take account of changes in the Community and Swiss legislation in force on 1 July 2006.
- (11) The public health measures provided for under Swiss law are recognised as equivalent to the analogous Community measures for commercial ends with respect to animal products intended for human consumption. Appendix 6 to Annex 11 to the Agreement should therefore be amended.
- (12) The provisions of Appendices 5 and 10 to Annex 11 to the Agriculture Agreement will be re-examined by the Joint Veterinary Committee no later than one year after this Decision enters into force,

HAS DECIDED AS FOLLOWS:

Article 1

Appendices 1, 2, 3, 4, 6 and 10 to Annex 11 to the Agreement between the European Community and the Swiss Confederation on trade in agricultural products are hereby replaced by the respective Appendices in the Annex to this Decision.

Signed at Bern, on 1 December 2006.

On behalf of the Swiss Confederation
The Head of the Delegation
Hans WYSS

Article 2

Appendix 5 to Annex 11, Chapter 3, point V, paragraph A is hereby amended as follows:

‘A. For the inspections of live animals from countries other than those listed in this Annex, the Swiss authorities undertake to charge at the least the fees for official inspections provided for in Chapter VI of Regulation (EC) No 882/2004 at the minimum rates laid down in Annex V thereto.’

Article 3

This Decision, drawn up in duplicate, shall be signed by the joint chairmen or other persons empowered to act on behalf of the parties.

Article 4

This Decision shall be published in the *Official Journal of the European Union*.

It shall take effect from the date of the last signature.

Signed at Brussels, on 1 December 2006.

On behalf of the European Community
The Head of the Delegation
Paul VAN GELDORP

ANNEX

'Appendix 1

CONTROL MEASURES/NOTIFICATION OF DISEASES**I. Foot and mouth disease****A. LEGISLATION**

European Community	Switzerland
1. Council Directive 2003/85/EC of 29 September 2003 on Community measures for the control of foot-and-mouth disease, repealing Directive 85/511/EEC and Decisions 84/531/EEC and 91/665/EEC and amending Directive 92/46/EEC (OJ L 306, 22.11.2003, p. 1), amended by Commission Decision 2005/615/EC of 16 August 2005 amending Annex XI to Council Directive 2003/85/EC with regard to national laboratories in certain Member States.	<p>1. Law on epizootic diseases (LFE) of 1 July 1966, as last amended on 23 June 2004 (RS 916.40), and in particular Articles 1, 1a and 9a (measures against highly contagious epizootic diseases, control objectives) and 57 (technical implementing provisions, international cooperation) thereof.</p> <p>2. Ordonnance of 27 June 1995 on epizootic diseases (OFE), as last amended on 23 November 2005, (RS 916.401), and in particular Articles 2 (highly contagious epizootic diseases), 49 (handling micro-organisms that are pathogenic for animals), 73 and 74 (cleaning and disinfection), 77 to 98 (common provisions concerning highly contagious epizootic diseases) and 99 to 103 (specific measures to combat foot-and-mouth disease) thereof.</p> <p>3. Ordonnance of 14 June 1999 on the organisation of the <i>Département fédéral de l'économie</i> (Federal Department of Economic Affairs), as last amended on 10 March 2006 (RS 172.216.1), and in particular Article 8 thereof (reference laboratory, registration, control and provision of vaccine against foot-and-mouth disease).</p>

B. SPECIAL RULES AND PROCEDURES FOR IMPLEMENTATION

1. The Commission and the *Office Vétérinaire Fédéral* shall notify each other of any intention to carry out emergency vaccinations. In extreme emergencies, notification may cover the decision as taken and the rules and procedures governing its implementation. In any case, consultations must be held as soon as possible within the Joint Veterinary Committee.
2. Pursuant to Article 97 of the Ordonnance on epizootic diseases, Switzerland has established an emergency warning plan, published on the website of the *Office vétérinaire fédéral*.
3. The joint reference laboratory for identifying the foot-and-mouth virus shall be the Institute for Animal Health Pirbright Laboratory, England. Switzerland shall pay the costs it incurs for operations carried out by the laboratory in that capacity. The functions and tasks of the laboratory shall be as laid down in Annex XVI to Directive 2003/85/EC.

II. Classical swine fever

A. LEGISLATION

European Community	Switzerland
Council Directive 2001/89/EC of 23 October 2001 on Community measures for the control of swine fever (OJ L 316, 1.12.2001, p. 5), as last amended by the Act concerning the conditions of accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic and the adjustments to the Treaties on which the European Union is founded — Annex II: List referred to in Article 20 of the Act of Accession — 6. Agriculture — B. Veterinary and phytosanitary legislation — I. Veterinary legislation (OJ L 236, 23.9.2003, p. 381).	<ol style="list-style-type: none"> 1. Law on epizootic diseases (LFE) of 1 July 1966, as last amended on 23 June 2004 (RS 916.40), and in particular Articles 1, 1a and 9a (measures against highly contagious epizootic diseases, control objectives) and 57 (technical implementing provisions, international cooperation) thereof. 2. Ordonnance of 27 June 1995 on epizootic diseases (OFE), as last amended on 23 November 2005, (RS 916.401), and in particular Articles 2 (highly contagious epizootic diseases), 40 to 47 (disposal and use of waste), 49 (handling micro-organisms that are pathogenic for animals), 73 and 74 (cleaning and disinfection), 77 to 98 (common provisions concerning highly contagious epizootic diseases) and 116 to 121 (detection of swine fever at slaughter, specific measures to combat swine fever) thereof. 3. Ordonnance of 14 June 1999 on the organisation of the <i>Département fédéral de l'économie</i>, as last amended on 10 March 2006 (RS 172.216.1), and in particular Article 8 thereof (reference laboratory). 4. Ordonnance of 23 June 2004 on the elimination of animal waste (OESPA), last amended on 22 June 2005 (RS 916.441.22).

B. SPECIAL RULES AND PROCEDURES FOR IMPLEMENTATION

1. The Commission and the *Office Vétérinaire Fédéral* shall notify each other of any intention to carry out emergency vaccinations. Consultations shall be held as soon as possible within the Joint Veterinary Committee.
2. If necessary, pursuant to Article 117(5) of the Ordonnance on epizootic diseases, the *Office Vétérinaire Fédéral* shall lay down technical implementing rules on the marking and treatment of meat coming from protection and surveillance zones.
3. Pursuant to Article 121 of the Ordonnance on epizootic diseases, Switzerland undertakes to implement a plan to eradicate classical swine fever in wild pigs in accordance with Articles 15 and 16 of Directive 2001/89/EEC. Consultations shall be held as soon as possible within the Joint Veterinary Committee.
4. Pursuant to Article 97 of the Ordonnance on epizootic diseases, Switzerland has established an emergency warning plan, published on the website of the *Office Vétérinaire Fédéral*.
5. On-the-spot inspections shall be carried out under the responsibility of the Joint Veterinary Committee in accordance in particular with Article 21 of Directive 2001/89/EC and Article 57 of the Law on epizootic diseases.
6. If necessary, pursuant to Article 89(2) of the Ordonnance on epizootic diseases, the *Office Vétérinaire Fédéral* shall lay down technical implementing rules on serological checks on pigs in protection and surveillance zones in accordance with Chapter IV of the Annex to Decision 2002/106/EC (OJ L 39, 9.2.2002, p. 71).
7. The joint reference laboratory for classical swine fever shall be the *Institut für Virologie der Tierärztlichen Hochschule Hannover*, 15 Bünteweg 17, D-30559, Hanover, Germany. Switzerland shall pay the costs it incurs for operations carried out by the laboratory in that capacity. The functions and tasks of the laboratory shall be as laid down in Annex IV to Directive 2001/89/EC.

III. African swine fever

A. LEGISLATION

European Community	Switzerland
Council Directive 2002/60/EC of 27 June 2002 laying down specific provisions for the control of African swine fever and amending Directive 92/119/EEC as regards Teschen disease and African swine fever (OJ L 192, 20.7.2002, p. 27), as last amended by the Act concerning the conditions of accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic and the adjustments to the Treaties on which the European Union is founded — Annex II: List referred to in Article 20 of the Act of Accession — 6. Agriculture — B. Veterinary and phytosanitary legislation — I. Veterinary legislation (OJ L 236, 23.9.2003, p. 381).	<ol style="list-style-type: none"> 1. Law on epizootic diseases (LFE) of 1 July 1966, as last amended on 23 June 2004 (RS 916.40), and in particular Articles 1, 1a and 9a (measures against highly contagious epizootic diseases, control objectives) and 57 (technical implementing provisions, international cooperation) thereof. 2. Ordonnance of 27 June 1995 on epizootic diseases (OFE), as last amended on 23 November 2005, (RS 916.401), and in particular Articles 2 (highly contagious epizootic diseases), 40 to 47 (disposal and use of waste), 49 (handling micro-organisms that are pathogenic for animals), 73 and 74 (cleaning and disinfection), 77 to 98 (common provisions concerning highly contagious epizootic diseases) and 116 to 121 (detection of swine fever at slaughter, specific measures to combat swine fever) thereof. 3. Ordonnance of 14 June 1999 on the organisation of the <i>Département fédéral de l'économie</i>, as last amended on 10 March 2006 (RS 172.216.1), and in particular Article 8 thereof (reference laboratory). 4. Ordonnance of 23 June 2004 on the elimination of animal waste (OESPA), as last amended on 22 June 2005 (RS 916.441.22).

B. SPECIAL RULES AND PROCEDURES FOR IMPLEMENTATION

1. The Community reference laboratory for African swine fever shall be the *Centro de Investigación en Sanidad Animal*, 28130 Valdeolmos, Madrid, Spain. Switzerland shall pay the costs it incurs for operations carried out by the laboratory in that capacity. The functions and tasks of the laboratory shall be as laid down in Annex V to Directive 2002/60/EC.
2. Pursuant to Article 97 of the Ordonnance on epizootic diseases, Switzerland has established an emergency warning plan, published on the website of the *Office Vétérinaire Fédéral*.
3. If necessary, pursuant to Article 89(2) of the Ordonnance on epizootic diseases, the *Office Vétérinaire Fédéral* shall lay down technical implementing rules in accordance with the provisions of Decision 2003/422/EC (OJ L 143, 11.6.2003, p. 35) concerning the diagnosis of African swine fever.
4. On-the-spot inspections shall be carried out under the responsibility of the Joint Veterinary Committee in accordance in particular with Article 20 of Directive 2002/60/EC and Article 57 of the Law on epizootic diseases.

IV. African horse sickness

A. LEGISLATION

European Community	Switzerland
<p>Council Directive 92/35/EEC of 29 April 1992 laying down control rules and measures to combat African horse sickness (OJ L 157, 10.6.1992, p. 19), as last amended by Council Regulation (EC) No 806/2003 of 14 April 2003 adapting to Decision 1999/468/EC the provisions relating to committees which assist the Commission in the exercise of its implementing powers laid down in Council instruments adopted in accordance with the consultation procedure (qualified majority) (OJ L 122, 16.5.2003, p. 1).</p>	<ol style="list-style-type: none"> 1. Law on epizootic diseases (LFE) of 1 July 1966, as last amended on 23 June 2004 (RS 916.40), and in particular Articles 1, 1a and 9a (measures against highly contagious epizootic diseases, control objectives) and 57 (technical implementing provisions, international cooperation) thereof. 2. Ordonnance of 27 June 1995 on epizootic diseases (OFE), as last amended on 23 November 2005 (RS 916.401), and in particular Articles 2 (highly contagious epizootic diseases), 49 (handling micro-organisms that are pathogenic for animals), 73 and 74 (cleaning and disinfection), 77 to 98 (common provisions concerning highly contagious epizootic diseases) and 112 to 115 (specific measures to combat African horse sickness) thereof. 3. Ordonnance of 14 June 1999 on the organisation of the <i>Département fédéral de l'économie</i>, as last amended on 10 March 2006 (RS 172.216.1), and in particular Article 8 thereof (reference laboratory).

B. SPECIAL RULES AND PROCEDURES FOR IMPLEMENTATION

1. Where an epizootic disease of particular severity develops in Switzerland, the Joint Veterinary Committee shall meet to consider the situation. The competent Swiss authorities undertake to implement the measures found necessary in the light of that examination.
2. The joint reference laboratory for African horse sickness shall be the *Laboratorio de Sanidad y Producción Animal, Ministerio de Agricultura, Pesca y Alimentación*, 28110 Algete, Madrid, Spain. Switzerland shall pay the costs it incurs for operations carried out by the laboratory in that capacity. The functions and tasks of the laboratory shall be as laid down in Annex III to Directive 92/35/EEC.
3. On-the-spot inspections shall be carried out under the responsibility of the Joint Veterinary Committee in accordance in particular with Article 16 of Directive 92/35/EEC and Article 57 of the Law on epizootic diseases.
4. Pursuant to Article 97 of the Ordonnance on epizootic diseases, Switzerland has established an action plan, published on the website of the *Office Vétérinaire Fédéral*.

V. Avian influenza

A. LEGISLATION

European Community	Switzerland
<ol style="list-style-type: none"> 1. Council Directive 92/40/EEC of 19 May 1992 introducing Community measures for the control of avian influenza (OJ L 167, 22.6.1992, p. 19), as last amended by Council Regulation (EC) No 806/2003 of 14 April 2003 adapting to Decision 1999/468/EC the provisions relating to committees which assist the Commission in the exercise of its implementing powers laid down in Council instruments adopted in accordance with the consultation procedure (qualified majority) (OJ L 122, 16.5.2003, p. 1). 2. Council Directive 2005/94/EC of 20 December 2005 on Community measures for the control of avian influenza and repealing Directive 92/40/EEC (OJ L 10, 14.1.2006, p. 16). 	<ol style="list-style-type: none"> 1. Law on epizootic diseases (LFE) of 1 July 1966, as last amended on 23 June 2004 (RS 916.40), and in particular Articles 1, 1a and 9a (measures against highly contagious epizootic diseases, control objectives) and 57 (technical implementing provisions, international cooperation) thereof. 2. Ordonnance of 27 June 1995 on epizootic diseases (OFE), as last amended on 23 November 2005 (RS 916.401), and in particular Articles 2 (highly contagious epizootic diseases), 49 (handling micro-organisms that are pathogenic for animals), 73 and 74 (cleaning and disinfection), 77 to 98 (common provisions concerning highly contagious epizootic diseases) and 122 to 125 (specific measures concerning avian influenza) thereof. 3. Ordonnance of 14 June 1999 on the organisation of the <i>Département fédéral de l'économie</i>, as last amended on 10 March 2006 (RS 172.216.1), and in particular Article 8 thereof (reference laboratory).

B. SPECIAL RULES AND PROCEDURES FOR IMPLEMENTATION

1. The joint reference laboratory for avian influenza shall be the *Central Veterinary Laboratory*, New Haw, Weybridge, Surrey KT15 3NB, United Kingdom. Switzerland shall pay the costs it incurs for operations carried out by the laboratory in that capacity. The functions and tasks of the laboratory shall be as laid down in Annex V to Directive 92/40/EEC and point 2 of Annex VII to Directive 2005/94/EC.
2. Pursuant to Article 97 of the Ordonnance on epizootic diseases, Switzerland has established an emergency warning plan, published on the website of the *Office Vétérinaire Fédéral*.
3. On-the-spot inspections shall be carried out under the responsibility of the Joint Veterinary Committee in accordance in particular with Article 18 of Directive 92/40/EEC, Article 60 of Directive 2005/94/EC and Article 57 of the Law on epizootic diseases.

VI. Newcastle disease

A. LEGISLATION

European Community	Switzerland
Council Directive 92/66/EEC of 14 July 1992 introducing Community measures for the control of Newcastle disease (OJ L 260, 5.9.1992, p. 1), as last amended by Council Regulation (EC) No 806/2003 of 14 April 2003 adapting to Decision 1999/468/EC the provisions relating to committees which assist the Commission in the exercise of its implementing powers laid down in Council instruments adopted in accordance with the consultation procedure (qualified majority) (OJ L 122, 16.5.2003, p. 1).	<ol style="list-style-type: none"> 1. Law on epizootic diseases (LFE) of 1 July 1966, as last amended on 23 June 2004 (RS 916.40), and in particular Articles 1, 1a and 9a (measures against highly contagious epizootic diseases, control objectives) and 57 (technical implementing provisions, international cooperation) thereof. 2. Ordonnance of 27 June 1995 on epizootic diseases (OFE), as last amended on 23 November 2005 (RS 916.401), and in particular Articles 2 (highly contagious epizootic diseases), 40 to 47 (disposal and use of waste), 49 (handling micro-organisms that are pathogenic for animals), 73 and 74 (cleaning and disinfection), 77 to 98 (common provisions concerning highly contagious epizootic diseases) and 122 to 125 (specific measures concerning Newcastle disease) thereof. 3. Ordonnance of 14 June 1999 on the organisation of the <i>Département fédéral de l'économie</i>, as last amended on 10 March 2006 (RS 172.216.1), and in particular Article 8 thereof (reference laboratory). 4. Instruction (technical directive) of the <i>Office Vétérinaire Fédéral</i> of 20 June 1989 on combating paramyxovirus in pigeons (Bulletin of the <i>Office Vétérinaire Fédéral</i> No 90(13), p. 113 (vaccination, etc.)). 5. Ordonnance of 23 June 2004 on the elimination of animal waste (OESPA), as last amended on 22 June 2005 (RS 916.441.22).

B. SPECIAL RULES AND PROCEDURES FOR IMPLEMENTATION

1. The joint reference laboratory for Newcastle disease shall be the Central Veterinary Laboratory, New Haw, Weybridge, Surrey KT15 3NB, United Kingdom. Switzerland shall pay the costs it incurs for operations carried out by the laboratory in that capacity. The functions and tasks of the laboratory shall be as laid down in Annex V to Directive 92/66/EEC.
2. Pursuant to Article 97 of the Ordonnance on epizootic diseases, Switzerland has established an emergency warning plan, published on the website of the *Office Vétérinaire Fédéral*.
3. The information provided for in Articles 17 and 19 of Directive 92/66/EEC shall be the responsibility of the Joint Veterinary Committee.
4. On-the-spot inspections shall be carried out under the responsibility of the Joint Veterinary Committee in accordance in particular with Article 22 of Directive 92/66/EEC and Article 57 of the Law on epizootic diseases.

VII. Diseases affecting fish and molluscs

A. LEGISLATION

European Community	Switzerland
<ol style="list-style-type: none"> 1. Council Directive 93/53/EEC of 24.06.1993 introducing minimum Community measures for the control of certain fish diseases (OJ L 175, 19.7.1993, p. 23), as last amended by the Act concerning the conditions of accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic and the adjustments to the Treaties on which the European Union is founded — Annex II: List referred to in Article 20 of the Act of Accession — 6. Agriculture — B. Veterinary and phytosanitary legislation — I. Veterinary legislation (OJ L 236, 23.9.2003, p. 381). 2. Council Directive 95/70/EC of 22 December 1995 introducing minimum Community measures for the control of certain diseases affecting bivalve molluscs (OJ L 332, 30.12.1995, p. 33), as last amended by Council Regulation (EC) No 806/2003 of 14 April 2003 adapting to Decision 1999/468/EC the provisions relating to committees which assist the Commission in the exercise of its implementing powers laid down in Council instruments adopted in accordance with the consultation procedure (qualified majority) (OJ L 122, 16.5.2003, p. 1). 	<ol style="list-style-type: none"> 1. Law of 1 July 1966 on epizootic diseases (LFE), as last amended on 23 June 2004 (RS 916.40), and in particular Articles 1, 1a and 10 (measures against epizootic diseases) and 57 (technical implementing provisions, international cooperation) thereof. 2. Ordonnance of 27 June 1995 on epizootic diseases (OFE), as last amended on 23 November 2005 (RS 916.401), and in particular Articles 3 and 4 (epizootic diseases referred to), 61 (obligations of leasers of fishing rights and of bodies responsible for monitoring fishing), 62 to 76 (general measures for combating disease) 275 to 290 (specific measures relating to fish diseases, diagnostic laboratory) thereof.

B. SPECIAL RULES AND PROCEDURES FOR IMPLEMENTATION

1. At present, salmon farming is not authorised and the species is not present in Switzerland. In accordance with the Ordonnance on epizootic diseases, infectious anaemia in salmon is now classified in Switzerland as a disease to be eradicated.
2. Flat oyster farming is not currently practised in Switzerland. Should cases of bonamiosis or marteiliosis appear, the *Office Vétérinaire Fédéral* undertakes to take the necessary emergency measures in accordance with Community rules on the basis of Article 57 of the Law on epizootic diseases.
3. In cases as referred to in Article 7 of Directive 93/53/EEC, the information shall be submitted to the Joint Veterinary Committee.
4. The joint reference laboratory for fish diseases shall be the *Statens Veterinære Serumlaboratorium Landbrugsministeriet*, Hangevej 2, 8200 Aarhus, Denmark. Switzerland shall pay the costs it incurs for operations carried out by the laboratory in that capacity. The functions and tasks of the laboratory shall be as laid down in Annex C to Directive 93/53/EEC.
5. Pursuant to Article 97 of the Ordonnance on epizootic diseases, Switzerland has established an action plan, published on the website of the *Office Vétérinaire Fédéral*.
6. On-the-spot inspections shall be carried out under the responsibility of the Joint Veterinary Committee in accordance in particular with Article 16 of Directive 93/53/EEC, Article 8 of Directive 95/70/EC and Article 57 of the Law on epizootic diseases.
7. In cases as referred to in Article 5 of Directive 95/70/EEC, the information shall be submitted to the Joint Veterinary Committee.
8. The Community reference laboratory for mollusc diseases shall be the *Laboratoire IFREMER*, BP 133, 17390 La Tremblade, France. Switzerland shall pay the costs it incurs for operations carried out by the laboratory in that capacity. The functions and tasks of the laboratory shall be as laid down in Annex B to Directive 95/70/EEC.

VIII. Transmissible spongiform encephalopathies

A. LEGISLATION

European Community	Switzerland
Regulation (EC) No 999/2001 of the European Parliament and of the Council of 22 May 2001 laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies (OJ L 147, 31.5.2001, p. 1), as last amended by Commission Regulation (EC) No 688/2006 of 4 May 2006 amending Annexes III and XI to Regulation (EC) No 999/2001 of the European Parliament and of the Council as regards the monitoring of transmissible spongiform encephalopathies and specified risk material of bovine animals in Sweden (OJ L 120, 5.5.2006, p. 10).	<ol style="list-style-type: none"> 1. Ordonnance of 27 May 1981 on the protection of animals (OPAn), as last amended on 12 April 2006 (RS 455.1), and in particular Article 64f thereof (stunning procedures). 2. Ordonnance of 20 April 1988 on the import, transit and export of animals and animal products (OITE), (RS 916.443.11). 3. Law of 9 October 1992 on foodstuffs and consumer products (LDA1), as last amended on 16 December 2005 (RS 817.0), and in particular Articles 24 (inspection and sampling) and 40 (inspection of foodstuffs) thereof. 4. DFI Ordonnance of 23 November 2005 on foodstuffs of animal origin (RS 817.022.108), and in particular Articles 4 and 7 thereof (parts of the carcass which may not be used). 5. Ordonnance of 27 June 1995 on epizootic diseases (OFE), as last amended on 23 November 2005 (RS 916.401), and in particular Articles 6 (definitions and abbreviations), 36 (patents), 61 (obligation to report), 130 (surveillance of Swiss livestock), 175 to 181 (transmissible spongiform encephalopathies), 297 (internal implementation), 301 (duties of the canton veterinarian), 303 (training and further training of veterinary officials) and 312 (diagnostic laboratories) thereof. 6. Ordonnance of 10 June 1999 on the catalogue of feedingstuffs (OLALA), as last amended on 23 November 2005 (RS 916.307.1), and in particular Article 28 thereof (transport of feedingstuffs for productive animals), Annex 1, Part 9 (products of land animals), Part 10 (fish, other marine animals and their products and by-products) and Annex 4 (list of banned substances) thereto. 7. Ordonnance of 23 June 2004 on the elimination of animal waste (OESPA), as last amended on 22 June 2005 (RS 916.441.22).

B. SPECIAL RULES AND PROCEDURES FOR IMPLEMENTATION

1. The Community reference laboratory for transmissible spongiform encephalopathies (TSEs) shall be the Veterinary Laboratories Agency (VLA), New Haw, Weybridge, Surrey KT 15 3NB, United Kingdom. Switzerland shall pay the costs it incurs for operations carried out by the laboratory in that capacity. The functions and tasks of the laboratory shall be as laid down in Chapter B of Annex X to Regulation (EC) No 999/2001.
2. Pursuant to Article 57 of the Ordonnance on epizootic diseases, Switzerland has established an emergency plan for implementing measures to combat TSEs.
3. Under Article 12 of Regulation (EC) No 999/2001, any animal suspected of being infected by a TSE in the Member States of the Community shall be placed under an official movement restriction until the results of a clinical and epidemiological examination carried out by the competent authority are known, or sacrificed for laboratory examination under official control.

In accordance with Articles 179b and 180a of the Ordonnance on epizootic diseases, Switzerland has banned the slaughter of animals suspected of being infected by a transmissible spongiform encephalopathy. Suspect animals must be killed without spilling blood and incinerated, and their brains must be analysed in the Swiss reference laboratory for TSEs.

Under Article 10 of the Ordonnance on epizootic diseases, Switzerland has introduced a permanent identification system for bovine animals enabling them to be traced back to the dam and herd of origin and making it possible to establish that they are not the progeny of BSE suspect females or BSE confirmed bovine animals.

Under Article 179c of the Ordonnance on epizootic diseases, Switzerland slaughters animals infected with BSE and the progeny of bovine animals infected with bovine spongiform encephalopathy born in the two years preceding diagnosis. Since 1 July 1999, Switzerland has also implemented slaughter by cohort (it practised slaughter by herd from 14 December 1996 until 30 June 1999).

4. Pursuant to Article 180b of the Ordonnance on epizootic diseases, Switzerland slaughters animals infected with scrapie, their dams and the direct descendants of contaminated dams, as well as all the other sheep and goats in the herd, with the exception of:

- sheep carrying at least one ARR allele and no VRQ allele; and
- animals of less than two months old which are intended solely for slaughter. The head and organs of the abdominal cavity of these animals are disposed of in accordance with the provisions of the Ordonnance on the elimination of animal by-products (OESPA).

By way of exception, in the case of breeds which are low in number, the herd does not have to be slaughtered. In this case, the herd is placed under official veterinary surveillance for a period of two years during which a clinical examination of the animals in the herd is carried out twice a year. If during this period animals are presented for slaughter, their heads, including tonsils, are subjected to an analysis by the reference laboratory for TSEs.

These measures are reviewed according to the findings from animal health monitoring. In particular, the monitoring period is extended if a new case of the disease is detected in the herd.

In the event of a confirmed case of BSE in a sheep or goat, Switzerland undertakes to apply the measures laid down in Annex VII to Regulation (EC) No 999/2001.

5. Under Article 7 of Regulation (EC) No 999/2001, the Member States of the Community prohibit the feeding of processed animal proteins to farmed animals which are kept, fattened or bred for the production of food. There is a total prohibition on feeding proteins derived from animals to ruminants in the Member States of the Community.

Under Article 18 of the Ordonnance on the elimination of animal by-products (OESPA), Switzerland has introduced a total prohibition on the feeding of animal protein to farmed animals, which entered into force on 1 January 2001.

6. Under Article 6 of Regulation (EC) No 999/2001 and in accordance with Chapter A of Annex III to that Regulation, the Member States of the Community are to introduce an annual BSE monitoring programme. This plan includes a rapid BSE test for all cattle more than 24 months old subject to emergency slaughter, animals which have died on the farm or found to be ill during the ante mortem inspection and all animals more than 30 months old slaughtered for human consumption.

The rapid BSE tests used by Switzerland are listed in Chapter C of Annex X to Regulation (EC) No 999/2001.

Under Article 179 of the Ordonnance on epizootic diseases, Switzerland is to carry out a compulsory rapid BSE test for all bovine animals more than 30 months old subject to emergency slaughter, animals which have died on the farm or been found to be ill during the ante mortem inspection and all animals more than 30 months old slaughtered for human consumption. In addition, operators are to implement a voluntary programme for monitoring bovine animals more than 20 months old slaughtered for human consumption.

7. Under Article 6 of Regulation (EC) No 999/2001 and in accordance with Chapter A of Annex III to that Regulation, the Member States of the Community are to introduce an annual BSE monitoring programme.

In application of the provisions of Article 177 of the Ordonnance on epizootic diseases, Switzerland has introduced a TSE monitoring programme for ovine and caprine animals more than 12 months old. Animals which are subject to emergency slaughter, have died on the farm or have been found to be ill during the ante mortem inspection and all animals slaughtered for human consumption were examined over the period from June 2004 to July 2005. As all the samples tested negative for BSE, samples for monitoring purposes are taken from clinical suspect animals, animals subject to emergency slaughter and animals which died on the farm.

The recognition of similarities in legislation governing the monitoring of TSEs in ovine and caprine animals will be reconsidered in the Joint Veterinary Committee.

8. The Joint Veterinary Committee is responsible for providing the information required in Article 6 and Chapter B of Annex III and in Annex IV (3.III) to Regulation (EC) No 999/2001.
9. On-the-spot inspections are carried out under the responsibility of the Joint Veterinary Committee in accordance in particular with Article 21 of Regulation (EC) No 999/2001 and Article 57 of the Law on epizootic diseases.

C. ADDITIONAL INFORMATION

1. From 1 January 2003, pursuant to the Ordonnance of 20 November 2002 on the allocation of contributions to cover the costs of eliminating animal waste in 2003 (RS 916.406), Switzerland has introduced a financial incentive for farms on which bovine animals are born and slaughterhouses where they are slaughtered, provided they comply with the procedures for declaring animal movements as provided for in the legislation in force.
2. Under Article 8 of Regulation (EC) No 999/2001 and in accordance with point 1 of Annex XI to that Regulation, the Member States of the Community are to remove and destroy specified risk materials (SRMs).

The list of SRMs removed from bovine animals comprises the skull, excluding the mandible but including the brain and eyes, and the spinal cord of bovine animals aged over 12 months; the spinal column, excluding the vertebrae of the tail, the spinous and transversal processes of the cervical and lumbar vertebrae and the median sacral crest and the wings of the sacrum, but including the dorsal root ganglia and spinal cord of bovine animals aged over 24 months; the tonsils, the intestines from the duodenum to the rectum and the mesentery of bovine animals of all ages.

The list of SRMs removed from ovine and caprine animals comprises the skull, including the brain and eyes, the tonsils and the spinal cord of ovine and caprine animals aged over 12 months or which have a permanent incisor erupted through the gum, and the spleen and ileum of ovine and caprine animals of all ages.

Under Article 179d of the Ordonnance on epizootic diseases and Article 4 of the Ordonnance on foodstuffs of animal origin, Switzerland has introduced a policy of removing SRMs from the animal and human food chains. The list of SRMs removed from bovine animals comprises in particular the spinal column of animals aged over 30 months, and the tonsils, intestines from the duodenum to the rectum, and mesentery of animals of all ages.

Under Article 180c of the Ordonnance on epizootic diseases and Article 4 of the Ordonnance on foodstuffs of animal origin, Switzerland has introduced a policy of removing SRMs from the animal and human food chains. The list of SRMs removed from ovine and caprine animals includes in particular the brain in the cranial cavity, the spinal chord with the dura mater and the tonsils of animals aged over 12 months or which have a permanent incisor erupted through the gum, and the spleen and ileum of animals of all ages.

3. Regulation (EC) No 1774/2002 of the European Parliament and of the Council lays down health rules concerning animal by-products not intended for human consumption in the Member States of the Community.

Under Article 13 of the Ordonnance on the elimination of animal by-products, Switzerland is to incinerate category 1 animal by-products, including specified risk materials and animals which have died on the farm.

IX. **Bluetongue**

A. LEGISLATION

European Community	Switzerland
Council Directive 2000/75/EC of 20 November 2000 laying down specific provisions for the control and eradication of bluetongue.	<ol style="list-style-type: none"> 1. Law on epizootic diseases (LFE) of 1 July 1966, as last amended on 23 June 2004 (RS 916.40), and in particular Articles 1, 1a and 9a (measures against highly contagious epizootic diseases, control objectives) and 57 (technical implementing provisions, international cooperation) thereof. 2. Ordonnance of 27 June 1995 on epizootic diseases (OFE), as last amended on 23 November 2005 (RS 916.401), and in particular Articles 2 (highly contagious epizootic diseases), 73 and 74 (cleaning and disinfection), 77 to 98 (common provisions concerning highly contagious epizootic diseases) and 126 to 127 (common provisions concerning the other highly contagious epizootic diseases) thereof. 3. Ordonnance of 14 June 1999 on the organisation of the <i>Département fédéral de l'économie</i>, as last amended on 10 March 2006 (RS 172.216.1), and in particular Article 8 thereof (reference laboratory).

B. SPECIAL RULES AND PROCEDURES FOR IMPLEMENTATION

1. The Community reference laboratory for bluetongue shall be the AFRC Institute for Animal Health, Pirbright Laboratory, Ash Road, Pirbright, Woking, Surrey GU24 0NF, United Kingdom. Switzerland shall pay the costs it incurs for operations carried out by the laboratory in that capacity. The functions and tasks of the laboratory shall be as laid down in Chapter B of Annex II to Directive 2000/75/EC.
2. Pursuant to Article 97 of the Ordonnance on epizootic diseases, Switzerland has established an emergency warning plan, published on the website of the *Office Vétérinaire Fédéral*.
3. On-the-spot inspections shall be carried out under the responsibility of the Joint Veterinary Committee in accordance in particular with Article 17 of Directive 2000/75/EC and Article 57 of the Law on epizootic diseases.

X. Zoonoses

A. LEGISLATION

European Community	Switzerland
1. Regulation (EC) No 2160/2003 of the European Parliament and of the Council of 17 November 2003 on the control of salmonella and other specified food-borne zoonotic agents (OJ L 325, 12.12.2003, p. 1).	1. Ordonnance of 1 July 1966 on epizootic diseases (LFE), as last amended on 23 June 2004 (RS 916.401).
2. Directive 2003/99/EC of the European Parliament and of the Council of 17 November 2003 on the monitoring of zoonoses and zoonotic agents, amending Council Decision 90/424/EEC and repealing Council Directive 92/117/EEC (OJ L 325 of 12.12.2003, p. 31).	2. Ordonnance of 27 June 1995 on epizootic diseases (OFE), as last amended on 23 November 2005 (RS 916.401).
	3. Federal Law of 9 October 1992 on foodstuffs and consumer products (LDAI), as last amended on 16 December 2005 (RS 817.0).
	4. Ordonnance of 23 November 2005 on foodstuffs and consumer products (ODAI0Us) (RS 817.02).
	5. DFI Order of 23 November 2005 on hygiene (OHyg) (RS 817.024.1).
	6. Federal Law of 18 December 1970 on protection against infectious diseases in humans (Epidemics Law), last amended on 21 March 2003 (RS 818.101).
	7. Ordonnance of 13 January 1999 on the declaration of infectious diseases in humans (Ordonnance on the declaration), last amended on 15 December 2003 (RS 818.141.1).

B. SPECIAL RULES AND PROCEDURES FOR IMPLEMENTATION

1. The Community reference laboratories shall be:
 - Community reference laboratory for the analysis and testing of zoonoses (salmonella):
Rijksinstituut voor Volksgezondheid en Milieuhygiëne (RIVM)
3720 BA Bilthoven
Netherlands
 - Community reference laboratory for the monitoring of marine biotoxins:
Agencia Española de Seguridad Alimentaria (AES):
E-36200 Vigo
Spain
 - Community reference laboratory for monitoring bacteriological and viral contaminations of bivalve molluscs:
The laboratory of the Centre for Environment, Fisheries and Aquaculture Science (CEFAS)
Weymouth
Dorset DT4 8UB
United Kingdom

- Community reference laboratory for *Listeria monocytogenes*:
AFSSA — Laboratoire d'études et de recherches sur la qualité des aliments et sur les procédés agroalimentaires (LERQAP)
F-94700 Maisons-Alfort
France
 - Community reference laboratory for Coagulase positive Staphylococci, including *Staphylococcus aureus*:
AFSSA — Laboratoire d'études et de recherches sur la qualité des aliments et sur les procédés agroalimentaires (LERQAP)
F-94700 Maisons-Alfort
France
 - Community reference laboratory for *Escherichia coli*, including Verotoxigenic *E. coli* (VTEC):
Istituto Superiore di Sanità (ISS)
I-00161 Roma
Italy
 - Community reference laboratory for *Campylobacter*:
Statens Veterinärmedicinska Anstalt (SVA)
S-751 89 Uppsala
Sweden
 - Community reference laboratory for parasites (particularly *Trichinella*, *Echinococcus* and *Anisakis*):
Istituto Superiore di Sanità (ISS)
I-00161 Roma
Italy
 - Community Reference Laboratory for antimicrobial resistance:
Danmarks Fødevareforskning (DFVF)
DK-1790 København V
Denmark
2. Switzerland shall pay the costs it incurs for operations carried out by the laboratory in these capacities. The functions and tasks of these laboratories shall be as laid down in Regulation (EC) No 882/2004 of the European Parliament and of the Council of 29 April 2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules (OJ L 165, 30.4.2004, p. 1).
3. Switzerland shall transmit to the Commission every year by the end of May a report on trends and sources of zoonoses, zoonotic agents and antimicrobial resistance, covering the data collected pursuant to Articles 4, 7 and 8 of Directive 2003/99/EC during the previous year. This report shall also contain the information referred to in Article 3 (2)(b) of Regulation (EC) No 2160/2003. This report shall be sent by the Commission to the European Food Safety Authority with a view to the publication of the summary report concerning the trends and sources of zoonoses, zoonotic agents and antimicrobial resistance in the Community.

XI. Other diseases

A. LEGISLATION

European Community	Switzerland
Council Directive 92/119/EEC of 17 December 1992 introducing general Community measures for the control of certain animal diseases and specific measures relating to swine vesicular disease (OJ L 62, 15.3.1993, p. 69), as last amended by Council Regulation (EC) No 806/2003 of 14 April 2003 adapting to Decision 1999/468/EC the provisions relating to committees which assist the Commission in the exercise of its implementing powers laid down in Council instruments adopted in accordance with the consultation procedure (qualified majority) (OJ L 122, 16.5.2003, p. 1).	<ol style="list-style-type: none"> 1. Law of 1 July 1966 on epizootic diseases (LFE), as last amended on 23 June 2004 (RS 916.40), and in particular Articles 1, 1a and 9a (measures against highly contagious epizootic diseases, control objectives) and 57 (technical implementing provisions, international cooperation) thereof. 2. Ordonnance of 27 June 1995 on epizootic diseases (OFE), as last amended on 23 November 2005 (RS 916.401), and in particular Articles 2 (highly contagious epizootic diseases), 49 (handling micro-organisms that are pathogenic for animals), 73 and 74 (cleaning and disinfection), 77 to 98 (common provisions concerning highly contagious epizootic diseases) and 103 to 105 (specific measures concerning the control of swine vesicular disease) thereof. 3. Ordonnance of 14 June 1999 on the organisation of the <i>Département fédéral de l'économie</i>, as last amended on 10 March 2006 (RS 172.216.1), and in particular Article 8 thereof (reference laboratory).

B. SPECIAL RULES AND PROCEDURES FOR IMPLEMENTATION

1. In cases as referred to in Article 6 of Directive 92/119/EEC, the information shall be submitted to the Joint Veterinary Committee.
2. The joint reference laboratory for swine vesicular disease shall be: the AFRC Institute for Animal Health, Pirbright Laboratory, Ash Road, Pirbright, Woking, Surrey GU24 0NF, United Kingdom. Switzerland shall pay the costs it incurs for operations carried out by the laboratory in that capacity. The functions and tasks of the laboratory shall be as laid down in Annex III to Directive 92/119/EEC.
3. Pursuant to Article 97 of the Ordonnance on epizootic diseases, Switzerland has established an emergency plan. Technical implementation rule No 95/65 issued by the *Office Vétérinaire Fédéral* lays down the procedures for that plan.
4. On-the-spot inspections shall be carried out under the responsibility of the Joint Veterinary Committee in accordance in particular with Article 22 of Directive 92/119/EEC and Article 57 of the Law on epizootic diseases.

XII. Notification of diseases

A. LEGISLATION

European Community	Switzerland
Council Directive 82/894/EEC of 21 December 1982 on the notification of animal diseases within the Community (OJ L 378, 31.12.1982, p. 58), as last amended by Commission Decision 2004/216/EC of 1 March 2004 amending Council Directive 82/894/EEC on the notification of animal diseases within the Community to include certain equine diseases and certain diseases of bees to the list of notifiable diseases (OJ L 67, 5.3.2004, p. 27).	<ol style="list-style-type: none">1. Law of 1 July 1966 on epizootic diseases (LFE), as last amended on 23 June 2004 (RS 916.40), and in particular Articles 11 (announcement and declaration of diseases) and 57 (technical implementing provisions, international cooperation) thereof.2. Ordonnance of 27 June 1995 on epizootic diseases (OFE), as last amended on 23 November 2005 (RS 916.401), and in particular Articles 2 to 5 (diseases referred to), 59 to 65 and 291 (obligation to report, notification) and 292 to 299 (monitoring, implementation, administrative assistance) thereof.

B. SPECIAL RULES AND PROCEDURES FOR IMPLEMENTATION

The Commission, in cooperation with the *Office Vétérinaire Fédéral*, shall integrate Switzerland into the animal disease notification system provided for in Directive 82/894/EEC.

Appendix 2

ANIMAL HEALTH

I. Animals and swine

A. LEGISLATION

European Community	Switzerland
Council Directive 64/432/EEC of 26 June 1964 on animal health problems affecting intra-Community trade in bovine animals and swine (OJ L 121, 29.7.1964, p. 1977/64), as last amended by Council Regulation (EC) No 1/2005 of 22 December 2004 on the protection of animals during transport and related operations and amending Directives 64/432/EEC and 93/119/EC and Regulation (EC) No 1255/97 (OJ L 3, 5.1.2005, p. 1).	<ol style="list-style-type: none"> Ordonnance of 27 June 1995 on epizootic diseases (OFE), as last amended on 23 November 2005 (RS 916.401), and in particular Articles 27 to 31 (markets, exhibitions), 34 to 37 (trade), 73 and 74 (cleaning and disinfection), 116 to 121 (African swine fever), 135 to 141 (Aujeszky's disease), 150 to 157 (bovine brucellosis), 158 to 165 (tuberculosis), 166 to 169 (enzootic bovine leucosis), 170 to 174 (IBR/IPV), 175 to 195 (spongiform encephalopathies), 186 to 189 (bovine genital infections), 207 to 211 (porcine brucellosis), 297 (approval of markets, assembly centres and disinfection points) thereof. Ordonnance of 20 April 1988 on the import, transit and export of animals and animal products (OITE), (RS 916.443.11).

B. SPECIAL RULES AND PROCEDURES FOR IMPLEMENTATION

- Pursuant to the first paragraph of Article 297 of the Ordonnance on epizootic diseases, the *Office Vétérinaire Fédéral* shall approve assembly centres as defined in Article 2 of Directive 64/432/EEC. For the purposes of this Annex, in accordance with Articles 11, 12 and 13 of Directive 64/432/EEC, Switzerland shall draw up a list of its approved assembly centres, transporters and traders.
- The information provided for in Article 11(3) of Directive 64/432/EEC shall be submitted to the Joint Veterinary Committee.
- For the purposes of this Annex, Switzerland is recognised as fulfilling the conditions laid down in Annex A(II)(7) to Directive 64/432/EEC as regards bovine brucellosis. In order to maintain its status as having an officially brucellosis-free bovine herd, Switzerland undertakes to meet the following conditions:
 - any animal of the bovine species suspected of being infected with brucellosis shall be reported to the competent authorities and the animal concerned shall undergo the official tests for brucellosis, comprising at least two serological tests with complement fixation and a microbiological examination of suitable samples taken in cases of abortion;
 - until such time as suspicion of the disease is lifted, i.e. when the tests provided for in point (a) have produced negative results, the officially brucellosis-free status of the herd to which the animal (or animals) of the bovine species suspected of infection belongs shall be suspended.

Detailed information concerning herds testing positive and an epidemiological report shall be submitted to the Joint Veterinary Committee. If any of the conditions laid down in the first subparagraph of Annex A(II)(7) to Directive 64/432/EEC is not fulfilled by Switzerland, the *Office Vétérinaire Fédéral* shall immediately notify the Commission. The situation shall be considered within the Joint Veterinary Committee with a view to reviewing this paragraph.

- For the purposes of this Annex, Switzerland is recognised as fulfilling the conditions laid down in Annex A(II)(4) to Directive 64/432/EEC as regards bovine tuberculosis. In order to maintain its status as having an officially tuberculosis-free bovine herd, Switzerland undertakes to meet the following conditions:
 - an identification system shall be introduced allowing each bovine animal to be traced back to its herd of origin;
 - all slaughtered animals shall undergo a *post mortem* inspection carried out by an official veterinarian;
 - any suspected cases of tuberculosis in live, dead or slaughtered animals shall be reported to the competent authorities;

- (d) in each case the competent authorities shall carry out the investigations necessary to establish whether the suspected disease is present, including upstream research on herds of origin and transit herds; where lesions suspected to have been caused by tuberculosis are discovered during an autopsy or at the time of slaughter, the competent authorities shall have a laboratory examination conducted on the lesions;
- (e) the officially tuberculosis-free status of the herds of origin and transit herds to which the bovine animal suspected of infection belong shall be suspended until clinical, laboratory or tuberculin tests have confirmed that no bovine tuberculosis is present;
- (f) where tuberculin, clinical or laboratory tests confirm that tuberculosis is present, the officially tuberculosis-free status of the herds of origin and transit herds shall be withdrawn;
- (g) officially tuberculosis-free status shall not be established until all the animals suspected of being infected have been removed from the herd, the premises and equipment have been disinfected, and all the remaining animals aged over six weeks have reacted negatively to at least two official intradermal injections of tuberculin pursuant to Annex B to Directive 64/432/EEC, the first being carried out at least six months after the infected animals has left the herd and the second at least six months after the first.

Detailed information on the infected herds and an epidemiological report shall be submitted to the Joint Veterinary Committee. If any of the conditions laid down in the first subparagraph of Annex A(I)(4) of Directive 64/432/EEC is not fulfilled by Switzerland, the *Office Vétérinaire Fédéral* shall immediately notify the Commission. The situation shall be considered within the Joint Veterinary Committee with a view to reviewing this paragraph.

5. For the purposes of this Annex, Switzerland is recognised as fulfilling the conditions laid down in Chapter I(F) of Annex D to Directive 64/432/EEC as regards enzootic bovine leucosis. In order to maintain its status as having an officially enzootic bovine leucosis-free herd, Switzerland undertakes to meet the following conditions:
- (a) the Swiss herd shall be monitored by sampling checks. The size of the sample shall be such that it can be declared with 99 % reliability that less than 0,2 % of herds are infected with enzootic bovine leucosis;
 - (b) all slaughtered animals shall undergo a *post mortem* inspection carried out by an official veterinarian;
 - (c) any suspected cases of enzootic bovine leucosis found in clinical examinations, autopsies or checks on meat shall be reported to the competent authorities;
 - (d) where enzootic bovine leucosis is suspected or found to be present, the officially leucosis-free status of the herd shall be suspended until the isolation period is terminated;
 - (e) the isolation period shall be terminated when, after the infected animals and, where appropriate, their calves have been eliminated, two serological examinations carried out at an interval of at least 90 days have produced negative results.

If enzootic bovine leucosis has been found in 0,2 % of herds, the *Office Vétérinaire Fédéral* shall immediately notify the Commission. The situation shall be considered within the Joint Veterinary Committee with a view to reviewing this paragraph.

6. For the purposes of this Annex, Switzerland is recognised as officially free from infectious bovine rhinotracheitis. In order to maintain that status, Switzerland undertakes to meet the following conditions:
- (a) the Swiss herd shall be monitored by sampling checks. The size of the sample shall be such that it can be declared with 99 % reliability that less than 0,2 % of herds are infected with infectious bovine rhinotracheitis;
 - (b) breeding bulls aged over 24 months shall undergo an annual serological examination;
 - (c) any suspected cases of infectious bovine rhinotracheitis shall be reported to the competent authorities and the animals concerned shall undergo official tests for infectious bovine rhinotracheitis, comprising virological or serological tests;
 - (d) where infectious bovine rhinotracheitis is suspected or found to be present, the officially infection-free status of the herd shall be suspended until the isolation period is terminated;
 - (e) the isolation period shall be terminated when a serological examination carried out at least 30 days after the infected animals have been eliminated produces negative results.

By virtue of the recognised status of Switzerland, Decision 2004/558/EC (OJ L 249, 23.7.2004, p. 20), shall apply *mutatis mutandis*.

The *Office Vétérinaire Fédéral* shall immediately notify the Commission of any change in the conditions on which recognition of that status is based. The situation shall be considered within the Joint Veterinary Committee with a view to reviewing this paragraph.

7. For the purposes of this Annex, Switzerland is recognised as officially free from Aujeszky's disease. In order to maintain that status, Switzerland undertakes to meet the following conditions:
 - (a) the Swiss herd shall be monitored by sampling checks. The size of the sample shall be such that it can be declared with 99 % reliability that less than 0,2 % of herds are infected with Aujeszky's disease;
 - (b) any suspected cases of Aujeszky's disease shall be reported to the competent authorities and the animals concerned shall undergo official tests for Aujeszky's disease including virological or serological tests;
 - (c) where Aujeszky's disease is suspected or found to be present, the officially infection-free status of the herd shall be suspended until the isolation period is terminated;
 - (d) isolation shall be terminated when, after the infected animals have been eliminated, two serological examinations of all breeding animals and a representative number of fattening animals carried out at an interval of least 21 days have produced negative results.

By virtue of the recognised status of Switzerland, Decision 2001/618/EC (OJ L 215, 9.8.2001, p. 48), as last amended by Decision 2005/768/EC (OJ L 290, 4.11.2005, p. 27), shall apply *mutatis mutandis*.

The *Office Vétérinaire Fédéral* shall immediately notify the Commission of any change in the conditions on which recognition of that status is based. The situation shall be considered within the Joint Veterinary Committee with a view to reviewing this paragraph.

8. The question of possible additional guarantees concerning transmissible gastroenteritis of pigs (TGE) and porcine reproductive and respiratory syndrome (PRRS) shall be considered as soon as possible by the Joint Veterinary Committee. The Commission shall inform the *Office Vétérinaire Fédéral* of any developments on this matter.
9. In Switzerland the *Institut de Bactériologie Vétérinaire* of the University of Bern is responsible for the official testing of tuberculins within the meaning of point 4 of Annex B to Directive 64/432/EEC.
10. The *Institut de Bactériologie Vétérinaire* of the University of Bern shall be responsible for the official testing of antigens (brucellosis) in Switzerland in accordance with Annex C(A)(4) to Directive 64/432/EEC.
11. Bovine animals and swine traded between the Member States of the Community and Switzerland shall be accompanied by health certificates in accordance with the models set out in Annex F to Directive 64/432/EEC. The following adjustments shall apply:

Model 1:

- in section C, the certifications are adapted as follows:
 - in point 4, relating to the additional guarantees, the following is added to the indents:
 - ‘— disease: infectious bovine rhinotracheitis,
 - in accordance with Commission Decision 2004/558/EC, which shall apply *mutatis mutandis*;

Model 2:

- in section C, the certifications are adapted as follows:
 - in point 4, relating to the additional guarantees, the following is added to the indents:
 - ‘— disease: Aujeszky's,
 - in accordance with Commission Decision 2001/618/EC, which shall apply *mutatis mutandis*;

12. For the purposes of applying this Annex, bovine animals traded between the Member States of the Community and Switzerland must be accompanied by additional health certificates containing the following health declarations:

‘— The bovine animals:

- are identified by a permanent identification system enabling them to be traced back to the dam and herd of origin and making it possible to establish that they are not the progeny of BSE suspect or confirmed females born during the two years preceding the diagnosis,
- do not come from herds where a suspected case of BSE is under investigation,
- were born after 1 June 2001.’

II. Sheep and goats

A. LEGISLATION

European Community	Switzerland
Council Directive 91/68/EEC of 28 January 1991 on animal health conditions governing intra-Community trade in ovine and caprine animals (OJ L 46, 19.2.1991, p. 19), as last amended by Commission Decision 2005/932/EC of 21 December 2005 amending Annex E to Council Directive 91/68/EEC as regards the updating of the model health certificates relating to ovine and caprine animals (OJ L 340, 23.12.2005).	<ol style="list-style-type: none"> 1. Ordonnance of 27 June 1995 on epizootic diseases (OFE), as last amended on 23 November 2005 (RS 916.401), and in particular Articles 27 to 31 (markets, exhibitions), 34 to 37 (trade), 73 and 74 (cleaning and disinfection), 142 to 149 (rabies), 158 to 165 (tuberculosis), 166 to 169 (scrapie), 190 to 195 (ovine and caprine brucellosis), 196 to 199 (contagious agalactia), 200 to 203 (caprine arthritis/encephalitis), 233 to 235 (brucellosis in rams) and 297 (approval of markets, assembly centres and disinfection points) thereof. 2. Ordonnance of 20 April 1988 on the import, transit and export of animals and animal products (OITE), (RS 916.443.11).

B. SPECIAL RULES AND PROCEDURES FOR IMPLEMENTATION

1. For the purposes of the second subparagraph of Article 3(2) of Directive 91/68/EEC, the information referred to therein shall be submitted to the Joint Veterinary Committee.
2. On-the-spot inspections shall be carried out under the responsibility of the Joint Veterinary Committee in accordance in particular with Article 11 of Directive 91/68/EEC and Article 57 of the Law on epizootic diseases.
3. For the purposes of this Annex, Switzerland is recognised as officially free from ovine and caprine brucellosis. In order to maintain that status, Switzerland undertakes to implement the measures provided for in point II(2) of Chapter I of Annex A to Directive 91/68/EEC.

Should ovine and caprine brucellosis appear or reappear, Switzerland shall inform the Joint Veterinary Committee so that the necessary measures can be taken in line with developments in the situation.

4. Ovine and caprine animals traded between the Member States of the Community and Switzerland shall be accompanied by health certificates in accordance with the models set out in Annex E to Directive 91/68/EEC.

III. EQUIDAE

A. LEGISLATION

European Community	Switzerland
Council Directive 90/426/EEC of 26 June 1990 on animal health conditions governing the movement and import from third countries of equidae (OJ L 224, 18.8.1990, p. 42), as last amended by Council Directive 2004/68/EC of 26 April 2004 laying down animal health rules for the importation into and transit through the Community of certain live ungulate animals, amending Directives 90/426/EEC and 92/65/EEC and repealing Directive 72/462/EEC (OJ L 139, 30.4.2004, p. 320).	<ol style="list-style-type: none"> 1. Ordonnance of 27 June 1995 on epizootic diseases (OFE), as last amended on 23 November 2005 (RS 916.401), and in particular Articles 112 to 115 (African horse disease), 204 to 206 (dourine, encephalomyelitis, infectious anaemia, glanders), and 240 to 244 (contagious equine metritis) thereof. 2. Ordonnance of 20 April 1988 on the import, transit and export of animals and animal products (OITE), (RS 916.443.11).

B. SPECIAL RULES AND PROCEDURES FOR IMPLEMENTATION

1. For the purposes of Article 3 of Directive 90/426/EEC, information shall be submitted to the Joint Veterinary Committee.
2. For the purposes of Article 6 of Directive 90/426/EEC, information shall be submitted to the Joint Veterinary Committee.
3. On-the-spot inspections shall be carried out under the responsibility of the Joint Veterinary Committee in accordance in particular with Article 10 of Directive 90/426/EEC and Article 57 of the Law on epizootic diseases.
4. Annexes B and C to Directive 90/426/EEC shall apply *mutatis mutandis* to Switzerland.

IV. Poultry and hatching eggs

A. LEGISLATION

European Community	Switzerland
Council Directive 90/539/EEC of 15 October 1990 on animal health conditions governing intra-Community trade in, and imports from third countries of, poultry and hatching eggs (OJ L 303, 31.10.1990, p. 6), as last amended by Council Regulation (EC) No 806/2003 of 14 April 2003 adapting to Decision 1999/468/EC the provisions relating to committees which assist the Commission in the exercise of its implementing powers laid down in Council instruments adopted in accordance with the consultation procedure (qualified majority) (OJ L 122, 16.5.2003, p. 1).	<ol style="list-style-type: none"> 1. Ordonnance of 27 June 1995 on epizootic diseases (OFE), as last amended on 23 November 2005 (RS 916.401), and in particular Articles 25 (transport), 122 to 125 (avian influenza and Newcastle disease), 255 to 261 (Salmonella enteritidis) and 262 to 265 (avian infectious laryngotracheitis) thereof. 2. Ordonnance of 20 April 1988 on the import, transit and export of animals and animal products (OITE), (RS 916.443.11).

B. SPECIAL RULES AND PROCEDURES FOR IMPLEMENTATION

1. For the purposes of Article 3 of Directive 90/539/EEC, Switzerland shall submit a plan to the Joint Veterinary Committee setting out the measures it intends to implement for the approval of its establishments.
2. For the purposes of Article 4 of Directive 90/539/EEC, the national reference laboratory for Switzerland shall be the *Institut de Bactériologie Vétérinaire* of the University of Bern.
3. The requirement concerning eggs held prior to consignment in the first indent of Article 7(1) of Directive 90/539/EEC shall apply *mutatis mutandis* to Switzerland.
4. For consignments of hatching eggs to the Community, the Swiss authorities undertake to comply with the rules on marking laid down in Commission Regulation (EEC) No 1868/77. The mark for Switzerland shall be 'CH'.
5. The holding requirement specified in Article 9, point (a) of Directive 90/539/EEC shall apply *mutatis mutandis* to Switzerland.

6. The holding requirement specified in Article 10, point (a) of Directive 90/539/EEC shall apply *mutatis mutandis* to Switzerland.
7. The requirement concerning eggs held prior to consignment in the first indent of Article 11(2) of Directive 90/539/EEC shall apply *mutatis mutandis* to Switzerland.
8. For the purposes of this Annex, Switzerland is recognised as meeting the requirements of Article 12(2) of Directive 90/539/EEC with regard to Newcastle disease and therefore shall have the status of not vaccinating against Newcastle disease. The *Office Vétérinaire Fédéral* shall immediately notify the Commission of any change in the conditions on which recognition of that status is based. The situation shall be considered within the Joint Veterinary Committee with a view to reviewing this paragraph.
9. The references to the name of the Member State in Article 15 of Directive 90/539/EEC shall apply *mutatis mutandis* to Switzerland.
10. Poultry and hatching eggs traded between the Member States of the Community and Switzerland shall be accompanied by health certificates in accordance with the models set out in Annex IV to Directive 90/539/EEC.
11. In the case of consignments from Switzerland to Finland or Sweden, the Swiss authorities undertake to supply the guarantees concerning salmonella required under Community legislation.

V. Aquaculture animals and products

A. LEGISLATION

European Community	Switzerland
Council Directive 91/67/EEC of 28 January 1991 concerning the animal health conditions governing the placing on the market of aquaculture animals and products (OJ L 46, 19.2.1991, p. 1), as last amended by Council Regulation (EC) No 806/2003 of 14 April 2003 adapting to Decision 1999/468/EC the provisions relating to committees which assist the Commission in the exercise of its implementing powers laid down in Council instruments adopted in accordance with the consultation procedure (OJ L 122, 16.5.2003, p. 1).	<ol style="list-style-type: none"> 1. Ordonnance of 27 June 1995 on epizootic diseases (OFE), as last amended on 23 November 2005 (RS 916.401), and in particular Articles 275 to 290 (fish and crayfish diseases) and 297 (approval of establishments, zones and laboratories) thereof. 2. Ordonnance of 20 April 1988 on the import, transit and export of animals and animal products (OITE), (RS 916.443.11).

B. SPECIAL RULES AND PROCEDURES FOR IMPLEMENTATION

1. The information provided for in Article 4 of Directive 91/67/EEC shall be submitted to the Joint Veterinary Committee.
2. The Joint Veterinary Committee shall decide on any application of Articles 5, 6 and 10 of Directive 91/67/EEC to Switzerland.
3. The Joint Veterinary Committee shall decide on any application of Articles 12 and 13 of Directive 91/67/EEC to Switzerland.
4. For the purposes of Article 15 of Directive 91/67/EEC, the Swiss authorities undertake to implement sampling plans and diagnostic methods in accordance with Community legislation.
5. On-the-spot inspections shall be carried out under the responsibility of the Joint Veterinary Committee in accordance in particular with Article 17 of Directive 91/67/EEC and Article 57 of the Law on epizootic diseases.
6.
 - (a) Where live fish, eggs or gametes from an approved zone are placed on the market, the movement document shall be as set out in Chapter 1 of Annex E to Directive 91/67/EEC.
 - (b) Where live fish, eggs or gametes from an approved farm are placed on the market, the movement document shall be as set out in Chapter 2 of Annex E to Directive 91/67/EEC.
 - (c) Where molluscs from an approved coastal zone are placed on the market, the movement document shall be as set out in Chapter 3 of Annex E to Directive 91/67/EEC.

- (d) Where molluscs from an approved farm are placed on the market, the movement document shall be as set out in Chapter 4 of Annex E to Directive 91/67/EEC.
- (e) Where farmed fish, molluscs or crustaceans, their eggs or gametes not belonging to species susceptible to IHN, VHS or bonamiosis or marteiliosis, as applicable, are placed on the market, the movement document shall be as set out in Annex I to Commission Decision 2003/390/EC.
- (f) Where live wild fish, molluscs or crustaceans, their eggs or gametes are placed on the market, the movement document shall be as set out in Annex I to Commission Decision 2003/390/EC.

VI. Bovine embryos

A. LEGISLATION

European Community	Switzerland
Council Directive 89/556/EEC of 25 September 1989 on animal health conditions governing intra-Community trade in and importation from third countries of embryos of domestic animals of the bovine species (OJ L 302, 19.10.1989, p. 1), as last amended by Commission Decision 2006/60/EC of 2 February 2006 amending Annex C to Council Directive 89/556/EEC as regards the model animal health certificate for intra-Community trade in embryos of domestic animals of the bovine species (OJ L 31, 3.2.2006, p. 24).	<ol style="list-style-type: none"> 1. Ordonnance of 27 June 1995 on epizootic diseases (OFE), as last amended on 23 November 2005 (RS 916.401), and in particular Articles 56 to 58 (embryo transfer) thereof. 2. Ordonnance of 20 April 1988 on the import, transit and export of animals and animal products (OITE), (RS 916.443.11).

B. SPECIAL RULES AND PROCEDURES FOR IMPLEMENTATION

1. On-the-spot inspections shall be carried out under the responsibility of the Joint Veterinary Committee in accordance in particular with Article 15 of Directive 89/556/EEC and Article 57 of the Law on epizootic diseases.
2. Bovine embryos traded between the Member States of the European Community and Switzerland shall be accompanied by health certificates in accordance with the models set out in Annex C to Directive 89/556/EEC.

VII. Bovine semen

A. LEGISLATION

European Community	Switzerland
Council Directive 88/407/EEC of 14 June 1988 laying down the animal health requirements applicable to intra-Community trade in and imports of deep-frozen semen of domestic animals of the bovine species (OJ L 194, 22.7.1988, p. 10), as last amended by Commission Decision 2006/16/EC of 5 January 2006 amending Annex B to Council Directive 88/407/EEC and Annex II to Decision 2004/639/EC as regards import conditions for semen of domestic animals of the bovine species (OJ L 11, 17.1.2006, p. 21).	<ol style="list-style-type: none"> 1. Ordonnance of 27 June 1995 on epizootic diseases (OFE), as last amended on 23 November 2005 (RS 916.401), and in particular Articles 51 to 55 (artificial insemination) thereof. 2. Ordonnance of 20 April 1988 on the import, transit and export of animals and animal products (OITE), (RS 916.443.11).

B. SPECIAL RULES AND PROCEDURES FOR IMPLEMENTATION

1. For the purposes of Article 4(2) of Directive 88/407/EEC, it is noted that in Switzerland all centres keep only animals giving a negative reaction to the serum neutralisation test or the Elisa test.
2. The information provided for in Article 5(2) of Directive 88/407/EEC shall be submitted to the Joint Veterinary Committee.

3. On-the-spot inspections shall be carried out under the responsibility of the Joint Veterinary Committee in accordance in particular with Article 16 of Directive 88/407/EEC and Article 57 of the Law on epizootic diseases.
4. Bovine semen traded between the Member States of the European Community and Switzerland shall be accompanied by health certificates in accordance with the models set out in Annex D to Directive 88/407/EEC.

VIII. Porcine semen

A. LEGISLATION

European Community	Switzerland
Council Directive 90/429/EEC of 26 June 1990 laying down the animal health requirements applicable to intra-Community trade in and imports of semen of domestic animals of the porcine species (OJ L 224, 18.8.1990, p. 62), as last amended by Council Regulation (EC) No 806/2003 of 14 April 2003 adapting to Decision 1999/468/EC the provisions relating to committees which assist the Commission in the exercise of its implementing powers laid down in Council instruments adopted in accordance with the consultation procedure (qualified majority) (OJ L 122, 16.5.2003, p. 1).	<ol style="list-style-type: none"> 1. Ordonnance of 27 June 1995 on epizootic diseases (OFE), as last amended on 23 November 2005 (RS 916.401), and in particular Articles 51 to 55 (artificial insemination) thereof. 2. Ordonnance of 20 April 1988 on the import, transit and export of animals and animal products (OITE), (RS 916.443.11).

B. SPECIAL RULES AND PROCEDURES FOR IMPLEMENTATION

1. The information provided for in Article 5(2) of Directive 90/429/EEC shall be submitted to the Joint Veterinary Committee.
2. On-the-spot inspections shall be carried out under the responsibility of the Joint Veterinary Committee in accordance in particular with Article 16 of Directive 90/429/EEC and Article 57 of the Law on epizootic diseases.
3. Porcine semen traded between the Member States of the European Community and Switzerland shall be accompanied by health certificates in accordance with the models set out in Annex D to Directive 90/429/EEC.

IX. OTHER SPECIES

A. LEGISLATION

European Community	Switzerland
<p>Council Directive 92/65/EEC of 13 July 1992 laying down animal health requirements governing trade in and imports into the Community of animals, semen, ova and embryos not subject to animal health requirements laid down in specific Community rules referred to in Annex A(I) to Directive 90/425/EEC (OJ L 268, 14.9.1992, p. 54), as last amended by Council Directive 2004/68/EC of 26 April 2004 laying down animal health rules for the importation into and transit through the Community of certain live ungulate animals, amending Directives 90/426/EEC and 92/65/EEC and repealing Directive 72/462/EEC (OJ L 139, 30.4.2004, p. 320).</p> <p>Regulation (EC) No 998/2003 of the European Parliament and of the Council of 26 May 2003 on the animal health requirements applicable to the non-commercial movement of pet animals and amending Council Directive 92/65/EEC (OJ L 146, 13.6.2003, p. 1), last amended by Commission Regulation (EC) No 590/2006 of 12 April 2006 amending Annex II to Regulation (EC) No 998/2003 of the European Parliament and of the Council as regards the list of countries and territories (OJ L 104, 13.4.2006, p. 8).</p>	<ol style="list-style-type: none"> 1. Ordonnance of 27 June 1995 on epizootic diseases (OFE), as last amended on 23 November 2005 (RS 916.401), and in particular Articles 51 to 55 (artificial insemination) and 56 to 58 (embryo transfer) thereof. 2. Ordonnance of 20 April 1988 on the import, transit and export of animals and animal products (OITE), (RS 916.443.11).

B. SPECIAL RULES AND PROCEDURES FOR IMPLEMENTATION

1. For the purposes of this Annex, this point shall cover trade in live animals not subject to points I to V, and in semen, ova and embryos not subject to points VI to VIII.
2. The European Community and Switzerland undertake not to ban or restrict trade in the live animals, semen, ova and embryos as referred to in point 1 for animal-health reasons other than those resulting from the application of this Annex, and in particular any safeguard measures taken pursuant to Article 20 thereof.
3. Ungulates of species other than those referred to in points I, II and III which are traded between the Member States of the European Community and Switzerland shall be accompanied by health certificates in accordance with the model set out in the first part of Part I of Annex E to Directive 92/65/EEC, bearing the declaration provided for in Article 6 (A)(1)(e) of Directive 92/65/EC.
4. Lagomorphs which are traded between the Member States of the European Community and Switzerland shall be accompanied by health certificates in accordance with the model set out in the first part of Annex E to Directive 92/65/EEC, bearing where necessary the declaration provided for in the second subparagraph of Article 9(2) of Directive 92/65/EC.

That declaration may be adapted by the Swiss authorities to include in full the requirements of Article 9 of Directive 92/65/EEC.

5. The information provided for in the fourth subparagraph of Article 9(2) of Directive 92/65/EEC shall be submitted to the Joint Veterinary Committee.
6.
 - (a) Consignments of cats and dogs from the European Community to Switzerland shall be subject to Article 10(2) of Directive 92/65/EEC.
 - (b) Consignments of cats and dogs from Switzerland to the Member States of the European Community other than the United Kingdom, Ireland, Malta and Sweden shall be subject to the requirements of Article 10(2) of Directive 92/65/EEC.
 - (c) Consignments of cats and dogs from Switzerland to the United Kingdom, Ireland, Malta and Sweden shall be subject to the requirements of Article 10(3) of Directive 92/65/EEC.
 - (d) The identification system shall be as laid down in Regulation (EC) No 998/2003 of the European Parliament and of the Council of 26 May 2003 (OJ L 146, 13.6.2003, p. 1), as last amended by Commission Regulation (EC) No 590/2006 of 12 April 2006 (OJ L 104, 13.4.2006, p. 8). The passport to be used shall be the one laid down in Commission Decision 2003/803/EC (OJ L 312, 27.11.2003, p. 1). The validity of the anti-rabies vaccination, and if relevant the revaccination, shall be recognised in accordance with the recommendations of the laboratory of manufacture, in accordance with Article 5 of Regulation (EC) No 998/2003 and Commission Decision 2005/91/EC (OJ L 31, 4.2.2005, p. 61).
7. The sperm, ova and embryos of the ovine and caprine species traded between the Member States of the European Community and Switzerland shall be accompanied by health certificates in accordance with Decision 95/388/EC, as last amended by Commission Decision 2005/43/EC of 30 December 2004 (OJ L 20, 22.1.2005, p. 34).
8. Semen of the equine species traded between the Member States of the European Community and Switzerland shall be accompanied by the health certificate provided for in Decision 95/307/EC.
9. Ova and embryos of the equine species traded between the Member States of the European Community and Switzerland shall be accompanied by health certificates in accordance with Decision 95/294/EC.
10. Ova and embryos of the porcine species traded between the Member States of the European Community and Switzerland shall be accompanied by health certificates in accordance with Decision 95/483/EC.
11. Colonies of bees (hives or queens with attendants) traded between the Member States of the Community and Switzerland shall be accompanied by health certificates in accordance with the second part of Annex I to Directive 92/65/EEC.
12. Animals, semen, embryos and ova from bodies, institutes or centres approved in accordance with Annex C to Directive 92/65/EEC traded between the Member States of the European Community and Switzerland shall be accompanied by health certificates in accordance with the model set out in the third part of Annex E to Directive 92/65/EEC.
13. For the purposes of Article 24 of Directive 92/65/EEC, the information provided for in paragraph 2 of that Article shall be submitted to the Joint Veterinary Committee.

Appendix 3

IMPORTS OF LIVE ANIMALS, THEIR SPERM, OVA AND EMBRYOS FROM THIRD COUNTRIES**I. European community — Legislation****A. Ungulates excluding Equidae**

Council Directive 2004/68/EC of 26 April 2004 laying down animal health rules for the importation into and transit through the Community of certain live ungulate animals, amending Directives 90/426/EEC and 92/65/EEC and repealing Directive 72/462/EEC (OJ L 139, 30.4.2004, p. 320).

B. Equidae

Council Directive 90/426/EEC of 26 June 1990 on animal health conditions governing the movement and import from third countries of equidae (OJ L 224, 18.8.1990, p. 42), as last amended by Council Directive 2004/68/EC of 26 April 2004 laying down animal health rules for the importation into and transit through the Community of certain live ungulate animals, amending Directives 90/426/EEC and 92/65/EEC and repealing Directive 72/462/EEC (OJ L 139, 30.4.2004, p. 320).

C. Poultry and hatching eggs

Council Directive 90/539/EEC of 15 October 1990 on animal health conditions governing intra-Community trade in, and imports from third countries of, poultry and hatching eggs (OJ L 303, 31.10.1990, p. 6), as last amended by Council Regulation (EC) No 806/2003 of 14 April 2003 adapting to Decision 1999/468/EC the provisions relating to committees which assist the Commission in the exercise of its implementing powers laid down in Council instruments adopted in accordance with the consultation procedure (qualified majority) (OJ L 122, 16.5.2003, p. 1).

D. Aquaculture animals

Council Directive 91/67/EEC of 28 January 1991 concerning the animal health conditions governing the placing on the market of aquaculture animals and products (OJ L 46, 19.2.1991, p. 1), as last amended by Council Regulation (EC) No 806/2003 of 14 April 2003 adapting to Decision 1999/468/EC the provisions relating to committees which assist the Commission in the exercise of its implementing powers laid down in Council instruments adopted in accordance with the consultation procedure (qualified majority) (OJ L 122, 16.5.2003, p. 1).

E. Bovine embryos

Council Directive 89/556/EEC of 25 September 1989 on animal health conditions governing intra-Community trade in and importation from third countries of embryos of domestic animals of the bovine species (OJ L 302, 19.10.1989, p. 1), as last amended by Commission Decision 2006/60/EC of 2 February 2006 amending Annex C to Council Directive 89/556/EEC as regards the model animal health certificate for intra-Community trade in embryos of domestic animals of the bovine species (OJ L 31, 3.2.2006, p. 24).

F. Bovine semen

Council Directive 88/407/EEC of 14 June 1988 laying down the animal health requirements applicable to intra-Community trade in and imports of deep-frozen semen of domestic animals of the bovine species (OJ L 194, 22.7.1988, p. 10), as last amended by Commission Decision 2006/16/EC of 5 January 2006 amending Annex B to Council Directive 88/407/EEC and Annex II to Decision 2004/639/EC as regards import conditions for semen of domestic animals of the bovine species (OJ L 11, 17.1.2006, p. 21).

G. Porcine semen

Council Directive 90/429/EEC of 26 June 1990 laying down the animal health requirements applicable to intra-Community trade in and imports of frozen semen of domestic animals of the porcine species (OJ L 224, 18.8.1990, p. 62), as last amended by Council Regulation (EC) No 806/2003 of 14 April 2003 adapting to Decision 1999/468/EC the provisions relating to committees which assist the Commission in the exercise of its implementing powers laid down in Council instruments adopted in accordance with the consultation procedure (qualified majority) (OJ L 122, 16.5.2003, p. 1).

H. Other live animals

1. Council Directive 92/65/EEC of 13 July 1992 laying down animal health requirements governing trade in and imports into the Community of animals, semen, ova and embryos not subject to animal health requirements laid down in specific Community rules referred to in Annex A(I) to Directive 90/425/EEC (OJ L 268, 14.9.1992, p. 54), last amended by Council Directive 2004/68/EC of 26 April 2004 laying down animal health rules for the importation into and transit through the Community of certain live ungulate animals, amending Directives 90/426/EEC and 92/65/EEC and repealing Directive 72/462/EEC (OJ L 139, 30.4.2004, p. 320).
2. Regulation (EC) No 998/2003 of the European Parliament and of the Council of 26 May 2003 on the animal health requirements applicable to the non-commercial movement of pet animals and amending Council Directive 92/65/EEC (OJ L 146, 13.6.2003, p. 1), last amended by Commission Regulation (EC) No 590/2006 of 12 April 2006 amending Annex II to Regulation (EC) No 998/2003 of the European Parliament and of the Council as regards the list of countries and territories (OJ L 104, 13.4.2006, p. 8).

II. Switzerland — Legislation

Ordonnance of 20 April 1988 on the import, transit and export of animals and animal products (OITE), (RS 916.443.11).

For the application of this Annex in Switzerland, Zurich Zoo is the officially approved centre, in accordance with Annex C to Directive 92/65/EEC.

III. Implementing rules

The *Office vétérinaire fédéral* shall apply the same rules as those covered by point I of this Appendix. However, it may adopt more restrictive measures and require additional guarantees. Consultations shall be held within the Joint Veterinary Committee to find suitable solutions.

*Appendix 4***ZOOTECHNICAL PROVISIONS, INCLUDING THOSE GOVERNING IMPORTS FROM THIRD COUNTRIES****I. European community — Legislation****A. Bovine animals**

Council Directive 77/504/EEC of 25 July 1977 on pure-bred breeding animals of the bovine species (OJ L 206, 12.8.1977, p. 8), as last amended by Council Directive 807/2003/EC (OJ L 122, 16.5.2003, p. 36).

B. Porcine animals

Council Directive 88/661/EEC of 19 December 1988 on the zootechnical standards applicable to breeding animals of the porcine species (OJ L 382, 31.12.1988, p. 36), as last amended by Council Regulation (EC) No 806/2003 (OJ L 122, 16.5.2003, p. 1).

C. Ovine and caprine animals

Council Directive 89/361/EEC of 30 May 1989 concerning pure-bred breeding sheep and goats (OJ L 153, 6.6.1989, p. 30).

D. Equidae

(a) Council Directive 90/427/EEC of 26 June 1990 on the zootechnical and genealogical conditions governing intra-Community trade in equidae (OJ L 224, 18.8.1990, p. 55).

(b) Council Directive 90/428/EEC of 26 June 1990 on trade in equidae intended for competitions and laying down the conditions for participation therein (OJ L 224, 18.8.1990, p. 60).

E. Pure-bred animals

Council Directive 91/174/EEC of 25 March 1991 laying down zootechnical and pedigree requirements for the marketing of pure-bred animals and amending Directives 77/504/EEC and 90/425/EEC (OJ L 85, 5.4.1991, p. 37).

F. Imports from third countries

Council Directive 94/28/EC of 23 June 1994 laying down the principles relating to the zootechnical and genealogical conditions applicable to imports from third countries of animals, their semen, ova and embryos, and amending Directive 77/504/EEC on pure-bred breeding animals of the bovine species (OJ L 178, 12.7.1994, p. 66).

II. Switzerland — Legislation

Ordonnance of 7 December 1998 on livestock farming, as last amended on 23 November 2005 (RS 916.310).

III. Implementing rules

Without prejudice to the rules on zootechnical checks in Appendices 5 and 6, the Swiss authorities undertake to ensure that Switzerland applies the provisions of Council Directive 94/28/EC for its imports.

Where difficulties arise in trade, the matter shall be referred to the Joint Veterinary Committee at the request of either Party.

Appendix 6

ANIMAL PRODUCTS

CHAPTER I

SECTORS WHERE RECOGNITION OF EQUIVALENCE IS MUTUAL

'Animal products for human consumption'

The definitions of Regulation (EC) No 853/2004 shall apply *mutatis mutandis*.

		Exports from the European Community to Switzerland and exports from Switzerland to the European Community		
		Trade conditions		Equivalence
		EC standards	Swiss standards	
Animal health:				
1. Fresh meat including minced meat, meat preparations, meat products, unprocessed fats and rendered fats				
Domestic ungulates Domestic solipeds	Directive 64/432/EEC Directive 2002/99/EC Regulation (EC) No 999/2001 ⁽¹⁾	Law of 1 July 1966 on epizootic diseases (LFE) (RS 916.40) Ordonnance of 27 June 1995 on epizootic diseases (OFE) (RS 916.401) ⁽¹⁾ .	Yes ⁽¹⁾	
2. Farmed game meat, meat preparations and meat products				
Farmed land mammals other than those cited above	Directive 64/432/EEC Directive 92/118/EEC Directive 2002/99/EC Regulation (EC) No 999/2001	Law of 1 July 1966 on epizootic diseases (LFE) (RS 916.40) Ordonnance of 27 June 1995 on epizootic diseases (OFE) (RS 916.401)	Yes	
Farmed ratites Lagomorphs	Directive 92/118/EEC Directive 2002/99/EC		Yes	
3. Wild game meat, meat preparations and meat products				
Wild ungulates Lagomorphs Other land mammals Feathered wild game	Directive 2002/99/EC Regulation (EC) No 999/2001	Law of 1 July 1966 on epizootic diseases (LFE) (RS 916.40) Ordonnance of 27 June 1995 on epizootic diseases (OFE) (RS 916.401)	Yes	
4. Fresh poultry meat, meat preparations, meat products, fats and rendered fats				
Poultry	Directive 92/118/EEC Directive 2002/99/EC	Law of 1 July 1966 on epizootic diseases (LFE) (RS 916.40) Ordonnance of 27 June 1995 on epizootic diseases (OFE) (RS 916.401)	Yes	
5. Stomachs, bladders and intestines				
Bovine animals Ovine and caprine animals Porcine animals	Directive 64/432/EEC Directive 92/118/EEC Directive 2002/99/EC Regulation (EC) No 999/2001 ⁽¹⁾	Law of 1 July 1966 on epizootic diseases (LFE) (RS 916.40) Ordonnance of 27 June 1995 on epizootic diseases (OFE) (RS 916.401) ⁽¹⁾ .	Yes ⁽¹⁾	

		Exports from the European Community to Switzerland and exports from Switzerland to the European Community		
		Trade conditions		Equivalence
		EC standards	Swiss standards	
6. Bone and bone products				
Domestic ungulates Domestic solipeds Other farmed or wild land mammals Poultry, ratites and feathered wild game	Directive 64/432/EEC Directive 92/118/EEC Directive 2002/99/EC Regulation (EC) No 999/2001 ⁽¹⁾	Law of 1 July 1966 on epizootic diseases (LFE) (RS 916.40) Ordonnance of 27 June 1995 on epizootic diseases (OFE) (RS 916.401) ⁽¹⁾ .	Yes ⁽¹⁾	
7. Processed animal proteins, blood and blood products				
Domestic ungulates Domestic solipeds Other farmed or wild land mammals Poultry, ratites and feathered wild game	Directive 64/432/EEC Directive 92/118/EEC Directive 2002/99/EC Regulation (EC) No 999/2001 ⁽¹⁾	Law of 1 July 1966 on epizootic diseases (LFE) (RS 916.40) Ordonnance of 27 June 1995 on epizootic diseases (OFE) (RS 916.401) ⁽¹⁾ .	Yes ⁽¹⁾	
8. Gelatine and collagen				
	Directive 2002/99/EC Regulation (EC) No 999/2001 ⁽¹⁾	Law of 1 July 1966 on epizootic diseases (LFE) (RS 916.40) Ordonnance of 27 June 1995 on epizootic diseases (OFE) (RS 916.401) ⁽¹⁾ .	Yes ⁽¹⁾	
9. Milk and milk products				
	Directive 64/432/EEC Directive 2002/99/EC	Law of 1 July 1966 on epizootic diseases (LFE) (RS 916.40) Ordonnance of 27 June 1995 on epizootic diseases (OFE) (RS 916.401)	Yes	
10. Eggs and egg products				
	Directive 90/539/EEC Directive 2002/99/EC	Law of 1 July 1966 on epizootic diseases (LFE) (RS 916.40) Ordonnance of 27 June 1995 on epizootic diseases (OFE) (RS 916.401)	Yes	
11. Fishery products, bivalve molluscs, echinoderms, tunicates and marine gastropods				
	Directive 91/67/EEC Directive 93/53/EEC Directive 95/70/EC Directive 2002/99/EC	Law of 1 July 1966 on epizootic diseases (LFE) (RS 916.40) Ordonnance of 27 June 1995 on epizootic diseases (OFE) (RS 916.401)	Yes	
12. Honey				
	Directive 92/118/EEC Directive 2002/99/EC	Law of 1 July 1966 on epizootic diseases (LFE) (RS 916.40) Ordonnance of 27 June 1995 on epizootic diseases (OFE) (RS 916.401)	Yes	
13. Snails and frogs' legs				
	Directive 92/118/EEC Directive 2002/99/EC	Law of 1 July 1966 on epizootic diseases (LFE) (RS 916.40) Ordonnance of 27 June 1995 on epizootic diseases (OFE) (RS 916.401)	Yes	

⁽¹⁾ The recognition of similarities in legislation governing the monitoring of TSEs in sheep and goats will be reconsidered in the Joint Veterinary Committee.

Exports from the European Community to Switzerland and exports from Switzerland to the European Community		
Trade conditions		Equivalence
EC standards	Swiss standards	
Public health		
<p>Regulation (EC) No 999/2001 of the European Parliament and of the Council of 22 May 2001 laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies (OJ L 147, 31.5.2001, p. 1), as last amended by Commission Regulation (EC) No 688/2006 of 4 May 2006 amending Annexes III and XI to Regulation (EC) No 999/2001 of the European Parliament and of the Council as regards the monitoring of transmissible spongiform encephalopathies and specified risk material of bovine animals in Sweden (OJ L 120, 5.5.2006, p. 10).</p> <p>Regulation (EC) No 852/2004 of the European Parliament and of the Council of 29 April 2004 on the hygiene of foodstuffs (OJ L 139, 30.4.2004, p. 1).</p> <p>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 (OJ L 139, 30.4.2004, p. 55).</p> <p>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 (OJ L 139 of 30.4.2004, p. 206).</p> <p>Regulation (EC) No 882/2004 of the European Parliament and of the Council of 29 April 2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules (OJ L 165, 30.4.2004, p. 1).</p> <p>Commission Regulation (EC) No 2073/2005 of 15 November 2005 on microbiological criteria for foodstuffs (OJ L 338, 22.12.2005, p. 1).</p> <p>Commission Regulation (EC) No 2074/2005 of 5 December 2005 laying down implementing measures for certain products under Regulation (EC) No 853/2004 of the European Parliament and of the Council and for the organisation of official controls under Regulation (EC) No 854/2004 of the European Parliament and of the Council and Regulation (EC) No 882/2004 of the European Parliament and of the Council, derogating from Regulation (EC) No 852/2004 of the European Parliament and of the Council, and amending Regulations (EC) No 853/2004 and (EC) 854/2004 (OJ L 338, 22.12.2005, p. 27).</p> <p>Commission Regulation (EC) No 2075/2005 of 5 December 2005 laying down specific rules on official controls for Trichinella in meat (OJ L 338, 22.12.2005, p. 60).</p>	<p>Federal Law of 9 October 1992 on foodstuffs and consumer products (Law on foodstuffs), last amended on 16 December 2005 (RS 817.0).</p> <p>Ordonnance of 27 May 1981 on the protection of animals (OPAn), as last amended on 12 April 2006 (RS 455.1).</p> <p>Ordonnance of 1 March 1995 on the setting up bodies responsible for checking meat hygiene (OFHV), as last amended on 23 November 2005 (RS 817.191.54).</p> <p>Ordonnance of 27 June 1995 on epizootic diseases (OFE), as last amended on 23 November 2005 (RS 916.401).</p> <p>Ordonnance of 23 November 2005 on primary production (RS 916.020).</p> <p>Order of 23 November 2005 on the slaughter of livestock and the checking of meat (OAbCV) (RS 817.190).</p> <p>Ordonnance of 23 November 2005 on foodstuffs and consumer products (ODAIous) (RS 817.02).</p> <p>DFI Ordonnance of 23 November 2005 on the implementation of foodstuffs legislation (RS 817.025.21).</p> <p>DFE Ordonnance of 23 November 2005 on hygiene in primary production (RS 916.020.1).</p> <p>DFI Ordonnance of 23 November 2005 on hygiene (RS 817.024.1).</p> <p>DFE Ordonnance of 23 November 2005 on hygiene during the slaughter of livestock (OHAb) (RS 817.190.1).</p> <p>DFI Ordonnance of 23 November 2005 on foodstuffs of animal origin (RS 817.022.108).</p>	Yes, subject to special conditions

Special conditions

- (1) Animal products intended for human consumption which are the traded between the Member States of the Community and Switzerland will move on the same conditions only as animal products intended for human consumption which are the traded between the Member States of the Community. Where necessary, these products are accompanied by the health certificates required for trade between the Member States of the Community or defined in this Annex and available in the TRACES system.
- (2) Switzerland will draw up a list of its establishments approved in accordance with Article 31 (registration/approval of establishments) of Regulation (EC) No 882/2004.

- (3) For its imports, Switzerland shall apply the same provisions as those applicable at Community level.
- (4) The competent authorities of Switzerland may not make use of the exemption from the *Trichinella* examination as provided for in Article 3(2) of Regulation (EC) No 2075/2005. Where this exemption is used, the competent authorities of Switzerland undertake to notify the Commission by written procedure of the list of regions where the risk of *Trichinella* in domestic swine is officially recognised as negligible. The Member States of the Community shall have three months from receipt of the notification to send written comments to the Commission. If the Commission or a Member State raises no objections, the region is recognised as a region presenting a negligible *Trichinella* risk and domestic swine coming from that region shall be exempted from examination for *Trichinella* at the time of slaughter. The provisions of Article 3(3) of Regulation (EC) No 2075/2005 shall apply *mutatis mutandis*.
- (5) The detection methods described in Chapters I and II of Annex I to Regulation (EC) No 2075/2005 shall be used in Switzerland for the *Trichinella* examinations. However, no use shall be made of the trichoscopic examination described in Chapter III of Annex I to Regulation (EC) No 2075/2005.
- (6) The competent authorities of Switzerland may derogate from the *Trichinella* examination of carcasses and meat of domestic swine kept for fattening and slaughter in low-capacity slaughter establishments.

This provision shall apply until 31 December 2009.

In application of the provisions of subparagraph 3(a) of Article 8 of the DFE Ordonnance on hygiene during the slaughter of livestock (RS 817.190.1) and of the seventh subparagraph of Article 9 of the DFI Ordonnance on foodstuffs of animal origin (RS 817.022.108), these carcasses and meat of domestic swine kept for fattening and slaughter as well as meat preparations, meat products and derived processed products shall be marked with a special health stamp in accordance with the model specified in the second subparagraph of Annex 9 to the DFE Ordonnance on hygiene during the slaughter of livestock (RS 817.190.1). These products may not be traded between the Member States of the Community as laid down in the provisions of Articles 9(a) and 14(a) of the DFI Ordonnance on foodstuffs of animal origin (RS 817.022.108).

- (7) Carcasses and meat of domestic swine kept for slaughter which are traded between the Member States of the Community and Switzerland from:
- holdings recognised as free from *Trichinella* by the competent authorities of the Member States of the Community,
 - regions where the risk of *Trichinella* in domestic swine is officially recognised as negligible;
- and for which the *Trichinella* examination has not been carried out in application of the provisions of Article 3 of Regulation (EC) No 2075/2005, shall move only under the same conditions as those traded between the Member States of the Community.
- (8) In application of the provisions of Article 2 of the Ordonnance on hygiene (RS 817.024.1), the competent authorities of Switzerland may in particular cases allow adjustments to Articles 8, 10 and 14 of the Ordonnance on hygiene (RS 817.024.1):
- (a) to meet the needs of establishments situated in the mountain regions listed in the Annex to the Federal Act of 21 March 1997 on investment aid in mountain regions.

The competent authorities of Switzerland undertake to notify the Commission by written procedure of such adjustments. This notification:

- provides a detailed description of the provisions for which the competent authorities of Switzerland consider that an adjustment is necessary, and indicates the nature of the adjustment in question,
- describe the foodstuffs and establishments concerned,
- explains the grounds for the adjustment (including, where appropriate, the provision of a summary of the risk analysis carried out and indicating any measure needed to ensure that the adjustment does not compromise the objectives of the Ordonnance on hygiene (RS 817.024.1),
- gives any other relevant information.

The Commission and the Member States shall have three months from the receipt of the notification to submit their written observations. If necessary, the Joint Veterinary Committee will be convened.

- (b) for the production of foods with traditional characteristics.

The competent authorities of Switzerland undertake to notify the Commission by written procedure of such adjustments at the latest twelve months after the individual or general derogations have been granted. Each notification:

- provides a short description of the provisions that have been adapted,
- describes the foodstuffs and establishments concerned, and
- gives any other relevant information.

- (9) The Commission shall inform Switzerland of the derogations and adjustments applied in the Member States of the Community under Articles 13 of Regulation (EC) No 852/2004, 10 of Regulation (EC) No 852/2003, 13 of Regulation (EC) No 854/2003 and 7 of Regulation (EC) No 2074/2005.
- (10) Pending the alignment of Community legislation and Swiss legislation concerning the list of specified risk materials, Switzerland has undertaken, by internal technical directive, not to trade the carcasses of bovine animals aged over 24 months containing vertebral bone or any derived products with the Member States of the Community.

‘Animal by-products not intended for human consumption’

Exports from the European Community to Switzerland and exports from Switzerland to the European Community		
Trade conditions		Equivalence
EC standards	Swiss standards	
Regulation (EC) No 1774/2002 of the European Parliament and of the Council of 3 October 2002 laying down health rules concerning animal by-products not intended for human consumption (OJ L 273, 10.10.2002, p. 1), as last amended by Commission Regulation (EC) No 208/2006 of 7 February 2006 amending Annexes VI and VIII to Regulation (EC) No 1774/2002 of the European Parliament and of the Council as regards processing standards for biogas and composting plants and requirements for manure (OJ L 36, 8.2.2006, p. 25).	Order of 23 November 2005 on the slaughter of livestock and the checking of meat (OAbCV) (RS 817.190). DFE Ordonnance of 23 November 2005 on hygiene during the slaughter of livestock (OHAb) (RS 817.190.1). Ordonnance of 27 June 1995 on epizootic diseases (OFE), as last amended on 23 November 2005 (RS 916.401). Ordonnance of 20 April 1988 on the import, transit and export of animals and animal products (OITE). Ordonnance of 23 June 2004 on the elimination of animal waste, as last amended on 22 June 2005 (RS 916.441.22).	Yes

Special conditions

For its imports, Switzerland will apply the same provisions as those of Annexes VII, VIII, X (certificates) and XI (country), in accordance with Article 29 of Regulation (EC) No 1774/2002.

Trade in Category 1 and 2 materials shall be prohibited, except in the case of certain technical uses provided for by Regulation (EC) No 1774/2002 (transitional measures established by Commission Regulation (EC) No 878/2004).

Category 3 materials traded between the Member States of the Community and Switzerland shall be accompanied by the commercial documents and health certificates provided for in Chapter III of Annex II, in accordance with Articles 7 and 8 of Regulation (EC) 1774/2002.

In compliance with Chapter III of Regulation (EC) No 1774/2002, Switzerland shall draw up a list of its corresponding establishments.

CHAPTER II

Sectors other than those covered by Chapter I**I. Exports from the Community to Switzerland**

These exports shall be subject to the same conditions as those laid down for intra-Community trade. However, in all cases, a certificate attesting compliance with those conditions shall be issued by the competent authorities to accompany consignments.

If necessary, models for certificates shall be discussed in the Joint Veterinary Committee.

II. Exports from Switzerland to the Community

Exports from Switzerland to the Community shall be subject to the relevant conditions laid down in the Community rules. Models for certificates shall be discussed in the Joint Veterinary Committee.

Pending a decision on these models, the present requirements for certificates shall apply.

CHAPTER III

Transfer of a sector from Chapter II to Chapter I

As soon as Switzerland adopts any legislation it regards as equivalent to Community legislation, the matter shall be brought before the Joint Veterinary Committee. Chapter I of this Appendix shall be adjusted as soon as possible to reflect the outcome of the Committee's deliberations.

Appendix 10

BORDER CHECKS AND INSPECTION FEES

CHAPTER I

A. Border checks for sectors where recognition of equivalence is mutual

Type of border check	Rate
1. Documentary checks	100 %
2. Physical checks	1 %

B. Border checks for sectors other than those referred to in point A

Type of border check	Rate
1. Documentary checks	100 %
2. Physical checks	1 to 10 %

C. Special measures

Note is taken of Annex 3 to Recommendation No 1/94 of the EEC-Switzerland Joint Committee on facilitating certain veterinary checks and formalities for animal products and live animals. The matter shall be examined as soon as possible by the Joint Veterinary Committee.

D. Fees

- For sectors where recognition of equivalence is mutual, the fees shall be:

EUR 1,5/t, a minimum of EUR 30 and a maximum of EUR 350 being charged per consignment.

- For sectors other than those referred to in point 1, the fees shall be:

EUR 3,5/t, a minimum of EUR 30 and a maximum of EUR 350 being charged per consignment.

E. Rules for animal products crossing through European Union or Swiss territory

- Animal products from Switzerland which have to cross the territory of the European Union shall be subject to the inspection arrangements provided for, depending on the case, in points A and B above. The provisions of Article 11(2)(c), (d) and (e) of Directive 97/78/EC shall not apply to products whose equivalence is mutually recognised and which are intended for export outside the territory of the European Union, provided that the veterinary checks performed in accordance with point 2 above are favourable.
- Animal products from the European Union which have to cross the territory of Switzerland shall be subject to the inspection arrangements provided for, depending on the case, in points 2 and 3 above.

F. **TRACES System**1. **Legislation**

European Community	Switzerland
Commission Decision 2004/292/EC of 30 March 2004 on the introduction of the TRACES system and amending Decision 92/486/EEC (OJ L 94, 31.3.2004, p. 63), as last amended by Commission Decision 2005/515/EC of 14 July 2005, amending Decision 2004/292/EC on the introduction of the TRACES system and amending Decision 92/486/EEC (OJ L 187, 19.7.2005, p. 29).	Ordonnance of 20 April 1988 on the import, transit and export of animals and animal products (OITE), (RS 916.443.11).

2. **Special rules and procedures for implementation**

The Commission, in cooperation with the *Office vétérinaire fédéral*, shall integrate Switzerland into the TRACES system, in accordance with Commission Decision 2004/292/EC.

The provisions of Article 3 of Decision 2004/222/EC concerning the registration of common veterinary entry documents in the TRACES computer system shall not apply to products whose equivalence is recognised mutually, with the exception of those admitted under the procedures in Articles 8, 12(4) and 13 of Directive 97/78/EC and those forming the subject of a refusal decision following inspection at the border.

For sectors where recognition of equivalence is mutual, animal products traded between the Member States of the Community and Switzerland shall move under the same conditions as products traded between the Member States of the Community. Where necessary, these products are accompanied by the health certificates required for trade between the Member States of the Community or defined in this Annex and available in the TRACES system.

If necessary, transitional measures shall be laid down in the Joint Veterinary Committee.

CHAPTER II

CHECKS ON IMPORTS FROM THIRD COUNTRIES**1. Legislation**

Checks on imports from third countries shall be carried out in accordance with the provisions referred to below:

European Community	Switzerland
1. Commission Regulation (EC) No 136/2004 of 22 January 2004 laying down procedures for veterinary checks at Community border inspection posts on products imported from third countries (OJ L 21, 28.1.2004, p. 11).	1. Ordonnance of 20 April 1988 on the import, transit and export of animals and animal products (OITE), (RS 916.443.11).
2. Commission Regulation (EC) No 745/2004 of 16 April 2004 laying down measures with regard to imports of products of animal origin for personal consumption (OJ L 122, 26.4.2004, p. 1).	2. Law of 9 October 1992 on foodstuffs (LDA1), as last amended on 18 June 2004 (RS 817.0).
3. 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 (OJ L 139 of 30.4.2004, p. 206).	3. Ordonnance of 23 November 2005 on foodstuffs and consumer products (ODAlOUS, RS 817.02).
4. Regulation (EC) No 882/2004 of the European Parliament and of the Council of 29 April 2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules (OJ L 165, 30.4.2004, p. 1).	4. Ordonnance of 23 November 2005 on the implementation of foodstuffs legislation (RS 817.025.21).
5. Council Directive 97/78/EC of 18 December 1997 laying down the principles governing the organisation of veterinary checks on products entering the Community from third countries (OJ L 24, 30.1.1998, p. 9), as last amended by Regulation (EC) No 882/2004 of the European Parliament and of the Council of 29 April 2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and welfare rules (OJ L 165, 30.4.2004, p. 1).	
6. Council Directive 2002/99/EC of 16 December 2002 laying down the animal health rules governing the production, processing, distribution and introduction of products of animal origin for human consumption (OJ L 18, 23.1.2003, p. 11).	

2. Implementing measures

For the purposes of Article 6 of Directive 97/78/EC, the border inspection posts shall be the following: Basel-Mulhouse Airport, Ferney-Voltaire/Geneva Airport and Zurich Airport. The Joint Veterinary Committee shall be responsible for subsequent amendments.

The implementation of on-the-spot inspections shall be the responsibility of the Joint Veterinary Committee, in accordance in particular with Article 23 of Directive 97/78/EC and Article 57 of the Law on epizootic diseases.

The special situation of the border inspection posts at Basel-Mulhouse Airport and Ferney-Voltaire/Geneva Airport shall be examined by the Joint Veterinary Committee no later than one year after this Appendix enters into force.

In order to apply the provisions of Directive 97/78/EC, the Commission, in collaboration with the *Office vétérinaire fédéral*, shall incorporate Switzerland in the TRACES system, pursuant to Commission Decision 2004/292/EC.

In the context of the activities referred to in Directive 97/78/EC, the Swiss authorities undertake to collect fees or charges for official checks on goods in accordance with Chapter VI of Regulation (EC) No 882/2004 at the minimum rates laid down in Annex V thereof.

CHAPTER III

CONDITIONS GOVERNING IMPORTS OF ANIMAL PRODUCTS FROM THIRD COUNTRIES

1. European Community — Legislation

A. PUBLIC HEALTH MEASURES

1. Council Directive 96/23/EC of 29 April 1996 on measures to monitor certain substances and residues thereof in live animals and animal products and repealing Directives 85/358/EEC and 86/469/EEC and Decisions 89/187/EEC and 91/664/EEC (OJ L 125, 23.5.1996, p. 10), as last amended by Regulation (EC) No 882/2004 of the European Parliament and of the Council of 29 April 2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules (OJ L 165, 30.4.2004, p. 1).
2. Regulation (EC) No 999/2001 of the European Parliament and of the Council of 22 May 2001 laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies (OJ L 147, 31.5.2001, p. 1), as last amended by Commission Regulation (EC) No 688/2006 of 4 May 2006 amending Annexes III and XI to Regulation (EC) No 999/2001 of the European Parliament and of the Council as regards the monitoring of transmissible spongiform encephalopathies and specified risk material of bovine animals in Sweden (OJ L 120, 5.5.2006, p. 10).
3. Regulation (EC) No 2160/2003 of the European Parliament and of the Council of 17 November 2003 on the control of salmonella and other specified food-borne zoonotic agents (OJ L 325, 12.12.2003, p. 1).
4. Directive 2004/41/EC of the European Parliament and of the Council of 21 April 2004 repealing certain Directives concerning food hygiene and health conditions for the production and placing on the market of certain products of animal origin intended for human consumption and amending Council Directives 89/662/EEC and 92/118/EEC and Council Decision 95/408/EC (OJ L 157, 30.4.2004, p. 33).
5. 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 (OJ L 139, 30.4.2004), as last amended by Commission Regulation (EC) No 2076/2005 of 5 December 2005 laying down transitional arrangements for the implementation of Regulations (EC) No 853/2004, (EC) No 854/2004 and (EC) No 882/2004 of the European Parliament and of the Council and amending Regulations (EC) No 853/2004 and (EC) No 854/2004 (OJ L 338, 22.12.2005, p. 83).
6. 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 (OJ L 139, 30.4.2004), as last amended by Commission Regulation (EC) No 2076/2005 of 5 December 2005 laying down transitional arrangements for the implementation of Regulations (EC) No 853/2004, (EC) No 854/2004 and (EC) No 882/2004 of the European Parliament and of the Council and amending Regulations (EC) No 853/2004 and (EC) No 854/2004 (OJ L 338, 22.12.2005, p. 83).

B. ANIMAL HEALTH RULES

1. Council Directive 91/67/EEC of 28 January 1991 concerning the animal health conditions governing the placing on the market of aquaculture animals and products (OJ L 46, 19.2.1991, p. 1), as last amended by Council Regulation (EC) No 806/2003 of 14 April 2003 adapting to Decision 1999/468/EC the provisions relating to committees which assist the Commission in the exercise of its implementing powers laid down in Council instruments adopted in accordance with the consultation procedure (OJ L 122, 16.5.2003, p. 1).
2. Council Directive No 93/53/EEC of 24 June 1993 introducing minimum Community measures for the control of certain fish diseases (OJ L 175, 19.7.1993, p. 23), as last amended by the Act concerning the conditions of accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic and the adjustments to the Treaties on which the European Union is founded — Annex II: List referred to in Article 20 of the Act of Accession — 6. Agriculture — B. Veterinary and phytosanitary legislation — I. Veterinary legislation (OJ L 236, 23.9.2003, p. 381).

3. Council Directive 92/118/EEC of 17 December 1992 laying down animal health and public health requirements governing trade in and imports into the Community of products not subject to the said requirements laid down in specific Community rules referred to in Annex A(I) to Directive 89/662/EEC and, as regards pathogens, to Directive 90/425/EEC (OJ L 062, 15.3.1993, p. 49), last amended by Directive 2004/41/EC of the European Parliament and of the Council of 21 April 2004 repealing certain Directives concerning food hygiene and health conditions for the production and placing on the market of certain products of animal origin intended for human consumption and amending Council Directives 89/662/EEC and 92/118/EEC and Council Decision 95/408/EC (OJ L 157, 30.4.2004, p. 33).
4. Regulation (EC) No 999/2001 of the European Parliament and of the Council of 22 May 2001 laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies (OJ L 147, 31.05.2001, p. 1), as last amended by Commission Regulation (EC) No 688/2006 of 4 May 2006 amending Annexes III and XI to Regulation (EC) No 999/2001 of the European Parliament and of the Council as regards the monitoring of transmissible spongiform encephalopathies and specified risk material of bovine animals in Sweden (OJ L 120, 5.5.2006, p. 10).
5. Regulation (EC) No 1774/2002 of the European Parliament and of the Council of 3 October 2002 laying down health rules concerning animal by-products not intended for human consumption (OJ L 273, 10.10.2002, p. 1), as last amended by Commission Regulation (EC) No 208/2006 of 7 February 2006 amending Annexes VI and VIII to Regulation (EC) No 1774/2002 of the European Parliament and of the Council as regards processing standards for biogas and composting plants and requirements for manure (OJ L 36, 8.2.2006, p. 25).
6. Council Directive 2002/99/EC of 16 December 2002 laying down the animal health rules governing the production, processing, distribution and introduction of products of animal origin for human consumption (OJ L 18, 23.1.2003, p. 11).

2. Switzerland — Legislation

Ordonnance of 20 April 1988 on the import, transit and export of animals and animal products (OITE).

3. Implementing rules

The *Office vétérinaire fédéral* shall apply the same rules as those covered by Chapter 3 point I of this Appendix. However, it may adopt more restrictive measures and require additional guarantees. Consultations shall be held within the Joint Veterinary Committee to find suitable solutions.

CHAPTER IV

FINAL PROVISIONS

The provisions of this Appendix shall be reviewed by the Joint Veterinary Committee no later than one year after its entry into force.'
