

**DECISION No 1/2001 OF THE EC-ANDORRA JOINT COMMITTEE
of 13 December 2001**

laying down rules to implement the Protocol on veterinary matters supplemental to the Agreement in the form of an Exchange of Letters between the European Economic Community and the Principality of Andorra, signed in Brussels on 15 May 1997

(2002/76/EC)

THE JOINT COMMITTEE,

Having regard to the Agreement in the form of an Exchange of Letters between the European Economic Community and the Principality of Andorra ⁽¹⁾, signed in Luxembourg on 28 June 1990, and in particular Article 17 thereof,

Having regard to the protocol on veterinary matters supplemental to the Agreement in the form of an Exchange of Letters between the European Economic Community and the Principality of Andorra ⁽²⁾, signed in Brussels on 15 May 1997, and in particular Article 2 thereof,

Whereas:

- (1) The Contracting Parties wish to widen the traditional trade flows between Andorra and the Community which are already covered by Decision No 2/1999 of the EC-Andorra Joint Committee ⁽³⁾ in order to facilitate the development of new trade.
- (2) Such trade would be carried out in accordance with Community veterinary rules.
- (3) At its meeting in Andorra on 29 and 30 May 2000, the veterinary subgroup of the EC-Andorra Joint Committee recommended adoption of an additional list of Community measures to be applied by Andorra in order to widen the scope of the Agreement, the adoption date of which should be 18 months at the latest after publication of this Decision,

HAS DECIDED AS FOLLOWS:

Article 1

Certification

Andorra shall take over Directive 96/93/EC ⁽⁴⁾.

Article 2

Disease control measures

1. Andorra hereby undertakes to transpose Council Directives 85/511/EEC ⁽⁵⁾ and 90/423/EEC ⁽⁶⁾ (foot-and-mouth disease), 80/217/EEC ⁽⁷⁾ (classical swine fever), 92/35/EEC ⁽⁸⁾ (African horse sickness), 92/40/EEC ⁽⁹⁾ (avian influenza), 92/66/EEC ⁽¹⁰⁾ (Newcastle disease) and 92/119/EEC ⁽¹¹⁾ (other diseases).

⁽¹⁾ OJ L 374, 31.12.1990, p. 14.

⁽²⁾ OJ L 148, 6.6.1997, p. 16.

⁽³⁾ OJ L 31, 5.2.2000, p. 84.

⁽⁴⁾ Council Directive 96/93/EC of 17 December 1996 on the certification of animals and animal products (OJ L 13, 16.1.1997, p. 18).

⁽⁵⁾ Council Directive 85/511/EEC of 18 November 1985 introducing Community measures for the control of foot-and-mouth disease (OJ L 315, 26.11.1985, p. 11).

⁽⁶⁾ Council Directive 90/423/EEC of 26 June 1990 amending Directive 85/511/EEC introducing Community measures for the control of foot-and-mouth disease, Directive 64/432/EEC on animal health problems affecting intra-Community trade in bovine animals and swine and Directive 72/462/EEC on health and veterinary inspection problems upon importation of bovine animals and swine and fresh meat or meat products from third countries (OJ L 224, 18.8.1990, p. 13).

⁽⁷⁾ Council Directive 80/217/EEC of 22 January 1980 introducing Community measures for the control of classical swine fever (OJ L 47, 21.2.1980, p. 11).

⁽⁸⁾ 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).

⁽⁹⁾ 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. 1).

⁽¹⁰⁾ 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).

⁽¹¹⁾ 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, 15.3.1992, p. 69).

2. With regard to disease control measures, the following rules shall be followed:
 - (a) Emergency plans shall be prepared jointly with the Spanish and French authorities. After examination by the Commission, these shall be submitted to the veterinary subgroup for approval. Later updates shall be approved by the Commission after the Member States have been informed within the Standing Veterinary Committee.
 - (b) Andorra hereby undertakes to make the necessary contacts with a view to inviting one of the reference laboratories in the Member States to fulfil the tasks assigned to national reference laboratories. The veterinary subgroup shall examine, with a view to approving them, the chosen methods of collaboration between Andorra and the laboratories thus selected.
 - (c) In the field of vaccination, once the Andorran authorities have decided to carry out a vaccination operation, they shall immediately inform the Spanish and French authorities and the Commission. Provided these authorities and the Commission agree, the Andorran authorities may then carry out such operations. If the Commission does not agree or fails to respond, the veterinary subgroup shall be convened as soon as possible, at the request of either the Commission or Andorra, in order to examine the situation and approve the most appropriate measures.
 - (d) Regarding vaccination against foot-and-mouth disease, and where this is necessary, Andorra shall be allowed access to the Community vaccine banks. The details of such access for Andorra shall be examined within the veterinary subgroup.

Article 3

Inspections

In the field of inspections by the Commission's veterinary experts, Andorra shall be subject to the same arrangements as provided for in the case of the Member States.

Article 4

Trade in certain animals

1. Trade in poultry and eggs for hatching shall be governed by Directive 90/539/EEC ⁽¹⁾.
2. Trade in cats and dogs, certain birds, bees and lagomorphs shall be governed by the relevant provisions of Directive 92/65/EEC ⁽²⁾.
3. Regarding national reference laboratories, Andorra shall enter into a commitment similar to the one referred to in Article 2(2)(b).

Article 5

Trade in certain livestock products

1. Andorra shall take over Directive 71/118/EEC ⁽³⁾ (poultrymeat).
2. Andorra shall take over Directive 91/495/EEC ⁽⁴⁾ (meat of rabbits and farmed game).
3. Andorra shall take over Directive 92/45/EEC ⁽⁵⁾ (meat of wild game).
4. Andorra shall take over Directive 94/65/EC ⁽⁶⁾ (minced meats and meat preparations).
5. Andorra shall take over Directive 92/46/EEC ⁽⁷⁾ (milk and milk products).

⁽¹⁾ 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).

⁽²⁾ 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).

⁽³⁾ Council Directive 71/118/EEC of 15 February 1971 on health problems affecting trade in fresh poultrymeat (OJ L 55, 8.3.1971, p. 23).

⁽⁴⁾ Council Directive 91/495/EEC of 27 November 1990 concerning public health and animal health problems affecting the production and placing on the market of rabbit meat and farmed game meat (OJ L 268, 24.9.1991, p. 41).

⁽⁵⁾ Council Directive 92/45/EEC of 16 June 1992 on public health and animal health problems relating to the killing of wild game and the placing on the market of wild-game meat (OJ L 268, 14.9.1992, p. 35).

⁽⁶⁾ Council Directive 94/65/EC of 14 December 1994 laying down the requirements for the production and placing on the market of minced meat and meat preparations (OJ L 368, 31.12.1994, p. 10).

⁽⁷⁾ Council Directive 92/46/EEC of 16 June 1992 laying down the health rules for the production and placing on the market of raw milk, heat-treated milk and milk-based products (OJ L 268, 14.9.1992, p. 1).

6. Andorra shall take over Directive 91/493/EEC ⁽¹⁾ (fishery products).
7. Andorra shall take over Directive 91/492/EEC ⁽²⁾ (molluscs).
8. Andorra shall take over Directive 89/437/EEC ⁽³⁾ (egg products).
9. Andorra shall take over the provisions of Chapter 2 (eggs, milk and milk products of certain species) and Chapter 3 (snails, frogs' legs) of Annex II to Directive 92/118/EEC ⁽⁴⁾.
10. Andorra shall take over the provisions of Chapter 4 (feeds containing low-risk materials within the meaning of Directive 90/667/EEC ⁽⁵⁾), Chapter 6 (processed animal proteins) and Chapter 14 (liquid manure) of Annex I to Directive 92/118/EEC.

Article 6

Animal waste processing

Andorra shall take over Directive 90/667/EEC.

Article 7

Fees

Andorra hereby undertakes to adopt the relevant provisions of Directive 85/73/EEC ⁽⁶⁾ on financing the controls provided for in the Community Directives that Andorra will be incorporating into its national law.

Article 8

Animal welfare

1. Andorra shall take over Directive 91/628/EEC ⁽⁷⁾ (protection of animals during transport). If necessary, a staging post within the meaning of that Directive shall be set up on Andorran territory.
2. Andorra shall take over Directive 1999/74/EC ⁽⁸⁾ (protection of the welfare of laying hens).
3. Andorra shall take over Directive 93/119/EC ⁽⁹⁾ (protection of animals for slaughter).

Article 9

Andorra shall begin to apply the Community provisions listed in the Annex to this Decision 18 months at the latest from the date of adoption of this Decision.

Article 10

This Decision shall enter into force on the first day of the month following that of its adoption.

Done at Andorra la Vella, 13 December 2001.

For the Joint Committee

The President

M. MATEU

⁽¹⁾ Council Directive 91/493/EEC of 22 July 1991 laying down the health conditions for the production and the placing on the market of fishery products (OJ L 268, 24.9.1991, p. 15).

⁽²⁾ Council Directive 91/492/EEC of 15 July 1991 laying down the health conditions for the production and the placing on the market of live bivalve molluscs (OJ L 268, 24.9.1991, p. 1).

⁽³⁾ Council Directive 89/437/EEC of 20 June 1989 on hygiene and health problems affecting the production and the placing on the market of egg products (OJ L 212, 22.7.1989, p. 87).

⁽⁴⁾ 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(l) to Directive 89/662/EEC and, as regards pathogens, to Directive 90/425/EEC (OJ L 62, 15.3.1993, p. 49).

⁽⁵⁾ Council Directive 90/667/EEC of 27 November 1990 laying down the veterinary rules for the disposal and processing of animal waste, for its placing on the market and for the prevention of pathogens in feedstuffs of animal or fish origin and amending Directive 90/425/EEC (OJ L 363, 27.12.1990, p. 51).

⁽⁶⁾ Council Directive 85/73/EEC of 29 January 1985 on the financing of health inspections and controls of fresh meat and poultrymeat (OJ L 32, 5.2.1985, p. 14).

⁽⁷⁾ Council Directive 91/628/EEC of 19 November 1991 on the protection of animals during transport and amending Directives 90/425/EEC and 91/496/EEC (OJ L 340, 11.12.1991, p. 17).

⁽⁸⁾ Council Directive 1999/74/EC of 19 July 1999 laying down minimum standards for the protection of laying hens (OJ L 203, 3.8.1999, p. 53).

⁽⁹⁾ Council Directive 93/119/EC of 22 December 1993 on the protection of animals at the time of slaughter or killing (OJ L 340, 31.12.1993, p. 21).

ANNEX

References to these basic texts are to be understood as including references to all amendments and implementing rules.

1. Directive 96/93/EC (certification of livestock and livestock products).
 2. Directive 85/511/EEC and Directive 90/423/EEC (Community measures to control foot-and-mouth disease).
 3. Directive 80/217/EEC (Community measures to control classical swine fever).
 4. Directive 92/35/EEC (Community measures to control horse sickness).
 5. Directive 92/40/EEC (Community measures to control the avian influenza).
 6. Directive 92/66/EEC (Community measures to control Newcastle disease).
 7. Directive 92/119/EEC (Community measures to control certain animal diseases and specific measures with regard to swine vesicular disease).
 8. Directive 90/539/EEC (poultry and eggs for hatching).
 9. Directive 92/65/EEC (semen, ova and embryos).
 10. Directive 71/118/EEC (fresh poultrymeat).
 11. Directive 91/495/EEC (meat of rabbits and farmed game).
 12. Directive 92/45/EEC (meat of wild game).
 13. Directive 94/65/EC (minced meats and meat preparations).
 14. Directive 92/46/EEC (raw milk, heat-treated milk and milk-based products).
 15. Directive 91/493/EEC (fishery products).
 16. Directive 91/492/EEC (live bivalve molluscs).
 17. Directive 89/437/EEC (egg products).
 18. Directive 92/118/EEC (Annex II, Chapter 2 (eggs, milk and milk products of certain species), Chapter 3 (snails, frogs' legs)).
 19. Directive 90/667/EEC (animal wastes).
 20. Directive 85/73/EEC (fees in the relevant fields).
 21. Directive 91/628/EEC (protection of animals during transport).
 22. Directive 1999/74/EC (protection of laying hens).
 23. Directive 93/119/EC (protection of animals at the time of slaughter).
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