

## ACTS ADOPTED BY BODIES CREATED BY INTERNATIONAL AGREEMENTS

### DECISION No 1/2008 OF THE JOINT VETERINARY COMMITTEE SET UP BY THE AGREEMENT BETWEEN THE EUROPEAN COMMUNITY AND THE SWISS CONFEDERATION ON TRADE IN AGRICULTURAL PRODUCTS

of 23 December 2008

regarding the amendment of Appendices 2, 3, 4, 5, 6 and 10 to Annex 11 to the Agreement

(2009/13/EC)

THE JOINT COMMITTEE,

Having regard to the Agreement between the European Community and the Swiss Confederation on trade in agricultural products (hereinafter referred to as '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) Under Article 19(1) of Annex 11 to the Agriculture Agreement, the Joint Veterinary Committee is responsible for considering any matter arising in connection with the said Annex and its implementation, and for the tasks provided for therein. Article 19(3) of that Annex authorises the Joint Veterinary Committee to amend the appendices thereto, in particular with a view to their adaptation and updating.
- (3) The Appendices 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 by the Agreement between the European Community and the Swiss Confederation on trade in agricultural products of 25 November 2003 amending Appendices 1, 2, 3, 4, 5, 6 and 11 to Annex 11 to the Agreement <sup>(1)</sup>.
- (4) The Appendices to Annex 11 to the Agriculture Agreement were last amended by 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 to the Agreement <sup>(2)</sup>.

<sup>(1)</sup> OJ L 23, 28.1.2004, p. 27.

<sup>(2)</sup> OJ L 32, 6.2.2007, p. 91.

(5) The Swiss Confederation (hereinafter referred to as 'Switzerland') has undertaken to incorporate into its national legislation the provisions of Council Directive 91/496/EEC of 15 July 1991 laying down the principles governing the organization of veterinary checks on animals entering the Community from third countries <sup>(3)</sup>, 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 <sup>(4)</sup>, 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 <sup>(5)</sup>, 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 <sup>(6)</sup>, and all the provisions adopted for their implementation in the control of imports from third countries into the European Union.

(6) In order to provide the resources needed for carrying out import controls on products of animal origin from third countries, it is necessary for Switzerland to be included, at least partially, in the rapid alert system established by Article 50 of Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety <sup>(7)</sup>.

(7) The health measures provided for by Swiss legislation and Community legislation for veterinary checks on movements and imports of animals and products of animal origin are recognised as being equivalent. Appendices 5 and 10 to Annex 11 to the Agreement therefore need to be amended.

<sup>(3)</sup> OJ L 268, 24.9.1991, p. 56.

<sup>(4)</sup> OJ L 24, 30.1.1998, p. 9.

<sup>(5)</sup> OJ L 18, 23.1.2003, p. 11.

<sup>(6)</sup> OJ L 165, 30.4.2004, p. 1.

<sup>(7)</sup> OJ L 31, 1.2.2002, p. 1.

(8) Switzerland has undertaken to incorporate into its national legislation the provisions of 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<sup>(1)</sup>.

(9) Appendices 2, 3, 4 and 6 to Annex 11 to the Agreement need to be amended to take account of changes in the Community and Swiss legislation in force on 30 June 2008,

HAS DECIDED AS FOLLOWS:

#### Article 1

Appendix 2 to Annex 11 to the Agriculture Agreement shall be amended in accordance with Annex I to this Decision.

#### Article 2

Appendices 3, 4, 5, 6 and 10 to Annex 11 to the Agriculture Agreement shall be amended in accordance with Annexes II to VI to this Decision.

#### 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 enter into force on the day of the entry into force of the Agreement between the European Community and the Swiss Confederation amending Annex 11 to the Agreement between the European Community and the Swiss Confederation on trade in agricultural products (hereinafter the 'Annex 11 Agreement').

If the Annex 11 Agreement is applied provisionally, this Decision shall also be applied provisionally as from the same date pending the entry into force of the Agreement.

#### Article 5

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

Signed at Paris,  
on 23 December 2008.

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

Signed at Paris,  
on 23 December 2008.

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

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<sup>(1)</sup> OJ L 146, 13.6.2003, p. 1.

## ANNEX I

Appendix 2 to Annex 11 is supplemented as follows:

**X. Non-commercial movements of pet animals**

**A. LEGISLATION (\*)**

Community	Switzerland
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).	Ordinance on the importation of pet animals (Oiac) of 18 April 2007 (RS 916.443.14).

**B. SPECIAL RULES AND PROCEDURES FOR IMPLEMENTATION**

1. The identification system shall be the one provided for in Regulation (EC) No 998/2003.
2. The validity of the anti-rabies vaccination and, if relevant, of the revaccination shall be recognised in accordance with the recommendations of the laboratory of manufacture and pursuant to Article 5 of Regulation (EC) No 998/2003 and Commission Decision 2005/91/EC of 2 February 2005 establishing the period after which the anti-rabies vaccination is considered as valid (¹).
3. The passport to be used is that provided for in Commission Decision 2003/803/EC of 26 November 2003 establishing a model passport for the intra-Community movements of dogs, cats and ferrets (²).
4. For the purposes of this Appendix, the provisions of Chapter II (Provisions applicable to movement between Member States) of Regulation (EC) No 998/2003 shall apply *mutatis mutandis* to the non-commercial movement of pet animals between the Member States of the Community and Switzerland.'

(\*) Unless indicated otherwise, any reference to an act shall mean that act as amended before 30 June 2008.

(¹) OJ L 31, 4.2.2005, p. 61.

(²) OJ L 312, 27.11.2003, p. 1.

## ANNEX II

Appendix 3 to Annex 11 is replaced as follows:

*‘Appendix 3***IMPORTS OF LIVE ANIMALS, THEIR SEMEN, OVA AND EMBRYOS FROM THIRD COUNTRIES****I. 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).

**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).

**D. Aquaculture animals**

Council Directive 2006/88/EC of 24 October 2006 on animal health requirements for aquaculture animals and products thereof, and on the prevention and control of certain diseases in aquatic animals (OJ L 328, 24.11.2006, p. 14).

**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).

**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 semen of domestic animals of the bovine species (OJ L 194, 22.7.1988, p. 10).

**G. Porcine semen**

Council Directive 90/429/EEC of 26.6.1990 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).

**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(l) to Directive 90/425/EEC (OJ L 268, 14.9.1992, p. 54).
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).

(\*) Unless indicated otherwise, any reference to an act shall mean that act as amended before 30 June 2008.

**I. Other specific provisions**

1. Council Directive 96/22/EC of 29 April 1996 concerning the prohibition on the use in stockfarming of certain substances having a hormonal or thyrostatic action and of  $\beta$ -agonists, and repealing Directives 81/602/EEC, 88/146/EEC and 88/299/EEC (OJ L 125, 23.5.1996, p. 3).
2. 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).

**II. Switzerland — Legislation (\*)**

1. Ordinance of 18 April 2007 on the import, transit and export of animals and animal products (OITE), (RS 916.443.10);
2. Ordinance of 18 April 2007 on the import and transit of animals by air from third countries (OITA), (RS 916.443.12);
3. Ordinance of 18 April 2007 on the import and transit of animal products by air from third countries (OITPA), (RS 916.443.13);
4. Ordinance of the DFE of 16 May 2007 on controls on the import and transit of animals and animal products (Ordinance on controls, OITE), (RS 916.443.106);
5. Ordinance of 18 April 2007 on the importation of pet animals (OIAC) (RS 916.443.14);
6. Ordinance of 18 August 2004 on veterinary medicinal products (OMédV), (RS 812.212.27);
7. Ordinance of 30 October 1985 on the fees levied by the Federal Veterinary Office (OEVET), (RS 916.472).

**III. Implementing rules**

The Federal Veterinary Office shall apply, simultaneously with the Member States of the Community, the import conditions set out in the acts mentioned in point I of this Appendix, the implementing measures and the lists of establishments from which the corresponding imports are authorised. This undertaking shall apply to all the relevant acts, irrespective of their date of adoption.

The Federal Veterinary Office may adopt more restrictive measures and require additional guarantees. Consultations shall be held within the Joint Veterinary Committee to find suitable solutions.

The Federal Veterinary Office and the Member States of the Community shall notify each other of the specific import conditions established bilaterally, which have not been harmonised at Community level.

For the purposes of this Annex, for Switzerland, Zürich Zoo is accepted as an approved centre in accordance with Annex C to Directive 92/65/EEC.'

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(\*) Unless indicated otherwise, any reference to an act shall mean that act as amended before 30 June 2008.

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## ANNEX III

Appendix 4 to Annex 11 is replaced as follows:

## 'Appendix 4

## ZOOTECHNICAL PROVISIONS, INCLUDING THOSE GOVERNING IMPORTS FROM THIRD COUNTRIES

## A. Legislation (\*)

Community	Switzerland
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).	Ordinance of 14 November 2007 on animal breeding (RS 916.310).
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).	
Council Directive 87/328/EEC of 18 June 1987 on the acceptance for breeding purposes of pure-bred breeding animals of the bovine species (OJ L 167, 26.6.1987, p. 54).	
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).	
Council Directive 89/361/EEC of 30 May 1989 concerning pure-bred breeding sheep and goats (OJ L 153, 6.6.1989, p. 30).	
Council Directive 90/118/EEC of 5 March 1990 on the acceptance of pure-bred breeding pigs for breeding (OJ L 71, 17.3.1990, p. 34).	
Council Directive 90/119/EEC of 5 March 1990 on the acceptance of hybrid breeding pigs for breeding (OJ L 71, 17.3.1990, p. 36).	
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).	
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).	
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).	
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).	

(\*) Unless indicated otherwise, any reference to an act shall mean that act as amended before 30 June 2008.

**B. Implementing rules**

For the purposes of this Appendix, live animals and animal products traded between the Member States of the Community and Switzerland shall circulate under the conditions established for trade between the Member States of the Community.

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

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

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## ANNEX IV

Appendix 5 to Annex 11 is replaced as follows:

## 'Appendix 5

**LIVE ANIMALS, THEIR SEMEN, OVA AND EMBRYOS: BORDER CHECKS AND INSPECTION FEES**

## CHAPTER I

**General provisions — TRACES system**

## A. LEGISLATION (\*)

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).	<ol style="list-style-type: none"> <li>1. Law of 1 July 1966 on epizootic diseases (LFE), (RS 916.40);</li> <li>2. Ordinance of 27 June 1995 on epizootic diseases (OFE), (RS 916.401);</li> <li>3. Ordinance of 18 April 2007 on the import, transit and export of animals and animal products (OITE), (RS 916.443.10);</li> <li>4. Ordinance of 18 April 2007 on the import and transit of animals by air from third countries (OITA), (RS 916.443.12);</li> <li>5. Ordinance of 18 April 2007 on the import and transit of animal products by air from third countries (OITPA), (916.443.13);</li> <li>6. Ordinance of the DFE of 16 May 2007 on controls on the import and transit of animals and animal products (Ordinance on controls, OITE), (RS 916.443.106);</li> <li>7. Ordinance of 18 April 2007 on the importation of pet animals (OIAC), (RS 916.443.14).</li> </ol>

## B. IMPLEMENTING RULES

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

If necessary, transitional and complementary measures shall be laid down by the Joint Veterinary Committee.

## CHAPTER II

**Veterinary and zootechnical checks applicable in trade between the Member States of the Community and Switzerland**

## A. LEGISLATION (\*)

Veterinary and zootechnical checks applicable in trade between the Member States of the Community and Switzerland shall be carried out in accordance with the provisions of the following acts:

(\*) Unless indicated otherwise, any reference to an act shall mean that act as amended before 30 June 2008.

Community	Switzerland
<p>1. Council Directive 89/608/EEC of 21 November 1989 on mutual assistance between the administrative authorities of the Member States and cooperation between the latter and the Commission to ensure the correct application of legislation on veterinary and zootechnical matters (OJ L 351, 2.12.1989, p. 34).</p> <p>2. Council Directive 90/425/EEC of 26 June 1990 concerning veterinary and zootechnical checks applicable in intra-Community trade in certain live animals and products with a view to the completion of the internal market (OJ L 224, 18.8.1990, p. 29).</p>	<p>1. Law on epizootic diseases (LFE) of 1 July 1966, (RS 916.40), and in particular Article 57 thereof;</p> <p>2. Ordinance of 18 April 2007 on the import, transit and export of animals and animal products (OITE), (RS 916.443.10);</p> <p>3. Ordinance of the DFE of 16 May 2007 on controls on the import and transit of animals and animal products (Ordinance on controls, OITE), (RS 916.443.106);</p> <p>4. Ordinance of 18 April 2007 on the importation of pet animals (OIAC), (RS 916.443.14);</p> <p>5. Ordinance of 30 October 1985 on the fees levied by the Federal Veterinary Office (OEVET), (RS 916.472).</p>

#### B. GENERAL IMPLEMENTING RULES

In the cases provided for in Article 8 of Directive 90/425/EEC, the competent authorities of the place of destination shall contact the competent authorities of the place of dispatch without delay. They shall take all necessary measures and notify the competent authority of the place of dispatch and the Commission of the nature of the checks carried out, the decisions taken and the reasons for such decisions.

The Joint Veterinary Committee shall be responsible for the application of the provisions of Articles 10, 11 and 16 of Directive 89/608/EEC and Articles 9 and 22 of Directive 90/425/EEC.

#### C. SPECIAL RULES APPLICABLE TO ANIMALS SENT FOR GRAZING IN BORDER AREAS

##### 1. Definitions:

Grazing: dispatching animals to a Member State or to Switzerland with a view to grazing in a 10 km strip on either side of the border. In special, duly substantiated conditions, a wider strip on either side of the border between Switzerland and the Community may be authorised by the competent authorities concerned.

Daily grazing: grazing where the animals are returned to their holding of origin in a Member State or in Switzerland at the end of each day.

2. In the event of grazing between the Member States of the Community and Switzerland, Commission Decision 2001/672/EC of 20 August 2001 laying down special rules applicable to movements of bovine animals when put out to summer grazing in mountain areas (OJ L 235, 4.9.2001, p. 23) shall apply *mutatis mutandis*. However, for the purposes of this Annex, the following adjustments shall apply to Article 1 of Decision 2001/672/EC:

- the reference to the period from 1 May to 15 October shall be replaced by "the calendar year";
- for Switzerland, the parties referred to in Article 1 of Decision 2001/672/EC and referred to in the corresponding Annex shall be:

#### SWITZERLAND

##### CANTON OF ZÜRICH

##### CANTON OF BERN/BERNE

##### CANTON OF LUZERN

CANTON OF URI

CANTON OF SCHWYZ

CANTON OF OBERWALDEN

CANTON OF NIDWALDEN

CANTON OF GLARUS

CANTON OF ZUG

CANTON OF FRIBOURG

CANTON OF SOLOTHURN

CANTON OF BASEL STADT

CANTON OF BASEL LAND

CANTON OF SCHAFFHAUSEN

CANTON OF APPENZELL AUSSERRHODEN

CANTON OF APPENZELL INNERRHODEN

CANTON OF SANKT GALLEN

CANTON OF GRAUBÜNDEN

CANTON OF AARGAU

CANTON OF THURGAU

CANTON OF TICINO

CANTON OF VAUD

CANTON OF VALAIS/WALLIS

CANTON OF NEUCHÂTEL

CANTON OF GENEVA

CANTON OF JURA.

Pursuant to the Ordinance on epizootic diseases (OFE) of 27 June 1995 (RS 916.401), and in particular Article 7 thereof (registration), and the Ordinance of 23 November 2005 on the database on animal movements (RS 916.404), and in particular Section 2 thereof (content of the database), Switzerland is to allocate to each pasture a specific registration code which must be registered in the national database on bovine animals.

3. In the case of grazing between the Member States of the Community and Switzerland, the official veterinarian of the country of dispatch shall:

(a) on the date of issue of the certificate and no later than 24 hours before the planned date of arrival of the animals, by means of the computerised system linking veterinary authorities provided for in Article 20 of Directive 90/425/EEC, inform the competent authority of the place of destination (local veterinary unit) to which the animals have been dispatched;

(b) examine the animals within 48 hours prior to their departure for the grazing ground; the animals must be duly identified;

(c) issue a certificate in accordance with the model in point 9 below.

4. Throughout the duration of the grazing period, the animals shall remain under customs control.

5. The holder of the animals must:

(a) agree, in a written statement, to comply with all measures taken pursuant to this Annex and any other measures introduced at local level, in the same way as any holder originating in a Member State or Switzerland;

(b) pay the costs of the checks required pursuant to this Annex;

(c) cooperate fully with arrangements for customs or veterinary checks required by the authorities of the country of dispatch or of destination.

6. When the animals return at the end of the season or before, the official veterinarian of the country where the grazing ground is located shall:

(a) on the date of issue of the certificate and no later than 24 hours before the planned date of arrival of the animals, by means of the computerised system linking veterinary authorities provided for in Article 20 of Directive 90/425/EEC, inform the competent authority of the place of destination (local veterinary unit) to which the animals have been dispatched;

(b) examine the animals within 48 hours prior to their departure for the grazing ground; the animals must be duly identified;

(c) issue a certificate in accordance with the model in point 9 below.

7. In the event of outbreaks of disease, the competent veterinary authorities shall take appropriate measures by mutual agreement. Those authorities shall consider how to cover any costs involved. If necessary, the matter shall be referred to the Joint Veterinary Committee.

8. As an exception to the rules on grazing in points 1 to 7, in the case of daily grazing between the Member States of the Community and Switzerland:

(a) the animals shall not enter into contact with animals from another holding;

(b) the holders of such animals shall undertake to inform the competent veterinary authority of any contact between their animals and animals from another holding;

(c) the health certificate set out in point 9 below shall be presented to the competent veterinary authorities every calendar year when the animals first enter a Member State or Switzerland. This health certificate must be presented to the competent veterinary authorities at the request of the latter;

(d) points 2 and 3 above shall apply only to the first time in each calendar year that the animals are dispatched to a Member State or to Switzerland;

(e) point 6 shall not apply;

(f) the holders of animals shall undertake to inform the competent veterinary authority of the end of the grazing period.

9. Model health certificate for bovine animals sent for grazing or daily grazing in border areas and for bovine animals returning from border grazing:

**Model health certificate for bovine animals sent for grazing or daily grazing in border areas and for bovine animals returning from border grazing**

**EUROPEAN COMMUNITY**

**Intra trade certificate**

<b>Part I: Details of consignment presented</b>	I.1. Consignor Name Address Postal code				I.2. Certificate reference number	I.2.a. Local reference number:	
					I.3. Central Competent Authority		
					I.4. Local Competent Authority		
	I.5. Consignee Name Address Postal code				I.6. No(s) of related original certificates No(s) of accompanying documents		
					I.7. Dealer Name Approval number		
	I.8. Country of origin ISO code		I.9. Region of origin Code	I.10. Country of destination ISO code	I.11. Region of destination Code		
	I.12. Place of origin/Place of harvest Holding <input type="checkbox"/> Name Approval number Address Postal code				I.13. Place of destination Holding <input type="checkbox"/> Name Approval number Address Postal code		
	I.14. Place of loading Postal code				I.15. Date and time of departure		
	I.16. Means of transport Aeroplane <input type="checkbox"/> Ship <input type="checkbox"/> Railway wagon <input type="checkbox"/> Road vehicle <input type="checkbox"/> Other <input type="checkbox"/> Identification:				I.17. Transporter Name Approval number Address Postal code Member State		
	I.18. Animal species/product				I.19. Commodity code (CN code) <b>01 02</b>		I.20. Number/quantity
	I.21.				I.22. Number of packages		
	I.23.				I.24. Type of packaging		
	I.25. Animals certified as/products certified for Transhumance <input type="checkbox"/>						
	I.26. Transit through third country <input type="checkbox"/> Third country Exit point Entry point				I.27. Transit through Member States <input type="checkbox"/> Member State Member State Member State	ISO code	ISO code
	I.28.				I.29. Estimated journey time		
	I.30. Route plan Yes <input type="checkbox"/> No <input type="checkbox"/>						
	I.31. Identification of the animals/products Identification number						

## EUROPEAN COMMUNITY

2005/22 Summer grazing

	II. HEALTH INFORMATION <sup>(1)</sup> <sup>(2)</sup>	II.a. Certificate reference number	II.b. Local reference number
Part II: Certification	<p>II.1. Health certificate for bovine animals sent for grazing <sup>(3)</sup> or daily grazing <sup>(3)</sup> <sup>(4)</sup> in border areas.</p> <p>I, the undersigned official veterinarian, certify that each animal from the lot described above:</p> <p>II.1.1. comes from a holding of origin and an area which, in conformity with Community or national legislation, is not subject to any prohibition or restriction for reasons of animal diseases affecting bovine animals;</p> <p>II.1.2. comes from a herd of origin situated in a Member State or part of its territory:</p> <p>(a) with a surveillance network approved by Commission Decision xx/xx/EC, or, for Switzerland, by the Agreement of 21 June 1999 between the European Community and Switzerland (point I of Appendix 2 to Annex 11);</p> <p>(b) which is officially recognised as free of leucosis, tuberculosis and brucellosis.</p> <p>II.1.3. is an animal for breeding <sup>(3)</sup> or production <sup>(3)</sup> that:</p> <p>(a) has been resident, as far as can be ascertained, on the holding of origin during the past 30 days, or since birth if less than 30 days of age, and no animal imported from a third country was introduced into that holding during this period, unless it was isolated from all other animals on the holding;</p> <p>(b) has not been in contact during the past 30 days with animals from herds not meeting the conditions set out in point II.1.2.</p> <p>II.1.4. The above described animals were inspected on [insert date], during the 24 hours before scheduled departure and showed no clinical signs of infectious or contagious disease.</p> <p>II.1.5. The holding of origin and, where applicable, the approved assembly centre and the area they are situated in are not subject to any prohibitions or restrictions for reasons of animal diseases affecting bovine animals in conformity with Community or national legislation.</p> <p>II.1.6. All applicable provisions of Council Directive 64/432/EEC have been fulfilled.</p> <p>II.1.7. The animals comply with the additional guarantees regarding infectious bovine rhinotracheitis/infectious pustular vulvovaginitis in accordance with Commission Decision 93/42/EEC, which applies <i>mutatis mutandis</i> in accordance with the Agreement of 21 June 1999 between the European Community and Switzerland.</p> <p>II.1.8. At the time of inspection the above animals were fit to be transported on the intended journey in accordance with the provisions of Council Regulation (EC) No 1/2005 <sup>(5)</sup>.</p> <p>II.1.9. Date of arrival at the pasture <sup>(6)</sup>:</p> <p>II.1.10. <b>Planned date of departure from the pasture:</b></p> <p>II.2. Health certificate for bovine animals returning from grazing in border areas (at or before the end of the normal grazing period).</p> <p>II.2.1. the animals described above [list of animals returning early <sup>(3)</sup> or list of animals on the associated original certificate <sup>(3)</sup>, <sup>(7)</sup>, <sup>(8)</sup>] were inspected on ..... (date of loading or 48 hours before departure) and showed no clinical signs of infectious or contagious disease;</p> <p>II.2.2. the area in which the animals have been grazing is not subject to any prohibition or restriction in connection with animal diseases affecting the bovine species in accordance with Community or national legislation and, in particular, no cases of tuberculosis, brucellosis or leucosis have been found during the grazing period.</p>		

## Notes

## Part I:

— The number of the health certificate used to move the animals to the grazing area is given in part I.6 of this certificate.

## Part II:

(<sup>1</sup>) The information which must appear on this certificate must be entered in the computerised system linking veterinary authorities provided for in Article 20 of Directive 90/425/EEC on the date of issue of the certificate and no later than 24 hours before the planned date of arrival of the animals.

(<sup>2</sup>) This certificate shall be valid for ten days from the date of the health inspection carried out in Switzerland or in the Member State of origin. In the case of daily grazing, this certificate shall be valid for the entire grazing period.

(<sup>3</sup>) Delete as appropriate.

(<sup>4</sup>) In the case of daily grazing, this certificate shall be valid for the entire grazing period.

(<sup>5</sup>) This statement does not exempt transporters from their obligations in accordance with Community provisions in force, in particular regarding the fitness of animals to be transported.

(<sup>6</sup>) The registration code of the pasture ground is shown in part I.13 (Approval number) of this certificate.

(<sup>7</sup>) If animals are returned to their holding of origin during the grazing period for health reasons, accompanied by a health certificate, the identification marks must be deleted from the initial list, which must be validated by the official veterinarian.

(<sup>8</sup>) Part II.1 to be filled in for dispatch to grazing or daily grazing in a border area, Part II.2 to be filled in for return from grazing in a border area.

The colour of the stamp and signature must be different from that of the other particulars in the certificate.

Name (in capitals): Qualification and title:

Official veterinarian or inspector:

Local Veterinary Unit:

Local Veterinary Unit number:

Date:

Signature:

Seal:

## CHAPTER III

**Conditions applying to trade between the Community and Switzerland**

## A. LEGISLATION

For trade in live animals and their semen, ova and embryos between the Community and Switzerland, and for the grazing of bovine animals in border areas between the Community and Switzerland, the health certificates shall be those provided for in this Annex and available in the TRACES system, in accordance with Commission Regulation (EC) No 599/2004 of 30 March 2004 concerning the adoption of a harmonised model certificate and inspection report linked to intra-Community trade in animals and products of animal origin (OJ L 94, 31.3.2004, p. 44).

## CHAPTER IV

**Veterinary checks applicable to imports of animals from third countries**

## A. LEGISLATION (\*)

Checks on imports from third countries shall be carried out in accordance with the provisions of the following acts:

Community	Switzerland
<p>1. Commission Regulation (EC) No 282/2004 of 18 February 2004 introducing a document for the declaration of, and veterinary checks on, animals from third countries entering the Community (OJ L 49, 19.2.2004, p. 11);</p> <p>2. 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>3. Council Directive 91/496/EEC of 15 July 1991 laying down the principles governing the organisation of veterinary checks on animals entering the Community from third countries and amending Directives 89/662/EEC, 90/425/EEC and 90/675/EEC (OJ L 268, 24.9.1991, p. 56);</p> <p>4. Council Directive 96/22/EC of 29 April 1996 concerning the prohibition on the use in stock-farming of certain substances having a hormonal or thyrostatic action and of β-agonists, and repealing Directives 81/602/EEC, 88/146/EEC and 88/299/EEC (OJ L 125, 23.5.1996, p. 3);</p> <p>5. 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);</p> <p>6. Commission Decision 97/794/EC of 12 November 1997 laying down certain detailed rules for the application of Council Directive 91/496/EEC as regards veterinary checks on live animals to be imported from third countries (OJ L 323, 26.11.1997, p. 31).</p>	<p>1. Ordinance of 18 April 2007 on the import, transit and export of animals and animal products (OITE), (RS 916.443.10);</p> <p>2. Ordinance of 18 April 2007 on the import and transit of animals by air from third countries (OITA), (RS 916.443.12);</p> <p>3. Ordinance of 18 April 2007 on the import and transit of animal products by air from third countries (OITPA), (RS 916.443.13);</p> <p>4. Ordinance of the DFE of 16 May 2007 on controls on the import and transit of animals and animal products (Ordinance on controls, OITE), (RS 916.443.106);</p> <p>5. Ordinance of 18 April 2007 on the importation of pet animals (OIAC), (RS 916.443.14).</p> <p>6. Ordinance of 30 October 1985 on the fees levied by the Federal Veterinary Office (OEVET), (RS 916.472);</p> <p>7. Ordinance of 18 August 2004 on veterinary medicinal products (OMédV), (RS 812.212.27).</p>

(\*) Unless indicated otherwise, any reference to an act shall mean that act as amended before 30 June 2008.

## B. IMPLEMENTING RULES

1. For the purposes of implementing Article 6 of Directive 91/496/EEC, the Member States' border inspection posts approved for veterinary checks on live animals are listed in the Annex to Commission Decision 2001/881/EC of 7 December 2001 drawing up a list of border inspection posts approved for veterinary checks on animals and animal products from third countries and updating the detailed rules concerning the checks to be carried out by the experts of the Commission.
2. For the purposes of implementing Article 6 of Directive 91/496/EEC, the border inspection posts for Switzerland shall be:

Name	TRACES code	Type	Inspection centre	Type of approval
Zürich Airport	CHZRH4	A	Centre 3	O - Other animals (including zoo animals) (1)
Geneva Airport	CHGVA4	A	Centre 2	O - Other animals (including zoo animals) (1)

(1) By reference to the approval categories defined in Commission Decision 2001/881/EC.

The Joint Veterinary Committee shall be responsible for any subsequent amendments to the list of border inspection posts, their inspection centres and their types of approval.

On-the-spot inspections shall be carried out under the responsibility of the Joint Veterinary Committee in accordance, in particular, with Article 19 of Directive 91/496/EEC and Article 57 of the Law on epizootic diseases.

3. The Federal Veterinary Office shall apply, simultaneously with the Member States of the Community, the import conditions referred to in Appendix 3 to this Annex, and the implementing measures.

The Federal Veterinary Office may adopt more restrictive measures and demand additional guarantees. Consultations shall be held within the Joint Veterinary Committee to find suitable solutions.

The Federal Veterinary Office and the Member States of the Community shall notify each other of the specific import conditions established bilaterally which have not been harmonised at Community level.

4. The Member States' border inspection posts referred to in point 1 shall check imports from third countries destined for Switzerland in accordance with point A of Chapter IV of this Appendix.
5. The Swiss border inspection posts mentioned in point 2 shall check imports from third countries destined for the Member States of the Community in accordance with point A of Chapter IV of this Appendix.

## CHAPTER V

## Specific provisions

## A. IDENTIFICATION OF ANIMALS

## 1. LEGISLATION (\*)

Community	Switzerland
1. Council Directive 92/102/EEC of 27 November 1992 on the identification and registration of animals (OJ L 355, 5.12.1992, p. 32);	1. Ordinance of 27 June 1995 on epizootic diseases (OFE), (RS 916.401), and in particular Articles 7 to 20 thereof (registration and identification);
2. Regulation (EC) No 1760/2000 of the European Parliament and of the Council of 17 July 2000 establishing a system for the identification and registration of bovine animals and regarding the labelling of beef and beef products and repealing Council Regulation (EC) No 820/97 (OJ L 204, 11.8.2000, p. 1).	2. Ordinance of 23 November 2005 on the database on animal movements (RS 916.404).

## 2. SPECIAL RULES AND PROCEDURES FOR IMPLEMENTATION

- a. The Joint Veterinary Committee shall be responsible for the application of Article 3(2), the fifth subparagraph of Article 4(1)(a) and Article 4(2) of Directive 92/102/EEC.
- b. For movements of porcine, ovine and caprine animals within Switzerland, the date to be taken into account for the purposes of Article 5(3) shall be 1 July 1999.
- c. In the context of Article 10 of Directive 92/102/EEC, the Joint Veterinary Committee shall be responsible for coordination where any electronic identification systems are set up.

## B. PROTECTION OF ANIMALS

## 1. LEGISLATION (\*)

Community	Switzerland
1. 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);	Ordinance of 23 April 2008 on the protection of animals (OPAn), (RS 455.1), and in particular Articles 169 to 176 thereof.
2. Council Regulation (EC) No 1255/97 of 25 June 1997 concerning Community criteria for staging points and amending the route plan referred to in the Annex to Directive 91/628/EEC (OJ L 174, 2.7.1997, p. 1).	

## 2. SPECIAL RULES AND PROCEDURES FOR IMPLEMENTATION

- a. The Swiss authorities undertake to comply with the provisions of Regulation (EC) No 1/2005 for trade between Switzerland and the Community and for imports from third countries.
- b. In the cases provided for in Article 26 of Regulation (EC) No 1/2005, the competent authorities of the place of destination shall contact the competent authorities of the place of departure without delay.
- c. The Joint Veterinary Committee shall be responsible for the application of Articles 10, 11 and 16 of Directive 89/608/EEC.

(\*) Unless indicated otherwise, any reference to an act shall mean that act as amended before 30 June 2008.

- d. On-the-spot inspections shall be carried out under the responsibility of the Joint Veterinary Committee in accordance, in particular, with Article 28 of Regulation (EC) No 1/2005 and Article 208 of the Ordinance of 23 April 2008 on the protection of animals (OPAn), (RS 455.1).
- e. Pursuant to Article 175 of the Ordinance of 23 April 2008 on the protection of animals (OPAn), (RS 455.1), transit via Switzerland of cattle, sheep, goats and pigs may only take place by rail or aircraft. This matter shall be examined by the Joint Veterinary Committee.

#### C. FEES

- 1. No fees shall be charged for veterinary checks carried out in trade between the Member States of the Community and Switzerland.
- 2. For veterinary checks on imports from third countries, the Swiss authorities undertake to collect the official control fees provided for 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).'

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## ANNEX V

A. The special conditions relating to animal products for human consumption listed in Chapter I of Appendix 6 to Annex 11 are supplemented as follows:

'(11) Pending recognition of the alignment of Community legislation and Swiss legislation, for exports to the Community Switzerland shall monitor compliance with the following acts and their implementing rules:

- Council Directive 88/344/EEC of 13 June 1988 on the approximation of the laws of the Member States on extraction solvents used in the production of foodstuffs and food ingredients (OJ L 157, 24.6.1988, p. 28)
- Council Directive 88/388/EEC of 22 June 1988 on the approximation of the laws of the Member States relating to flavourings for use in foods and to source materials for their production (OJ L 184, 15.7.1988, p. 61)
- Council Directive 89/107/EEC of 21 December 1988 on the approximation of the laws of the Member States concerning food additives authorised for use in foodstuffs intended for human consumption (OJ L 40, 11.2.1989, p. 27)
- Council Regulation (EEC) No 2377/90 of 26 June 1990 laying down a Community procedure for the establishment of maximum residue limits of veterinary medicinal products in foodstuffs of animal origin (OJ L 224, 18.8.1990, p. 1)
- Council Regulation (EEC) No 315/93 of 8 February 1993 laying down Community procedures for contaminants in food (OJ L 37, 13.2.1993, p. 1)
- Directive 94/35/EC of the European Parliament and of the Council on sweeteners for use in foodstuffs (OJ L 237, 10.9.1994, p. 3)
- Directive 94/36/EC of the European Parliament and of the Council on colours for use in foodstuffs (OJ L 237, 10.9.1994, p. 13)
- Directive 95/2/EC of the European Parliament and of the Council on food additives other than colours and sweeteners (OJ L 61, 18.3.1995, p. 1)
- Commission Directive 95/31/EC of 5 July 1995 laying down specific criteria of purity concerning sweeteners for use in foodstuffs (OJ L 178, 28.7.1995, p. 1)
- Commission Directive 95/45/EC of 26 July 1995 laying down specific criteria of purity concerning colours for use in foodstuffs (OJ L 226, 22.9.1995, p. 1)
- European Parliament and Council Regulation (EC) No 2232/96 of 28 October 1996 laying down a Community procedure for flavouring substances used or intended for use in or on foodstuffs (OJ L 299, 23.11.1996, p. 1)
- Council Directive 96/22/EC of 29 April 1996 concerning the prohibition on the use in stockfarming of certain substances having a hormonal or thyrostatic action and of  $\beta$ -agonists, and repealing Directives 81/602/EEC, 88/146/EEC and 88/299/EEC (OJ L 125, 23.5.1996, p. 3)
- 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)
- Commission Directive 96/77/EC of 2 December 1996 laying down specific purity criteria on food additives other than colours and sweeteners (OJ L 339, 30.12.1996, p. 1)
- Directive 1999/2/EC of the European Parliament and of the Council of 22 February 1999 on the approximation of the laws of the Member States concerning foods and food ingredients treated with ionising radiation (OJ L 66, 13.3.1999, p. 16)
- Directive 1999/3/EC of the European Parliament and of the Council of 22 February 1999 on the establishment of a Community list of foods and food ingredients treated with ionising radiation (OJ L 66, 13.3.1999, p. 24)
- Commission Decision 1999/217/EC of 23 February 1999 adopting a register of flavouring substances used in or on foodstuffs drawn up in application of Regulation (EC) No 2232/96 of the European Parliament and of the Council (OJ L 84, 27.3.1999, p. 1)

- Commission Decision 2002/840/EC of 23 October 2002 adopting the list of approved facilities in third countries for the irradiation of foods (OJ L 287, 25.10.2002, p. 40)
- Regulation (EC) No 2065/2003 of the European Parliament and of the Council of 10 November 2003 on smoke flavourings used or intended for use in or on foods (OJ L 309, 26.11.2003, p. 1)
- 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)
- Commission Regulation (EC) No 1881/2006 of 19 December 2006 setting maximum levels for certain contaminants in foodstuffs (OJ L 364, 20.12.2006, p. 5)
- Commission Regulation (EC) No 884/2007 of 26 July 2007 on emergency measures suspending the use of E 128 Red 2G as food colour (OJ L 195, 27.7.2007, p. 8)'.

B. In Appendix 6 to Annex 11, the part relating to animal by-products not intended for human consumption is replaced by the following:

**'Animal by-products not intended for human consumption'**

Exports from the Community to Switzerland and exports from Switzerland to the Community

Trade conditions		Equivalence
EC standards (*)	Swiss standards (*)	
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).	Ordinance of 23 November 2005 on the slaughter of livestock and the checking of meat (OAbCV), (RS 817.190)	Yes, subject to special conditions
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).	Ordinance of the DFE of 23 November 2005 on hygiene during the slaughter of livestock (OHyAb), (RS 817.190.1)  Ordinance of 27 June 1995 on epizootic diseases (OFE), (RS 916.401)  Ordinance of 18 April 2007 on the import, transit and export of animals and animal products (OITE), (RS 916.443.10)	
	Ordinance of 23 June 2004 on the elimination of animal by-products (OESPA), (RS 916.441.22)	

(\*) Unless indicated otherwise, any reference to an act shall mean that act as amended before 30 June 2008.

*Special conditions*

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

Trade in Category 1 and Category 2 materials shall be governed by paragraphs 2 to 6 of Article 8 of Regulation (EC) No 1774/2002.

Category 3 materials traded between the Member States of the Community and Switzerland must 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) No 1774/2002.

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

In accordance with Chapter III of Regulation (EC) No 1774/2002, Switzerland shall prohibit the feeding of pigs with catering waste by 1 July 2011. This matter shall be examined by the Joint Veterinary Committee.'

## ANNEX VI

Appendix 10 to Annex 11 is replaced as follows:

## 'Appendix 10

**ANIMAL PRODUCTS: BORDER CHECKS AND INSPECTION FEES**

## CHAPTER I

**General provisions**

## A. LEGISLATION (\*)

Community	Switzerland
<p>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);</p> <p>Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety (OJ L 31, 1.2.2002, p. 1).</p>	<ol style="list-style-type: none"> <li>1. Law on epizootic diseases (LFE) of 1 July 1966, (RS 916.40), and in particular Article 57 thereof;</li> <li>2. Ordinance of 18 April 2007 on the import, transit and export of animals and animal products (OITE), (RS 916.443.10);</li> <li>3. Ordinance of 18 April 2007 on the import and transit of animal products by air from third countries (OITPA), (RS 916.443.13);</li> <li>4. Ordinance of the DFE of 16 May 2007 on controls on the import and transit of animals and animal products (Ordinance on controls, OITE), (RS 916.443.106);</li> <li>5. Ordinance of 30 October 1985 on the fees levied by the Federal Veterinary Office (OEVET), (RS 916.472).</li> </ol>

## B. IMPLEMENTING RULES

1. The Commission, in cooperation with the Federal Veterinary Office, shall integrate Switzerland into the TRACES system, in accordance with Commission Decision 2004/292/EC.
2. The Commission, in cooperation with the Federal Veterinary Office, shall integrate Switzerland into the rapid alert system provided for in Article 50 of Regulation (EC) No 178/2002 as regards the provisions relating to refusal to allow entry of animal products at borders.

The Commission shall immediately notify Switzerland of any rejection of a batch, a container or a cargo by a competent authority at a border post of the Community.

Switzerland shall immediately notify the Commission of any rejection of a batch, container or cargo of food or feed by a competent authority at a Swiss border post on the grounds of a direct or indirect risk to human health, and shall comply with the confidentiality rules provided for in Article 52 of Regulation (EC) No 178/2002.

The special measures relating to this participation shall be established by the Joint Veterinary Committee.

(\*) Unless indicated otherwise, any reference to an act shall mean that act as amended before 30 June 2008.

## CHAPTER II

**Veterinary checks applicable in trade between the Member States of the Community and Switzerland****A. LEGISLATION (\*)**

Veterinary checks applicable in trade between the Member States of the Community and Switzerland shall be carried out in accordance with the provisions of the following acts:

Community	Switzerland
<ol style="list-style-type: none"> <li>1. Council Directive 89/608/EEC of 21 November 1989 on mutual assistance between the administrative authorities of the Member States and cooperation between the latter and the Commission to ensure the correct application of legislation on veterinary and zootechnical matters (OJ L 351, 2.12.1989, p. 34);</li> <li>2. Council Directive 89/662/EEC of 11 December 1989 concerning veterinary checks in intra-Community trade with a view to the completion of the internal market (OJ L 395, 30.12.1989, p. 13);</li> <li>3. 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).</li> </ol>	<ol style="list-style-type: none"> <li>1. Law on epizootic diseases (LFE) of 1 July 1966, (RS 916.40), and in particular Article 57 thereof;</li> <li>2. Ordinance of 18 April 2007 on the import, transit and export of animals and animal products (OITE), (RS 916.443.10);</li> <li>3. Ordinance of 18 April 2007 on the import and transit of animal products by air from third countries (OITPA), (RS 916.443.13);</li> <li>4. Ordinance of the DFE of 16 May 2007 on controls on the import and transit of animals and animal products (Ordinance on controls, OITE), (RS 916.443.106);</li> <li>5. Ordinance of 18 April 2007 on the importation of pet animals (OIAC), (RS 916.443.14);</li> <li>6. Ordinance of 30 October 1985 on the fees levied by the Federal Veterinary Office (OEVET), (RS 916.472).</li> </ol>

**B. IMPLEMENTING RULES**

In the cases provided for in Article 8 of Directive 89/662/EEC, the competent authorities of the place of destination shall contact the competent authorities of the place of dispatch without delay. They shall take all necessary measures and notify the competent authority of the place of dispatch and the Commission of the nature of the checks carried out, the decisions taken and the reasons for such decisions.

The Joint Veterinary Committee shall be responsible for the application of the provisions of Articles 10, 11 and 16 of Directive 89/608/EEC and Articles 9 and 16 of Directive 89/662/EEC.

## CHAPTER III

**Veterinary checks applicable to imports from third countries****A. LEGISLATION (\*\*)**

Checks on imports from third countries shall be carried out in accordance with the provisions of the following acts:

Community	Switzerland
<ol style="list-style-type: none"> <li>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);</li> </ol>	<ol style="list-style-type: none"> <li>1. Law on epizootic diseases (LFE) of 1 July 1966, (RS 916.40), and in particular Article 57 thereof;</li> <li>2. Ordinance of 18 April 2007 on the import, transit and export of animals and animal products (OITE), (RS 916.443.10);</li> </ol>

(\*) Unless indicated otherwise, any reference to an act shall mean that act as amended before 30 June 2008.

(\*\*) Unless indicated otherwise, any reference to an act shall mean that act as most recently amended.

Community	Switzerland
<p>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);</p> <p>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, 30.4.2004, p. 206);</p> <p>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);</p> <p>5. Council Directive 89/608/EEC of 21 November 1989 on mutual assistance between the administrative authorities of the Member States and cooperation between the latter and the Commission to ensure the correct application of legislation on veterinary and zootechnical matters (OJ L 351, 2.12.1989, p. 34);</p> <p>6. Council Directive 96/22/EC of 29 April 1996 concerning the prohibition on the use in stock-farming of certain substances having a hormonal or thyrostatic action and of <math>\beta</math>-agonists, and repealing Directives 81/602/EEC, 88/146/EEC and 88/299/EEC (OJ L 125, 23.5.1996, p. 3);</p> <p>7. 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);</p> <p>8. 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);</p> <p>9. Commission Decision 2002/657/EC of 12 August 2002 implementing Council Directive 96/23/EC concerning the performance of analytical methods and the interpretation of results (OJ L 221, 17.8.2002, p. 8);</p> <p>10. 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);</p> <p>11. Commission Decision 2005/34/EC of 11 January 2005 laying down harmonised standards for the testing for certain residues in products of animal origin imported from third countries (OJ L 16, 20.1.2005, p. 61).</p>	<p>3. Ordinance of 18 April 2007 on the import and transit of animal products by air from third countries (OITPA), (RS 916.443.13);</p> <p>4. Ordinance of the DFE of 16 May 2007 on controls on the import and transit of animals and animal products (Ordinance on controls, OITE), (RS 916.443.106);</p> <p>5. Ordinance of 18 April 2007 on the importation of pet animals (OIAC), (RS 916.443.14);</p> <p>6. Ordinance of 30 October 1985 on the fees levied by the Federal Veterinary Office (OEVET), (RS 916.472);</p> <p>7. Law of 9 October 1992 on foodstuffs (LDA1), (RS 817.0);</p> <p>8. Ordinance of 23 November 2005 on foodstuffs and consumer products (ODAOUs), (RS 817.02);</p> <p>9. Ordinance of 23 November 2005 on the implementation of foodstuffs legislation (RS 817.025.21);</p> <p>10. Ordinance of the DFI of 26 June 1995 on foreign substances and components in foodstuffs (OSEC), (RS 817.021.23).</p>

## B. IMPLEMENTING RULES

- For the purposes of implementing Article 6 of Directive 97/78/EEC, the border inspection posts for the Member States of the Community shall be: the border inspection posts approved for veterinary checks on animal products and listed in the Annex to amended Commission Decision 2001/881/EC of 7 December 2001 drawing up a list of border inspection posts approved for veterinary checks on animals and animal products from third countries and updating the detailed rules concerning the checks to be carried out by the experts of the Commission.
- For the purposes of implementing Article 6 of Directive 97/78/EEC, the border inspection posts for Switzerland shall be:

Name	TRACES code	Type	Inspection centre	Type of approval
Zürich Airport	CHZRH4	A	Centre 1	NHC (*)
			Centre 2	HC(2) (*)
Geneva Airport	CHGVA4	A	Centre 1	HC(2), NHC (*)

(\*) By reference to the approval categories defined in Commission Decision 2001/881/EC.

The Joint Veterinary Committee shall be responsible for any subsequent amendments to the list of border inspection posts, their inspection centres and their types of approval.

On-the-spot inspections shall be carried out under the responsibility of the Joint Veterinary Committee in accordance, in particular, with Article 45 of Regulation (EC) No 882/2004 and Article 57 of the Law on epizootic diseases.

## CHAPTER IV

**Health requirements and control requirements in trade between the Community and Switzerland**

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 shall be 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.

For the other sectors, the health requirements laid down in Chapter II of Appendix 6 shall continue to apply.

## CHAPTER V

**Health requirements and control requirements relating to imports from third countries**1. **Community — Legislation (\*)**

## A. PUBLIC HEALTH MEASURES

- Council Directive 88/344/EEC of 13 June 1988 on the approximation of the laws of the Member States on extraction solvents used in the production of foodstuffs and food ingredients (OJ L 157, 24.6.1988, p. 28).
- Council Directive 88/388/EEC of 22 June 1988 on the approximation of the laws of the Member States relating to flavourings for use in foods and to source materials for their production (OJ L 184, 15.7.1988, p. 61).
- Council Directive 89/107/EEC of 21 December 1988 on the approximation of the laws of the Member States concerning food additives authorised for use in foodstuffs intended for human consumption (OJ L 40, 11.2.1989, p. 27).
- Council Regulation (EEC) No 2377/90 of 26 June 1990 laying down a Community procedure for the establishment of maximum residue limits of veterinary medicinal products in foodstuffs of animal origin (OJ L 224, 18.8.1990, p. 1).

(\*) Unless indicated otherwise, any reference to an act shall mean that act as amended before 30 June 2008.

5. Council Regulation (EEC) No 315/93 of 8 February 1993 laying down Community procedures for contaminants in food (OJ L 37, 13.2.1993, p. 1).
6. European Parliament and Council Directive 94/35/EC on sweeteners for use in foodstuffs (OJ L 237, 10.9.1994, p. 3).
7. European Parliament and Council Directive 94/36/EC of 30 June 1994 on colours for use in foodstuffs (OJ L 237, 10.9.1994, p. 13).
8. European Parliament and Council Directive 95/2/EC of 20 February 1995 on food additives other than colours and sweeteners (OJ L 61, 18.3.1995, p. 1).
9. Commission Directive 95/31/EC of 5 July 1995 laying down specific criteria of purity concerning sweeteners for use in foodstuffs (OJ L 178, 28.7.1995, p. 1).
10. Commission Directive 95/45/EC of 26 July 1995 laying down specific criteria of purity concerning colours for use in foodstuffs (OJ L 226, 22.9.1995, p. 1).
11. Council Directive 96/22/EC of 29 April 1996 concerning the prohibition on the use in stockfarming of certain substances having a hormonal or thyrostatic action and of  $\beta$ -agonists, and repealing Directives 81/602/EEC, 88/146/EEC and 88/299/EEC (OJ L 125, 23.5.1996, p. 3).
12. 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).
13. European Parliament and Council Regulation (EC) No 2232/96 of 28 October 1996 laying down a Community procedure for flavouring substances used or intended for use in or on foodstuffs (OJ L 299, 23.11.1996, p. 1).
14. Commission Directive 96/77/EC of 2 December 1996 laying down specific purity criteria on food additives other than colours and sweeteners (OJ L 339, 30.12.1996, p. 1).
15. Directive 1999/2/EC of the European Parliament and of the Council of 22 February 1999 on the approximation of the laws of the Member States concerning foods and food ingredients treated with ionising radiation (OJ L 66, 13.3.1999, p. 16).
16. Directive 1999/3/EC of the European Parliament and of the Council of 22 February 1999 on the establishment of a Community list of foods and food ingredients treated with ionising radiation (OJ L 66, 13.3.1999, p. 24).
17. Commission Decision 1999/217/EC of 23 February 1999 adopting a register of flavouring substances used in or on foodstuffs drawn up in application of Regulation (EC) No 2232/96 of the European Parliament and of the Council (OJ L 84, 27.3.1999, p. 1).
18. 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).
19. Commission Decision 2002/840/EC of 23 October 2002 adopting the list of approved facilities in third countries for the irradiation of foods (OJ L 287, 25.10.2002, p. 40).
20. 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).
21. Regulation (EC) No 2065/2003 of the European Parliament and of the Council of 10 November 2003 on smoke flavourings used or intended for use in or on foods (OJ L 309, 26.11.2003, p. 1).

22. 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).
23. 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).
24. 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, p. 206).
25. Commission Decision 2005/34/EC of 11 January 2005 laying down harmonised standards for the testing for certain residues in products of animal origin imported from third countries (OJ L 16, 20.1.2005, p. 61).
26. Commission Regulation (EC) No 401/2006 of 23 February 2006 laying down the methods of sampling and analysis for the official control of the levels of mycotoxins in food (OJ L 70, 9.3.2006, p. 12).
27. Commission Regulation (EC) No 1881/2006 of 19 December 2006 setting maximum levels for certain contaminants in foodstuffs (OJ L 364, 20.12.2006, p. 5).
28. Commission Regulation (EC) No 1883/2006 of 19 December 2006 laying down methods of sampling and analysis for the official control of levels of dioxins and dioxin-like PCBs in certain foodstuffs (OJ L 364, 20.12.2006, p. 32).
29. Commission Regulation (EC) No 333/2007 of 28 March 2007 laying down the methods of sampling and analysis for the official control of the levels of lead, cadmium, mercury, inorganic tin, 3-MCPD and benzo(a)pyrene in foodstuffs (OJ L 88, 29.3.2007, p. 29).
30. Commission Regulation (EC) No 884/2007 of 26 July 2007 on emergency measures suspending the use of E 128 Red 2G as food colour (OJ L 195, 27.7.2007, p. 8).

#### B. ANIMAL HEALTH RULES

1. 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(1) to Directive 89/662/EEC and, as regards pathogens, in Directive 90/425/EEC (OJ L 62, 15.3.1993, p. 49).
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).
3. 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).
4. 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).
5. Council Directive 2006/88/EC of 24 October 2006 on animal health requirements for aquaculture animals and products thereof, and on the prevention and control of certain diseases in aquatic animals (OJ L 328, 24.11.2006, p. 14).

#### C. OTHER SPECIFIC MEASURES (\*)

1. Interim Agreement on trade and customs union between the European Economic Community and the Republic of San Marino — Joint Declaration — Declaration by the Community (OJ L 359, 9.12.1992, p. 14).

(\*) Unless indicated otherwise, any reference to an act shall mean that act as amended before 30 June 2008.

2. Decision 94/1/EC of the Council and the Commission of 13 December 1993 on the conclusion of the Agreement on the European Economic Area between the European Communities, their Member States and the Republic of Austria, the Republic of Finland, the Republic of Iceland, the Principality of Liechtenstein, the Kingdom of Norway, the Kingdom of Sweden and the Swiss Confederation (OJ L 1, 3.1.1994, p. 1).
3. Council Decision 97/132/EC of 17 December 1996 on the conclusion of the Agreement between the European Community and New Zealand on sanitary measures applicable to trade in live animals and animal products (OJ L 57, 26.2.1997, p. 4).
4. Council Decision 97/345/EC of 17 February 1997 concerning the conclusion of a Protocol on veterinary matters supplementary to the Agreement in the form of an exchange of letters between the European Economic Community and the Principality of Andorra (OJ L 148, 6.6.1997, p. 15).
5. Council Decision 98/258/EC of 16 March 1998 on the conclusion of the Agreement between the European Community and the United States of America on sanitary measures to protect public and animal health in trade in live animals and animal products (OJ L 118, 21.4.1998, p. 1).
6. Council Decision 98/504/EC of 29 June 1998 concerning the conclusion of the Interim Agreement on trade and trade related matters between the European Community, of the one part, and the United Mexican States, of the other part (OJ L 226, 13.8.1998, p. 24).
7. Council Decision 1999/201/EC of 14 December 1998 on the conclusion of the Agreement between the European Community and the Government of Canada on sanitary measures to protect public and animal health in respect of trade in live animals and animal products (OJ L 71, 18.3.1999, p. 1).
8. Council Decision 1999/778/EC of 15 November 1999 concerning the conclusion of a Protocol on veterinary matters supplementing the Agreement between the European Community, of the one part, and the Government of Denmark and the Home Government of the Faroe Islands, of the other part (OJ L 305, 30.11.1999, p. 25).
9. Protocol 1999/1130/EC on veterinary matters supplementing the Agreement between the European Community, of the one part, and the Government of Denmark and the Home Government of the Faroe Islands, of the other part (OJ L 305, 30.11.1999, p. 26).
10. Council Decision 2002/979/EC of 18 November 2002 on the signature and provisional application of certain provisions of an Agreement establishing an association between the European Community and its Member States, of the one part, and the Republic of Chile, of the other part (OJ L 352, 30.12.2002, p. 1).

## 2. Switzerland — Legislation (\*)

- A. Ordinance of 18 April 2007 on the import, transit and export of animals and animal products (OITE), (RS 916.443.10);
- B. Ordinance of 18 April 2007 on the import and transit of animal products by air from third countries (OITPA).

## 3. Implementing rules

- A. The Federal Veterinary Office shall apply, simultaneously with the Member States of the Community, the import conditions set out in the legislation referred to in point 1 of this Appendix, the implementing measures and the lists of establishments from which the corresponding imports are authorised. This undertaking shall apply to all the relevant acts irrespective of their date of adoption.

The Federal Veterinary Office may adopt more restrictive measures and demand additional guarantees. Consultations shall be held within the Joint Veterinary Committee to find suitable solutions.

The Federal Veterinary Office and the Member States of the Community shall notify each other of the specific import conditions established bilaterally, which have not been harmonised at Community level.

(\*) Unless indicated otherwise, any reference to an act shall mean that act as amended before 30 June 2008.

B. The Member States' border inspection posts referred to in point B.1 of Chapter III of this Appendix shall check imports from third countries destined for Switzerland in accordance with point A of Chapter III of this Appendix.

C. The Swiss border inspection posts mentioned in point B.2 of Chapter III of this Appendix shall check imports from third countries destined for the Member States of the Community in accordance with point A of Chapter III of this Appendix.

D. Pursuant to the Ordinance of 18 April 2007 on the import and transit of animal products by air from third countries (OITPA), (RS 916.443.13), Switzerland shall retain the possibility of importing bovine meat from cattle potentially treated with hormonal growth promoters. The exportation of such meat to the Community shall be prohibited. In addition, Switzerland shall:

- confine the use of such meat to direct selling by retail establishments to consumers under appropriate labelling conditions;
- allow such meat to be introduced into Switzerland only through Swiss border inspection posts; and
- maintain an appropriate traceability and channelling system to prevent any possibility of such meat being subsequently introduced into the territory of the Member States of the Community;
- present twice a year a report to the Commission on the origin and destination of the imports, plus an account of the checks carried out to ensure compliance with the conditions listed in the foregoing indents;
- where there are concerns, these provisions shall be examined by the Joint Veterinary Committee.

## CHAPTER VI

### **Fees**

1. No fees shall be charged for veterinary checks carried out in trade between the Member States of the Community and Switzerland.
2. For veterinary checks on imports from third countries, the Swiss authorities undertake to collect the official control fees provided for 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).'