

COUNCIL DIRECTIVE

of 22 January 1980

amending Directive 71/118/EEC on health problems affecting trade in fresh poultrymeat

(80/216/EEC)

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

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

Having regard to the proposal from the
Commission ⁽¹⁾,

Having regard to the opinion of the European Par-
liament ⁽²⁾,

Having regard to the opinion of the Economic and
Social Committee ⁽³⁾,

Whereas Directive 71/118/EEC of 15 February 1971
on health problems affecting trade in fresh poul-
trymeat ⁽⁴⁾, as last amended by Directive 77/27/
EEC ⁽⁵⁾, lays down the slaughtering and inspection
requirements for poultrymeat intended for intra-
Community trade and trade within Member States;

Whereas poultry rearing and the marketing of poul-
trymeat is carried on to a large extent by small-scale
producers who sell their produce at local markets and
account for a significant part of the agricultural
activity in certain Community regions; whereas such
activities should be allowed to continue under certain
conditions;

Whereas the method of production of 'foie gras'
makes evisceration of the recently slaughtered bird
impossible without seriously damaging the liver;

Whereas while ensuring that the hygiene and
inspection requirements established under Community

legislation, and in particular under the relevant
provisions of Annex I, Chapters I, III and XIV to the
Directive referred to, are strictly maintained, the
necessary specific amendments should be made to
such legislation,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Directive 71/118/EEC is hereby amended as follows:

1. The following subparagraph shall be added to
Article 3 (1) (A) (a):

'Notwithstanding the requirements of the first
subparagraph, birds intended for the production of
'foie gras' may be stunned, bled and plucked on
the fattening farm, provided that these operations
are carried out in a separate room which complies
with the requirements of Annex I, Chapter I, C,
and that, in accordance with Annex I, Chapter
XIV, the unconeviscerated carcasses are
transported immediately to an approved cutting
plant which is equipped with a special room as
defined in Annex I, Chapter II, (2) (b) a, where
the carcasses must be eviscerated within 24 hours.'

2. In the second subparagraph of Article 3 (5), the
words 'and until 15 August 1981' shall be deleted.

3. In Annex I, Chapter II (2):

— the following subparagraph shall be added:

'(b) a If evisceration is carried out there, a
room for the evisceration of ducks and
geese reared for the production of 'foie
gras' which have been stunned, bled and
plucked on the fattening farm',

— the words 'and under (b) a' shall be added to
the first line of point (h).

4. In Annex I, Chapter III (3) (c), 'and (b) a' shall be
inserted after the words 'and to (2) (b)'.

⁽¹⁾ OJ No C 247, 1. 10. 1979, p. 16.

⁽²⁾ OJ No C 34, 11. 2. 1980, p. 106.

⁽³⁾ Opinion delivered on 24 and 25 October 1979 (not yet
published in the Official Journal).

⁽⁴⁾ OJ No L 55, 8. 3. 1971, p. 23.

⁽⁵⁾ OJ No L 6, 8. 1. 1977, p. 19.

5. The following subparagraph shall be added to Annex I, Chapter IV (13):

'However, in the case of ducks and geese reared for the production of "foie gras" and stunned, bled and plucked on the fattening farm, the *ante mortem* inspection may be carried out in the last week of fattening.'

6. The following subparagraph shall be added to Annex I, Chapter IV (14):

'In the case of ducks and geese reared for the production of "foie gras" and stunned, bled and plucked on the fattening farm, the certificate referred to in Annex IIIa must accompany the

uneviscerated carcasses on arrival at the cutting plant equipped with the separate room for evisceration.'

7. The following subparagraph shall be added to Annex I, Chapter V (23):

'However, ducks and geese reared and slaughtered for the production of "foie gras" may be eviscerated within 24 hours, provided that uneviscerated carcasses are as soon as possible reduced to and then kept at the temperature laid down in Chapter XII (46) and transported in accordance with the rules of hygiene.'

8. The following Annex shall be added:

ANNEX IIIa

MODEL

Health certificate for the carcasses of ducks and geese reared for the production of "foie gras", stunned, bled and plucked on the fattening farm and transported to a cutting plant which is equipped with a separate room for evisceration

Competent service No (*)

I. Identification of uneviscerated carcasses

Species:

Number of uneviscerated carcasses:

II. Origin of uneviscerated carcasses

Address of fattening farm:

III. Destination of uneviscerated carcasses

The uneviscerated carcasses will be transported to the following cutting plant:

.....

by the following means of transport:

IV. Attestation

I, the undersigned, official veterinarian, certify that the uneviscerated carcasses described above are of birds which were examined *ante mortem* on the abovementioned fattening farm at

(time) on (date) and found to be healthy.

Done at on

.....
(Signature of official veterinarian).

(*) Optional.

Article 2

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive on 1 February 1980, and shall forthwith notify the Commission thereof.

Article 3

This Directive is addressed to the Member States.

Done at Brussels, 22 January 1980.

For the Council

The President

G. MARCORA
