

## II

(Preparatory Acts)

## COMMISSION

## Proposal for a Council Decision on expenditure in the veterinary field

COM(89) 666 final

(Submitted by the Commission on 21 December 1989)

(90/C 84/01)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

Having regard to the opinion of the Economic and Social Committee,

Whereas live animals and products of animal origin appear on the list in Annex II to the Treaty; whereas livestock farming and the placing on the market of products of animal origin constitutes a source of income for a large part of the agricultural population;

Whereas the rational development of this sector, and an improvement in its productivity, may be achieved by the initiation of veterinary measures aimed at protecting and raising the level of public and animal health in the Community;

Whereas the pursuit of that objective necessitates the provision of Community aid for actions undertaken or intended to be undertaken;

Whereas the Community is to adopt measures designed to establish the internal market progressively over a period expiring on 31 December 1992;

Whereas within that framework the Community should make a financial contribution towards the eradication, as quickly as possible, of any outbreak of a serious infectious disease;

Whereas it is also necessary to prevent and reduce, by appropriate control measures, the appearance of zoonoses which pose a threat to human health;

Whereas the new control strategy postulates the suppression of internal frontier controls and the harmonization of the control system for products coming from third countries; whereas it seems appropriate to facilitate the implementation of that strategy by providing for a financial contribution by the Community towards the initiation and the development of the new strategy;

Whereas the harmonization of essential requirements concerning the protection of public health, the protection of animal health and the protection of animals presupposes the designation of Community liaison and reference laboratories and the undertaking of technical and scientific actions; whereas it seems appropriate to provide for a Community financial contribution; whereas in the field of animal protection in particular it is desirable to create a database to gather, store and disseminate any information necessary;

Whereas Community measures for the eradication of certain animal diseases qualify for financial aid from the Community; whereas the provisions concerned include those adopted by way of Council Directive 77/391/EEC of May 1977 introducing Community measures for the eradication of brucellosis, tuberculosis and leucosis in cattle <sup>(1)</sup>, Council Directive 82/400/EEC of 14 June 1982 amending Directive 77/391/EEC and introducing a supplementary Community measure for the eradication of brucellosis, tuberculosis and leucosis in cattle <sup>(2)</sup>, Council Decision 87/58/EEC of 22 December 1986 introducing supplementary Community

<sup>(1)</sup> OJ No L 145, 13. 6. 1977, p. 44.

<sup>(2)</sup> OJ No L 173, 19. 6. 1982, p. 18.

measures for the eradication of brucellosis, tuberculosis and leucosis in cattle <sup>(1)</sup>, Council Decision 89/145/EEC of 20 February 1989 introducing a Community financial measure for the eradication of contagious bovine pleuropneumonia (CBPP) in Portugal <sup>(2)</sup>, Council Decision 80/1096/EEC of 11 November 1980 introducing Community financial measures for the eradication of classical swine fever <sup>(3)</sup>, Council Decision 86/649/EEC of 16 December 1986 introducing a Community financial measure for the eradication of African swine fever in Portugal <sup>(4)</sup>, Council Decision 86/650/EEC of 16 December 1986 introducing a Community financial measure for the eradication of African swine fever in Spain <sup>(5)</sup>, Council Decision . . . /EEC of . . . on financial aid from the Community for the eradication of African swine fever in Sardinia <sup>(6)</sup>, Council Decision . . . /EEC of . . . introducing a Community financial measure for the eradication of ovine and caprine brucellosis <sup>(7)</sup>, Council Decision . . . /EEC of . . . introducing a Community financial measure for the eradication of infectious haematopoietic necrosis in salmonids in the Community <sup>(8)</sup> and Council Decision 89/455/EEC of 24 July 1989 introducing Community measures to set up pilot projects for the control of rabies with a view to its eradication or prevention <sup>(9)</sup>; whereas it is advisable that financial contributions from the Community which are intended for the eradication of the diseases referred to above continue to be governed by the Decisions relating thereto;

Whereas it is appropriate to confer upon the Commission the task of taking the necessary applicatory measures,

HAS ADOPTED THIS DECISION:

#### *Article 1*

This Decision concerns:

- specific veterinary measures,
- inspection measures in the veterinary field.

### TITLE 1

#### SPECIFIC VETERINARY MEASURES

#### *Article 2*

Specific veterinary measures include:

- emergency actions,
- the campaign against foot-and-mouth disease outside the Community,

- measures for the protection of animals,
- participation in national measures for the eradication of certain diseases,
- technical and scientific measures.

### Chapter 1

#### Emergency measures

#### *Article 3*

1. The provisions of this Article shall apply in the event of the occurrence of one of the following diseases on the territory of a Member State:

- rinderpest
- peste des petits ruminants
- swine vesicular disease
- bluetongue
- Teschen disease
- avian influenza (fowl plague)
- sheep pox or goat pox
- Rift Valley fever
- lumpy skin disease
- African horse sickness
- vesicular stomatitis
- equine viral encephalomyelitis.

2. The Member State concerned may obtain a financial contribution from the Community for the eradication of the disease, on condition that the measures applied immediately comprise at least the isolation of the holding from the time of suspicion and, following official confirmation of the disease:

- the slaughter of animals of susceptible species which are affected or contaminated or suspected of being affected or contaminated, and their destruction,
- the destruction of contaminated foodstuffs,
- the cleaning and disinfection of the holding,
- the establishment of protection zones,
- the imposition of suitable measures to prevent the risk of spread of infection,
- the establishment of a waiting period to be observed after slaughter before re-population of the holding.

3. The Member State concerned shall, without delay, inform the Commission and the other Member States of the measures applied and their results. The situation shall be examined as soon as possible within the Committee

<sup>(1)</sup> OJ No L 24, 27. 1. 1987, p. 51.

<sup>(2)</sup> OJ No L 53, 25. 2. 1989, p. 55.

<sup>(3)</sup> OJ No L 325, 1. 12. 1980, p. 5.

<sup>(4)</sup> OJ No L 382, 31. 12. 1986, p. 5.

<sup>(5)</sup> OJ No L 382, 31. 12. 1986, p. 9.

<sup>(6)</sup> OJ No L . . .

<sup>(7)</sup> OJ No L . . .

<sup>(8)</sup> OJ No L . . .

<sup>(9)</sup> OJ No L 223, 2. 8. 1989, p. 19.

mentioned in Article 47. The financial contribution by the Community shall be decided in accordance with the procedure laid down in Article 47.

4. If, in view of the development of the situation in the Community, it proves necessary to continue the measures provided for in paragraph 2, a new decision concerning the financial participation of the Community may be adopted in accordance with the procedure laid down in Article 47. When adopting this decision, any measures which the Member State concerned must take in order to ensure the success of the action may be laid down, and in particular measures other than those mentioned in paragraph 2.

5. The financial contribution by the Community, divided if necessary in several portions, may reach:

- a maximum of 50 % of the costs incurred by the Member State in reimbursing owners for the slaughter and destruction of animals, for the cleaning and disinfection of holdings and for the destruction of contaminated foodstuffs,
- where vaccination has been decided in accordance with paragraph 4, 100 % of the cost of supply of the vaccine and up to 50 % of the costs incurred in carrying out that vaccination.

#### Article 4

1. The provisions of this Article shall apply in the event of the occurrence of foot-and-mouth disease on the territory of a Member State.

2. The Member State concerned may obtain a financial contribution from the Community for the eradication of foot-and-mouth disease, on condition that the measures provided for in Article 3 (2) and the appropriate provisions of Council Directive 85/511/EEC<sup>(1)</sup> are applied immediately.

3. Article 3 (3) shall apply.

4. The financial contribution by the Community shall be equal to 50 % of the costs incurred by the Member State in reimbursing owners for the slaughter and destruction of animals, the destruction of milk, the cleaning and disinfection of holdings and the destruction of contaminated foodstuffs.

5. Within 45 days after official confirmation of the first outbreak of foot-and-mouth disease, the situation shall be re-examined within the Committee referred to in Article 47. This examination shall take account both of the veterinary situation and of the estimated expenditure already incurred or committed. Following this examination, a new decision concerning the financial contribution by the Community may be adopted in accordance with the procedure laid down in Article 47. This decision shall set out the eligible costs and the level of the financial contribution by the Community. In addition, when adopting this decision, any measures which the Member State concerned must take in order to ensure the success of the action may be laid down, and in particular measures other than those referred to in paragraph 2.

#### Article 5

1. Article 3 shall apply in the event of the occurrence of African swine fever or contagious bovine pleuropneumonia on the territory, or part of the territory, of a Member State which is not subject to an eradication plan for that disease conforming to Community provisions.

2. Article 3 shall apply in the event of the occurrence of Newcastle disease on the territory of a Member State. However, no financial contribution shall be made by the Community towards the cost of supply of vaccines or for the costs incurred in carrying out vaccination.

#### Article 6

1. The list of diseases in Article 3 (1) may be amended in accordance with the procedure laid down in Article 47, in particular to take account of the results of actions undertaken with regard to classical swine fever, infectious haematopoietic necrosis, or other diseases.

2. Article 3 (2) may be amended in accordance with the procedure laid down in Article 47, in particular to take account of the inclusion of new-diseases in the list in Article 3 (1), of experience acquired, or of the adoption of Community provisions concerning disease control.

#### Article 7

1. Where a Member State is directly threatened by the occurrence or the development, on the territory of an adjacent third country or Member State, of one of the diseases referred to in Article 3 (1), Article 4 (1) or Article 5 (1), it shall inform the Commission and the other Member States of its intentions.

2. As soon as possible, the situation shall be examined within the Committee referred to in Article 47. In accordance with the procedure laid down in Article 47, it may be decided to adopt any measures appropriate to the situation including, in particular, the establishment of a vaccination buffer zone, and to grant a financial contribution by the Community towards the measures deemed particularly necessary for the success of the action undertaken.

3. The decision referred to in paragraph 2 shall set out the eligible costs and the level of the financial contribution by the Community. In the event of vaccination, the financial contribution by the Community may reach 100 % of the cost of supply of the vaccine and up to 50 % of the costs incurred in carrying out that vaccination.

#### Article 8

1. The Community may decide to establish stocks of biological products intended for the control of the disease

<sup>(1)</sup> OJ No L 315, 26. 11. 1985, p. 11.

referred to in Article 3 (1), Article 4 (1) and Article 5 (1) (vaccines, standardized virus serotypes, diagnostic sera).

2. The action referred to in paragraph 1, and the rules for its implementation, particularly concerning the choice, production, transport and use of such stocks, and the level of financial contribution by the Community, shall be decided in accordance with the procedure laid down in Article 47.

#### *Article 9*

1. If the occurrence or the development, in a third country, of one of the diseases referred to in Article 3 (1), Article 4 (1) or Article 5 (1) may constitute a danger to the Community, the Community may give its support to control measures against that disease by supplying vaccine or by financing the acquisition of vaccine.

2. The action referred to in paragraph 1, the rules for its implementation, the conditions to which it may be subject and the level of financial contribution by the Community shall be decided in accordance with the procedure laid down in Article 47.

#### *Article 10*

1. The Commission shall make on-the-spot checks to ensure, from a veterinary point of view, the application of the measures adopted.

2. The Member States shall take all necessary steps to facilitate these checks, and shall, in particular, ensure that the experts have access to all information and documents necessary for assessing whether the actions have been carried out.

3. General rules for the application of this Article, particularly concerning the frequency and methods of carrying out the checks referred to in paragraph 1, the appointment of veterinary experts and the procedure which they must follow in drawing up their report, shall be decided in accordance with the procedure laid down in Article 47.

#### *Article 11*

The appropriations required for measures as referred to in this Chapter shall be decided each year in the framework of the budgetary procedure.

#### *Article 12*

Decision 77/97/EEC <sup>(1)</sup> is hereby repealed from . . .

However, decisions adopted under Decision 77/97/EEC shall remain in force.

<sup>(1)</sup> OJ No L 26, 31. 1. 1977, p. 78.

## Chapter 2

### The campaign against foot-and-mouth disease outside the Community

#### *Article 13*

The Community shall participate in the campaign against foot-and-mouth disease outside the Community by making a financial contribution:

- to the development of the foot-and-mouth disease Institute of Ankara,
- to the campaign programme of the United Nations Food and Agriculture Organization (FAO) against exotic foot-and-mouth disease viruses in the countries of south-east Europe.

#### *Article 14*

The actions referred to in Article 13, the rules for their implementation, the conditions to which they may be subject and the level of financial contribution by the Community shall be decided in accordance with the procedure laid down in Article 47.

#### *Article 15*

The appropriations required for measures as specified in this Chapter shall be decided each year in the framework of the budgetary procedure.

## Chapter 3

### Protection of animals

#### *Article 16*

The Community shall make a financial contribution to the establishment of an information policy in the field of animal protection, including:

- the installation and development of a system, including an appropriate database, for gathering and storing all information relevant to Community legislation concerning the protection of animals kept for farming purposes, the protection of animals during transport and the protection of animals for slaughter, and for disseminating such information to the competent authorities, producers and consumers,
- the performance of studies necessary for the preparation and development of legislation in the field of animal protection.

#### *Article 17*

The actions referred to in Article 16, the rules for their implementation and the level of financial contribution by the Community shall be decided in accordance with the procedure laid down in Article 47.

*Article 18*

The appropriations required for measures as specified in this Chapter shall be decided each year in the framework of the budgetary procedure.

## Chapter 4

**Contribution to national eradication schemes***Article 19*

If a Member State has Community authorization or approval under:

- Article 8 (2) of Directive 64/432/EEC <sup>(1)</sup>,
- Article 9 of Regulation (EEC) No . . . / . . . (on animal health conditions affecting intra-Community trade in sheep and goats) <sup>(2)</sup>,
- Article 13 of Regulation (EEC) No . . . / . . . (on animal health conditions affecting intra-Community trade and importation from third countries of poultry and hatching eggs) <sup>(3)</sup>,
- Article 11 of Regulation (EEC) No . . . / . . . (on animal health conditions affecting the placing on the market of animals and products of aquaculture) <sup>(4)</sup>,

it may seek a financial contribution from the Community towards its eradication programme.

*Article 20*

The Member State concerned shall supply to the Commission all appropriate financial information, and in particular the total provisional annual cost of carrying out the programme.

*Article 21*

In each case, the level of financial contribution by the Community, and any conditions to which it may be subject, shall be decided in accordance with the procedure laid down in Article 47.

*Article 22*

1. Requests for payment shall apply to expenditure incurred by the Member State concerned during the calendar year, and shall be submitted to the Commission before 1 July of the following year.

<sup>(1)</sup> OJ No 121, 29. 7. 1964, p. 1977/64.

<sup>(2)</sup> OJ No L . . .

<sup>(3)</sup> OJ No L . . .

<sup>(4)</sup> OJ No L . . .

2. The Commission shall act upon the request after having consulted the Committee referred to in Article 47.

3. Rules for the application of this Article shall be adopted, where necessary, in accordance with the procedure laid down in Article 47.

*Article 23*

1. The Commission shall make regular on-the-spot checks on the application of programmes in receipt of a financial contribution by the Community.

2. The Commission shall regularly, at least once per year, give information to the Member States within the Committee referred to in Article 47, on the basis of information furnished by the authorities of the Member States concerned, who shall make a detailed report to the Commission along with their requests for payment, and where applicable, on the basis of reports from experts who, acting on behalf of the Commission, have made on-the-spot inspections.

*Article 24*

The appropriations required for measures as specified in this Chapter shall be decided each year in the framework of the budgetary procedure.

## Chapter 5

**Technical and scientific measures***Article 25*

The Community shall undertake the technical and scientific measures necessary for the development of Community veterinary legislation.

*Article 26*

The actions referred to in Article 25, the rules for their implementation and the level of financial contribution by the Community shall be decided in accordance with the procedure laid down in Article 47.

*Article 27*

The appropriations required for measures as specified in this Chapter shall be decided each year in the framework of the budgetary procedure.

## TITLE 2

**VETERINARY INSPECTION***Article 28*

The Community shall contribute towards improving the efficiency of veterinary checks by:

- granting financial aid to Community liaison and reference laboratories,
- making a financial contribution towards setting up controls aimed at the prevention of zoonoses,
- making a financial contribution towards setting up the new control strategy consequent upon the realization of the internal market.

## Chapter 1

### Liaison and Reference Laboratories

#### Article 29

The financial contribution by the Community towards the operation of a liaison laboratory for classical swine fever is established pursuant to Decision 81/859/EEC <sup>(1)</sup>.

#### Article 30

1. The financial contribution by the Community towards the operation of a coordination institute for foot-and-mouth disease vaccines is established pursuant to Decision . . . /EEC (designating a coordination institute for foot-and-mouth disease vaccines and laying down the functions and tasks of that institute) <sup>(2)</sup>.

2. The financial contribution by the Community towards the operation of a reference laboratory for the identification of foot-and-mouth disease virus is established pursuant to Decision . . . /EEC (designating a reference laboratory for the identification of foot-and-mouth disease virus and laying down the functions and tasks of that laboratory) <sup>(3)</sup>.

#### Article 31

1. Any Community reference laboratory designated as such in accordance with Article 8 (2) of Directive 86/469/EEC <sup>(4)</sup>, and fulfilling the duties and requirements laid down in Decision 89/187/EEC <sup>(5)</sup>, may receive Community aid.

2. Arrangements for granting the aid provided for in paragraph 1, the conditions to which it may be subject and its amount, shall be established in accordance with the procedure laid down in Article 47.

#### Article 32

1. Any Community reference laboratory designated as such in accordance with Council Regulation (EEC)

<sup>(1)</sup> OJ No L 319, 7. 11. 1981, p. 20.

<sup>(2)</sup> OJ No L . . .

<sup>(3)</sup> OJ No L . . .

<sup>(4)</sup> OJ No L 275, 26. 9. 1986, p. 36.

<sup>(5)</sup> OJ No L 66, 10. 3. 1989, p. 37.

No . . . / . . . (concerning checks for the prevention of zoonoses and zoonotic agents in animals and products of animal origin with a view to preventing outbreaks of food-borne infection or intoxication) <sup>(6)</sup>, or in accordance with Article 13 of Council Regulation (EEC) No . . . / . . . (establishing general hygiene rules for the production and placing on the market of products of animal origin and specific hygiene rules for certain products of animal origin) <sup>(7)</sup>, may receive Community aid.

2. Arrangements for granting the aid provided for in paragraph 1, the conditions to which it may be subject and its amount, shall be established in accordance with the procedure laid down in Article 47.

#### Article 33

1. If, owing to the development in the Community of one of the diseases referred to in Articles 3 and 5, it becomes necessary to designate a Community liaison or reference laboratory, the Commission shall make such designation, and lay down the operating conditions of the designated Community laboratory, in accordance with the procedure laid down in Article 47.

2. A Community liaison or reference laboratory conforming to paragraph 1 may receive Community aid.

3. Arrangements for granting the aid provided for in paragraph 2, the conditions to which it may be subject and its amount, shall be established in accordance with the procedure laid down in Article 47.

#### Article 34

The appropriations required for measures as specified in this Chapter shall be decided each year in the framework of the budgetary procedure.

## Chapter 2

### Zoonosis Control

#### Article 35

Any Member State in receipt of Community approval for a control plan for zoonoses, conforming to Regulation (EEC) No . . . / . . . (zoonoses), may request a financial contribution by the Community towards its control plan.

#### Article 36

The Member State concerned shall supply to the Commission all appropriate financial information, and in particular the total provisional annual cost of carrying out the plan.

<sup>(6)</sup> OJ No L . . .

<sup>(7)</sup> OJ No L . . .

*Article 37*

In each case, the level of financial contribution by the Community, and any conditions to which it may be subject, shall be decided in accordance with the procedure laid down in Article 47.

*Article 38*

For the purposes of this Chapter, Articles 22 and 23 shall apply.

*Article 39*

The appropriations required for measures as specified in this Chapter shall be decided each year in the framework of the budgetary procedure.

## Chapter 3

## New Control Strategy

*Article 40*

1. Each Member State shall draw up a programme for exchanges of civil servants working in the veterinary sector.

2. Within the Committee referred to in Article 47, the Commission shall, along with the Member States, coordinate the programmes mentioned in paragraph 1.

3. The Member States shall take all the measures necessary for the achievement of the programmes resulting from the coordination referred to in paragraph 2.

4. Each year, on the basis of reports by the Member States, the performance of the programmes shall be examined within the Committee referred to in Article 47.

5. The Member States shall take account of experience acquired in order to improve and extend the exchange programmes.

6. Community financial aid may be granted with a view to allowing effective development of exchange programmes. The level of financial contribution by the Community, and any conditions to which it may be subject, shall be established in accordance with the procedure laid down in Article 47.

7. For the purpose of this Article, Articles 22 and 23 shall apply.

*Article 41*

The provisions of Article 40 (6) and (7) shall apply in respect of programmes defined in Article 19 of Council Regulation (EEC) No .../... (establishing, in the context of the completion of the internal market, principles concerning the organization of veterinary checks on products introduced into the Community from third countries) <sup>(1)</sup>.

<sup>(1)</sup> OJ No L ...

*Article 42*

1. With a view to harmonizing veterinary checks at the point of origin, or on products coming from third countries, the Commission may organize refresher courses or meetings for personnel in the Member States responsible for such checks.

2. Arrangements for organizing the actions provided for in paragraph 1, and the level of financial contribution by the Community, shall be established by the Commission in accordance with the procedure laid down in Article 47.

*Article 43*

1. The action provided for in Article 10 (2) of Regulation (EEC) No .../... (concerning veterinary checks in intra-Community trade in the context of the completion of the internal market) <sup>(2)</sup> may attract Community financial assistance.

2. Arrangements for organizing the actions provided for in paragraph 1, and the level of financial contribution by the Community, shall be established by the Commission in accordance with the procedure laid down in Article 47.

*Article 44*

1. Should a Member State face exceptionally severe problems of personnel or infrastructure in implementing the new control strategy consequent upon the completion of the internal market, it may, for a transitional period, obtain Community financial assistance.

2. The Member State concerned shall submit to the Commission a national programme, accompanied by all appropriate financial information, designed to improve its control system.

3. For the purposes of this Article, Articles 21, 22 and 23 shall apply.

*Article 45*

The appropriations required for measures as specified in this Chapter shall be decided each year in the framework of the budgetary procedure.

## TITLE 3

## FINAL PROVISIONS

*Article 46*

Articles 8 and 9 of Regulation (EEC) No 729/70 <sup>(3)</sup> shall apply *mutatis mutandis*.

<sup>(2)</sup> OJ No L ...

<sup>(3)</sup> OJ No L 94, 28. 4. 1970, p. 13.

*Article 47*

1. The Commission shall be assisted by the Standing Veterinary Committee, set up by Council Decision 68/361/EEC<sup>(1)</sup>, hereinafter referred to as the 'Committee'.

2. Where the procedure laid down in this Article is to be used, the following rules shall apply.

The representative of the Commission shall submit to the Committee a draft of the measures to be taken. The Committee shall deliver its opinion on the draft within a

<sup>(1)</sup> OJ No L 255, 18. 10. 1968, p. 23.

time-limit which the Chairman may lay down according to the urgency of the matter, if necessary by taking a vote.

The opinion shall be recorded in the minutes; in addition, each Member State shall have the right to ask to have its position recorded in the minutes.

The Commission shall take the utmost account of the opinion delivered by the Committee. It shall inform the Committee of the manner in which its opinion has been taken into account.

*Article 48*

This Decision is addressed to the Member States.

**Proposal for a Council Regulation (EEC) laying down health rules for the production and placing on the market of fresh meat**

COM(89) 673 final

(Submitted by the Commission on 5 February 1990)

(90/C 84/02)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

Having regard to the opinion of the Economic and Social Committee,

Whereas fresh meat is included in the list of products in Annex II to the Treaty; whereas production of and trade in fresh meat constitutes an important source of income for part of the farming population;

Whereas in order to ensure the rational development of this sector and to increase productivity, public health rules affecting production and placing on the market must be laid down at Community level;

Whereas the Community must adopt the measures intended to progressively establish the internal market over a period expiring on 31 December 1992;

Whereas the laying down of such rules leads to protection of public health and completion of the internal market;

Whereas the official veterinarians in a slaughterhouse should be in charge of controlling the welfare of slaughter animals;

Whereas, to achieve this purpose, it is necessary to extend in principle the rules laid down in Council Directive 64/433/EEC of 26 June 1964 on health problems affecting intra-Community trade in fresh meat<sup>(1)</sup>, as last amended by Directive 88/657/EEC<sup>(2)</sup>, to all production and placing on the market of fresh meat in the Community;

Whereas it is possible that, due to certain particular circumstances, some establishments operating prior to 1 January 1992 will not be able to comply with all the rules laid down in this Regulation; whereas the question of whether limited and temporary derogations may be granted to such establishments within the general framework laid down in Council Decision . . ./ . . ./EEC (on the granting of temporary and limited derogations from specific Community health rules on the production and marketing of products of animal origin)<sup>(3)</sup> should be resolved;

Whereas it should be stressed that the granting of derogations from the health rules laid down in this Regulation is without prejudice to the submission of all operations of production and placing on the market of fresh meat to the general health rules laid down by Council Regulation (EEC) No . . ./ . . .

<sup>(1)</sup> OJ No 121, 29. 7. 1964, p. 2012/64.

<sup>(2)</sup> OJ No L 382, 31. 12. 1988, p. 3.

<sup>(3)</sup> OJ No L . . .