

COMMISSION OF THE EUROPEAN COMMUNITIES

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Brussels, 4 May 1992

Proposal for a
COUNCIL DECISION

on computerization of veterinary import procedures (Shift project),
amending Directives 90/675/EEC, 91/496/EEC, 91/628/EEC and
Decision 90/424/EEC and repealing Decision 88/192/EEC

(presented by the Commission)

EXPLANATORY MEMORADUM

The attached proposal deals with computerization of veterinary import procedures (Shift project) for live animals and animal products from third countries. Its setting is the introduction of data transmission networks in order to enable the internal market to function smoothly.

Since adoption of Council Decision 88/192/CEE of 28 March 1988 on a system for health control of imports from third countries at frontier inspection posts (Shift project)⁽¹⁾ considerable progress has been made on veterinary harmonization. In particular the Council has adopted Council Directive 90/675/EEC of 10 December 1990 laying down the principles governing the organization of veterinary checks on products entering the Community from third countries⁽²⁾, 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 and amending Directives 89/662/EEC, 90/425/EEC and 90/675/EEC⁽³⁾ and Council Directive 91/628/EEC of 19 November 1991 on the protection of animals during transport and amending Directives 90/425/EEC and 91/496/EEC⁽⁴⁾.

The proposal adjusts these Directives to the requirements of the proposed new arrangements. These cover:

- the information procedure when a consignment is rejected
- operation of data bases covering veterinary requirements for importation and veterinary inspection of imports
- experimental computerized certification.

The system-architecture principles are laid down.

The Community will make a financial contribution under Council Decision 90/424/EEC of 26 June 1990 on expenditure in the veterinary field⁽⁵⁾. The financial implications are set out in the attached statement.

(1) OJ No L 89, 06.04.1988, p. 32
(2) OJ No L 373, 31.12.1990, p. 1.
(3) OJ No L 268, 24.9.1991, p. 56.
(4) OJ No L 340, 11.12.1991, p. 17.
(5) OJ No L 224, 18.8.1990, p. 19.

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Decision 90/424/EEC and repealing Decision 88/192/EEC

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⁽¹⁾,

Having regard to the opinion of the European Parliament⁽²⁾,

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

Whereas since adoption of Council Decision 88/192/EEC of 28 March 1988 on a system for health control of imports from third countries at frontier inspection posts (Shift project)⁽⁴⁾, considerable progress has been made on harmonization in the veterinary field; whereas in particular the Council has adopted Council Directive 90/675/EEC of 10 December 1990 laying down the principles governing the organization of veterinary checks on products entering the Community from third countries⁽⁵⁾, as amended by Directive 91/496/EEC, 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 and amending Directives 89/662/EEC, 90/425/EEC and 90/675/EEC⁽⁶⁾, as amended by Directive 91/628/EEC, and Council Directive 91/628/EEC of 19 November 1991 on the protection of animals during transport and amending Directives 90/425/EEC and 91/496/EEC⁽⁷⁾;

(1) OJ No C
(2) OJ No C
(3) OJ No C
(4) OJ No L 89, 06.04.1988, p. 32
(5) OJ No L 373, 31.12.1990, p. 1.
(6) OJ No L 268, 24.9.1991, p. 56.
(7) OJ No L 340, 11.12.1991, p. 17.

Whereas this progress makes it possible to lay down fresh provisions on computerization of veterinary import procedures and repeal Decision 88/192/EEC;

Whereas these fresh provisions must help protect public and animal health while permitting attainment of the internal market for animals and animal products;

Whereas these new provisions are all the more necessary in that inspection at internal frontiers is to be discontinued;

Whereas computerization of import procedures must provide an efficient way for an official veterinarian rejecting a consignment at a border inspection post to pass on relevant information and also data bases detailing import requirements and imports of animals and animal products;

Whereas Directives 90/675/EEC, 91/496/EEC and 91/628/EEC should be amended accordingly;

Whereas Council Decision 90/424/EEC of 26 June 1990 on expenditure in the veterinary field⁽⁸⁾, as last amended by Regulation (EEC) No 3763/91⁽⁹⁾, should be amended to allow the Community to contribute financially to implementation of these new measures;

Whereas the Commission should be charged with adoption of the necessary implementing rules;

HAS ADOPTED THIS DECISION:

(8) OJ No L 224, 18.8.1990, p. 19.

(9) OJ No L 356, 24.12.1991, p. 1

Article 1

1. Computerization of veterinary import procedures shall comprise:
 - a procedure for passing on the relevant information when an official veterinarian at a border inspection post re-routes a consignment
 - operation of data bases covering the Community's import requirements for animals and products
 - operation of data bases covering imports into the Community of animals and products
 - certificate issuing arrangements.
2. The computerization specified in paragraph 1 shall meet present and future international standards.

Article 2

For the purposes of this Decision the definitions given in Directives 90/675/EEC, 91/496/EEC and 91/628/EEC shall be applicable as required.

Article 3

1. The information procedure referred to in the first indent of Article 1 shall cover border inspection posts, the central authorities of the Member States and the Commission.
2. The information procedure referred to in the first indent of Article 1 shall operate as specified in Annex I hereto.

Article 4

1. The data bases referred to in the second indent of Article 1 shall contain full details of requirements for importing animals and products into the Community, in particular lists of authorized third countries, approved establishments, protective measures adopted and authorized specimen certificates.
2. The data bases referred to in the second indent of Article 1 shall be organized and operated as specified in Annex II hereto.

Article 5

1. The data bases referred to in the third indent of Article 1 shall contain full information on each consignment of animals or products brought into the Community, covering in particular the conditions of transport of the animals as specified in Chapter III of Directive 91/628/EEC and the outcome of the checks carried out under Directives 90/675/EEC and 91/496/EEC.
2. The data bases referred to in the third indent of Article 1 shall be organized and operated as specified in Annex III hereto.

Article 6

1. Computerized certification as referred to in the fourth indent of Article 1 shall be progressively introduced in cooperation with third countries on the basis of experience derived from initial tests.
2. The tests indicated in paragraph 1 shall be organized as indicated in Annex IV hereto.

Article 7

The equipment used at border inspection posts for the purposes of this Decision shall be that specified in Article 2(2) of Commission Decision 91/998/EEC of 19 July 1991 on a computerized network linking veterinary authorities (Animo)(10).

Article 8

Decision 88/192/EEC is repealed.

Article 9

Directive 90/675/EEC is amended as follows:

1. The following indent is added to Article 4(1):

"- that no indication of rejection of the consignment has been given through the information procedure specified at the first indent of Article 1 of Council Decision / /EEC of on computerization of veterinary import procedures (Shift project), amending Directives 90/675/EEC, 91/496/EEC, 91/628/EEC and Decision 90/424/EEC and repealing Decision 88/192/EEC*".

* OJ No L

2. The following point (d) is added to Article 8(2):

"(d) consult the data bases specified at the second indent of Article 1 of Decision / /EEC".

3. The following sentence is added to Article 9(2)(iii):

"He shall ensure that all updating of the data bases indicated at the third indent of Article 1 of Decision / /EEC is carried out."

4. The first indent in Article 11(4)(b) is replaced by:
"- using the computerized network linking veterinary authorities (Animo), give the official veterinarian at the inspection post of the place of destination notice of the passage of the products and of their probable date of arrival".
5. The following sentence is added to Article 11(4)(b):
"In such cases the competent authority shall be informed through the computerized network linking veterinary authorities (Animo)."
6. In Article 16(1)(a) the first indent is replaced by:
"- activate the information procedure indicated at the first indent of Article 1 of Decision / /EEC".
7. In Article 16(1)(a) the third indent is deleted.
8. Article 16(5) is replaced by:
"5. The provisions of Decision / /EEC shall apply."

Article 10

Directive 91/496/EEC is amended as follows:

1. The following indent is added to Article 4(1):
"- that no indication of rejection of the consignment has been given through the information procedure specified in the first indent of Article 1 of Council Decision / /EEC of on computerization of veterinary import procedures (Shift project), amending Directives 90/675/EEC, 91/496/EEC, 91/628/EEC and Decision 90/424/EEC and repealing Decision 88/192/EEC*"

* OJ No L

2. In Article 4(2) the following point (e) is added:
"(e) the check must be made after reference to the data bases specified at the second indent of Article 1 of Decision / /EEC".
3. In Article 6(2) the following sentence is added:
"The official veterinarian shall ensure that all updating of the data bases indicated at the third indent in Article 1 of Decision / /EEC is carried out."
4. In Article 9(4)(d) the words "referred to in the second subparagraph of Article 12(4) are replaced by "referred to in Article 20 of Directive 90/425/EEC".
5. In Article 12(1)(c) the first indent is replaced by:
"- activate the information procedure indicated at the first indent of Article 1 of Decision / /EEC".
6. In Article 12(1)(c) the third indent is deleted.
7. Article 12(4) is replaced by:
"4. The provisions of Decision / /EEC shall apply."
8. In the first subparagraph of Article 30(2) the words "in the second subparagraph of" are deleted.

Article 11

In Article 11 of Directive 91/628/EEC the following paragraph is added:

"5. The provisions of Council Decision / /EEC of on computerization of veterinary import procedures (Shift project), amending Directives 90/675/EEC, 91/496/EEC, 91/628/EEC and Decision 90/424/EEC and repealing Decision 88/192/EEC shall be applicable*."

* OJ No L

Article 12

The following Article is added to Decision 90/424/EEC:

"Article 37a

1. Community financial assistance may be granted for computerization of import procedures as specified in Council Decision / /EEC of on computerization of veterinary import procedures (Shift project), amending Directives 90/675/EEC, 91/496/EEC, 91/628/EEC and Decision 90/424/EEC and repealing Decision 88/192/EEC*.
2. Organizational arrangements for financing under paragraph 1 and the level of the Community's contribution shall be determined in accordance with the procedure laid down in Article 41."

* OJ No L

Article 13

Any rules required for application of this Decision shall be adopted in accordance with the procedure laid down in Article 14.

Article 14

1. The Commission shall be assisted by the Standing Veterinary Committee set up by Council Decision 68/361/EEC⁽¹¹⁾, hereinafter referred to as "the Committee" .

2. Where reference is made to the procedure set out in this Article the following provisions 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 time limit that 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 15

This Decision is addressed to the Member States.

Done at Brussels,

For the Council

ANNEX I

1. The basic principle of the system is that each relevant authority (border inspection post, central authority of the Member State, Commission) will have random access to a computerized file of consignments of animals or products re-dispatched under Article 12(1)(c) of Directive 91/496/EEC or Article 16(1)(a) of Directive 90/675/EEC.
2. This file will be updated by the competent authorities of the Member States. Information must be conveyed with all speed via the public packet-switching network.
3. The Commission shall be responsible for the network. The operator shall be selected and the overall technical specifications of the network determined in accordance with the procedure laid down in Article 14.
4. The following cases of re-despatch are not to be entered in the file:
 - absence of veterinary certificates or document.

The provisions of this paragraph may be amended in accordance with the procedure laid down in Article 14.

ANNEX II

1. The Commission shall establish a data base of the Community requirements for importation of live animals and products and shall make it available to each Member State and each border inspection post.
2. Each Member State shall establish a data base of national requirements (not covered by paragraph 1) for importation of live animals and products into its territory. Each will make this available to the other Member States, the Commission and all Community border inspection posts.
3. Each Member State shall determine how its border inspection posts are to have access to the data bases indicated in paragraphs 1 and 2.
4. The Commission shall be responsible for updating the data base indicated in paragraph 1. The Member States shall be individually responsible for updating the data bases indicated in paragraph 2.
5. The technical requirements for harmonization of the data bases and for their updating shall be determined in accordance with the procedure laid down in Article 14.

ANNEX III

1. Each Member State shall set up a data base covering the animals and products brought into its territory.
2. Each Member State shall transmit to the Commission, at a frequency or frequencies to be determined in accordance with the procedure laid down in Article 14, information extracted from the data bases indicated in paragraph 1.
3. The technical requirements for harmonization of the data bases and for transmission of information to the Commission shall be determined in accordance with the procedure laid down in Article 14.

ANNEX IV

Computerized certification will be introduced gradually as the technical facilities available to third-country authorities permit.

FINANCIAL STATEMENT

covering: Proposal for a Council Decision on computerization of veterinary import procedures (Shift project), amending Directives 90/675/EEC, 91/496/EEC, 91/628/EEC and Decision 90/474/EEC and repealing Decision 88/192/EEC			
1.	Budget heading: 1992: 1993:	Item: B2-5101 B5-122	Description: Other measures Exchanges of veterinary and plant health information
2.	Legal basis: Article 43 of Treaty		
3.	Classification: Non-compulsory expenditure		
4.	Aim of measure and description: Computerization of veterinary import procedures (Shift project) for live animals and animal products from third countries		
5.	Calculation procedure:		
5.1.	Nature of expenditure: Setting up a computerized system		
5.2.	Community contribution: Purchase of necessary equipment; support and development work From 50% to 100%, variable in line with options selected		
5.3.	Calculation: (in million ECU)		
1992	Development and setting up (including equipment)		
	- of a computerized consignment rejection file		
	system architecture		0.1
	software development		0.3
	computer hardware and system software		0.8
	installation (centrally and in Member States)		<u>0.4</u>
	- of central databases covering Community import requirements development of software and entry of data		0.3
	- of national databases covering national import requirements aid to Member States		1.2
	harmonization of technical requirements		<u>0.4</u>
			<u>1.6</u>
	- of databases covering imports harmonization of technical requirements		0.4
	Outside assistance (upkeep and entry of data, software development, operational assistance, etc.)		<u>0.2</u>
			<u>4.1</u>
1993	Aid to Member States, including hardware and interfaces		3.0
	Hardware and software		0.3
	Equipment maintenance		0.2
	Training and updating courses		0.2
	Outside assistance (maintenance and development work, data entry, operational assistance, etc.)		<u>0.5</u>
			<u>4.2</u>
1994 and 1995:	Outside assistance (0.5 + 0.5)		1.0
	Training and updating courses (0.2 + 0.2)		0.4
	System development depending on needs and technical requirements		pm
6.	Implications for operating appropriations		
6.1.	Timetable for appropriations (in million ECU)		
		C.Apps	P.Apps
	1992	4.1	2.5
	1993	4.2	4.1
	1994	0.7 (+ pm)	2.4
	1995	0.7 (+ pm)	0.7
		<u>9.7</u>	<u>9.7</u>
6.2	Financing during year in course:	4.1 m ECU	
7.	Remarks:		
(1)	Presentation is based on working hypotheses and is subject to change in line with technical and political choices made in course of realization		
(2)	In 1992 part of the cost of development work will be covered by CADDIA (0.6 m ECU)		

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DOCUMENTS

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