

**AGREEMENT IN THE FORM OF AN EXCHANGE OF LETTERS**

**with the Government of Canada on the modifications of Annex V and Annex VIII to 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**

*A. Letter from the European Community*

Brussels, 7 March 2005

Sir,

With reference to Article 16(2) and (3) 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, done at Ottawa on 17 December 1998, hereafter called the Agreement, I have the honour to propose modifications to Annex V and Annex VIII to the Agreement in accordance with the recommendations of the Joint Management Committee established under Article 16(1) of the Agreement, as follows:

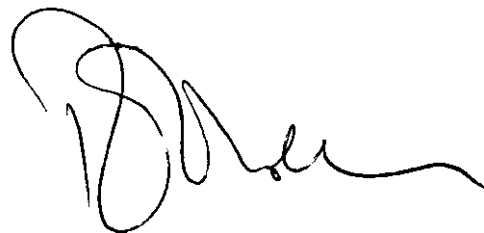
1. The table at point 3 concerning Semen in Annex V to the Agreement is replaced by the table in Appendix I.
2. The table at point 6 concerning Fresh meat in Annex V to the Agreement is replaced by the table in Appendix II.
3. Footnote A in Annex V to the Agreement is replaced by the text in Appendix III.
4. Paragraph 2 of Chapter I of footnote B in Annex V to the Agreement is deleted.
5. Annex VIII to the Agreement is replaced by the text in Appendix IV.

I have the honour to propose that if this letter and the Appendices thereto are acceptable to your Government, this letter and your confirmation shall together constitute an agreement to amend the Agreement between the European Community and Canada, which shall enter into force on the date of your reply.

Please accept, Sir, the assurance of my highest consideration.

*For the European Community*

Robert MADELIN

*Director-General for Health and Consumer Protection*

*B. Letter from the Government of Canada*

Brussels, 15 March 2005

Sir,

I have the honour to acknowledge receipt of your letter of 7 March 2005 which reads as follows:

'Sir,

With reference to Article 16(2) and (3) 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, done at Ottawa on 17 December 1998, hereafter called the Agreement, I have the honour to propose modifications to Annex V and Annex VIII to the Agreement in accordance with the recommendations of the Joint Management Committee established under Article 16(1) of the Agreement, as follows:

1. The table at point 3 concerning Semen in Annex V to the Agreement is replaced by the table in Appendix I.
2. The table at point 6 concerning Fresh meat in Annex V to the Agreement is replaced by the table in Appendix II.
3. Footnote A in Annex V to the Agreement is replaced by the text in Appendix III.
4. Paragraph 2 of Chapter I of footnote B in Annex V to the Agreement is deleted.
5. Annex VIII to the Agreement is replaced by the text in Appendix IV.

I have the honour to propose that if this letter and the Appendices thereto are acceptable to your Government, this letter and your confirmation shall together constitute an agreement to amend the Agreement between the European Community and Canada, which shall enter into force on the date of your reply.'

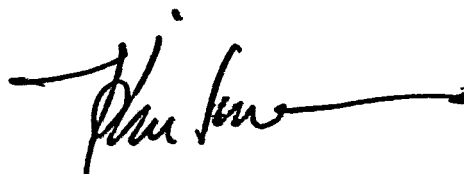
I have the honour to confirm that the above is acceptable to my Government and that your letter, and this reply and the attached Appendices, which are equally authentic in English and French, together shall constitute an agreement to amend the Agreement between Canada and the European Community, in accordance with your proposal, which shall come into force on the date of this letter.

Please accept, Sir, the assurances of my highest consideration.

*For the Government of Canada*

Jeremy KINSMAN

*Ambassador of the Canadian Mission to the EU*



---

## APPENDIX I

## 3. Semen

Commodity	EC exports to Canada				Canada exports to EC				Action	
	Trade conditions		Equivalence	Special conditions	Trade conditions		Equivalence	Special conditions		
	EC standards	Canadian standards			Canadian standards	EC standards				
— Cattle	88/407/EEC	H of A Act and Regs. Permit conditions	Yes 1	Semen collection centre clinically free of paratuberculosis	EC requests Canada to review the special condition for the semen collection centre to be clinically free of paratuberculosis	H of A Act and Regs. DC Manual of Procedures, Section 15	88/407/EEC 94/577/EC	Yes 1	Subsections (1.5.6) on EBL and (3.6.6) on IBR of section 15.4.1 of the Artificial Insemination Program, version March 2004	Canada requests that EC: I. provides justification for the requirement that all bulls standing in an approved centre need to be IBR/IPV seronegative.
— Sheep/goats	92/65/EEC	H of A Act and Regs. Permit conditions	E		Canada intends to establish generic conditions	H of A Act and Regs. DC Manual of Procedures, Section 15	92/65/EEC	Yes 3		Canada requests that EC: I. harmonises zoosanitary conditions for imports; II. removes the requirement for mycoplasma testing (done in bovine); III. accepts regionalisation of blue-tongue and EHD and removes the test requirement; IV. updates test requirement for MV/CAE to ELISA; V. deletes the requirement for post collection test for MV/CAE

## Animal health

Commodity	EC exports to Canada					Canada exports to EC				
	Trade conditions		Equivalence	Special conditions	Action	Trade conditions		Equivalence	Special conditions	Action
	EC standards	Canadian standards				Canadian standards	EC standards			
— Pigs	90/429/EEC	H of A Act and Regs. Permit conditions	E		EC requests Canada to: I. review the requirement for leptospirosis sero-negativity II. establish generic conditions	H of A Act and Regs. DC Manual of Procedures, Sec.15	90/429/EEC  2002/613/EC	E	Footnote E	Canada requests that EC: I. harmonises for third country importation; II. reviews requirement to test all boars for CSF and AD.
— Canine	92/65/EEC	H of A Act and Regs.	E		EC requests Canada to establish generic conditions	H of A Act and Regs.	92/65/EEC	Yes 3		Canada requests that EC produces certificate
— Feline	92/65/EEC		(No trade)				92/65/EEC			

## APPENDIX II

## 6. Fresh meat

Commodity	EC exports to Canada				Canada exports to EC				Action	
	Trade conditions		Equivalence	Special conditions	Trade conditions		Equivalence	Special conditions		
	EC standards	Canadian standards			Canadian standards	EC standards				
<b>Animal health</b>										
— Ruminants	2002/99/EC Regulation (EC) No 999/2001	H of A Act and Regs. Sections 40, 41	Yes 2	Statement of origin		H of A Act and Regs.	2002/99/EC Regulation (EC) No 999/2001	Yes 3		
— Equidae	2002/99/EC	H of A Act and Regs. Sections 40, 41	Yes 2	Statement of origin		H of A Act and Regs.	2002/99/EC	Yes 3		
— Pigs	2002/99/EC	H of A Act and Regs. Sections 40, 41	Yes 2	Statement of origin		H of A Act and Regs.	2002/99/EC	Yes 3		
<b>Public health</b>	64/433/EEC	Meat Inspection Act and Regs. Food and Drugs Act and Regs. Consumer Packaging and Labelling Act and Regs. (if packaged for retail sale) Canada Agricultural Products Act and Livestock and Poultry Carcase Grading Regs. (if beef)	Yes 1		Some provisions to be reviewed when the Meat Inspection Regulation will be amended.	Meat Inspection Act and Regs. Food and Drugs Act and Regs. Consumer Packaging and Labelling Act and Regs. (if packaged for retail sale) Canada Agricultural Products Act and Livestock and Poultry Carcase Grading Regs. (if beef)	2002/477/EC	Yes 1	Subsections (2) and (3) of section 11.7.3 on the European Union of Chapter 11 of the Meat Hygiene Manual as prescribed in the meat hygiene Directive (No 2005-3) <sup>(1)</sup>	Ante- and post-mortem provisions, the definition of market hogs and other hygiene requirements to be reviewed when the new EU Food Hygiene Regulations will be applied'

<sup>(1)</sup> <http://www.inspection.gc.ca/francais/animal/meavia/mmopmmhv/chap11/eu-uef.shtml> for the French version and <http://www.inspection.gc.ca/english/animal/meavia/mmopmmhv/chap11/eu-uec.shtml> for the English version.

## APPENDIX III

## FOOTNOTES

**Footnote A****Fresh meat, meat products, poultry meat, game meat**

- I. CANADIAN EXPORTS TO THE EC:
    - 1. Hides must be removed from veal.
    - 2. Shrouds not to be used on carcasses.
    - 3. Compliance with EC rules on counter-flow chillers (Directive 71/118/EEC).
    - 4. Compliance with EC rules on decontamination.
  - II. EC EXPORTS TO CANADA:
    - 1. Compliance with Canada rules on *post-mortem* inspection for poultry.
-

## APPENDIX IV

## ANNEX VIII

## FRONTIER CHECKS

## Frequencies of frontier checks on consignments of live animals and animal products

The Parties may modify any frequency rate, within their responsibilities, as appropriate, taking into account the nature of any checks applied by the exporting Party prior to export, the importing Party's past experience with products imported from the exporting Party, any progress made toward the recognition of equivalence, or as a result of other actions or consultations provided for in this Agreement.

Type of frontier check	Normal rate as per Article 11(2)
<p><b>1. Documentary and identity</b></p> <p>Both Parties will perform documentary and identity checks on all consignments except for live crustaceans or fresh headed and degutted fish without other manual processing for which the identity check will be performed at the same rate as the physical check.</p>	
<p><b>2. Physical checks</b></p>	
<i>Live animals</i>	100 %
<i>Semen/embryos/ova</i>	10 %
<p><i>Animal products for human consumption</i></p> <p>Fresh meat including offal, and products of the bovine, ovine, caprine, porcine and equine species defined in Council Directive 92/5/EEC</p> <p>Whole eggs</p> <p>Lard and rendered fats</p> <p>Animal casings</p> <p>Gelatin</p> <p>Poultry meat and poultry meat products</p> <p>Rabbit meat, game meat (wild/farmed) and products</p> <p>Milk and milk products</p> <p>Egg products</p> <p>Honey</p> <p>Bone and bone products</p> <p>Meat preparations and minced meat</p> <p>Frogs' legs and snails</p>	10 %

Type of frontier check	Normal rate as per Article 11(2)
<p><i>Animal products not for human consumption</i></p> <p>Lard and rendered fats</p> <p>Animal casings</p> <p>Milk and milk products</p> <p>Gelatin</p> <p>Bone and bone products</p> <p>Hides and skins of ungulates</p> <p>Game trophies</p> <p>Processed petfood</p> <p>Raw material for the manufacture of petfood</p> <p>Raw material, blood, blood products, glands and organs for pharmaceutical/technical use</p> <p>Processed animal protein (packaged)</p> <p>Bristles, wool, hair and feathers</p> <p>Horns, horn products, hooves and hoof products</p> <p>Apiculture products</p> <p>Hatching eggs</p> <p>Manure</p> <p>Hay and straw</p>	<p>10 %</p>
<p><i>Processed animal protein not for human consumption (bulked)</i></p>	<p>100 % for six consecutive consignments (as per Regulation (EC) No 1774/2002), if these consecutive tests prove negative, random sampling shall be reduced to 20 % of subsequent bulk consignments from the same source. If one of these random sampling proves positive, the competent authority must sample each consignment from the same source until six consecutive tests again prove negative.</p>
<p><i>Live bivalve molluscs (shellfish)</i></p>	<p>15 %</p>
<p><i>Fish and fishery products for human consumption</i></p> <p>Fish products in hermetically sealed containers intended to render them stable at ambient temperatures, frozen fish and dry and/or salted fisheries products. Other fishery products.</p> <p>Live crustaceans or fresh headed and degutted fish without other manual processing</p>	<p>15 %</p> <p>2 %</p>

For the purposes of this Agreement, "consignment" means a quantity of products of the same type, covered by the same health certificate or document, conveyed by the same means of transport, consigned by a single consignee and originating from the same exporting Party or part of such Party.'