
The Commission reminded the Member States of the different events that led it to launch an infringement proceeding against the UK government and to adopt measures restricting the placing on the market of non-compliant dairy products.

In addition to the corrective actions taken by the UK authorities in October 2006 to stop non-compliant practices, the Commission indicated that it received at the end of January 2007 satisfactory evidence that stocks of non-compliant products had been disposed of in accordance with Regulation (EC) No 1774/2002 and that the premises of the establishment in question had been emptied, cleaned and disinfected. The Commission also mentioned that it had received guarantees from other Member States that curd cheese still stored on their territory was disposed of.

On the basis of these guarantees, the Commission proposed to lift the restrictions currently in place.

Furthermore, the Commission indicated that it would set up groups to discuss the use of rapid antibiotic tests, first with the European dairy associations at the beginning of March 2007 and then with kits manufacturers. It was also its intention to consult National Reference Laboratories on that subject in April.

Vote: in favour at the qualified majority, 333 votes in favour, 12 votes absent

2. Exchange of views and possible opinion of the committee on a draft Commission Decision on the implementation of survey programmes for avian influenza in poultry and wild birds to be carried out in the Member States in 2008 and amending Decision 2004/450/EC (SANCO/10007/2007 Rev. 2) (VP)

A new revision of the text was distributed including some technical changes made further to the experts working group which took place on Monday 19 February.

In order to receive a financial contribution from the Community the Commission stressed the importance for the Member States to submit each year by 30 April their draft annual or multi-annual programmes starting in the following year.
The objectives of this proposal are to provide for the minimum requirements for the implementation of the survey programmes to be carried out by the Member States in 2008 and for a standard format for the content of applications for the Community financial contribution for the implementation costs of those programmes. The surveillance programmes for avian influenza in poultry and wild birds should comply with the guidelines set out in the Annexes I and II. These will be modified when needed depending on the results of the data analysis following implementation of the surveillance plans.

Vote: in favour at the qualified majority, 333 votes in favour, 12 votes absent

2.a Exchange of views and possible opinion of the committee on a draft Commission Decision amending Decision 92/452/EEC as regards certain embryo collection and production teams in Canada, New Zealand and the United States of America (MZ) (SANCO/10004/2007 Rev. 2) (See point 15 of the 6 February 2007 SCFCAH)

On 6 February 2007 all the Member States voted unanimously in favour of the draft Commission Decision amending Decision 92/452/EEC as regards certain embryo collection and production teams in New Zealand and USA (SANCO/10004/2007 Rev.1). Subsequently, the Commission received a request from Canada to modify the entry of this country. Therefore, the Commission submitted for the vote a final version of the draft which included the Canadian request. This text was consequently submitted to the Commission for formal approval.

Vote: in favour at the qualified majority, 333 votes in favour, 12 votes absent


The proposal is intended to review TSE measures in small ruminants, including surveillance, eradication and breeding programmes, as foreseen in the TSE roadmap and the SANCO TSE work programme and has been discussed at a working group level. Member States expressed their views on the proposal which will be further discussed in a Working Group during March taking into account the conclusions of an EFSA opinion which is currently under discussion. It is intended to present the document for a vote on 20 March if the EFSA opinion is adopted.

This proposal provides for one single certificate covering public health as well as animal health requirements for fishery and aquaculture products. The competent authorities appear in the Annex II of the US-EU Veterinary Equivalence Agreement. The Food and Drug Administration is able to certify the public health requirements. The USDA Animal and Plant Health Inspection Service certify animal health provisions. The USDC NMFS/NOAA is able to certify public health and animal health requirements for voluntary programs. Member States can accept consignments of fishery products accompanied by public health certificates set out in Decision 2006/199/EC which were completed before the entry into force of this decision.

The single certificate should be signed by one single person. The Commission will update the proposal taking into account the comments from the committee and will present a revised draft in March.

4.a **Statement of the Commission and the Member States:**

**Delisting of all processing fish establishments from Pakistani list**

Article 12.2.(c) of Regulation N° 854/2004 provides that the third country establishments may be placed in the Community list only if the competent authority of the third country of origin guarantees that "it has real powers to stop the establishments from exporting to the Community in the event that the establishments fail to meet the Community requirements". An inspection mission carried out in Pakistan from 22nd to 26th January 2007 has revealed serious deficiencies at all the stages of processing and distribution of fishery products produced in Pakistan and intended to be exported to the EC. The inspection visit was a follow-up mission to verify the implementation of the corrective measures contained in the action plan that Pakistani authorities provided in response to the recommendations of the inspection visit of 2005. The present inspection indicates that the corrective measures are only partially implemented, but that they are not at all enforced leading to the conclusion that a systemic enforcement failure exists. The establishments exporting fishery products show serious deficiencies and the sanitary quality of the fish is extremely poor. In conclusion the fishery products imported from Pakistan at present are not guaranteed and health risks for the EU consumer are likely to occur.

In addition the inspection revealed that all establishments included in the Community list as approved in conformity with EC requirements presented deficiencies, going from serious to very serious, related to the structure of the premises, the HACCP, the traceability of the products or the use of fish unfit for human consumption. The Commission considers that in the light of the information provided by the inspection mission it could be concluded that the Pakistani authorities cannot stop their establishments from exporting to the Community on despite of the seriousness of the deficiencies they present.

Therefore, in accordance with Art 12.4 (c) of Reg. 854/2004, the Commission and the Member States agree that a modification of the Pakistani list of establishments is necessary and that the Commission proceeds with the deletion of the...
11 establishments currently included in the list of approved establishments as notified to Member States on 16/1/2007.

4.b **Statement of the Commission and the Member States:**

**Amendment to the list of processing fish establishments of Suriname**

An inspection mission carried out in Suriname in September 2006, has revealed serious deficiency in the smoking fish process which is applied in all the establishments producing smoked fish intended to be exported to the EU. On this basis, the Commission has asked the Suriname authorities to immediately suspend the issuing of health certificates for fishery products to be exported to the EC from all the smoking establishments and to delete them from the list. The Commission has also asked the Suriname authority to provide audit reports of all establishments that are approved for exports to the EC, and therefore included in the Community list.

As a reply, the Suriname authority have only suspended the issuing of certificates for smoking fish produced in only one establishment, without asking for the deletion from the list neither for this establishment nor for the others.

Therefore, in accordance with Art 12.4 (c) of Reg. 854/2004, the Commission and the Member States agree that a modification of the Suriname list of establishments is necessary and to add the following footnote to the Suriname list of establishments, which prevents the establishments to export smoked fish to the EU:

"Imports from this establishment are only authorized for fresh and frozen fishery products but not for smoked fishery products".

Member States are requested to pay particular attention to testing smoked products from Suriname whilst waiting for the consolidated list to come into force. As regards the costs incurred, Article 22 of Regulation No 882/2004 of the European Parliament and of the Council of 29 April 2004 applies.

5. **Miscellaneous**

- **OIE categorisation of Member States according their BSE risk (see point 6 of the 20 November 2006 SCFCAH) (KVD)**
  The Commission reminded the timetable for the submission of dossiers by the Member States. By 15 February 2007 the files from all 27 MS should have been received by the Commission. But Latvia, Malta, Hungary, Bulgaria and Romania were urged to send theirs. On 1st March 2007 the Commission will send the OIE application for all 27 MS as a whole.

- The British delegate requested an update on current situation in Indonesia as regards imports of fishery products. The Commission confirmed that an inspection mission of the Food and Veterinary Office was carried out from 22 January to 2 February 2007 which showed considerable improvements as regards knowledge, surveillance programmes, quality of products, traceability. In spite of the progress the measures will be kept in place and the Commission is awaiting the FVO mission report.