1. **Country Profiles presentation by the Food and Veterinary Office (RK)**

The Commission made a presentation on the structure and functioning of the overall inspection system in the Member States (MS), of each of the eleven control systems (animal health, food of animal origin, imports of animals/food of animal origin, feedstuffs,…), and follow up on the progress on FVO recommendations. This comprehensive and integrated approach puts the focus in particular on the progress made by each MS, and not only on shortcomings as in the sectoral reports. The key mechanism for compiling country profiles consists of the General Review Mission carried out in the capitals, dealing with all of the issues, and during which the competent authorities are requested to comment on the draft Country Profile. The final Country Profile is then released and updated yearly after revisit. In 2005, the FVO has completed the Country Profiles of 8 MS, it plans to complete 10 in 2006 and 7 in 2007.

Some MS thanked the FVO for its presentation and commented on the appropriateness of the publication of these Country Profiles. The French, Spanish and Maltese delegations pointed out the difficulties of too much transparency, in particular as regards the follow-up on recommendations. The Swedish delegation stressed on the contrary that transparency has never been negative and that if EU was to build trust in trade, reports should then be published.

In response to the discussion the Commission endorsed the views expressed by the Swedish delegation and made clear that each Country Profile brought together outstanding recommendations from already published sectoral reports and provided an assessment of the current position on each of these recommendations. No new recommendations were included in the Country Profile. A partial publication of Country Profiles would be inconsistent with the treatment of FVO sectoral report. In addition the European Parliament had already been informed of the Commission’s intention to publish the Country Profiles in full. The Commission invited the Member States who had reservations about publication to reflect on their position in the light of its response.
2. Russian import conditions for animals and products of animal origin. (RH) (See point 3 of the 17 December 2004 SCFCAH and point 2 of the 19 October 2004, 18 January, 16 February, 16 March, 21 April, 24 May, 21-22 June, 23 September, 18 October, 22-23 November and 20-21 December 2005 SCFCAHs)

The latest version of the draft regionalisation memorandum has been agreed at the Council Working Group meeting of 18 January 2006. The revised versions of the 14 old and 5 new common EU export certificates have also been agreed and forwarded to the Russians. The Commission has produced a draft proposal on the listing of EU establishments for Russian exports. MS should send their comments by 27 January 2006. The final EU proposal should be adopted at the Chief Veterinary Officers’ meeting of 9 February. The Commission indicated that a technical meeting was taking place in St Petersburg on 24-25 January and that another one had been planned for mid-February.

The Norwegian delegation raised the issue of the Russian ban on imports of all fresh fish from Norway as from 1 January 2006, as a consequence of analyses by a Russian laboratory which have detected the presence of lead and cadmium. Furthermore Russia has taken measures allowing imports of fish only from ships, fish farms and processing plants inspected and approved by Russian experts. Norway will try and set up a working group with Russia but considers that the Russian measures constitute an introduction of barriers to trade in contradiction with the Codex and SPS agreements.

3. Development of Community guides to good practice, in accordance with Article 9 of Regulation (EC) No 852/2004 on the hygiene of foodstuffs (WD/PC)

Further to requests from several European associations (hunting, cold storage, wholesale market sectors,...) the Commission presented a draft on practical guidelines for the development of Community guides to good practice in accordance with the provisions of Article 9 of Regulation (EC) No 852/2004 on the hygiene of foodstuffs.

Any draft Community guides must be submitted to the Commission and the Standing Committee of the Food Chain and Animal Health. The concerned food business sector must work in cooperation with competent authorities and other stakeholders, and consider the relevant codes of practice of the Codex Alimentarius. The approved guides are subject to periodical review and are published in the C series of the Official Journal of the European Union, as well as on DG SANCO website. Within the limit of resources available the Commission may consider the possibility to offer support as to translation, printing, publicity and distribution.

On DG SANCO website a list of national guides can be found for information, which can be taken into consideration for the development of Community guides.

This document will be presented for a general consensus at the 22 February SCFCAH.

The Polish competent authority has officially declared that certain establishments in the meat and milk sectors have completed their upgrading process and are now in full compliance with Community legislation. Therefore they can be deleted from the list of establishments in transition.


The Hungarian competent authority has officially declared that two meat establishments have applied for reclassification from high capacity to low capacity establishments. They are now in full compliance with Community legislation and can be deleted from the list of establishments in transition.

6. **Update on the situation in relation to avian influenza (AL/AB)**

The issue of avian influenza was discussed the day before in the Council and at an important conference which was organised last week in Beijing. In Turkey 15 provinces have been infected, about 89 suspicions, samples will be sent to Weybridge laboratory. Romania notified 2 outbreaks between 4 and 17 January 2006. Missions of the Food and Veterinary Office to Romania and Bulgaria are scheduled for the end of January. In Croatia 2 positive swans were found after 1 January. Russia has declared itself free of avian influenza. China and Indonesia have notified more outbreaks in poultry as well as new human cases. Vietnam has completed its vaccination campaign.


(Legal basis: Council Regulation (EC) No 866/2004 of 29 April 2004 concerning a regime based on Art. 2 of Protocol 10 of the Accession Act (Art. 4(9))

This point was moved to Section C of the agenda (draft measure for discussion). The Commission gave some background information in relation to this proposal. Cyprus is split into two parts: one part is under effective control of the Republic of Cyprus, and the Northern part which is not under the control of the Cypriot government. This leads to an exceptional legal situation. During the accession negotiations, Protocol 10 was adopted, under which the application of the Community acquis is suspended for the Northern part, though being a part of the Community. Regulation (EC) No 886/2004 as amended (the Green line regulation) foresees rules as regards trade exchanges between the 2 parts. The general prohibition of trade for live animals and animal products can be lifted by a Commission decision. This proposal intends to authorize trade in fresh fish and honey provided it does not pose any risk for public and animal health.

The Member States except Cyprus could support the proposal. The Cypriot delegate expressed reservations on the proposed text and asked the Commission to continue
bilateral discussion with the Cypriot services before the vote on this text. The Commission pointed out that there has been informal discussion with officials on this file but that it was still expecting official comments from Cyprus.


Following the opinions of the European Food Safety Authority, Brazil, El Salvador, Nicaragua, Botswana, Namibia, Swaziland and Chile can no longer be exempted from the TSE-related trade conditions for live bovine animals and products of bovine, ovine and caprine origin. The Sanitary and Phytosanitary consultation on this proposal being closed the Commission asked the committee to proceed to the formal vote.

**Vote: unanimously in favour**


Under Council Directive 96/23/EC on measures to monitor certain substances and residues in live animals and animal products, third countries must submit a plan setting out the guarantees of compliance with the requirements of that directive. Certain animals and products are removed from the list since the third countries concerned have not provided sufficient guarantees.

This proposal includes a change in the veterinary status of Serbia & Montenegro which are no longer regarded as a single surveillance area but are split into 2 entities for which 2 separate guarantees are requested.

**Vote: unanimously in favour**


This proposal intends to extend until 31 May 2006 the restrictions provided for in Decisions 2005/759/EC and 2005/760/EC concerning the movement of pet birds and imports of other birds from certain areas at risk. While agreeing to the proposal, the German, Danish and Dutch delegates expressed their wish to discuss the details of the measures in depth prior to the next vote on any possible extension, in particular concerning what measures should be taken in the longer term. The Commission will
take the time which is now available to reflect notably in working group meetings on
what further actions are appropriate taking into account the evolution of the avian
influenza situation.

Vote: 294 votes in favour, Poland absent and not represented (qualified
majority)

11. **Exchange of views on a draft Commission Regulation approving the national
scrapie control programmes of certain Member States, and defining additional
guarantees, and granting derogations concerning breeding programmes for
TSE resistance in sheep pursuant to Decision 2003/100/EC, and repealing
No 999/2001) (Right of Scrutiny of the European Parliament) (Document
SANCO/0047/2006 Rev. 1) (KDS)**

This proposal aims at granting derogation to Austria as regards the requirements of
Commission Decision 2003/100/EC for the establishment of breeding programmes
for Transmissible Spongiform Encephalopathies in sheep, as that Member State has
submitted a national scrapie control programme which meets the required criteria set
out in Regulation (EC) No 999/2001 and as it is likely to have a low prevalence or
absence of scrapie on its territory.

For the sake of clarity Commission Regulation (EC) 1874/2003 which grants the
same derogation to Denmark, Sweden and Finland should be repealed and replaced
by the current proposal. The Commission plans to present it for vote at the
22 February SCFCAH.

12. **Exchange of views on a draft Commission Regulation amending Regulation
(EC) No 999/2001 of the European Parliament and of the Council as regards the
United Kingdom and repealing Council Decision 98/256/EC, as amended (Right

The purpose of this proposal is to lift the embargo on the trade of live bovine
animals, beef and beef products provided for in Council Decision 98/256/EC. Some
derogation was allowed under the Date Based Export Scheme. Since 7 November
2005, the Over Thirty Months (OTM)-rule has been replaced by the pre-1996 rule,
which means that bovine animals born before 1 August 1996 will be permanently
excluded from the food and feed chain. The United Kingdom applies the same
monitoring programme as the other Member States (MS) for the bovine population
born after 31 July 1996.

Two conditions had to be met before starting the discussion on that possible lifting:
an incidence of less than 200 BSE cases per million adult bovine animals and a
positive conclusion from the Food and Veterinary Office (FVO) inspection as to the
enforcement of BSE controls in the United Kingdom and its state of preparedness to
comply with EU legislation.

The European Food Safety Authority concluded in 2004 that the United Kingdom
can be regarded as a country with a moderate risk status, comparable to that of other
MS, according to the classification of the OIE (World Organisation for Animal
report on a mission carried out from 6 to 15 June 2005 concerning protective measures against BSE concluded that satisfactory progress had been reached in most areas (http://europa.eu.int/comm/food/fvo/ir_search_en.cfm). Based on these favourable opinions, the BSE related restrictions on the trade of bovine animals and their products should be lifted.

This proposal has already been submitted for discussion at 3 working group meetings in September 2006, on 29 November 2005 and 12 January 2006. The Commission will present it for vote at the SCFCAH, Animal Health section, of 7-8 March 2006 because the next SCFCAH, Biological Safety section, of 22 February coincides with the meeting of the Environment Commission in the Parliament.

The French delegation stressed that this issue was treated with great concern in France and subject to broad consultation at intra-ministerial level. It questioned the Commission on the scope of the proposal and on its retroactive effect. The Commission clarified that under the OTM-rule, all over thirty months cattle was excluded and destroyed from the food and feed chain except for hides. So the only meat slaughtered put on the market was from cattle aged below 30 months with Specified Risk Material (SRM) removal. Therefore the retroactive effect can not pose any risk.

On the German delegate’s question on the robustness of the control system the British delegate referred to the FVO’s satisfactory reports which give evidence that the UK control system is strict and reliable. The Commission added that fraud can never be totally excluded in none of the Member States. The appropriate measures need to be taken and they must be controlled in order to ensure that fraud is brought to as low a level as possible.

13. Miscellaneous

- The committee voted in November 2005 in favour of a decision on imports controls of products from Indonesia (TB) (see point 13 of 22-23 November 2005 SCFCAH). The Dutch delegation wished to know the reason why it has not yet been published in the Official Journal. The Commission explained that the delay was due to the right of scrutiny of the European Parliament (30 days). This delay was further extended to 2 February 2006 due to the Christmas holiday period.

- The Italian delegation asked for some clarification on the interpretation of Regulation 2074/2005 on microbiological criteria for foodstuffs (MH): As concerns food safety criteria can Member States search for pathogens on non-listed products? Is it then possible to activate the early warning system? As concerns the process hygiene criteria, what measures can be used nationally? As for pathogens not mentioned in the regulation at all, how should they be dealt with?

The answer is to be found in Article 1 of the regulation: it is possible to take samples and analyse them for other pathogens; in the absence of Community criteria, they must be evaluated to verify compliance with food safety. The issue of national criteria had been discussed at length before the adoption of the regulation. They may be retained provided they are scientifically justified (through a risk-assessment) and do not introduce a barrier to intra-
Community trade. The Commission wishes to reach harmonisation of criteria by suppressing the use of national criteria.

- The French delegation updated the committee on the results of investigation and control measures undertaken in the Eurofreeze case with the technical support from the British Food Standard Authority. Two series of batches of poultry were involved, corresponding to the confiscation of more than 100 tons and of 400 tons of products. Commercial documents were compared leading to the conclusion that a fraudulent use of stamps was unlikely. The embargo on these batches will be lifted shortly. The Commission congratulated the French and British delegations for having found a way to settle their problem in good veterinary collaboration.

- The German delegation asked when the designation of Community Reference Laboratories (CRL’s) will take place. The first step was the call for applications, the selection of CRL’s and publication of the information. The Commission has just written to the permanent representations to inform them of its choice. The second step is to amend the annex to Regulation (EC) No 882/2004 to complete the list of CRL’s. A draft should be presented at the 22 February SCFCAH and the co-financing of CRL’s should start on 1 July 2006.

- The German delegation inquired about the status of the Commission paper repealing implementing decisions (WD) based on former hygiene directives. The Commission had indeed prepared a draft but the legal service advised in the meantime that there was no need for such a decision since they are automatically withdrawn by the adoption of the implementing and transitional rules of the hygiene package. The Commission intends to formalise that aspect in some way and will come back to it at the 22 February SCFCAH.

- The Danish delegation asked some clarification on the third country list for fish and fishery products, in part 2 of Decisions 97/296 and 97/20. Are Member States still allowed to import from these countries as from 1 January 2006? The Commission will provide an answer to the Danish request at the next SCFCAH meeting.

- The Dutch request for clarification on the use of certificates will also be dealt with at the next SCFCAH.

- UK findings of surveillance on beef exports

On 18 January, the UK surveillance services stopped at the entrance of the Channel tunnel a lorry containing 16 tons of beef destined to Spain. The investigation at the establishment of origin showed the evidence of two previous consignments sent to Spain in December 2005. All 3 consignments were consigned to the same importer in Spain through the same transport firm. There are no elements at this initial stage of the investigation indicating fraud in the quality of the meat. Investigations will be pursued.