SUMMARY RECORD
OF THE
STANDING COMMITTEE ON THE FOOD CHAIN AND ANIMAL HEALTH
HELD IN BRUSSELS ON 15 JULY 2004
(Section Biological Safety of the Food Chain)
(Section Controls and Import Conditions)

President: Eric Poudelet for points 2-4, 6, 7, 15a & 21; Patricia Brunko for points 5, 13 & 21; Michael Scannel for points 1, 8-12, 14, 15, 16-20 & 21.
All the Member States were present.


Following the request by some Member States to postpone the deadline concerning the transitional measures for stocks of products, the Commission announced it would present at a following SCFCAH a proposal in that direction.

2. Information to the Member States on the proposed co-financing to be paid to Greece and France in the framework of the 2003 TSE Monitoring Programmes (AW)

The Commission presented to the Member States the proposed co-financing to be paid to France and Greece for their 2003 TSE monitoring programmes. The Commission further committed to present the payments to be made to the other Member States at the 21 September or 19-20 October 2004 SCFCAH. All payments will be made before the end of 2004.

3. Discussion on a possible co-operation between the European Union and the European Committee for Standardization (CEN) in the framework of official food and feed controls (SM)

The European Committee for Standardization (CEN) presented to the Commission and the Member States its work in the food area. CEN aims at promoting voluntary technical harmonization in Europe in conjunction with worldwide bodies and its partners in Europe and the conformity assessment of products and their certification. Further information may be obtained from the CEN website: www.cenorm.be.

4. Distribution for information/Distribution pour information:
5. Exchange of views and possible opinion of the Committee on a draft Commission Decision amending Decision 2002/840/EC adopting the list of approved facilities in third countries for the irradiation of foods (Document SANCO/10124/2004) (JDFG)

The Commission presented to the Member States a draft Decision amending Decision 2002/840/EC, removing the irradiation facility of Hungary, following its accession to the European Union on 1 May 2004, and adding the GAMMA-PAK A.S. (Tekirdag) irradiation facility in Turkey and the STUDER AGG WERK HARD (Däniken) irradiation facility in Switzerland to the list of approved facilities in third countries for the irradiation of foods.

Commission experts inspected the irradiation facilities in order to check whether they comply with the requirements of Directive 1999/2/EC and in particular if official supervision guarantees that they comply with the requirements of Article 7 of that Directive. The competent authorities of both countries provided satisfactory responses to all the recommendations contained in the final report.

Vote: Unanimous vote in favour


The Commission presented to the Member States a draft Decision amending Decision 2004/145/EC and increasing the 2004 financial assistance for the Weybridge (United Kingdom) Community reference laboratory for TSEs, allowing it to organise a workshop with experts from the Member States on an epidemiological model for the assessment of BSE monitoring results of individual countries.

Vote: Unanimous vote in favour

The Commission presented to the Member States a draft Decision amending Decision 2001/376/EC as regards the dispatch from Portugal of meat-and-bone meal of mammalian origin as well as animal feed and fertilisers containing such material, intended for incineration or co-incineration. Indeed, Portugal has insufficient capacity to incinerate or co-incinerate the meat-and-bone meal and related products originating from animals suspected or confirmed of having contracted BSE, or from animals killed under a BSE eradication measure. The accumulation of stocks of that material could pose a risk for public and animal health.

**Vote : Unanimous vote in favour**

8. **Exchange of views and possible opinion on a draft Commission Decision approving on behalf of the European Community amendments to the Annex V to the Agreement between the European Community and New Zealand on sanitary measures applicable to trade in live animals and animal products (Document SANCO/10366/2003, Rev. 16) (WMM)**

The Commission presented to the Member States a draft Decision approving on behalf of the European Community amendments to the Annex V to the Agreement between the European Community and New Zealand on sanitary measures applicable to trade in live animals and animal products.

At its 1-2 June 2004 meeting, the Joint Management Committee for the Agreement issued a recommendation concerning the determination of equivalence of sanitary requirements for bovine embryos, feathered game, live bivalve molluscs for human consumption, honey and wool. The Committee also recommended the determination of equivalence of certification systems for fishery products and issued recommendations concerning the general format of Annex V.

**Vote : Unanimous vote in favour**

9. **Exchange of views and possible opinion on a draft Commission Decision amending for the second time Decision 2003/56/EC on health certificates for the importation of live animals and animal products from New Zealand (Document SANCO/10365/2004, Rev. 5) (WMM)**

The Commission presented to the Member States a draft Decision amending for the second time Decision 2003/56/EC on health certificates for the importation of live animals and animal products from New Zealand.

**Vote : Unanimous vote in favour**

In addition, the Commission distributed for information the import certification requirements of New Zealand for products falling under the Veterinary Agreement. Delegations were reminded that these certificates can not yet be used by the new Member States until further notice. Administrative
procedures are still ongoing in New Zealand to extend the certificates to the new Member States.

10. Exchange of views and possible opinion on a draft Commission Decision on the list of establishments in New Caledonia approved for the purpose of importing fresh meat into the Community (Document SANCO/10397/2004) (RM)

The Commission presented to the Member States a draft Decision approving the OCEF – Barandeu (Bourail) and OCEF (Nouméa) establishments in New Caledonia for the purpose of importing fresh meat into the Community. Indeed, the animal health situation in New Caledonia compares favourably with that in the Member States, particularly as regards disease transmission through meat, and the operation of controls over the production of fresh meat is satisfactory. The establishments put forward by New Caledonia meet all the requirements laid down in Directive 72/462/EC in order to be designated as slaughterhouses, cold stores and approved cutting plants from which imports into the EU may be permitted in accordance with Article 18 of the Directive. The hygiene standards of those establishments are satisfactory and they may therefore be included on the list of establishments, to be drawn up in accordance with Directive 72/462/EEC, from which imports of fresh meat may be authorised.

Vote: Unanimous vote in favour


The Commission presented to the Member States a draft Decision repealing Decision 2002/794/EC concerning certain protective measures with regard to poultry meat, poultry meat products and poultry meat preparations intended for human consumption and imported from Brazil.

Vote: Unanimous vote in favour

12. Exchange of views and possible opinion on a draft Commission Decision amending Decision 2002/994/EC concerning certain protective measures with regard to products of animal origin from China (Document SANCO/10394/2004, Rev. 3) (CL)

The Commission presented to the Member States a draft Decision amending Decision 2002/994/EC concerning certain protective measures with regard to products of animal origin from China.
The Chinese competent authority has guaranteed that each consignment of products of animal origin intended for human consumption or animal nutrition in the Community must undergo a systematic pre-shipment check in order to detect the presence of residues of veterinary medicines. The Chinese competent authority has also guaranteed that all consignments be accompanied by a declaration of the competent authority confirming that the products have been checked before export and declaring the results of the analytical checks.

In view of the results and guarantees explained above, it becomes appropriate to replace the protective measures as provided by Decision 2002/994/EC by a requirement that the consignments concerned be tested at the place of origin before exported to the European Community and be accompanied by a corresponding attestation. However, some deficiencies as regards the sanitary conditions applied in China to the production of poultry meat intended for export to the Community, together with the situation created by the outbreaks of avian influenza, do not allow to withdraw the restrictions to imports of poultry meat.

Vote: 109 votes in favour, 15 abstentions (qualified majority)


The purpose of the draft Decision is to update the Annex of Decision 2004/432/EC which establishes the list of third countries complying with Directive 96/23/EC as regards the approval of residue monitoring plans. The status of China and the USA has been updated in accordance with the guarantees provided.

Vote: 119 votes in favour, 5 abstentions (qualified majority)

14. Exchange of views and possible opinion on a draft Commission Decision laying down harmonised standards for the testing for certain residues in products of animal origin imported from third countries (Document SANCO/10318/2003, Rev. 6) (GG/NGB) (See Point 14 of the 16 June 2004 SCFCAH)

The Commission presented to the Member States a draft Decision laying down harmonised standards for the testing for certain residues in products of animal origin imported from third countries.

The scope of the proposal is twofold:

- it lays down the reference points for action for residues of substances whose use is prohibited or not authorised in the Community when analytical tests carried out pursuant to Directive 97/78/EC on imported consignments of
products of animal origin confirm the presence of such substances, and the action to be undertaken after such confirmation;

- it applies whether analytical tests are carried out routinely, under reinforced checks procedures or under a safeguard measure on consignments of products of animal origin imported from third countries.

For the purpose of control of residues of substances whose use is prohibited or not authorised in the Community, the Required Performance Limit (RPL) laid down in Annex II to Commission Decision 2002/657/EC shall be used as reference points for action. Where no Required Performance Limit (RPL) has been laid down, any detection of that substance at or above 10 µg/kg shall be considered non-compliant with Community legislation.

The draft Decision also specifies the action to be taken in case of confirmed presence of a prohibited or non-authorised substance.

Vote postponed


The Commission explained that the different interpretation of the term “minimum required performance limits (MPRL)” has the effect that one of the goals of Decision 2002/657/EC to harmonise control of substances whose use is not authorised or prohibited in the Community, has not been entirely achieved. It is therefore proposed to simplify the concept of “minimum required performance limits (MPRL)” and to replace it by “required performance limits (PRL)”.

Vote postponed

Commission Statement:

Council Directive 97/78/EC requires that each consignment of food of animal origin imported from third countries shall be subject to veterinary controls. These checks may include analytical tests for residues of pharmacologically active substances in order to verify whether the consignments fulfil the requirements of Community legislation.

The Community established a harmonised approach for the control in imported consignments of residues of substances prohibited or not authorised
in the Community laying down harmonised standards for the testing for certain residues in products of animal origin imported from third countries.

The Commission and the Member States agree to apply this approach, with the necessary changes, to food of animal origin produced within the Community. This implies in particular that the Required Performance Limits (RPLs) set according to Commission Decision 2002/267/EC shall be sued as reference points for action. This also applies to emergency measures.

This approach moreover means that any detection of substances whose use is prohibited or not authorised in the Community shall be followed by an investigation into the source of the substance in question and appropriate enforcement measures in particular aimed at the prevention of recurrence in the case of documented illegal use.


The Commission distributed to the Member States the technical specifications of a “Baseline Study on the Prevalence of Salmonella in Laying Flocks of Gallus gallus in the EU” (Document SANCO/34/2004, Rev. 3).

The Commission further presented to the Member States a draft Decision concerning a study on the prevalence of Salmonella in laying flocks of Gallus gallus. Indeed, according to Article 4 of Regulation (EC) No 2160/2003 a Community target shall be established for the reduction of the prevalence of salmonella in populations of laying hens by 12 December 2005. In order to set the target, comparable data on the prevalence of salmonella in the populations of laying hens among Member States should be available. Such information is not available and therefore a special study should be carried out in order to monitor the prevalence of salmonella in laying hens during an appropriate period of time in order to take into account possible seasonal variations.

Vote : 114 votes in favour, 10 abstentions (qualified majority)

16. Exchange of views and possible opinion on a draft Commission Decision laying down specific conditions for imports of fishery products from Antigua & Barbuda (Document SANCO/10214/2004, Rev. 2) (CL)

The Commission presented to the Member States a draft Decision laying down specific conditions for imports of live crustaceans from Antigua & Barbuda and approving the Caribbean Seafood (St. John’s, Antigua), White’s Fish Market (St. John’s, Antigua), Lincoln Burton (Codrington, Barbuda), Eric Burton (Codrington, Barbuda), Reginald Nicholas (St. Mary’s, Antigua), The Lobster Shack (St. John’s, Antigua), A. B. Supply Sales & Support Service (St. John’s, Antigua), Premier Seafood Ltd. (Codrington, Barbuda), St. John’s
17. Exchange of views and possible opinion on a draft Commission Decision laying down specific conditions for imports of fishery products from Hong Kong (Document SANCO/10215/2004, Rev. 1) (CL)

The Commission presented to the Member States a draft Decision laying down specific conditions for imports of fishery products from Hong Kong, excluding bivalve molluscs, echinoderms, tunicates and marine gastropods in whatever form and approving the Lee Kum Kee (Hong Kong) Foods Limited CONDEMAR S.A. (Tai Po) establishment.

18. Exchange of views and possible opinion on a draft Commission Decision laying down specific conditions for imports of fishery products from El Salvador (Document SANCO/10216/2004, Rev. 1) (CL)

The Commission presented to the Member States a draft Decision laying down specific conditions for imports of fishery products from El Salvador, excluding bivalve molluscs, echinoderms, tunicates and marine gastropods in whatever form and approving the Productos Pesqueros Veralmar, Productos Pesqueros Calvo Coservas El Salvador, Cámara No 1 de almacenamiento – Calvo Concervas El Salvador, Cámara No 2 de almacenamiento – Calvo Concervas El Salvador, Montelucia (Calvo Pesca El Salvador, S.A. de CV) and Monterocio (Calvo Pesca El Salvador, S.A. de CV) establishments.

19. Exchange of views and possible opinion on a draft Commission Decision amending Decision 97/296/EC drawing up the list of third countries from which the import of fishery products is authorised for human consumption, with respect to Antigua & Barbuda, Hong Kong, El Salvador and Slovakia (Document SANCO/10217/2004, Rev. 2) (CL)

The Commission presented to the Member States a draft Decision amending Decision 97/296/EC drawing up the list of third countries from which the import of fishery products is authorised for human consumption, adding Antigua & Barbuda, Hong Kong, El Salvador and removing Slovakia (following its accession to the European Union on 1 May 2004).

20. Exchange of views and possible opinion on a draft Commission Decision amending Decision 98/695/EC laying down special conditions governing imports of fishery and aquaculture products originating in Mexico as regards the designation of the competent authority and the model of health certificate (Document SANCO/10218/2004, Rev. 1) (CL)

The Commission presented to the Member States a draft Decision amending Decision 98/695/EC laying down special conditions governing imports of
fishery and aquaculture products originating in Mexico as regards the
designation of the competent authority and the model of health certificate.
Indeed, following a restructuring of the Mexican administration, the competent
authority in Mexico for verifying and certifying compliance of fishery and
aquaculture products with the requirements of Directive 91/493/EEC has
changed to the “Comisión Federal para la Protección contra Riesgos Sanitarios
(CFPRS) and Decision 98/695/EC should therefore be amended accordingly.

21. Miscellaneous

- Information on the lists of establishments approved in the EU and certain
  other EEA countries (Doc. SANCO/2227/2004) (TC)

The Commission informed the Member States of the creation of a specific
page on the SANCO EUROPA website as regards the lists of establishments
approved in the EU and in other countries of the European Economic Area.
The Commission has put in place direct links with the lists of establishments
published on the websites of the competent authorities in most Member States.
The Commission invited the Member States that had not done so yet, to
publish their respective lists on the Internet, so the list of links on the
Commission’s website can be completed. The Commission further committed
to inform third countries of the creation of such a page but reminded the
Member States that they are in charge of updating their own lists.

- The Commission presented to the Member States a suggested modification of
  FAQ 26 of the Guidance on applying the new animal by-products Regulation
  (EC) No 1774/2002: “How are cosmetics, medicinal products
  (pharmaceuticals) and medical devices (including laboratory reagents)
  affected by the animal by-products Regulation (EC) No 1774/2002”. The
  Commission asked the Member States to send their comments on the new
  FAQ 26 by 21 July 204 and committed to organise a working group at a later
  stage in order to further discuss and clarify the issue.

- The Commission distributed to the Member States the list of approved
  facilities for the treatment of foods and food ingredients with ionising
  August 2003).

- The Commission informed the Member States of the possible presence of
  histamine in tuna and related species from Indonesia. The Indonesian
  authorities have ensured the Commission that, before leaving Indonesia, the
  histamine concentration of all tuna consignments would be analysed in
  accordance with EU requirements.

- The Commission informed the Member States that the residue plans of
  Sweden, Denmark, Finland and Austria had been approved and that further
  information was necessary before approving the plans of the other Member
  States.
• The Commission distributed to the Member States a letter sent on 30 April 2004 to the Dutch authorities, which clarifies the Commission’s position as regards the treatment of fresh tuna with so-called “cold-smoke” or “clear smoke”. It relates to the use of carbon monoxide, which falls under the definition of a food additive. Indeed, by maintaining a fresh looking red colour of the meat or fish, the use of carbon monoxide could mask spoilage (a particular risk in relation to the presence of histamine in fish) and mislead the consumer as to the freshness of the product.

• The Commission distributed to the Member States a compendium of basic texts as regards food law.

• The Finnish delegation informed the Commission and the Member States of a case of atypical scrapie (Nor 98) in an eight-year old ewe in June 2004 in Finland. This is the first time scrapie has been reported in a Finnish sheep.

• The Slovenian delegation informed the Commission and the Member States of a positive case of scrapie confirmed on 9 July 2004 in a sheep born in 2001. This is the first time scrapie is being reported in a Slovenian sheep.

N.B. The proposals on which the Committee expressed an opinion are subject to a defined procedure in relation to the formal adoption by the Commission.

Mission reports are available on the Internet at the following address: [http://europa.eu.int/comm/food/fs/inspections/vi/reports/index_en.html](http://europa.eu.int/comm/food/fs/inspections/vi/reports/index_en.html)