1. **Discussion on trade in veterinary products between certain regions of Spain (Ceuta and Melilla) and the Community (NB)** *(See point 8 of the 16 March 2005 SCFCAH)*

The Commission circulated a copy of the last letter dated 9 June 2005 of the Commission to the Spanish authorities on the illegal trade in veterinary products between Ceuta and Melilla and the EU, in which it renewed its serious concerns on the lack of actions by Spain to address the issue. In accordance with EU veterinary legislation and control of products of animal origin, the entities of Ceuta and Mellila are excluded from the EU territory, and are considered as third countries. Moreover, no establishments in Ceuta and Melilla are approved for exports of products of animal origin to the Community.

A mission carried out by OLAF in March 2004, the Commission’s anti-fraud services, reported a number of irregularities involving export trade in milk products and powder to third countries which received export refunds. These food materials were received in Ceuta and Melilla either directly or via other third countries, reprocessed and sent back into the EU via Spain. Spain is treating these imports as intra-Community trade thanks to a royal decree exempting them to undergo sanitary controls at any border inspection post. This is illegal contravention of EU veterinary legislation and moreover, DG SANCO is concerned about the unsanitary materials which can by this means circulate freely in the EU.

The Commission urged the Spanish authorities to give assurances that necessary actions would be taken to prevent such imports from taking place and asked for a formal reply to the Commission's last letter.
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 and 18 October 2005 SCFCAHs)**

The Russians have banned imports of beef, pork and poultry from Poland since 10 November 2005 because of fraud suspicion. Poland has been trying to have bilateral technical meetings with Russia. The Commission has to consider the issue to determine whether its intervention is needed. At the anti-fraud meeting in Vilnius on 18 October 2005, the Commission circulated a document on the transit of animal products. A meeting is planned on 15 December to discuss the document further. Russia asked access points to be limited to border inspection posts. Such a limitation does not comply with EU legislation. The Commission asked the Member States to collect information on Chinese pig and poultry meat and Indian buffalo meat still stored in customs warehouses and free warehouses. The Commission proposed to grant Russia access to the TRACES system as a means to notify transit. A document on regionalisation also circulated which will be discussed with the CVO’s on 30 November and at a technical meeting in Moscow. On the issue of certificates, Russia is ready to discuss the requirements at a technical meeting to be planned for early 2006.


This proposal provides for the deletion from the list of Czech establishments in transition of establishments in the meat and milk sectors which have completed their upgrading process and are in full compliance with Community legislation, as well as of establishments having ceased their activities. Supplementary time is given to 3 meat establishments for reclassification as low capacity establishments.


The Polish authorities have officially declared that certain establishments in the meat, milk and fish sectors have completed their upgrading process and are in full compliance with Community legislation, or have ceased their activities. These should be deleted from the list of establishments in transition.
5. **Information from the United Kingdom on the replacement of the Over Thirty Months (OTM) rule with the older cattle disposal scheme (See point 4 of 21-22 June 2005 SCFCAH) (KVD)**

The British delegation informed the Member States on the evolution of the situation in relation to the BSE epidemic. Thanks to the efficiency of BSE controls and to the huge reduction of the epidemic, the United Kingdom is confident that the Over Thirty Months (OTM) rule, which prohibits any cattle aged over 30 months from entering the food chain in the UK, can be replaced by the pre-1 August 1996 rule. The Food Standard Agency has carried out an independent review to assess the validity of the new testing regime, which started on 7 November 2005. To that date, 21 abattoirs were approved to slaughter OTM cattle allowed for human consumption. The Older Cattle Disposal scheme (cattle born before August 1996) will prevail as from 23 January 2006. More abattoirs will follow rapidly to absorb the new meat put on the market. Compensation payments granted to farmers for the cattle loss will decrease by 10%.

The Commission informed the Member States of a Working Group meeting on 29 November 2005, where discussions will take place on the lifting of the UK embargo.

6. **Presentation by Cyprus of a project for a study on "Polymorphisms of caprine PrP gene and their association with resistance or susceptibility to scrapie", requesting financial support by the Commission (KDS) (See point 1 of the SCFCAH of 18 October 2005)**

The Cypriot delegation made a presentation of a pilot project on “Polymorphisms of caprine PrP gene and their association with resistance or susceptibility to scrapie”. This 2-years project will investigate the PrP gene of the Cyprus goats in order to confirm the results of previous studies where PrP polymorphisms at codons 146 were found to have an association with resistance to natural scrapie. Evaluation of the data obtained will determine the susceptible and resistant to scrapie PrP genotypes of goats and offer a tool for controlling the disease by selecting the goats with resistant genotypes. The Commission will present for vote a draft Decision on financial assistance at the SCFCAH of 20-21 December 2005.


Member States (MS) have to draft a national residue monitoring plan as provided for by Council Directive 96/23/EC on measures to monitor certain substances and residues thereof in live animals and animal products. The results of the residue monitoring should be forwarded to the Commission by 31 March of each year. MS within the SCFCAH are informed on the outcome of the checks carried out, on the implementation of the national plans and on the developments in the various regions of the Community. They are then requested to provide information on actions taken at regional and national level in response to the report. This report summarises the results of 2004 and includes for the first time the data obtained in the 10 new Member States. It will be published on the SANCO website (Food Safety section) of
the European Commission after submission to the European Parliament and the Council.
The 2004 report shows that the problem with residues of antimicrobial agents throughout the commodities tested is continuing, which stresses the importance of MS multiplying their efforts to diminish the prevalence of such residues.


At the request of France and Germany the Commission has provided the Member States (MS) with a written advice from DG SANCO legal services explaining the choice of a decision for adoption of the audit guidelines which preserve their non-binding character. Regulation (EC) No 882/2004 provides for the obligation for the Commission to draw up audit guidelines, while MS are requested to carry out internal audits or have external audits carried out and take appropriate measures in the light of their results to ensure compliance with the objectives of the Regulation. Audit results should be used as a tool towards improvement, e.g. through dissemination of best practice.

The Austrian and German delegations expressed linguistic reservations on the German version of the document. They wished to have the opportunity examine the final version for linguistic check before the guidelines are published on the SANCO Food Safety website of the Commission. The Commission agreed to that and will proceed in the same way for all languages once all the translations are available. The French delegation expressed its remaining doubts as regards the form of the legal act and was not able to come round to the consensus.

9. **Exchange of views and possibly opinion of the committee on a draft Commission Decision amending Decision 98/536/EC establishing the list of national reference laboratories for the detection of residues (Document SANCO/2936/2005 Rev. 1) (AMBR)**

The list of National Reference Laboratories for the detection of residues should be adapted according to the reorganisation of laboratories carried out by the Member States in order to address in particular the requirement that one residue or residue group is to be assigned to one NRL only.

Unanimous vote in favour.

The list of border inspection posts (BIP) agreed for veterinary checks on animals and animal products from third countries should be updated to take account of developments in certain Member States. This list includes the Traces unit number for every BIP, for tracing movement of animals and certain products in intra-Community trade and imports. Traces is a computerised system replacing the Animo system, a computerised network linking veterinary authorities.

Unanimous vote in favour.

11. Exchange of views and possibly opinion of the committee on a draft Commission Decision amending Decision 1997/467/EC as regards the inclusion of one establishment in Uruguay in provisional lists of third country establishments from which Member States are authorised to import ratite meat (Document SANCO/10382/2005) (Legal basis: Commission Decision 95/408) (Right of scrutiny of the European Parliament) (RM)

The Uruguayan authorities have certified that one establishment producing ratite meat complies with Community rules. This proposal provides for its inclusion in the provisional list of third country establishments from which Member States are authorised to import ratite meat. However, it is not eligible for reduced physical checks.

Unanimous vote in favour.


The latest Food and Veterinary mission to Mexico on controls of residues and contaminants has revealed serious shortcomings as regards the capacity of the Mexican authorities to carry out reliable checks of horse meat and meat products as regards residues and veterinary medicines, enabling the presence of prohibited substances, such as hormones and beta-agonists, in meat and meat products of equidae intended for human consumption. Therefore, Member States should carry out the appropriate controls on all concerned consignments on arrival at the Community border and use the Rapid Alert System for Food and Feed to ensure mutual information. Moreover, they will submit to the Commission a report of all analytical results of official controls. These measures reinforcing import controls will apply from the date of notification of the decision, which will be reviewed in accordance with guarantees to be provided by the Mexican authorities.

The latest Community inspection visits to Indonesia have revealed serious shortcomings as regards hygiene in the handling of fishery products and the capacity of the Indonesian authorities to carry out reliable checks of fish, in particular to detect histamine and heavy metals. Member States should then carry out the appropriate checks on consignments of fishery products from Indonesia in order to prevent products unfit for human consumption from being placed on the market. The Rapid Alert System for Food and Feed should be used for the sake of mutual information and the Commission should receive quarterly reports of analytical results of official controls.

Vote: 318 votes in favour, Malta (3) absent and not represented (qualified majority)

14. **Exchange of views and possible opinion of the Committee on a draft Commission Decision approving on behalf of the European Community amendments to the annexes to the Agreement between the European Community and the United States of America on sanitary measures to protect public and animal health in trade in live animals and animal products (Document SANCO/10566/2005) (LT)**

The Annex V to the Agreement between the European Community and the United States of America on sanitary measures needs to be amended in order to officialize an existing situation in the trade of fishery products. In Annex V it is specified that brokers cannot be regarded as establishments. However, for the last 7 years since 1998, consignments have arrived from the US at the border inspection posts of the EU which originate from establishments, vessels and also brokers (40). According to Council Directive 91/493 such trade is allowed on the basis of solid guarantees provided by the third country. A list of US establishments, vessels and exporters other than processors is published on the Food and Drug Administration (FDA) website ([http://www.cfsan.fda.gov/~frf/sfeuexp.html](http://www.cfsan.fda.gov/~frf/sfeuexp.html)). At a bilateral meeting on 14-16 February 2005 the issue was discussed and at the EC/US Joint Management Committee on 27 October 2005, the recommendation was issued to amend Annex V to include brokers in the list of authorised establishments. The Commission proposed to approve the requested amendment on the grounds that there was no information from the Rapid Alert System for Food and Feed concerning brokers, that no Member State has indicated any problem encountered and that the US provide solid guarantees on the brokers and the products exported to the EC.

The Commission insisted that there must be a parallel and reciprocal approach for EC exports to the US. MS should be able to export fishery products to the US on the basis of EC legislation. The Italian and French delegations abstained from the consensus because they considered that the issue should be discussed at the Chief
Veterinary Officers level. Furthermore, they were concerned about the traceability of products exported by the brokers. The FDA has made a clear commitment to provide the Commission with information on sub-consignments to ensure traceability.

Vote: 260 votes in favour, 58 abstentions, Malta (3) absent and not represented (qualified majority)

15. **Exchange of views and possible opinion of the Committee on a draft Commission Decision laying down specific conditions for imports of fishery products from the United States (Document SANCO/10169/2005 Rev. 2) (LT)**

This proposal establishes the “Food and Drug Administration” and the “National Marine Fisheries Service-National Oceanic & Atmospheric Administration” as the competent authorities in the USA responsible for verifying and certifying compliance of fishery products with the relevant US public health requirements which have been recognised as equivalent to the EC standards. Each consignment should be accompanied with the appropriate health certificate and fishery products should come from approved establishments and vessels, including brokers.

Vote: 260 votes in favour, 58 abstentions, Malta (3) absent and not represented (qualified majority)

16. **Exchange of views and possible opinion of the Committee 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 the United States of America (Document SANCO/10292/2005) (LT)**

Commission Decision 97/296/EC lists the countries and territories from which imports of fishery products for human consumption is authorised. This proposal amends it in order to take account of the specific conditions governing imports of fishery products from the United States.

Vote: 318 votes in favour, Malta (3) absent and not represented (qualified majority)


The purpose of this proposal is to amend the list of rapid tests approved for Transmissible Spongiform Encephalopathies monitoring set out in Regulation (EC) No 999/2001 which lays down rules for the eradication of TSEs, further to the European Food Safety Authority’s approval of a new BSE rapid post-mortem test for bovine animals and of 3 more rapid tests for ovine and caprine animals. The validity
of transitional measures on the restocking of flocks culled in connection with TSE eradication should also be extended to 1 January 2007.

Unanimous vote in favour.


This proposal aims at reallocating the financial contribution from the Community for TSE eradication and monitoring programmes, basing itself on the most recent information on the expenditure actually incurred by the concerned Member States.

Unanimous vote in favour.

19. Exchange of views and possible opinion of the committee on a draft Commission Regulation implementing and amending Regulation (EC) No 1774/2002 as regards the organic fertilisers and soil improvers other than manure (Document SANCO/2380/2003, Rev. 6) (Legal basis: Articles 20(2), 22(2) and 32(2) of Regulation (EC) No 1774/2002) (Right of scrutiny of the European Parliament) (MM) (See point 15 of the 19-20 July 2005 SCFCAH)

This proposal lays down implementing measures and amends the provisions of Regulation (EC) No 1774/2002 which prohibits the application of organic fertilisers and soil improvers other than manure to land where animal may graze. Drawing on various scientific opinions, the latest being the opinion of the Biological hazards panel of the European Food Safety Authority of 3 March 2005 (http://www.efsa.eu.int/science/biohaz/biohaz_opinions/228_en.html), Member States should be allowed to control the application to land of organic fertilisers and soil improvers provided farmed animals do not have access to the land for at least 21 days following the date of last application. These materials shall also comply with the requirements of pathogen control, packaging and labelling, transport, records and marketing laid down in the annex to this proposal.

Unanimous vote in favour.

20. Exchange of views and possible opinion of the committee on a draft Commission Regulation on transitional measures under Regulation (EC) No 1774/2002 as regards the collection, transport, treatment, use and disposal of former foodstuffs (Document SANCO/2005/2126 Rev. 4) (Legal basis: Art. 32 (1) of Regulation (EC) No 1774/2002) (Right of scrutiny of the European Parliament) (MM) (See point 8 of the 18 October 2005 SCFCAH)

In order to avoid disruption of trade Member States have asked for an extension for one more year of the derogation granted in the transitional measures under Regulation
(EC) No 1774/2002, which enable s them to authorise operators to continue to apply national rules for the collection, transport, treatment, use and disposal of former foodstuffs. This proposal also provides for the use of some former foodstuffs (bread, pasta, pastry, etc) which do not pose a risk to public or animal health in feeding, and in biogas or composting treatment without pre-treatment. The Commission intends to turn this transitional measure into a permanent measure. It will therefore seek the scientific advice of the European Food Safety Authority in the possible risks involved in such a change.

Vote: 308 votes in favour, 13 abstentions (qualified majority)


This proposal takes into account the opinions of the European Food Safety Authority of 7 September 2005 (http://www.efsa.eu.int/science/biohaz/biohaz_opinions/1150_en.html and http://www.efsa.eu.int/science/biohaz/biohaz_opinions/1151_en.html) by allowing authorisation of other process parameters for biogas and composting treatment, as well as for manure processing, provided they are validated by means of a risk assessment to ensure biological risks are minimised.

Vote: 318 votes in favour, Malta (3) absent and not represented (qualified majority)


At the request of Member States and operators this proposal from the Commission extends the validity of the transitional measures on the heat treatment process for manure allowing national rules to be applied until 31 December 2006. This proposal is valid for France, the Netherlands, Finland and Sweden.

Vote: 318 votes in favour, Malta (3) absent and not represented (qualified majority)

Transitional measures under Regulation (EC) No 1774/2002 have been granted in order to give industry time to adjust and develop alternative processing standards for Category 3 material and manure used in biogas and composting plants until 31 December 2005. In its opinion of 7 September the EFSA has defined new parameters to be imposed differing from the processing standards currently used by the Member States under the transitional arrangements. It is therefore necessary to give time for the MS to implement the new validation procedure by extending the validity of the transitional measures to 31 December 2006.

Vote: 318 votes in favour, Malta (3) absent and not represented (qualified majority)


26. Discussion and possibly reaching of a consensus on the “Guidance document on the implementation of procedures based on the HACCP principles and on the facilitation of the implementation of the HACCP principles in certain food businesses” (Document SANCO/1955/2005 Rev. 3) (See point 10 of the 21-22 June 2005 SCFCAH and point 14 of the 18 October 2005 SCFCAH) (WD)

The legal service of the Commission has requested some amendments to be made, and also expressed the view that the HACCP guidance document could be presented in the form of an implementing decision.
The Commission insisted that these documents are meant to be reviewed taking into account experience and information from food business operators and competent authorities.
The Commission informed the committee on the development of a CD-Rom including general information to the new situation as from the implementation of the hygiene regulations, all linguistic versions of the 3 guidance documents and the new Regulations. It will be made available at the beginning of next year and will be distributed to business operators and sector-related organisations.
The French delegation made a presentation on “Scrap trimmings and scrap cuttings”, showing which types of scrap trimmings and cuttings are unfit or fit for human consumption. Meat with pathological lesions, hairs or faecal contaminations, or
consisting of fibrous tissues or floor sweepings is inedible for human consumption. The only meat category fit for the production of minced meat, meat preparation or meat products consists of trimmings and cuttings from whole muscles. All other parts cannot be used to produce minced meat.

A general consensus was eventually reached on all 3 guidance documents.

27. Discussion and possibly reaching of a consensus on the “Technical specifications in relation to the master list of lists and the lists of EU approved food establishments” (Document SANCO/2179/2005 Rev. 4) (WD) (See point 7 of 21-22 June 2005, point 13 of 19-20 July 2005, point 1 of 14 September 2005 and point 3 of the 23 September 2005 SCFCAH’s)

This document is associated to the Commission Regulation which provides for the implementing measures, a derogation on traditional products and the amendments to the basic hygiene Regulations (EC) Nos 852/2004, 853/2004, 854/2004 and 882/2004. After an e-mail consultation with the Member States leading to revision 3, the Commission received a last minute set of comments and distributed a further updated version to the committee. MS should reach an agreement with no further delay as the document should be published on the DG SANCO website before the application of the implementing measures on 1 January 2006. MS will be asked to gradually update their lists of establishments on the basis of the master list and provide links to have access to all these lists.

MS made some final comments. The French delegation wished a category to be added for the “cuisines centrales”. As such an establishment had never been subject to approval under the old system, the Commission suggested not to bring any change and to come back to the issue if needed at a later stage. France also reminded the Commission to ensure linguistic versions are sent to MS for linguistic verification.

28. Miscellaneous

- Certification for products transiting through the United Kingdom (TEG)
  
  The Irish delegation raised the issue of health certificates which have to accompany sealed containers of fresh meat arriving at the UK. Such a requirement is not provided for anymore in the new hygiene regulations as from 1 January 2006. The Commission will have to examine this in depth before it can give a clear answer as to what will happen. Furthermore traders and official veterinarians in some Member States request certificates from consignment companies in Ireland, which will no longer be a legal requirement as from next year. The Commission asked the committee to reflect on the following question: Is there a need for a Member States who wants to export to third countries to request the Member State where the products come from to issue an export certificate?

- Subcutaneous microchips

  Subcutaneous microchips are used to identify small animals and occasionally high value horses, not destined for human consumption. But
Luxemburg has been informed that this identification system will be applied to all horses. The Luxemburg delegation asked whether measures will be put in place by the concerned Member States to avoid that these microchips enter the food chain and what the position of the Commission is in respect of food safety.

**Illegal meat import for the United Kingdom**

The British authorities have informed the Commission of fraudulent exports of beef and poultry meat from a coldstore in Northern Ireland to the Republic of Ireland, the Netherlands and France, which involve falsified health marks imitating genuine Spanish, Dutch, German and Irish health marks. This information was transmitted to the Chief Veterinary Officers of the Member States through the Rapid Alert System for Food and Feed. Dr McCurdy and Dr Ross from the Food Standard Agency – Northern Ireland presented to the MS the background of the situation and the actions already taken. They stressed the difficulty in sorting out meaningful information and documentation to pass on to the Commission out of the substantial amount of data available.

On 12 September 2005 a consignment of poultry from China found suspect at Belfast Border Inspection Post was destroyed. Investigations by the Department of Agriculture led to operation at Euro Freeze, a coldstore licensed for packaged red meat & poultry meat. The premises were searched on 9 November 2005. On the basis of findings, the Dpt of Agriculture notified the FSA of a potential public health / hygiene issue. The FSA took over the investigations and sent out through Rapid Alert System for Food and Feed (RASFF) notifications on illegal beef export and illicit health marks. The premises licence has been suspended and thorough examination of products, documentation and computer records is ongoing. Examples of illicit health marks were shown to the MS, which are requested to give their best assistance.

The Commission raised the issue to know whether MS would have to stop every consignment from Euro Freeze because of the high suspicion or only the consignments notified by RASFF. The UK delegation will follow-up on this after consultation with its authorities.

The Commission asked the affected MS to provide a copy of false and genuine health marks to be put side by side in a comparative document. MS where illegal meat has been exported were requested to notify third countries of the fraud.