

DECISION No 1/2005 OF THE JOINT VETERINARY COMMITTEE SET UP UNDER THE AGREEMENT BETWEEN THE EUROPEAN COMMUNITY AND THE SWISS CONFEDERATION ON TRADE IN AGRICULTURAL PRODUCTS

of 21 December 2005

on the amendment to Appendix 6 to Annex 11 to the Agreement

(2005/962/EC)

THE COMMITTEE,

Having regard to the Agreement between the European Community and the Swiss Confederation on trade in agricultural products (hereinafter called the Agriculture Agreement), and in particular Article 19(3) of Annex 11 thereto,

No 854/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific rules for the organisation of official controls on products of animal origin intended for human consumption ⁽⁵⁾ and Regulation (EC) No 882/2004 of the European Parliament and of the Council of 29 April 2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules ⁽⁶⁾.

Whereas:

(1) The Agreement with Switzerland entered into force on 1 June 2002.

(5) The animal-health measures provided for under Swiss law are recognised as equivalent for trade purposes for milk and products of milk of the bovine species intended for human consumption.

(2) Appendices 1, 2, 3, 4, 5, 6 and 11 of Annex 11 to the Agriculture Agreement were amended for the first time by Decision No 2/2003 of the Joint Veterinary Committee set up by the Agreement between the European Community and the Swiss Confederation on trade in agricultural products of 25 November 2003 amending Appendices 1, 2, 3, 4, 5, 6 and 11 to Annex 11 to the Agreement ⁽¹⁾.

(6) Appendix 6 to Annex 11 to the Agriculture Agreement, together with its effects on the checks, will be reviewed by the Joint Veterinary Committee not later than one year following the entry into force of this Decision in order to examine equivalence for all livestock products intended for human consumption other than milk and products of milk of the bovine species, in accordance with the provisions of Chapter III of Appendix 6 to Annex 11.

(3) Appendices 1, 2, 3, 4, 5, 6 and 11 to Annex 11 to the Agriculture Agreement were last amended by Decision No 2/2004 of the Joint Veterinary Committee set up under the Agreement between the European Community and the Swiss Confederation on trade in agricultural products of 9 December 2004 amending Appendices 1, 2, 3, 4, 5, 6 and 11 to Annex 11 to the Agreement ⁽²⁾.

(7) Appendix 6 to Annex 11 to the Agricultural Agreement should be amended to take account of the changes in Community and Swiss legislation in force on 1 January 2006,

(4) The Swiss Confederation has given an undertaking to incorporate in its national legislation the provisions of Regulation (EC) No 852/2004 of the European Parliament and of the Council of 29 April 2004 on the hygiene of foodstuffs ⁽³⁾, Regulation (EC) No 853/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific hygiene rules for food of animal origin ⁽⁴⁾, Regulation (EC)

HAS DECIDED AS FOLLOWS:

Article 1

The first table (Products: Milk and products of milk of the bovine species intended for human consumption) in Chapter 1 of Appendix 6 to Annex 11 to the Agriculture Agreement is hereby replaced by the table shown in the Annex to this Decision.

⁽¹⁾ OJ L 23, 28.1.2004, p. 27.

⁽²⁾ OJ L 17, 20.1.2005, p. 1.

⁽³⁾ OJ L 139, 30.4.2004, p. 1, as corrected by OJ L 226, 25.6.2004, p. 3.

⁽⁴⁾ OJ L 139, 30.4.2004, p. 55, as corrected by OJ L 226, 25.6.2004, p. 22.

⁽⁵⁾ OJ L 139, 30.4.2004, p. 206, as corrected by OJ L 226, 25.6.2004, p. 83.

⁽⁶⁾ OJ L 165, 30.4.2004, p. 1, as corrected by OJ L 191, 28.5.2004, p. 1.

Article 2

The equivalence of animal-health measures provided for under Swiss law for all livestock products intended for human consumption other than milk and products of milk of the bovine species shall be examined in the Joint Veterinary Committee with a view to being recognised for trade purposes not later than one year following the entry into force of this Decision.

Article 3

This Decision, drawn up in duplicate, shall be signed by the joint chairmen or other persons empowered to act in the name of the Parties.

Article 4

This Decision shall be published in the *Official Journal of the European Union*.

It shall take effect on 1 January 2006.

Signed at Brussels, 21 December 2005.

For the Joint Veterinary Committee

*Head of delegation
of the Swiss Confederation*

Hans WYSS

*Head of delegation
of the European Community*

Jaana HUSU-KALLIO

ANNEX

'Animal products for human consumption

		Exports from the European Community to Switzerland and Exports from Switzerland to the European Community		Special requirements
		Trade conditions	Equivalence	
EC standards	Swiss standards			
	<p>Federal Law of 9 October 1992 on foodstuffs and consumer products (Law on foodstuffs), as last amended on 18 June 2004 (RS 817.0)</p> <p>Order of 27 May 1981 on the protection of animals, as last amended on 27 June 2001 (RS 455.1)</p> <p>Order of 1 March 1995 on the setting up of bodies responsible for checking meat hygiene (OFHV) (RS 817.191.54)</p> <p>Order of 27 June 1995 on epizootic diseases (OFE), as last amended on 18 August 2004 (RS 916.401)</p> <p>Order of 23 November 2005 on primary production (RS 916.020)</p> <p>Order of 23 November 2005 on the slaughter of livestock and the checking of meat (OAbCV) (RS 817.190)</p> <p>Order of 23 November 2005 on foodstuffs and consumer products (ODAI0Us) (RS 817.02)</p> <p>DFI Order of 23 November 2005 on the implementation of foodstuffs legislation (RS 817.025.21)</p> <p>DPE Order of 23 November 2005 on hygiene in primary production (RS 916.020.1)</p> <p>DFI Order of 23 November 2005 on hygiene (RS 817.024.1)</p> <p>DPE Order of 23 November 2005 on hygiene on the slaughter of livestock (OHvAb) (RS 817.190.1)</p> <p>DFI Order of 23 November 2005 on foodstuffs of animal origin (RS 817.022.108)</p>	<p>Under this Appendix, in the light of the development of Community legislation in this field (implementing instruments) and of Community legislation on the control of imports from third countries, the Swiss authorities undertake to amend their legislation in order to adopt equivalent trade legislation. The Swiss authorities have drawn up and submitted draft ordinances for consultation.</p> <p>The provisions of this Appendix will be reviewed by the Joint Veterinary Committee not later than one year following the entry into force of this amendment in order to examine the equivalence of all animal products intended for human consumption other than milk and products of milk of the bovine species, in accordance with Chapter III of this Appendix.</p> <p>Until the corresponding amendment of this Appendix has been made, all animal products other than milk products and products of milk of the bovine species and animal by-products not intended for human consumption, including milk and products of milk of the bovine species not intended for human consumption will continue to come within Chapter II of this Appendix.</p>		
<p>Regulations (EC)</p> <p>No 852/2004</p> <p>No 853/2004</p> <p>No 854/2004</p> <p>No 882/2004</p>		<p>yes</p> <p>with special conditions</p>		

