



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 29.11.2007
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Proposal for a

COUNCIL DECISION

on a Community position within the EC-Faroe Islands Joint Committee on the amendments to Decision No 1/2001 as regards the import of registered equidae directly from Iceland and the movements of registered equidae between the Faroe Islands and the European Community

(presented by the Commission)

EXPLANATORY MEMORANDUM

1. The Agreement between the European Community, of the one part, and the Government of Denmark and the Home Government of the Faroe Islands, of the other part¹ entered into force on 1 January 1997.
2. At its meeting in Brussels on 26 September 2005 the veterinary subgroup discussed a request by the Faroe Islands' authorities to extend the EC-Faroe Islands agreement in order to permit the import of registered equidae directly from Iceland into the Faroe Islands and to permit the movement of registered equidae between the Faroe Islands and the Member States in accordance with the animal health conditions laid down for intra-Community trade in Chapter II of Council Directive 90/426/EEC, as well as to update the information system that shall be used by the Faroe Islands. The Commission experts and a Potsdam group of Member States agreed that this request was acceptable.
3. The meeting agreed on a recommendation to further amend Decision No 1/2001 of the EC-Faroe Islands Joint Committee to permit this change.
4. The attached draft decision of the EC–Faroe Islands Joint Committee lays down provisions to amend Decision No 1/2001 of the EC-Faroe Islands Joint Committee which implements the Protocol on veterinary matters supplementary to the Agreement between the European Community, of the one part, and the Government of Denmark and the Home Government of the Faroe Islands, of the other part, signed in Brussels on the 6 December 1996.
5. The Council is therefore asked to adopt the annexed proposal for a decision concerning the Community position within the EC/Denmark-Faroe Islands Joint Committee on the approval of the extension of the agreement to permit the import of registered equidae directly from Iceland into the Faroe Islands and to permit the movement of registered equidae between the Faroe Islands and the Member States in accordance with the animal health conditions laid down for intra-Community trade in Chapter II of Council Directive 90/426/EEC, as well as to update the information system that shall be used by the Faroe Islands.

¹ OJ L 53, 22.2.1997, p. 2, Agreement as amended by Decision No 1/2006 (2006/561/EC) (OJ L 221, 12.8.2006, p. 15).

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on a Community position within the EC-Faroe Islands Joint Committee on the amendments to Decision No 1/2001 as regards the import of registered equidae directly from Iceland and the movements of registered equidae between the Faroe Islands and the European Community

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 133 in conjunction with Article 300(2), second subparagraph, thereof,

Having regard to the proposal from the Commission,

Whereas

- (1) Article 2 of the Protocol on veterinary matters supplementing the Agreement between the European Community, of the one part, and the Government of Denmark and the Home Government of the Faroe Islands, of the other part², provides that the Joint Committee set up by Article 31 of the Agreement draws up the conditions for the application by the Faroe Islands of Community veterinary provisions.
- (2) The Joint Committee has adopted Decision No 1/2001 of 31 January 2001 laying down the provisions to implement the Protocol on veterinary matters supplementing the Agreement between the European Community, of the one part, and the Government of Denmark and the Home Government of the Faroe Islands, of the other part³.
- (3) The veterinary sub-group of the Joint Committee recommends that Decision No 1/2001 of the EC-Faroe Islands Joint Committee be amended in order to permit the import of registered equidae directly from Iceland into the Faroe Islands and to permit the movement of registered equidae between the Faroe Islands and the Member States on the basis of intra Community movement rules.

² OJ L 53, 22.2.1997, p. 2, Agreement as amended by Decision No 1/2006 (2006/561/EC) (OJ L 221, 12.8.2006, p. 15).

³ OJ L 46, 16.2.2001, p. 24, Decision as amended by Decision No 2/2005 (2006/13/EC) (OJ L 8, 13.1.2006, p. 46).

HAS DECIDED AS FOLLOWS:

Sole Article

The position to be adopted by the Community within the Joint Committee established by virtue of the Agreement signed on 6 December 1996⁴, to permit the import of registered equidae directly from Iceland into the Faroe Islands, and to permit the movement of registered equidae between the Faroe Islands and the Member States in accordance with intra-Community movement rules, is that defined in the attached draft Decision of the Joint Committee.

Done at Brussels,

For the Council
The President

⁴ OJ L 53, 22.2.1997, p. 2, Agreement as amended by Decision No 1/2006 (2006/561/EC) (OJ L 221, 12.8.2006, p. 15).

ANNEXE

Proposal for a

DECISION OF THE EC-FAROE ISLANDS JOINT COMMITTEE

amending Decision No 1/2001 laying down provisions to implement the Protocol on veterinary matters supplementing the Agreement between the European Community, of the one part, and the Government of Denmark and the Home Government of the Faroe Islands, of the other part

THE EC-FAROE ISLANDS JOINT COMMITTEE,

Having regard to the Agreement in the form of an exchange of letters, between the European Community, of the one part, and the Government of Denmark and the Home Government of the Faroe Islands, of the other part⁵,

Having regard to the Protocol on veterinary matters supplementing the Agreement⁶, and in particular its Article 2, first sentence thereof,

Whereas:

- (1) At the meeting of the veterinary subgroup of the EC-Faroe Islands Joint Committee on 26 September 2005 in Brussels two requests from the Faroe Islands were discussed. The first was to allow the import of registered equidae directly from Iceland, rather than via a border inspection post approved for that purpose in a Member State in accordance with Article 6 of Council Directive 91/496/EEC of 15 July 1991 laying down the principles governing the organization of veterinary checks on animals entering the Community from third countries and amending Directives 89/662/EEC, 90/425/EEC and 90/675/EEC⁷. The second was to allow the movement of registered equidae between the Faroe Islands and the Member States in accordance with intra-Community movement rules.

⁵ OJ L 305, 30.11.1999, p. 25.

⁶ OJ L 305, 30.11.1999, p. 26.

⁷ OJ L 268, 24.9.1991, p. 56, Directive as last amended by Directive 2006/104/EC (OJ L 363, 20.12.2006, p. 352).

- (2) In accordance with Article 9 of Council Directive 90/426/EEC of 26 June 1990 on animal health conditions governing the movement and import from third countries of equidae⁸, the rules laid down in Council Directive 90/425/EEC of 26 June 1990 concerning veterinary and zootechnical checks in intra-Community trade in certain live animals and products with a view to the completion of the internal market⁹ shall apply.
- (3) The Faroe Islands committed themselves to transpose and apply the Community provisions set out in the Annex to this Decision and to establish at the approved border inspection post located at Tórshavn an inspection centre suitable for handling registered equidae, imported directly from Iceland in accordance with the construction and animal welfare requirements laid down in the Annex A to Directive 91/496/EEC before the date of adoption of this Decision.
- (4) The Commission representatives and Member States experts agreed that the animal health situation in Faroe Islands permitted the proposed amendment of Decision No 1/2001 of the EC-Faroe Islands Joint Committee.
- (5) Article 27 of 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 rules¹⁰, sets down new principles for the collection of fees or charges to cover the costs occasioned by official controls.

Consequently, it appears appropriate to update references to the fees concerned within the Community in Decision No 1/2001 of the EC-Faroe Islands Joint Committee.

- (6) A new system of notification concerning imports of live animals and products of animal origin into the European Union and intra-Community movements of live animals named TRACES has been introduced replacing ANIMO. TRACES allows the electronic exchanges of data concerning import and intra-Community trade of live animals and products of animal origin between the competent authorities in charge of animal and public health control.

Consequently, it appears appropriate to update references to the information systems in Decision No 1/2001 of the EC-Faroe Islands Joint Committee.

- (7) The veterinary subgroup therefore recommended that Decision No 1/2001 of the EC-Faroe Islands Joint Committee¹¹ be amended accordingly.

⁸ OJ L 224, 18.8.1990, p. 42, Directive as last amended by Directive 2006/104/EC (OJ L 363, 20.12.2006, p. 352).

⁹ OJ L 224, 18.8.90, p. 29, Directive as last amended by Directive 2002/33/EC (OJ L 315, 19.11.2002, p. 14).

¹⁰ OJ L 191, 28.5.2004, p. 1, Regulation as last amended by Regulation (EC) No 1791/2006 (OJ L 363, 20.12.2006, p. 1).

¹¹ OJ L 46, 16.2.2001, p. 24, Decision as amended by Decision No 2/2005 (2006/13/EC) of the EC-Faroe Islands Joint Committee (OJ L 8, 13.1.2006, p. 45).

HAS DECIDED AS FOLLOWS:

Article 1

Decision No 1/2001 of the EC-Faroe Islands Joint Committee is amended as follows:

(1) Article 3 is replaced by the following:

“Article 3

Checks on live animals coming from third countries

1. Checks on live animals coming from third countries and destined for the Faroe Islands shall be carried out at border inspection posts in Member States by their veterinary services in the name and on behalf of the Faroe Islands authorities.
2. In the cases provided for, the integrated computerized veterinary system (TRACES) shall be used for all relevant notifications.
3. All imports of live animals into the Faroe Islands shall be subject to veterinary checks as laid down in Council Directive 91/496/EEC, and its rules of application fixed in the relevant Commission Decisions.

If the results of the checks referred to in the first paragraph are satisfactory, the veterinary services shall issue a Common Veterinary Entry Document (CVED) for each consignment.

The Customs services shall ensure that the necessary sanitary fees as set down in Regulation (EC) No 882/2004 of the European Parliament and of the Council are paid before the customs transit operations start.”

(2) Article 5 is replaced by the following:

“Article 5

Financing of checks

The Faroe Islands undertake to apply the provisions of Article 27 of Regulation (EC) No 882/2004 as regards fees for the following areas:

- In Annex IV, Chapter V for fishery products covered by Regulation (EC) No 853/2004¹²;
- In Annex IV, Chapter V to ensure that the controls provided for in Council Directive 96/23/EC¹³ on aquaculture animals are carried out;

¹² OJ L 139, 30.4.2004, p. 55.

¹³ OJ L 125, 23.5.1996, p. 10.

- In Annex V Chapters I (meat) and III (other animal products) for animal products imported from third countries;
- In Annex V Chapter V for live animals imported from third countries;
- In Annex VI to cover the checks for the aquaculture animals, products of animal origin and live registered equidae covered by Directive 90/425/EEC¹⁴."

(3) Article 7 is replaced by the following:

*“Article 7
Information systems*

1. The Faroe Islands shall use the integrated computerized veterinary system (TRACES) to notify Member States of movements and trade of live animals or products of animal origin, where required under the Community provisions.

The practical arrangements for the Faroe Islands participation in this system shall be settled between Commission and Faroese officials.

2. The Faroe Islands shall implement Council Directive 82/894/EEC¹⁵ and they shall take part in the Animal Disease Notification System (ADNS).

The practical arrangements for the participation of the Faroe Islands shall be settled between Commission and Faroe Islands officials.”

(4) The following Article 12a is inserted:

*“Article 12a
Imports and movements of registered equidae*

1. The Faroe Islands undertake to establish at the approved border inspection post located at Tórshavn an inspection centre suitable for handling registered equidae, imported directly from Iceland. The facilities at the inspection centre shall meet the construction and animal welfare requirements for approval laid down in Annex A to Council Directive 91/496/EEC.

Prior to constructing the premises, the competent authorities of the Faroe Islands shall submit to the European Commission the draft plan of this centre for consideration and comment.

Once the agreed facility is constructed, the Faroe Islands shall inform the Commission.

¹⁴ OJ L 224, 18.8.1990, p. 29.

¹⁵ OJ L 378, 31.12.1982, p. 58.

2. By way of derogation from Article 3(1), the checks of registered equidae imported directly from Iceland shall be carried out in accordance with Council Directive 91/496/EEC and its rules of application laid down in Commission Decision 97/794/EC¹⁶ by the veterinary services of the Faroe Islands at the inspection centre referred to in the first paragraph.
3. The movements of registered equidae between the Faroe Islands and the Member States shall be carried out on the basis of the rules laid down in Chapter II of Council Directive 90/426/EEC and following the checks carried out in accordance with Council Directive 90/425/EEC.”

(5) In Article 15, the following paragraph 4 is added:

- "4. The Faroe Islands shall apply the Community provisions set out in the Annex to this Decision before the date of its adoption.

The Faroe Islands shall inform the Commission no later than 2 weeks after the publication of this Decision that they have taken the necessary steps to implement those provisions."

(6) The text in the Annex to this Decision is added.

Article 2
Entry into force

This Decision shall enter into force on the date of its adoption.

Done at Brussels,

For the Joint Committee
The President

¹⁶ OJ L 323, 26.11.1997, p. 31.

ANNEX

The following Annex is added to Decision No 1/2001:

"ANNEX

Legislation as referred to in Article 15:

- (1) Council Directive 90/425/EEC of 26 June 1990 concerning veterinary and zootechnical checks applicable in intra-Community trade in certain live animals and products with a view to the completion of the internal market (OJ L 224, 18.8.1990, p. 29)
- (2) Council Directive 90/426/EEC of 26 June 1990 on animal health conditions governing the movement and import from third countries of equidae (OJ L 224, 18.8.1990, p. 42)
- (3) Council Directive 90/427/EEC of 26 June 1990 on the zootechnical and genealogical conditions governing intra-Community trade in equidae (OJ L 224, 18.8.1990, p. 55)
- (4) Commission Decision 92/260/EEC of 10 April 1992 on animal health conditions and veterinary certification for temporary admission of registered horses (OJ L 130, 15.5.1992, p. 67)
- (5) Commission Decision 93/195/EEC of 2 February 1993 on animal health conditions and veterinary certification for the re-entry of registered horses for racing, competition and cultural events after temporary export (OJ L 86, 6.4.1993, p. 1)
- (6) Commission Decision 93/196/EEC of 5 February 1993 on animal health conditions and veterinary certification for imports of equidae for slaughter (OJ L 86, 6.4.1993, p. 7)
- (7) Commission Decision 93/197/EEC of 5 February 1993 on animal health conditions and veterinary certification for imports of registered equidae and equidae for breeding and production (OJ L 72, 21.3.1996, p. 40)
- (8) Commission Decision 93/623/EEC of 20 October 1993 establishing the identification document (passport) accompanying registered equidae. OJ L 298, 3.12.1993, p. 45)
- (9) Commission Decision 2000/68/EC of 22 December 1999 amending Commission Decision 93/623/EEC and establishing the identification of equidae for breeding and production (OJ L 23, 28.1.2000, p. 72)
- (10) Commission Decision 2004/211/EC of 6 January 2004 establishing the list of third countries and parts of territory thereof from which Member States authorise imports of live equidae and semen, ova and embryos of the equine species, and amending Decisions 93/195/EEC and 94/63/EC (OJ L 73, 11.3.2004, p. 1)
- (11) Council Regulation (EC) No 1/2005 of 22 December 2004 on the protection of animals during transport and related operations and amending Directives 64/432/EEC and 93/119/EC and Regulation (EC) No 1255/97 (OJ L 3, 5.1.2005, p. 1)"