

ACTS ADOPTED BY BODIES CREATED BY INTERNATIONAL AGREEMENTS

DECISION No 1/2018 OF THE JOINT VETERINARY COMMITTEE SET UP BY THE AGREEMENT BETWEEN THE EUROPEAN COMMUNITY AND THE SWISS CONFEDERATION ON TRADE IN AGRICULTURAL PRODUCTS

of 12 June 2018

on amending Appendix 6 of Annex 11 to the Agreement [2020/554]

THE JOINT VETERINARY COMMITTEE,

Having regard to the Agreement between the European Community and the Swiss Confederation on trade in agricultural products ⁽¹⁾ and in particular Article 19(3) of Annex 11 thereto,

Whereas:

- (1) The Agreement between the European Community and the Swiss Confederation on trade in agricultural products ('the Agriculture Agreement') entered into force on 1 June 2002.
- (2) Under Article 19(1) of Annex 11 to the Agriculture Agreement, the Joint Veterinary Committee set up by the Agriculture Agreement ('the Joint Veterinary Committee') is responsible for considering any matter arising in connection with that Annex and its implementation, and for carrying out the tasks provided for therein. Article 19(3) of Annex 11 authorises the Joint Veterinary Committee to amend the Appendices to that Annex, in particular with a view to their adaptation and updating.
- (3) Decision No 2/2003 of the Joint Veterinary Committee ⁽²⁾ amended Appendices 1, 2, 3, 4, 5, 6 and 11 of Annex 11 to the Agriculture Agreement for the first time.
- (4) Decision No 1/2015 of the Joint Veterinary Committee ⁽³⁾ last amended Appendices 1, 2, 3, 4, 5, 6, 7, 10 and 11 of Annex 11 to the Agriculture Agreement.
- (5) Switzerland has benefited for several successive periods from a derogation with regard to the *Trichinella* examination of the carcasses and meat of domestic swine kept for fattening and slaughter in low-capacity slaughter establishments. No case of *Trichinella* has been found in Switzerland for more than 50 years. Switzerland also has a functioning detection system and has undertaken that all domestic pork meat placed on the market in the European Union will always have been subject to examination for *Trichinella* in the carcasses and meat. It is therefore possible to make the derogation permanent.
- (6) In order to avoid a discontinuation of existing and well-functioning practices and to ensure legal continuity which would not cause any foreseeable negative consequences, it is appropriate to apply this Decision retroactively with effect from 1 January 2017.
- (7) This Decision should enter into force on the day of its adoption.
- (8) Appendix 6 of Annex 11 to the Agriculture Agreement should therefore be amended,

⁽¹⁾ OJ L 114, 30.4.2002, p. 132.

⁽²⁾ 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 regarding the amendment of Appendices 1, 2, 3, 4, 5, 6 and 11 of Annex 11 to the Agreement (OJ L 23, 28.1.2004, p. 27).

⁽³⁾ Decision No 1/2015 of the Joint Veterinary Committee set up by the Agreement between the European Community and the Swiss Confederation on trade in agricultural products of 17 December 2015 regarding the amendment of Appendices 1, 2, 3, 4, 5, 6, 7, 10 and 11 of Annex 11 to the Agreement (OJ L 337, 23.12.2015, p. 128).

HAS ADOPTED THIS DECISION:

Article 1

Appendix 6 of Annex 11 to the Agriculture Agreement is hereby amended as follows:

1. points (4) to (6) of the chapter 'Special Conditions' are replaced by the following:

- '4. The Swiss authorities undertake that carcasses and the meat of domestic swine placed on the market in the European Union will always have been subject to examination for Trichinella.
5. The detection methods described in Chapters I and II of Annex I to Commission Implementing Regulation (EU) 2015/1375 (*) are used in Switzerland for the Trichinella examinations.
6. Pursuant to the provisions of Article 8 (paragraphs 1, letter a, and 3) of the DFI Ordinance of 23 November 2005 on hygiene during the slaughter of livestock (OHyAb; RS 817.190.1) and Article 10 (paragraph 8) of the DFI Ordinance of 16 December 2016 on foodstuffs of animal origin (RS 817.022.108), carcasses and meat of domestic swine kept for fattening and slaughter as well as meat preparations, meat products and derived processed products thereof which are not intended for the market in the European Union shall be marked with a special health stamp in accordance with the model specified in the last subparagraph of Annex 9 to the DFI Ordinance of 23 November 2005 on hygiene during the slaughter of livestock.

These products may not be traded with the Member States of the European Union, in accordance with the provisions of Article 10 of the DFI Ordinance of 16 December 2016.

(*) Commission Implementing Regulation (EU) 2015/1375 of 10 August 2015 laying down specific rules on official controls for Trichinella in meat (OJ L 212, 11.8.2015, p. 7).;

2. point 7 is deleted.

Article 2

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

Article 3

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

It shall apply retroactively with effect from 1 January 2017.

Done at Bern, 12 June 2018.

For the European Union
The Head of Delegation
Koen VAN DYCK

For the Swiss Confederation
The Head of Delegation
Hans WYSS