## **AGREEMENT**

between the European Community and the Swiss Confederation amending Annex 11 to the Agreement between the European Community and the Swiss Confederation on trade in agricultural products

THE EUROPEAN COMMUNITY,	
hereinafter referred to as 'the Community',	
and	
THE SWISS CONFEDERATION,	
hereinafter referred to as 'Switzerland',	
together referred to hereinafter as 'the Parties',	
Whereas:	
(1)	The Agreement between the European Community and the Swiss Confederation of 21 June 1999 on trade in agricultural products, hereinafter referred to as 'the Agreement', entered into force on 1 June 2002.
(2)	Annex 11 to the Agreement, hereinafter referred to as 'Annex 11', concerns animal health and zootechnical measures applicable to trade in live animals and animal products.
(3)	Switzerland has undertaken to include in its national legislation the provisions of Regulation (EC) No 998/2003 of the European Parliament and of the Council of 26 May 2003 on the animal health requirements applicable to the non-commercial movement of pet animals and amending Council Directive 92/65/EEC (¹). Consequently, the Parties have to amend the Agreement to take account of the fact that its scope has been extended to include the non-commercial movement of pet animals.
(4)	Switzerland has undertaken to include in its national legislation the provisions of Council Directive 91/496/EEC of 15 July 1991 laying down the principles governing the organisation of veterinary checks on animals entering the Community from third countries and amending Directives 89/662/EEC, 90/425/EEC and 90/675/EEC (²), of Directive 97/78/EC of 18 December 1997 laying down the principles governing the organisation of veterinary checks on products entering the Community from third countries (³), of Directive 2002/99/EC of 16 December 2002 laying down the animal health rules governing the production, processing, distribution and introduction of products of animal origin for human consumption (⁴), 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 rules (⁵), and all the provisions adopted for their implementation in the control of imports from third countries into the European Union and, as a result, the Parties have to adapt the provisions of the Agreement.
(5)	The Joint Veterinary Committee does not have the powers to make the amendments and adjustments required as a result of changes to the respective legislation. Annex 11 to the Agreement therefore needs to be updated and

amended,

<sup>(1)</sup> OJ L 146, 13.6.2003, p. 1. (2) OJ L 268, 24.9.1991, p. 56. (3) OJ L 24, 30.1.1998, p. 9. (4) OJ L 18, 23.1.2003, p. 11. (5) OJ L 165, 30.4.2004, p. 1.

### HAVE AGREED ON THE FOLLOWING PROVISIONS:

#### Article 1

- 1. A third indent shall be added to the end of Article 1(1) of Annex 11:
  - '- non-commercial movements of pet animals.'.
- 2. The title of Title I of Annex 11 shall be replaced by the following:

'Trade in live animals, their semen, ova and embryos and the non-commercial movement of pet animals'.

3. The following shall be substituted for Article 3 of Title I of Annex 11:

#### 'Article 3

The Parties hereby agree that trade in live animals, their semen, ova and embryos and the non-commercial movement of pet animals shall be carried out in accordance with the legislation specified in Appendix 2. That legislation shall apply subject to the special rules and procedures laid down in that Appendix.'.

4. The following shall be substituted for Article 15 of Annex 11:

## 'Article 15

## Animal products: border checks and payment of fees

Checks on trade in animal products between the Community and Switzerland shall be carried out in accordance with Appendix 10.'.

#### Article 2

This Agreement shall be ratified or approved by the Parties in accordance with their internal procedures.

The Parties shall notify each other of the completion of these procedures.

This Agreement shall apply provisionally from 1 January 2009 pending the completion of those procedures.

This Agreement shall enter into force on the day following the last notification.

## Article 3

This Agreement shall be drawn up in duplicate in the Bulgarian, Czech, Danish, Dutch, English, Estonian, Finnish, French, German, Greek, Hungarian, Irish, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Romanian, Slovak, Slovenian, Spanish and Swedish languages, each text being equally authentic.

In witness whereof, the undersigned Plenipotentiaries have hereunto set their hands.

Съставен в Париж на двадесет и трети декември две хиляди и осма година.

Hecho en París, el veintitrés de diciembre de dos mil ocho.

V Paříži dne dvacátého třetího prosince dva tisíce osm.

Udfærdiget i Paris, den treogtyvende december to tusind og otte

Geschehen zu Paris am dreiundzwanzigsten Dezember zweitausendacht.

Sõlmitud kahekümne kolmandal detsembril kahe tuhande kaheksandal aastal Pariisis.

Έγινε στο Παρίσι, στις είκοσι τρεις Δεκεμβρίου δύο χιλιάδες οκτώ.

Done at Paris, on the twenty-third day of December in the year two thousand and eight.

Fait à Paris, le vingt-trois décembre deux mil huit.

Fatto a Parigi, addì ventitré di dicembre duemilaotto

Parīzē, divtūkstoš astotā gada divdesmit trešajā decembrī.

Priimta Paryžiuje du tūkstančiai aštuntųjų metų gruodžio dvidešimt trečią dieną.

Kelt Párizsban, a kétezer-nyolcadik év december havának huszonharmadik napján.

Maghmul l'Parigi, fit-tlieta u ghoxrin jum ta' Dicembru elfejn u tmienja.

Gedaan te Parijs op drieëntwintig december tweeduizendacht.

Sporządzono w Paryżu dnia dwudziestego trzeciego grudnia dwa tysiące ósmego roku.

Feito em Paris, aos vinte e três de Dezembro de dois mil e oito.

Încheiat la Paris, la douăzeci și trei decembrie două mii opt.

V Paríži dvadsiateho tretieho decembra dvetisícosem

Sestavljeno v Parizu, triindvajsetega decembra leta dva tisoč osem.

Tehty Pariisissa kahdentenakymmenentenäkolmantena päivänä joulukuuta vuonna kaksituhattakahdeksan.

Undertecknat i Paris den tjugotredje december tjugohundraåtta.

За Европейската общност Por la Comunidad Europea Za Evropské společenství For Det Europæiske Fællesskab Für die Europäische Gemeinschaft Euroopa Ühenduse nimel Για την Ευρωπαϊκή Κοινότητα For the European Community Pour la Communauté européenne Per la Comunità europea Eiropas Kopienas vārdā Europos bendrijos vārdā az Európai Közösség részéről Ghall-Komunità Ewropea Voor de Europese Gemeenschap W imieniu Wspólnoty Europejskiej Pela Comunidade Europeia Pentru Comunitatea Europeană Za Európske spoločenstvo Za Evropsko skupnost Euroopan yhteisön puolesta På Europeiska gemenskapens vägnar

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За Конфедерация Швейцария Por la Confederación Suiza Za Švýcarskou konfederaci For Det Schweiziske Forbund Für die Schweizerische Eidgenossenschaft Šveitsi Konföderatsiooni nimel Για την Ελβετική Συνομοσπονδία For the Swiss Confederation Pour la Confédération suisse Per la Confederazione svizzera Šveices Konfederācijas vārdā Šveicarijos Konfederacijos vardu a Svájci Államszövetség részéről Ghall-Konfederazzjoni Żvizzera Voor de Zwitserse Bondsstaat W imieniu Konfederacji Szwajcarskiej Pela Confederação Suíça Pentru Confederația Elvețiană Za Švajčiarsku konfederáciu Za Švicarsko konfederacijo Sveitsin valaliiton puolesta På Schweiziska edsförbundets vägnar

#### FINAL ACT

The representatives of

THE EUROPEAN COMMUNITY,

of the one part, and of

THE SWISS CONFEDERATION,

of the other part,

meeting on the twenty-third day of December in the year two thousand and eight in Paris for the signature of the Agreement between the European Community and the Swiss Confederation amending Annex 11 to the Agreement between the European Community and the Swiss Confederation on trade in agricultural products, have adopted the Declaration by Switzerland set out below and attached to this Final Act:

- Declaration by Switzerland on the importation of meat produced using hormones to boost animal performance.

Съставен в Париж на двадесет и трети декември две хиляди и осма година.

Hecho en París, el veintitrés de diciembre de dos mil ocho.

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Geschehen zu Paris am dreiundzwanzigsten Dezember zweitausendacht.

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### **DECLARATION BY SWITZERLAND**

# on the importation of meat produced using hormones to boost animal performance

Switzerland declares that it will take due account of the final decision of the World Trade Organisation (WTO) as regards the possibility of prohibiting the importation of meat produced using hormones to boost animal performance, and that it will accordingly review its rules governing the importation of meat from countries which do not prohibit the use of hormones to boost animal performance, and if necessary align them on the relevant Community rules.