

Council Directive of 14 June 1988 laying down the animal health requirements applicable to intra-Community trade in and imports of deep-frozen semen of domestic animals of the bovine species (88/407/EEC)

CHAPTER II

Intra-Community trade

Article 3

Each Member State shall ensure that only semen meeting the following general conditions is sent from its territory to the territory of another Member State;

- (a) [^{F1}it must have been collected and processed and/or stored if need be in a collection or storage centre or centres approved for the purpose in accordance with Article 5(1), with a view to artificial insemination and for the purposes of intra-Community trade;]
- (b) it must have been collected from domestic animals of the bovine species whose health status complies with Annex B;
- (c) it must have been collected, processed, stored and transported in accordance with Annexes A and C;
- (d) it must be accompanied, during transport to the country of destination, by an animal health certificate complying with Article 6 (1).

Textual Amendments

- F1** Substituted by [Council Directive 2003/43/EC of 26 May 2003 amending Directive 88/407/EEC laying down the animal health requirements applicable to intra-Community trade in and imports of semen of domestic animals of the bovine species.](#)

Article 4

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[^{F3} Member States may not oppose the admission of semen from bulls vaccinated against foot-and-mouth disease. However, where the semen was obtained from a bull which had been vaccinated against foot-and-mouth disease during the 12 month period prior to collection, 5 % of the semen from each collection (with a minimum of five straws) intended for sending to another Member States shall be subjected, in a laboratory in the Member State of destination or in a laboratory designated by it, to a virus isolation test for foot-and-mouth disease, with negative results.]

Textual Amendments

- F2** Deleted by [Council Directive 2003/43/EC of 26 May 2003 amending Directive 88/407/EEC laying down the animal health requirements applicable to intra-Community trade in and imports of semen of domestic animals of the bovine species.](#)

Status: EU Directives are being published on this site to aid cross referencing from UK legislation. After IP completion day (31 December 2020 11pm) no further amendments will be applied to this version.

- F3** Substituted by Council Directive 93/60/EEC of 30 June 1993 amending Directive 88/407/EEC laying down the animal health requirements applicable to intra-Community trade in and imports of deep-frozen semen of domestic animals of the bovine species and extending it to cover fresh bovine semen.

Article 5

1 The Member State on whose territory the [^{F1}semen collection or storage centre is situated shall ensure that the approval provided for in Article 3 (a) is granted only where the provisions of Annex A are observed and where the semen collection or storage centre] is able to satisfy the other provisions of this Directive.

The Member State shall also ensure that the official veterinarian supervises the observance of those provisions and shall withdraw approval when one or more of the provisions is no longer observed.

[^{F42} All semen collection or storage centres shall be registered, each centre being given a veterinary registration number. Each Member State shall draw up and keep up to date a list of semen collection or storage centres and their veterinary registration numbers and make it available to the other Member States and to the public.

3 Detailed rules for the uniform application of this Article may be adopted in accordance with the procedure referred to in Article 18(2).]

Textual Amendments

- F1** Substituted by Council Directive 2003/43/EC of 26 May 2003 amending Directive 88/407/EEC laying down the animal health requirements applicable to intra-Community trade in and imports of semen of domestic animals of the bovine species.
- F4** Substituted by Council Directive 2008/73/EC of 15 July 2008 simplifying procedures of listing and publishing information in the veterinary and zootechnical fields and amending Directives 64/432/EEC, 77/504/EEC, 88/407/EEC, 88/661/EEC, 89/361/EEC, 89/556/EEC, 90/426/EEC, 90/427/EEC, 90/428/EEC, 90/429/EEC, 90/539/EEC, 91/68/EEC, 91/496/EEC, 92/35/EEC, 92/65/EEC, 92/66/EEC, 92/119/EEC, 94/28/EC, 2000/75/EC, Decision 2000/258/EC and Directives 2001/89/EC, 2002/60/EC and 2005/94/EC (Text with EEA relevance).

Article 6

1 Member States shall make the admission of semen conditional upon submission of an animal health certificate drawn up by an official veterinarian of the Member State of collection in accordance with Annex D.

This certificate must:

- a be drawn up in at least one of the official languages of the Member State of collection and one of those of the Member State of destination;
- b accompany the consignment to its destination in its original form;
- c be drawn up on a single sheet of paper;
- d be made out to a single consignee.

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- a The Member State of destination may prohibit the admission of consignments if a documentary check reveals that Article 3 has not been observed.

- b The Member State of destination may take the necessary measures, including storage in quarantine, in order to obtain definite proof in cases where semen is suspected of being infected or contaminated by pathogenic organisms.
- c Decisions taken under (a) or (b) must, at the request of the consignor or his representative, authorize the return of the semen, provided this is not contrary to considerations of animal health.

3 If the admission of semen has been prohibited on any of the grounds set out in paragraph 2 (a) and (b) and the Member State of collection does not within 30 days authorize the return of the semen, the competent veterinary authority of the Member State of destination may order it to be destroyed.

4 The decisions taken by the competent veterinary authority under paragraphs 2 and 3 must be communicated to the consignor or his representative, together with the reasons therefor.

F⁵ Article 7

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Textual Amendments

- F5** Deleted by [Council Directive 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 \(90/425/EEC\)](#).