

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 III

Imports from third countries

Article 8

1 A Member State may authorize importation of semen only from those third countries which appear on a list drawn up in accordance with [^{F1}the procedure referred to in Article 18(2)]. That list may be supplemented or amended in accordance with [^{F1}the procedure referred to in Article 18(2)].

2 In deciding whether a third country may appear on the list referred to in paragraph 1, particular account shall be taken of:

- a the state of health of the livestock, other domestic animals and wildlife in the third country, with particular reference to exotic animal diseases, and of the environmental health situation in that country, which might endanger animal health in the Member States;
- b the regularity and rapidity of the information supplied by the third country concerning the existence of contagious animal diseases in its territory, in particular those diseases mentioned in lists A and B of the International Office of Epizootic Diseases;
- c that country's rules on animal disease prevention and control;
- d the structure of the veterinary services in the country and their powers;
- e the organization and implementation of measures to prevent and control contagious animal diseases; and
- f the guarantees which the third country can give with regard to compliance with this Directive.

3 The list referred to in paragraph 1 and all amendments thereto shall be published in the *Official Journal of the European Communities*.

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](#).

[^{F2}Article 9

1 Member States shall only authorise imports of semen dispatched from a semen collection or storage centre situated in one of the third countries appearing on the list referred to in Article 8 and for which the competent authority of the third country concerned is able to give the guarantees that the following conditions are met:

- a it meets the conditions:
 - (i) for approval of semen collection centres or storage centres set out in Chapter I of Annex A;

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- (ii) relating to the supervision of such centres set out in Chapter II thereof;
- b it has been officially approved by the competent authority of the third country for exports to the Community;
- c it is placed under the supervision of a centre veterinarian;
- d it is subject to inspections by an official veterinarian of the third country at least twice a year.

2 The list of semen collection or storages centres that the competent authority of the third country appearing on the list referred to in Article 8 has approved in accordance with the conditions set out in paragraph 1 of this Article and from which semen may be dispatched to the Community shall be communicated to the Commission.

The approval of a semen collection or storage centre must be immediately suspended or withdrawn by the competent authority of the third country where it no longer complies with the conditions set out in paragraph 1 and the Commission must be immediately informed thereof.

The Commission shall provide the Member States with any new and updated lists that it receives from the competent authority of the third country in accordance with this paragraph and shall make them available to the public for information purposes.

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

- F2** 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 10

1 Semen must come from animals which, immediately prior to collection of their semen, have remained for at least six months in the territory of a third country on the list drawn up in accordance with Article 8 (1).

2 Without prejudice to Article 8 (1) and paragraph 1 of this Article, the Member States shall not authorize the importation of semen from a third country on the list unless the semen complies with the animal health requirements adopted, in accordance with [^{F1}the procedure referred to in Article 18(2)], for imports of semen from that country.

In adopting the requirements referred to in the preceding subparagraph, consideration shall be given to:

- a the health situation in the area surrounding the semen collection centre, with particular reference to the diseases appearing on list A of the International Office of Epizootic Diseases;
- b the state of health of the herd in the semen collection centre, including testing requirements;
- c the state of health of the donor animal and testing requirements;
- d testing requirements in relation to semen.

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3 The reference basis for fixing animal health conditions in accordance with paragraph 2 for bovine tuberculosis and brucellosis shall be the standards laid down in Annex A to Directive 64/432/EEC. It may be decided, in accordance with [^{F1}the procedure referred to in Article 18(2)], on a case-by-case basis, to waive these conditions where the third country concerned provides similar animal health guarantees; in that case, animal health conditions at least equivalent to those in Annex A to that Directive shall be laid down in accordance with the same procedure in order to permit the entry of such animals into semen collection centres.

4 Article 4 shall apply *mutatis mutandis*.

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 11

1 Member States shall authorize the importation of semen only on submission of an animal health certificate drawn up and signed by an official veterinarian of the third country of collection.

This certificate must:

- a be drawn up in at least one of the official languages of the Member State of destination and one of those of the Member State where the import control provided for in Article 12 is carried out;
- b accompany the semen in the original;
- c be drawn up on a single sheet of paper;
- d be made out to a single consignee.

2 The certificate must correspond to a specimen drawn up in accordance with [^{F1}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.](#)

[^{F2}Article 12

The rules laid down in Directive 97/78/EC shall apply, in particular to the organisation of, and follow-up to the checks to be carried out by the Member States and the safeguard measures to be applied in accordance with the procedure referred to in Article 22 of that Directive.]

Textual Amendments

- F2** 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,](#)

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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).

^{F3}Article 13

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Textual Amendments

- F3** Deleted 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.

^{F3}Article 14

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Textual Amendments

- F3** Deleted 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.