

Commission Decision of 12 November 1997 laying down certain detailed rules for the application of Council Directive 91/496/EEC as regards veterinary checks on live animals to be imported from third countries (Text with EEA relevance) (97/794/EC) (repealed)

*Article 4*

1 The official veterinarian shall carry out the physical check provided for in Article 4 (2) of Directive 91/496/EEC on live biungulate animals and equidae, by ensuring in particular that all such animals are unloaded at the border inspection post in his presence.

2 The animals shall be subject to an inspection regarding their fitness to travel and to a clinical examination, which may include the collection of samples. Those examinations and the collection of samples shall be carried out in accordance with the provisions of Annex II.

3 The samples shall be sent to a laboratory approved by the competent authority to check on compliance with the requirements of the veterinary certificate.

4 For each animal sampled, the following information shall be recorded:

- reference number of the veterinary certificate and serial number given by the border inspection post to the consignment,
- identification number of the animal,
- laboratory test requested,
- result of the test and any follow-up action taken,
- complete address of the final destination of the consignment.

5 The clinical examination referred to in paragraph 2 shall consist of a visual examination of all of the animals.

Animals intended for breeding or production shall also be subjected to a clinical examination, as laid down in Annex II to this Decision, of at least 10 % of the animals with a minimum of 10 animals, which must be selected so as to be representative of the whole consignment. Where the consignment contains fewer than 10 animals, the checks must be carried out on each animal in the consignment.

Animals intended for slaughter shall also be subjected to a clinical examination, as laid down in Annex II to this Decision, of at least 5 % of the animals with a minimum of five animals, which must be selected so as to be representative of the whole consignment. Where the consignment contains fewer than five animals, the checks must be carried out on each animal in the consignment.

The number of animals checked must be increased and may reach the totality of the animals concerned, if the initial checks carried out have not been satisfactory.

6 Member States shall only detain the consignment of animals in the border inspection post while awaiting the results of the laboratory checks in cases of suspicion.

7 The results of the checks, together with the information referred to in paragraph 4, shall be communicated to the Commission every six months on a routine basis or immediately by fax both to the Member State of destination and the Commission in the case of positive sampling results or where otherwise justified. In the case of positive sampling results, copies of the veterinary certificate(s) must be sent as soon as possible to the Member State of destination and the Commission.