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▶ **B****COMMISSION DECISION**

of 24 April 2001

concerning restrictions to the movement of animals of susceptible species with regard to foot-and-mouth disease and repealing Decision 2001/263/EC

(notified under document number C(2001) 1149)

(Text with EEA relevance)

(2001/327/EC)

(OJ L 115, 25.4.2001, p. 12)

Amended by:

| | Official Journal | | |
|---|------------------|------|------------|
| | No | page | date |
| ▶ <u>M1</u> Commission Decision 2001/349/EC of 3 May 2001 | L 123 | 26 | 4.5.2001 |
| ▶ <u>M2</u> Commission Decision 2001/378/EC of 14 May 2001 | L 132 | 31 | 15.5.2001 |
| ▶ <u>M3</u> Commission Decision 2001/394/EC of 21 May 2001 | L 138 | 36 | 22.5.2001 |
| ▶ <u>M4</u> Commission Decision 2001/416/EC of 1 June 2001 | L 149 | 40 | 2.6.2001 |
| ▶ <u>M5</u> Commission Decision 2001/488/EC of 28 June 2001 | L 176 | 75 | 29.6.2001 |
| ▶ <u>M6</u> Commission Decision 2001/709/EC of 28 September 2001 | L 261 | 69 | 29.9.2001 |
| ▶ <u>M7</u> Commission Decision 2001/904/EC of 18 December 2001 | L 335 | 21 | 19.12.2001 |

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- ▶ **C1** Corrigendum, OJ L 23, 25.1.2002, p. 48 (2001/488/EC)



COMMISSION DECISION

of 24 April 2001

concerning restrictions to the movement of animals of susceptible species with regard to foot-and-mouth disease and repealing Decision 2001/263/EC

(notified under document number C(2001) 1149)

(Text with EEA relevance)

(2001/327/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 90/425/EEC 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⁽¹⁾, as last amended by Directive 92/118/EEC⁽²⁾, and in particular Article 10 thereof,

Whereas:

- (1) The animal health conditions for trade in bovine animals and swine are laid down in Council Directive 64/432/EEC on animal health problems affecting intra-Community trade in bovine animals and swine⁽³⁾, as last amended by Directive 2000/20/EC⁽⁴⁾.
- (2) The animal health conditions for trade in ovine and caprine animals are laid down in Council Directive 91/68/EEC of 28 January 1991 on animal health conditions governing intra-Community trade in ovine and caprine animals⁽⁵⁾, as last amended by Commission Decision 94/953/EC⁽⁶⁾.
- (3) The animal health conditions for trade in biungulates other than those referred to in Directive 64/432/EEC and 91/68/EEC are laid down in Council Directive 92/65/EEC of 13 July 1992 laying down animal health requirements governing trade in and imports into the Community of animals, semen, ova and embryos not subject to animal health requirements laid down in specific Community rules referred to in Annex A(I) to Directive 90/425/EEC⁽⁷⁾, as last amended by Commission Decision 95/176/EC⁽⁸⁾.
- (4) The welfare conditions for transport of animals within the Community are laid down in Council Directive 91/628/EEC of 19 November 1991 on the protection of animals during transport and amending Directives 90/425/EEC and 91/496/EEC⁽⁹⁾, as last amended by Directive 95/29/EC⁽¹⁰⁾.
- (5) Council Regulation (EC) No 1255/97 of 25 June 1997 concerns Community criteria for staging points and amends the route plan referred to in the Annex to Directive 91/628/EEC⁽¹¹⁾.
- (6) Following the reports of outbreaks of foot-and-mouth disease in the United Kingdom, France, the Netherlands and Ireland, the Commission adopted Decisions 2001/172/EC⁽¹²⁾, 2001/208/

⁽¹⁾ OJ L 224, 18.8.1990, p. 29.

⁽²⁾ OJ L 62, 15.3.1993, p. 49.

⁽³⁾ OJ L 121, 29.7.1964, p. 1977/64.

⁽⁴⁾ OJ L 163, 4.7.2000, p. 35.

⁽⁵⁾ OJ L 46, 19.2.1991, p. 19.

⁽⁶⁾ OJ L 371, 31.12.1994, p. 14.

⁽⁷⁾ OJ L 268, 14.9.1992, p. 54.

⁽⁸⁾ OJ L 117, 24.5.1995, p. 23.

⁽⁹⁾ OJ L 340, 11.12.1991, p. 17.

⁽¹⁰⁾ OJ L 148, 30.6.1995, p. 52.

⁽¹¹⁾ OJ L 174, 2.7.1997, p. 1.

⁽¹²⁾ OJ L 62, 2.3.2001, p. 22.

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EC ⁽¹⁾, 2001/223/EC ⁽²⁾ and 2001/234/EC ⁽³⁾ concerning certain protection measures with regard to foot-and-mouth disease in the respective Member State.

- (7) The foot-and-mouth disease situation in certain parts of the Community is liable to endanger the herds in other parts of the Community in view of the placing on the market and trade in live biungulate animals.
- (8) All Member States have implemented the restrictions to the movement of animals of susceptible species laid down in Decision 2001/263/EC ⁽⁴⁾, as last amended by Decision 2001/317/EC ⁽⁵⁾.
- (9) In the light of the disease evolution and the findings of the epidemiological investigations carried out in the affected Member States in close cooperation with the other Member States, it appears appropriate to further prohibit the movement of animals through staging points and to maintain for an additional period of time the restrictions to the movement of susceptible animals within the Community.
- (10) At the same time the provisions on movement of animals of susceptible species included in Decision 2001/263/EC should be repealed.
- (11) The situation shall be reviewed at the meeting of the Standing Veterinary Committee scheduled for 25 April 2001 and the measures adapted where necessary.
- (12) The measures provided for in this Decision are in accordance with the opinion of the Standing Veterinary Committee,

HAS ADOPTED THIS DECISION:

▼M1*Article 1*

For the purpose of this Decision:

▼M7

1. 'approved assembly centres' shall be those defined in Article 2(2)(o) of Council Directive 64/432/EEC.

▼M1

2. 'region of a Member State' shall mean part of the territory of the Community as defined in Article 2(2)(p) of Directive 64/432/EEC.

▼M3*Article 2***▼M7**

1. Without prejudice to Directive 91/68/EEC and Commission Decision 2001/740/EC, Member States shall ensure that intra-Community trade in sheep and goats for breeding, fattening and slaughter is subject to the following conditions:

▼M5

- (a) in the case of animals for breeding and fattening, the animals have remained on a single holding of origin for a period of at least 30 days prior to loading, or since birth in the holding of origin where the animals are less than 30 days old;
- (b) in the case of animals for breeding and fattening, no sheep and goats have been introduced into that holding during the last 21 days of the residence period referred to in subparagraph (a), and no animal of species susceptible to foot-and-mouth disease

⁽¹⁾ OJ L 73, 15.3.2001, p. 38.

⁽²⁾ OJ L 82, 22.3.2001, p. 29.

⁽³⁾ OJ L 84, 23.3.2001, p. 62.

⁽⁴⁾ OJ L 93, 3.4.2001, p. 59.

⁽⁵⁾ OJ L 109, 19.4.2001, p. 74.

▼ **M5**

imported from a third country has been introduced into the holding during the 30 days prior to dispatch from the holding of origin, unless the imported animal has been completely isolated from all other animals on the holding;

- (c) in no case sheep and goats must be outside their holding of origin for more than six days before arriving in the certified holding of destination in another Member State.

In the case of transport by ship, the time referred to in the first subparagraph is prolonged by the time of the sea voyage.

Where animals for breeding transit a staging point in accordance with the provisions in Article 2a, the time referred to in the first subparagraph is prolonged by the resting time spent in the staging point;

- (d) in the case of sheep and goats transiting through an approved assembly centre in the Member State of origin, the period during which the assembly of these animals takes place outside the holding of origin must ensure that the condition in subparagraph (c) can be met. The animals shall only transit one single approved assembly centre in the Member State of origin;
- (e) sheep and goats for slaughter may in addition to the provisions in subparagraph (d) transit through one single approved assembly centre in one other Member State of transit before being consigned to the Member State of destination, subject to the conditions in subparagraph (c);
- (f) notwithstanding the provisions in Article 12 of ► **C1** Directive 91/68/EEC ◀, the animals must be accompanied by an animal health certificate in accordance with the models provided for in the respective Annexes of that Directive which must in addition bear the following words:

‘Animals in accordance with Commission Decision 2001/327/EC’;

- (g) intra-Community trade in sheep and goats requires advance notification of the transport by the competent veterinary authorities of the place of departure to the central competent veterinary authorities in the Member State of destination and any Member State of transit. This notification shall be dispatched not later than 24 hours prior to departure of the transport.

2. In the case of intra-Community trade in animals of species susceptible to foot and mouth disease dispatched from a region in a Member State in which restrictions in accordance with Article 9 of Directive 85/511/EEC have been applied during the three months prior to certification, the transport is subject to authorisation by the competent authorities of the place of departure and notification to the central veterinary authorities of the Member State of destination. This notification shall be dispatched not later than 24 hours prior to departure of the transport.

▼ **M4**▼ **M5***Article 2a*

1. Without prejudice to Article 3(1)(aa), second indent of Council Directive 91/628/EEC, Member States shall ensure that animals of species susceptible to foot-and-mouth disease certified for intra-Community trade are not moved through staging points established and approved in accordance with Regulation (EC) No 1255/97.

2. Derogating from the provisions in paragraph 1, the movement through staging points may be authorised for intra-Community trade in animals of the bovine and porcine species for breeding and production and in animals of the ovine and caprine species for breeding under the conditions detailed in paragraphs 4 and 5.

▼ M5

3. Derogating from the provisions in paragraph 2, the transport of bovine and porcine animals accompanied in application of Commission Decision 93/444/EEC, and in particular Article 2(1) thereof, by an animal health certificate for animals for slaughter in accordance with Directive 64/432/EEC, may on their way to a third country transit a staging point referred to in paragraph 1, subject to the conditions in paragraph 5.

4. The consignor must provide evidence and declare in writing to the certifying veterinary authorities that suitable arrangements have been made to ensure that the staging point situated within the Community receives at the same time only animals of the same species and of the same certified health status. The route plan is supplemented by the declaration of the consignor.

5. The staging point indicated in the route plan accompanying the consignment is notified by the certifying veterinary authorities to the central veterinary authorities in the Member State of destination and any Member State of transit. This notification shall be dispatched not later than 24 hours prior to departure of the transport.

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Article ► M1 3 ◀

Commission Decision 2001/263/EC is repealed.

Article ► M1 4 ◀

This Decision shall apply until midnight on ► M7 31 March 2002 ◀.

Article ► M1 5 ◀

This Decision is addressed to the Member States.