

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 20 January 2005

amending Commission Decision 2003/881/EC concerning the animal health and certification conditions for importation of bees (*Apis mellifera* & *Bombus* spp.) from certain third countries as regards the United States of America

(notified under document number C(2004) 5567)

(Text with EEA relevance)

(2005/60/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

protection measures on importation of live bees have been laid down by Decision 2003/881/EC.

Having regard to the Treaty establishing the European Community,

(3) Given the characteristics of these diseases and the absence of an OIE. compulsory notification standard for them, the importation requirements of live queen bees into the EU provide for a declaration of notifiability of the small hive beetle and *Tropilaelaps* mite throughout the territory of the exporting third country. The USA competent authority (APHIS-Animal and Plant Health Inspection Service) has informed the Commission services that this is not the case in all the USA States. For this reason, they asked the Commission to provide a derogation authorising the exportation of live queen bees from Hawaii, that is geographically separated from all the other States of the Union, and where the diseases are notifiable.

Having regard to Council Directive 92/65/EEC⁽¹⁾ 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, and in particular Article 17(2) (b) and (3) (a), and Article 19(b) thereof,

Whereas:

(4) The USA competent authority has transmitted all the necessary information as regards the animal health situation of bees in Hawaii, highlighting that no bees have been imported into their territory since 1985 and survey programs for detection of bee diseases including the small hive beetle (*Aethina tumida*) and *Tropilaelaps* mite (*Tropilaelaps* spp.) are carried out routinely.

(1) Commission Decision 2003/881/EC⁽²⁾ lays down the animal health and certification conditions for imports of bees (*Apis mellifera* & *Bombus* spp.) from certain third countries.

(2) The small hive beetle (*Aethina tumida*) and *Tropilaelaps* mite (*Tropilaelaps* spp.) are exotic pests affecting honey bees that have spread to a number of third countries, creating serious problems to the apiculture industry. To prevent the introduction of these pests into the EU,

(5) Taking account of the particular geographical situation of Hawaii and its health status as regards bee diseases, a regionalisation mechanism for isolated territories should be established allowing for appropriate derogations, and such a derogation should be granted to Hawaii in order to allow the importation of live queen bees and live queen bumble bees exclusively from that part of the USA.

⁽¹⁾ OJ L 268, 14.9.1992, p. 54. Directive as last amended by Directive 2004/68/EC (OJ L 139, 30.4.2004, p. 320; corrected in OJ L 226, 25.6.2004, p. 128).

⁽²⁾ OJ L 328, 17.12.2003, p. 26.

(6) Article 1 and the Annexes to Commission Decision 2003/881/EC should be amended accordingly.

- (7) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS DECISION:

Article 1

Commission Decision 2003/881/EC is amended as follows:

1. Article 1 is replaced by the following:

'Article 1

1. Member States shall *authorise the importation* of bees (*Apis mellifera* & *Bombus* spp.) as foreseen by Directive 92/65/EEC provided the following requirements are complied with:

- they come from third countries or parts thereof listed in part 1 of Annex III,
- they are accompanied by a health certificate in accordance with the specimen set out in Annex I and comply with the guarantees laid down in this specimen, and
- the consignments are limited to a maximum of 20 accompanying attendants to one queen bee in one single queen bee cage.

2. Member States shall only authorise the importation of bees (*Apis mellifera* & *Bombus* spp.) referred to in paragraph 1 from a third country if the presence of American foulbrood, the small hive beetle (*Aethina tumida*) and the Tropilaelaps mite (*Tropilaelaps* spp.) are notifiable diseases/pests throughout the whole territory of that third country.

By way of derogation, imports of bees shall be authorised from a geographically and epidemiologically isolated part of a third country listed in part 2 of Annex III. When such a derogation is applied, imports of bees from all other parts of the territory of that third country not listed in part 2 of Annex III shall be automatically excluded.

3. At the designated destination, where the hives shall be put under official control, the queens shall be transferred to new cages before being introduced to local colonies.

4. The cages, attendants, and other material that accompanied the queens from the third country of origin shall be sent to a laboratory for examination for the presence of the small hive beetle, their eggs or larvae and signs of the Tropilaelaps mite. After laboratory examination, all material shall be destroyed.'

2. Annex I is replaced by Annex I to this Decision.

3. Annex II to this Decision is inserted as a new Annex III.

Article 2

This Decision shall apply from 7 February 2005.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 20 January 2005.

For the Commission
Markos KYPRIANOU
Member of the Commission

ANNEX I

'ANNEX I

Specimen Health Certificate for queen bees and queen bumble bees (*Apis mellifera* & *Bombus* spp.), and their attendants, intended for consignment to the European Community

Note for the importer: This certificate is for veterinary purposes only and must accompany the consignment until it reaches the border inspection post.

SPECIMEN HEALTH CERTIFICATE FOR QUEEN BEES AND QUEEN BUMBLE BEES (<i>Apis mellifera</i> & <i>Bombus</i> spp.), AND THEIR ATTENDANTS INTENDED FOR CONSIGNMENT TO THE EUROPEAN COMMUNITY			
1. Third country of origin and competent authority.	2.1. Health certificate No	<input type="checkbox"/> ORIGINAL ⁽¹⁾	
	2.2. CITES certificate No (where applicable)		
A. ORIGIN OF QUEEN BEES/QUEEN BUMBLE BEES (WITH ATTENDANTS) (<i>Apis mellifera</i> & <i>Bombus</i> spp.)			
3. Name and address of the apiary of origin	4. Name and address of the consignor		
5. Place of loading	6. Means of transport ⁽²⁾		
B. DESTINATION OF QUEEN BEES/QUEEN BUMBLE BEES (WITH ATTENDANTS) (<i>Apis mellifera</i> & <i>Bombus</i> spp.)			
7. Member State of destination	8. Name and address of the apiary of destination		
9. Name and address of the consignee			
C. IDENTITY OF QUEEN BEES/QUEEN BUMBLE BEES (WITH ATTENDANTS) (<i>Apis mellifera</i> & <i>Bombus</i> spp.)			
	10. Number of bees (one queen per cage with a maximum of 20 attendants per queen)	11. Species	12. Batch identification ⁽³⁾
10.1.			
10.2.			
10.3.			
10.4.			
10.5. ⁽⁴⁾			

D. HEALTH INFORMATION

13. I, the undersigned certify that:

13.1. American foulbrood, the small hive beetle (*Aethina tumida*) and the Tropilaelaps mite (*Tropilaelaps* spp.) are notifiable diseases/pests in (name the whole territory of an exporting country listed in part 1 of Annex III, or the exporting region listed in part 2 of Annex III to Decision 2003/881/EC of a third country).

13.2. the queen bees/queen bumble bees, with attendants, referred to above:

- (a) come from a breeding apiary, which is supervised and controlled by the competent authority;
- (b) come from an area which is not the subject of any restrictions associated with an occurrence of American foul brood, and where no such occurrence has taken place within at least 30 days prior to the issuance of the present certificate. Where an outbreak of foulbrood has occurred previously, all hives within a radius of three kilometres have been checked by the competent authority and all infected hives burned or treated and inspected to the satisfaction of the said competent authority within 30 days following the last recorded case;
- (c) are from hives or come from hives or colonies (in the case of bumble bees) from which samples of the comb have been tested in the last 30 days for American foulbrood as laid down in the OIE manual of diagnostic standards with negative results;
- (d) come from an area of at least 100 km radius which is not the subject of any restrictions associated with the occurrence of the small hive beetle (*Aethina tumida*) or *Tropilaelaps* spp. and where these infestations are absent;
- (e) are from hives or come from hives or colonies (in the case of bumble bees), which were inspected immediately prior to dispatch and show no clinical signs or suspicion of disease including infestations affecting bees;
- (f) have undergone detailed examination to ensure that all bees and packaging do not contain the small hive beetle (*Aethina tumida*) or their eggs and larvae, or other infestations, in particular *Tropilaelaps* spp., affecting bees.

13.3. the packing material, queen cages, accompanying products and food are new and have not been in contact with diseased bees or brood-combs, and all precautions have been taken to prevent contamination with agents causing diseases or infestations of bees.

E. VALIDITY

14. The period of validity of this certificate is 10 days.

15. Date and place

16. Name and qualification of the undersigned (approved veterinarian/approved official)

17. Signature of the approved veterinarian/approved official and stamp ⁽⁵⁾

⁽¹⁾ The original must be kept for at least three years.

⁽²⁾ Give registration number of the vehicle or container and seal number where applicable.

⁽³⁾ Seal number of cage.

⁽⁴⁾ Continue as necessary.

⁽⁵⁾ The signature and stamp must be in a colour different to that of the printing.

*ANNEX II**«ANNEX III*

- Part 1: List of third countries authorised in principle as fulfilling basic animal health conditions for the export of queen bees to the EC:
- countries listed in Part 1 of Annex II to Council Decision 79/542/EEC (as last amended).
- Part 2: Regions of a third country geographically and epidemiologically isolated for American foulbrood, small hive beetle and *Tropilaelaps* mite, and fulfilling these diseases/pests notification requirements, allowed for exports of queen bees to the EC.
- the State of Hawaii (USA.)»
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