

Commission Decision of 18 September 2009 implementing Council Directive 2008/73/EC as regards Internet-based information pages containing lists of establishments and laboratories approved by Member States in accordance with Community veterinary and zootechnical legislation (notified under document C(2009) 6950) (Text with EEA relevance) (2009/712/EC)

COMMISSION DECISION

of 18 September 2009

implementing Council Directive 2008/73/EC as regards Internet-based information pages containing lists of establishments and laboratories approved by Member States in accordance with Community veterinary [F<sup>1</sup>and zootechnical] legislation

(notified under document C(2009) 6950)

(Text with EEA relevance)

(2009/712/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 64/432/EEC of 26 June 1964 on animal health problems affecting intra-Community trade in bovine animals and swine<sup>(1)</sup>, and in particular the third paragraph of Article 6a, Articles 11(6) and 13(6) thereof,

Having regard to Council Directive 77/504/EEC of 25 July 1977 on pure-bred breeding animals of the bovine species<sup>(2)</sup>, and in particular Article 4a(2) thereof,

Having regard to Council Directive 88/407/EEC of 14 June 1988 laying down the animal health requirements applicable to intra-Community trade in and imports of semen of domestic animals of the bovine species<sup>(3)</sup>, and in particular Articles 5(3) and 9(3) thereof,

Having regard to Council Directive 88/661/EEC of 19 December 1988 on the zootechnical standards applicable to breeding animals of the porcine species<sup>(4)</sup>, and in particular the second paragraph of Article 4a thereof,

Having regard to Council Directive 89/361/EEC of 30 May 1989 concerning pure-bred breeding sheep and goats<sup>(5)</sup>, and in particular the second paragraph of Article 5 thereof,

Having regard to Council Directive 89/556/EEC of 25 September 1989 on animal health conditions governing intra-Community trade in and importation from third countries of embryos of domestic animals of the bovine species<sup>(6)</sup>, and in particular Articles 5(3) and 8(3) thereof,

Having regard to Council Directive 90/427/EEC of 26 June 1990 on the zootechnical and genealogical conditions governing intra-Community trade in equidae<sup>(7)</sup>, and in particular the second paragraph of Article 5 thereof,

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**Changes to legislation:** There are currently no known outstanding effects for the Commission Decision of 18 September 2009 implementing Council Directive 2008/73/EC as regards Internet-based information pages containing lists of establishments and laboratories approved by Member States in accordance with Community veterinary and zootechnical legislation (notified under document C(2009) 6950) (Text with EEA relevance) (2009/712/EC). (See end of Document for details)

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Having regard to Council Directive 90/428/EEC of 26 June 1990 on trade in equidae intended for competitions and laying down the conditions for participation therein<sup>(8)</sup>, and in particular Article 4(3) thereof,

Having regard to Council Directive 90/429/EEC of 26 June 1990 laying down the animal health requirements applicable to intra-Community trade in and imports of semen of domestic animals of the porcine species<sup>(9)</sup>, and in particular Articles 5(3) and 8(3) thereof,

Having regard to Council Directive 90/539/EEC of 15 October 1990 on animal health conditions governing intra-Community trade in, and imports from third countries of, poultry and hatching eggs<sup>(10)</sup>, and in particular the third paragraph of Article 4 and the second paragraph of Article 6a,

Having regard to Council Directive 91/68/EEC of 28 January 1991 on animal health conditions governing intra-Community trade in ovine and caprine animals<sup>(11)</sup>, and in particular Article 8a (6) and the second subparagraph of Article 8b(5) thereof,

Having regard to Council Directive 91/496/EEC of 15 July 1991 laying down the principles governing the organisation of veterinary checks on animals entering the Community from third countries and amending Directives 89/662/EEC, 90/425/EEC and 90/675/EEC<sup>(12)</sup>, and in particular Article 10(4)(b) thereof,

Having regard to Council Directive 92/35/EEC of 29 April 1992 laying down control rules and measures to combat African horse sickness<sup>(13)</sup>, and in particular the second subparagraph of Article 14(1) thereof,

Having regard to 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<sup>(14)</sup>, and in particular the third subparagraph of Article 11(4), the third subparagraph of Article 13(2)(d) and the fifth subparagraph of Article 17(3)(b) thereof,

Having regard to Council Directive 92/66/EEC of 14 July 1992 introducing Community measures for the control of Newcastle disease<sup>(15)</sup>, and in particular the second subparagraph of Article 14(5) thereof,

Having regard to Council Directive 92/119/EEC of 17 December 1992 introducing general Community measures for the control of certain animal diseases and specific measures relating to swine vesicular disease<sup>(16)</sup>, and in particular Article 17(7),

Having regard to Council Directive 2000/75/EC of 20 November 2000 laying down specific provisions for the control and eradication of bluetongue<sup>(17)</sup>, and in particular the second subparagraph of Article 15(1) thereof,

Having regard to Council Decision 2000/258/EC of 20 March 2000 designating a specific institute responsible for establishing the criteria necessary for standardising the serological tests to monitor the effectiveness of rabies vaccines<sup>(18)</sup>, and in particular Article 3(3) thereof,

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Having regard to Council Directive 2001/89/EC of 23 October 2001 on Community measures for the control of classical swine fever<sup>(19)</sup>, and in particular the second subparagraph of Article 17(1)(b) thereof,

Having regard to Council Directive 2002/60/EC of 27 June 2002 laying down specific provisions for the control of African swine fever and amending Directive 92/119/EEC as regards Teschen disease and African swine fever<sup>(20)</sup>, and in particular the second subparagraph of Article 18(1)(b) thereof,

Having regard to Council Directive 2005/94/EC of 20 December 2005 on Community measures for the control of avian influenza and repealing Directive 92/40/EEC<sup>(21)</sup>, and in particular Article 51(2) thereof,

Whereas:

- (1) Intra-Community trade in certain live animals and their products is only permitted from establishments that comply with the relevant provisions of Community law and are approved for that purpose by the competent authority of the Member State where they are located.
- (2) Council Directive 2008/73/EC of 15 July 2008 simplifying procedures of listing and publishing information in the veterinary and zootechnical fields<sup>(22)</sup> provides that Member States are to draw up, keep up to date and make the lists of approved establishments in the veterinary and zootechnical fields available to the other Member States and to the public.
- (3) In addition, Directive 2008/73/EC lays down that Member States have the responsibility to provide to the other Member States and to the public up-to-date information concerning national reference laboratories and certain other laboratories that they have designated in accordance with the relevant provisions of Community law.
- (4) In order to facilitate access by the other Member States and by the public to the lists of approved establishments and laboratories, the lists should be made electronically available by Member States by means of Internet-based information pages.
- (5) The Commission should assist Member States in making those lists available to the other Member States and to the public by providing the Internet address of a website which shall display national links to Internet-based information pages of the Member States.
- (6) In order to facilitate the exchange of information by electronic means between Member States, and to ensure transparency and comprehensibility, it is important that lists are presented in a uniform way throughout the Community. Models of the layout of the Internet-based information pages should therefore be set out in the Annexes to this Decision.
- (7) In the case of equidae, the format of the list of approved or recognised bodies maintaining or establishing studbooks to be drawn up in accordance with Article 5 of Directive 90/427/EEC should also provide the information required in accordance with Article 22 of Commission Regulation (EC) No 504/2008 of 6 June 2008

**Changes to legislation:** There are currently no known outstanding effects for the Commission Decision of 18 September 2009 implementing Council Directive 2008/73/EC as regards Internet-based information pages containing lists of establishments and laboratories approved by Member States in accordance with Community veterinary and zootechnical legislation (notified under document C(2009) 6950) (Text with EEA relevance) (2009/712/EC). (See end of Document for details)

implementing Council Directives 90/426/EEC and 90/427/EEC as regards methods for the identification of equidae<sup>(23)</sup> and should be easily adaptable for the listing of other bodies issuing identification documents for registered equidae or equidae for breeding and production.

- (8) By reference to Article 2(2)(o) of Directive 64/432/EEC, Article 7(1) of Council Directive 90/426/EEC of 26 June 1990 on animal health conditions governing the movement and imports from third countries of equidae<sup>(24)</sup> implies the obligation of listing assembly centres approved for trade in equidae including markets or marshalling centres.
- (9) Directive 2008/73/EC is to be transposed by the Member States by 1 January 2010 at the latest. Accordingly, the Internet-based information pages should be made available by that date.
- (10) Commission Decision 2007/846/EC of 6 December 2007 establishing a model for the lists of entities approved by Member States in accordance with various provisions of Community veterinary legislation, and the rules applying to the transmission of these lists to the Commission<sup>(25)</sup>, establishes a common model for the lists of certain entities approved by Member States and the rules applying to the transmission of these lists.
- (11) In the interests of clarity of Community legislation, Decision 2007/846/EC should be repealed and replaced by this Decision.
- (12) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health and the Standing Committee on Zootechnics,

HAS ADOPTED THIS DECISION:

#### Textual Amendments

- F1** Deleted by [Commission Implementing Decision \(EU\) 2020/388 of 6 March 2020 laying down rules for the application of Council Directive 90/428/EEC as regards the derogations from the rules of equestrian competitions and amending Commission Decision 2009/712/EC as regards references to zootechnical legislation \(notified under document C\(2020\) 1269\) \(Text with EEA relevance\).](#)

#### *f<sup>2</sup>* Article 1

#### **Internet-based information pages**

1 The appropriate authority must establish and maintain Internet-based information pages in order to make electronically available a list of the following establishments and laboratories which are approved, recognised or otherwise designated in accordance with this Decision or relevant EU-derived domestic legislation, in particular any which, immediately before IP completion day, gave effect to a Directive listed in Annex I:

- a assembly centres subject to veterinary control;
- b dealers subject to veterinary control;
- c semen collection and storage centres comprising:
  - i bovine semen collection centres;

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- ii bovine semen storage centres;
- iii porcine semen collection centres;
- iv ovine and caprine semen collection centres;
- v ovine and caprine semen storage centres;
- vi equine semen collection centres;
- vii equine semen storage centres;
- d embryo collection and production teams comprising:
  - i bovine embryo collection and production teams;
  - ii equine embryo collection and production teams;
  - iii ovine and caprine embryo collection and production teams;
  - iv porcine embryo collection and production teams;
- e quarantine facilities or centres;
- f establishments for poultry under the control of an official veterinarian approved by the appropriate authority;
- g bodies, institutes and centres subject to veterinary checks;
- h establishments in the zootechnical field comprising:
  - i bodies approved or recognised for maintaining or establishing a herd-book, flock-book or stud-book in relation to:
    - bovine species;
    - porcine species (pure bred breeding pigs);
    - porcine species (hybrid breeding pigs);
    - ovine species;
    - caprine species;
    - equine species,that operate criteria laid down for the distribution of funds for the safeguard, development and improvement of breeding;
  - ii bodies that organise equine competitions falling under the derogation from the principle of non-discrimination;
- i laboratories, that are:
  - i national reference laboratories;
  - ii other laboratories approved to perform serological tests to monitor the efficacies of rabies vaccines.

2 The Internet-based information pages must be in conformity with the models, in the form published by the appropriate authority from time to time, and with the additional requirements set out in Annex III.

3 The appropriate authority must keep the Internet-based information pages up to date so that they take into account any new approval and any suspension or withdrawal thereof of establishments and laboratories where they no longer comply with this Decision or relevant EU-derived domestic legislation, in particular any which, immediately before IP completion day, gave effect to a Directive listed in Annex I.

4 The appropriate authority must communicate the Internet address of their Internet-based information pages to any person that the appropriate authority considers appropriate.

5 In this Decision, “appropriate authority” means the Secretary of State (in relation to England), the Welsh Ministers (in relation to Wales) and the Scottish Ministers (in relation to Scotland); but the “appropriate authority” is the Secretary of State if consent is given by:

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**Changes to legislation:** There are currently no known outstanding effects for the Commission Decision of 18 September 2009 implementing Council Directive 2008/73/EC as regards Internet-based information pages containing lists of establishments and laboratories approved by Member States in accordance with Community veterinary and zootechnical legislation (notified under document C(2009) 6950) (Text with EEA relevance) (2009/712/EC). (See end of Document for details)

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- a in relation to Wales, the Welsh Ministers;
- b in relation to Scotland, the Scottish Ministers.]

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**Textual Amendments**

- F2** Art. 1 substituted (31.12.2020) by [The Import of, and Trade in, Animals and Animal Products \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1462\)](#), regs. 1(3), **55(2)** (with regs. 69-71)

*Article 2*

**Repeal**

Decision 2007/846/EC is repealed with effect from 1 January 2010.

<sup>F3</sup>*Article 3*

**Addressees**

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**Textual Amendments**

- F3** Art. 3 omitted (31.12.2020) by virtue of [The Import of, and Trade in, Animals and Animal Products \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1462\)](#), regs. 1(3), **55(3)** (with regs. 69-71)

**Changes to legislation:** There are currently no known outstanding effects for the Commission Decision of 18 September 2009 implementing Council Directive 2008/73/EC as regards Internet-based information pages containing lists of establishments and laboratories approved by Member States in accordance with Community veterinary and zootechnical legislation (notified under document C(2009) 6950) (Text with EEA relevance) (2009/712/EC). (See end of Document for details)

## ANNEX I

### CHAPTER 1

#### Veterinary Legislation

Council Directive 64/432/EEC of 26 June 1964 on animal health problems affecting intra-Community trade in bovine animals and swine

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

Council Directive 89/556/EEC of 25 September 1989 on animal health conditions governing intra-Community trade in and importation from third countries of embryos of domestic animals of the bovine species

F4  
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#### Textual Amendments

- F4** Words in [Annex 1 Ch. 1](#) omitted (31.12.2020) by virtue of [The Import of, and Trade in, Animals and Animal Products \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1462\)](#), regs. 1(3), [55\(4\)\(a\)](#) (with regs. 69-71)

Council Directive 90/429/EEC of 26 June 1990 laying down the animal health requirements applicable to intra-Community trade in and imports of semen of domestic animals of the porcine species

F5  
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#### Textual Amendments

- F5** Words in [Annex 1 Ch. 1](#) omitted (31.12.2020) by virtue of [The Import of, and Trade in, Animals and Animal Products \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1462\)](#), regs. 1(3), [55\(4\)\(b\)](#) (with regs. 69-71)

Council Directive 91/68/EEC of 28 January 1991 on animal health conditions governing intra-Community trade in ovine and caprine animals

F6  
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#### Textual Amendments

- F6** Words in [Annex 1 Ch. 1](#) omitted (31.12.2020) by virtue of [The Import of, and Trade in, Animals and Animal Products \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1462\)](#), regs. 1(3), [55\(4\)\(c\)](#) (with regs. 69-71)

Council Directive 92/35/EEC of 29 April 1992 laying down control rules and measures to combat African Horse Sickness

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**Changes to legislation:** There are currently no known outstanding effects for the Commission Decision of 18 September 2009 implementing Council Directive 2008/73/EC as regards Internet-based information pages containing lists of establishments and laboratories approved by Member States in accordance with Community veterinary and zootechnical legislation (notified under document C(2009) 6950) (Text with EEA relevance) (2009/712/EC). (See end of Document for details)

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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

Council Directive 92/66/EEC of 14 July 1992 introducing Community measures for the control of Newcastle disease

Council Directive 92/119/EEC of 17 December 1992 introducing general Community measures for the control of certain animal diseases and specific measures relating to swine vesicular disease

Council Directive 2000/75/EC of 20 November 2000 laying down specific provisions for the control and eradication of bluetongue

Council Decision 2000/258/EC of 20 March 2000 designating a specific institute responsible for establishing the criteria necessary for standardising the serological tests to monitor the effectiveness of rabies vaccines

Council Directive 2001/89/EC of 23 October 2001 on Community measures for the control of classical swine fever

Council Directive 2002/60/EC of 27 June 2002 laying down specific provisions for the control of African swine fever and amending Directive 92/119/EEC as regards Teschen disease and African swine fever

Council Directive 2005/94/EC of 20 December 2005 on Community measures for the control of avian influenza and repealing Directive 92/40/EEC

[<sup>F7</sup>Council Directive [2009/156/EC](#) of 30 November 2009 on animal health conditions governing the movement and importation from third countries of equidae

Council Directive [2009/158/EC](#) of 30 November 2009 on animal health conditions governing intra-Community trade in, and imports from third countries of, poultry and hatching eggs

Regulation (EU) 2017/625 of the European Parliament and of the Council of 15 March 2017 on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products, etc.]

#### Textual Amendments

- F7** Words in [Annex 1 Ch. 1](#) inserted (31.12.2020) by [The Import of, and Trade in, Animals and Animal Products \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1462\)](#), regs. 1(3), **55(4)(d)** (with regs. 69-71)

## <sup>F1</sup>CHAPTER 2

### [<sup>F1</sup>Zootechnical Legislation]

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**Changes to legislation:** There are currently no known outstanding effects for the Commission Decision of 18 September 2009 implementing Council Directive 2008/73/EC as regards Internet-based information pages containing lists of establishments and laboratories approved by Member States in accordance with Community veterinary and zootechnical legislation (notified under document C(2009) 6950) (Text with EEA relevance) (2009/712/EC). (See end of Document for details)

F1 .....

F1 .....]

## F8 ANNEX II

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### Textual Amendments

**F8** Annex 2 omitted (31.12.2020) by virtue of [The Import of, and Trade in, Animals and Animal Products \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1462\)](#), regs. 1(3), **55(5)** (with regs. 69-71)

## ANNEX III

1. The heading of each Internet-based information page shall indicate the name of the [F9 relevant part of Great Britain] and the date of the version of the list with the following format dd/mm/yyyy.

### Textual Amendments

**F9** Words in [Annex 3 para. 1](#) substituted (31.12.2020) by [The Import of, and Trade in, Animals and Animal Products \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1462\)](#), regs. 1(3), **55(6)(a)** (with regs. 69-71)

2. ...

### Textual Amendments

**F10** [Annex 3 para. 2](#) omitted (31.12.2020) by virtue of [The Import of, and Trade in, Animals and Animal Products \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1462\)](#), regs. 1(3), **55(6)(b)** (with regs. 69-71)

3. Where an approval or registration number is to be issued, it shall be unique within the category and entities shall be listed as far as possible in a logical order.
4. Any information regarding an establishment or a laboratory (e.g. suspension, withdrawal ... etc) that [F11 the appropriate authority makes available to another appropriate authority, a third country or] to the public shall be given under the column 'remarks'.

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#### Textual Amendments

- F11** Words in Annex 3 para. 4 substituted (31.12.2020) by The Import of, and Trade in, Animals and Animal Products (Miscellaneous Amendments) (EU Exit) Regulations 2020 (S.I. 2020/1462), regs. 1(3), **55(6)(c)** (with regs. 69-71)

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**Changes to legislation:** There are currently no known outstanding effects for the Commission Decision of 18 September 2009 implementing Council Directive 2008/73/EC as regards Internet-based information pages containing lists of establishments and laboratories approved by Member States in accordance with Community veterinary and zootechnical legislation (notified under document C(2009) 6950) (Text with EEA relevance) (2009/712/EC). (See end of Document for details)

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- (1) OJ L 121, 29.7.1964, p. 1977/64.
- (2) OJ L 206, 12.8.1977, p. 8.
- (3) OJ L 194, 22.7.1988, p. 10.
- (4) OJ L 382, 31.12.1988, p. 36.
- (5) OJ L 153, 6.6.1989, p. 30.
- (6) OJ L 302, 19.10.1989, p. 1.
- (7) OJ L 224, 18.8.1990, p. 55.
- (8) OJ L 224, 18.8.1990, p. 60.
- (9) OJ L 224, 18.8.1990, p. 62.
- (10) OJ L 303, 31.10.1990, p. 6.
- (11) OJ L 46, 19.2.1991, p. 19.
- (12) OJ L 268, 24.9.1991, p. 56.
- (13) OJ L 157, 10.6.1992, p. 19.
- (14) OJ L 268, 14.9.1992, p. 54.
- (15) OJ L 260, 5.9.1992, p. 1.
- (16) OJ L 62, 15.3.1993, p. 69.
- (17) OJ L 327, 22.12.2000, p. 74.
- (18) OJ L 79, 30.3.2000, p. 40.
- (19) OJ L 316, 1.12.2001, p. 5.
- (20) OJ L 192, 20.7.2002, p. 27.
- (21) OJ L 10, 14.1.2006, p. 16.
- (22) OJ L 219, 14.8.2008, p. 40.
- (23) OJ L 149, 7.6.2008, p. 3.
- (24) OJ L 224, 18.8.1990, p. 42.
- (25) OJ L 333, 19.12.2007, p. 72.

**Changes to legislation:**

There are currently no known outstanding effects for the Commission Decision of 18 September 2009 implementing Council Directive 2008/73/EC as regards Internet-based information pages containing lists of establishments and laboratories approved by Member States in accordance with Community veterinary and zootechnical legislation (notified under document C(2009) 6950) (Text with EEA relevance) (2009/712/EC).