

Commission Decision of 5 August 2010 amending Decision 2004/558/EC implementing Council Directive 64/432/EEC as regards additional guarantees for intra-Union trade in bovine animals relating to infectious bovine rhinotracheitis (notified under document C(2010) 5352) (Text with EEA relevance) (2010/433/EU)

COMMISSION DECISION

of 5 August 2010

amending Decision 2004/558/EC implementing Council Directive 64/432/EEC as regards additional guarantees for intra-Union trade in bovine animals relating to infectious bovine rhinotracheitis

(notified under document C(2010) 5352)

(Text with EEA relevance)

(2010/433/EU)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

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 Articles 9(2) and 10(2) thereto,

Whereas:

- (1) Infectious bovine rhinotracheitis is the description of the most prominent clinical signs of the infection with the bovine herpes virus type 1 (BHV1). As many infections with that virus run a subclinical course, control measures should be directed to the eradication of the infection rather than to the suppression of symptoms.
- (2) Annex E (II) to Directive 64/432/EEC lists ‘infectious bovine rhinotracheitis’ among the diseases for which national control programmes may be approved and additional guarantees requested.
- (3) Commission Decision 2004/558/EC of 15 July 2004 implementing Council Directive 64/432/EEC as regards additional guarantees for intra-Community trade in bovine animals relating to infectious bovine rhinotracheitis and the approval of the eradication programmes presented by certain Member States<sup>(2)</sup> lists in Annex I the Member States or parts thereof which implement a programme for the eradication of BHV1 and in Annex II those which have already attained freedom from this disease. Annex III to that Decision sets up criteria for a holding considered to be free of BHV1 infection.
- (4) In order to prevent transmission of BHV1 into BHV1-free holdings, the Decision requires for the movement of bovine animals from an area without BHV1 status or listed in Annex I to a holding situated in an area listed in Annex II that a test for the presence

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**Changes to legislation:** There are currently no known outstanding effects for the Commission Decision of 5 August 2010 amending Decision 2004/558/EC implementing Council Directive 64/432/EEC as regards additional guarantees for intra-Union trade in bovine animals relating to infectious bovine rhinotracheitis (notified under document C(2010) 5352) (Text with EEA relevance) (2010/433/EU), Introductory Text. (See end of Document for details)

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of antibodies to the BHV1 virus is carried out with negative result on samples taken during a 30 days pre-movement quarantine.

- (5) Based on current experience with the implementation of approved programmes for the eradication of BHV1 infection, direct movement of bovine animals from holdings free of BHV1 infection to enclosed fattening units in Member States or parts thereof which are free of BHV1 infection could be allowed, provided a channelling system is implemented by which the competent authorities at the place of the fattening unit ensure additional testing at arrival and removal of the animals only to the slaughterhouse.
- (6) At present, all regions of Germany with the exception of the administrative units of Regierungsbezirke Oberpfalz and Oberfranken in the federal state of Bavaria are listed in Annex I to Decision 2004/558/EC.
- (7) Germany has now submitted documentation in support of its application to declare also the administrative units of Regierungsbezirke Mittelfranken and Unterfranken in the federal state of Bavaria free of BHV1 infection and provided rules for the national movement of bovine animals within and into this part of its territory. Accordingly, Germany has requested the application of the additional guaranties, in accordance with Article 10 of Directive 64/432/EEC, to be extended to those administrative units in Bavaria.
- (8) Following the evaluation of the application submitted by Germany, it is appropriate that those two BHV1-free administrative units in Germany be no longer listed in Annex I, but be included in Annex II to Decision 2004/558/EC and to extend the application of the additional guaranties established in accordance with Article 10 of Directive 64/432/EEC to them.
- (9) Decision 2004/558/EC should therefore be amended accordingly.
- (10) 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:

**Changes to legislation:** *There are currently no known outstanding effects for the Commission Decision of 5 August 2010 amending Decision 2004/558/EC implementing Council Directive 64/432/EEC as regards additional guarantees for intra-Union trade in bovine animals relating to infectious bovine rhinotracheitis (notified under document C(2010) 5352) (Text with EEA relevance) (2010/433/EU), Introductory Text. (See end of Document for details)*

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- (1) [OJ 121, 29.7.1964, p. 1977/64.](#)
- (2) [OJ L 249, 23.7.2004, p. 20.](#)

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