

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

COUNCIL DIRECTIVE

of 26 June 1964

on animal health problems affecting intra-
Community trade in bovine animals and swine

(64/432/EEC)

THE COUNCIL OF THE EUROPEAN ECONOMIC COMMUNITY,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 43 and 100 thereof;

Having regard to the proposal from the Commission;

Having regard to the Opinion of the European Parliament⁽¹⁾;

Having regard to the Opinion of the Economic and Social Committee⁽²⁾;

Whereas Council Regulation No 20 on the progressive establishment of a common organisation of the market in pigmeat⁽³⁾ is already in force and a similar regulation is to be adopted for beef and veal and whereas these regulations also concern trade in live animals;

Whereas Regulation No 20 substitutes for the numerous traditional means of protection at the frontier a single system designed in particular to facilitate intra-Community trade; whereas the regulation to be adopted for beef and veal is also designed to eliminate obstacles to such trade;

Whereas, so long as intra-Community trade in bovine animals and swine is hindered by differences between the health requirements of Member States, the implementation of the above-mentioned regulations will not have the desired effect;

Whereas, to eliminate those differences, measures must be taken within the framework of the common agricultural policy and in line with regulations already adopted or in preparation on the progressive establishment of a common organisation of markets; whereas the animal health provisions of Member States must therefore be approximated;

Whereas the right of Member States under Article 36 of the Treaty to continue to apply prohibitions or restrictions on imports, exports or goods in transit justified on grounds of the protection of health and life of humans and animals nevertheless does not exempt them from the obligation to approximate the provisions on which those prohibitions and restrictions are based, in so far as the differences between those provisions hinder the implementation and functioning of the common agricultural policy;

Whereas, in the context of such approximation, the exporting country must be required to ensure that bovine animals and swine for breeding, production or slaughter intended for intra-Community trade, the places from which those animals come and are shipped and the means

Status: EU Directives are being published on this site to aid cross referencing from UK legislation. After IP completion day (31 December 2020 11pm) no further amendments will be applied to this version.

of transport used satisfy certain animal health requirements so as to ensure that the animals are not a source of contagious or infectious disease;

Whereas, so that Member States may be sure that these requirements are satisfied, provision must be made for the issue by an official veterinarian of a health certificate which will accompany the animals to their destination;

Whereas Member States must have the right to prohibit the introduction into their territory of bovine animals and swine if they are found to be suffering or are suspected of suffering from a contagious or infectious disease, if they may spread such disease without actually suffering from it or if they do not comply with Community animal health provisions;

Whereas there is no reason to allow Member States to prohibit the introduction of bovine animals and swine into their territory for reasons other than those of animal health and whereas, therefore, the consignor should at his own request or upon request of his representative be allowed to return the animals to the country of export unless there are reasons to the contrary;

Whereas, in case of prohibition or restriction, the reasons therefor should be made known to the consignor of the animals or his representative and to the competent central authority of the country of export so that they be aware of the reasons why such measures were imposed;

Whereas in the event of dispute between himself and the authority of the Member State of destination as to the justification for prohibition or restriction, the consignor should be enabled to obtain the opinion of a veterinary expert whom he may select from a panel drawn up by the Commission;

Whereas in some cases and for certain categories of animals it appears that the general provisions of this Directive may be relaxed without involving any health risk, by allowing consignee Member States to grant general or special derogations;

Whereas, in certain fields presenting special problems, the provisions in Member States cannot be approximated until a more thorough study has been made;

Whereas a simplified amendment procedure may be provided for Annexes B to D since the rules contained in those Annexes are of a technical nature and liable to change; whereas the Commission should therefore be entrusted with making such amendments after consulting the Member States;

HAS ADOPTED THIS DIRECTIVE:

Status: EU Directives are being published on this site to aid cross referencing from UK legislation. After IP completion day (31 December 2020 11pm) no further amendments will be applied to this version.

- (1) OJ No 61, 19.4.1963, p. 1254/63.
- (2) OJ No 121, 29.7.1964, p. 2009/64.
- (3) OJ No 30, 20.4.1962, p. 945/62.