Council Directive of 15 July 1991 laying down the principles governing the organization of veterinary checks on animals entering the Community from third countries and amending Directives 89/662/EEC, 90/425/EEC and 90/675/EEC (91/496/EEC) (repealed)

CHAPTER IV

General provisions

Article 22

Where reference is made to the procedure provided for in this Article, action shall be taken in accordance with Article 17 of Directive 89/662/EEC.

Article 23

Where reference is made to the procedure provided for in this Article, action shall be taken in accordance with Article 18 of Directive 89/662/EEC.

Article 24

The Annexes to this Directive shall, where the need arises, be amended in accordance with the procedure laid down in Article 23.

Article 25

This Directive shall be without prejudice to obligations arising from customs rules.

Article 26

1 Articles 12 and 28 of Directive 72/462/EEC shall be deleted.

Pending the decisions provided for in Articles 5 and 6 of this Directive, the acts adopted pursuant to Article 12 of Directive 72/462/EEC shall continue to apply.

2 Articles 20 and 21 of Directive 90/426/EEC and Articles 27 and 29 (2) of Directive 90/539/EEC shall be deleted.

Article 27

1 Directive 89/662/EEC is hereby amended as follows:

a in article 19 (2) ‘31 December 1992’ shall be replaced by ‘31 December 1996’;

b Article 22 shall be replaced by the following:

Article 22

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive on 1 July 1992.

2 Directive 90/425/EEC shall be amended as follows:

a Article 7 shall be replaced by the following:

Article 7

1 Member States shall ensure that, during checks carried out at the places where animals and products referred to in Annex I from a third country may be brought into

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the territories defined in Annex I to Directive 90/675/EEC, such as ports, airports and border inspection posts with third countries, the following measures are taken:

a certificates or documents accompanying the animals and products are checked;

b Community animals and products shall be subject to the control rules laid down in Article 5;

c products from third countries shall be subject to the rules laid down in Directive 90/675/EEC;

d animals from third countries shall be subject to the rules laid down in Directive 91/496/EEC.

2 However, as from 1 January 1993 and by way of derogation from paragraph 1, all animals or products transported by means of transport providing a regular and direct link between two geographical points of the Community shall be subject to the rules for control provided for in Article 5.

b Article 23 shall be replaced by the following:

Article 23

The Council shall, on the basis of a Commission report, accompanied by possible proposals on which the Council will decide by a qualified majority, re-examine:

— the provisions of Article 10 and of Article 5 (2) (a) before 1 January 1993,

— other provisions before 1 January 1996.

c In Article 26:

in the first subparagraph, point (ii) shall be replaced by:

the other provisions of this Directive on 1 July 1992.;

the second subparagraph shall be deleted.

3 Directive 90/675/CEE is hereby amended as follows:

a in Article 19, paragraph 6 shall be replaced by the following:

6. Within 10 working days, the Standing Veterinary Committee shall have the matter referred to it, pursuant to the terms of Article 23, with a view to the extension, amendment or repeal of the measures provided for in paragraphs 1, 3 and 5. The procedure provided for in Article 23 may also be used to adopt the necessary decisions, including those relating to intra-Community movement of products and to transit.

b In Article 32, ‘by 31 December 1991’ shall be replaced by ‘on 1 July 1992’.

Article 28

Acting in accordance with the procedure laid down in Article 23, the Commission may adopt for three years the transitional measures necessary to facilitate the transition to the new checking arrangements provided for in this Directive.

Article 29

Member States**[F1[F2**, in particular Austria and Finland,**]]** may make use of the Community financial assistance provided for in Article 38 of Directive 90/424/EEC for the implementation of this Directive, in particular for setting up networks for exchanges of information between veterinary services and border posts.

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Textual Amendments

F1 Inserted by Act concerning the conditions of accession of the Kingdom of Norway, the Republic of Austria, the Republic of Finland and the Kingdom of Sweden and the adjustments to the Treaties on which the European Union is founded (94/C 241/08).

F2 Substituted by Decision of the Council of the European Union of 1 January 1995 adjusting the instruments concerning the accession of new Member States to the European Union (95/1/EC, Euratom, ECSC).

Article 30

1 Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with:

a the provisions of Article 6 (3) and Articles 13, 18 and 21 on 1 December 1991;

b the other provisions of this Directive on 1 July 1992.

They shall forthwith inform the Commission thereof.

When these measures are adopted by the Member States, they shall contain a reference to this Directive or shall be accompanied by such reference on the occasion of their official publication. The methods of making such a reference shall be laid down by the Member States.

2 Detailed rules for applying this Directive, and in particular those concerning Article 8 (3), shall be adopted and the system referred to**[**[F3] in the second subparagraph of**]** Article 12 (4) brought into force on 1 July 1992.

If the date referred to in the preceding subparagraph cannot be met, the transitional measures provided for in Article 28 shall be taken on that date.

Textual Amendments

F3 Deleted by Council Decision of 13 July 1992 on computerization of veterinary import procedures (Shift project), amending Directives 90/675/EEC, 91/496/EEC, 91/628/EEC and Decision 90/424/EEC, and repealing Decision 88/192/EEC (92/438/EEC).

Article 31

This Directive is addressed to the Member States.