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COMMISSION REGULATION (EC) No 1282/2002

of 15 July 2002

amending Annexes to Council Directive 92/65/EEC 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(1) to Directive 90/425/EEC

(Text with EEA relevance)

(OJ L 187, 16.7.2002, p. 3)

Amended by:

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►**M1**	Commission Regulation (EC) No 1802/2002 of 10 October 2002	L 274	21	11.10.2002

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amending Annexes to Council Directive 92/65/EEC 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(1) to Directive 90/425/EEC

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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(1) to Directive 90/425/EEC ([1]), as last amended by Commission Decision 2001/298/EC ([2]), and in particular Article 22 thereof.

Whereas:

(1) According to the experience of the Member States with the implementation of Directive 92/65/EEC in relation to the trade in the animals referred to in Articles 5, 13 and 23 of that Directive, there is a need to clarify the requirements for approved bodies, institutes or centres and to include certain quarantine provisions.

(2) Therefore, it is necessary to make some technical adaptations concerning the conditions governing the approval of bodies, institutes or centres, to introduce a specific certificate for trade in these animals and to clarify the list of notifiable diseases.

(3) Those bodies, institutions or centres already approved by Member States under the old arrangements should continue to be approved and brought into line with the new requirements as soon as possible.

(4) Annexes A, C and E to Directive 92/65/EEC should therefore be amended accordingly.

(5) In order to ensure that there is an appropriate period of time for these provisions to be implemented in all Member States, a date for the implementation of this Regulation should be laid down.

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

HAS ADOPTED THIS REGULATION:

Article 1

Annexes A, C and E to Directive 92/65/EEC are amended as set out in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the 20th day following that of its publication in the *Official Journal of the European Communities*.

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It shall apply from 1 March 2003.

([1]) OJ L 268, 14.9.1992, p. 54.
([2]) OJ L 102, 12.4.2001, p. 63.

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This Regulation shall be binding in its entirety and directly applicable in all Member States.

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ANNEX

1) Annex A to Directive 92/65/EEC is replaced by the following:

'ANNEX A

NOTIFIABLE DISEASES IN THE CONTEXT OF THIS DIRECTIVE

Disease	Order/family/species primarily concerned
Newcastle disease, avian influenza	Aves
Psitacosis	Psittaciformes
American foulbrood	Apis
Brucella abortus	Antilocapridae, Bovidae, Camelidae, Cervidae, Giraffidae, Hippopotamidae and Tragulidae
Brucella melitensis	Antilocapridae, Bovidae, Camelidae, Cervidae, Giraffidae, Hippopotamidae and Tragulidae
Brucella ovis	Camelidae, Tragulidae, Cervidae, Giraffidae, Bovidae and Antilocapridae
Brucella suis	Cervidae, Leporidae, *Ovibos moschatus*, Suidae and Tayassuidae
Mycobacterium bovis	Mammalia, in particular Antilocapridae, Bovidae, Camelidae, Cervidae, Giraffidae, and Tragulidae
Foot and mouth disease	Artiodactyla and Asian elephants
Classical swine fever, African swine fever	Suidae and Tayassuidae
Swine vesicular disease	Suidae and Tayassuidae
Rinderpest	Artiodactyla
Bluetongue	Antilocapridae, Bovidae, Cervidae, Giraffidae, and Rhinocerotidae
Contagious bovine pleuropneumonia	Bovines (including zebu, buffalo, bison and yak)
Vesicular stomatitis	Artiodactyla and Equidae
Peste des petits ruminants	Bovidae and Suidae
Lumpy skin disease	Bovidae and Giraffidae
Sheep and goat pox	Bovidae
African horse sickness	Equidae
Rift valley fever	Bovidae, Camelus species and Rhinocerotidae
Porcine enterovirus encephalomyelitis	Suidae
Infectious haematopoeitic necrosis	Salmonidae
TSE	Bovidae, Cervidae, Felidae and Mustelidae
Anthrax	Bovidae, Camelidae, Cervidae, Elephantidae, Equidae and Hippopotamidae
Rabies	Carnivora, and Chiroptera'

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2) Annex C to Directive 92/65/EEC is replaced by the following:

'ANNEX C

CONDITIONS GOVERNING APPROVAL OF BODIES, INSTITUTES OR CENTRES

1. In order to be granted official approval under Article 13(2) of this Directive, a body, institute or centre as defined in Article 2(1)(c) must:

   (a) be clearly demarcated and separated from its surroundings or the animals confined and located so as not to pose a health risk to agricultural holdings whose health status might be jeopardised;

   (b) have adequate means for catching, confining and isolating animals and, have available adequate quarantine facilities and approved procedures for animals coming from non-approved sources;

   (c) be free of the diseases listed in Annex A and the diseases listed in Annex B where the country concerned has a programme pursuant to Article 14. In order that a body, institute or centre is declared free from these diseases, the competent authority shall assess the records on the animal health status kept for at least the previous three years and the results of the clinical and laboratory tests carried out on the animals in the body, institute or centre. However, by way of derogation from this requirement new establishments shall be approved if the animals forming the collection are derived from approved establishments;

   (d) keep up to date records indicating:

      (i) the number and identity (age, sex, species and individual identification where practical) of the animals of each species present in the establishment;

      (ii) the number and identity (age, sex, species and individual identification where practical) of animals arriving in the establishment or leaving it, together with information on their origin or destination, the transport from or to the establishment and the animals health status;

      (iii) the results of blood tests or any other diagnostic procedures;

      (iv) cases of disease and, where appropriate, the treatment administered;

      (v) the results of the post-mortem examinations on animals that have died in the establishment, including still-born animals;

      (vi) observations made during any isolation or quarantine period;

   (e) either have an arrangement with a competent laboratory to perform post-mortem examinations, or have one or more appropriate premises where these examinations may be performed by a competent person under the authority of the approved veterinarian;

   (f) either have suitable arrangements or on-site facilities for the appropriate disposal of the bodies of animals which die of a disease or are euthanised;

   (g) secure, by contract or legal instrument, the services of a veterinarian approved by and under the control of the competent authority, who:

      (i) shall comply *mutatis mutandis* with the requirements referred to in Article 14(3)(B) of Directive 64/432/EEC,

      (ii) shall ensure that appropriate disease surveillance and control measures in relation to the disease situation of the country concerned are approved by the competent authority and applied in the body, institute or centre. Such measures shall include:

         — an annual disease surveillance plan including appropriate zoonoses control of the animals,

         — clinical, laboratory and post-mortem testing of animals suspected to be affected by transmissible diseases,

         — vaccination of susceptible animals against infectious diseases as appropriate, only in conformity with Community legislation;

      (iii) shall ensure that any suspect deaths or the presence of any other symptom suggesting that animals have contracted one or more of the diseases referred to in Annexes A and B is notified without delay to the competent authority, if that particular disease is notifiable in the Member State concerned;

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(iv) shall ensure that incoming animals have been isolated as necessary, and in accordance with the requirements of this Directive and the instructions, if any, given by the competent authority;

(v) shall be responsible for the day to day compliance with the animal health requirements of this Directive and of Community legislation on welfare of animals during transport and disposal of animal waste;

(h) if it keeps animals intended for laboratories carrying out experiments, in conformity with the provisions of Article 5 of Directive 86/609/EEC.

2. Approval shall be maintained where the following requirements are met:

(a) the premises are under the control of an official veterinarian from the competent authority, who:

(i) shall visit the premises of the body, institute or centre at least once per year;

(ii) shall audit the activity of the approved veterinarian and the implementation of the annual disease surveillance plan;

(iii) shall ensure that the provisions of this Directive are met;

(b) only animals coming from another approved body, institute or centre, are introduced into the establishment, in accordance with the provisions of this Directive;

(c) the official veterinarian verifies that:

— the provisions of this Directive are fulfilled,

— the results of the clinical, post-mortem and laboratory tests on the animals have revealed no occurrence of the diseases referred to in Annexes A and B;

(d) the body, institute or centre keeps the records referred to in point 1(d) after approval, for a period of at least ten years.

3. By way of derogation from Article 5(1) of this Directive and point 2(b) of this Annex, animals including apes (*simiae* and *prosimiae*) having an origin other than an approved body, institute or centre may be introduced in an approved body, institute or centre, provided that these animals undergo a quarantine under official control and in accordance with the instructions given by the competent authority before being added to the collection.

For apes (*simiae and prosimiae*) the quarantine requirements laid down in the OIE International Health Code (Chapter 2.10.1 and Appendix 3.5.1) shall be respected.

For other animals undergoing quarantine in accordance with point 2(b) of this Annex, the quarantine period must be at least 30 days with respect to the diseases listed in Annex A.

4. Animals held in an approved body, institute or centre, shall only leave this establishment if destined to another approved body, institute or centre, in that Member State or another Member State; however, if not destined to an approved body, institute or centre, shall only leave in accordance with the requirements of the competent authority to ensure no risk of possible spread of disease.

5. Where a Member State benefits from additional guarantees under Community legislation it may request appropriate additional requirements and certification for the susceptible species to be added to the approved body, institute or centre.

6. The procedures for partly or completely suspending, withdrawing or restoring approval are the following:

(a) where the competent authority finds that the requirements of point 2 have not been fulfilled or there has been a change of usage which is no longer covered by Article 2 of this Directive the approval shall be suspended or withdrawn;

(b) where notification is given of the suspicion of one of the diseases listed in Annex A or B, the competent authority shall suspend approval of the body, institute or centre, until the suspicion has been officially ruled out. Depending on the disease involved and the risk of disease transmission, the suspension may relate to the establishment as a whole or only to certain categories of animals susceptible to the disease in question. The competent authority shall ensure that the measures necessary to confirm or rule out the suspicion and to avoid any spread of disease are taken, in accordance with Community legislation governing measures to be taken against the disease in question and on trade in animals;

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(c) where the suspected disease is confirmed, the body, institute or centre shall again be approved only when, after eradication of the disease and source of infection in the premises, including suitable cleaning and disinfection, the conditions laid down in point 1 of this Annex, with the exception of point 1(c), are again fulfilled;

(d) the competent authority shall inform the Commission of the suspension, withdrawal or restoration of approval of a body, institute or centre.'

3) Annex E to Directive 92/65/EEC is replaced by the following:

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'ANNEX E

Part 1

HEALTH CERTIFICATE FOR TRADE IN ANIMALS FROM HOLDINGS N ACCORDANCE WITH DIRECTIVE 92/65/EEC (1)		
1. Member State of origin and competent authority	2.1. Health certificate No 2.2. CITES certificate No (where applicable)	☐ ORIGINAL (2) ☐ COPY (3)
A. ORIGIN OF THE ANIMALS		
3. Name and address of the holding of origin	4. Name and address of the consignor	
5. Place of loading	6. Means of transport	
B. DESTINATION OF THE ANIMALS		
7. Member State of destination	8. Name and address of the holding of destination	
9. Name and address of the consignee		
C. IDENTITY OF THE ANIMALS		

	10. Animal species	11. Sex	12. Age	13. Individual identification/ batch identification (4)
10.1.				
10.2.				
10.3.				
10.4.				
10.5. (5)				

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D. HEALTH INFORMATION		
14. I, the undersigned official veterinarian ([6])/veterinarian responsible for the establishment of origin and approved by the competent authority ([6]) certify that: 14.1. at the time of inspection the above animals were fit to be transported on the intended journey in accordance with the provisions of Directive 91/628/EEC; 14.2. the conditions of Article 4 of Directive 92/65/EEC are fulfilled; 14.3. (attestation) ([7]) .... 14.4. The additional guarantees regarding diseases listed in Annex B ([8]) of Directive 92/65/EEC are as follows ([9]): .... 14.5. (continue as required) .... *(to be completed with the appropriate health information as laid down in the Directive as implemented in Member States)*		
E. VALIDITY		
15. The period of validity of this certificate is 10 days.		
16. Date and place	17. Name and qualification of the official/approved veterinarian	18. Signature of the official/approved veterinarian and stamp ([10])

([1]) Document in the sense of Articles 6, 7, 9 and 10 which must be issued in the 24 hours before dispatch of the consignment.
([2]) The original must accompany the consignment to the final destination.
([3]) The original or copy must be kept by the consignee for at least three 3 years.
([4]) Individual identification must be used wherever possible but in the case of small animals batch identification may be used.
([5]) Continue as necessary.
([6]) Delete if not applicable.
([7]) Complete in accordance with Articles 6, 7, 9 or 10.
([8]) As requested by a Member State benefiting from additional guarantees under Community legislation.
([9]) Delete as necessary.
([10]) The signature and stamp must be in a colour different to that of the printing.

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Part 2

HEALTH CERTIFICATE FOR TRADE IN COLONIES OF BEES (HIVES OR QUEENS (WITH ATTENDANTS)) IN ACCORDANCE WITH DIRECTIVE 92/65/EEC (1)		
1. Member State of origin and competent authority.	2.1. Health certificate No 2.2. CITES certificate No (where applicable)	☐ ORIGINAL (2) ☐ COPY (3)
A. ORIGIN OF THE COLONIES OF BEES (HIVES OR QUEENS (WITH ATTENDANTS))		
3. Name and address of the holding of origin	4. Name and address of the consignor	
5. Place of loading	6. Means of transport	
B. DESTINATION OF THE COLONIES [HIVES OR QUEENS (WITH ATTENDANTS))		
7. Member State of destination	8. Name and address of the holding of destination	
9. Name and address of the consignee		

C. IDENTITY OF THE COLONIES (HIVES OR QUEENS (WITH ATTENDANTS))

	Number of colonies (hives/ queens (with attendants))	11. Species	12. Batch identification
10.1.			
10.2.			
10.3.			
10.4.			
10.5. (4)			

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D. HEALTH INFORMATION		
13. I, the undersigned certify that: 13.1. the bees come from an area which is not subject of the prohibition order associated with an occurrence of American foulbrood. (The period of prohibition has been continued for at least 30 days following the last recorded case and the date of which all hives within a radius of three kilometres has been checked by the competent authority and all infected hives burned or treated and inspected to the satisfaction of the said competent authority); 13.2. the additional guarantees regarding diseases listed in Annex B ([5]) of Directive 92/65/EEC are as follows ([6])		
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 ([7])

([1]) Document in the sense of Article 8.
([2]) The original must accompany the consignment to the final destination.
([3]) The original or copy must be kept by the holding for at least 3 years.
([4]) Continue as necessary.
([5]) As requested by a Member State benefiting from additional guarantees under Community legislation.
([6]) Delete as necessary.
([7]) The signature and stamp must be in a colour different to that of the printing.

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Part 3

HEALTH CERTIFICATE FOR TRADE IN ANIMALS, SEMEN, EMBRYOS AND OVA FROM BODIES, INSTITUTES OR CENTRES APPROVED IN ACCORDANCE WITH ANNEX C OF COUNCIL DIRECTIVE 92/65/EEC (1)		
1. Member State of origin and competent authority.	2.1. Health certificate No 2.2. CITES certificate No (where applicable)	☐ ORIGINAL (2) ☐ COPY (3)
A. ORIGIN OF THE ANIMALS		
3. Name and address of the approved body, institute or centre of origin	4. Name and address of the consignor	
5. Place of loading	6. Means of transport	
B. DESTINATION OF THE ANIMALS		
7. Member State of destination	8. Name and address of the approved body, institute or centre of destination	
9. Name and address of the consignee		

C. INDIVIDUAL IDENTITY OF THE ANIMALS, SEMEN, EMBRYOS AND OVA

	10. Animal species or type of product of animal origin	11. Sex (4)	12. Age (4)	13. Individual identification/ batch identification (5)
10.1.				
10.2.				
10.3.				
10.4.				
10.5. (6)				

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D. HEALTH INFORMATION		
14. I, the undersigned veterinarian responsible for the establishment of origin and approved by the competent authority certify that: 14.1. the body, institute or centre of origin is approved according to Annex C of Directive 92/65/EEC for the purpose of trading the animals, semen, embryos or ova described above; 14.2. The animals/donor animals described in this certificate have been examined today and found to be healthy and free of clinical signs of infectious disease including those described in Annex A of Directive 92/65/EEC and are not subject to any official restrictions and have remained on this body, institute or centre either since birth or for months or years; 14.3. At the time of inspection the above animals were fit to be transported on the intended journey in accordance with the provisions of Council Directive 91/628/EEC and to IATA requirements and/or CITES guidelines for transport where applicable; 14.4. The additional guarantees regarding diseases listed in Annex B ([7]) of Directive 92/65/EEC are as follows ([8]):		
E. VALIDITY		
15. The period of validity of this certificate is 10 days		
16. Date and place	17. Name and qualification of the approved veterinarian	18. Signature of the approved veterinarian and stamp ([9])

([1]) Document in the sense of Articles 5 and 13(1).
([2]) The original must accompany the consignment to the final destination.
([3]) The copy must be kept by the approved body, institute or centre for at least three years.
([4]) Only to be completed in the case of live animals.
([5]) Individual identification must be used wherever possible but in the case of small animals (e.g. rodents) batch identification may be used.
([6]) Continue as necessary.
([7]) As requested by a Member State benefiting from additional guarantees under Community legislation.
([8]) Delete as necessary.
([9]) The signature and stamp must be in a colour different to that of the printing'.

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