

SCHEDULE 3

Regulations 1(2), 4, 5(1), 6(1) and (2),
7(4), 8(4), 11, 13(7), 32(2)(b) and 37(3)

INTRA-COMMUNITY TRADE: LEGISLATION AND ADDITIONAL REQUIREMENTS

PART I

Legislation in Relation to Intra-Community Trade

Bovine animals and swine

1. Council Directive [64/432/EEC](#) on health problems affecting intra Community trade in bovine animals and swine as replaced by the Annex to Council Directive [97/12/EC](#) (O.J. No. L 109, 25.4.97, p.1), and as subsequently amended by—

Council Directive [98/46/EC](#) (O.J. No. L 198, 15.7.98, p.22);

Council Directive [98/99/EC](#) (O.J. No. L 358, 31.12.98, p.107);

Commission Decision [98/621/EC](#) (O.J. No. L 296, 5.11.98, p.15);

Directive [2000/15/EC](#) of the European Parliament and of the Council (O.J. No. L 105, 3.5.2000, p.34);

Directive [2000/20/EC](#) of the European Parliament and of the Council (O.J. No. L 163, 4.7.2000, p.35);

Commission Decision [2001/298/EC](#) (O.J. No. L 102, 12.4.2001, p.63);

Commission Regulation (EC) No [535/2002](#) (O.J. No. L 80, 23.3.2002, p.22);

Commission Regulation (EC) No [1226/2002](#) (O.J. L 179, 9.7.2002, p.13);

Council Regulation (EC) No. [21/2004](#) (O.J. No. L 5, 9.1.2004, p.8);

Commission Decision [2004/226/EC](#) (O.J. No. L 68, 6.3.2004, p.36); and

the European International Instruments.

Relevant provisions in that instrument: Articles 3(2), 4(1), 5(1), 5(2), 5(5), 6(1), 6(2), 6(3), 7 (in the case of imports) and 12(3).

Additional requirements:

- (a) The official health certificate accompanying all cattle imported into Scotland from Spain must contain the statement: “Live cattle in accordance with Commission Decision [90/208/EEC](#) on contagious bovine pleuro pneumonia”.
- (b) The official health certificate accompanying all cattle imported into Scotland from Portugal must contain the statement “Live cattle in accordance with Commission Decision [91/52/EEC](#) on contagious bovine pleuro pneumonia”.
- (c) The official health certificate accompanying all swine imported into Scotland from any other member State except Austria, the Republic of Cyprus, the Czech Republic, Denmark, Finland, Germany, Luxembourg, Sweden and those parts of France specified in Commission Decisions amending Decision [2001/618/EC](#) must contain the statement: “Pigs in accordance with Commission Decision [2001/618/EC](#) concerning Aujeszky’s disease”.
- (d) Exports of cattle from Scotland to the countries listed in Annexes I and II of Commission Decision [2004/558/EC](#) (O.J. No. L 249, 23.7.2004, p.20)—
 - (i) must meet the additional guarantees laid down in Article 2(1), Article 2(2)(b)(i) or Article 2(2)(c) (for exports to Germany), and (for exports to Denmark, Austria,

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- Finland, Sweden and the province of Bolzano in Italy) in Article 3(1) of that Decision; and
- (ii) in relation to the certification accompanying such exports–
- (aa) for bovine animals exported to Germany, in point 4 of Section C of the health certificate set out in Model 1 of Annex F to Directive [64/432/EEC](#), after the first indent, “IBR” must be entered, and after the second indent the additional guarantees of Article 2 which are met by the cattle must be specified as follows: “Article 2(1), [*or*] Article 2(2)(b)(i) [*or*] Article 2(2)(c) [*as the case may be*] of Commission Decision [2004/558/EC](#)”; and
- (bb) for bovine animals exported to Denmark, Austria, Finland, Sweden and the province of Bolzano in Italy, in point 4 of Section C of the health certificate set out in Model 1 of Annex F to Directive [64/432/EEC](#), after the first indent, “IBR” must be entered, and after the second indent “Article 3 of Commission Decision [2004/558/EC](#)” must be entered.
- (e) In accordance with Commission Decision [2003/514/EC](#) concerning health protection measures against African swine fever in Sardinia, Italy (O.J. No. L 178, 17.7.2003, p.28), the importation into Scotland from the Italian region of Sardinia of animals of the *suidae* family is prohibited.
- (f) The official health certificate accompanying swine imported into Scotland from Italy must contain the statement “Animals in accordance with Commission Decision [2005/779/EC](#) concerning animal health protection measures against swine vesicular disease in Italy”.

Bovine semen

2. Instrument: Council Directive [88/407/EEC](#) laying down the animal health requirements applicable to intra Community trade in and imports of semen of domestic animals of the bovine species (O.J. No. L 194, 22.7.88, p.10), as amended by, and as read with–

Council Directive [90/120/EEC](#) (O.J. No. L 71, 17.3.90, p.37);
 Council Directive [90/425/EEC](#) (O.J. No. L 224, 18.8.90, p.29);
 Council Directive [93/60/EEC](#) (O.J. No. L 186, 28.7.93, p.28);
 Council Directive [2003/43/EC](#) (O.J. No. L 143, 11.6.2003, p.23);
 Commission Decision [2004/101/EC](#) (O.J. No. L 30, 4.2.2004, p.15);
 Commission Decision [2004/205/EC](#) (O.J. No. L 65, 3.3.2004, p.23); and
 the European international instruments.

Relevant provisions in that instrument: Articles 3 and 6.

Bovine embryos

3. Instrument: Council Directive [89/556/EEC](#) on animal health conditions concerning intra Community trade in and importation from third countries of embryos of domestic animals of the bovine species (O.J. No. L 302, 19.10.89, p.1), as amended by, and as read with–

Council Directive [90/425/EEC](#) (O.J. No. L 224, 18.8.90, p.29);
 Council Directive [93/52/EEC](#) (O.J. No. L 175, 19.7.93, p. 21);
 Commission Decision [94/113/EC](#) (O.J. No. L 53, 24.2.94, p.23);
 Commission Decision [2004/205/EC](#) (O.J. No. L 65, 3.3.2004, p.23); and
 the European international instruments.

Relevant provisions in that instrument: Articles 3 and 6.

Equidae

4. Instrument: Council Directive [90/426/EEC](#) on health conditions governing the movement of equidae and their import from third countries (O.J. No. L 224, 18.8.90, p.42), as amended by, and as read with—

Council Directive [90/425/EEC](#) (O.J. No. L 224, 18.8.90, p.29);

Council Directive [90/427/EEC](#) (O.J. No. L 224, 18.08.90, p.55);

Council Directive [91/496/EEC](#) (O.J. No. L 268, 24.9.91, p.56);

Council Directive [92/36/EEC](#) (O.J. No. L 157, 10.6.92, p.28);

Commission Decision [92/130/EEC](#) (O.J. No. L 47, 22.2.92, p.26);

Commission Decision [93/623/EEC](#) (O.J. No. L 298, 3.12.93, p.45) as amended by Commission Decision [2000/68/EC](#) (O.J. No. L 23, 28.1.2000, p.72);

Commission Decision [2001/298/EC](#) (O.J. No. L 102, 12.4.2001, p.63);

Commission Decision [2002/160/EC](#) (O.J. No. L 053, 23.2.2002, p.37); and the European international instruments.

Relevant provisions in that instrument, subject to and as read with the following Notes: Articles 4, 5, 7(1), and 8.

Notes:

- (a) The requirements of Articles 4(1), 4(2) and 8 shall not apply in respect of the export to or the import from the Republic of Ireland of any equidae, or the export to or the import from France of registered horses or equidae for breeding and production accompanied by an identification document provided for in Council Directive [90/427/EEC](#).
- (b) For the avoidance of doubt, the derogation permitted under Article 7(2) shall not apply in relation to equidae brought into Scotland.

Porcine Semen

5. Instrument: Council Directive [90/429/EEC](#) laying down the animal health requirements applicable to intra Community trade in and imports of semen of domestic animals of the porcine species (O.J. No. L 224, 18.8.90, p.62) and Commission Decision [99/608/EC](#) (O.J. No. L 242, 14.9.99, p.20), as amended by, and as read with—

Commission Decision [99/608/EC](#) (O.J. No. L 242, 14.9.1999, p.20);

Commission Decision [2000/39/EC](#) (O.J. No. L 13, 19.1.2000, p.21);

Commission Decision [2004/205/EC](#) (O.J. No. L 65, 3.3.2004, p.23); and

the European international instruments.

Relevant provisions in that instrument: Articles 3, 4(1), 4(2) and 6(1).

Additional requirements:

The official health certification accompanying all porcine semen imported into Scotland from any other member State must state that the semen was collected from boars “on a collection centre which only contains animals that have not been vaccinated against Aujeszky’s disease and which have reacted negatively to the serum neutralisation test or to the ELISA test for Aujeszky’s disease, in accordance with the provisions of Council Directive [90/429/EEC](#)” and paragraph 13(b)(ii) of the model health certificate provided in Annex D of Council Directive [90/429/EEC](#) must be deleted in all cases.

Poultry and hatching eggs

6. Instrument: Council Directive [90/539/EEC](#) on animal health conditions governing intra Community trade in, and imports from third countries of poultry and hatching eggs (O.J. No. L 303, 31.10.90, p.6), as amended by, and as read with–

Council Directive [90/425/EEC](#) (O.J. No. L 224, 18.8.90, p.29);

Council Directive [91/496/EEC](#) (O.J. No. L 268, 24.9.91, p.56);

Council Directive [92/65/EEC](#) (O.J. No. L 268, 14.9.92, p.54);

Commission Decision [92/340/EEC](#) (O.J. No. L 188, 8.7.92, p.34);

Commission Decision [92/369/EEC](#) (O.J. No. L 195, 14.7.92, p.25);

Council Directive [93/120/EEC](#) (O.J. No. L 340, 31.12.93, p.35);

Council Decision [95/410/EC](#) (O.J. No. L 243, 11.10.95, p.25) as amended by Council Decision [98/227/EC](#) (O.J. No. L 87, 21.3.98, p.14);

Commission Decision [97/278/EC](#) (O.J. No. L 110, 26.4.97, p.77);

Council Directive [99/90/EC](#) (O.J. No. L 300, 23.11.1999, p.19);

Commission Decision [2000/505/EC](#) (O.J. No. L 201, 9.8.2000, p.8);

Commission Decision [2001/867/EC](#) (O.J. No. L 323, 7.12.2001, p.29);

Commission Decision [2003/644/EC](#) (O.J. No. L 228, 12.9.2003, p.29);

Commission Decision [2004/235/EC](#) (O.J. No. L 72, 11.3.2004, p.86); and

the European International instruments.

Relevant provisions in that instrument: Articles 6 to 11, 12(1), and 15 to 17.

Additional requirements:

- (a) The official health certification accompanying breeding poultry exported from Scotland to Finland or Sweden must contain the statement that they have been tested for salmonella with negative results in accordance with Commission Decision [2003/644/EC](#) of 8th September 2003.
- (b) The official health certification accompanying day old chicks exported from Scotland to Finland or Sweden must contain the statement that they come from flocks which have been tested for salmonella with negative results in accordance with Commission Decision [2003/644/EC](#) of 8th September 2003.
- (c) The official health certification accompanying laying hens exported from Scotland to Finland or Sweden must contain the statement that they have been tested for salmonella with negative results in accordance with Commission Decision [2004/235/EC](#) of 11th March 2004.
- (d) The official health certification accompanying poultry for slaughter exported from Scotland to Finland or Sweden must contain the statement that they have undergone microbiological testing with negative results in accordance with Council Decision [95/410/EC](#) of 22nd June 1995.
- (e) The official health certification accompanying poultry, hatching eggs and day old chicks imported into Scotland from Italy shall include the words “The animal health conditions of this consignment are in accordance with Commission Decision [2005/926/EC](#)”.
- (f) In the case of hatching eggs from a protection zone established under Commission Decision [2006/115/EC](#) which are–
 - (i) exported from such a protection zone in Scotland to another member State, or
 - (ii) imported from such a protection zone in another member State into Scotland

pursuant to the derogation in Article 7 of Commission Decision [2006/115/EC](#), the official health certification required to accompany hatching eggs under Article 17 of Council Directive [90/539/EEC](#) in the form of Model 1 of Annex IV to that Directive shall contain a statement in the following terms:

“This consignment complies with the animal health conditions laid down in Commission Decision [2006/115/EC](#).”

Animal waste

7. Instrument: Regulation (EC) No. [1774/2002](#) of the European Parliament and of the Council laying down rules concerning animal by products not intended for human consumption (O.J. No. L 273, 10.10.2002, p.1), as amended by, and as read with—

Commission Regulation No. 808/2003 (O.J. No. L 117, 13.5.03, p.1);
Commission Regulation No. 811/2003 (O.J. No. L 117, 13.5.03, p.14);
Commission Regulation No. 813/2003 (O.J. No. L 117, 13.5.03, p.22);
Commission Decision [2003/320/EC](#) (O.J. No. L 117, 13.5.03, p.24);
Commission Decision [2003/321/EC](#) (O.J. No. L 117, 13.5.03, p.30);
Commission Decision [2003/326/EC](#) (O.J. No. L 117, 13.5.03, p.42);
Commission Decision [2003/327/EC](#) (O.J. No. L 117, 13.5.03, p.44);
Commission Decision [2003/328/EC](#) (O.J. No. L 117, 13.5.2003, p.46);
Commission Decision [2003/329/EC](#) (O.J. No. L 117, 13.5.2003, p.51);
Commission Regulation No. 780/2004 (O.J. No. L 123, 27.4.2004, p.64);
Commission Regulation No. 93/2005 (O.J. No. L 19, 21.1.2005, p.34)
Commission Regulation No. 2007/2006 (O.J. No. L 379, 28.12.2006, p.98); and
the European international instruments.

Relevant provision in that instrument: Article 8 as read with Annex II.

Farmed fish

8.—(1) Instrument: Council Directive [91/67/EEC](#) concerning the animal health conditions governing the placing on the market of aquaculture animals and products (O.J. No. L 46, 19.2.91, p.1), as amended by, and as read with—

Commission Decision [94/864/EC](#) (O.J. No. L 352, 31.12.94, p.74);
Commission Decision [97/804/EC](#) (O.J. No. L 329, 29.11.97, p.70));
Council Directive [97/79/EC](#) (O.J. No. L 24, 30.1.98, p.31);
Commission Decision [98/24/EC](#) (O.J. No. L 8, 14.1.98, p.26);
Council Directive [98/45/EC](#) (O.J. No. L 189, 3.7.98, p.12);
Commission Decision [99/567/EC](#) (O.J. No. L 216, 14.8.99, p.13);
Commission Decision [2001/159/EC](#) (O.J. No. L 57, 27.2.2001, p.54);
Commission Decision [2001/183/EC](#) (O.J. L 67 9.3.2001 p.65);
Commission Decision [2002/300/EC](#) (O.J. No. L 103, 19.4.2002, p.24), as amended by
Commission Decision [2003/378/EC](#) (O.J. No. L 130, 27.5.2003, p.27);
Commission Decision [2002/308/EC](#) (O.J. No. L 106, 23.4.2002, p.28), as amended by
Commission Decision [2004/850/EC](#) (O.J. No. L 368, 15.12.2004, p.28);

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Commission Decision [2003/390/EC](#) (O.J. No. L 135, 3.6.2003, p.19);
Commission Decision [2003/466/EC](#) (O.J. No. L 156, 25.6.2003, p.61);
Commission Decision [2003/634/EC](#) (O.J. No. L 220, 3.9.2003, p.8), as amended by
Commission Decision [2003/904/EC](#) (O.J. No. L 340, 24.12.2003, p.69) and Commission
Decision [2005/770/EC](#) (O.J. No. L 291, 5.11.2005);
Commission Decision [2004/453/EC](#) (O.J. No. L 156, 30.4.2004, p.5); and
the European international instruments.
Relevant provisions in that instrument: in so far as they apply to live fish, eggs and gametes,
Articles 3, 4, 7 to 11, and 14 and 16.

Fish other than farmed fish

(2) Instrument: Council Directive [91/493/EEC](#) laying down the health conditions for the
production and placing on the market of fishery products (O.J. No. L 268, 24.9.91, p.15), as amended
by, and as read with—

Council Directive [92/48/EEC](#) (O.J. No. L 187, 7.7.92, p.41), laying down the minimum
hygiene rules applicable to fishery products caught on board certain vessels in accordance with
Article 3(1)(a)(I) of Council Directive [91/493/EEC](#);

Council Directive [95/71/EC](#) (O.J. No. L 332, 30.12.95, p.40);

Council Directive [97/79/EC](#) (O.J. No. L 24, 30.1.98, p.310); and

the European international instruments.

Relevant provision in that instrument: Article 4.

Live Bivalve molluscs

(3) Instrument: Council Directive [91/492/EEC](#) laying down the health conditions for the
production and placing on the market of live shellfish (O.J. No. L 268, 24.9.91, p.1), as amended
by, and as read with—

Council Directive [97/61/EC](#) (O.J. No. L 295, 29.10.97, p.35); and

the European international instruments.

Relevant provisions in that instrument: Articles 3(1)(a) (i), 3(2), 4, 7, 8, and 9.

Ovine and caprine animals

9. Instrument: Council Directive [91/68/EEC](#) on animal health conditions governing intra
Community trade in ovine and caprine animals (O.J. No. L 46, 19.2.91, p.19) as amended by, and
as read with—

Council Directive [90/425/EC](#) (O.J. No. L 224, 18.8.90, p.29);

Council Directive [92/102/EEC](#) (O.J. No. L 355, 5.12.92, p.32); as amended by Council
Regulation (EC) No. [21/2004](#) (O.J. No. L 5, 9.1.2004, p.8);

Commission Decision [93/52/EEC](#) (O.J. No. L 13, 21.1.93, p.14), as amended by Commission
Decisions [2001/292/EC](#) (O.J. No. L 100, 11.4.2001, p.28), [2002/482/EC](#) (O.J. No. L 166,
25.6.2002, p.23), [2003/44/EC](#) (O.J. No. L 013, 18.1.2003, p.23), [2003/237/EC](#) (O.J. No. L 87,
4.4.2003, p.13), [2003/732/EC](#) (O.J. No. L 264, 15.10.2003, p.30), [2004/199/EC](#) (O.J. No. L
64, 2.3.2004, p.41) and [2004/320/EC](#) (O.J. No. L 102, 7.4.2004, p.75);

Commission Decision [94/164/EEC](#) (O.J. No. L 74, 17.3.94, p.42);

Commission Decision [94/953/EEC](#) (O.J. No. L 371, 31.12.94, p.14);

Commission Decision [2001/298/EC](#) (O.J. No. L 102, 12.4.2001, p.63);
Directive [2001/10/EC](#) of the European Parliament and of the Council (O.J. No. L 147, 31.5.2001, p.41);
Council Directive [2003/50/EC](#) (O.J. No. L 169, 8.7.2003, p.51);
Commission Decision [2004/554/EC](#) (O.J. No. L 248, 9.7.2004, p.1);
Commission Decision [2005/932/EC](#) (O.J. No. L 340, 23.12.2005, p.68); and
the European international instruments.

Relevant provisions in that instrument: Articles 3, 4, 4a, 4b, 4c, 5, 6 and 9.

Additional requirements:

- (a) Only uncastrated rams for breeding which have been tested for contagious epididymitis (*Brucella ovis*) in accordance with Article 6(c) of Council Directive [91/68/EEC](#) may be imported into Scotland.
- (b) The official health certification accompanying all sheep and goats for fattening and breeding imported into Scotland must confirm that the animals are eligible for entry into an officially brucellosis free ovine or caprine holding in accordance with Annex A, Chapter 1, point D of Council Directive [91/68/EEC](#).

Other animals, semen, ova and embryos

10. Instrument: 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 Council Directive [90/425/EEC](#) (O.J. No. L 268, 14.9.92, p.54), as amended by, and as read with—

Commission Decision [95/176/EC](#) (O.J. No. L 117, 24.5.95, p.23);
Commission Decision [95/294/EC](#) (O.J. No. L 182, 2.8.95, p.27);
Commission Decision [95/307/EC](#) (O.J. No. L 185, 4.8.95, p.58);
Commission Decision [95/388/EC](#) (O.J. No. L 234, 3.10.95, p.30), as amended by Commission Decision [2005/43/EC](#) (O.J. No. L 20, 22.1.05, p.34);
Commission Decision [95/483/EC](#) (O.J. No. L 275, 18.11.95, p.30);
Commission Decision [2001/298/EC](#) (O.J. No. L 102, 12.4.2001, p.63);
Commission Regulation (EC) No. [1282/2002](#) (O.J. No. L 187, 16.7.2002, p.3);
Council Regulation (EC) No. [1802/2002](#) (O.J. No. L 274, 11.10.2002, p.21);
Regulation (EC) No. [998/2003](#) (O.J. No. L 146, 13.6.2003, p.1), as amended by Council Decision [2004/650/EC](#) (O.J. No. L 298, 23.9.2004, p.22);
Council Regulation (EC) No. [1398/2003](#) (O.J. No. L 198, 06.08.2003, p.3);
Commission Regulation (EC) No. [592/2004](#) (O.J. No. L 94, 31.3.2004, p.7);
Council Directive [2004/68/EC](#) (O.J. No. L 139, 30.4.2004, p.321[36]);
Commission Decision [2004/205/EC](#) (O.J. No. L 65, 3.3.2004, p.23); and
the European international instruments;

Relevant provisions in that instrument: subject to the Note to this paragraph, Articles 3 to 9, 10(1) to 10(3), and 11 to 13.

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By way of derogation from the requirements of Article 5(1), the Scottish Ministers may authorise in writing the purchase by a body, institute or centre approved under regulation 9 of these Regulations of apes belonging to an individual.

Additional requirements:

- (a) The importation into Scotland of lagomorphs which cannot be shown to have been born on the holding of origin and kept in captivity since birth is prohibited except in accordance with the provisions of the Rabies (Importation of Dogs, Cats and Other Mammals) Order 1974. Lagomorphs born on the holding of origin and kept in captivity since birth must be accompanied on importation by an official health certificate confirming that status and that the holding of origin has been free from rabies for at least one month.
- (b) Animals (other than carnivores, primates, bats and lagomorphs) born on the holding of origin and kept in captivity since birth must be accompanied on importation by a certificate completed by the exporter confirming that status and that the animals do not show any obvious signs of disease at the time of export, and that the premises of origin are not subject to any animal health restrictions.

Pathogens

11. Instrument: Council Directive [92/118/EEC](#) laying down animal and public health requirements governing trade in and imports into the Community of products not subject to the said requirements laid down in specific Community rules referred to in Annex A(I) to Directive [89/662/EEC](#) and, as regards pathogens, to Directive [90/425/EEC](#) (O.J. No. L 62, 15.3.93, p.49) as amended by, and as read with—

Council Directive [2002/33/EC](#) (O.J. No. L 315, 19.11.2002, p.14);

Commission Decision [2003/721/EC](#) (O.J. No. L 260, 11.10.2003, p.21);

Commission Regulation (EC) No. [445/2004](#) (O.J. No. L 72, 11.3.2004, p.60); and
the European international instruments.

Relevant provisions in that instrument: Articles 6 and 7(1).

Pure-bred animals of the bovine species

12. Instrument: Council Directive [77/504/EEC](#) on pure bred breeding animals of the bovine species (O.J. No. L 206, 12.8.1977, p.8), as amended by, and as read with—

The Act concerning the conditions of accession of the Hellenic Republic to the European Communities (O.J. No. L 291, 19.11.79, p.17);

Council Directive [79/268/EEC](#) (O.J. No. L 62, 13.3.79, p.5);

Council Regulation [3768/85/EEC](#) (O.J. No. L 362, 31.12.85, p.8);

Council Directive [85/586/EEC](#) (O.J. No. L 372, 31.12.85, p.44);

Commission Decision [86/404/EEC](#) (O.J. No. L 233, 20.8.86, p.19);

Commission Decision [88/124/EEC](#) (O.J. No. L 62, 8.3.88, p.32);

Council Directive [91/174/EEC](#) (O.J. No. L 85, 5.4.91, p.37);

Council Directive [94/28/EC](#) (O.J. No. L 178, 12.7.94, p.66);

Commission Decision [96/80/EC](#) (O.J. No. L 19, 25.1.96, p.50);

Commission Decision [96/510/EC](#) (O.J. No. L 210, 20.8.96, p.53) (as amended by Commission Decision [2004/186/EC](#) (O.J. No. L 57, 25.2.2004, p.27);

Commission Decision [2002/8/EC](#) (O.J. No. L 003, 5.1.2002, p.53); and

the European international instruments.

Relevant provisions in that instrument: Articles 5 and 7.

Breeding animals of the porcine species

13. Instrument: Council Directive [88/661/EEC](#) on the zootechnical standards applicable to breeding animals of the porcine species (O.J. No. L 382, 31.12.1988, p.36), as amended by, and as read with–

Commission Decision [89/503/EEC](#) (O.J. No. L 247, 23.8.89, p.22);

Commission Decision [89/506/EEC](#) (O.J. No. L 247, 23.8.89, p.34);

Council Directive [94/28/EC](#) (O.J. No. L 178, 12.7.94, p.66);

Commission Decision [96/510/EC](#) (O.J. No. L 210, 20.08.96, p.53) (as amended by Commission Decision [2004/186/EC](#) (O.J. No. L 57, 25.2.2004, p.27); and

the European international instruments.

Relevant provisions in that instrument: Articles 2(2), 5, 7(2) and 9.

Pure-bred breeding sheep and goats

14. Instrument: Council Directive [89/361/EEC](#) concerning pure bred breeding sheep and goats (O.J. No. L 153, 6.6.1989, p.30), as amended by, and as read with–

Commission Decision [90/258/EEC](#) (O.J. No. L 145, 8.6.90, p.39);

Council Directive [94/28/EC](#) (O.J. No. L 178, 12.7.94, p.66);

Commission Decision [96/510/EC](#) (O.J. No. L 210, 20.08.96, p.53);

Commission Decision [2004/186/EC](#) (O.J. No. L 57, 25.2.2004, p.27); and

the European international instruments.

Relevant provisions in that instrument: Articles 3(2) and 6.

Equidae

15. Instrument: Council Directive [90/427/EEC](#) on the zootechnical and genealogical conditions governing intra Community trade in equidae (O.J. No. L 224, 18.8.90, p.55), as amended by, and as read with–

Council Directive [90/426/EEC](#) (O.J. No. L 224, 18.8.90, p.42);

Commission Decision [92/353/EEC](#) (O.J. No. L 192, 11.7.92, p.63);

Commission Decision [92/354/EEC](#) (O.J. No. L 192, 11.7.92, p.66);

Commission Decision [93/623/EEC](#) (O.J. No. L 298, 3.12.93, p.45) as amended by Decision [2000/68/EC](#) (O.J. No. L 023, 28.1.2000, p.72);

Council Directive [94/28/EC](#) (O.J. No. L 178, 12.7.94, p.66);

Commission Decision [96/78/EC](#) (O.J. No. L 19, 25.1.96, p.39);

Commission Decision [96/510/EC](#) (O.J. No. L 210, 20.08.1996, p.53);

Commission Decision [2004/186/EC](#) (O.J. No. L 57, 25.2.2004, p.27); and

the European international instruments.

Relevant provisions in that instrument: Articles 6 and 8.

Animals of species susceptible to foot-and-mouth disease

16. Commission Decision [2001/327/EC](#) concerning restrictions to the movement of animals of susceptible species with regard to foot-and-mouth disease and repealing Decision [2001/263/EC](#) (O.J. No. L 115, 25.4.01, p.12), as amended by and as read with:

- Commission Decision [2001/349/EC](#) (O.J. No. L 123, 4.5.01, p.26);
- Commission Decision [2001/378/EC](#) (O.J. No. L 132, 15.5.01, p.31);
- Commission Decision [2001/394/EC](#) (O.J. No. L 138, 22.5.01, p.36);
- Commission Decision [2001/416/EC](#) (O.J. No. L 149, 2.6.01, p.40);
- Commission Decision [2001/488/EC](#) (O.J. No. L 176, 29.6.01, p.75);
- Commission Decision [2001/709/EC](#) (O.J. No. L 261, 29.9.01, p.69);
- Commission Decision [2001/904/EC](#) (O.J. No. L 335, 19.12.01, p.21);
- Commission Decision [2002/153/EC](#) (O.J. No. L 50, 21.2.02, p.98); and
- Commission Decision [2002/242/EC](#) (O.J. No. L 82, 26.3.02, p.18).

Relevant provisions: Article 2a.

PART II

Additional Requirements for the Transport of Cattle, Pigs, Sheep and Goats

1. Any person transporting cattle, pigs, sheep or goats in intra Community trade shall do so in accordance with this Part.
2. That person shall, for each vehicle used for the transport of those animals, keep a register containing the following information, and shall keep the register for 3 years—
 - (a) places and dates of pick up, and the name or business name and address of the holding or assembly centre where the animals are picked up;
 - (b) places and dates of delivery, and the name or business name and address of the consignee;
 - (c) species and number of animals carried;
 - (d) date and place of disinfection; and
 - (e) the unique identifying number of accompanying health certificates.
3. They shall ensure that the means of transport is constructed in such a way that the animal faeces, litter or feed cannot leak or fall out of the vehicle.
4. They shall have cleansing and disinfection facilities for the vehicles which are approved for the purpose by the Scottish Ministers under this paragraph (and which must include facilities for storing litter and faeces) or they shall provide documentary evidence to the Scottish Ministers that the cleansing and disinfection operations are carried out by a third party approved by the Scottish Ministers.
5. They shall give a written undertaking to the Scottish Ministers stating that—
 - (a) all measures have been taken to ensure compliance with—
 - (i) in the case of cattle or pigs, Council Directive [64/432/EEC](#), and in particular the provisions laid down in Article 12 of that Directive and the provisions of that Directive relating to the appropriate documentation that must accompany the animals; and
 - (ii) in the case of sheep or goats, Council Directive [91/68/EEC](#), and in particular the provisions laid down in Article 8(c) of that Directive and the provisions of

that Directive relating to the appropriate documentation that must accompany the animals; and

- (b) the transport of animals will be entrusted to staff who possess the necessary ability, professional competence and knowledge.

PART III

Additional Requirements for Dealers in Cattle, Pigs, Sheep and Goats

1. Every dealer in cattle, pigs, sheep or goats engaging in intra Community trade shall comply with the provisions of this Part.

2. The dealer shall—

- (a) be approved by the Scottish Ministers under this paragraph; and
- (b) be registered with, and have a registration number issued by the Scottish Ministers,

and the Scottish Ministers shall only issue an approval if they are satisfied that the dealer will comply with the provisions of this Part.

3. The dealer shall ensure that the dealer only imports or exports animals that are identified and meet the requirements of Community law for intra Community trade and, in the case of cattle, come from herds that are officially free of tuberculosis, brucellosis and leukosis, or are slaughter animals meeting the requirements of Article 6.3 or, if slaughter animals under a disease control programme, Article 13.1(a), of Council Directive [64/432/EEC](#).

4. The dealer shall keep a record for all cattle, pigs, sheep and goats which the dealer imports or exports, either on the basis of identification numbers or marks on the animals, and keep the record for 3 years, of—

- (a) the name and address of the seller;
- (b) the origin of the animals;
- (c) the date of purchase;
- (d) the categories, number and identification (or registration number of the holding of origin) of cattle, sheep and goats;
- (e) the registration number of the holding of origin or the herd of origin of pigs;
- (f) the approval or registration number of the assembly centre through which he has acquired sheep or goats (where applicable);
- (g) the registration number of the transporter or the licence number of the lorry delivering and collecting animals;
- (h) the name and address of the buyer and the destination of the animals; and
- (i) copies of route plans and numbers of health certificates.

5. In the case of a dealer who keeps animals on their premises, they shall ensure that—

- (a) specific training in the care and welfare of animals is given to the staff in charge of the animals; and
- (b) all necessary steps are taken to prevent the spread of disease.

6.—(1) The dealer shall only use premises approved for the purpose by the Scottish Ministers under this paragraph.

(2) The Scottish Ministers shall issue an approval number for premises approved under this paragraph.

Status: *This is the original version (as it was originally made).*

(3) The Scottish Ministers shall only issue an approval under this paragraph if they are satisfied that the premises comply with, in the case of a dealer in cattle or pigs, Article 13.2 of Council Directive [64/432/EEC](#) or, in the case of a dealer in sheep and goats, Article 8b(2), of Council Directive [91/68/EEC](#).