

SCHEDULE 3

Intra-Community trade: Legislation and Additional Requirements

PART I

LEGISLATION ON INTRA-COMMUNITY TRADE

Fish

Farmed fish

8.—(1) Council Directive [91/67/EEC](#) concerning the animal health conditions governing the placing on the market of aquaculture animals and products (OJNo. L46, 19.2.91, p. 1), as amended by, and as read with —

Commission Decision [94/864/EC](#) (OJ No. L352, 31.12.94, p. 74);

Commission Decision [97/804/EC](#) (OJ No. L329, 29.11.97, p. 70));

Council Directive [97/79/EC](#) (OJ No. L24, 30.1.98, p. 31);

Commission Decision [98/24/EC](#) (OJ No L8, 14.1.98, p. 26);

Council Directive [98/45/EC](#) (OJ No. L189, 3.7.98, p. 12);

Commission Decision [99/567/EC](#) (OJ No. L216, 14.8.99, p. 13);

Commission Decision [2001/159/EC](#) (OJ No. L57, 27.2.2001, p. 54);

Commission Decision [2001/183/EC](#) (OJ L67 9.3.2001 p. 65);

Commission Decision [2002/300/EC](#) (OJ No. L103, 19.4.2002, p. 24), as amended by Commission Decision [2003/378/EC](#) (OJ No. L130, 27.5.2003, p. 27);

Commission Decision [2002/308/EC](#) (OJ No. L106, 23.4.2002, p. 28), as amended by Commission Decision [2002/536/EC](#) (OJ No. L173, 3.7.2002, p. 17), Commission Decision [2002/1005/EC](#) (OJ No. L349, 24.12.2002, p. 109), Commission Decision [2003/114/EC](#) (OJ No. L46, 20.2.03, p. 29), Commission Decision [2003/458/EC](#) (OJ No. L154, 21.6.2003, p. 93)), , and Commission Decision [2004/373/EC](#) (OJ L118, 23.4.2004, p. 49);

Commission Decision [2003/390/EC](#) (OJ No. L135, 3.6.2003, p.19);

Commission Decision [2003/466/EC](#) (OJ No. L156, 25.6.2003, p. 61);

Commission Decision [2003/634/EC](#) (OJ No. L220, 3.9.2003, p. 8), as amended by Commission Decision [2003/904/EC](#) (OJ No. L340, 24.12.2003, p. 69) and Commission Decision [2004/328/EC](#) (OJ L104, 8.4.2004, p. 129);

Commission Decision [2004/453/EC](#) (OJ No. L156, 30.4.2004, p. 5); and

the European international instruments.

Relevant provisions: The following provisions 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) Council Directive [91/493/EEC](#) laying down the health conditions for the production and placing on the market of fishery products (OJ No. L268, 24.9.91, p. 15), as amended by, and as read with —

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Council Directive [92/48/EEC](#) (OJ No. L187, 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](#) (OJ No. L332, 30.12.95, p. 40);

Council Directive [97/79/EC](#) (OJ No. L24, 30.1.98, p. 310); and

the European international instruments.

Relevant provisions: Article 4.

Live Bivalve molluscs

(3) Council Directive [91/492/EEC](#) laying down the health conditions for the production and placing on the market of live shellfish (OJ No. L268, 24.9.91, p. 1), as amended by, and as read with —

Council Directive [97/61/EC](#) (OJ No. L295, 29.10.97, p. 35); and

the European international instruments.

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

Ovine and caprine animals

9. Council Directive [91/68/EEC](#) on animal health conditions governing intra-Community trade in ovine and caprine animals (OJ No. L46, 19.2.91, p. 19) as amended by, and as read with —

Council Directive [90/425/EC](#) (OJ No. L224, 18.8.90, p. 29);

Council Directive [92/102/EEC](#) (OJ No. L355, 5.12.92, p. 32); as amended by Council Regulation (EC) No. [21/2004](#) (OJ No. L5, 9.1.2004, p. 8);

Commission Decision [93/52/EEC](#) (OJ No. L13, 21.1.93, p. 14), as amended by Commission Decisions [2001/292/EC](#) (OJ No. L100, 11.4.2001, p. 28), [2002/482/EC](#) (OJ No. L166, 25.6.2002, p. 23), [2003/44/EC](#) (OJ No. L013, 18.1.2003, p. 23), [2003/237/EC](#) (OJ No. L 87, 4.4.2003, p. 13), [2003/732/EC](#) (OJ No. L264, 15.10.2003, p.30), [2004/199/EC](#) (OJ No. L64, 2.3.2004, p. 41) and [2004/320/EC](#) (OJ No. L102, 7.4.2004, p. 75);

Commission Decision [94/164/EEC](#) (OJ No. L74, 17.3.94, p. 42);

Commission Decision [94/953/EEC](#) (OJ No. L371, 31.12.94, p. 14);

Commission Decision [2001/298/EC](#) (OJ No. L102, 12.4.2001, p. 63);

Directive [2001/10/EC](#) of the European Parliament and of the Council (OJ No. L147, 31.5.2001, p. 41);

Commission Decision [2002/261/EC](#) (OJ No. L091, 6.4.2002, p. 31);

Council Directive [2003/50/EC](#) (OJ No. L169, 8.7.2003, p. 51);

Commission Decision [2003/708/EC](#) (OJ No. L258, 10.10.2003, p. 11); and

the European international instruments.

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

- (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 Wales.
- (b) The official health certification accompanying all sheep and goats for fattening and breeding imported into Wales 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. 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](#) (OJ No. L268, 14.9.92, p. 54), as amended by, and as read with —

- Commission Decision [95/176/EC](#) (OJ No. L117, 24.5.95, p. 23);
- Commission Decision [95/294/EC](#) (OJ No. L182, 2.8.95, p. 27);
- Commission Decision [95/307/EC](#) (OJ No. L185, 4.8.95, p. 58);
- Commission Decision [95/388/EC](#) (OJ No. L234, 3.10.95, p. 30);
- Commission Decision [95/483/EC](#) (OJ No. L275, 18.11.95, p. 30);
- Commission Decision [2001/298/EC](#) (OJ No. L102, 12.4.2001, p. 63);
- Commission Regulation (EC) No. [1282/2002](#) (OJ No. L187, 16.7.2002, p. 3);
- Council Regulation (EC) No. [1802/2002](#) (OJ No. L274, 11.10.2002, p. 21);
- Council Regulation (EC) No. [1398/2003](#) (OJ No. L198, 06.08.2003, p. 3);
- Commission Decision [2004/205/EC](#) (OJ No. L65, 3.3.2004, p. 23);
- Regulation (EC) No. [998/2003](#) (OJ No. L146, 13.6.2003, p.1);
- Commission Regulation (EC) No. [592/2004](#) (OJ No. L94, 31.3.2004, p. 7); and

the European international instruments.

Relevant provisions: Articles 3 to 9, 10(1) to 10(3), and 11 to 13.

- (a) By way of derogation from the requirements of Article 5(1), the National Assembly 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.
- (b) The importation into Wales 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.
- (c) 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. 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](#) (OJ No. L62, 15.3.93, p. 49) as amended by, and as read with —

- Council Directive [2002/33/EC](#) (OJ No. L315, 19.11.2002, p. 14);
- Commission Decision [2003/721/EC](#) (OJ No. L260, 11.10.2003, p. 21);

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Commission Regulation (EC) No. 445/2004 (OJ No. L72, 11.3.2004, p. 60); and the European international instruments.

Relevant provisions: Articles 6 and 7(1).

Pure-bred animals of the bovine species

12. Council Directive 77/504/EEC on pure-bred breeding animals of the bovine species (OJ No. L206, 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 (OJ No. L291, 19.11.79, p. 17);

Council Directive 79/268/EEC (OJ No. L62, 13.3.79, p. 5);

Council Regulation 3768/85/EEC (OJ No. L362, 31.12.85, p. 8);

Council Directive 85/586/EEC (OJ No. L372, 31.12.85, p. 44);

Commission Decision 86/404/EEC (OJ No. L233, 20.8.86, p. 19);

Commission Decision 88/124/EEC (OJ No. L62, 8.3.88, p. 32);

Council Directive 91/174/EEC (OJ No. L85, 5.4.91, p. 37);

Council Directive 94/28/EC (OJ No. L178, 12.7.94, p. 66);

Commission Decision 96/80/EC (OJ No. L19, 25.1.96, p. 50);

Commission Decision 96/510/EC (OJ No. L210, 20.8.96, p. 53) (as amended by Commission Decision 2004/186/EC (OJ No. L57, 25.2.2004, p. 27);

Commission Decision 2002/8/EC (OJ No. L003, 5.1.2002, p. 53); and

the European international instruments.

Relevant provisions: Articles 5 and 7.

Breeding animals of the porcine species

13. Council Directive 88/661/EEC on the zootechnical standards applicable to breeding animals of the porcine species (OJ No. L382, 31.12.1988, p. 36), as amended by, and as read with —

Commission Decision 89/503/EEC (OJ No. L247, 23.8.89, p. 22);

Commission Decision 89/506/EEC (OJ No. L247, 23.8.89, p. 34);

Council Directive 94/28/EC (OJ No. L178, 12.7.94, p. 66);

Commission Decision 96/510/EC (OJ No. L210, 20.08.96, p. 53) (as amended by Commission Decision 2004/186/EC (OJ No. L57, 25.2.2004, p. 27); and

the European international instruments.

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

Pure-bred breeding sheep and goats

14. Council Directive 89/361/EEC concerning pure-bred breeding sheep and goats (OJ No. L153, 6.6.1989, p. 30), as amended by, and as read with —

Commission Decision 90/258/EEC (OJ No. L145, 8.6.90, p. 39);

Council Directive 94/28/EC (OJ No. L178, 12.7.94, p. 66);

Commission Decision 96/510/EC (OJ No. L210, 20.08.96, p. 53);

Commission Decision 2004/186/EC (OJ No. L57, 25.2.2004, p. 27); and

the European international instruments.

Relevant provisions: Articles 3(2) and 6.

Equidae

15. Council Directive [90/427/EEC](#) on the zootechnical and genealogical conditions governing intra-Community trade in equidae (OJ No. L224, 18.8.90, p. 55), as amended by, and as read with —

Commission Decision [92/353/EEC](#) (OJ No. L192, 11.7.92, p. 63);

Commission Decision [92/354/EEC](#) (OJ No. L192, 11.7.92, p. 66);

Commission Decision [93/623/EEC](#) (OJ No. L298, 3.12.93, p. 45) as amended by Decision [2000/68/EC](#) (OJ No. L023, 28.1.2000, p. 72);

Council Directive [94/28/EC](#) (OJ No. L178, 12.7.94, p. 66);

Commission Decision [96/78/EC](#) (OJ No. L19, 25.1.96, p. 39);

Commission Decision [96/510/EC](#) (OJ No. L210, 20.08.1996, p. 53);

Commission Decision [2004/186/EC](#) (OJ No. L57, 25.2.2004, p. 27); and

the European international instruments.

Relevant provisions: Articles 6 and 8.