

SCHEDULE 3

Intra-Community trade: Legislation and Additional Requirements

PART I

LEGISLATION ON 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](#) (OJNo. L109, 25.4.97, p. 1), and as subsequently amended by —

Council Directive [98/46/EC](#) (OJ No. L198, 15.7.98, p. 22);

Council Directive [98/99/EC](#) (OJ No. L358, 31.12.98, p. 107);

Commission Decision [98/621/EC](#) (OJ No. L296, 5.11.98, p. 15);

Directive [2000/15/EC](#) of the European Parliament and of the Council (OJ No. L105, 3.5.2000, p. 34);

Directive [2000/20/EC](#) of the European Parliament and of the Council (OJ No. L163, 4.7.2000, p. 35);

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

Commission Regulation (EC) No [535/2002](#) (OJ No. L80, 23.3.2002, p. 22);

Commission Regulation (EC) No [1226/2002](#) (OJ L179, 9.7.2002, p. 13);

Council Regulation (EC) No. [21/2004](#) (OJ No. L5, 9.1.2004, p. 8);

Commission Decision [2004/226/EC](#) (OJ No. L68, 6.3.2004, p. 36); and

the European International Instruments.

Relevant provisions: 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).

- (a) The official health certificate accompanying all cattle imported into Wales 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 Wales 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 Wales from any other member State except Austria, the Republic of Cyprus, the Czech Republic, Denmark, Finland, Germany, Luxembourg, Sweden and those regions 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(1)”.
- (d) In the event of the prohibition on the export of cattle from Wales imposed by Commission Decision [98/256/EC](#) on emergency measures to protect against Bovine Spongiform Encephalopathy (OJ No. L113, 15.4.98, p. 32) (as amended by Commission Decision [2002/670/EC](#) (OJ No. L228, 24.8.2002, p. 22) being revoked so as to allow the despatch

(1) OJ No. L16, 25.1.93, p. 18).

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of cattle from Great Britain to another member State or a third country, such exports to the countries listed in Annexes I and II of Commission Decision [2004/215/EC](#) (OJ L67, 5.3.2004, p. 24) must meet the additional conditions laid down in that Decision.

- (e) In accordance with Commission Decision [2003/514/EC](#) concerning health protection measures against African swine fever in Sardinia, Italy (OJ No. L178, 17.7.2003, p. 28), the importation into Wales from the Italian region of Sardinia of animals of the *suidae* family is prohibited.

Bovine semen

2. 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 (OJ No. L194, 22.7.88, p. 10), as amended by, and as read with—

- Council Directive [90/120/EEC](#) (OJ No. L71, 17.3.90, p. 37);
- Council Directive [90/425/EEC](#) (OJ No. L224, 18.8.90, p. 29);
- Council Directive [93/60/EEC](#) (OJ No. L186, 28.7.93, p. 28);
- Council Directive [2003/43/EC](#) (OJ No. L143, 11.6.2003, p. 23);
- Commission Decision [2004/205/EC](#) (OJ No. L65, 3.3.2004, p. 23);
- Commission Decision [2004/101/EC](#) (OJ No. L30, 4.2.2004, p. 15); and

the European international instruments.

Relevant provisions: Articles 3 and 6.

Bovine embryos

3. 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 (OJ No. L302, 19.10.89, p. 1), as amended by, and as read with—

- Council Directive [90/425/EEC](#) (OJ No. L224, 18.8.90, p. 29);
- Council Directive [93/52/EEC](#) (OJ No. L175, 19.7.93, p. 21);
- Commission Decision [94/113/EC](#) (OJ No. L53, 24.2.94, p. 23);
- Commission Decision [2004/205/EC](#) (OJ No. L65, 3.3.2004, p. 23); and

the European international instruments.

Relevant provisions: Articles 3 and 6.

Equidae

4. Council Directive [90/426/EEC](#) on health conditions governing the movement of equidae and their import from third countries (OJ No. L224, 18.8.90, p. 42), as amended by, and as read with —

- Council Directive [90/425/EEC](#) (OJ No. L224, 18.8.90, p. 29);
- Council Directive [91/496/EEC](#) (OJ No. L268, 24.9.91, p. 56);
- Council Directive [92/36/EEC](#) (OJ No. L157, 10.6.92, p. 28);
- Commission Decision [92/130/EEC](#) (OJ No. L47, 22.2.92, p. 26);
- Commission Decision [2001/298/EC](#) (OJ No. L102, 12.4.2001, p. 63);
- Commission Decision [2002/160/EC](#) (OJ No. L053, 23.2.2002, p. 37); and

the European international instruments.

Relevant provisions: Articles 4, 5, 7(1), and 8.

- (a) The requirements of Articles 4(1), 4(2) and 8 do 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 accompanied by an identification document provided for in Council Directive [90/427/EEC](#) (OJ No. L224, 18.8.90, p. 55).
- (b) The derogation permitted under Article 7(2) does not apply in relation to equidae brought into Wales.

Porcine Semen

5. 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 (OJ No. L224, 18.8.90, p. 62) and Commission Decision [99/608/EC](#) (OJ No. L242, 14.9.99, p. 20), as amended by, and as read with —

Commission Decision [99/608/EC](#) (OJ No. L242, 14.9.1999, p. 20);
Commission Decision [2000/39/EC](#) (OJ No. L13, 19.1.2000, p. 21);
Commission Decision [2004/205/EC](#) (OJ No. L65, 3.3.2004, p. 23); and
the European international instruments.

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

The official health certification accompanying all porcine semen imported into Wales 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. Council Directive [90/539/EEC](#) on animal health conditions governing intra-Community trade in, and imports from third countries of poultry and hatching eggs (OJ No. L303, 30.10.90, p. 6), as amended by, and as read with —

Council Directive [90/425/EEC](#) (OJ No. L224, 18.8.90, p. 29);
Council Directive [91/496/EEC](#) (OJ No. L268, 24.9.91, p. 56);
Council Directive [92/65/EEC](#) (OJ No. L268, 14.9.92, p. 54);
Commission Decision [92/340/EEC](#) (OJ No. L188, 8.7.92, p. 34);
Commission Decision [92/369/EEC](#) (OJ No. L195, 14.7.92, p. 25);
Council Directive [93/120/EEC](#) (OJ No. L340, 31.12.93, p. 35);
Council Directive [95/410/EC](#) (OJ No. L243, 11.10.95, p. 25);
Commission Decision [97/278/EC](#) (OJ No. L110, 26.4.97, p. 77);
Council Directive [99/90/EC](#) (OJ No. L300, 23.11.1999, p. 19);
Commission Decision [2000/505/EC](#) (OJ No. L201, 9.8.2000, p. 8);
Commission Decision [2001/867/EC](#) (OJ No. L323, 7.12.2001, p. 29);
Commission Decision [2003/644/EC](#) (OJ No. L228, 12.9.2003, p. 29);
Commission Decision [2004/235/EC](#) (OJ No. L72, 11.3.2004, p. 86); and

the European International instruments.

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

- (a) The official health certification accompanying breeding poultry exported from Wales to Finland or Sweden must contain the statement that they have been tested for salmonella with negative results in accordance with Commission Decision [95/160/EC](#) of 21 April 1995.
- (b) The official health certification accompanying day-old chicks exported from Wales 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 [95/160/EC](#) of 21 April 1995.
- (c) The official health certification accompanying laying hens exported from Wales to Finland or Sweden must contain the statement that they have been tested for salmonella with negative results in accordance with Commission Decision [95/161/EC](#) of 21 April 1995.
- (d) The official health certification accompanying poultry for slaughter exported from Wales to Finland or Sweden must contain the statement that they have undergone microbiological testing with negative results in accordance with Council Decisions [95/410/EC](#) of 22 June 1995.

Animal waste

7. 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 (OJ No. L273, 10.10.2002, p. 1), as amended by, and as read with —

- Commission Regulation No. 808/2003 (OJ No. L117, 13.5.03, p. 1);
- Commission Regulation No. 811/2003 (OJ No. L117, 13.5.03, p. 14);
- Commission Regulation No. 813/2003 (OJ No. L117, 13.5.03, p. 22);
- Commission Decision [2003/320/EC](#) (OJ No. L117, 13.5.03, p. 24);
- Commission Decision [2003/321/EC](#) (OJ No. L117, 13.5.03, p. 30);
- Commission Decision [2003/326/EC](#) (OJ No. L117, 13.5.03, p. 42);
- Commission Decision [2003/327/EC](#) (OJ No. L117, 13.5.03, p. 44);
- Commission Decision [2003/328/EC](#) (OJ No. L117, 13.5.2003, p. 46);
- Commission Decision [2003/329/EC](#) (OJ No. L117, 13.5.2003, p. 51);
- Commission Regulation No. 780/2004 (OJ No. L123, 27.4.2004, p. 64); and

the European international instruments.

Relevant provision: Article 8.

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 (OJ No. 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 —

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.

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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 with 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);
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);

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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.

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