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COUNCIL DIRECTIVE
of 25 July 1977
on pure-bred breeding animals of the bovine species
 (77/504/EEC)
 (OJ L 206, 12.8.1977, p. 8)

Amended by:

		Official Journal		
		No	page	date
► <u>M1</u>	Council Directive 79/268/EEC of 5 March 1979	L 62	5	13.3.1979
► <u>M2</u>	Council Regulation (EEC) No 3768/85 of 20 December 1985	L 362	8	31.12.1985
► <u>M3</u>	Council Directive 85/586/EEC of 20 December 1985	L 372	44	31.12.1985
► <u>M4</u>	Council Directive 91/174/EEC of 25 March 1991	L 85	37	5.4.1991
► <u>M5</u>	Council Directive 94/28/EC of 23 June 1994	L 178	66	12.7.1994
► <u>M6</u>	Council Regulation (EC) No 807/2003 of 14 April 2003	L 122	36	16.5.2003
► <u>M7</u>	Council Directive 2008/73/EC of 15 July 2008	L 219	40	14.8.2008

Amended by:

► <u>A1</u>	Act of Accession of Greece	L 291	17	19.11.1979
► <u>A2</u>	Act of Accession of Austria, Sweden and Finland (adapted by Council Decision 95/1/EC, Euratom, ECSC)	C 241 L 1	21 1	29.8.1994 1.1.1995

▼B**COUNCIL DIRECTIVE****of 25 July 1977****on pure-bred breeding animals of the bovine species**

(77/504/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 43 and 100 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament ⁽¹⁾,

Having regard to the opinion of the Economic and Social Committee ⁽²⁾,

Whereas cattle production occupies a very important place in Community agriculture, and satisfactory results depend to a large extent on the use of purebred breeding animals;

Whereas most Member States have hitherto endeavoured, as part of their national breeding policies, to promote the production of livestock of a limited number of breeds meeting specific zootechnic standards; whereas the breeds and standards vary from one Member State to another; whereas these disparities hinder intra-Community trade;

Whereas, if these disparities are to be removed, thereby increasing agricultural productivity in this sector, intra-Community trade in all pure-bred breeding animals must be progressively liberalized; whereas complete liberalization of trade requires a later additional harmonization particularly regarding approval for breeding;

Whereas it must be possible for the Member States to insist on pedigree certificates drawn up in accordance with a Community procedure being presented;

Whereas implementing measures in certain technical areas should be taken; whereas, for the adoption of such measures, a procedure should be provided for establishing close cooperation between Member States and the Commission within the Standing Committee on Zootechnics; whereas, until the adoption of those implementing measures, the provisions which are at present in force in the areas in question must remain unchanged;

Whereas it must be ensured that importation of pure-bred breeding animals of the bovine species from non-member countries cannot be carried out on conditions which are less severe than those applied within the Community,

HAS ADOPTED THIS DIRECTIVE:

Article 1

For the purposes of this Directive the following definitions shall apply:

- (a) pure-bred breeding animal of the bovine species ►**M4** including buffalo ◀: any bovine animal the parents and grandparents of which are entered or registered in a herd-book of the same breed, and which is itself either entered or registered and eligible for entry in such a herd-book;

⁽¹⁾ OJ No C 76, 3.7.1974, p. 52.

⁽²⁾ OJ No C 116, 30.9.1974, p. 33.

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(b) herd-book: any book, register, file or data medium

▼A1

— which is maintained by a breeders' organization or association officially recognized by a Member State in which the breeders' organization or association was constituted, or by an official department of the Member State concerned, and

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— in which pure-bred breeding animals of a given breed of the bovine species are entered or registered with mention of their ancestors.

Article 2

The Member States shall ensure that the following shall not be prohibited, restricted or impeded on zootechnical grounds:

- intra-Community trade in pure-bred breeding animals of the bovine species,
- intra-Community trade in the semen, ►**M5** ova and embryos ◀ of pure-bred breeding animals of the bovine species,
- the establishment of herd-books, provided that they comply with the requirements laid down pursuant to Article 6,
- the recognition of organizations or associations which maintain herd-books, in accordance with Article 6, and
- subject to Article 3, intra-Community trade in bulls used for artificial insemination.

▼M3

However, Portugal is hereby authorized to maintain, until 31 December 1990 at the latest, import restrictions for bovine animals, as described in the first indent of the previous paragraph, where the breeds concerned do not appear on the list of breeds authorized in Portugal. Portugal shall notify the Commission and the Member States of the list of authorized breeds.

▼B*Article 3*

The Council, acting on a proposal from the Commission, shall, before 1 July 1980, adopt Community provisions for the approval of pure-bred breeding animals of the bovine species for breeding.

Until the entry into force of such provisions, approval of pure-bred breeding animals of the bovine species for breeding and approval of bulls to be used for artificial insemination as well as the use of semen, ►**M5** ova and embryos ◀ shall remain subject to national law, on the understanding that that law may not be more restrictive than that applicable to pure-bred breeding animals of the bovine species, semen, ►**M5** ova and embryos ◀ in the Member State of destination.

Article 4

Breeders' organizations or associations officially recognized by a Member State may not oppose the entry in their herd-books of pure-bred breeding animals of the bovine species from other Member States provided that they satisfy the requirements laid down in accordance with Article 6.

▼M7*Article 4a*

1. Member States shall draw up and keep up to date a list of bodies as referred to in Article 1(b), first indent, which are officially recognised for the purpose of maintaining or establishing herd books and make it available to the other Member States and to the public.

▼M7

2. Detailed rules for the uniform application of this Article may be adopted in accordance with the procedure referred to in Article 8(2).

▼B*Article 5*

Member States may require that pure-bred breeding animals of the bovine species and the semen or ►**M5** ova and embryos ◀ from such animals shall be accompanied, in intra-Community trade, by a pedigree certificate which complies with a specimen drawn up in accordance with the procedure laid down in Article 8, particularly with regard to zootechnical performance.

Article 6

1. The following shall be determined in accordance with the procedure laid down in Article 8:

- performance monitoring methods and methods for assessing cattle's genetic value,
- the criteria governing the recognition of breeders' organizations and associations,
- the criteria governing the establishment of herd-books,
- the criteria governing entry in herd-books,
- the particulars to be shown on the pedigree certificate.

2. Until the entry into force of the provisions provided for in the first, second and third indents of paragraph 1:

- (a) the official checks referred to in the first indent of paragraph 1 carried out in each Member State and the herd-books in existence at present shall be recognized by the other Member States;
- (b) the recognition of breeders' organizations and associations shall continue to be governed by the rules at present in force in each Member State;
- (c) the introduction of new herd-books shall continue to meet the conditions at present in force in each Member State.

Article 7

Until the implementation of Community rules on the subject, the conditions applicable to imports of pure-bred breeding animals of the bovine species from non-member countries must not be more favourable than those governing intra-Community trade.

Member States shall not authorize the import of pure-bred breeding animals of the bovine species from non-member countries unless they are accompanied by a pedigree certificate certifying that they are entered or registered in a herd-book in the exporting non-member country. Proof must be provided that the animals are either entered or registered and eligible for entry in a herd-book in the Community.

▼M6*Article 8*

1. The Commission shall be assisted by the Standing Committee on Zootechnics instituted by Decision 77/505/EEC ⁽¹⁾.

2. Where reference is made to this Article, Articles 5 and 7 of Decision 1999/468/EC ⁽²⁾ shall apply.

⁽¹⁾ OJ L 206, 12.8.1977, p. 11.

⁽²⁾ OJ L 184, 17.7.1999, p. 23.

▼ **M6**

The period laid down in Article 5(6) of Decision 1999/468/EC shall be set at three months.

3. The committee shall adopt its rules of procedure.

▼ **M1**

Article 9

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

- (a) comply with this Directive, with the exception of Article 7, by 1 January 1979 at the latest;
- (b) comply with Article 7, as regards each of the points which it covers, on the same dates as those on which they comply with the corresponding provisions applicable in intra-Community trade, and in particular the decisions that are successively adopted pursuant to Article 6.

They shall forthwith inform the Commission thereof.

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Article 10

This Directive is addressed to the Member States.