

Council Directive of 25 September 1989 on animal health conditions governing intra-Community trade in and importation from third countries of embryos of domestic animals of the bovine species (89/556/EEC)

CHAPTER III

**Rules for importation from third countries**

*Article 7*

1 Embryos shall be imported only from those third countries or parts thereof which appear on a list drawn up in accordance with the procedure laid down in Article 18. That list may be supplemented or amended in accordance with the same procedure.

2 In deciding whether a third country or parts thereof may appear on the list referred to in paragraph 1, particular account shall be taken of:

- a the state of health of the livestock, other domestic animals and wildlife in the third country, with particular reference to exotic animal diseases, and of the environmental health situation in that country, which might endanger animal health in the Member States;
- b the regularity and rapidity of the information supplied by the third country concerning the existence of contagious animal diseases in its territory, in particular those diseases mentioned in lists A and B of the International Office of Epizootic Diseases;
- c the rules of the third country on animal disease prevention and control;
- d the structure of the veterinary services in the third country and their powers;
- e the organization and implementation of measures to prevent and control contagious animal diseases; and
- f the guarantees which the third country can give with regard to compliance with the rules set out in this Directive.

3 The list referred to in paragraph 1 and all amendments thereto shall be published in the *Official Journal of the European Communities*.

*[<sup>F1</sup>Article 8*

1 Member States shall only authorise imports of embryos dispatched from an embryo collection or production team situated in one of the third countries appearing on the list referred to in Article 7 and for which the competent authority of the third country concerned is able to give the guarantees that the following conditions are met:

- a it meets the conditions:
  - (i) for the approval of embryo collection and embryo production teams set out in Chapter I of Annex A;
  - (ii) relating to the collection, processing, storage and transport of embryos by such teams set out in Chapter II of that Annex;
- b it has been officially approved by the competent authority of the third country for exports to the Community;
- c it is subject to inspections by an official veterinarian of the third country at least twice a year.

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2 The list of embryo collection or production teams that the competent authority of the third country appearing on the list referred to in Article 7 has approved in accordance with the conditions set out in paragraph 1 of this Article and from which embryos may be dispatched to the Community shall be communicated to the Commission.

The approval of an embryo collection or production team must be immediately suspended or withdrawn by the competent authority of the third country where it no longer complies with the conditions set out in paragraph 1 and the Commission must be immediately informed thereof.

The Commission shall provide the Member States with any new and updated lists that it receives from the competent authority of the third country concerned in accordance with this paragraph and shall make them available to the public for information purposes.

3 Detailed rules for the uniform application of this Article may be adopted in accordance with the procedure referred to in Article 18(2).]

#### Textual Amendments

- F1** Substituted by [Council Directive 2008/73/EC of 15 July 2008 simplifying procedures of listing and publishing information in the veterinary and zootechnical fields and amending Directives 64/432/EEC, 77/504/EEC, 88/407/EEC, 88/661/EEC, 89/361/EEC, 89/556/EEC, 90/426/EEC, 90/427/EEC, 90/428/EEC, 90/429/EEC, 90/539/EEC, 91/68/EEC, 91/496/EEC, 92/35/EEC, 92/65/EEC, 92/66/EEC, 92/119/EEC, 94/28/EC, 2000/75/EC, Decision 2000/258/EC and Directives 2001/89/EC, 2002/60/EC and 2005/94/EC \(Text with EEA relevance\).](#)

#### Article 9

1 Importation of embryos from the territory of a third country or part thereof on the list drawn up in accordance with Article 7 (1) shall take place only if the embryos:

- a come from donor animals which, immediately prior to the collection of their embryos, have remained for at least six months in the territory of the third country concerned, and in a maximum of two herds complying with at least the requirements set out in paragraph 2;
- b comply with the animal health requirements adopted in accordance with the procedure laid down in Article 18 for imports of embryos from that country.

In adopting the requirements referred to in the first subparagraph, consideration shall be given to:

- a the health situation in the area surrounding the place of embryo collection, with particular reference to the diseases appearing on list A of the International Office of Epizootic Diseases;
- b the state of health of the herd concerned in the embryo collection, including testing requirements;
- c the state of health of the donor animal and testing requirements;
- d collecting, processing and storing requirements in relation to embryos.

2 The reference basis for fixing animal health conditions in accordance with paragraph 1 for tuberculosis, bovine brucellosis and enzootic bovine leucosis shall be the standards laid down in Annexes A and G to Directive 64/432/EEC. Under the procedure laid down in Article 18 and on a case-by-case basis, derogations from those provisions may be decided upon where an interested third country provides similar and at least equivalent guarantees with reference to animal health.

[<sup>F23</sup> In laying down animal health provisions concerning foot-and-mouth disease in accordance with paragraph 1, it must be taken into account that:

- only frozen embryos may be imported from third countries where vaccination against foot-and-mouth disease is practised. The embryos must be stored under approved conditions for a minimum of 30 days before consignment,
- donor animals must come from a holding in which no animal has been vaccinated against foot-and-mouth disease during the 30 days prior to collection, and which is not subject to any prohibition or quarantine measures.]

#### Textual Amendments

- F2** Substituted by [Council Directive 93/52/EEC of 24 June 1993 amending Directive 89/556/EEC on animal health conditions governing intra-Community trade in and importation from third countries of embryos of domestic animals of the bovine species.](#)

#### Article 10

1 Importation of embryos shall be authorized only on submission of an animal health certificate drawn up and signed by an official veterinarian of the third country of collection.

The certificate must:

- a be drawn up in at least the official language or languages of the Member State of destination and the official language or languages of the Member State where the import control provided for in Article 11 is carried out;
- b be made out to a single consignee;
- c accompany the embryos in the original.

2 The animal health certificate must be on a form conforming to a specimen drawn up in accordance with the procedure laid down in Article 18.

#### [<sup>F1</sup> Article 11

The rules laid down in Directive 97/78/EC shall apply, in particular to the organisation of, and follow-up to the checks to be carried out by the Member States and the safeguard measures to be applied in accordance with the procedure referred to in Article 22 of that Directive.]

#### Textual Amendments

- F1** Substituted by [Council Directive 2008/73/EC of 15 July 2008 simplifying procedures of listing and publishing information in the veterinary and zootechnical fields and amending Directives 64/432/EEC, 77/504/EEC, 88/407/EEC, 88/661/EEC, 89/361/EEC, 89/556/EEC, 90/426/EEC, 90/427/EEC, 90/428/EEC, 90/429/EEC, 90/539/EEC, 91/68/EEC, 91/496/EEC, 92/35/EEC, 92/65/EEC, 92/66/EEC, 92/119/EEC, 94/28/EC, 2000/75/EC, Decision 2000/258/EC and Directives 2001/89/EC, 2002/60/EC and 2005/94/EC \(Text with EEA relevance\).](#)