

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)

COUNCIL DIRECTIVE

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(89/556/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission⁽¹⁾,

Having regard to the opinion of the European Parliament⁽²⁾,

Having regard to the opinion of the Economic and Social Committee⁽³⁾,

Whereas the use of embryos of domestic animals of the bovine species is part of an efficient breeding policy which leads to better productivity and increased margins in this sector; whereas, in addition, the free movement of such embryos should encourage a rational development by taking into account the use of optimum production factors;

Whereas the provisions relating to animal health problems in intra-Community trade in bovine animals and swine appear in Directive 64/432/EEC⁽⁴⁾, as last amended by Directive 89/360/EEC⁽⁵⁾; whereas in addition, Directive 72/462/EEC⁽⁶⁾, as last amended by Directive 89/227/EEC⁽⁷⁾ contains provisions relating to veterinary inspection problems upon importation of bovine animals and swine from third countries;

Whereas the abovementioned provisions have ensured, with regard to intra-Community trade and imports into the Community of bovine animals and swine from third countries, that the country of provenance guarantees that animal health criteria have been fulfilled, so that the risk of animal disease spreading has been virtually eliminated; whereas there is nevertheless a certain risk of the spread of such disease in the case of trade in embryos;

Whereas in the context of the Community policy of harmonizing national animal health provisions governing intra-Community trade in animals and animal products, it is now necessary to create a harmonized system for intra-Community trade and imports into the Community of embryos of bovine animals;

Whereas in the context of intra-Community trade in embryos, the Member State where the embryos are collected should be under an obligation to ensure that such embryos have been collected and processed by approved and supervised embryo collection teams, that they have been obtained from animals whose health status is such as to ensure that the risk of spread of

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animal disease is eliminated, that they have been collected, processed, stored and transported in accordance with the rules which preserve their health status and are accompanied during transport to the country of destination by an animal health certificate in order to ensure that this obligation has been fulfilled;

Whereas the difference in the policies pursued within the Community with regard to vaccination against foot-and-mouth disease justifies the maintenance, for fresh embryos, of derogations, limited in time, authorizing the requirement by the Member States of additional protection against that disease;

Whereas a list of third countries should be drawn up, taking into account animal health criteria, from which embryos may be imported into the Community; whereas without prejudice to such a list the Member States must not authorize importation unless the embryos have been collected, processed and stored by embryo collection teams which reach certain standards and which are officially supervised; whereas, in addition, in respect of countries on that list, specific animal health conditions should be laid down according to circumstances; whereas on-the-spot checks may be carried out in order to verify compliance with those standards;

Whereas in order to prevent the transmission of certain contagious diseases, import controls should be carried out when a consignment of embryos arrives on the territory of the Community, except in the case of external transit;

Whereas, in the case of internal transit, the measures to be taken by Member States after such controls must be defined;

Whereas the Commission should be entrusted with taking certain measures for implementing this Directive; whereas to that end procedures should be established for cooperation between the Commission and the Member States;

Whereas this Directive does not affect trade in embryos obtained, treated or stored before the date on which the Member States must comply with it,

HAS ADOPTED THIS DIRECTIVE:

- (1) [OJ No C 76, 28.3.1989, p. 1.](#)
- (2) [OJ No C 120, 16.5.1989, p. 313.](#)
- (3) [OJ No C 139, 5.6.1989, p. 56.](#)
- (4) [OJ No 121, 29.7.1964, p. 1977/64.](#)
- (5) [OJ No L 153, 6.6.1989, p. 29.](#)
- (6) [OJ No L 302, 31.12.1972, p. 28.](#)
- (7) [OJ No L 93, 6.4.1989, p. 25.](#)