# Commission Implementing Regulation (EU) 2018/1301 of 27 September 2018 amending Implementing Regulation (EU) 2018/659 on the conditions for the entry into the Union of live equidae and of semen, ova and embryos of equidae (Text with EEA relevance)

## COMMISSION IMPLEMENTING REGULATION (EU) 2018/1301

of 27 September 2018

amending Implementing Regulation (EU) 2018/659 on the conditions for the entry into the Union of live equidae and of semen, ova and embryos of equidae

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Directive 91/496/EEC of 15 July 1991 laying down the principles governing the organization of veterinary checks on animals entering the Community from third countries and amending Directives 89/662/EEC, 90/425/EEC and 90/675/EEC[(1)], and in particular Article 3(2) and Article 9(1)(c) thereof,

Having regard to Council Directive 92/65/EEC of 13 July 1992 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 Annex A(I) to Directive 90/425/EEC[(2)], and in particular Article 17(3) thereof,

Having regard to Council Directive 2009/156/EC of 30 November 2009 on animal health conditions governing the movement and importation from third countries of equidae[(3)], and in particular Article 2(i), Article 12(1), (4) and (5), Article 13(2), Articles 15, 16, 17 and 19 thereof,

Whereas:

(1) Directive 2009/156/EC lays down the animal health requirements governing imports into the Union of equidae. It provides that only equidae that come from a third country or part of a third country on a list of third countries drawn up in accordance with that Directive, and accompanied by a health certificate corresponding to a model also drawn up in accordance with that Directive, may be imported into the Union. The health certificate should attest that the equidae comply with the health conditions set out in accordance with that Directive.

(2) Commission Decisions 92/260/EEC[(4)], 93/195/EEC[(5)], 93/196/EEC[(6)], 93/197/EEC[(7)], 94/699/EC[(8)], 95/329/EC, 2003/13/EC[(9)], 2004/177/EC[(10)], 2004/211/EC, 2010/57/EU[(11)] and 2010/471/EU[(12)] lay down the list of third countries, the relevant animal health conditions and the veterinary certification for the introduction into the Union of equidae and of semen, ova and embryos of equidae. Commission Implementing Regulation (EU) 2018/659[(13)] will repeal and replace those Decisions as from 1 October 2018.

**Changes to legislation:** *There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2018/1301. (See end of Document for details)*

(3) After the adoption of Implementing Regulation (EU) 2018/659, certain of the Commission Decisions relating to the list of third countries and the animal health conditions and veterinary certification for importation of live equidae have been amended.

(4) In particular, Commission Implementing Decision (EU) 2017/1851[(14)] amended Decisions 92/260/EEC and 2004/211/EC, Commission Implementing Decision (EU) 2018/218[(15)] amended Decisions 92/260/EEC, 93/195/EEC and 2004/211/EC, Commission Implementing Decision (EU) 2018/518[(16)] amended Decisions 93/195/EEC and 2004/211/EC and Commission Implementing Decision (EU) 2018/1143[(17)] amended Decisions 92/260/EEC and 93/197/EEC. Those amendments should now be incorporated in Implementing Regulation (EU) 2018/659.

(5) Bosnia and Herzegovina has requested to be included in the list of third countries and parts of the territory of third countries from which the entry into the Union of equidae is authorised.. Bosnia and Herzegovina has a satisfactory record of disease reporting to the World Organisation for Animal Health (OIE). The diseases listed in Annex I to Directive 2009/156/EC are notifiable and the last cases of dourine and glanders in Bosnia and Herzegovina were reported in 1952 and 1959 respectively. Bosnia and Herzegovina is recognised by the OIE as free of African horse sickness. Pending a Commission audit, the temporary admission, the re-entry after temporary export and the import of registered horses from Bosnia and Herzegovina should be authorised.

(6) Kuwait has presented documentation on the approval of a semen collection centre in accordance with the provisions of Article 17(2)(b)(ii) of Directive 92/65/EEC. Following evaluation of the documents, the entry into the Union of semen of animals of the equine species from Kuwait should be authorised.

(7) Turkey has provided information documenting that the Provinces of Ankara, Edirne, Istanbul, Izmir, Kirklareli and Tekirdag have remained free of glanders for more than six months since the outbreak on Büyükada Island, Province of Istanbul, had been notified on 15 December 2017. That country has furthermore implemented measures to reduce the risk of introduction of glanders into those Provinces. As a consequence, temporary admission of registered horses, re-entry of registered horses after temporary export and imports of registered horses as well as transit of equidae from the Provinces of Ankara, Edirne, Istanbul, Izmir, Kirklareli and Tekirdag should be authorised.

(8) Certain third countries from which entry into the Union of equidae is authorised requested clarification on the statements on glanders and dourine in certain of the relevant health certificates. Following evaluation of their request it appears justified to adjust the wording of those statements.

(9) Annexes I, II and III to Implementing Regulation (EU) 2018/659 should therefore be amended accordingly.

(10) In order to allow stakeholders to make their arrangements before Implementing Regulation (EU) 2018/659 will apply, it is necessary to provide that this amending Regulation enters into force on the day after the date of its publication.

***Changes to legislation:** There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2018/1301. (See end of Document for details)*

(11) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

HAS ADOPTED THIS REGULATION:

*Article 1*

Implementing Regulation (EU) 2018/659 is amended as follows:

(1) Annex I is amended in accordance with Annex I to this Regulation.

(2) Annex II is amended in accordance with Annex II to this Regulation.

(3) Annex III is amended in accordance with Annex III to this Regulation.

*Article 2*

This Regulation shall enter into force on the day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 27 September 2018.

*For the Commission*

*The President*

Jean-Claude JUNCKER

***Changes to legislation:** There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2018/1301. (See end of Document for details)*

ANNEX I

In Annex I to Implementing Regulation (EU) 2018/659, the list of third countries and parts of the territory of third countries for the entry into the Union of consignments of equidae and of semen, ova and embryos of equidae is replaced by the following:

LIST OF THIRD COUNTRIES[0] AND PARTS OF THE TERRITORY OF THIRD COUNTRIES[0] FOR THE ENTRY INTO THE UNION OF CONSIGNMENTS OF EQUIDAE AND OF SEMEN, OVA AND EMBRYOS OF EQUIDAE

| ISO-Code | Third country | Code of the part of the territory of the third country | Description of the part of the territory of the third country | Section | TA | Re-En | Imports | | | Imports | | | | Transit | Specific conditions |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | | | RH | RH | RH | ES | RE + EBP | SEMEN | | | O/E | Equidae | |
| | | | | | | | | | | RH | RE | EBP | | | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 |
| AE | United Arab Emirates | AE-0 | Whole country | E | X | X | X | — | — | X | — | — | X | X | |
| AR | Argentina | AR-0 | Whole country | D | X | X | X | X | X | X | X | X | X | X | |
| AU | Australia | AU-0 | Whole country | A | X | X | X | X | X | X | X | X | X | X | |
| BA | Bosnia and Herzegovina | BA-0 | Whole country | B | X | X | X | — | — | — | — | — | — | X | |
| BB | Barbados | BB-0 | Whole country | D | X | X | X | — | — | X | — | — | — | X | |
| BH | Bahrain | BH-0 | Whole country | E | X | X | X | — | — | — | — | — | — | X | |

**a** Without prejudice to specific certification requirements provided for in Decision 2002/309/EC, Euratom of the Council, and of the Commission.

**b** Where official regionalisation applies in accordance with Article 13(2)(a) of Directive 2009/156/EC.

**c** Hereinafter understood as the State of Israel, excluding the territories under Israeli administration since June 1967, namely the Golan Heights, the Gaza Strip, East Jerusalem and the rest of the West Bank.

**d** The former Yugoslav Republic of Macedonia - the definitive nomenclature for this country will be agreed following current negotiations at UN level.

**e** Without prejudice to specific certification requirements provided for in Article 17 of the Agreement on the European Economic Area (OJ L 1, 3.1.1994, p. 3).

**f** Excluding Kosovo as defined by United Nations Security Council Resolution 1244 of 10 June 1999.

| | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| BM | Bermuda | BM-0 | Whole country | D | X | X | X | — | — | X | — | — | — | X | |
| BO | Bolivia | BO-0 | Whole country | D | X | X | X | — | — | X | — | — | — | X | |
| BR | Brazil | BR-0 | Whole country | — | — | — | — | — | — | — | — | — | — | — | |
| | | BR-1 | The states of: Rio Grande do Sul, Santa Catarina, Mato Grosso do Sul, Distrito Federal and Rio de Janeiro | D | X | X | X | — | — | X | — | — | — | X | |
| BY | Belarus | BY-0 | Whole country | B | X | X | X | X | X | — | — | — | — | X | |
| CA | Canada | CA-0 | Whole country | C | X | X | X | X | X | X | X | X | X | X | |
| CH | Switzerland | CH-0 | Whole country | A | X | X | X | X | X | X | X | X | X | X | |
| CL | Chile | CL-0 | Whole country | D | X | X | X | X | X | — | — | — | — | X | |
| CN | China | CN-0 | Whole country | — | — | — | — | — | — | — | — | — | — | — | |
| | | CN-1 | The equine | G | X | X | X | — | — | — | — | — | — | X | |

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