Commission Implementing Regulation (EU) No 577/2013 of 28 June 2013 on the model identification documents for the non-commercial movement of dogs, cats and ferrets, the establishment of lists of territories and third countries and the format, layout and language requirements of the declarations attesting compliance with certain conditions provided for in Regulation (EU) No 576/2013 of the European Parliament and of the Council (Text with EEA relevance)

COMMISSION IMPLEMENTING REGULATION (EU) No 577/2013

of 28 June 2013

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(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 576/2013 of the European Parliament and of the Council of 12 June 2013 on the non-commercial movement of pet animals and repealing Regulation (EC) No 998/2003[(1)], and in particular Article 7(3), Article 11(4), Article 13(1) and (2), Article 21(2) and Article 25(2) thereof,

Whereas:

(1) Regulation (EU) No 576/2013 lays down the animal health requirements applicable to the non-commercial movement of pet animals into a Member State from another Member State or from a territory or a third country and the rules for compliance checks on such movements. That Regulation repealed and replaced Regulation (EC) No 998/2003 of the European Parliament and of the Council of 26 May 2003 on the animal health requirements applicable to the non-commercial movement of pet animals and amending Council Directive 92/65/EEC[(2)].

(2) Dogs, cats and ferrets are listed in Part A of Annex I to Regulation (EU) No 576/2013, as species of animals covered by that Regulation.

(3) Regulation (EU) No 576/2013 provides that dogs, cats and ferrets are not to be moved into a Member State from another Member State or from territories or third countries unless they have received an anti-rabies vaccination that complies with the validity requirements set out in Annex III thereto. However, the movement of young dogs, cats and ferrets which are not vaccinated or do not meet the validity requirements set out in Annex III thereto may be authorised from Member States or from territories or third countries listed pursuant to Article 13 of Regulation (EU) No 576/2013, where, inter alia, the owner or the authorised person provides a signed declaration that from birth

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until the time of the non-commercial movement the pet animals have had no contact with wild animals of species susceptible to rabies. It is therefore appropriate to set out the format, layout and language requirements for that declaration in this Regulation.

(4) In addition, Regulation (EU) No 576/2013 provides that the Commission is to adopt two lists of territories or third countries from which dogs, cats or ferrets moved for non-commercial purposes into a Member State are not required to undergo a rabies antibody titration test. One of those lists should include those territories or third countries that have demonstrated that they apply rules the content and effect of which are the same as those applied by Member States and the other list should include those territories or third countries that have demonstrated that they meet at least the criteria laid down in Article 13(2) of Regulation (EU) No 576/2013. It is therefore appropriate to set out those lists in an Annex to this Regulation.

(5) In addition, those lists should take account of the provisions of Treaty of Accession of Croatia, according to which Croatia is to become a member of the European Union on 1 July 2013 and European Council Decision 2012/419/EU of 11 July 2012 amending the status of Mayotte with regard to the European Union[(3)] which provides that from 1 January 2014 Mayotte is to cease to be an overseas country or territory to which the provisions of Part Four of the Treaty on the Functioning of the European Union apply and is to become an outermost region of the Union within the meaning of Article 349 of that Treaty.

(6) Regulation (EU) No 576/2013 also provides that dogs, cats and ferrets are not to be moved into a Member State from a territory or a third country other than those listed in an Annex to this Regulation unless they have undergone a rabies antibody titration test that complies with the validity requirements set out in Annex IV to Regulation (EU) No 576/2013. The transit through one of those territories or third countries is however not subject to that test where the owner or the authorised person provides a signed declaration that the animals have had no contact with animals of species susceptible to rabies and remain secured within a means of transport or within the perimeter of an international airport. It is therefore appropriate to set out the format, layout and language requirements for that declaration in this Regulation.

(7) The validity requirements set out in Annex IV to Regulation (EU) No 576/2013 include the obligation to perform that test in a laboratory approved in accordance with Council Decision 2000/258/EC of 20 March 2000 designating a specific institute responsible for establishing the criteria necessary for standardising the serological tests to monitor the effectiveness of rabies vaccines[(4)], which provides that the Agence française de sécurité sanitaire des aliments (AFSSA) in Nancy, France (integrated since 1 July 2010 into the Agence nationale de sécurité sanitaire de l'alimentation, de l’environnement et du travail, ANSES) is to appraise the laboratories in Member States and third countries for the purposes of their authorisation to carry out serological tests to monitor the effectiveness of rabies vaccines in dogs, cats and ferrets.

(8) Regulation (EU) No 576/2013 also provides that dogs, cats and ferrets moved into a Member State from another Member State for non-commercial purposes are to be accompanied by an identification document in the format of a passport in accordance

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with a model to be adopted by the Commission. That model is to contain the entries for the insertion of the information laid down in Regulation (EU) No 576/2013. The model and additional requirements for the passport should be set out in an Annex to this Regulation and, for the sake of clarity and simplification of Union legislation, Commission Decision 2003/803/EC of 26 November 2003 establishing a model passport for the intra-Community movements of dogs, cats and ferrets[(5)] should be repealed.

(9) Regulation (EU) No 576/2013 also provides that dogs, cats and ferrets moved into a Member State from a territory or a third country for non-commercial purposes are to be accompanied by an identification document in the format of an animal health certificate in accordance with a model to be adopted by the Commission. That model is to contain the entries for the insertion of the information laid down in Regulation (EU) No 576/2013. It is therefore appropriate to set out that model in an Annex to this Regulation.

(10) By way of derogation from the format of the animal health certificate provided for in the case of a movement into a Member State from a territory or a third country, Regulation (EU) No 576/2013 provides that Member States are to authorise the non-commercial movement of dogs, cats and ferrets from a territory or a third country that has demonstrated that it applies rules the content and effect of which are the same as those applied by Member States, where the identification document accompanying them has been issued in accordance with the procedure provided for in the case of a movement into a Member State from another Member State. However, a number of technical adaptations are necessary to the model passport to be used in such cases, with regard in particular to features on the cover page that cannot fully comply with the requirements applicable to passports issued by a Member State. For reasons of clarity, it is therefore appropriate to set out a model for such passports in this Regulation.

(11) Regulation (EU) No 576/2013 provides that where the number of dogs, cats or ferrets moved for non-commercial purposes during a single movement exceeds five, the relevant animal health requirements laid down in Council Directive 92/65/EEC[(6)] of 13 July 1992 laying down the 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 are to apply to those animals, except under specific conditions and for certain categories of animals.

(12) In addition Commission Decision 2004/839/EC of 3 December 2004 establishing conditions for non-commercial movements of young dogs and cats from third countries into the Community[(7)] and Commission Decision 2005/91/EC of 2 February 2005 establishing the period after which the anti-rabies vaccination is considered as valid[(8)] were adopted in order to provide for uniform rules for the implementation of Regulation (EC) No 998/2003. The rules provided for in those acts have been reviewed and are now incorporated in the provisions of Regulation (EU) No 576/2013. For the sake of clarity and simplification of Union legislation, Decisions 2004/839/EC and 2005/91/EC should therefore be repealed.

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(13) Council Directive 96/93/EC of 17 December 1996 on the certification of animals and animal products[9] lays down the rules to be observed in issuing the certificates required by veterinary legislation to prevent misleading or fraudulent certification. It is appropriate to ensure that rules and principles at least equivalent to those laid down in that Directive are applied by official veterinarians of third countries.

(14) Commission Delegated Regulation (EU) No 1152/2011 of 14 July 2011 supplementing Regulation (EC) No 998/2003 of the European Parliament and of the Council as regards preventive health measures for the control of *Echinococcus multilocularis* infection in dogs[10] provides that from 1 January 2012, dogs entering Member States or parts thereof listed in Annex I thereto are to be treated against the parasite *Echinococcus multilocularis* in accordance with the requirements set out in that Regulation.

(15) This Regulation should apply without prejudice to Commission Decision 2006/146/EC of 21 February 2006 on certain protection measures with regard to certain fruit bats, dogs and cats coming from Malaysia (Peninsula) and Australia[11] which prohibits imports of dogs and cats from Malaysia (Peninsula) and cats from Australia unless certain conditions are met regarding respectively Nipah disease and Hendra disease.

(16) This Regulation should apply from the date of application of Regulation (EU) No 576/2013.

(17) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS REGULATION:

Article 1

Format, layout and language requirements of the declarations referred to in Articles 7, 11 and 12 of Regulation (EU) No 576/2013

1 The declarations referred to in point (a) of Article 7(2) and of Article 11(2) of Regulation (EU) No 576/2013 shall be drawn up in accordance with the format and layout set out in Part 1 of Annex I to this Regulation and shall comply with the language requirements set out in Part 3 of that Annex.

2 The declaration referred to in point (c) of Article 12(1) of Regulation (EU) No 576/2013 shall be drawn up in accordance with the format and layout set out in Part 2 of Annex I to this Regulation and shall comply with the language requirements set out in Part 3 of that Annex.

Article 2

Lists of territories and third countries referred to in Article 13 of Regulation (EU) No 576/2013

1 The list of territories and third countries referred to in Article 13(1) of Regulation (EU) No 576/2013 is set out in Part 1 of Annex II to this Regulation.

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2 The list of territories and third countries referred to in Article 13(2) of Regulation (EU) No 576/2013 is set out in Part 2 of Annex II to this Regulation.

Article 3

Model of passports for the non-commercial movement of dogs, cats or ferrets

1 The passport referred to in Article 21(1) of Regulation (EU) No 576/2013 shall be drawn up in accordance with the model set out in Part 1 of Annex III to this Regulation and shall comply with the additional requirements set out in Part 2 of that Annex.

2 By way of derogation from paragraph 1, passports issued, pursuant to point (a) of Article 27 of Regulation (EU) No 576/2013, in one of the territories or third countries listed in Part 1 of Annex II to this Regulation shall be drawn up in accordance with the model set out in Part 3 of Annex III to this Regulation and shall comply with the additional requirements set out in Part 4 of that Annex.

Article 4

Animal health certificate for the non-commercial movement into the Union of dogs, cats or ferrets

The animal health certificate referred to in Article 25(1) of Regulation (EU) No 576/2013 shall be:

(a) drawn up in accordance with the model set out in Part 1 of Annex IV to this Regulation;

(b) duly completed and issued in accordance with the explanatory notes set out in Part 2 of that Annex;

(c) supplemented by the written declaration referred to in Article 25(3) of Regulation (EU) No 576/2013 which is drawn up in accordance with the model set out in Section A of Part 3 of that Annex and which complies with the additional requirements set out in Section B of Part 3 of that Annex.

Article 5

Repeals

Decisions 2003/803/EC, 2004/839/EC and 2005/91/EC are repealed.

Article 6

Entry into force and applicability

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

It shall apply from 29 December 2014.

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