Commission Implementing Regulation (EU) No 497/2012 of 7 June 2012 amending Regulation (EU) No 206/2010 as regards the requirements for imports of animals susceptible to bluetongue (Text with EEA relevance)

COMMISSION IMPLEMENTING REGULATION (EU) No 497/2012

of 7 June 2012

amending Regulation (EU) No 206/2010 as regards the requirements for imports of animals susceptible to bluetongue

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Council Directive 2004/68/EC of 26 April 2004 laying down animal health rules for the importation into and transit through the Community of certain live ungulate animals, amending Directives 90/426/EEC and 92/65/EEC and repealing Directive 72/462/EEC[(1)], and in particular Article 6(1), Article 7(e), and Article 13(1) thereof,

Whereas:

(1) Commission Regulation (EU) No 206/2010 of 12 March 2010 laying down lists of third countries, territories or parts thereof authorised for the introduction into the European Union of certain animals and fresh meat and the veterinary certification requirements[(2)] lays down the list of third countries, territories or parts thereof from which live ungulate animals, including those susceptible to bluetongue, may be introduced into the Union and the veterinary certification requirements for such introduction.

(2) In particular, with regard to animals susceptible to bluetongue, certificates BOV-X, BOV-Y, OVI-X, OVI-Y and RUM set out in Part 2 of Annex I to Regulation (EU) No 206/2010 include *inter alia* the requirement that the animals come from a territory which, at the date of issue of the certificate accompanying them had been free from bluetongue for a period of twelve months.

(3) As a result of new technical developments, "inactivated vaccines" against bluetongue have become available which do not pose the risk of undesired local circulation of the vaccine virus to unvaccinated cattle, sheep and goats. It is now widely accepted that vaccination with inactivated vaccines is the preferred tool for the control of bluetongue and for the prevention of clinical disease in such animals in the Union.

(4) To ensure better control of the spread of the bluetongue virus and to reduce the burden on the agricultural sector posed by that disease, the rules on vaccination laid down in Council Directive 2000/75/EC of 20 November 2000 laying down specific provisions for the control and eradication of bluetongue[(3)] were recently amended by Directive 2012/5/EU of the European Parliament and of the Council[(4)] to take account of the recent technological developments in vaccine production.

Changes to legislation: *Commission Implementing Regulation (EU) No 497/2012 is up to date with all changes known to be in force on or before 28 December 2020. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

(5) Accordingly, Directive 2000/75/EC now provides for the use of inactivated vaccines in all parts of the EU.

(6) As a result of the evolving epidemiological situation as regards bluetongue, and to align with the World Organisation for Animal Health (OIE) standards, Commission Regulation (EC) No 1266/2007 of 26 October 2007 on implementing rules for Council Directive 2000/75/EC as regards the control, monitoring, surveillance and restrictions on movements of certain animals of susceptible species in relation to bluetongue[(5)] was amended recently. The EU standards require the absence of virus circulation for a minimum period of two years in order to consider a territory free from bluetongue. The period of twelve months referred to in the relevant certificates set out in Part 2 of Annex I to Regulation (EU) No 206/2010 should therefore be amended accordingly.

(7) Directive 2000/75/EC and Regulation (EC) No 1266/2007 apply to intra-Union movements of live ungulates of species susceptible to bluetongue. It is appropriate that the models of veterinary certificates BOV-X, BOV-Y, OVI-X, OVI-Y and RUM set out in Part 2 of Annex I to Regulation (EU) No 206/2010 be amended to align the animal health requirements for imports into the Union, as regards bluetongue, to the requirements for intra-Union movement in animals susceptible to that disease.

(8) Regulation (EU) No 206/2010 should therefore be amended accordingly.

(9) 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

Annex I to Regulation (EU) No 206/2010 is amended in accordance with the Annex to this Regulation.

Article 2

For a transitional period until 30 June 2012, consignments of live ungulates accompanied by a certificate issued before the date of entry into force of this Regulation in accordance with the models BOV-X, BOV-Y, OVI-X, OVI-Y or RUM set out in Part 2 of Annex I to Regulation (EU) No 206/2010 before the amendments introduced by this Regulation may continue to be introduced into the Union.

Article 3

This Regulation shall enter into force on the the twentieth 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.

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Done at Brussels, 7 June 2012.

For the Commission

The President

José Manuel BARROSO

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ANNEX

In Annex I to Regulation (EU) No 206/2010, Part 2 is amended as follows:

(1) Models ‘BOV-X’, ‘BOV-Y’, ‘OVI-X’ and ‘OVI-Y’ are replaced by the following:

‘Model BOV-X

COUNTRY **Veterinary certificate to EU**

Part I: Details of dispatched consignment

I.1. Consignor Name Address Tel.		I.2. Certificate reference No	I.2.a.
		I.3. Central competent authority	
		I.4. Local competent authority	
I.5. Consignee Name Address Postal code Tel.		I.6.	
I.7. Country of origin ISO code	I.8. Region of origin Code	I.9. Country of destination ISO code	I.10. Region of destination Code
I.11. Place of origin Name Address Approval number		I.12.	
I.13. Place of loading Address Approval number		I.14. Date of departure	
I.15. Means of transport Aeroplane ☐ Ship ☐ Railway wagon ☐ Road vehicle ☐ Other ☐ Identification Documentary references		I.16. Entry BIP in EU	
		I.17.	
I.18. Description of commodity		I.19. Commodity code (HS code) **01.02**	
		I.20. Quantity	
I.21.		I.22. Number of packages	
I.23. Seal/Container No		I.24.	
I.25. Commodities certified for: Breeding ☐ Fattening ☐			
I.26.		I.27. For import or admission into EU ☐	

I.28. Identification of the commodities

Species (scientific name)	Breed	Identification system	Identification number	Age	Sex

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COUNTRY **Model BOV-X**

Part II: Certification

II.	Health information	II.a. Certificate reference number	II.b.

II.1. **Public Health Attestation**

I, the undersigned official veterinarian, hereby certify, that the animals described in this certificate:

II.1.1. come from holdings which have been free from any official prohibition on health grounds, for the past 42 days in the case of brucellosis, for the past 30 days in the case of anthrax and for the past six months in the case of rabies, and, have not been in contact with animals from holdings which did not satisfy these conditions;

II.1.2. have not received:

— any stilbene or thyrostatic substances,

— estrogenic, androgenic, gestagenic or β- agonist substances for purposes other than therapeutic or zootechnic treatment (as defined in Directive 96/22/EC);

II.1.3. with regard to bovine spongiform encephalopathy (BSE):

([1]) ([2]) *either* [(a) the animals are identified by a permanent identification system enabling them to be traced back to the dam and herd of origin, and are not exposed bovine animals as described in Chapter C, part I, point (4) (b) (iv) of Annex II of Regulation (EC) No 999/2001;

(b) if there have been BSE indigenous cases in the country concerned, the animals were born after the date from which the ban on the feeding of ruminants with meat-and-bone meal and greaves derived from ruminants had been effectively enforced or after the date of birth of the last BSE indigenous case if born after the date of the feed ban.]

([1]) ([3]) *or* [(a) the animals are identified by a permanent identification system enabling them to be traced back to the dam and herd of origin, and are not exposed bovine animals as described in Chapter C, Part II, point (4) (b) (iv) of Annex II of Regulation (EC) No 999/2001;

(b) the animals were born after the date from which the ban on the feeding of ruminants with meat-and-bone meal and greaves derived from ruminants had been effectively enforced or after the date of birth of the last BSE indigenous case if born after the date of the feed ban.]

([1]) ([4]) *or* [(a) the animals are identified by a permanent identification system enabling them to be traced back to the dam and herd of origin, and are not exposed bovine animals as described in Chapter C, Part II, point (4) (b) (iv) of Annex II of Regulation (EC) No 999/2001;

(b) the animals were born at least two years after the date from which the ban on the feeding of ruminants with meat-and-bone meal and greaves derived from ruminants had been effectively enforced or after the date of birth of the last BSE indigenous case if born after the date of the feed ban.]

II.2. **Animal Health attestation:**

I, the undersigned official veterinarian, hereby certify, that the animals described above meet the following requirements:

II.2.1. they come from the territory with code: ..... ([5]) which, at the date of issuing this certificate:

([1]) *either* [(a) has been free for 24 months from foot-and-mouth disease]

([1]) *or* [(a) has been considered free from foot-and-mouth disease since ..... (dd/mm/yyyy), without having had cases/outbreaks after that date, and authorised to export these animals by Commission Implementing Regulation (EU) No …/…, of ..... (dd/mm/yyyy).]

(b) has been free for 12 months from rinderpest, Rift valley fever, contagious bovine pleuropneumonia, lumpy skin disease and epizootic haemorrhagic disease, and for six months from vesicular stomatitis,

(c) where during the last 12 months, no vaccination against the diseases mentioned in points (a) and (b) has been carried out and imports of domestic cloven-hoofed animals vaccinated against these diseases are not permitted;

([1]) *either* [(d) has been free for 24 months from bluetongue;]

([1]) ([9]) *or* [(d) has been free for 24 months from bluetongue, and the animals have reacted negatively to a serological test for the detection of antibody for bluetongue and epizootic haemorrhagic disease, carried out on two occasions on samples of blood taken at the beginning of the isolation/quarantine period and at least 28 days later, on ..... (dd/mm/yyyy) and on ..... (dd/mm/yyyy), the second of which must have been taken within 10 days before export;]