COMMISSION REGULATION (EC) No 1915/2003

of 30 October 2003

amending Annexes VII, VIII and IX to Regulation (EC) No 999/2001 of the European Parliament and of the Council as regards the trade and import of ovine and caprine animals and the measures following the confirmation of transmissible spongiform encephalopathies in bovine, ovine and caprine animals

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Regulation (EC) No 999/2001 of the European Parliament and of the Council of 22 May 2001 laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies [1], as last amended by Commission Regulation (EC) No 1234/2003 [2] and in particular Article 23 thereof,

Whereas:

(1) Regulation (EC) No 999/2001 lays down rules for the prevention, control and eradication of transmissible spongiform encephalopathies (TSEs) in bovine, ovine and caprine animals. Article 13(1) and Annex VII to that Regulation provide for certain measures to be applied as soon as possible following the confirmation of the presence of a TSE. It is anticipated that the implementation of certain aspects of those measures will present practical difficulties.

(2) As regards ovine and caprine animals, rules for the tracing of progeny following the confirmation of a TSE should be restricted to cases confirmed in female animals, due to the practical difficulties and uncertain benefits of tracing progeny of TSE infected male animals.

(3) As regards bovine animals, under Regulation (EC) No 999/2001, in the case of confirmation of bovine spongiform encephalopathy (BSE), cohorts of BSE affected bovine animals are to be killed and completely destroyed.

(4) In its general session of May 2003, the World Animal Health Organisation (Office International des Epizooties (OIE)) decided that cohorts of BSE affected bovine animals may be kept alive until the end of their productive life, provided that they are completely destroyed following death.

(5) According to the OIE animal health code there is no need to restrict the use of bovine semen because of BSE. In its opinion of 18 and 19 March 1999 on the possible vertical transmission of BSE, updated on 16 May 2002, the Scientific Steering Committee (SSC) concluded that it is unlikely that bovine semen constitutes a risk factor for the transmission of BSE.

(6) In addition, bulls at semen collection centres are under official control, which makes it possible to ensure that they are completely destroyed following death.

(7) The conditions for ending restrictions on TSE infected ovine holdings should be broadened when implemented in combination with intensive TSE monitoring. The rules for the restocking with goats of mixed holdings should be amended accordingly.

(8) The movement of semi-resistant ewes between restricted holdings should be allowed, to alleviate certain regional difficulties in finding suitable replacement animals for infected flocks.

(9) To facilitate the transition to the new rules, the period during which a derogation regarding destruction of certain animals should be allowed in sheep breeds or holdings with a low level of the ARR allele should be extended from two to three breeding years.

(10) Annexes VIII and IX to Regulation (EC) No 999/2001 provide for the conditions for trade and import of ovine and caprine animals intended for breeding. Those conditions should be clarified.

(11) Regulation (EC) No 999/2001 should therefore be amended accordingly.

(12) 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

Annexes VII, VIII and IX to Regulation (EC) No 999/2001 are amended in accordance with the Annex to this Regulation.

Article 2

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

[1] OJ L 147, 31.5.2001, p. 1.
[2] OJ L 173, 11.7.2003, p. 6.

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

Done at Brussels, 30 October 2003.

For the Commission
David BYRNE
Member of the Commission