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COMMISSION REGULATION (EC) No 1282/2002

of 15 July 2002

amending Annexes to Council Directive 92/65/EEC 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(1) to Directive 90/425/EEC

(Text with EEA relevance)

(OJ L 187, 16.7.2002, p. 3)

Amended by:

		Official Journal		
		No	page	date
►**M1**	Commission Regulation (EC) No 1802/2002 of 10 October 2002	L 274	21	11.10.2002

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amending Annexes to Council Directive 92/65/EEC 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(1) to Directive 90/425/EEC

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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(1) to Directive 90/425/EEC ([1]), as last amended by Commission Decision 2001/298/EC ([2]), and in particular Article 22 thereof.

Whereas:

(1) According to the experience of the Member States with the implementation of Directive 92/65/EEC in relation to the trade in the animals referred to in Articles 5, 13 and 23 of that Directive, there is a need to clarify the requirements for approved bodies, institutes or centres and to include certain quarantine provisions.

(2) Therefore, it is necessary to make some technical adaptations concerning the conditions governing the approval of bodies, institutes or centres, to introduce a specific certificate for trade in these animals and to clarify the list of notifiable diseases.

(3) Those bodies, institutions or centres already approved by Member States under the old arrangements should continue to be approved and brought into line with the new requirements as soon as possible.

(4) Annexes A, C and E to Directive 92/65/EEC should therefore be amended accordingly.

(5) In order to ensure that there is an appropriate period of time for these provisions to be implemented in all Member States, a date for the implementation of this Regulation should be laid down.

(6) 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 A, C and E to Directive 92/65/EEC are amended as set out in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the 20th day following that of its publication in the *Official Journal of the European Communities*.

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It shall apply from 1 March 2003.

([1]) OJ L 268, 14.9.1992, p. 54.
([2]) OJ L 102, 12.4.2001, p. 63.

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

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ANNEX

1) Annex A to Directive 92/65/EEC is replaced by the following:

'ANNEX A

NOTIFIABLE DISEASES IN THE CONTEXT OF THIS DIRECTIVE

Disease	Order/family/species primarily concerned
Newcastle disease, avian influenza	Aves
Psitacosis	Psittaciformes
American foulbrood	Apis
Brucella abortus	Antilocapridae, Bovidae, Camelidae, Cervidae, Giraffidae, Hippopotamidae and Tragulidae
Brucella melitensis	Antilocapridae, Bovidae, Camelidae, Cervidae, Giraffidae, Hippopotamidae and Tragulidae
Brucella ovis	Camelidae, Tragulidae, Cervidae, Giraffidae, Bovidae and Antilocapridae
Brucella suis	Cervidae, Leporidae, *Ovibos moschatus*, Suidae and Tayassuidae
Mycobacterium bovis	Mammalia, in particular Antilocapridae, Bovidae, Camelidae, Cervidae, Giraffidae, and Tragulidae
Foot and mouth disease	Artiodactyla and Asian elephants
Classical swine fever, African swine fever	Suidae and Tayassuidae
Swine vesicular disease	Suidae and Tayassuidae
Rinderpest	Artiodactyla
Bluetongue	Antilocapridae, Bovidae, Cervidae, Giraffidae, and Rhinocerotidae
Contagious bovine pleuropneumonia	Bovines (including zebu, buffalo, bison and yak)
Vesicular stomatitis	Artiodactyla and Equidae
Peste des petits ruminants	Bovidae and Suidae
Lumpy skin disease	Bovidae and Giraffidae
Sheep and goat pox	Bovidae
African horse sickness	Equidae
Rift valley fever	Bovidae, Camelus species and Rhinocerotidae
Porcine enterovirus encephalomyelitis	Suidae
Infectious haematopoeitic necrosis	Salmonidae
TSE	Bovidae, Cervidae, Felidae and Mustelidae
Anthrax	Bovidae, Camelidae, Cervidae, Elephantidae, Equidae and Hippopotamidae
Rabies	Carnivora, and Chiroptera'

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2) Annex C to Directive 92/65/EEC is replaced by the following:

'ANNEX C

CONDITIONS GOVERNING APPROVAL OF BODIES, INSTITUTES OR CENTRES

1. In order to be granted official approval under Article 13(2) of this Directive, a body, institute or centre as defined in Article 2(1)(c) must:

   (a) be clearly demarcated and separated from its surroundings or the animals confined and located so as not to pose a health risk to agricultural holdings whose health status might be jeopardised;

   (b) have adequate means for catching, confining and isolating animals and, have available adequate quarantine facilities and approved procedures for animals coming from non-approved sources;

   (c) be free of the diseases listed in Annex A and the diseases listed in Annex B where the country concerned has a programme pursuant to Article 14. In order that a body, institute or centre is declared free from these diseases, the competent authority shall assess the records on the animal health status kept for at least the previous three years and the results of the clinical and laboratory tests carried out on the animals in the body, institute or centre. However, by way of derogation from this requirement new establishments shall be approved if the animals forming the collection are derived from approved establishments;

   (d) keep up to date records indicating:

      (i) the number and identity (age, sex, species and individual identification where practical) of the animals of each species present in the establishment;

      (ii) the number and identity (age, sex, species and individual identification where practical) of animals arriving in the establishment or leaving it, together with information on their origin or destination, the transport from or to the establishment and the animals health status;

      (iii) the results of blood tests or any other diagnostic procedures;

      (iv) cases of disease and, where appropriate, the treatment administered;

      (v) the results of the post-mortem examinations on animals that have died in the establishment, including still-born animals;

      (vi) observations made during any isolation or quarantine period;

   (e) either have an arrangement with a competent laboratory to perform post-mortem examinations, or have one or more appropriate premises where these examinations may be performed by a competent person under the authority of the approved veterinarian;

   (f) either have suitable arrangements or on-site facilities for the appropriate disposal of the bodies of animals which die of a disease or are euthanised;

   (g) secure, by contract or legal instrument, the services of a veterinarian approved by and under the control of the competent authority, who:

      (i) shall comply *mutatis mutandis* with the requirements referred to in Article 14(3)(B) of Directive 64/432/EEC,

      (ii) shall ensure that appropriate disease surveillance and control measures in relation to the disease situation of the country concerned are approved by the competent authority and applied in the body, institute or centre. Such measures shall include:

         — an annual disease surveillance plan including appropriate zoonoses control of the animals,

         — clinical, laboratory and post-mortem testing of animals suspected to be affected by transmissible diseases,

         — vaccination of susceptible animals against infectious diseases as appropriate, only in conformity with Community legislation;

      (iii) shall ensure that any suspect deaths or the presence of any other symptom suggesting that animals have contracted one or more of the diseases referred to in Annexes A and B is notified without delay to the competent authority, if that particular disease is notifiable in the Member State concerned;