COUNCIL DIRECTIVE 93/60/EEC

of 30 June 1993

amending Directive 88/407/EEC laying down the animal health requirements applicable to intra-Community trade in and imports of deep-frozen semen of domestic animals of the bovine species and extending it to cover fresh bovine semen

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof

Having regard to the proposal from the Commission (1),

Having regard to the opinion of the European Parliament (2),

Having regard to the opinion of the Economic and Social Committee (3),

Whereas Directive 88/407/EEC (4) lays down the animal health requirements applicable to intra-Community trade in, and imports of, deep-frozen semen of domestic animals of the bovine species;

Whereas Article 4 of the said Directive defined provisional measures for trade in semen from bulls which are seropositive for infectious bovine rhinotracheitis (IBR); whereas these requirements should be reviewed, on the basis of a report from the Commission; whereas this report indicates that it is necessary to phase out bulls which were seropositive or of unknown status prior to vaccination in the centre by 1998 and to maintain the possibility of vaccinating in a centre in the future; whereas it is necessary to amend the aforementioned Article 4 in this respect;

Whereas routine foot-and-mouth disease vaccination has been discontinued in the Community as from August 1991; whereas, therefore, it is necessary to amend the provisions of Directive 88/407/EEC to take account of this change in policy; whereas this change also permits trade in fresh bovine semen to take place under harmonized rules;

Whereas it is opportune to make further amendments to the said Directive to clarify certain issues and to take account of technical progress, particularly in respect of treatment of bulls against leptospirosis, and to align the rules with respect to brucellosis, tuberculosis and leucosis on those laid down in Directive 64/432/EEC (5);

Whereas it is appropriate to provide for amendments to the Annexes under a procedure establishing close cooperation between Member States and the Commission within the Standing Veterinary Committee,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Directive 88/407/EEC is hereby amended as follows:

1. In the title and in Article 1, the words 'deep-frozen' shall be deleted.

2. Article 4 (1) shall be replaced by the following:

'1. Without prejudice to paragraph 2, Member States shall authorize the admission of semen from bulls giving a negative reaction to the serum neutralization test or the Elisa test for infectious bovine rhinotracheitis/infectious pustular vulvo-vaginitis or showing a positive result after vaccination in accordance with this Directive.

Member States may, until 31 December 1998, authorize the admission of semen of bulls giving a positive reaction to the serum neutralization test or the Elisa test for infectious bovine rhinotracheitis/infectious pustular vulvo-vaginitis and not having been vaccinated in accordance with this Directive.

In that case, each consignment must pass an examination by inoculation into a live animal and/or virus isolation test.

This requirement shall not apply in respect of the semen of animals which, prior to their first routine vaccination at the insemination centre, reacted negatively to the tests referred to in the first

(1) OJ No C 324, 10. 12. 1992, p. 13.
(2) OJ No L 72, 15. 3. 1993, p. 153.
(3) OJ No C 108, 19. 4. 1993, p. 12.
(4) OJ No L 194, 22. 7. 1988, p. 10. Directive as last amended by Directive 90/425/EEC (OJ No L 224, 18. 8. 1990, pl. 29).
(5) Council Directive 64/432/EEC of 26 June 1964 on animal health problems affecting intra-Community trade in bovine animals and swine (OJ No L 121, 29. 7. 1964, p. 1977/64.). Directive as last amended by Directive 92/102/EEC (OJ No L 355, 5. 12. 1992, p. 32).

subparagraph. However, the semen of animals given emergency vaccinations following an outbreak of IBR must pass a virus isolation test.

These examinations may, by bilateral agreement, be carried out either in the country of collection or in the country of destination.

In that case, at least 10 % of each collection of semen (with a minimum of five straws) must be treated.

Protocols for tests to be used in accordance with this Article shall be laid down in accordance with the procedure in Article 18'.

3. Article 4 (3) shall be replaced by the following:

'3. Member States may not oppose the admission of semen from bulls vaccinated against foot-and-mouth disease. However, where the semen was obtained from a bull which had been vaccinated against foot-and-mouth disease during the 12 month period prior to collection, 5 % of the semen from each collection (with a minimum of five straws) intended for sending to another Member States shall be subjected, in a laboratory in the Member State of destination or in a laboratory designated by it, to a virus isolation test for foot-and-mouth disease, with negative results'.

4. Article 12 shall be replaced by the following:

'Article 12

The rules laid down in Council Directive 90/675/EEC of 10 December 1990 laying down the principles governing the organization of veterinary checks on products entering the Community from third countries (*) shall apply in particular to the organization and follow-up of checks to be carried out by the Member States and the safeguard measures to be applied.

(*) OJ No L 373, 31. 12. 1990, p. 1. Directive as last amended by Regulation (EEC) No 1601/92 (OJ No L 173, 27. 6. 1992, p. 13.'

5. Articles 13 and 14 shall be deleted.

6. In Annex A, Chapter II, the following shall be added to point (f) (i):

'Deep-frozen embryos may also be stored in approved centres provide that:

— such storage is authorized by the competent authority,

— the embryos meet the requirements of Council Directive 89/556/EEC of 25 September 1989 on animal health conditions governing intra-Community trade in and importation from third countries of embryos of domestic animals of the bovine species (*),

— the embryos are stored in separate storage flasks in the premises for storing approved semen.

(*) OJ No L 302, 19. 10. 1989, p. 1. Directive as amended by Directive 90/425/EEC (OJ No L 224, 18. 8. 1990, pl. 29).'

7. In Annex A, Chapter II, (f) (vii) shall be replaced by the following:

'(vii) each individual dose of semen is clearly marked in such a way that the date of collection of the semen, the breed and identification of the donor animal, the name of the centre and the serological status of the donor animal in respect of infectious bovine rhinotracheitis and infectious pustular vulvo-vaginitis, possibly in code, can be readily established; the characteristics and form of this marking will be established in accordance with the procedure laid down in Article 19.'

8. In Annex B, Chapter I, paragraph 1 (b) shall be replaced by the following:

'(b) prior to their stay in the isolation accommodation described in (a), have belonged to a herd which is officially tuberculosis free and officially brucellosis free in accordance with Directive 64/432/EEC. The animals may not previously have been kept in one or more herds of a lower status.'

9. In Annex B, Chapter I, the first subparagraph of paragraph 1 (c) shall be replaced by the following:

'have come from a herd free of enzootic bovine leucosis as defined in Directive 64/432/EEC, or have been produced by dams which have been subjected, with negative results, to an Agar Gel immunodiffusion test, carried out in accordance with Annex G of Directive 64/432/EEC, after removal of the animals from their "dam" In the case of animals derived by embryo tansfer, 'dam' means the recipient of the embryo.'

10. In Annex B, Chapter I, paragraph 1 (d) (ii) shall be replaced by the following:

'(ii) a serum agglutination test carried out in accordance with the procedure described in Annex C to Directive 64/432/EEC and showing a brucella count lower than 30 IU of agglutination per millilitre, or a complement