

COMMISSION

COMMISSION DECISION

of 31 July 2002

amending Decisions 92/160/EEC, 92/260/EEC and 93/197/EEC with regard to importation of registered horses from Turkey and repealing Decision 98/404/EC

(notified under document number C(2002) 2878)

(Text with EEA relevance)

(2002/635/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 90/426/EEC of 26 June 1990 on animal health conditions governing the movement and imports from third countries of equidae ⁽¹⁾, as last amended by Commission Decision 2002/160/EC ⁽²⁾, and in particular Articles 13, 15, 16 and Article 19(i) and (ii) thereof,

Having regard to Council Directive 91/496/EEC of 15 July 1991 laying down the principles governing the organisation of veterinary checks on animals entering the Community from third countries and amending Directives 89/662/EEC, 90/425/EEC and 90/675/EEC ⁽³⁾, as last amended by Directive 96/43/EC ⁽⁴⁾, and in particular Article 18 thereof,

Whereas:

(1) Council Decision 79/542/EEC ⁽⁵⁾, as last amended by Decision 2001/731/EC ⁽⁶⁾, establishing a list of third countries from which Member States authorise imports of bovine animals, swine, equidae, sheep and goats, fresh meat and meat products includes Turkey in Part 2 of the Annex, thus allowing only the importation of registered horses.

(2) Under Commission Decision 92/160/EEC of 5 March 1992 establishing the regionalisation of certain third

countries for imports of equidae ⁽⁷⁾, as last amended by Decision 2001/622/EC ⁽⁸⁾, as regards Turkey only temporary admission and re-entry of registered horses are allowed and only from six provinces.

- (3) The health conditions and veterinary certification for the temporary admission, permanent imports and re-entry of registered horses are harmonised and laid down respectively in Commission Decisions 92/260/EEC ⁽⁹⁾ and 93/197/EEC ⁽¹⁰⁾, both as last amended by Decision 2001/828/EC ⁽¹¹⁾, and Commission Decision 93/195/EEC ⁽¹²⁾, as last amended by Decision 2001/611/EC ⁽¹³⁾.
- (4) In the case of Turkey the animal health conditions and veterinary certification are laid down for the temporary admission and re-entry after temporary export of registered horses respectively in Decisions 92/260/EEC and 93/195/EEC.
- (5) As in the course of a Commission inspection visit to Turkey in 1998 serious flaws have come to light in the procedures for exporting horses from Turkey to the Community, the Commission adopted Decision 98/404/EC of 12 June 1998 introducing protective measures with regard to importation of equidae from Turkey ⁽¹⁴⁾, as last amended by Decision 2000/507/EC ⁽¹⁵⁾.
- (6) After the adoption of Decision 98/404/EC the competent authorities of Turkey communicated to the Commission measures directed at improving veterinary supervision and export certification based on recommendations made by the Commission following that inspection visit.

⁽¹⁾ OJ L 224, 18.8.1990, p. 42.

⁽²⁾ OJ L 53, 23.2.2002, p. 37.

⁽³⁾ OJ L 268, 24.9.1991, p. 56.

⁽⁴⁾ OJ L 162, 1.7.1996, p. 1.

⁽⁵⁾ OJ L 146, 14.6.1979, p. 15.

⁽⁶⁾ OJ L 274, 17.10.2001, p. 22.

⁽⁷⁾ OJ L 71, 18.3.1992, p. 27.

⁽⁸⁾ OJ L 216, 10.8.2001, p. 26.

⁽⁹⁾ OJ L 130, 15.5.1992, p. 67.

⁽¹⁰⁾ OJ L 86, 6.4.1993, p. 16.

⁽¹¹⁾ OJ L 308, 27.11.2001, p. 41.

⁽¹²⁾ OJ L 86, 6.4.1993, p. 1.

⁽¹³⁾ OJ L 214, 8.8.2001, p. 49.

⁽¹⁴⁾ OJ L 178, 23.6.1998, p. 41.

⁽¹⁵⁾ OJ L 204, 11.8.2000, p. 42.

- (7) In addition, the competent authorities, assisted by the private horse sector, have completed a glanders surveillance programme, which also included surveillance for African horse sickness and dourine, and submitted to the Commission a final report in April 2001. The surveillance programme confirmed with regard to the prevalence of glanders the findings of the mission carried out in 1998. A large number of mallein reactors identified amongst non-registered horses, mules and donkeys have been destroyed and compensated.
- (8) It appears therefore appropriate to allow temporary admission, re-entry after temporary export of Community registered horses and permanent imports of registered horses from those provinces in Turkey listed in Decision 92/160/EEC under the animal health conditions established for registered horses from areas of similar epidemiological situation. However, health tests required in accordance with the relevant conditions for imports shall be carried out in laboratories agreed by the Member State of destination.
- (9) Decisions 92/160/EEC, 92/260/EEC and 93/197/EEC should therefore be amended accordingly and Decision 98/404/EC repealed.
- (10) Countries appearing in the list being identified according to the ISO alpha 2 codes used by the Community legislation for the nomenclature of countries and territories for the external trade, notably Commission Regulation (EC) No 2032/2000⁽¹⁾, the provisional status of such codes should be specified whenever appropriate.
- (11) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS DECISION:

Article 1

The words 'Turkey⁽²⁾' in the Annex to Commission Decision 92/160/EEC are replaced by 'Turkey'.

Article 2

Commission Decision 92/260/EEC is amended as follows:

1. Annex I is amended as follows:

- (a) the list of third countries in Group B is replaced by the following:

'Australia (AU), Bulgaria (BG), Belarus (BY), Cyprus (CY), Czech Republic (CZ), Estonia (EE), Croatia (HR), Hungary (HU), Lithuania (LI), Latvia (LV), Former Yugoslav Republic of Macedonia (MK)⁽³⁾, New Zealand (NZ), Poland (PL), Romania (RO), Russia⁽¹⁾ (RU), Slovak Republic (SK), Slovenia (SL), Ukraine (UA), Federal Republic of Yugoslavia (YU)';

- (b) the following footnote is added:

'⁽²⁾ Provisional code that does not affect the definitive denomination of the country to be attributed after the conclusion of the negotiations currently taking place in the United Nations.';

- (c) the list of third countries in Group C is replaced by the following:

'Canada (CA), Hong Kong (HK), Japan (JP), Republic of Korea (KR), Macao (MO), Malaysia (peninsula) (MY), Singapore (SG), Thailand (TH), United States of America (US).';

2. Annex II is amended as follows:

- (a) the third indent of section III(d) of the health certificates A, B, C and D is replaced by the following:

'— United Arab Emirates, Australia, Bulgaria, Belarus, Canada, Switzerland, Cyprus, Czech Republic, Estonia, Greenland, Hong-Kong, Croatia, Hungary, Iceland, Japan, Republic of Korea, Lithuania, Latvia, Former Yugoslav Republic of Macedonia, Macao, Malaysia (peninsula), Norway, New Zealand, Poland, Romania, Russia⁽¹⁾, Singapore, Slovak Republic, Slovenia, Thailand, Ukraine, United States of America, Federal Republic of Yugoslavia.';

- (b) the health certificate E is amended as follows:

(i) section III 'Health information' is replaced by Annex I to this Decision;

- (ii) a footnote is added as follows:

'⁽⁶⁾ The laboratory tests required in accordance with the conditions in this animal health certificate must be carried out by a laboratory approved by the Member State of destination. The test results, certified by the laboratory, have to be attached to the animal health certificate accompanying the animal. These provisions apply to the following countries: Turkey (TR).'

Article 3

Commission Decision 93/197/EEC is amended as follows:

1. Annex I is amended as follows:

- (a) The list of third countries in Group B is replaced by the following:

'Australia (AU), Bulgaria (BG), Belarus (BY), Cyprus (CY), Czech Republic (CZ), Estonia (EE), Croatia (HR), Hungary (HU), Lithuania (LI), Latvia (LV), Former Yugoslav Republic of Macedonia (MK)⁽³⁾, New Zealand (NZ), Poland (PL), Romania (RO), Russia⁽¹⁾ (RU), Slovak Republic (SK), Slovenia (SL), Ukraine (UA), Federal Republic of Yugoslavia (YU).';

⁽¹⁾ OJ L 243, 28.9.2000, p. 14.

- (b) The following footnote is added:
- ‘⁽³⁾ Provisional code that does not affect the definitive denomination of the country to be attributed after the conclusion of the negotiations currently taking place in the United Nations.’
- (c) The words ‘Turkey ⁽¹⁾ ⁽²⁾ (TR)’ are added in alphabetical order of the ISO-code of the country to the list of third countries in Group E.
2. The health certificate E in Annex II is amended as follows:
The title is replaced by the following:
- ‘Health Certificate
- for imports into Community territory of registered horses from United Arab Emirates, Bahrain, Egypt ⁽¹⁾, Jordan, Kuwait, Lebanon, Libya, Oman, Qatar, Saudi Arabia ⁽¹⁾, Syria, Turkey ⁽¹⁾ and of registered equidae and equidae for breeding and production from Algeria, Israel, Morocco, Malta, Mauritius and Tunisia’.
- (a) Section III ‘Health information’ is replaced by Annex II to this Decision.
- (b) The following footnote is added:
- ‘⁽³⁾ The laboratory tests required in accordance with the conditions in this animal health certificate must be carried out by a laboratory approved by the

Member State of destination. The test results, certified by the laboratory, have to be attached to the animal health certificate accompanying the animal. These provisions apply to the following countries: Turkey (TR).’

Article 4

Decision 98/404/EC is hereby repealed.

Article 5

Member States shall amend the measures they apply with regard to Turkey to bring them into line with this Decision.

Article 6

This Decision is addressed to the Member States.

Done at Brussels, 31 July 2002.

For the Commission

David BYRNE

Member of the Commission

ANNEX I

III. Health information

I, the undersigned certify that the horse described above meets the following requirements:

- (a) it comes from a country where the following diseases are compulsorily notifiable: African horse sickness, dourine, glanders, equine encephalomyelitis (of all types including VEE), infectious anaemia, vesicular stomatitis, rabies, anthrax;
- (b) it has been examined today and shows no clinical signs of disease ⁽²⁾;
- (c) it is not intended for slaughter under a national programme of infectious or contagious disease eradication;
- (d) during the last 40 days immediately preceding the exportation it has been resident on holdings under veterinary supervision in:
 - the country of dispatch,
 - (i) either in an isolation centre ⁽³⁾, or
 - (ii) in the case it was dispatched from the United Arab Emirates, in designated premises under official veterinary supervision ⁽³⁾,
 - and/or
 - Member States of the Community,
 - and/or
 - United Arab Emirates, Australia, Bulgaria, Belarus, Canada, Switzerland, Cyprus, Czech Republic, Estonia, Greenland, Hong Kong, Croatia, Hungary, Iceland, Japan, Republic of Korea, Lithuania, Latvia, Former Yugoslav Republic of Macedonia, Macao, Malaysia (peninsula), Norway, New Zealand, Poland, Romania, Russia ⁽¹⁾, Singapore, Slovak Republic, Slovenia, Thailand, Ukraine, United States of America, Federal Republic of Yugoslavia.

If it has been moved to the country of dispatch from a country listed in the third indent, it was imported with at least the same animal health requirements as if the horse was imported directly into the European Community;

- (e) it does not come from the territory or in cases of official regionalisation according to EEC legislation from a part of the territory of a third country in which:
 - (i) Venezuelan equine encephalomyelitis has occurred during the last two years;
 - (ii) dourine has occurred during the last six months;
 - (iii) glanders has occurred during the last six months;
 - (iv) vesicular stomatitis has occurred during the last six months ⁽³⁾,
 - or
 - the animal was tested by a virus neutralisation test for vesicular stomatitis on ⁽⁵⁾, this being within 10 days of export, with negative result at a dilution of 1 in 12 ⁽³⁾ ⁽⁴⁾ ⁽⁶⁾;
 - (v) in the case of an uncastrated male animal older than 180 days, either equine viral arteritis has been officially recorded during the last six months ⁽³⁾;
 - or
 - the animal was tested ⁽⁴⁾ on a blood sample taken within 21 days of export on ⁽⁵⁾ by virus neutralisation test for equine viral arteritis with negative result at a dilution of 1 in 4 ⁽⁶⁾;
 - or
 - an aliquot of its entire semen taken within 21 days of export on ⁽⁵⁾ was tested by virus isolation test for equine viral arteritis with negative result ⁽³⁾ ⁽⁴⁾ ⁽⁶⁾;
 - or
 - the animal was vaccinated on ⁽⁵⁾ against equine viral arteritis under official veterinary supervision with a vaccine approved by the competent authority, according to the following programme for initial vaccination and has been revaccinated at regular intervals ⁽³⁾ ⁽⁴⁾.

Programmes for initial vaccination against equine viral arteritis:

Instruction: cross out vaccination programmes that do not apply to the animal described above.

- (a) Vaccination was carried out on the day a blood sample was taken that subsequently proved negative in a virus neutralisation test at a dilution of 1 in 4 ^(b); or
- (b) vaccination was carried out during a period of isolation of not more than 15 days under official veterinary supervision, commencing on the day a blood sample was taken that was tested during that time with negative result in a virus neutralisation test at a dilution of 1 in 4 ^(b); or
- (c) vaccination was carried out when the animal was at an age of 180 to 270 days, during a period of isolation under official veterinary supervision. During the isolation period two blood samples taken at least 10 days apart proved a stable or declining antibody titre in a virus neutralisation test for equine viral arteritis ^(b);
- (f) it does not come from the territory or from a part of the territory of a third country considered, in accordance with EEC legislation, as infected with African horse sickness.
- It was not vaccinated against African horse sickness ⁽³⁾.
 - It was vaccinated against African horse sickness on ⁽³⁾ ⁽⁴⁾ ⁽⁵⁾;
- (g) it does not come from a holding which was subject to prohibition for animal health reasons nor had contact with equidae from a holding which was subject to prohibition for animal health reasons:
- (i) during six months in the case of equine encephalomyelitis, beginning on the date on which the equidae suffering from the disease are slaughtered;
 - (ii) in the case of infectious anaemia, until the date on which, the infected animals having been slaughtered, the remaining animals have shown a negative reaction to two Coggins tests carried out three months apart;
 - (iii) during six months in the case of vesicular stomatitis;
 - (iv) during one month from the last recorded case, in the case of rabies;
 - (v) during 15 days from the last recorded case, in the case of anthrax;
- or
- if all the animals of species susceptible to the disease located on the holding have been slaughtered and the premises disinfected, the period of prohibition shall be 30 days, beginning on the day on which the animals were destroyed and the premises disinfected, except in the case of anthrax, where the period of prohibition is 15 days;
- (h) to the best of my knowledge, it has not been in contact with equidae suffering from an infectious or contagious disease in the 15 days prior to this declaration;
- (i) it was subjected to the following blood tests:
- a Coggins test for infectious anaemia on ⁽⁵⁾, this being within 30 days of export, with negative result ⁽⁴⁾ ⁽⁶⁾,
 - a complement fixation test for dourine on ⁽⁵⁾, this being within 10 days of export, with negative result at a dilution of 1 in 10 ⁽⁴⁾ ⁽⁶⁾,
 - a complement fixation test for glanders on ⁽⁵⁾, this being within 10 days of export, with negative result at a dilution of 1 in 10 ⁽⁴⁾ ⁽⁶⁾,
 - a test for African horse sickness as described in Annex D to Council Directive 90/426/EEC either
 - (i) on two occasions, carried out on samples of blood taken with an interval of between 21 and 30 days on ⁽⁵⁾ and on ⁽⁵⁾, the second of which must have been taken within 10 days of export ⁽³⁾, either with negative reactions, if it has not been vaccinated ⁽³⁾ ⁽⁴⁾ ⁽⁶⁾, or without increase in antibody count, if it has been vaccinated ⁽³⁾ ⁽⁴⁾ ⁽⁶⁾;
- or
- (ii) on one occasion, carried out on a sample of blood taken within 10 days of export on ⁽⁵⁾, with negative reaction, if it is to be dispatched from the United Arab Emirates (AE) ⁽³⁾ ⁽⁴⁾;

ANNEX II

III. Health information

I, the undersigned certify that the animal described above meets the following requirements:

- (a) it comes from a country where the following diseases are compulsorily notifiable: African horse sickness, dourine, glanders, equine encephalomyelitis (of all types including VEE), infectious anaemia, vesicular stomatitis, rabies, anthrax;
- (b) it has been examined today and shows no clinical signs of disease ⁽²⁾;
- (c) it is not intended for slaughter under a national programme of infectious or contagious disease eradication;
- (d) during the three months immediately preceding the exportation (or since birth, if the animal is less than three months old, or since entry, if it was imported directly from the European Community during the previous three months) it has been resident on holdings under veterinary supervision in the country of dispatch and it has been kept in an approved isolation center, protected from vector insects, either
 - during the 40 days prior to dispatch ⁽³⁾,
 - or
 - during 30 days prior to dispatch from the United Arab Emirates (AE) ⁽³⁾;
- (e) it comes from the territory or in cases of official regionalisation according to EEC legislation from a part of the territory of a third country in which:
 - (i) Venezuelan equine encephalomyelitis has not occurred during the last two years;
 - (ii) dourine has not occurred during the last six months;
 - (iii) glanders has not occurred during the last six months;
 - (iv) vesicular stomatitis has not occurred during the last six months ⁽³⁾;
 - or
 - the animal was tested on a sample of blood taken within 21 days of export on ⁽⁴⁾ by a virus neutralisation test for vesicular stomatitis with negative result at a dilution of 1 in 12 ⁽³⁾ ⁽⁵⁾;
 - (v) in the case of an uncastrated male animal older than 180 days, either equine viral arteritis has not been officially recorded during the last six months ⁽³⁾;
 - or
 - the animal was tested on a blood sample taken within 21 days of export on ⁽⁴⁾ by virus neutralisation test for equine viral arteritis with negative result at a dilution of 1 in 4 ⁽³⁾;
 - or
 - an aliquot of its entire semen taken within 21 days of export on ⁽⁴⁾ was tested by virus isolation test for equine viral arteritis with negative result ⁽³⁾ ⁽⁴⁾ ⁽⁵⁾;
 - or
 - the animal was vaccinated on ⁽⁴⁾ against equine viral arteritis under official veterinary supervision with a vaccine approved by the competent authority, according to the following programme for initial vaccination and has been revaccinated at regular intervals ⁽³⁾ ⁽⁴⁾.

Programmes for initial vaccination against equine viral arteritis:

<p><i>Instruction:</i> cross out vaccination programmes that do not apply to the animal described above.</p> <ul style="list-style-type: none"> (a) Vaccination was carried out on the day a blood sample was taken that subsequently proved negative in a virus neutralisation test at a dilution of 1 in 4 ⁽³⁾; or (b) vaccination was carried out during a period of isolation of not more than 15 days under official veterinary supervision, commencing on the day a blood sample was taken that was tested during that time with negative result in a virus neutralisation test at a dilution of 1 in 4 ⁽³⁾; or (c) vaccination was carried out when the animal was at an age of 180 to 270 days, during a period of isolation under official veterinary supervision. During the isolation period two blood samples taken at least 10 days apart proved a stable or declining antibody titre in a virus neutralisation test for equine viral arteritis ⁽³⁾;

- (f) it does not come from the territory or from a part of the territory of a third country considered, in accordance with EEC legislation, as infected with African horse sickness.
- It was not vaccinated against African horse sickness ⁽³⁾.
 - It was vaccinated against African horse sickness on ⁽³⁾ ⁽⁴⁾;
- (g) it does not come from a holding which was subject to prohibition for animal health reasons nor had contact with equidae from a holding which was subject to prohibition for animal health reasons:
- (i) during six months in the case of equine encephalomyelitis, beginning on the date on which the equidae suffering from the disease are slaughtered;
 - (ii) in the case of infectious anaemia, until the date on which, the infected animals having been slaughtered, the remaining animals have shown a negative reaction to two Coggins tests carried out three months apart;
 - (iii) during six months in the case of vesicular stomatitis
 - (iv) during one month from the last recorded case, in the case of rabies;
 - (v) during 15 days from the last recorded case, in the case of anthrax.
- If all the animals of species susceptible to the disease located on the holding have been slaughtered and the premises disinfected, the period of prohibition shall be 30 days, beginning on the day on which the animals were destroyed and the premises disinfected, except in the case of anthrax, where the period of prohibition is 15 days;
- (h) it shows no clinical signs of contagious equine metritis (CEM) and it does not come from a holding where there has been any suspicion of CEM during the past two months nor had contact indirectly or directly through coitus with equidae infected or suspected of CEM;
- (i) to the best of my knowledge, it has not been in contact with equidae suffering from an infectious or contagious disease in the 15 days prior to this declaration;
- (j) it was subjected to the following blood tests:
- a Coggins test for infectious anaemia on ⁽⁴⁾, this being within 30 days of export, with negative result ⁽⁴⁾ ⁽⁵⁾,
 - a complement fixation test for dourine on ⁽⁴⁾, this being within 10 days of export, with negative result at a dilution of 1 in 10 ⁽⁴⁾ ⁽⁵⁾,
 - a complement fixation test for glanders on ⁽⁴⁾, this being within 10 days of export, with negative result at a dilution of 1 in 10 ⁽⁴⁾ ⁽⁵⁾,
 - a test for African horse sickness as described in Annex D to Directive 90/426/EEC either
 - (i) on two occasions, carried out on samples of blood taken with an interval of between 21 and 30 days on ⁽⁴⁾ and on ⁽⁴⁾, the second of which must have been taken within 10 days of export ⁽³⁾, either with negative reactions, if it has not been vaccinated ⁽³⁾ ⁽⁴⁾ ⁽⁵⁾, or without increase in antibody count, if it has been vaccinated ⁽³⁾ ⁽⁴⁾ ⁽⁵⁾
 - or
 - (ii) on one occasion, carried out on a sample of blood taken within 10 days of export on ⁽⁴⁾ with negative reaction, if it is to be dispatched from the United Arab Emirates (AE) ⁽³⁾ ⁽⁴⁾;
-