COMMISSION DECISION

of 17 July 2003

amending Decisions 92/260/EEC, 93/197/EEC and 97/10/EC as regards the temporary admission and imports into the European Union of registered horses from South Africa

(notified under document number C(2003) 1212)

(Text with EEA relevance)

(2003/541/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 Article 12(2), Article 13(2), Articles 14, 15, 16 and Article 19(i) thereof,

Whereas:

- Commission Decision 92/260/EEC (3), as last amended (1)by Decision 2002/635/EC (4), lays down the animal health conditions and veterinary certification for temporary admission of registered horses.
- Commission Decision 93/197/EEC (5), as last amended (2)by Decision 2002/841/EC (6), lays down the animal health conditions and veterinary certification for imports of registered equidae and equidae for breeding and production.
- Annex I to Commission Decision 97/10/EC of 12 (3) December 1996 amending Council Decision 79/542/ EEC and Commission Decisions 92/160/EEC, 92/260/ EEC and 93/197/EEC in relation to the temporary admission and imports into the Community of registered horses from South Africa (7), as last amended by Decision 2001/622/EC (8), provides for additional guarantees which apply to the regionalisation of South Africa for imports of registered horses into the European Union.
- (4)Those additional guarantees require a specific period of residence of registered horses within the African horse sickness-free zone and lay down conditions under which the registered horses intended for transport by air to the European Union must be transported to the airport situated in the surveillance zone under vector-protected conditions.

⁽²⁾ OJ L 53, 23.2.2002, p. 37.

- (1) O L 196, 1919,1992, p. 07.
 (4) O J L 206, 3.8.2002, p. 20.
 (5) O J L 86, 6.4.1993, p. 16.
 (6) O J L 287, 25.10.2002, p. 42.
 (7) O J L 317, 11997, p. 9.
 (7) O J L 317, 11997, p. 9.

- (5) Taking into account the required isolation in an approved and vector-protected quarantine station, it appears justified to require the same minimum residence period in the African horse sickness-free zone for registered horses temporarily admitted and imported into the European Union.
- Due to changes in the schedules of airlines, the transport (6)of registered horses in standard cargo aircraft appears to be impossible, leaving the transport of registered horses by sea the only realistic alternative.
- (7) It is necessary to lay down the conditions under which registered horses may be transported without compromising the health status of those animals during the journey by sea from the port of Cape Town situated in the free zone to a harbour in the European Union approved as border inspection post in accordance with 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 (9), as last amended by Directive 96/43/EC (10).
- Decisions 92/260/EEC, 93/197/EEC and 97/10/EC (8) should be amended accordingly.
- (9) 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

In Annex II to Decision 92/260/EEC the animal health certificate F is replaced by the text in Annex I to this Decision.

⁽¹⁾ OJ L 224, 18.8.1990, p. 42.

^{(&}lt;sup>3</sup>) OJ L 130, 15.5.1992, p. 67.

⁽⁸⁾ OJ L 216, 10.8.2001, p. 26.

^{(&}lt;sup>9</sup>) OJ L 268, 24.9.1991, p. 56.

^{(&}lt;sup>10</sup>) ÓJ L 162, 1.7.1996, p. 1.

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Article 2

In Annex II to Decision 93/197/EEC the animal health certificate F is replaced by the text in Annex II to this Decision.

Article 3

Decision 97/10/EC is amended as follows:

- 1. Annex I is amended in accordance with Annex III to this Decision.
- 2. The text in Annex IV to this Decision is added as Annex IV.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 17 July 2003.

For the Commission David BYRNE Member of the Commission

ANNEX I

'—F—

HEALTH CERTIFICATE

for the temporary admission of registered horses into the European Union from South Africa for a period of less than 90 days

		Certificate No:
Thi	rd co	untry of dispatch (1):
Min	istry	responsible:
I.	Ide	ntification of the horse
	(a)	Identification document No (passport):
	(b)	Validated by:
	. ,	(Name of competent authority)
II.	Ori	igin and destination of the horse
	The	e horse is to be sent from:
		(Place of export)
	dir	ectly to:
		(Member State and place of destination)
	by	aircraft (3):
		(indicate flight number)
	or	
	by	vessel (³):
		(indicate name of vessel)
	Na	me and address of consignor:
	Na	me and address of consignee:
III.	He	alth information
		ne undersigned official veterinarian of
	1, 11	(insert name of country)
	cer	tify that the horse described above:
	(a)	comes from a country where the following diseases are compulsorily notifiable: African horse sickness, dourine, glanders, equine encephalomyelitis of all types including Venezuelan equine encephalomyelitis, equine infectious anaemia, vesicular stomatitis, rabies, anthrax;
	(b)	has been examined today and shows no clinical signs of disease (2);
	(c)	is not intended for slaughter under a national programme of infectious or contagious disease eradication;
	(d)	has been resident during the 60 days immediately preceding the exportation on holdings under veterinary supervision:
		— on the territory of the country (1) of dispatch,
		and
		 in a Member State of the European Union, if it was imported into the country (1) of dispatch directly from a Member State of the European Union (3),
		and

- on the territory of a third country (¹) approved for temporary admission or permanent imports into the European Union of registered horses, if it was imported directly into the country (¹) of dispatch under conditions at least as strict as laid down for the temporary admission or permanent imports of registered horses from the third country concerned directly into the European Union (³),

and

(i) the horse was accommodated permanently under vector-protected conditions (³);

or

- (ii) the horse has been confined to the vector-protected stables at least from two hours prior to sunset until two
 hours after sunrise the next day and exercise was provided under official veterinary supervision, following
 the application of effective insect repellents prior to the removal from the stables, and in strict isolation from
 equidae not being prepared for export under conditions at least as strict as required for temporary admission
 or imports into the European Union (³);
- (e) comes from the territory of a country (¹) 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

was tested on a sample of blood taken, within 21 days of export, on \dots (⁵), by virus neutralization test for vesicular stomatitis, with negative result at a dilution of 1 in 12 (³) (⁴);

(v) in the case of an uncastrated male animal older than 180 days:

(1) either equine viral arteritis has not been officially recorded during the last six months (3),

or

- (2) the animal was tested:

or

or

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 isolation test for equine viral arteritis at a dilution of 1 in 4.
- (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 neutralization test for equine viral arteritis at a dilution of 1 in 4.
- (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 neutralization test for equine viral arteritis.

- (f) does not come from the territory of a country $(^1)$ considered, in accordance with EC legislation, as infected with African horse sickness and was either:
 - not vaccinated against African horse sickness (3),

or

- (g) does not come from a holding which was subject to a prohibition order for animal health reasons which laid down the following conditions:
 - (i) If not all the animals of species susceptible to the disease located on the holding were slaughtered, the prohibition lasted for:
 - six months in the case of equine encephalomyelitis, beginning on the date on which the equidae suffering
 from the disease are slaughtered,
 - a period required to carry out with negative results two Coggins tests three months apart on the animals
 remaining after the infected animals have been slaughtered in the case of infectious anaemia,
 - six months in the case of vesicular stomatitis,
 - one month from the last recorded case, in the case of rabies,
 - 15 days from the last recorded case, in the case of anthrax.
 - (ii) If all the animals of species susceptible to the disease located on the holding were slaughtered, the prohibition lasted for 30 days, or 15 days in the case of anthrax, beginning on the day on which following the destruction of the animals the disinfection of the premises was satisfactorily completed;
- (h) has, to the best of my knowledge and according to the declaration of the owner or his representative, not been in contact with animals showing clinical signs of an infectious or contagious disease transmissible to equidae during 15 days prior to pre-export isolation;
- - a Coggins test for equine infectious anaemia,
 - a complement fixation test for dourine at a dilution of 1 in 5;
- - with negative reactions, if it has not been vaccinated (3) (4), or
 - without increase in antibody level, if it has been vaccinated (3) (4);
- - with negative reactions (3) (4), or
 - without increase in antibody level (3) (4).
- IV. The horse will be sent directly from the quarantine station
 - (a) either to the airport under vector-protected conditions and will be sent to the Member State of the European Union without coming into contact with other equidae not accompanied by an EC certificate either for permanent imports or for temporary admission and will be transported in an aircraft which was cleansed and disinfected in advance with a disinfectant officially recognised in the country of dispatch and sprayed against vector insects just prior to take-off (³),

or

(b) to the port of Cape Town under vector-protected conditions and will be sent to the Member State of the European Union without coming into contact with other equidae not accompanied by an EC certificate either for permanent imports or for temporary admission and will be transported on a vessel which is scheduled directly to a port in the European Union without calling into a port situated on the territory of a country (1) not approved for imports into the European Union of equidae in stalls which were cleansed and disinfected in advance with a disinfectant officially recognised in the country of dispatch and sprayed against vector insects just prior to role-off (3).

The attached declaration signed by the owner or representative is part of the certificate.

V. The certificate is valid for 10 days. In the case of transport by sea, the time is prolonged by the time of the sea journey.

This certificate together with the identification document (passport) must accompany the horse during the whole of the residence within the European Union. The total period of residence on the territory of the European Union must not exceed 90 days.

Date	Place	Stamp and signature of the official veterinarian (°)
	(Name i	n block capitals and capacity)

VI. Date and place of entry into the European Union

(Stamp and signature of the official veterinarian) (°)

Date of export from the European Union:

VII. Where the horse subsequently moves from one Member State to another as indicated in the declaration, the period of validity of the certificate must be extended for a further 10 days by an official veterinarian of the Member State of dispatch. The identity check carried out on this occasion has to be certified in the passport.

I, the undersigned have examined the horse today and certify that it meets the conditions of Directive 90/426/EEC and, in particular, the requirements of paragraph III (b), (c) and (g) of this certificate.

To the best of my knowledge it was during the last 15 days not in contact with equidae suffering from an infectious or contagious disease.

Date of examination	Place of examination	Place of destination	Stamp and signature of the official veterinarian (°)

(Name in block capitals and capacity)

(5) Insert date.

⁽¹⁾ Territory of a country means the whole territory or the part of the territory in accordance with Article 13(2) of Directive 90/426/EEC as laid down in Commission Decision 92/160/EEC as last amended.

 ^(?) The certificate must be issued on the day of loading of the horse for dispatch to the Member State of destination or on the last working day before embarkation and accompanied by the identification document (passport) during the time of residence in the European Union.
 (3) Delete as appropriate.

⁽⁴⁾ The test(s) carried out, their results and the vaccination have to be entered in the identification document (passport).

^(*) The colour of the stamp and the signature must be different to that of the printing.

DECLARATION

I, the undersigned, owner (1) or representative of the owner (1) of the horse described above declare:

1. The horse will be resident in the European Union for a period of less than 90 days and during that time it will be accommodated on the following premises:

(1)			in	
	(insert date)	(insert date)	(insert place of holding)	(insert Member State)
(2)		to(insert date)	in (insert place of holding)	
(3)		to(insert date)	in (insert place of holding)	
(4)		to(insert date)	in (insert place of holding)	in(insert Member State)

- The horse will be sent directly from the quarantine station at to the premises of destination without coming into contact with other equine animals not accompanied by a certificate for temporary admission or permanent importation into the European Union.
- 3. The transportation will be effected in such a way that the health and well-being of the animal can be protected effectively.
- 4. During 15 days prior to pre-export isolation the horse has not been in contact with animals suffering from infectious or contagious diseases transmissible to equidae.
- 5. According to the instructions of the official veterinarian I have made all arrangements to comply with the conditons in Section IV and in particular to ensure that the declaration provided for in Annex IV to Commission Decision 97/10/EC will be duly completed and signed by the captain of the aircraft or the master of the vessel upon arrival in an airport or port situated on the territory of the European Union and approved in accordance with Directive 91/496/EEC as border inspection post for registered horses.

(insert name and place of exit)

7. Name and address of the owner (1) or representative (1):

(Place, date)

(Signature)

Health certificate No

Signature of the official veterinarian signing the certificate (3)

⁽¹⁾ Delete as appropriate.

⁽²⁾ Insert date.

⁽³⁾ The colour of the stamp and the signature must be different to that of the printing.

ANNEX II

'—F—

HEALTH CERTIFICATE

for imports into the European Union of registered horses from South Africa (1)

Cer	rtificate No:
Thi	rd country of dispatch ('):
Mir	nistry responsible:
I.	Identification of the animal
	(a) Identification document No (passport):
	(b) Validated by:
II.	Origin and destination of the horse
	The horse is to be sent from:
	directly to:
	by aircraft (³):
	or
	by vessel (³):
	Name and address of consignor:
	Name and address of consignee:
III.	Health information
	I, the undersigned official veterinarian of:
	certify that the horse described above:
	 (a) comes from a country where the following diseases are compulsorily notifiable: African horse sickness, dourine, glanders, equine encephalomyelitis of all types including Venezuelan equine encephalomyelitis, equine infectious anaemia, vesicular stomatitis, rabies, anthrax;
	(b) has been examined today and shows no clinical signs of disease (2);
	(c) is not intended for slaughter under a national programme of infectious or contagious disease eradication;
	(d) has been resident on the territory of the country of dispatch during 90 days immediately preceding the exportation

(or since birth if less than 90 days old or since entry if it was imported directly from a Member State of the European Union during the previous 90 days) and during 60 days immediately preceding the exportation in the part of the country (1) considered free of African horse sicknes in accordance with Community legislation (or since birth if less than 60 days old or since entry if it was imported directly from a Member State of the European Union during the previous 60 days)

has undergone the pre-export isolation during the last 40 days immediately preceding the exportation from \dots (5) to \dots (5) in the approved quarantine station at \dots , under the following conditions:

(i) the horse was accommodated permanently under vector-protected conditions (³);

or

- (ii) the horse has been confined to the vector-protected stables at least from two hours prior to sunset until two hours after sunrise the next day and exercise was provided under official veterinary supervision, following the application of effective insect repellents prior to the removal from the stables, and in strict isolation from equidae not being prepared for export under conditions at least as strict as required for temporary admission or imports into the European Union (³);
- (e) comes from the territory of a country $(^1)$ 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

was tested on a sample of blood taken within 21 days of export on \dots (⁵), by virus neutralization test for vesicular stomatitis, with negative result at a dilution of 1 in 12 (³) (⁴);

- (v) in the case of an uncastrated male animal older than 180 days:
 - (1) either equine viral arteritis has not been officially recorded during the last six months (3),

or

- (2) the animal was tested:
 - - or

or

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 isolation test for equine viral arteritis at a dilution of 1 in 4.
- (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 neutralization test for equine viral arteritis at a dilution of 1 in 4.
- (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 neutralization test for equine viral arteritis.

- (f) does not come from the territory of a country (1) considered, in accordance with EC legislation, as infected with African horse sickness and was either:
 - not vaccinated against African horse sickness (3),

or

- (g) does not come from a holding which was subject to a prohibition order for animal health reasons which laid down the following conditions:
 - (i) If not all the animals of species susceptible to the disease located on the holding were slaughtered, the prohibition lasted for:
 - six months in the case of equine encephalomyelitis, beginning on the date on which the equidae suffering from the disease are slaughtered,
 - a period required to carry out with negative results two Coggins tests three months apart on the animals remaining after the infected animals have been slaughtered in the case of infectious anaemia,
 - six months in the case of vesicular stomatitis,
 - one month from the last recorded case, in the case of rabies,
 - 15 days from the last recorded case, in the case of anthrax.
 - (ii) If all the animals of species susceptible to the disease located on the holding were slaughtered, the prohibition lasted for 30 days, or 15 days in the case of anthrax, beginning on the day on which following the destruction of the animals the disinfection of the premises was satisfactorily completed;
- (h) shows no clinical signs of contagious equine metritis and does not come from a holding where there has been any suspicion of contagious equine metritis during the past two months nor had contact indirectly or directly through coitus with equidae infected or suspected of being infected with contagious equine metritis;
- (i) has, to the best of my knowledge and according to the declaration of the owner or his representative, not been in contact with animals showing clinical signs of an infectious or contagious disease transmissible to equidae during 15 days prior to pre-export isolation;
- - a Coggins test for equine infectious anaemia,
 - a complement fixation test for dourine at a dilution of 1 in 5;
- - with negative reactions, if it has not been vaccinated (3) (4),
 - without increase in antibody level, if it has been vaccinated (3) (4);
- - with negative reactions $\binom{3}{4}$ or,
 - without increase in antibody level (3) (4).

- IV. The horse will be sent directly from the quarantine station
 - (a) either to the airport under vector-protected conditions and will be sent to the Member State of the European Union without coming into contact with other equidae not accompanied by an EC certificate either for permanent imports or for temporary admission and will be transported in an aircraft which was cleansed and disinfected in advance with a disinfectant officially recognised in the country of dispatch and sprayed against vector insects just prior to take-off (³),

or

(b) to the port of Cape Town under vector-protected conditions and will be sent to the Member State of the European Union without coming into contact with other equidae not accompanied by an EC certificate either for permanent imports or for temporary admission and will be transported on a vessel which is scheduled directly to a port in the European Union without calling into a port situated on the territory of a country (1) not approved for imports into the European Union of equidae in stalls which were cleansed and disinfected in advance with a disinfectant officially recognised in the country of dispatch and sprayed against vector insects just prior to departure (3).

The attached declaration signed by the owner or representative is part of the certificate.

V. The certificate is valid for 10 days. In the case of transport by sea, the time is prolonged by the time of the sea journey.

Date	Place	Stamp and signature of the official veterinarian $(^{6})$

(name in block capitals and capacity)

⁽¹⁾ Territory of a country means the whole territory or the part of the territory in accordance with Article 13(2) of Directive 90/426/EEC as laid down in Commission Decision 92/160/EEC as last amended.

 ⁽²⁾ The certificate must be issued on the day of loading of the horse for dispatch to the Member State of destination or on the last working day before embarkation and accompanied by the identification document (passport) during the time of residence in the European Union.
 (3) Delete as appropriate.

⁽⁴⁾ The test(s) carried out, their results and the vaccination have to be entered in the identification document (passport).

⁽⁵⁾ Insert date.

^(°) The colour of the stamp and the signature must be different to that of the printing.

DECLARATION

I, the undersigned,		owner (1) or representative of the owner (1)
	(insert name in block letters)	

of the horse described above declare:

to the premises of destination without coming into contact with other equidae not accompanied by a certificate for temporary admission or permanent importation of equidae into the European Union.

- 2. The animal has either remained in (exporting country (1)) since birth or entered the exporting country (1) at least 60 days prior to this declaration.
- 3. During 15 days prior to pre-export isolation the horse has not been in contact with animals suffering from infectious or contagious diseases transmissible to equidae.
- 4. According to the instructions of the official veterinarian I have made all arrangements to comply with the conditons in Section IV and in particular to ensure that the declaration provided for in Annex IV to Commission Decision 97/10/EC will be duly completed and signed by the captain of the aircraft or the master of the vessel upon arrival in a port situated on the territory of the European Union and approved in accordance with Directive 91/496/EEC as border inspection post for registered horses.

(Place, date)

.....(Signature)

⁽¹⁾ Delete as appropriate.

 $[\]binom{2}{2}$ The colour of the stamp and the signature must be different to that of the printing.

ANNEX III

Annex I to Decision 97/10/EC is amended as follows:

- 1. Point 7.1 is replaced by the following:
 - '7.1. Registered horses intended for permanent imports into the European Union must have been resident in the country of dispatch for at least 90 days, or since birth, if they are less than 90 days old, or since entry, if they are imported directly from the European Union during the 90 days prior to certification for export to the European Union and they must have remained in the free area for at least 60 days or since birth, if they are less than 60 days old, or since entry, if they are imported directly into the free area from the European Union during the 60 days prior to certification for export to the European Union during the 60 days prior to certification for export to the European Union during the 60 days prior to certification for export to the European Union.'
- 2. Point 11 is replaced by the following:
 - '11. If registered horses are transported by air, the transport of the horses from the quarantine station into the aircraft is performed under vector-protected conditions and these conditions are maintained throughout the journey.'
- 3. The following point 12 is added:
 - '12. If registered horses are transported by sea, then the following conditions shall apply:

Vessels transporting registered horses from the port of Cape Town to a port in the European Union approved in accordance with Council Directive 91/496/EEC as a border inspection post for veterinary checks on registered horses, shall at no time between departure and arrival at destination call into a port situated on the territory or part of the territory of a third country not approved for imports into the European Union of equidae. The master of the vessel shall provide proof of compliance with these conditions by completing the declaration included in Annex IV.'

ANNEX IV

'ANNEX IV

of the journey a transportation by vessel.)	tificate when transport to the European U	nion frontier includes even for a part
, the undersigned, master of vessel		, declare that
	(insert name of vessel)	
 The animals referred to in the attached ve vessel during the voyage from the port of 		
0 70 1	(insert name of port)	
to(insert name of port)	in the European Union.	
2. During the journey the vessel did not call pean Union other than:		
3. During the journey the animals have not board of a lower health status.	been unloaded and have not been in	n contact with other animals on
Done at(Port of arrival)	on	(Date of arrival)