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►**B**

COMMISSION DECISION

of 24 November 2006

concerning animal health control measures relating to classical swine fever in certain Member States

(notified under document number C(2006) 5538)

(Text with EEA relevance)

(2006/805/EC)

(OJ L 329, 25.11.2006, p. 67)

Amended by:

		Official Journal		
		No	page	date
►**M1**	Commission Decision 2007/137/EC of 23 February 2007	L 57	25	24.2.2007
►**M2**	Commission Decision 2007/152/EC of 6 March 2007	L 67	10	7.3.2007
►**M3**	Commission Decision 2007/631/EC of 27 September 2007	L 255	45	29.9.2007
►**M4**	Commission Decision 2007/862/EC of 13 December 2007	L 337	119	21.12.2007
►**M5**	Commission Decision 2008/225/EC of 14 March 2008	L 73	32	15.3.2008
►**M6**	Commission Decision 2008/631/EC of 29 July 2008	L 205	51	1.8.2008

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Article 1

Subject matter and scope

▼M2

This Decision lays down certain control measures in relation to classical swine fever in the Member States or regions thereof as set out in the Annex (the Member States concerned).

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It shall apply without prejudice to the plans for the eradication of classical swine fever and the emergency vaccination plans against that disease approved in accordance with Commission Decisions 2003/135/EC [1], 2004/832/EC [2], 2005/59/EC [3] and 2006/800/EC [4].

Article 2

Prohibition on the dispatch of live pigs from the areas listed in the Annex

The Member States concerned shall ensure that no live pigs are dispatched from its territory to other Member States unless the pigs come from:

(a) areas outside those listed in the Annex; and

(b) a holding where no live pigs proceeding from the areas listed in the Annex have been introduced during the 30-day period immediately prior to the date of dispatch.

Article 3

Movement and transit of pigs in the Member States concerned

1. The Member States concerned shall ensure that no live pigs are dispatched from holdings located within the areas listed in the Annex to other areas in the territory of the same Member State, except:

(a) from holdings where a clinical examination and serological tests for classical swine fever have been carried out with negative results, in accordance with Article 8(1)(b) and (c);

[1] OJ L 53, 28.2.2003, p. 47.
[2] OJ L 359, 4.12.2004, p. 62.
[3] OJ L 24, 27.1.2005, p. 46.
[4] OJ L 325, 24.11.2006, p. 35.

▼B

(b) pigs to be moved directly to slaughterhouses for the purpose of immediate slaughter.

2. The Member States concerned shall ensure that the transit of pigs through the areas listed in the Annex only takes place via major roads or railways, without any stops by the vehicle transporting the pigs.

Article 4

Prohibition on the dispatch of consignments of porcine semen and ova and embryos of swine from the areas listed in the Annex

The Member State concerned shall ensure that no consignments of the following are dispatched from its territory to other Member States:

(a) porcine semen, unless the semen originates from boars kept at an approved collection centre as referred to in point (a) of Article 3 of Council Directive 90/429/EEC ([1]) and situated outside the areas listed in the Annex to this Decision;

(b) ova and embryos of swine, unless the ova and embryos originate from swine kept in holdings situated outside the areas listed in the Annex.

Article 5

Prohibition on the dispatch of certain consignments from areas listed in Part III of the Annex and special health marks

The Member States concerned with areas listed in Part III of the Annex shall ensure that:

(a) no consignments of fresh meat of pigs from holdings located in the areas listed in Part III of the Annex, and meat preparations and meat products consisting of, or containing meat of those pigs are dispatched from those areas to other Member States;

(b) the fresh meat and meat preparations and meat products referred to in point (a) of this Article are marked with a special health mark that cannot be oval and cannot be confused with:

— the identification mark for meat preparations and meat products consisting of, or containing meat of pigs, provided for in Annex II, Section I to Regulation (EC) No 853/2004; and

— the health mark for fresh pigmeat provided for in Annex I, Section I, Chapter III to Regulation (EC) No 854/2004.

([1]) OJ L 224, 18.8.1990, p. 62.

▼B

Article 6

Health certification requirements for the Member States concerned

The Member State concerned shall ensure that the health certificate provided for in:

(a) Article 5(1) of Council Directive 64/432/EEC ([1]) accompanying pigs dispatched from its territory, shall be completed by the following:

'Animals in accordance with Commission Decision 2006/805/EC of 24 November 2006 concerning animal health control measures relating to classical swine fever in certain Member States.'

(b) Article 6(1) of Directive 90/429/EEC accompanying boar semen dispatched from its territory, shall be completed by the following:

'Semen in accordance with Commission Decision 2006/805/EC of 24 November 2006 concerning animal health control measures relating to classical swine fever in certain Member States.'

(c) Article 1 of Commission Decision 95/483/EC ([2]) accompanying embryos and ova of swine dispatched from its territory, shall be completed by the following:

'Embryos/ova (*) in accordance with Commission Decision 2006/805/EC of 24 November 2006 concerning animal health control measures relating to classical swine fever in certain Member States.

(*) Delete as appropriate.'

Article 7

Certification requirements concerning Member States with areas listed in Part III of the Annex

The Member State with areas listed in Part III of the Annex to this Decision shall ensure that fresh meat of pigs, and meat preparations and meat products consisting of, or containing meat of pigs, to which the prohibition provided for in Article 5 does not apply and that are dispatched to other Member States:

(a) are subjected to the veterinary certification in accordance with Article 5(1) of Council Directive 2002/99/EC ([3]); and

(b) are accompanied by the appropriate intra-Community trade health certificate laid down by Article 1 of Commission Regulation (EC) No 599/2004 ([4]) of which Part II shall be completed by the following:

'Fresh meat of pigs, and meat preparations and meat products consisting of, or containing meat of pigs, in accordance with Commission Decision 2006/805/EC of 24 November 2006 concerning animal health control measures relating to classical swine fever in certain Member States.'

([1]) OJ 121, 29.7.1964, p. 1977/64.
([2]) OJ L 275, 18.11.1995, p. 30.
([3]) OJ L 18, 23.1.2003, p. 11.
([4]) OJ L 94, 31.3.2004, p. 44.

▼B

Article 8

Requirements concerning holdings and transport vehicles in the areas listed in the Annex

The Member State concerned shall ensure that:

(a) the provisions laid down in the second and the fourth to seventh indents of Article 15(2)(b) of Directive 2001/89/EC are applied in the pig holdings located within the areas listed in the Annex to this Decision;

(b) vehicles which have been used for the transport of pigs proceeding from holdings located within the areas listed in the Annex to this Decision are cleaned and disinfected immediately following each operation and the transporter provides proof of such disinfection.

Article 9

Derogations concerning the dispatch of pigs from areas listed in Part I of the Annex

1. By way of derogation from Article 2 and subject to the prior approval of the Member State of destination, the dispatch of pigs coming from holdings located within the areas listed in Part I of the Annex to holdings or slaughterhouses located in other areas listed in that Part of the Annex may be authorised by the Member State of dispatch, provided that such pigs come from a holding where:

(a) no live pigs have been introduced during the 30-day period immediately prior to the date of dispatch;

(b) a clinical examination for classical swine fever has been carried out by an official veterinarian in accordance with the checking and sampling procedures laid down in Part A of Chapter IV of the Annex to Commission Decision 2002/106/EC ([1]) and in points 1, 2 and 3 of Part D of Chapter IV of that Annex; and

(c) serological tests for classical swine fever have been carried out with negative results on samples collected from the consignment of pigs to be dispatched, during the seven-day period immediately prior to the date of dispatch; the minimum number of pigs to be sampled must be sufficient to allow for the detection of 10 % seroprevalence with 95 % confidence in the consignment of pigs to be dispatched.

However, point (c) shall not apply to pigs to be dispatched directly to slaughterhouses for the purpose of immediate slaughter.

2. When dispatching the pigs referred to in paragraph 1 of this Article, the Member States concerned shall ensure that the health certificate referred to in point (a) of Article 6 includes additional information concerning the dates of the clinical examination, sampling and serological testing as provided for in paragraph 1 of this Article, the number of samples tested, the type of test used and the results of the tests.

([1]) OJ L 39, 9.2.2002, p. 71.

▼B

Article 10

Derogations concerning certain consignments from areas listed in Part III of the Annex

By way of derogation from Article 5, the Member States concerned with areas listed in Part III of the Annex may authorise the dispatch of fresh meat of pigs, and meat products and preparations consisting of, or containing meat of pigs from holdings located in those areas, to other Member States if the products:

(a) have been produced and processed in compliance with Article 4(1) of Council Directive 2002/99/EC;

(b) are subjected to the veterinary certification in accordance with Article 5 of Directive 2002/99/EC; and

(c) are accompanied by the appropriate intra-Community trade health certificate as laid down by Commission Regulation (EC) No 599/2004 of which Part II shall be completed by the following:

'Product in accordance with Commission Decision 2006/805/EC of 24 November 2006 concerning animal health control measures relating to classical swine fever in certain Member States.'

Article 11

Information requirements of the Member States concerned

The Member States concerned shall inform the Commission and the Member States, in the framework of the Standing Committee on the Food Chain and Animal Health, of the results of the sero-surveillance for classical swine fever carried out in the areas listed in the Annex, as provided for in the plans for the eradication of classical swine fever or in emergency vaccination plans against that disease approved by the Commission and referred to in the second paragraph of Article 1.

Article 12

Compliance

The Member States shall amend the measures they apply to trade so as to bring them into compliance with this Decision and they shall give immediate appropriate publicity to the measures adopted. They shall immediately inform the Commission thereof.

Article 13

Repeal

Decision 2003/526/EC is repealed.

▼**M3**

Article 14

Applicability

This Decision shall apply until ►**M6** 31 July 2009 ◄.

▼**B**

Article 15

Addressees

This Decision is addressed to the Member States.

▼M5

ANNEX

PART I

1. **Germany**

A. **Rhineland-Palatinate**

(a) in the Kreis Ahrweiler: the municipalities Adenau and Altenahr;

(b) in the Landkreis Vulkaneifel: the municipalities Obere Kyll and Hillesheim, in the municipality Daun the localities Betteldorf, Dockweiler, Dreis-Brück, Hinterweiler and Kirchweiler, in the municipality Kelberg the localities Beinhausen, Bereborn, Bodenbach, Bongard, Borler, Boxberg, Brücktal, Drees, Gelenberg, Kelberg, Kirsbach, Mannebach, Neichen, Nitz, Reimerath and Welcherath, in the municipality Gerolstein the localities Berlingen, Duppach, Hohenfels-Essingen, Kalenborn-Scheuern, Neroth, Pelm and Rockeskyll and the City of Gerolstein;

(c) in the Eifelkreis Bitburg-Prüm: in the municipality Prüm the localities Büdesheim, Kleinlangenfeld, Neuendorf, Olzheim, Roth bei Prüm, Schwirzheim and Weinsheim.

B. **North Rhine-Westfalia**

(a) in the Kreis Euskirchen: the cities Bad Münstereifel, Mechernich, Schleiden, in the city of Euskirchen the localities of Billig, Euenheim, Euskirchen (centre), Flamersheim, Kirchheim, Kuchenheim, Kreuzweingarten, Niederkastenholz, Palmersheim, Rheder, Roitzheim, Schweinheim, Stotzheim, Wißkirchen, and the municipalities Blankenheim, Dahlem, Hellenthal, Kall and Nettersheim;

(b) in the Rhein-Sieg-Kreis: in the city of Meckenheim the localities Ersdorf and Altendorf, in the city of Rheinbach the localities Oberdrees, Niederdrees, Wormersdorf, Todenfeld, Hilberath, Merzbach, Irlenbusch, Queckenberg, Kleinschlehbach, Großschlehbach, Loch, Berscheidt, Eichen and Kurtenberg, in the municipality of Swisttal the localities Miel and Odendorf.

2. **France**

The territory of the Department of Bas-Rhin and Moselle located west of the Rhine and the channel Rhine Marne, north of the motorway A 4, east of the river Sarre and south of the border with Germany and the municipalities Holtzheim, Lingolsheim and Eckbolsheim.

▼M6

PART II

1. **Bulgaria**

The whole territory of Bulgaria.

2. **Hungary**

The territory of the county of Nógrád and the territory of the county of Pest located north and east of the Danube, south of the border with Slovakia, west of the border with the county of Nógrád and north of the motorway E71, the territory of the county of Heves located east of the border of the county of Nógrád, south and west of the border with the county of Borsod-Abaúj-Zemplén and north of the motorway E71, and the territory of the county of Borsod-Abaúj-Zemplén located south of the border with Slovakia, east of the border with the county of Heves, north and west of the motorway E71, south of the main road No 37 (the part between the motorway E71 and the main road No 26) and west of the main road No 26.

3. **Slovakia**

The territory of the District Veterinary and Food Administrations (DVFA) of Žiar nad Hronom (comprising the Žiar nad Hronom, Žarnovica and Banská Štiavnica districts), Zvolen (comprising the Zvolen, Krupina and Detva districts), Lučenec (comprising the Lučenec and Poltár districts), Veľký Krtíš (comprising the Veľký Krtíš district), Komárno (comprising the Komárno district), Nové Zámky (comprising the Nové Zámky district), Levice (comprising the Levice district) and Rimavská Sobota (comprising the Rimavská Sobota district).

PART III