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COMMISSION DECISION

of 18 June 2010

on protective measures with regard to equine infectious anaemia in Romania

(notified under document C(2010) 3767)

(Text with EEA relevance)

(2010/346/EU)

(OJ L 155, 22.6.2010, p. 48)

Amended by:

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		No	page	date
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Article 1

Protective measures applicable to equidae, semen, ova and embryos of animals of the equine species and blood products derived from equidae

1. Romania shall not dispatch the following commodities to other Member States:

(a) equidae from the regions listed in the Annex;

(b) semen of animals of the equine species;

(c) ova and embryos of animals of the equine species;

(d) blood products derived from equidae.

2. The prohibition laid down in paragraph 1(a) shall not apply to equidae from holdings situated outside Romania that either:

(a) transit through Romania on major routes and highways; or

(b) are transported through Romania directly and without any interruption to their journey to a slaughterhouse for immediate slaughter and are accompanied by an animal health certificate completed in accordance with the model set out in Annex C to Directive 90/426/EEC.

Article 2

Derogations for movements of equidae from the regions listed in the Annex to other Member States

1. By way of derogation from Article 1(1)(a), Romania may authorise the dispatch of consignments of equidae to other Member States, subject to compliance with the following conditions:

(a) the entire consignment of equidae must have been:

(i) isolated under official supervision on a holding approved by the competent authority as being free of equine infectious anaemia (‘EIA’) (‘approved holding’); and

(ii) kept at a minimum distance to any other equidae of a lesser health status of at least 200 m for a period of at least 90 days prior to the date of dispatch;

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(b) all equidae comprising the consignment must have undergone an agar gel immunodiffusion test for EIA ('the AGID test') carried out with negative results on blood samples taken on two occasions 90 days apart; the second sample of which must have been collected within 10 days prior to the date of dispatch of the consignment from the approved holding; the AGID test must meet the criteria established by the relevant Chapter of the Manual of Diagnostic Tests and Vaccines for Terrestrial Animals 2009 of the World Organisation for Animal Health (OIE) ('the Manual');

(c) the transporter must document the arrangements made to ensure that the equidae comprising the consignment are dispatched from the approved holding directly to the place of destination without passing through a market or marshalling centre;

(d) in the case the consignment includes registered equidae or equidae for breeding and production, all other equidae present on the approved holding during the isolation period referred to in point (a)(i) must have undergone an AGID test carried out with negative result on blood samples taken either before they are removed from the holding during the isolation period or within 10 days prior to the date of dispatch of the consignment from the approved holding;

(e) all equidae comprising the consignment must be marked by implanting an electronic transponder and identified by means of the single identification document for equidae or passport provided for in Article 5(1) of Regulation (EC) No 504/2008 which must state:

(i) the number displayed when reading the implanted electronic transponder in point (5) of Part A of Section I of that document;

(ii) the AGID test provided for in points (b) and (d) of this paragraph and their results in Section VII of that document;

(f) the checks concerning the journey log carried out in accordance with Article 14(1)(a) of Regulation (EC) No 1/2005 must be satisfactory and must not require details to be sent to a control post situated in a Member State of transit in accordance with Article 14(1)(d) of that Regulation;

(g) the equidae comprising the consignment must be accompanied by a duly completed animal health certificate in accordance with the model set out in Annex C to Directive 90/426/EEC, which must indicate the place of destination and bear the following additional wording:

'Equidae dispatched in accordance with Commission Decision 2010/346/EU (*)

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(*) OJ L 155, 22.6.2010, p. 48.'

2. By way of derogation from point 1(b), the first AGID test, to be carried out on samples taken at least 90 days before dispatch, may not be required under the following conditions:

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(a) the Member State of destination has granted such derogation in application of the measures provided for in Article 7(2) of Directive 90/426/EEC, or

(b) the equidae are destined for direct transport to the slaughterhouse and have been assembled on the approved holding from holdings certified free of EIA in accordance with the national EIA control programme in force.

Article 3

Derogation from the movement of equidae from the regions listed in the Annex to other Member States as regards registered horses participating in certain competitions and events

By way of derogation from Article 2(1)(a), (b), (c), (d) and (f), Romania may authorise the dispatch to other Member States of consignments of registered horses for participation in competitions organised under the auspices of the World Equestrian Federation (FEI), or in major international horse race events, subject to compliance with the following conditions:

(a) the horses must have undergone an AGID test, carried out with negative results in accordance with the criteria established by the Manual, on a blood sample taken within 10 days prior to the date of dispatch from the approved holding;

(b) all equidae on the approved holding and within a perimeter of 200 m around the approved holding have undergone an AGID test carried out with negative results on a blood sample taken between 90 and 180 days before the date of intended movement;

(c) the conditions laid down in Article 2(1)(e) and (g).

Article 4

Restrictions in the event of positive results to the AGID test

In the event of a positive result to any of the AGID tests provided for in Article 2(1)(b) and (d) and Article 3(a) of this Decision, the entire approved holding shall be placed under a movement restriction until the measures provided for in the third indent of Article 4(5)(a) of Directive 90/426/EEC have been completed.

Article 5

Derogations for frozen semen, ova and embryos of the equine species and blood products derived from equidae

1. By way of derogation from Article 1(1)(b), Romania may authorise the dispatch to other Member States of frozen semen of equidae complying with the requirements of points 1.6(c), 1.7 and 1.8 of Chapter II (I) of Annex D to Directive 92/65/EEC.

2. By way of derogation from Article 1(1)(c), Romania may authorise the dispatch to other Member States of frozen embryos collected from donor mares which have undergone an AGID test carried out with

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negative result on blood samples taken 90 days apart; the second sample must have been taken between 30 and 45 days after the date of collection of the embryos.

3. Consignments of frozen semen or embryos referred to in paragraphs 1 and 2 shall be accompanied by an animal health certificate established for the consignment in question in accordance with Article 11(5) of Directive 92/65/EEC, which shall bear the additional wording:

‘Semen/embryos (*delete what is not applicable*) of the equine species dispatched in accordance with Commission Decision 2010/346/EU (*).

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(*) OJ L 155, 22.6.2010, p. 48.’

4. By way of derogation from Article 1(1)(d), Romania may authorise the dispatch to other Member States of serum of equidae complying with the requirements of Chapter V(A) of Annex VIII to Regulation (EC) No 1774/2002.

Article 6

Additional obligations on Romania

Romania shall ensure that:

(a) the name and geographical location of approved holdings and the name and professional capacity of the official veterinarian responsible for the approved holding and signing the animal health certificate referred to in Article 2(1)(g) and Article 5(3) are communicated to the Commission and the other Member States;

(b) the official laboratory carrying out the AGID tests provided for in Article 2(1)(b) and (d) and Article 3:

(i) complies with the requirements of Article 12 of Regulation (EC) No 882/2004;

(ii) undergoes by 31 December 2010 and each year thereafter, an annual proficiency testing in collaboration with the European Union Reference Laboratory for equine diseases other than African horse sickness;

(c) duplicate blood samples are stored in the official laboratory referred to in point (b) for each AGID test carried out within 10 days of the date of dispatch in accordance with Article 2(1)(b) and (d) and Article 3 for a period of at least 90 days, unless:

(i) the death of that animal has been notified in accordance with Article 19 of Regulation (EC) No 504/2008; or

(ii) a negative result was reported for the AGID test referred to in Article 7(1)(b) before the 90-day period elapsed;

(d) the movement is pre-notified to the place of destination through TRACES at least 36 hours in advance of the time of arrival.

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Article 7

Obligations of Member States of the place of destination

1. Member States of the place destination shall ensure that where the movement of equidae referred to in Article 2(1)(b) is pre-notified in accordance with Article 6(d), the equidae are, upon their arrival at the place of destination, either:

(a) slaughtered within not more than 72 hours of the time of arrival at the slaughterhouse notified to the competent authorities through TRACES; 10 % of consignments arriving at the slaughterhouse in accordance with this Decision must be subject to post-arrival AGID testing; or

(b) isolated under official veterinary supervision on the holding of destination indicated in the animal health certificate referred to in Article 2(1)(g) for at least 30 days and at a distance of least 200 m away from any other equidae or under vector protected conditions, and are subjected to a AGID test with negative results carried out on a blood sample taken not earlier than 28 days following the date of commencement of the isolation period.

2. Without prejudice to Article 1(1)(b), Member States must ensure that during a period of 90 days following the date of arrival of equidae referred to in Article 2(1)(b) at the holding of destination referred to in paragraph 1(b) of this Article, equidae may only be dispatched from that holding to another Member State if:

(a) they have undergone an AGID test with negative results carried out on a blood sample taken within 10 days prior to the date of dispatch; and

(b) they are accompanied by a duly completed animal health certificate in accordance with the model set out in Annex C to Directive 90/426/EEC.

Article 8

Reporting obligations

Member States affected by trade in equidae and their semen, ova and embryos in accordance with this Decision shall regularly, but at least each 3 months, report to the Commission and the other Member States at the meetings of the Standing Committee on the Food Chain and Animal Health.

Article 9

Costs of administrative procedures

1. Romania shall take the necessary measures, including where necessary legal measures, to ensure that the costs of the additional administrative procedures, including any necessary laboratory testing or follow-up investigation, related to the movement of consignments of equidae, semen, ova and embryos and serum derived from equidae from that Member State in accordance with Articles 2, 3 and 5 are fully borne by the consignor of the equidae or their products.

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2. Member States of the place of destination shall take the necessary measures, including where necessary legal measures, to ensure that the costs of the additional administrative procedures, including any necessary laboratory testing or follow-up investigation until the measures provided for in Article 7 are completed, related to the movement of the equidae from Romania in accordance with Articles 2 and 3 are fully borne by the consignee of the equidae.

Article 10

Repeal

Decision 2007/269/EC is repealed.

Article 11

Addressees

This Decision is addressed to the Member States.

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ANNEX

Regions as referred to in Article 1(1)(a):

Member State	Region	Remark
Romania	Bihor	
	Satu Mare	
	Maramureș	
	Bistrița-Năsăud	
	Sălaj	
	Cluj	
	Mureș	
	Harghita	
	Alba	
	Sibiu	
	Brașov	
	Hunedora	
	Caraș-Severin	
	Gorj	
	Vâlcea	
	Tulcea	