COMMISSION DECISION

of 10 November 2010

amending Part 1 of Annex E to Council Directive 92/65/EEC as regards the model health certificate for animals from holdings

(notified under document C(2010) 7640)

(Text with EEA relevance)

(2010/684/EU)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Directive 92/65/EEC of 13 July 1992 laying down animal health requirements governing trade in and imports into the Community of animals, semen, ova and embryos not subject to animal health requirements laid down in specific Community rules referred to in Annex A(I) to Directive 90/425/EEC [1], and in particular the first paragraph of Article 22 thereof,

Whereas:

(1) Article 10 of Directive 92/65/EEC lays down the animal health requirements governing trade in dogs, cats and ferrets.

(2) Part 1 of Annex E to Directive 92/65/EEC sets out the model health certificate for trade in animals from holdings, including dogs, cats and ferrets.

(3) Regulation (EC) No 998/2003 of the European Parliament and of the Council [2] lays down the animal health requirements applicable to the non-commercial movement of pet animals and the rules applying to checks on such movements. It applies to movements between Member States or from third countries of pet animals of the species listed in Annex I thereto. Dogs, cats and ferrets are listed in Parts A and B of that Annex.

(4) The requirements laid down in Regulation (EC) No 998/2003 differ, depending on whether the pet animals are moved between Member States or from third countries to Member States. In addition, the requirements for such movements from third countries are further differentiated between third countries listed in Section 2 of Part B of Annex II to that Regulation and those third countries which are listed in Part C of that Annex.

(5) In order to avoid that commercial movements are fraudulently disguised as non-commercial movements of pet animals within the meaning of Regulation (EC) No 998/2003, Article 12 of that Regulation provides that the requirements and checks laid down in Directive 92/65/EEC are to apply to the movement of more than five pet animals where the animals are brought into the Union from a third country other than those listed in Section 2 of Part B of Annex II to that Regulation.

(6) In order to avoid the same practices and ensure a uniform application of Regulation (EC) No 998/2003, Commission Regulation (EU) No 388/2010 of 6 May 2010 implementing Regulation (EC) No 998/2003 of the European Parliament and of the Council as regards the maximum number of pet animals of certain species that may be the subject of non-commercial movement [3] provides that the same rules apply where more than five pet dogs, cats and ferrets are moved into a Member State from another Member State or a third country listed in Section 2 of Part B of Annex II to Regulation (EC) No 998/2003.

(7) The certificate set out in Part 1 of Annex E to Directive 92/65/EEC, as amended by Commission Decision 2010/270/EU [4], takes into account the provisions of Regulation (EU) No 388/2010.

(8) Experience in the application of Regulation (EU) No 388/2010 has shown that in certain cases the provisions of that Regulation affect in a disproportionate manner the movement of a limited population of pet dogs, cats and ferrets that are frequently moved for non-commercial purposes in numbers higher than five to take part in certain sport events and shows.

(9) For those cases it is appropriate to introduce a period of validity of the health certificate which is longer than the period of validity of health certificates issued for other species covered by the certificate set out in Part 1 of Annex E to Directive 92/65/EEC.

[1] OJ L 268, 14.9.1992, p. 54.
[2] OJ L 146, 13.6.2003, p. 1.
[3] OJ L 114, 7.5.2010, p. 3.
[4] OJ L 118, 12.5.2010, p. 56.

(10) Commission Decision 2004/824/EC of 1 December 2004 establishing a model health certificate for non-commercial movements of dogs, cats and ferrets from third countries into the Community [1] provides that the certificate set out in the Annex thereto is valid for movements within the Union for a period of 4 months from the date of issue or until the date of expiry of the vaccination against rabies, whichever is earlier.

(11) In the interest of consistency of Union legislation, it is appropriate that the validity of certificates for pet dogs, cats and ferrets set out in Part 1 of Annex E to Directive 92/65/EEC be the same as the one laid down for the certificate set out in the Annex to Decision 2004/824/EC.

(12) Directive 92/65/EEC should therefore be amended accordingly.

(13) 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

Part 1 of Annex E to Directive 92/65/EEC is replaced by the text in the Annex to this Decision.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 10 November 2010.

For the Commission
John DALLI
Member of the Commission

[1] OJ L 358, 3.12.2004, p. 12.

ANNEX

'Part 1 — Health Certificate for trade in animals from holdings (ungulates, birds, lagomorphs, dogs, cats and ferrets)

92/65 EI

EUROPEAN UNION **Intra-trade certificate**

Part I: Details of dispatched consignment

I.1. Consignor Name Address Postal code			I.2. Certificate reference No	I.2.a. Local reference No
			I.3. Central competent authority	
			I.4. Local competent authority	
I.5. Consignee Name Address Postal code			I.6. No(s) of related original certificates	No(s) of accompanying documents
			I.7.	
I.8. Country of origin	ISO code	I.9. Region of origin Code	I.10. Country of destination ISO code	I.11. Region of destination Code
I.12. Place of origin Holding ☐ Name Approval number Address Postal code			I.13. Place of destination Holding ☐ Establishment ☐ Approved body ☐ Semen centre ☐ Embryo team ☐ Other ☐ Name Approval number Address Postal code	
I.14. Place of loading Postal code			I.15. Date and time of departure	
I.16. Means of transport Aeroplane ☐ Ship ☐ Railway wagon ☐ Road vehicle ☐ Other ☐ Identification			I.17. Transporter Name Approval number Address Postal code	
I.18. Description of commodity			I.19. Commodity code (HCN code)	
			I.20. Quantity	
I.21.			I.22. Number of packages	
I.23. Seal/Container No			I.24.	
I.25. Commodities certified for: Breeding ☐ Fattening ☐ Artificial reproduction ☐ Slaughter ☐ Pets ☐ Approved body ☐				
I.26. Transit through third country ☐ Third country ISO code Exit point Code Entry point BIP No			I.27. Transit through Member States ☐ Member State ISO code Member State ISO code Member State ISO code	
I.28. Export ☐ Third country ISO code Exit point Code			I.29. Estimated journey time	
I.30. Route plan Yes ☐ No ☐				
I.31. Identification of the commodities Species (scientific name) Identification system Identification number Sex Age Quantity				

EUROPEAN UNION **92/65 EI Animals from holdings (ungulates, birds, lagomorphs, dogs, cats and ferrets)**

Part II: Certification

II.	**Health information**	II.a. Certificate reference number	II.b.

I, the undersigned official veterinarian (1)/veterinarian responsible for the establishment of origin and approved by the competent authority (1) certify that:

either (1) [II.1 at the time of inspection the above animals were fit to be transported on the intended journey in accordance with the provisions of Council Regulation (EC) No 1/2005.]

or (1) [II.1 at the time of inspection the pet dogs (1)/cats (1)/ferrets (1) were fit to travel;]

II.2. the conditions of Article 4 of Council Directive 92/65/EEC (2) are fulfilled.

either (1) [II.3 the ruminant(s) (1)/*Suidae* (1) other than that/those covered by Council Directive 64/432/EEC (1) or Council Directive 91/68/EEC (1):

(a) belong(s) to the species .....;

(b) at the time of examination, do(does) not show any clinical sign of any disease to which it/they is/are susceptible;

(c) come(s) from an officially tuberculosis-free (1)/officially brucellosis-free (1) or brucellosis-free (1) herd (1)/holding (1) not subject to swine fever restrictions or from a holding where it/they was/were subjected with negative results to the test(s) laid down in Article 6(2)(b) of Council Directive 92/65/EEC.]

or (1) [II.3 the birds other than those referred to in Council Directive 2009/158/EC

(a) satisfy the requirements of Article 7 of Council Directive 92/65/EEC; and

(b) at the time of examination do not show any clinical sign of any disease to which they are susceptible.]

or (1) [II.3 the lagomorphs

(a) satisfy the requirements of Article 9 of Council Directive 92/65/EEC; and

(b) at the time of examination do not show any clinical signs of disease.]

or (1) [II.3 the dogs (1)/cats (1)/ferrets (1) underwent a clinical examination, within 24 hours of dispatch, by a veterinarian authorised by the competent authority, and this examination showed the animals to be in good health,

and *either* (1) [satisfy, in accordance with Article 10(2) of Council Directive 92/65/EEC, the requirements laid down in Articles 5 and 16 of Regulation (EC) No 998/2003 of the European Parliament and of the Council.]

or (1) [satisfy, in accordance with Article 10(3) of Council Directive 92/65/EEC, the requirements laid down in Articles 6 and 16 of Regulation (EC) No 998/2003 of the European Parliament and of the Council.]

or (1) [satisfy, in accordance with Commission Regulation (EU) No 388/2010, the requirements laid down in Article 10(2) of Council Directive 92/65/EEC where the total number of pet animals moved for non-commercial purposes exceeds five.]

or (1) [satisfy, in accordance with Commission Regulation (EU) No 388/2010, the requirements laid down in Article 10(3) of Council Directive 92/65/EEC where the total number of pet animals moved for non-commercial purposes into Ireland, Malta, Sweden or the United Kingdom exceeds five.]

II.4 The additional guarantees regarding diseases listed in Annex B (3) to Council Directive 92/65/EEC are as follows: (1)

Disease	Decision
Disease	Decision
Disease	Decision

II.5 This certificate is valid until ..... (4)

Notes

Part I:

— Box references I.1 to I.4, I.8, I.20, I.25 and I.31: Required for non-commercial movement of more than five pet dogs, cats and ferrets.

— Box reference I.6: No(s) of accompanying documents: CITES, if applicable.

— Box reference I.19: Use the appropriate HS code: 01.06.19, 01.06.31, 01.06.32, 01.06.39.

— Box reference I.31: Identification: individual identification must be used wherever possible but in the case of small animals, batch identification may be used.

EUROPEAN UNION

92/65 EI Animals from holdings (ungulates, birds, lagomorphs, dogs, cats and ferrets)

II. **Health information**	II.a. Certificate reference No	II.b.

Part II:

(1) Delete as necessary.
(2) Not applicable to pet dogs, cats and ferrets.
(3) As requested by a Member State benefiting from additional guarantees under Union legislation.
(4) The period of validity of this certificate is 10 days from the date of issue, except for pet dogs, cats and ferrets in which case the certificate is valid for 4 months or until the date of expiry of the anti-rabies vaccination shown in section IV of the passport, whichever is earlier.

— The colour of the stamp and signature must be different from that of the other particulars in the certificate.

Official veterinarian or official inspector

Name (in capital letters): Qualification and title:

Local veterinary unit: LVU No:

Date: Signature:

Stamp:'