COMMISSION

COMMISSION DECISION

of 6 January 2004

amending Annex D to Directive 88/407/EEC as regards health certificates applying to intra-Community trade in semen of domestic animals of bovine species

(notified under document number C(2003) 5307)

(Text with EEA relevance)

(2004/101/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 88/407/EEC of 14 June 1988 laying down animal health requirements governing trade and imports into the Community of semen of domestic animals of bovine species [1], and in particular Article 17 thereof,

Whereas:

(1) Council Directive 2003/43/EC amending Directive 88/407/EEC provides that as of 1 January 2005, semen of domestic animals of bovine species must be collected, processed and stored according to the new provisions introduced by Directive 2003/43/EC in order to be eligible to intra-Community trade.

(2) However, it is appropriate to authorise the continuing trade of stocks of semen of domestic animals of bovine species in accordance with the provisions of Directive 88/407/EEC, prior to the modification introduced by Directive 2003/43/EC.

(3) Therefore, Article 2 paragraph 2 of Directive 2003/43/EC provides that:

— up until 31 December 2004, Member States shall authorise intra-community trade in and imports of semen of domestic animals of bovine species collected, processed, stored before 31 December 2004 and accompanied by a certificate in accordance with the models provided for before the amendments introduced by Directive 20003/43/EC.

— after this date, Member States shall not authorise intra-community trade in and import of semen of domestic animals of bovine species in accordance with the provisions formerly in force unless it was collected, processed and stored before 31 December 2004. However, the model of certificate applicable to intra-Community trade when taking place after that date has been omitted.

(4) Consequently, it is necessary to provide models of certificate for trade in and imports of semen of domestic animals of bovine species collected, processed and stored before 31 December 2004, carried out as of 1 January 2005. Pursuant to Article 11.2 of the Directive, however, the current models of certificates for imports should be updated in a separate instrument.

(5) With regard to intra-Community trade, and in the interest of clarity, it is necessary to amend the Annex D to Directive 88/407/EEC in order to precise the two different models of certificate applicable for intra-Community trade in bovine semen in accordance with the former or the new provisions of the said Directive.

(6) Although the trade in stocks of semen collected before 31 December 2004 should be transitory and progressively phased out, thus rendering the corresponding model of certificate obsolete, the long lasting stocking capabilities for the product concerned make it impossible at present to fix a date for its deletion.

(7) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health.

[1] OJ L 194, 22.7.1988, p. 10. Directive as last amended by Directive 2003/43/EC (OJ L 143, 11.6.2003, p. 23),

HAS ADOPTED THIS DECISION:

Article 1

Annex D of Directive 88/407/EEC is replaced by the Annex to this Decision.

Article 2

This Decision shall apply as of 1 January 2005.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 6 January 2004.

For the Commission

David BYRNE

Member of the Commission

ANNEX

'ANNEX D

MODELS OF CERTIFICATES FOR INTRACOMMUNITY TRADE

ANNEX D1

The following model of certificate is applicable to intra-Community trade of semen collected in accordance with Council Directive 88/407/EEC as amended by Directive 2003/43/EC

<table>
<tr><td colspan="3">HEALTH CERTIFICATE
SEMEN OF DOMESTIC ANIMALS OF THE BOVINE SPECIES FOR INTRA-COMMUNITY TRADE COLLECTED IN ACCORDANCE WITH COUNCIL DIRECTIVE 88/407/EEC AS AMENDED BY DIRECTIVE 2003/43/EC</td></tr>
<tr><td colspan="2">1. Member State of provenance and competent authority.</td><td>2. Health certificate No</td></tr>
<tr><td colspan="3">A. ORIGIN OF SEMEN</td></tr>
<tr><td colspan="3">3. Approval number of the centre of provenance of the consignment: collection/storage (1)</td></tr>
<tr><td colspan="2">4. Name and address of the centre of provenance of the consignment: collection/storage (1)</td><td>5. Name and address of the consignor</td></tr>
<tr><td colspan="2">6. Country and place of loading</td><td>7. Means of transport</td></tr>
<tr><td colspan="3">B. DESTINATION OF SEMEN</td></tr>
<tr><td colspan="2">8. Member State of destination</td><td>9. Name and address of the consignee</td></tr>
<tr><td colspan="3">C. IDENTIFICATION OF SEMEN</td></tr>
<tr><td>10.1. Identification mark of the doses (2)</td><td>10.2 Number of doses</td><td>10.3 Approval number of the collection centre of origin</td></tr>
<tr><td></td><td></td><td></td></tr>
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<tr><td colspan="3">D. HEALTH INFORMATION</td></tr>
<tr><td colspan="3">I, undersigned official veterinarian, certify that</td></tr>
<tr><td colspan="3">11.1. The semen described above
(a) was collected, processed and stored under conditions which comply with the standards laid down in Directive 88/407/EEC;
(b) was sent to the place of loading in a sealed container under conditions which comply with Directive 88/407/EEC and bearing the number ….. .</td></tr>
</table>

11.2. The semen described above was collected from bulls:

(i) which either have not been vaccinated against foot-and-mouth disease within 12 months prior to collection (1);

or

(ii) which have been vaccinated against foot-and-mouth disease less than 12 months and more than 30 days prior to collection, and 5% of doses of semen of each collection, with a minimum of 5 straws, have been submitted to a virus isolation test for foot-and-mouth disease, carried out with negative results in the laboratory (.....) (3), situated in or designated by the Member State of destination (1);

11.3. The semen described above was stored in approved conditions for a minimum period of 30 days immediately following collection (4).

E. VALIDITY

12. Date and place	13. Name and qualification of the official veterinarian	14. Signature and stamp of the official veterinarian

(1) Delete as necessary.
(2) Corresponding to the identification of the donor animals and date of collection.
(3) Name of the laboratory.
(4) May be deleted for fresh semen.

ANNEX D2

The following model of certificate is applicable from 1 January 2005 for intra-Community trade in stocks of semen collected, processed and/or stored before 31 December 2004 in accordance with the former conditions of Council Directive 88/407/EEC, and traded after that date in accordance with Article 2(2) of Directive 2003/43/EC

<table>
<tr><td colspan="4">HEALTH CERTIFICATE
SEMEN OF DOMESTIC ANIMALS OF THE BOVINE SPECIES
COLLECTED, PROCESSED AND STORED BEFORE 31 DECEMBER 2004,
FOR INTRA-COMMUNITY TRADE AS OF 1 JANUARY 2005,
IN ACCORDANCE WITH ARTICLE 2(2) OF COUNCIL DIRECTIVE 2003/43/EC</td></tr>
<tr><td colspan="3">1. Member State of provenance and competent authority.</td><td>2. Health certificate No</td></tr>
<tr><td colspan="4">A. ORIGIN OF SEMEN</td></tr>
<tr><td colspan="3">3. Approval number of the centre of provenance of the consignment collection/storage (1)</td><td></td></tr>
<tr><td colspan="2">4. Name and address of the centre of provenance of the consignment: collection/storage (1)</td><td colspan="2">5. Name and address of the consignor</td></tr>
<tr><td colspan="2">6. Country and place of loading</td><td colspan="2">7. Means of transport</td></tr>
<tr><td colspan="4">B. DESTINATION OF SEMEN</td></tr>
<tr><td colspan="2">8. Member State of destination</td><td colspan="2">9. Name and address of the consignee</td></tr>
<tr><td colspan="4">C. IDENTIFICATION OF SEMEN</td></tr>
<tr><td>10.1. Identification mark of the doses (2)</td><td>10.2 Date of collection (3)</td><td>10.3 Number of doses</td><td>10.4 Approval number of the collection centre of origin</td></tr>
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<tr><td></td><td></td><td></td><td></td></tr>
<tr><td colspan="4">D. HEALTH INFORMATION</td></tr>
<tr><td colspan="4">I, the undersigned official veterinarian, hereby certify that :</td></tr>
<tr><td colspan="4">11.1. The semen described above was collected before the date of 31 December 2004 on a semen collection centre which was:
(a) approved under the conditions laid down in Annex A, Chapter I, of Directive 88/407/EEC;
(b) operated and supervised under the conditions laid down in Annex A, Chapter II, of Directive 88/407/EEC.</td></tr>
</table>

11.2. At the time the semen described above was collected, all bovine animals at the semen collection centre:

(a) came from herds and/or were born to dams which satisfy the conditions of points 1(b) and (c) in Chapter I of Annex B to Directive 88/407/EEC;

(b) have, within the 30 days preceding the quarantine isolation period, undergone, with negative results:
— the tests required by Annex B, Chapter I, 1.d(i),(ii),(iii) of Directive 88/407/EEC, and
— a serum neutralization test or an ELISA test for infectious bovine rhinotracheitis/infectious pustular vulvo-vaginitis, and
— a virus isolation test (fluorescent antibody test or immunoperoxidase test) for bovine viral diarrhoea, which in the case of an animal less than six months of age has been deferred until that age was reached.

(c) have satisfied the quarantine isolation period of 30 days and have been subjected with the required negative results to the following health tests:
— a serological test for brucellosis carried out in accordance with the procedure described in Annex C to Directive 64/432/EEC;
— either an immunofluorescent antibody test or a culture test for campylobacter fetus infection on a sample of preputial material or artificial vagina washings, or, in the case of a female animal, a vaginal mucus agglutination test;
— a microscopic examination and culture test for trichomonas foetus on a sample of preputial material or artificial vagina washings, or in the case of a female animal a vaginal mucus agglutination test.

(d) have undergone, at least once a year, with negative results, the routine tests referred to in points 1(a), (b) and (c) in Chapter I of Annex B to Directive 88/407/EEC.

11.3. At the time the semen described above was collected

(a) all female bovine animals in the centre have undergone at least once a year a vaginal mucus agglutination test for campylobacter fetus infection with negative results, and

(b) all bulls used for semen production have undergone with negative result either an immunofluorescent antibody test or a culture test for campylobacter fetus infection on a sample of preputial material or artificial vagina washings carried out within 12 months prior to collection.

11.4. The semen described above was collected from bulls standing in a semen collection centre in which

(i) all bovine animals have undergone at least once a year with negative result a serum neutralisation test or an ELISA test for infectious bovine rhinotracheitis/infectious pustular vulvo-vaginitis [1], or

(ii) bovine animals not vaccinated against infectious bovine rhinotracheitis have undergone at least once a year with negative result a serum neutralisation test or an ELISA test for infectious bovine rhinotracheitis/infectious pustular vulvo-vaginitis, and testing for infectious bovine rhinotracheitis is not carried out on bulls which have received a first vaccination against infectious bovine rhinotracheitis at the insemination centre after they have been tested with negative result in a serum neutralisation test or an ELISA test for infectious bovine rhinotracheitis/infectious pustular vulvo-vaginitis and which since the first vaccination have been regularly re-vaccinated with an interval of not more than six months [1].

11.5. The semen described above was collected from bulls:

(i) which either have not been vaccinated against foot-and-mouth disease within 12 months prior to collection [1];

or

(ii) which have been vaccinated against foot-and-mouth disease less than 12 months and more than 30 days prior to collection, and 5% of doses of the semen from each collection, with a minimum of five straws, have been submitted to a virus isolation test for foot-and-mouth disease, carried out with negative results in the laboratory (……..……..) [4] situated in or designated by the Member State of destination [1].

11.6. The semen was stored in approved conditions for a minimum period of 30 days immediately following collection (5).		
11.7. The semen described above was sent to the place of loading in a sealed container and bearing the number		
E. VALIDITY		
12. Date and place	13. Name and qualification of the official veterinarian	14. Signature and stamp of the official veterinarian

(1) Delete as necessary.
(2) Corresponding to the identification of the donor animals, the breed of the donor animals, the date of collection and the serological status of the donor animal in respect of infectious bovine rhinotracheitis and infectious pustular vulvo-vaginitis.
(3) The date of collection must be earlier than 31 December 2004.
(4) Name of the laboratory.
(5) May be deleted for fresh semen.'