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**COMMISSION DECISION**

**of 6 September 2004**

**laying down the importation conditions of semen of domestic animals of the bovine species**

*(notified under document number C(2004) 3364)*

**(Text with EEA relevance)**

**(2004/639/EC)**

**(OJ L 292, 15.9.2004, p. 21)**

Amended by:

	Official Journal		
	No	page	date
► <u>M1</u> Commission Decision 2005/290/EC of 4 April 2005	L 93	34	12.4.2005
► <u>M2</u> Commission Decision 2006/16/EC of 5 January 2006	L 11	21	17.1.2006



**COMMISSION DECISION**

**of 6 September 2004**

**laying down the importation conditions of semen of domestic animals of the bovine species**

*(notified under document number C(2004) 3364)*

**(Text with EEA relevance)**

(2004/639/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 <sup>(1)</sup>, and in particular Article 8(1), Article 10(2) and Article 11(2) thereof,

Whereas:

- (1) Commission Decision 90/14/EEC <sup>(2)</sup>, lays down the list of third countries from which bovine semen may be imported.
- (2) Commission Decision 91/277/EEC <sup>(3)</sup>, lays down health protection measures in respect of imports of deep-frozen bovine semen from Israel.
- (3) Commission Decision 94/577/EC <sup>(4)</sup>, lays down animal health conditions and veterinary certification for the importation of bovine semen from third countries.
- (4) Following the modification of Directive 88/407/EEC by Council Directive 2003/43/EC <sup>(5)</sup>, the recast of Commission decisions related to importation of semen of domestic animals of the bovine species into the Community is required.
- (5) The lists of semen collection and storage centres from which Member States shall authorise the importation of semen originating in third countries is established and updated in accordance with Article 9(1) of Directive 88/407/EEC which foresees that the up-to-date version of all lists be made available to the public. These lists are on the Internet at:[http://europa.eu.int/comm/food/index\\_en.htm](http://europa.eu.int/comm/food/index_en.htm).
- (6) 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 imports.
- (7) However, it is appropriate to authorise the continuing imports 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.
- (8) Therefore, Article 2(2) of Directive 2003/43/EC provides that:
  - up until 31 December 2004, Member States shall authorise 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 2003/43/EC,

<sup>(1)</sup> OJ L 194, 22.7.1988, p. 10. Directive as last amended by Commission Decision 2004/101/EC (OJ L 30, 4.2.2004, p. 15).

<sup>(2)</sup> OJ L 8, 11.1.1990, p. 71. Decision as last amended by Decision 2004/52/EC (OJ L 10, 16.1.2004, p. 67).

<sup>(3)</sup> OJ L 135, 30.5.1991, p. 60.

<sup>(4)</sup> OJ L 221, 26.8.1994, p. 26. Decision as last amended by Decision 2004/52/EC.

<sup>(5)</sup> OJ L 143, 11.6.2003, p. 23.

**▼B**

- after this date, Member States shall not authorise imports 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.
- (9) Consequently, it is necessary to provide a model certificate for imports of semen of domestic animals of the bovine species collected, processed and stored before 31 December 2004 and to be used as of 1 January 2005.
- (10) It is more convenient to gather, in the same act, all the information relating to the importation of semen of domestic animals of the bovine species (list of third countries authorised, veterinary requirements applying to importations and list of centres approved in those third countries), and to repeal Decisions 90/14/EEC, 91/277/EEC and 94/577/EC accordingly.
- (11) 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*

1. Member States shall authorise the importation from third countries listed in Annex I, of semen of domestic animals of the bovine species conforming to the conditions laid down in the model animal health certificate in Annex II, part 1 and accompanied by such a certificate duly completed.
2. However, as of 1 January 2005, Member States shall authorise the importation from third countries listed in Annex I, of semen of domestic animals of the bovine species, collected, processed and stored before 31 December 2004, conforming to the conditions laid down in the model animal health certificate in Annex II, part 2 and accompanied by such a certificate duly completed.
3. The semen referred to in paragraph 1 must be collected after the date of approval of the centre by the competent national authorities of the third countries concerned.

**▼M1**

4. The requirement laid down in paragraph 1 to use the model animal health certificate set out in Annex II, part 1 shall be without prejudice to specific certification requirements and model certificates adopted pursuant to agreements between the Community and third countries following a recognition of equivalence.

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*Article 2*

Decisions 90/14/EEC, 91/277/EEC and 94/577/EC are repealed.

*Article 3*

This Decision shall apply from 18 September 2004.

*Article 4*

This Decision is addressed to the Member States.

**▼B***ANNEX I***List of third countries from which Member States authorise importation of semen of domestic animals of the bovine species**

ISO code	Country
AU	Australia
CA	Canada
CH	Switzerland
NZ	New Zealand
RO	Romania
US	United States of America

▼ M2

*ANNEX II*

**Model veterinary certificates for imports**

PART 1

**SEMEN OF DOMESTIC ANIMALS OF THE BOVINE SPECIES FOR  
IMPORT, COLLECTED IN ACCORDANCE WITH COUNCIL  
DIRECTIVE 88/407/EEC AS AMENDED BY DIRECTIVE 2003/43/EC**

The following model certificate is applicable to imports of semen collected in accordance with Council Directive 88/407/EEC, as amended by Directive 2003/43/EC.

▼ **M2****COUNTRY****Veterinary certificate to EU**

<b>Part I: Details of dispatched consignment</b>	I.1. Consignor <input type="checkbox"/> Name Address Postal code		I.2.	I.2.a. Local reference number:		
			I.3. Central Competent Authority			
			I.4. Local Competent Authority			
	I.5. Consignee Name Address Postal code		I.6.			
	I.7. Country of origin ISO code	I.8. Region of origin Code	I.9. Country of destination ISO code	I.10. Region of destination Code		
	I.11. Place of origin Semen centre <input type="checkbox"/> Name Approval number Address Name Approval number Address Name Approval number Address		I.12. Place of destination Holding <input type="checkbox"/> Semen centre <input type="checkbox"/> Approved body <input type="checkbox"/> Name Approval number Address Postal code			
	I.13.		I.14. Estimated date and time of arrival			
	I.15. Means of transport Aeroplane <input type="checkbox"/> Ship <input type="checkbox"/> Railway wagon <input type="checkbox"/> Road vehicle <input type="checkbox"/> Other <input type="checkbox"/> Identification: Documentary references:		I.16.			
			I.17.			
	I.18. Description of commodity			I.19. Commodity code (HS code)		
						I.20. Quantity
	I.21.			I.22. Number of packages		
	I.23. Identification of container/Seal number			I.24.		
	I.25. Commodity certified for Artificial reproduction <input type="checkbox"/>					
I.26. For transit to 3rd country vis-à-vis EU <input type="checkbox"/> 3rd country ISO code			I.27. For import or admission into EU <input type="checkbox"/> Definitive import <input type="checkbox"/>			
I.28. Identification of the animals/products Species (Scientific name) Identification mark Quantity of doses Approval number of the centre of origin						

▼ M2

## COUNTRY

## Domestic bovine semen

Part II: Certification	II. Health information	II.a. Certificate reference number	II.b. Local reference number
	I, the undersigned, official veterinarian, hereby certify that:		
<p>1.1. .... (Name of exporting country) <sup>(3)</sup></p> <p>was free from rinderpest and foot-and-mouth disease during the 12 months immediately prior to collection of the semen for export and up until its date of dispatch and no vaccination against these diseases took place during that period;</p> <p>1.2. The centre at which the semen to be exported was collected or stored:</p> <p>1.2.1. meets the conditions laid down in Chapter I of Annex A to Directive 88/407/EEC;</p> <p>1.2.2. is operated and supervised in accordance with the conditions laid down in Chapter II of Annex A to Directive 88/407/EEC;</p> <p>1.3. The centre at which the semen to be exported was collected was free from rabies, tuberculosis, brucellosis, anthrax and contagious bovine pleuropneumonia during the 30 days prior to the date of collection of the semen to be exported and the 30 days after collection (in the case of fresh semen, until the day of dispatch);</p> <p>1.4. The bovine animals standing at the semen collection centre:</p> <p>1.4.1. come from herds and/or were born to dams which satisfy the conditions in paragraph 1(b) and (c) of Chapter I of Annex B to Directive 88/407/EEC;</p> <p>1.4.2. underwent the tests required in accordance with paragraph 1(d) of Chapter I of Annex B to Directive 88/407/EEC in the 28 days preceding the quarantine isolation period;</p> <p>1.4.3. have satisfied the quarantine isolation period and testing requirements laid down in paragraph 1(e) of Chapter I of Annex B to Directive 88/407/EEC;</p> <p>1.4.4. have undergone at least once a year the routine tests referred to in Chapter II of Annex B to Directive 88/407/EEC;</p> <p>1.5. The semen to be exported was obtained from donor bulls which:</p> <p>1.5.1. satisfy the conditions laid down in Annex C to Directive 88/407/EEC;</p> <p>1.5.2. either were resident in the exporting country during the six months immediately prior to collection of the semen for export <sup>(1)</sup>;</p> <p>or</p> <p>were imported from ..... <sup>(3)</sup> after spending less than six months in the exporting country and at the time of import satisfied the animal health conditions applying to donors the semen of which is intended for export to the Community <sup>(1)</sup>;</p> <p>1.5.3. fulfil the import conditions for bovine semen laid down in the Bluetongue Chapter of the Terrestrial Animal Health Code of the OIE, depending on the status of the country or zone of residence; ****</p> <p>1.5.4. were resident in the country of export in which the following serotypes of epizootic haemorrhagic disease (EHD) exist: .....; and tested negative on two occasions not more than 12 months apart to an agar-gel immuno-diffusion test <sup>(4)</sup> and to a virus neutralisation test for all above-listed serotypes of EHD, carried out in an approved laboratory on samples of blood taken prior to and not less than 21 days following collection of the semen; ***</p>			

▼ **M2**

1.5.5. were resident in the country of export in which the following serotypes of epizootic haemorrhagic disease (EHD) exist: .....; and tested negative, prior to entry and at six-monthly intervals, to an agar-gel immunodiffusion test <sup>(4)</sup> and a virus neutralisation test for all above-listed serotypes of EHD carried out in an approved laboratory; \*\*

1.5.6. tested negative on two occasions not more than 12 months apart to a serum neutralisation test for Akabane virus carried out in an approved laboratory on samples of blood taken prior to and not less than 21 days following collection of the semen; \*

1.6. The semen to be exported was collected after the date on which the centre was approved by the competent national authorities of the exporting country;

1.7. The semen to be exported was processed, stored and transported under conditions which satisfy the terms of Directive 88/407/EEC.

**Notes**

Note for importer: this certificate is for veterinary purposes only and must accompany the consignment until it reaches the border inspection post.

<sup>(1)</sup> Delete as necessary.

<sup>(2)</sup> [Box reference No I.28 in Part I];

Identification mark: corresponding to the identification of the donor animals and the date of collection.

Approval number of the centre of origin: to be filled in if different from box reference No I.11.

<sup>(3)</sup> Countries listed in Annex I to Decision 2004/639/EC.

<sup>(4)</sup> Standards for EHD virus diagnostic tests are described in the Bluetongue Chapter of the Manual of Diagnostic Tests and Vaccines for Terrestrial Animals.

\*\*\*\* To be used only by Australia, Canada and the USA.

\*\*\* To be used only by Australia and the USA.

\*\* To be used only by Canada.

\* To be used only by Australia.

NB: This certificate must:

(a) be drawn up in at least one official language of the Member State of destination and of the Member State where the semen will enter Community territory;

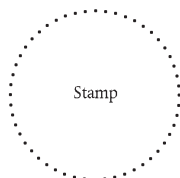
(b) be made out to a single consignee;

(c) accompany the semen in the original.

**Official veterinarian**

Name (in Capital):

Date:



Qualification and title

Signature:



▼ M2

PART 2

**SEMEN OF DOMESTIC ANIMALS OF THE BOVINE SPECIES  
COLLECTED, PROCESSED AND STORED BEFORE 31 DECEMBER  
2004 FOR IMPORT FROM 1 JANUARY 2005 IN ACCORDANCE WITH  
ARTICLE 2(2) OF COUNCIL DIRECTIVE 2003/43/EC**

The following model certificate is applicable from 1 January 2005 to imports of stocks of semen collected, processed and stored before 31 December 2004 in accordance with the conditions previously laid down in Council Directive 88/407/EEC and imported after that date in accordance with Article 2(2) of Directive 2003/43/EC.

▼ M2

## COUNTRY

## Veterinary certificate to EU

Part I: Details of dispatched consignment	I.1. Consignor <input type="checkbox"/> Name Address Postal code		I.2.	I.2.a. Local reference number:		
			I.3. Central Competent Authority			
			I.4. Local Competent Authority			
	I.5. Consignee Name Address Postal code		I.6.			
	I.7. Country of origin ISO code	I.8. Region of origin Code	I.9. Country of destination ISO code	I.10. Region of destination Code		
	I.11. Place of origin Semen centre <input type="checkbox"/> Name Approval number Address Name Approval number Address Name Approval number Address		I.12. Place of destination Holding <input type="checkbox"/> Semen centre <input type="checkbox"/> Approved body <input type="checkbox"/> Name Approval number Address Postal code			
	I.13.		I.14. Estimated date and time of arrival			
	I.15. Means of transport Aeroplane <input type="checkbox"/> Ship <input type="checkbox"/> Railway wagon <input type="checkbox"/> Road vehicle <input type="checkbox"/> Other <input type="checkbox"/> Identification: Documentary references:		I.16.			
			I.17.			
	I.18. Description of commodity			I.19. Commodity code (HS code)		
						I.20. Quantity
	I.21.			I.22. Number of packages		
	I.23. Identification of container/Seal number			I.24.		
	I.25. Commodity certified for Artificial reproduction <input type="checkbox"/>					
	I.26. For transit to 3rd country vis-à-vis EU <input type="checkbox"/> 3rd country ISO code			I.27. For import or admission into EU <input type="checkbox"/> Definitive import <input type="checkbox"/>		
	I.28. Identification of the animals/products Species (Scientific name) Identification mark Quantity of doses Approval number of the centre of origin					

▼ **M2****COUNTRY****Domestic bovine semen collected, processed  
and stored before 31 December 2004**

Part II: Certification	II. Health information	II.a. Certificate reference number	II.b. Local reference number
	<p>I, the undersigned, official veterinarian, hereby certify that:</p> <p>1.1. .... (Name of exporting country) <sup>(2)</sup></p> <p>was free from rinderpest and foot-and-mouth disease during the 12 months immediately prior to collection of the semen for export and up until its date of dispatch and no vaccination against these diseases took place during that period;</p> <p>1.2. The semen described above was collected before 31 December 2004 at a semen collection centre which:</p> <p>1.2.1. meets the conditions laid down in Chapter I of Annex A to Directive 88/407/EEC;</p> <p>1.2.2. is operated and supervised in accordance with the conditions laid down in Chapter II of Annex A to Directive 88/407/EEC;</p> <p>1.3. The centre at which the semen to be exported was collected was free from rabies, tuberculosis, brucellosis, anthrax and contagious bovine pleuropneumonia during the 30 days prior to the date of collection of the semen to be exported and the 30 days after collection (in the case of fresh semen, until the date of dispatch);</p> <p>1.4. At the time the semen described above was collected, all bovine animals at the semen collection centre:</p> <p>1.4.1. came from herds and/or were born to dams which satisfy the conditions in paragraph 1(b) and (c) of Chapter I of Annex B to Directive 88/407/EEC;</p> <p>1.4.2. had tested negative, within the 30 days preceding the quarantine isolation period, to:</p> <ul style="list-style-type: none"> <li>— the tests referred to in points 1(d)(i), (ii) and (iii) of Chapter I of Annex B to Directive 88/407/EEC, and</li> <li>— a serum neutralisation test or an ELISA test for infectious bovine rhinotracheitis/infectious pustular vulvo-vaginitis, and</li> <li>— a virus isolation test (fluorescent antibody test or immunoperoxidase test) for bovine viral diarrhoea, deferred until the animal reached the age of six months in the case of younger animals;</li> </ul> <p>1.4.3. had undergone the 30-day quarantine isolation period and had tested negative to the following health tests:</p> <ul style="list-style-type: none"> <li>— a serological test for brucellosis carried out in accordance with the procedure described in Annex C to Directive 64/432/EEC,</li> <li>— either an immunofluorescent antibody test or a culture test for campylobacter foetus infection on a sample of preputial material or artificial vagina washings or, in the case of a female animal, a vaginal mucus agglutination test <sup>(1)</sup>,</li> <li>— 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 <sup>(1)</sup>;</li> </ul> <p>1.4.4. had tested negative, at least once a year, to the routine tests referred to in points 1(a), (b) and (c) of Chapter II of Annex B to Directive 88/407/EEC;</p> <p>1.5. At the time the semen described above was collected,</p> <p>1.5.1. all female bovine animals in the centre had tested negative at least once a year to a vaginal mucus agglutination test for campylobacter foetus infection, and</p> <p>1.5.2. all bulls used for semen production had tested negative either to an immunofluorescent antibody test or to a culture test for campylobacter foetus infection on a sample of preputial material or artificial vagina washings carried out in the 12 months prior to collection;</p>		

▼ M2

- 1.6. The semen to be exported was obtained from donor bulls which:
- 1.6.1. satisfy the conditions laid down in Annex C to Directive 88/407/EEC;
  - 1.6.2. either were resident in the exporting country during the six months immediately prior to collection of the semen for export <sup>(1)</sup>;  
or  
had been imported from ..... <sup>(2)</sup>, after spending less than six months in the exporting country, and at the time of import, satisfied the health conditions applying to donors the semen of which is intended for export to the Community <sup>(1)</sup>;
  - 1.6.3. stand in a semen collection centre at which:
    - (i) all bovine animals tested negative at least once a year to a serum neutralisation test or an ELISA test for infectious bovine rhinotracheitis/infectious pustular vulvo-vaginitis <sup>(1)</sup>, or
    - (ii) bovine animals not vaccinated against infectious bovine rhinotracheitis tested negative at least once a year to a serum neutralisation test or an ELISA test for infectious bovine rhinotracheitis/infectious pustular vulvo-vaginitis and at which testing for infectious bovine rhinotracheitis was not carried out on bulls which had received their first vaccination against infectious bovine rhinotracheitis at the insemination centre after they had tested negative to a serum neutralisation test or an ELISA test for infectious bovine rhinotracheitis/infectious pustular vulvo-vaginitis and which had been regularly re-vaccinated at intervals of not more than six months since the first vaccination <sup>(1)</sup>;
  - 1.6.4. fulfil the import conditions for bovine semen laid down in the Bluetongue Chapter of the Terrestrial Animal Health Code of the OIE, depending on the status of the country or zone of residence; \*\*\*\*
  - 1.6.5. were resident in the country of export in which the following serotypes of epizootic haemorrhagic disease (EHD) exist: .....; and tested negative on two occasions not more than 12 months apart to an agar-gel immuno-diffusion test <sup>(4)</sup> and a virus neutralisation test for all above-listed serotypes of EHD, carried out in an approved laboratory on samples of blood taken prior to and not less than 21 days following collection of the semen; \*\*\*
  - 1.6.6. were resident in the country of export in which the following serotypes of epizootic haemorrhagic disease (EHD) exist: .....; and tested negative, prior to entry and at six-monthly intervals, to an agar-gel immuno-diffusion test <sup>(4)</sup> and a virus neutralisation test for all above-listed serotypes of EHD, carried out in an approved laboratory; \*\*
  - 1.6.7. tested negative on two occasions not more than 12 months apart to a serum neutralisation test for Akabane virus, carried out in an approved laboratory on samples of blood taken prior to and not less than 21 days following collection of the semen; \*
- 1.7. The semen to be exported was collected after the date on which the centre was approved by the competent national authorities of the exporting country;
- 1.8. The semen to be exported was processed, stored and transported under conditions which satisfy the terms of Directive 88/407/EEC prior to its amendment by Directive 2003/43/EC.

▼ **M2****Notes**

Note for importer: this certificate is for veterinary purposes only and must accompany the consignment until it reaches the border inspection post.

(<sup>1</sup>) Delete as necessary.

(<sup>2</sup>) [Box reference No I.28. in Part I];

Identification mark: corresponding to the identification of the donor animals and the date of collection, that must be prior to 31 December 2004.

Approval number of the centre of origin: to be filled in if different from box reference No I.11.

(<sup>3</sup>) Countries listed in Annex I to Decision 2004/639/EC.

(<sup>4</sup>) Standards for EHD virus diagnostic tests are described in the Bluetongue Chapter of the Manual of Diagnostic Tests and Vaccines for Terrestrial Animals.

\*\*\*\* To be used only by Australia, Canada and the USA.

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NB: This certificate must:

(a) be drawn up in at least one official language of the Member State of destination and of the Member State where the semen will enter Community territory;

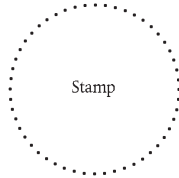
(b) be made out to a single consignee;

(c) accompany the semen in the original.

**Official veterinarian**

Name (in Capital):

Date:



Qualification and title

Signature:'