

COMMISSION IMPLEMENTING DECISION

of 21 December 2011

amending Annexes II and IV to Council Directive 2009/158/EC on animal health conditions governing intra-Community trade in, and imports from third countries of, poultry and hatching eggs

(notified under document C(2011) 9518)

(Text with EEA relevance)

(2011/879/EU)

THE EUROPEAN COMMISSION,

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

Having regard to Council Directive 2009/158/EC of 30 November 2009 on animal health conditions governing intra-Community trade in, and imports from third countries of, poultry and hatching eggs⁽¹⁾, and in particular Article 34 thereof,

Whereas:

- (1) Directive 2009/158/EC lays down animal health conditions governing intra-Union trade in, and imports from third countries of, poultry and hatching eggs. Annex II thereto sets out the rules for the approval of establishments for the purposes of intra-Union trade in those commodities and surveillance programmes to be carried out for certain diseases in the different poultry species. Annex IV to Directive 2009/158/EC lays down the model veterinary certificates for trade within the Union of the poultry commodities covered by that Directive.
- (2) Annex II to Directive 2009/158/EC, as amended by Commission Decision 2011/214/EU⁽²⁾, sets out the diagnostic procedures for *Salmonella* and *Mycoplasma*.
- (3) Chapter III of Annex II to Directive 2009/158/EC lays down the minimum requirements for disease surveillance programmes. That Chapter provides a description of the testing procedures for *Salmonella pullorum* and *Salmonella gallinarum*. It is however necessary to provide for certain additional specific details as regards the testing for *Salmonella arizonae*.
- (4) In addition, box I.31. in Part I of the model veterinary certificate for day-old chicks set out in Annex IV to Directive 2009/158/EC includes a requirement to fill in detailed information in relation to the identification of the commodities covered by it.
- (5) That requirement provides valuable information on the health status of the parent flock(s) from which the day-old chicks originate, in particular with respect to testing for certain *Salmonella* serotypes. However, certain of those data requirements appear to pose unnecessary

administrative burdens on business operators, especially in view of the unpredictability of hatch. In addition, certain data required to be filled in that box is filled in in other parts of the certificate.

- (6) Those entries should therefore be deleted from box 1.31. in the model veterinary certificates for hatching eggs, day-old chicks and breeding and productive poultry and be replaced by the entry 'Approval number' which would provide clearer information on the origin of the respective commodities. Part I of the notes in Part II of those model certificates should therefore be amended accordingly.
- (7) Annex IX to Commission Regulation (EC) No 798/2008 of 8 August 2008 laying down a list of third countries, territories, zones or compartments from which poultry and poultry products may be imported into and transit through the Community and the veterinary certification requirements⁽³⁾ sets out the specific conditions which apply to imports of ratites for breeding and production, hatching eggs and day-old chicks thereof.
- (8) Point 3 of Part II of that Annex, as amended by Commission Implementing Regulation (EU) No 1380/2011⁽⁴⁾, provides that, where day-old chicks are not reared in the Member State which imported the hatching eggs, they are to be transported directly to the final destination and kept there for at least three weeks from the date of hatching. That requirement should be reflected in the relevant model veterinary certificate for day-old chicks laid down in Annex IV to Directive 2009/158/EC. That model certificate should therefore be amended accordingly.
- (9) Directive 2009/158/EC should therefore be amended accordingly.
- (10) 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

Annexes II and IV to Directive 2009/158/EC are amended in accordance with the Annex to this Decision.

⁽¹⁾ OJ L 343, 22.12.2009, p. 74.

⁽²⁾ OJ L 90, 6.4.2011, p. 27.

⁽³⁾ OJ L 226, 23.8.2008, p. 1.

⁽⁴⁾ See page 25 of this Official Journal.

Article 2

This Decision shall apply from 1 February 2012.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 21 December 2011.

For the Commission
John DALLI
Member of the Commission

ANNEX

Annexes II and IV to Directive 2009/158/EC are amended as follows:

(1) in Annex II, Chapter III, point A.2 is amended as follows:

(a) note (**) is replaced by the following:

‘(**) Note that environmental samples are generally not suitable for reliable detection of *Salmonella pullorum* and *Salmonella gallinarum*, but are suitable for *Salmonella arizonae*.’;

(b) note (****) is replaced by the following:

‘(****) *Salmonella pullorum* and *Salmonella gallinarum* do not readily grow in the modified semi-solid Rappaport Vassiliadis (MSRV) medium that is used for monitoring of zoonotic *Salmonella* spp. in the Union, but it is suitable for *Salmonella arizonae*.’;

(2) in Annex IV, models 1, 2 and 3 are replaced by the following:

MODEL 1

EUROPEAN UNION

Intra-Union trade certificate

Part I: Details of consignment presented	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.			
			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 <input type="checkbox"/> Establishment <input type="checkbox"/> Name Address Postal code			I.13. Place of destination Holding <input type="checkbox"/> Establishment <input type="checkbox"/> Approved body <input type="checkbox"/> Name Address Postal code		
	I.14. Place of loading Postal code			I.15. Date and time of departure		
	I.16. 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			I.17. Transporter Name Address Postal code Approval number Member State		
I.18. Description of commodity				I.19. Commodity code (HS code) 04.07		
				I.20. Quantity		
I.21.				I.22. Number of packages		
I.23. Seal/Container No				I.24.		
I.25. Commodities certified for: Breeding <input type="checkbox"/> Approved body <input type="checkbox"/> Other <input type="checkbox"/>						
I.26. Transit through third country <input type="checkbox"/> Third country ISO code Exit point Code Entry point BIP No			I.27. Transit through Member States <input type="checkbox"/> Member State ISO code Member State ISO code Member State ISO code			
I.28. Export <input type="checkbox"/> Third country ISO code Exit point Code			I.29.			
I.30.						
I.31. Identification of the commodities Species (Scientific name) Category Approval number Identification Age						

EUROPEAN UNION

Hatching eggs

Part II: Certification	II. Health information	II.a. Certificate reference No	II.b.
	<p>II.1. Animal health attestation</p> <p>I, the undersigned official veterinarian, certify that the hatching eggs described above:</p> <p>(a) comply with</p> <p>(1) <i>either</i> [the provisions of Articles 6, 8 and 18 of Council Directive 2009/158/EC]</p> <p>(1) ⁽²⁾ <i>or</i> [the provisions of Article 6(a)(i),(ii) and (b), and Articles 8 and 18 of Council Directive 2009/158/EC];</p> <p>(3) (b) comply with the provisions of Article 15(1)(a) of Council Directive 2009/158/EC.</p> <p>(4) (c) comply with the provisions of Commission Decision(s) .../.../EU concerning additional guarantees with regard to (indicate disease(s)) and in accordance with Article 16 or Article 17 of Council Directive 2009/158/EC.</p> <p>(d) come from poultry which:</p> <p>(1) <i>either</i> [have not been vaccinated against Newcastle disease;]</p> <p>(1) <i>or</i> [have been vaccinated against Newcastle disease using: (name and type (live or inactivated) of Newcastle disease virus strain used in vaccine(s)) On (date) at the age of weeks].</p> <p>II.2. Public health attestation</p> <p>I, the undersigned official veterinarian, certify that the hatching eggs described above:</p> <p>(5) (a) come from a flock which has been tested for <i>Salmonella</i> serotypes with public health significance in accordance with Regulation (EC) No 2160/2003 of the European Parliament and of the Council.</p> <p>Date of last sampling of the flock from which the testing result is known:</p> <p>Result of all testing in the flock:</p> <p>(1) (6) <i>either</i> [positive;]</p> <p>(1) (6) <i>or</i> [negative]</p> <p>(5) (b) and, neither <i>Salmonella enteritidis</i> nor <i>Salmonella typhimurium</i> were detected with the control programme referred to in point II.2(a).</p> <p>II.3. Additional health information</p> <p>(1) II.3.1. This consignment complies with the animal health conditions laid down in Commission Decision 2006/415/EC.</p> <p>(1) II.3.2. This consignment complies with the animal health conditions laid down in Commission Decision 2006/563/EC.</p> <p>(1) (7) II.3.3. This consignment complies with the animal health conditions laid down in Commission Decision .../.../EU in relation to vaccination against avian influenza.</p> <p>Notes</p> <p>Part I:</p> <p>Box I.16: Registration number (railway wagons or container and lorries), flight number (aircraft) or name (ship)</p> <p>Box I.31: <i>Category:</i> select one of the following: pure line/grandparents/parents/laying pullets/fattening/others.</p> <p><i>Approval number:</i> indicate the number(s) of the approved establishment(s) of the parent flock(s).</p> <p><i>Identification:</i> indicate the identification details of parent flock and brand name.</p> <p><i>Age:</i> provide the date of collection.</p>		

EUROPEAN UNION

Hatching eggs

II. Health information	II.a. Certificate reference No	II.b.								
<p>Part II:</p> <p>(¹) Keep as appropriate.</p> <p>(²) Only applicable if II.3.1. or II.3.2. are complied with.</p> <p>(³) To certify in case of dispatch to a Member State, which has an EU-approved non-vaccinating status for Newcastle disease; currently: Finland and Sweden. Otherwise delete reference.</p> <p>(⁴) Complete if appropriate.</p> <p>(⁵) The guarantees under II.2 only apply to poultry belonging to the species of <i>Gallus gallus</i> or turkeys.</p> <p>(⁶) If any of the results were positive during the life of the breeding flock of <i>Gallus gallus</i> for <i>Salmonella infantis</i>, <i>Salmonella virchow</i> or <i>Salmonella hadar</i>, indicate as positive.</p> <p>(⁷) Only applicable for Member States which carry out vaccination against avian influenza according to an EU-approved vaccination plan.</p> <p>— The colour of the stamp and signature must be different from that of the other particulars in the certificate.</p>										
<p>Official veterinarian or official inspector</p> <table border="0" style="width: 100%;"> <tr> <td style="width: 60%;">Name (in capital letters):</td> <td style="width: 40%;">Qualification and title:</td> </tr> <tr> <td>Local veterinary unit:</td> <td>LVU No:</td> </tr> <tr> <td>Date:</td> <td>Signature:</td> </tr> <tr> <td>Stamp:</td> <td></td> </tr> </table>			Name (in capital letters):	Qualification and title:	Local veterinary unit:	LVU No:	Date:	Signature:	Stamp:	
Name (in capital letters):	Qualification and title:									
Local veterinary unit:	LVU No:									
Date:	Signature:									
Stamp:										

MODEL 2

EUROPEAN UNION

Intra-Union trade certificate

Part I: Details of consignment presented	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 <input type="checkbox"/> Establishment <input type="checkbox"/> Name Address Postal code Approval number			I.13. Place of destination Holding <input type="checkbox"/> Establishment <input type="checkbox"/> Approved body <input type="checkbox"/> Name Address Postal code Approval number		
	I.14. Place of loading Postal code			I.15. Date and time of departure		
	I.16. 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			I.17. Transporter Name Address Postal code Approval number Member State		
	I.18. Description of commodity				I.19. Commodity code (HS code)	
					I.20. Quantity	
	I.21.				I.22. Number of packages	
	I.23. Seal/Container No				I.24.	
I.25. Commodities certified for: Breeding <input type="checkbox"/> Approved body <input type="checkbox"/> Other <input type="checkbox"/>						
I.26. Transit through third country <input type="checkbox"/> Third country ISO code Exit point Code Entry point BIP No			I.27. Transit through Member States <input type="checkbox"/> Member State ISO code Member State ISO code Member State ISO code			
I.28. Export <input type="checkbox"/> Third country ISO code Exit point Code			I.29.			
I.30.						
I.31. Identification of the commodities Species (Scientific name) Category Approval number Identification Age						

EUROPEAN UNION

Day-old chicks

	II. Health information	II.a. Certificate reference No	II.b.
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Part II: Certification

II.1. Animal health attestation

I, the undersigned official veterinarian, certify that the day-old chicks described above:

(a) comply with

(1) *either* (i) [the provisions of Articles 6, 9 and 18 of Council Directive 2009/158/EC]

(1) ⁽²⁾ *or* [the provisions of Article 6(a)(i), (ii) and (b), and Articles 9 and 18 of Council Directive 2009/158/EC];

(1) ⁽³⁾ *or* (ii) [if derived from hatching eggs imported according to the requirements of Model HEP or HER of Commission Regulation (EC) No 798/2008, with the provisions of Article 6(a) and Article 9(b) and (c) of Council Directive 2009/158/EC]

(1) ⁽²⁾ ⁽³⁾ *or* [if derived from hatching eggs imported according to the requirements of Model HEP or HER of Commission Regulation (EC) No 798/2008, with the provisions of Article 6(a)(i), (ii) and Article 9(b) and (c) of Council Directive 2009/158/EC].

(4) (b) comply with Article 15(1)(b) of Council Directive 2009/158/EC.

(5) (c) comply with the provisions of Commission Decision(s) .../.../EU concerning additional guarantees with regard to (indicate disease(s)) and in accordance with Article 16 or Article 17 of Council Directive 2009/158/EC.

(1) (d) *either* [have not been vaccinated against Newcastle disease;]

(1) *or* [have been vaccinated against Newcastle disease using:
.....
(name and type (live or inactivated) of Newcastle disease virus strain used in vaccine(s))
on (date)].

(e) come from poultry which:

(1) *either* [have not been vaccinated against Newcastle disease;]

(1) *or* [have been vaccinated against Newcastle disease using:
.....
(name and type (live or inactivated) of Newcastle disease virus strain used in vaccine(s))
on (date)].

(6) (f) for introduction into flocks of breeding poultry or flocks of productive poultry come from flocks which have been tested with negative results according to the rules laid down in Commission Decision 2003/644/EC.

II.2. Public health attestation

I, the undersigned official veterinarian, certify that the day-old chicks described above:

(7) (a) come from a flock which has been tested for *Salmonella* serotypes with public health significance in accordance with Regulation (EC) No 2160/2003 of the European Parliament and of the Council.

Date of last sampling of the flock from which the testing result is known:

Result of all testing in the flock:

(1) ⁽⁸⁾ *either* [positive;]

(1) ⁽⁸⁾ *or* [negative]

(7) (b) and, if intended for breeding, neither *Salmonella enteritidis* nor *Salmonella typhimurium* were detected within the control programme referred to in point II.2(a).

EUROPEAN UNION

Day-old chicks

II. Health information	II.a. Certificate reference No	II.b.
II.3. Additional health information		
<p>(¹) (⁸) II.3.1. The consignment complies with the animal health conditions laid down in Commission Decision .../.../EU in relation to protection measures concerning highly pathogenic avian influenza of another subtype than H5N1.</p> <p>(¹) II.3.2. This consignment complies with the animal health conditions laid down in Commission Decision 2006/415/EC.</p> <p>(¹) (⁹) II.3.3. This consignment complies with the animal health conditions laid down in Commission Decision .../.../EU in relation to vaccination against avian influenza.</p>		
Notes		
Part I:		
Box I.6: No(s) of accompanying animal health certificates.		
Box I.16: Registration number (railway wagons or container and lorries), flight number (aircraft) or name (ship).		
Box I.19: Use the appropriate HS codes: 01.05, 01.06.39.		
Box I.31: <i>Category:</i> select one of the following: pure line/grandparents/parents/laying pullets/fattening/others.		
<i>Approval number:</i> indicate the number(s) of the approved establishment(s) of the parent flock(s).		
<i>Identification:</i> indicate the identification details of parent flock and brand name.		
<i>Age:</i> provide date hatched.		
Part II:		
(¹) Keep as appropriate.		
(²) Only applicable if II.3.1. or II.3.2. is complied with.		
(³) In those cases where day-old chicks come from eggs imported from a third country the period of isolation on the holding of destination has to be respected as foreseen in Part II of Annex VIII to Commission Regulation (EC) No 798/2008. The competent authority of the final destination of the day-old chicks must be informed through the TRACES system about this requirement.		
(⁴) To certify in case of dispatch to a Member State, which has an EU-approved non-vaccinating status for Newcastle disease; currently: Finland and Sweden. Otherwise delete reference.		
(⁵) Complete if appropriate.		
(⁶) To certify for consignments to Finland and Sweden. Otherwise delete reference.		
(⁷) The guarantees under II.2. only apply to poultry belonging to the species of <i>Gallus gallus</i> or turkeys.		
(⁸) If any of the results were positive for the serotypes below during the life of the flock, indicate as positive.		
Flocks of breeding poultry of <i>Gallus gallus</i> : <i>Salmonella hadar</i> , <i>Salmonella virchow</i> and <i>Salmonella infantis</i> .		
Flocks of productive poultry: <i>Salmonella enteritidis</i> and <i>Salmonella typhimurium</i> .		
(⁹) Only applicable for Member States which carry out vaccination against avian influenza according to an EU-approved vaccination plan.		
— 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:		

EUROPEAN UNION

Breeding and productive poultry

Part II: Certification	II. Health information	II.a. Certificate reference No	II.b.
	<p>II.1. Animal health attestation</p> <p>I, the undersigned official veterinarian, certify that the poultry described above:</p> <p>(a) comply with the provisions of Articles 6, 10 and 18 of Council Directive 2009/158/EC.</p> <p>(1) (b) comply with Article 15(1)(c) of Council Directive 2009/158/EC.</p> <p>(2) (c) comply with the provisions of Commission Decision(s) .../.../EU concerning additional guarantees with regard to (indicate disease(s)) and in accordance with Article 16 or Article 17 of Council Directive 2009/158/EC.</p> <p>(3) (d) <i>either</i> [have not been vaccinated against Newcastle disease;]</p> <p>(3) <i>or</i> [have been vaccinated against Newcastle disease using: (name and type (live or inactivated) of Newcastle disease virus strain used in vaccine(s)) on (date) at the age of weeks].</p> <p>(4) (e) the breeding poultry has been tested with negative results according to the rules laid down in Commission Decision 2003/644/EC.</p> <p>(3) (f) the laying hens (productive poultry reared with the view to producing eggs for consumption) have been tested with negative results according to the rules laid down in Commission Decision 2004/235/EC.</p> <p>II.2. Public health attestation</p> <p>I, the undersigned official veterinarian, certify that the poultry described above:</p> <p>(5) (a) come from a flock which has been tested for <i>Salmonella</i> serotypes with public health significance in accordance with Regulation (EC) No 2160/2003 of the European Parliament and of the Council.</p> <p>Date of last sampling of the flock from which the testing result is known:</p> <p>Result of all testing in the flock:</p> <p>(3) (6) <i>either</i> [positive;]</p> <p>(3) (6) <i>or</i> [negative]</p> <p>(5) (b) and, if intended for breeding, neither <i>Salmonella enteritidis</i> nor <i>Salmonella typhimurium</i> were detected within the control programme referred to in point II.2(a).</p> <p>II.3. Additional health information</p> <p>(1) (7) II.3.1. This consignment complies with the animal health conditions laid down in Commission Decision .../.../EU in relation to vaccination against avian influenza.</p>		
	<p>Notes</p> <p>Part I:</p> <p>Box I.16: Registration number (railway wagons or container and lorries), flight number (aircraft) or name (ship).</p> <p>Box I.19: Use the appropriate HS codes: 01.05, 01.06.39.</p> <p>Box I.31: <i>Category:</i> select one of the following: pure line/grandparents/parents/laying pullets/fattening/others.</p> <p><i>Approval number:</i> indicate the number(s) of the approved establishment(s) of origin.</p> <p><i>Identification:</i> indicate the identification details of flock of origin and brand name.</p> <p>Part II:</p> <p>(1) To certify in case of dispatch to a Member State, which has an EU-approved non-vaccinating status for Newcastle disease; currently: Finland and Sweden. Otherwise delete reference.</p>		

EUROPEAN UNION

Breeding and productive poultry

II. Health information	II.a. Certificate reference No	II.b.								
<p>(²) Complete if appropriate.</p> <p>(³) Keep as appropriate.</p> <p>(⁴) To certify for consignments to Finland and Sweden. Otherwise delete reference.</p> <p>(⁵) The guarantees under II.2. only apply to poultry belonging to the species of <i>Gallus gallus</i> or turkeys.</p> <p>(⁶) If any of the results were positive for the serotypes below during the life of the flock, indicate as positive.</p> <p>Flocks of breeding poultry of <i>Gallus gallus</i>: <i>Salmonella hadar</i>, <i>Salmonella virchow</i> and <i>Salmonella infantis</i>.</p> <p>Flocks of productive poultry: <i>Salmonella enteritidis</i> and <i>Salmonella typhimurium</i>.</p> <p>(⁷) Only applicable for Member States which carry out vaccination against avian influenza according to an EU-approved vaccination plan.</p> <p>— The colour of the stamp and signature must be different from that of the other particulars in the certificate.</p>										
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