

Council Directive of 26 June 1990 on animal health conditions governing the movement and import from third countries of equidae (90/426/EEC) (repealed)

COUNCIL DIRECTIVE

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on animal health conditions governing the movement
and import from third countries of equidae

(90/426/EEC) (repealed)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof,

Having regard to the proposal from the Commission⁽¹⁾,

Having regard to the opinion of the European Parliament⁽²⁾,

Having regard to the opinion of the Economic and Social Committee⁽³⁾,

Whereas equidae, being live animals, are included in the list of products in Annex II to the Treaty;

Whereas in order to ensure the rational development of equidae production, thereby increasing productivity in that sector, rules governing the movement of equidae between Member States must be laid down at Community level;

Whereas the breeding and rearing of equidae and in particular of horses is generally included in the farming sector; whereas it constitutes a source of income for part of the farming population;

Whereas disparities as regards animal health conditions in the Member States should be eliminated in order to encourage intra-Community trade in equidae;

Whereas, in order to encourage the harmonious development of intra-Community trade, a Community system should be laid down to govern imports from third countries;

Whereas the conditions for the movement on national territory of equidae bearing an identification document should also be regulated;

Whereas, in order to be the subject of trade, equidae must satisfy certain animal health requirements, so as to avoid the spreading of contagious diseases; whereas it appears in particular appropriate to provide for a possible regionalization of restrictive measures;

Whereas transport conditions should be laid down for the same reason;

Whereas, to ensure that those requirements are satisfied provision must be made for the issue by an official veterinarian of a health certificate to accompany the equidae to their place of destination;

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Whereas the organization of and the follow-up to the checks to be carried out by the Member State of destination and the safeguard measures to be implemented should be fixed within the framework of rules to be laid down for veterinary checks in intra-Community trade in live animals in view of the completion of the internal market;

Whereas provision should be made for the possibility of checks by the Commission; whereas these checks should be carried out in cooperation with the competent national authorities;

Whereas defining Community provisions applicable to imports from third countries requires a list to be drawn up of third countries or parts of third countries from which equidae may be imported;

Whereas the choice of these countries must be based on criteria of a general nature such as the state of health of the livestock, the organization and powers of the veterinary services and the health regulations in force;

Whereas, in addition, imports of equidae should not be authorized from countries infected with contagious or infectious animal diseases which present a risk to Community livestock or which have been free from such infection for too short a period; whereas such considerations are also valid for imports from third countries in which vaccination against such diseases is carried out;

Whereas the general conditions applicable to imports from third countries must be supplemented by special conditions drawn up on the basis of the health situation in each of them; whereas the technical nature and the diversity of the criteria on which these special conditions depend require for their definition recourse to a flexible and rapid Community procedure in which the Commission and the Member States cooperate closely;

Whereas the presentation of a common standard form of certificate upon import of equidae constitutes an effective means of verifying that the Community rules are being applied; whereas such rules may include special provisions which may vary according to the third country concerned, and whereas this must be taken into account in drawing up the standard forms of certificates;

Whereas official Community veterinarians should be responsible for verifying that the requirements of this Directive are observed, particularly in third countries;

Whereas the checks carried out upon importation must cover the origin and the state of health of the equidae;

Whereas the Member States must be allowed, on the arrival of equidae in the territory of the Community and during transit to their place of destination, to take all measures, including slaughter and disposal, required for the purpose of safeguarding the health of humans and animals;

Whereas the general rules applicable to the checks to be carried out on importation must be defined within an overall context;

Whereas every Member State must have the right to place an immediate prohibition on imports from a third country when such imports may be dangerous for animal health; whereas in such a case coordination of the attitudes of the Member States with regard to that third country must

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be assured without delay, without prejudice to possible amendments to the list of countries authorized to export to the Community;

Whereas the provisions of this Directive should be revised in connection with the completion of the internal market;

Whereas provision should be made for a procedure establishing close and effective cooperation between the Commission and the Member State within the Standing Veterinary Committee,

HAS ADOPTED THIS DIRECTIVE:

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- (1) OJ No C 327, 30. 12. 1989, p. 61.
- (2) OJ No C 149, 18. 6. 1990.
- (3) OJ No C 62, 12. 3. 1990, p. 46.