

Council Directive of 15 July 1991 laying down the principles governing the organization of veterinary checks on animals entering the Community from third countries and amending Directives 89/662/EEC, 90/425/EEC and 90/675/EEC (91/496/EEC) (repealed)

CHAPTER I

Organization and follow-up of checks

Article 4

1 Member States shall ensure that, irrespective of the customs destination of the animals, each consignment of animals from a third country is subjected by the veterinary authority to a documentary check and identity check at one of the border inspection posts situated in one of the territories referred to in Annex I to Directive 90/675/EEC and approved for that purpose, in order to verify:

- their origin,
- their subsequent destination, particularly in the case of transit or in the case of animals, trade in which has not been harmonized at Community level or which are subject to specific requirements recognized by a Community decision in respect of the Member State of destination,
- that the particulars which appear on the certificates or documents afford the guarantees required by Community rules or, in the case of animals, trade in which has not been harmonized at Community level, the guarantees required under the national rules applicable in the various cases covered by this Directive^[F1],
- [^{F2}that no indication of rejection of the consignment has been given through the procedure specified in the first indent of Article 1 of Council Decision 92/438/EEC of 13 July 1992 on computerization of veterinary import procedures (Shift project)⁽¹⁾.]

2 Without prejudice to the exemptions pursuant to Article 8, the official veterinarian must carry out a physical check on animals presented at the border inspection post. That check must include, in particular:

- a a clinical examination of the animals in order to ensure that they conform to the information provided in the accompanying certificate or document and that they are clinically healthy.

In accordance with the procedure laid down in Article 23, derogation may be made, subject to certain conditions and in accordance with rules to be established under the same procedure, from the principle of individual clinical examination in respect of certain categories and species of animals;

- b any laboratory tests which it is thought necessary should be carried out or which are provided for by Community rules;
- c possible official samples to be examined for residues and analysed as soon as possible;
- d verification of compliance with the minimum requirements laid down by Council Directive 77/489/EEC of 18 July 1977 on the protection of animals during international transport⁽²⁾.

For the purposes of a subsequent check on transport and, where appropriate, on compliance with the additional requirements of the holding of destination, the official veterinarian shall communicate the necessary information to the competent authorities

Status: EU Directives are being published on this site to aid cross referencing from UK legislation. After IP completion day (31 December 2020 11pm) no further amendments will be applied to this version.

of the Member State of destination by means of the information exchange system provided for in Article 20 of Directive 90/425/EEC.

The official veterinarian may be assisted in certain of these tasks by qualified staff with special training, working under his direction.

[^{F2}The check must be made after reference to the data bases specified in the second indent of Article 1 of Decision 92/438/EEC.]

3 However, by way of derogation from paragraphs 1 and 2, for animals entering a port or an airport in the territory defined in Annex I to Directive 90/675/EEC, the identity check and the physical check may be carried out at such port or airport of destination, provided that such port or airport has a border inspection post as referred to in Article 6, and that the animals continue their journey, as the case may be, by sea or by air in the same vessel or in the same aircraft. In such cases, the competent authority which carried out the documentary check shall, either directly or through the local veterinary authority, inform the official veterinarian of the inspection post of the Member State of destination by means of the information exchange system referred to in Article 20 of Directive 90/425/EEC that the animals have passed through.

4 All expenditure incurred by the application of this Article shall be chargeable to the consignor, the consignee or their agent, without reimbursement by the Member State.

5 The detailed rules for applying this Article, including those relating to the training and qualification of assistants, shall be adopted, as the need arises, in accordance with the procedure laid down in Article 23.

Textual Amendments

- F1** Substituted by Council Decision of 13 July 1992 on computerization of veterinary import procedures (Shift project), amending Directives 90/675/EEC, 91/496/EEC, 91/628/EEC and Decision 90/424/EEC, and repealing Decision 88/192/EEC (92/438/EEC).
- F2** Inserted by Council Decision of 13 July 1992 on computerization of veterinary import procedures (Shift project), amending Directives 90/675/EEC, 91/496/EEC, 91/628/EEC and Decision 90/424/EEC, and repealing Decision 88/192/EEC (92/438/EEC).

Status: EU Directives are being published on this site to aid cross referencing from UK legislation. After IP completion day (31 December 2020 11pm) no further amendments will be applied to this version.

- (1) [^{F2}OJ No L 243, 25.8.1992, p. 27.]
- (2) OJ No L 200, 8.8.1977, p. 10.

Textual Amendments

- F2** Inserted by Council Decision of 13 July 1992 on computerization of veterinary import procedures (Shift project), amending Directives 90/675/EEC, 91/496/EEC, 91/628/EEC and Decision 90/424/EEC, and repealing Decision 88/192/EEC (92/438/EEC).