

Council Directive of 28 January 1991 on animal health conditions governing intra-Community trade in ovine and caprine animals (91/68/EEC)

Article 1

This Directive defines the animal health conditions governing intra-Community trade in ovine and caprine animals.

[^{F1}Article 2

- (a) The definitions given in Article 2 of Directive 90/425/EEC and in Article 2 of Directive 91/628/EEC of 19 November 1991 on the protection of animals during transport and amending Directives 90/425/EEC and 91/496/EEC⁽¹⁾ shall apply as far as applicable.
- (b) In addition, the following definitions apply for the purposes of this Directive:
1. 'ovine or caprine animals for slaughter' means animals of the ovine or caprine species intended to be taken either directly or via an approved assembly centre to a slaughterhouse in order to be slaughtered;
 2. 'ovine or caprine animals for breeding' means ovine and caprine animals other than those mentioned in points 1 and 3 intended to be transported to the place of destination, either directly or via an approved assembly centre, for breeding and production purposes;
 3. 'ovine or caprine animals for fattening' means ovine and caprine animals other than those mentioned in points 1 and 2 intended to be transported to the place of destination, either directly or via an approved assembly centre, in order to be fattened for subsequent slaughter;
 4. 'officially brucellosis-free ovine or caprine holding' means a holding which satisfies the conditions laid down in Section I of Chapter 1 of Annex A;
 5. 'brucellosis-free ovine or caprine holding' means a holding which satisfies the conditions laid down in Chapter 2 of Annex A;
 6. 'compulsorily notifiable disease' means a disease listed under Section I of Annex B;
 7. 'official veterinarian' means a veterinarian designated by the competent central authority of the Member State;
 8. 'holding of origin' means any holding on which the ovine and caprine animals have been continuously present as required by this Directive and on which records are maintained demonstrating the residence of the animals which may be audited by the competent authorities;
 9. 'assembly centre' means collection centres and markets, at which under the supervision of the official veterinarian ovine and caprine animals originating from different holdings are grouped together to form consignments of animals for national movement;
 10. 'approved assembly centre' means premises on which ovine or caprine animals originating from different holdings are grouped together to form consignments of animals intended for intra-Community trade;

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11. ‘dealer’ means any natural or legal person who buys and sells animals commercially either directly or indirectly, who has a turnover of these animals and who within a maximum of 29 days of purchasing animals resells them or relocates them from the first premises to other premises or directly to a slaughterhouse not within his ownership;
12. ‘approved dealer's premises’ means premises operated by a dealer as defined in point 11 and approved by the competent authorities at which ovine or caprine animals originated from different holdings are grouped together to form consignments of animals intended for intra-Community trade;
13. ‘transporter’ means any natural or legal person referred to in Article 5 of Directive 91/628/EEC;
14. ‘region’ means that part of a Member State's territory which is at least 2 000 km² in area and which is subject to inspection by the competent authorities and includes at least one of the following administrative regions:

— Belgium:	province/provincie
— Germany:	Regierungsbezirk
— Denmark:	amt or island
— France:	département
— Italy:	provincia
— Luxembourg	—
— Netherlands:	RVV-kring
— United Kingdom:	
England, Wales and Northern Ireland:	county
Scotland:	district or island area
— Ireland:	county
— Greece:	νομός
— Spain:	provincia
— Portugal:	
continent:	distrito
other parts of Portugal's territory:	região autónoma
— Austria:	Bezirk
— Sweden:	län
— Finland:	lääni/län ^[F2] .
^[F3] — Bulgaria:	област
— Romania:	judet ^[F4] .]
^[F5] — Croatia:	županija.]]

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Textual Amendments

- F1** Substituted by [Council Directive 2003/50/EC of 11 June 2003 amending Directive 91/68/EEC as regards reinforcement of controls on movements of ovine and caprine animals.](#)
- F2** Deleted by [Council Directive 2006/104/EC of 20 November 2006 adapting certain Directives in the field of agriculture \(veterinary and phytosanitary legislation\), by reason of the accession of Bulgaria and Romania.](#)
- F3** Inserted by [Council Directive 2006/104/EC of 20 November 2006 adapting certain Directives in the field of agriculture \(veterinary and phytosanitary legislation\), by reason of the accession of Bulgaria and Romania.](#)
- F4** Deleted by [Council Directive 2013/20/EU of 13 May 2013 adapting certain directives in the field of food safety, veterinary and phytosanitary policy, by reason of the accession of the Republic of Croatia.](#)
- F5** Inserted by [Council Directive 2013/20/EU of 13 May 2013 adapting certain directives in the field of food safety, veterinary and phytosanitary policy, by reason of the accession of the Republic of Croatia.](#)

[^{F1} Article 3

1 Ovine and caprine animals for slaughter may be the subject of trade only if they fulfil the conditions laid down in Articles 4, 4a, 4b and 4c.

2 Ovine and caprine animals for fattening may be the subject of trade only if they fulfil the conditions laid down in Articles 4, 4a, 4b and 5, without prejudice to any additional guarantees which may be required pursuant to Articles 7 and 8.

3 Ovine and caprine animals for breeding may be the subject of trade only if they fulfil the conditions laid down in Articles 4, 4a, 4b, 5 and 6, without prejudice to any additional guarantees which may be required pursuant to Articles 7 and 8.

4 By way of derogation from the provisions in paragraphs 2 and 3, the competent authorities of Member States of destination may grant general or limited derogations in respect of movement of ovine and caprine animals for breeding and fattening, intended solely for temporary pasturing near internal borders of the Community. Member States making use of such derogation shall inform the Commission of the content of the derogations granted.

5 Ovine and caprine animals covered by this Directive must at no time between leaving the holding of origin and arriving at destination come into contact with cloven-hoofed animals other than animals that have the same health status.]

Textual Amendments

- F1** Substituted by [Council Directive 2003/50/EC of 11 June 2003 amending Directive 91/68/EEC as regards reinforcement of controls on movements of ovine and caprine animals.](#)

[^{F1} Article 4

1 Member States shall ensure that ovine and caprine animals:

- a are identified and registered in accordance with Community legislation;
- b are inspected by an official veterinarian during the 24 hours preceding the loading of the animals, and show no clinical sign of disease;
- c do not come from a holding, nor have been in contact with animals from a holding, which is the subject of a prohibition on animal health grounds; the period of such prohibition shall last after the slaughter and/or the disposal of the last animal suffering from or susceptible to one of the diseases referred to in points (i), (ii) or (iii), for at least:

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- (i) 42 days in the case of brucellosis,
 - (ii) 30 days in the case of rabies,
 - (iii) 15 days in the case of anthrax;
 - d do not come from a holding, nor have been in contact with animals from a holding, situated in an area which for health reasons is subject to a prohibition or restriction affecting the species involved in accordance with Community and/or national legislation;
 - e are not the subject of animal health restrictions pursuant to Community legislation on foot-and-mouth disease nor have they been vaccinated against foot-and-mouth disease.
- 2 Member States shall ensure that the following animals are not the subject of trade:
- a ovine and caprine animals which may have to be slaughtered under a national programme for the eradication of diseases not referred to in Annex C to Directive 90/425/EEC or in Chapter I of Annex B to this Directive;
 - b ovine and caprine animals which cannot be marketed on their own territory for health or animal health reasons justified by Article 30 of the Treaty.
- 3 Member States shall ensure that ovine and caprine animals shall:
- a either have been born and reared since birth in the Community, or
 - b have been imported from a third country in accordance with Community legislation.]

Textual Amendments

- F1** Substituted by [Council Directive 2003/50/EC of 11 June 2003 amending Directive 91/68/EEC as regards reinforcement of controls on movements of ovine and caprine animals.](#)

[^{F6}Article 4a

- 1 Member States shall ensure that ovine and caprine animals for slaughter, breeding and fattening are not dispatched to another Member State, unless the animals:
- a have been continuously resident on the holding of origin for at least 30 days, or since birth if the animals are younger than 30 days of age,
 - b do not come from a holding into which ovine or caprine animals have been introduced during the 21 days prior to dispatch,
 - c do not come from a holding into which biungulate animals imported from a third country have been introduced during the 30 days prior to dispatch.
- 2 By way of derogation from paragraphs 1(b) and (c), Member States may authorise the dispatch of ovine and caprine animals to another Member State, if the animals referred to in paragraphs 1(b) and (c) have been completely isolated from all other animals on the holding.

Textual Amendments

- F6** Inserted by [Council Directive 2003/50/EC of 11 June 2003 amending Directive 91/68/EEC as regards reinforcement of controls on movements of ovine and caprine animals.](#)

Article 4b

- 1 Member States shall ensure that the conditions set out in paragraphs 2 to 6 are applied to intra-Community trade in all ovine and caprine animals.

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2 The animals shall not be outside their holding of origin for more than six days before being last certified for trade to the final destination in another Member State as indicated in the health certificate.

Without prejudice to Article 9(1) in the case of transport by sea, the time limit of six days shall be prolonged by the duration of the sea journey.

3 After leaving the holding of origin the animals shall be consigned directly to the destination in another Member State.

4 By way of derogation from paragraph 3, ovine and caprine animals may, after leaving the holding of origin and before arrival at destination in another Member State, transit through only one approved assembly centre situated in the Member State of origin.

In the case of ovine and caprine animals for slaughter, the approved assembly centre may be substituted by approved dealer's premises situated in the Member State of origin.

5 Animals for slaughter which have been taken on arrival in the Member State of destination to a slaughterhouse, must be slaughtered there as soon as possible but at least within 72 hours of arrival.

6 Without prejudice to Article 3(5), Member States shall ensure that the animals covered by this Directive at no time, between leaving the holding of origin and their arrival at destination, compromise the health status of ovine and caprine animals not intended for intra-Community trade.

Textual Amendments

F6 Inserted by [Council Directive 2003/50/EC of 11 June 2003 amending Directive 91/68/EEC as regards reinforcement of controls on movements of ovine and caprine animals.](#)

Article 4c

1 By way of derogation from Article 4a(1)(a), ovine and caprine animals for slaughter may be subject to trade after they have been continuously resident on the holding of origin for at least 21 days.

2 By way of derogation from Article 4a(1)(b), and without prejudice to paragraph 1 and Article 4b(2), ovine and caprine animals for slaughter may be consigned from a holding of origin into which ovine or caprine animals have been introduced during the 21 days prior to dispatch, if they are transported directly to a slaughterhouse in another Member State for immediate slaughter without passing through an assembly centre or staging point established in accordance with Directive 91/628/EEC.

3 By way of derogation from Article 4b(3) and (4), and without prejudice to the provisions in Article 4b(2), ovine and caprine animals for slaughter may, after leaving the holding of origin, pass through one additional assembly centre under the following alternative conditions:

- a the animals, before passing through the approved assembly centre referred to in Article 4b(4) which is situated in the Member State of origin, comply with the following conditions:
 - (i) after leaving the holding of origin the animals pass through one single assembly centre under official veterinary supervision, which permits at the same time only animals of at least the same health status,

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- (ii) without prejudice to Community legislation on identification of sheep and goats, at the latest at that assembly centre the animals are individually identified so as to enable in each case the tracing of the holding of origin and
 - (iii) from the assembly centre the animals are, accompanied by an official veterinary document, transported to the approved assembly centre referred to in Article 4b(4) to be certified and consigned directly to a slaughterhouse in the Member State of destination;
- or
- b the animals may after dispatch from the Member State of origin transit through one approved assembly centre before being consigned to the slaughterhouse in the Member State of destination under the following conditions:
 - (i) either the approved assembly centre is situated in the Member State of destination from where the animals must be removed under the responsibility of the official veterinarian directly to a slaughterhouse to be slaughtered within five days of arrival at the approved assembly centre, or
 - (ii) the approved assembly centre is situated in one Member State of transit from where the animals are consigned directly to the slaughterhouse in the Member State of destination indicated in the animal health certificate issued in accordance with Article 9(6).]

Textual Amendments

- F6** Inserted by [Council Directive 2003/50/EC of 11 June 2003 amending Directive 91/68/EEC as regards reinforcement of controls on movements of ovine and caprine animals.](#)

Article 5

Without prejudice to the additional guarantees that may be required in accordance with Articles 7 and 8, ovine and caprine animals for breeding and fattening must, in addition to the conditions laid down in Article 4, meet — in order to be introduced onto an officially brucellosis-free or brucellosis-free ovine or caprine holding — respectively the requirements of Chapter I.D or Chapter 2.D of Annex A.

Article 6

Without prejudice to the additional guarantees that may be required in accordance with Articles 7 and 8, animals for breeding must furthermore meet the following requirements:

- (a) They must have been obtained from a holding and must only have been in contact with animals from such a holding:
 - (i) in which the following diseases have not been clinically diagnosed:
 - in the previous six months, contagious agalactia of sheep (*Mycoplasma agalactiae*) or contagious agalactia of goats (*Mycoplasma agalactiae*, *M. capricolum*, *M. Mycoïdes* var. *mycoïdes* ‘large colony’),
 - in the previous 12 months, paratuberculosis or caseous lymphadenitis,

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- in the previous three years, pulmonary adenomatosis, Maedi Visna or caprine viral arthritis/encephalitis. However, this period shall be reduced to 12 months if the animals infected with Maedi Visna or caprine viral arthritis/encephalitis have been slaughtered and the remaining animals have reacted negatively to two tests recognized under the procedure set out in Article 15,
or which, without prejudice to compliance with the requirements for other diseases, provides, for one or more of the abovementioned diseases, within the framework of a programme approved in accordance with Articles 7 and 8, health guarantees which are equivalent for the said disease or diseases;
 - (ii) where no facts suggesting that the requirements of point (i) have not been met, have been brought to the attention of the official veterinarian responsible for issuing the health certificate;
 - (iii) whose owner states that he has no knowledge of any such facts and, moreover, states in writing that the animal or animals intended for intra-Community trade comply with the criteria laid down in point (i);
- (b) [F7]
- (c) with regard to contagious epididymitis (*B. ovis*), non castrated rams, for breeding, must:
- come from a holding where no case of contagious epididymitis (*B. ovis*) has been diagnosed in the preceding 12 months,
 - have been continuously kept on that holding for 60 days prior to dispatch,
 - in the 30 days prior to dispatch have undergone, with negative results, a serological test carried out in accordance with Annex D or satisfy equivalent health guarantees to be recognized under the procedure laid down in Article 15;
- (d) the certificate corresponding to Model III of Annex E states that these requirements have been met.

Textual Amendments

F7 Deleted by [Directive 2001/10/EC of the European Parliament and of the Council of 22 May 2001 amending Council Directive 91/68/EEC as regards scrapie.](#)

Article 7

1 A Member State which has a compulsory or voluntary national control programme or a national monitoring programme for one of the infectious or contagious diseases [F8 referred to in Annex B, Section III] for all or part of its territory may submit the said programme to the Commission, outlining in particular:

- the distribution of the disease in the Member State,
- the reasons for the programme, taking into consideration the importance of the disease and the programme's likely benefit in relation to its cost,
- the geographical area in which the programme will be implemented,
- the various status categories to be applied to the holdings, the standards which must be attained in each category, and the test procedures to be used,
- the programme monitoring procedures,

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- the action to be taken if, for any reason, a holding loses its status,
- the measures to be taken if the results of the tests carried out in accordance with the provisions of the programme are positive.

2 The Commission shall examine the programmes presented by the Member States. Programmes as referred to in paragraph 1 may be approved, in compliance with the criteria laid down in paragraph 1, in accordance with the procedure provided for in Article 15. According to the same procedure, the additional guarantees, general or limited, which may be required in intra-Community trade, shall be defined at the same time or at the latest three months after approval of the programmes. Such guarantees must not exceed those which the Member State implements nationally.

3 Programmes submitted by Member States may be amended or supplemented in accordance with the procedure laid down in Article 15. Amendments or additions to programmes which have already been approved or to guarantees which have been defined in accordance with paragraph 2 may be approved under the same procedure.

4 Programmes approved in accordance with this Article shall benefit from the Community funding provided for in Article 24 of Council Decision 90/424/EEC of 26 June 1990 on expenditure in the veterinary field⁽²⁾ for the diseases and under the conditions laid down therein.

Textual Amendments

- F8** Substituted by [Directive 2001/10/EC of the European Parliament and of the Council of 22 May 2001 amending Council Directive 91/68/EEC as regards scrapie.](#)

Article 8

1 Where a Member State considers that its territory or part of its territory is free from one of the diseases [^{F8}listed in Annex B, Section III] to which ovine and caprine animals are susceptible, it shall present to the Commission appropriate supporting documentation, setting out in particular:

- the nature of the disease and the history of its occurrence in its territory,
- the results of surveillance testing based on serological, microbiological, pathological or epidemiological investigation and on the fact that the disease must by law be notified to the competent authorities,
- the period over which the surveillance was carried out,
- where applicable, the period during which vaccination against the disease has been prohibited and the geographical area concerned by such prohibition,
- the arrangements for verifying the absence of the disease.

2 The Commission shall examine supporting documentation submitted by Member States. The additional guarantees, general or limited, which may be required in intra-Community trade shall be defined in accordance with the procedure laid down in Article 15. Such guarantees must not exceed those which the Member State implements nationally. Where supporting documentation is submitted before 1 January 1992, decisions on additional guarantees shall be taken before 1 July 1992.

3 The Member State concerned shall notify the Commission of any change in the supporting documentation specified in paragraph 1 which relate to the disease. The guarantees defined as laid down in paragraph 2 may, in the light of such notification, be amended or withdrawn in accordance with the procedure laid down in Article 15.

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[^{F9}]^{F10}4 The Commission shall examine as quickly as possible the grounds submitted by Sweden as regards ovine paratuberculosis and ovine contagious agalactia. Following that examination and if it is justified, the provisions of paragraph 2 may be applicable. The appropriate decisions provided for in paragraph 2 shall be adopted as quickly as possible. Pending those decisions Sweden may, during a period of one year from the date of entry into force of the Accession Treaty, apply its national rules in force before that date as regards the abovementioned diseases. The period of one year may if necessary be extended in accordance with the procedure laid down in Article 15.]]

Textual Amendments

- F8** Substituted by [Directive 2001/10/EC of the European Parliament and of the Council of 22 May 2001 amending Council Directive 91/68/EEC as regards scrapie.](#)
- F9** Inserted by [Act concerning the conditions of accession of the Kingdom of Norway, the Republic of Austria, the Republic of Finland and the Kingdom of Sweden and the adjustments to the Treaties on which the European Union is founded \(94/C 241/08\).](#)
- F10** Substituted by [Decision of the Council of the European Union of 1 January 1995 adjusting the instruments concerning the accession of new Member States to the European Union \(95/1/EC, Euratom, ECSC\).](#)

[^{F1}Article 8a

1 Member States shall ensure that, in order to be approved by the competent authority, assembly centres must at least:

- a be under the control of an official veterinarian who shall ensure that, in particular, the provisions of Article 3(5) are complied with;
- b be located in an area which is not subject to prohibition or restrictions in accordance with relevant Community legislation and/or national legislation;
- c be cleaned and disinfected before use, as required by the official veterinarian;
- d have, taking into account the animal capacity of the assembly centre:
 - a facility dedicated exclusively for this purpose when used as an assembly centre,
 - appropriate facilities for loading, unloading and adequate housing of a suitable standard for the animals, for watering and feeding them, and for giving them any necessary treatment; these facilities must be easy to clean and disinfect,
 - appropriate inspection facilities,
 - appropriate isolation facilities,
 - appropriate equipment for cleaning and disinfecting rooms and trucks,
 - an appropriate storage area for fodder, litter and manure,
 - an appropriate system for collecting waste water,
 - the use of an office for the official veterinarian;
- e admit only animals which are identified in accordance with Community legislation and comply with the animal health conditions set down in this Directive for the category of animals concerned. To this end, when animals are admitted, the owner or person in charge of the centre shall ensure they are accompanied by health documents or appropriate certificates for the species and categories involved;
- f be regularly inspected by the competent authority in order to ascertain that the requirements for approval continue to be fulfilled.

2 The owner or person in charge of the assembly centre shall be required, on the basis either of the accompanying documents for the animals or of the identification numbers or marks

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of the animals, to record on a register or a database and retain for a minimum period of three years the following information:

- the name of the owner, the origin, date of entry and exit, number and identification of the ovine and caprine animals or the registration number of the holding of origin of the animals entering the centre, where applicable the approval or registration number of the assembly centre through which the animals have passed prior to entering the centre and their proposed destination,
- the registration number of the transporter and the licence number of the lorry delivering or collecting animals from the centre.

[^{F113} The competent authority shall issue an approval number to each approved assembly centre. Approvals may be limited to one or more species covered by this Directive or to animals for breeding or fattening, or to animals for slaughter.

The competent authority shall draw up and keep up to date a list of approved assembly centres and their unique approval numbers and make it available to the other Member States and to the public.]

4 The competent authority may suspend or withdraw approval in the event of failure to comply with this Article or other appropriate provisions of this Directive or other directives in respect of health restrictions. Approval may be restored when the competent authority is satisfied that that assembly centre is in full compliance with all the appropriate provisions of this Directive.

5 The competent authority shall ensure that, when operating, assembly centres have sufficient approved veterinarians to carry out all duties.

6 Any detailed rules required for uniform application of this Article shall be adopted in accordance with the procedure referred to in Article 15(2).]

Textual Amendments

- F1** Substituted by Council Directive 2003/50/EC of 11 June 2003 amending Directive 91/68/EEC as regards reinforcement of controls on movements of ovine and caprine animals.
- F11** Substituted by Council Directive 2008/73/EC of 15 July 2008 simplifying procedures of listing and publishing information in the veterinary and zootechnical fields and amending Directives 64/432/EEC, 77/504/EEC, 88/407/EEC, 88/661/EEC, 89/361/EEC, 89/556/EEC, 90/426/EEC, 90/427/EEC, 90/428/EEC, 90/429/EEC, 90/539/EEC, 91/68/EEC, 91/496/EEC, 92/35/EEC, 92/65/EEC, 92/66/EEC, 92/119/EEC, 94/28/EC, 2000/75/EC, Decision 2000/258/EC and Directives 2001/89/EC, 2002/60/EC and 2005/94/EC (Text with EEA relevance).

[^{F6}Article 8b

1 Member States shall ensure that all dealers are registered and, for the purpose of intra-Community trade, approved and issued with an approval number by the competent authority and that approved dealers comply with at least the following conditions:

- a they must deal only in animals which are identified and come from holdings that conform with the conditions set out in Article 3. To this end, the dealer shall ensure that the animals are properly identified and are accompanied by health documents as appropriate in accordance with this Directive;
- b the dealer shall be required, either on the basis of the document accompanying the animals, or on the basis of identification numbers or marks on the animals, to keep a record or database and to store the following data for at least three years:

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- the name of the owner, origin, date of purchase, categories, number and identification of ovine and caprine animals or registration number of the holding of origin of the animals purchased, where applicable, the approval or registration number of the assembly centre through which the animals have passed prior to purchase and their destination,
 - the registration number of the transporter and/or the licence number of the lorry delivering and collecting animals,
 - the name and address of the purchaser and the destination of the animal,
 - copies of route plans and/or serial number of health certificates as applicable;
- c when the dealer keeps animals on his premises he shall ensure that:
- specific training is given to the staff in charge of the animals in applying the requirements of this Directive and in the care and welfare of the animals,
 - any necessary controls and tests on the animals are carried out regularly by the official veterinarian and that all necessary steps are taken to prevent the spread of disease.
- 2 Member States shall ensure that all premises used by a dealer in connection with his business are registered and issued with an approval number by the competent authority and that they comply with at least the following conditions:
- a they must be under the control of an official veterinarian;
 - b they must be located in an area which is not subject to prohibition or restrictions in accordance with relevant Community or national legislation;
 - c they must have:
 - appropriate facilities of sufficient capacity and, in particular, inspection facilities and isolation facilities so that all animals can be isolated in the event of an outbreak of a contagious disease,
 - appropriate facilities for unloading and where necessary adequate housing of a suitable standard for the animals, for watering and feeding them, and for giving them any necessary treatment; these facilities must be easy to clean and disinfect,
 - an appropriate reception area for litter and manure,
 - an appropriate system for collecting waste water;
 - d they must be cleaned and disinfected before use, as required by the official veterinarian.
- 3 The competent authority may suspend or withdraw approval in the event of failure to comply with this Article or other appropriate provisions of this Directive or other Directives in respect of health restrictions. Approval may be restored when the competent authority is satisfied that the dealer is in full compliance with all the appropriate provisions of this Directive.
- 4 The competent authority must carry out regular inspections in order to ascertain that the requirements of this Article are fulfilled.
- [Member States shall draw up and keep up to date a list of approved dealers and registered premises used by dealers in connection with their business and their approval numbers and shall make it available to the other Member States and to the public.
- Detailed rules for the uniform application of this paragraph may be adopted in accordance with the procedure referred to in Article 15(2).]

Textual Amendments

F6 Inserted by Council Directive 2003/50/EC of 11 June 2003 amending Directive 91/68/EEC as regards reinforcement of controls on movements of ovine and caprine animals.

F12 Inserted by Council Directive 2008/73/EC of 15 July 2008 simplifying procedures of listing and publishing information in the veterinary and zootechnical fields and amending Directives 64/432/EEC, 77/504/EEC, 88/407/EEC, 88/661/EEC, 89/361/EEC, 89/556/EEC, 90/426/EEC, 90/427/EEC, 90/428/EEC, 90/429/EEC, 90/539/EEC, 91/68/EEC, 91/496/EEC, 92/35/EEC, 92/65/EEC, 92/66/EEC, 92/119/EEC, 94/28/EC, 2000/75/EC, Decision 2000/258/EC and Directives 2001/89/EC, 2002/60/EC and 2005/94/EC (Text with EEA relevance).

Article 8c

1 Member States shall ensure that the transporters referred to in Article 5 of Directive 91/628/EEC meet the following additional conditions:

- a for the carriage of animals they must use means of transport which are:
 - constructed in such a way that the animal faeces, litter or feed cannot leak or fall out of the vehicle,
 - cleaned and disinfected immediately after every animal transport or that of any product which could affect animal health and if necessary before any new loading of animals, using disinfectants officially authorised by the competent authority;
- b they must either have appropriate cleaning and disinfection facilities approved by the competent authority, including facilities for storing litter and dung, or they must provide documentary evidence that these operations are performed by a third party approved by the competent authority.

2 The transporter must ensure that for each vehicle used for the transport of animals a register is kept containing at least the following information which shall be kept for a minimum period of three years:

- (i) places and dates of pick-up, and the name or business name and address of the holding or assembly centre where the animals are picked up,
- (ii) places and dates of delivery, and the name or business name and address of the consignee(s),
- (iii) species and number of animals carried,
- (iv) date and place of disinfection,
- (v) details of accompanying documentation, number, etc.

3 Transporters shall ensure that the consignment or animals do not at any time, between leaving the holdings or the assembly centre of origin and arriving at their destination, come into contact with animals of a lower health status.

4 Member States shall ensure that transporters give a written undertaking stating in particular that:

- all the measures necessary to comply with this Directive shall be taken and in particular the provisions laid down in this Article and relating to the appropriate documentation that must accompany the animals,
- the transport of animals is entrusted to staff who possess the necessary ability, professional competence and knowledge.

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5 Article 18 of Directive 91/628/EEC shall apply in a like manner in case of infringement of this Article.]

Textual Amendments

F6 Inserted by [Council Directive 2003/50/EC of 11 June 2003 amending Directive 91/68/EEC as regards reinforcement of controls on movements of ovine and caprine animals.](#)

^{F1}Article 9

1 Ovine and caprine animals must be accompanied during transportation to destination by a health certificate conforming to either model I, II or III set out in Annex E, as appropriate. The certificate shall consist of a single sheet or, where more than one page is required, shall be in such a form that any two or more pages are part of an integrated whole and indivisible and shall contain a serial number. It shall be drawn up on the day of the health inspection, in one of the official languages of the country of destination at least. The certificate shall be valid for 10 days from the date of the health inspection.

2 The health inspection for the issuing of the health certificate, including additional guarantees, for a consignment of animals may be carried out in the holding of origin or in an approved assembly centre or, in the case of animals for slaughter, on approved dealer's premises. For this purpose the competent authority shall ensure that any certificate is drawn up by the official veterinarian after inspections, visits and controls as provided by this Directive.

3 The official veterinarian for the assembly centre shall carry out all necessary checks on animals arriving there.

4 For ovine and caprine animals for fattening and breeding dispatched to another Member State from an approved assembly centre located in the Member State of origin, the health certificate referred to in paragraph 1, conforming to either model II or III set out in Annex E as appropriate, may only be issued on the basis of the checks provided for in paragraph 3 and of an official document containing the necessary information completed by the official veterinarian responsible for the holding of origin.

5 For ovine and caprine animals for slaughter dispatched to another Member State from an approved assembly centre or from an approved dealer's premises located in the Member State of origin, the health certificate referred to in paragraph 1, conforming to model I set out in Annex E, may only be issued on the basis of the checks provided for in paragraph 3 and of an official document containing the necessary information completed by the official veterinarian responsible for the holding of origin or the assembly centre referred to in Article 4c(3)(a)(i).

6 For ovine and caprine animals for slaughter passing through an approved assembly centre in accordance with Article 4c(3)(b)(ii), the official veterinarian responsible for the approved assembly centre in the Member State of transit shall provide certification to the Member State of destination by issuing a second health certificate, conforming to model I set out in Annex E, completing it with the requested data from the original health certificate(s) and attaching to it an officially endorsed copy thereof. In this case, the combined validity of the certificates shall not exceed that provided for in paragraph 1.

7 The official veterinarian issuing a health certificate for intra-Community trade conforming to either model I, II or III set out in Annex E as appropriate, shall ensure that the movement is recorded in the ANIMO system on the day the certificate is issued.]

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Textual Amendments

- F1** Substituted by [Council Directive 2003/50/EC of 11 June 2003 amending Directive 91/68/EEC as regards reinforcement of controls on movements of ovine and caprine animals.](#)

Article 10

1 The rules laid down in Directive 90/425/EEC shall apply, in particular to checks at origin, to the organization of, and follow-up to, the checks to be carried out by the Member State of destination, and to the protective measures to be implemented.

2 In Annex A, heading I of Directive 90/425/EEC the following reference is added:

Council Directive 91/68/EEC of 28 January 1991 on animal health conditions governing intra-Community trade in ovine and caprine animals,

[OJ No L 46, 19. 2. 1991, p. 19.](#)

3 In Annex B point A of Directive 90/425/EEC, the first indent is deleted.

Article 11

1 Veterinary experts from the Commission may, to the extent necessary to ensure uniform application of this Directive and in cooperation with the competent national authorities, carry out on-the-spot inspections. The Member State on whose territory inspections are carried out shall afford all necessary aid to the experts in the accomplishment of their task. The Commission shall inform the Member States of the outcome of such inspections.

2 General arrangements for the application of this Article shall be adopted in accordance with the procedure laid down in Article 15.

The rules applicable in respect of the inspections referred to in this Article shall be laid down in accordance with the same procedure.

Article 12

Member States which implement an alternative control system providing guarantees equivalent to those laid down in Article 5 and Article 6 (a) and (c) as regards movements within their territory of ovine and caprine animals may grant one another derogations from the inspection provided for under Article 4 (1) (b) and the obligation to produce a certificate provided for under Article 9 on a reciprocal basis. They shall notify the Commission thereof.

^{F13} Article 13

Textual Amendments

- F13** Deleted by [Council Directive 2003/50/EC of 11 June 2003 amending Directive 91/68/EEC as regards reinforcement of controls on movements of ovine and caprine animals.](#)

^{F1} Article 14

1 Annex A shall be amended by the Council, acting by a qualified majority on a proposal from the Commission.

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2 Annexes B, C, D and E shall be amended in accordance with the procedure referred to in Article 15(2).

3 The rules for the implementation of this Directive shall be adopted in accordance with the procedure referred to in Article 15(2).]

Textual Amendments

F1 Substituted by [Council Directive 2003/50/EC of 11 June 2003 amending Directive 91/68/EEC as regards reinforcement of controls on movements of ovine and caprine animals.](#)

F14 Article 15

1 The Commission shall be assisted by the Standing Committee on the Food Chain and Animal Health set up pursuant to Article 58 of Regulation (EC) No 178/2002⁽³⁾.

2 Where reference is made to this Article, Articles 5 and 7 of Decision 1999/468/EC⁽⁴⁾ shall apply.

The period laid down in Article 5(6) of Decision 1999/468/EC shall be set at three months.

3 The Committee shall adopt its Rules of Procedure.]

Textual Amendments

F14 Substituted by [Council Regulation \(EC\) No 806/2003 of 14 April 2003 adapting to Decision 1999/468/EC the provisions relating to committees which assist the Commission in the exercise of its implementing powers laid down in Council instruments adopted in accordance with the consultation procedure \(qualified majority\).](#)

F13 Article 16

Textual Amendments

F13 Deleted by [Council Directive 2003/50/EC of 11 June 2003 amending Directive 91/68/EEC as regards reinforcement of controls on movements of ovine and caprine animals.](#)

Article 17

1 Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with:

- (i) Articles 7 and 8 of this Directive two months after the notification date thereof, it being understood that the corresponding national provisions shall continue to apply until the approval of the programmes and in the absence of programmes until the date referred to in (ii);
- (ii) the other provisions of this Directive not later than 31 December 1992.

2 When Member States adopt these measures, they shall contain a reference to this Directive or shall be accompanied by such reference on the occasion of their official publication. The methods of making such a reference shall be laid down by the Member States.

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Article 18

This Directive is addressed to the Member States.

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- (1) [^{F1}OJ L 340, 11.12.1991, p. 17. Directive as last amended by Directive 95/29/EC (OJ L 148, 30.6.1995, p. 52).]
- (2) OJ No L 224, 18. 8. 1990, p. 19.
- (3) [^{F14}OJ L 31, 1.2.2002, p. 1.]
- (4) [^{F14}OJ L 184, 17.7.1999, p. 23.]

Textual Amendments

- F1** Substituted by Council Directive 2003/50/EC of 11 June 2003 amending Directive 91/68/EEC as regards reinforcement of controls on movements of ovine and caprine animals.
- F14** Substituted by Council Regulation (EC) No 806/2003 of 14 April 2003 adapting to Decision 1999/468/EC the provisions relating to committees which assist the Commission in the exercise of its implementing powers laid down in Council instruments adopted in accordance with the consultation procedure (qualified majority).