

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

COUNCIL DIRECTIVE

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on animal health conditions governing intra-Community trade in ovine and caprine animals

(91/68/EEC)

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 the harmonious operation of the common organization of the market in ovine and caprine animals will not have the results expected of it as long as disparities between Member States as regards health conditions act as a restraint on intra-Community trade;

Whereas in order to encourage such trade it is advisable to remove those disparities and introduce Community-wide rules on the marketing of ovine and caprine animals in such trade; whereas that objective will also contribute to the completion of the single market;

Whereas in order to be eligible for intra-Community trade, ovine and caprine animals should meet certain animal health requirements designed to avoid the spread of infectious or contagious diseases;

Whereas the animal health requirements applicable should vary depending on the purpose for which the animals are traded;

Whereas the health situation for ovine and caprine animals is not the same throughout the territory of the Community; whereas reference should therefore be made to 'regions' as defined in Council Directive 64/432/EEC of 26 June 1964 on animal health problems affecting intra-Community trade in bovine animals and swine⁽⁴⁾, as last amended by Directive 90/425/EEC⁽⁵⁾, when dealing with parts of that territory;

Whereas there must be no barriers to trade between regions in which the animal health conditions are equivalent;

Whereas provision should be made for allowing the Commission to approve certain additional requirements in the light of the progress made by a Member State in eradicating certain diseases,

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provided that those requirements in no case exceed those applied nationally by the Member State concerned;

Whereas in order to avoid the spread of infectious or contagious diseases, conditions should be laid down as regards the transportation of the animals to their place of destination;

Whereas in order to ensure that the requirements applicable are complied with, provision should be made for introducing a health certificate which would be issued by an official veterinarian and which would accompany ovine and caprine animals until they reach their place of destination;

Whereas reference should be made, as regards the organization and follow up of the checks to be carried out by the Member States and as regards the protective measures to be introduced, to the general rules laid down in Council Directive 90/425/EEC of 26 June 1990 concerning veterinary and zootechnical checks applicable in intra-Community trade in certain live animals and products with a view of the completion of the internal market;

Whereas provision should be made for allowing the Commission to conduct its own checks;

Whereas a procedure should be introduced which provides for close and efficient cooperation between the Member States and the Commission within the Standing Veterinary Committee,

HAS ADOPTED THIS DIRECTIVE:

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- (1) OJ No C 48, 27. 2. 1989, p. 21.
- (2) OJ No C 96, 17. 4. 1989, p. 187.
- (3) OJ No C 194, 31. 7. 1989, p. 9.
- (4) OJ No 121, 29. 7. 1964, p. 1977/64.
- (5) OJ No L 224, 18. 8. 1990, p. 29.