

Council Directive 2009/156/EC of 30 November 2009 on animal health conditions governing the movement and importation from third countries of equidae (codified version) (Text with EEA relevance)

CHAPTER III

**RULES FOR IMPORTATION OF EQUIDAE FROM THIRD COUNTRIES**

*Article 12*

1 The importation of equidae into the Community shall only be authorised from third countries that appear on a list to be drawn up or amended in accordance with the procedure referred to in Article 21(2).

Taking into account the health situation and the guarantees provided by the third country for equidae, it may be decided in accordance with the procedure referred to in Article 21(2) that the authorisation provided for in the first subparagraph of this paragraph shall apply to the whole territory of the third country or to only part of its territory.

For that purpose and on the basis of the relevant international standards, account shall be taken of how the third country applies and implements those standards, in particular the principle of regionalisation, within its own territory and in relation to its sanitary requirements for importation from other third countries and from the Community.

2 When the list provided for in paragraph 1 is drawn up or amended, particular account shall be taken of:

- a the health status of the equidae, other domestic animals and wildlife in the third country, with particular regard to exotic animal diseases and any aspects of the general health and the environmental situation in the third country which may pose a risk to the health and environmental status of the Community;
- b the legislation of the third country in relation to animal health and welfare;
- c the organisation of the competent veterinary authority and its inspection services, the powers of those services, the supervision to which they are subject, and the means at their disposal, including staff and laboratory capacity, to apply national legislation effectively;
- d the assurances which the competent veterinary authority of the third country can give regarding compliance or equivalence with the relevant animal health conditions applicable in the Community;
- e whether the third country is a member of the World Organisation for Animal Health (OIE) and the regularity and rapidity of the information supplied by the third country relating to the existence of infectious or contagious diseases of equidae in its territory, in particular those diseases listed by the OIE and in Annex I to this Directive;
- f the guarantees given by the third country to directly inform the Commission and the Member States:
  - (i) within 24 hours, of the confirmation of the occurrence of infectious diseases of equidae listed in Annex I and of any change in the vaccination policy concerning such diseases;
  - (ii) within an appropriate period, of any proposed changes in the national sanitary rules concerning equidae, in particular regarding the importation of equidae;

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- (iii) at regular intervals, of the animal health status of its territory concerning equidae;
  - g any experience of previous imports of live equidae from the third country and the results of any import controls carried out;
  - h the results of Community inspections and/or audits carried out in the third country, in particular the results of the assessment of the competent authorities or, where the Commission so requests, the report submitted by the competent authorities on the inspections which they have carried out;
  - i the rules on the prevention and control of infectious or contagious animal diseases in force in the third country and their implementation, including rules on importation of equidae from other third countries.
- 3 The Commission shall arrange for up-to-date versions of the list drawn up or amended as provided for in paragraph 1 to be made available to the public.

The list may be combined with other lists drawn up for animal and public health purposes and may also include models of health certificates.

4 Special import conditions for each third country or group of third countries, having regard to the animal health situation concerning equidae in the third country or countries concerned shall be established in accordance with the procedure referred to in Article 21(2).

5 Detailed rules for the application of paragraphs 1 to 4 and criteria for including third countries or parts of third countries in the list provided for in paragraph 1 may be adopted in accordance with the procedure referred to in Article 21(2).