

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 II

RULES FOR THE MOVEMENT OF EQUIDAE BETWEEN MEMBER STATES

Article 4

1 Equidae must show no clinical sign of disease at inspection. Inspection must be carried out in the 48 hours prior to their embarkation or loading. In the case of registered equidae, however, this inspection shall, without prejudice to Article 6, be required for intra-Community trade only.

2 Without prejudice to the requirements of paragraph 5 regarding compulsorily notifiable diseases, the official veterinarian must, at the time of inspection, be satisfied that there are no grounds — in particular on the basis of declarations by the owner or breeder — for concluding that the equidae have been in contact with equidae suffering from an infectious or contagious disease during the 15 days immediately preceding inspection.

3 The equidae must not be intended for slaughter under a national programme of infectious or contagious disease eradication.

4 The equidae must be identified in the following manner:

- a in the case of registered equidae, by means of an identification document, as provided for in Directive 90/427/EEC, which must certify in particular that paragraphs 5 and 6 of this Article and Article 5 of this Directive have been complied with.

The official veterinarian must suspend the validity of the identification document for the period of the prohibitions provided for in paragraph 5 of this Article or in Article 5 of this Directive. The identification document must, following the slaughter of the registered horse, be returned to the authority which issued it. The procedure for the implementation of this point shall be adopted in accordance with the procedure referred to in Article 21(2);

- b for equidae for breeding and production, by the method established in accordance with the procedure referred to in Article 21(2).

5 In addition to the requirements laid down in Article 5, the equidae must not come from a holding which has been the subject of one of the following prohibition orders:

- a if all the animals of species susceptible to the disease located on the holding have not been slaughtered, the period of prohibition concerning the holding of origin must be at least:
 - (i) six months in the case of equidae suspected of having contracted dourine, beginning on the date of the last actual or possible contact with a sick animal. However, in the case of a stallion, the prohibition shall apply until the animal is castrated;
 - (ii) six months in the case of glanders or equine encephalomyelitis, beginning on the day on which the equidae suffering from the disease in question are slaughtered;

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- (iii) in the case of infectious anaemia, until the date on which, the infected animals having been slaughtered, the remaining animals have shown a negative reaction to two Coggins tests carried out three months apart;
- (iv) six months from the last recorded case, in the case of vesicular stomatitis;
- (v) one month from the last recorded case, in the case of rabies;
- (vi) 15 days from the last recorded case, in the case of anthrax;
- b if all the animals of species susceptible to the disease located on the holding have been slaughtered and the premises disinfected, the period of prohibition shall be 30 days, beginning on the day on which the animals were destroyed and the premises disinfected, except in the case of anthrax, where the period of prohibition is 15 days.

The competent authorities may derogate from these prohibition orders for hippodromes and racecourses, and shall notify the Commission of the nature of any derogations granted.

6 ^[F1]Where a Member State draws up or has drawn up a voluntary or compulsory control programme for a disease to which equidae are susceptible, it may present the programme to the Commission, within six months from 4 July 1990 for Belgium, Denmark, Germany, Ireland, Greece, Spain, France, Italy, Luxembourg, the Netherlands, Portugal and the United Kingdom, from 1 January 1995 for Austria, Finland and Sweden, from 1 May 2004 for the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia, from 1 January 2007 for Bulgaria and Romania and from 1 July 2013 for Croatia, outlining in particular:]

- a the distribution of the disease on its territory;
- b the reasons for the programme, taking into consideration the significance of the disease and its cost/benefit advantages;
- c the geographical area in which the programme will be implemented;
- d the status categories to be applied to establishments, the standards which must be attained for each species and the test procedures to be used;
- e the programme monitoring procedures;
- f the action to be taken if, for any reason, a holding loses its status;
- g the measures to be taken if the results of the tests carried out in accordance with the provisions of the programme are positive;
- h the non-discriminatory nature of trade in the territory of the Member State concerned with respect to intra-Community trade.

The Commission shall examine the programmes presented by the Member States. Where appropriate, it shall approve them in accordance with the procedure referred to in Article 21(2). Any additional guarantees, general or specific, which may be required in intra-Community trade may be defined in accordance with the same procedure. Such guarantees must not exceed those required by the Member State in its own territory.

Programmes submitted by Member States may be amended or supplemented in accordance with the procedure referred to in Article 21(3). Amendments or additions to programmes which have already been approved or to guarantees which have been defined in accordance with the second subparagraph may be approved under the same procedure.

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Textual Amendments

- F1** Substituted 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.