

*Status: Point in time view as at 29/09/2008.*

*Changes to legislation: There are currently no known outstanding effects for the Regulation (EC) No 999/2001 of the European Parliament and of the Council, ANNEX VIII. (See end of Document for details)*

## ANNEX VIII

### PLACING ON THE MARKET AND EXPORT

#### [<sup>F1</sup>CHAPTER A

#### [<sup>F2</sup>Conditions for intra-Community trade in live animals, semen and embryos]

#### [<sup>F3</sup>I. CONDITIONS WHICH APPLY TO OVINE AND CAPRINE ANIMALS AND SEMEN AND EMBRYOS THEREOF]

The following conditions shall apply to trade in ovine and caprine animals:

- (a) [<sup>F4</sup>ovine and caprine animals for breeding shall either be sheep of the ARR/ARR prion protein genotype, as defined in Annex I of Commission Decision 2002/1003/EC<sup>(1)</sup>, or they shall have been kept continuously since birth or for the last three years on a holding or holdings which have satisfied the following requirements for at least three years:

- (i) until 30 June 2007:

- it is subject to regular official veterinary checks,
- the animals are marked,
- no case of scrapie has been confirmed,
- checking by sampling of old female animals intended for slaughter is carried out,
- females, with the exception of sheep of the ARR/ARR prion protein genotype, are introduced into the holding only if they come from a holding which complies with the same requirements.

From 1 July 2004 at the latest, the holding or holdings shall begin to satisfy the following additional requirements:

- all animals referred to in Annex III, Chapter A, Part II, point 3 over the age of 18 months which have died or been killed on the holding shall be examined for scrapie in accordance with the laboratory methods laid down in Annex X, Chapter C, point 3.2(b), and
- ovine and caprine animals, with the exception of sheep of the ARR/ARR prion protein genotype, shall be introduced into the holding only if they come from a holding which complies with the same requirements.

- (ii) from 1 July 2007:

- it is subject to regular official veterinary checks,
- the animals are identified in conformity with Community legislation,
- no case of scrapie has been confirmed,
- all animals referred to in Annex III, Chapter A, Part II, point 3 over the age of 18 months which have died or been killed on the holding have been examined for scrapie in accordance with the laboratory methods laid down in Annex X, Chapter C, point 3.2(b),
- ovine and caprine animals, with the exception of sheep of the ARR/ARR prion protein genotype, are introduced into the holding

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only if they come from a holding which complies with the same requirements.

If they are destined for a Member State which benefits, for all or part of its territory, from the provisions laid down in point (b) or (c), ovine and caprine animals for breeding shall comply with the additional guarantees, general or specific, which have been defined in accordance with the procedure referred to in Article 24(2).]

- (b) a Member State which has a compulsory or voluntary national scrapie control program for all or part of its territory:
- (i) may submit the said program to the Commission, outlining in particular:
    - the distribution of the disease in the Member State,
    - the reasons for the program, taking into consideration the importance of the disease and the cost/benefit ratio,
    - the geographical area in which the program will be implemented,
    - the status categories defined for holdings and the standards which must be attained in each such category,
    - the test procedures to be used,
    - the program monitoring procedures,
    - the action to be taken if, for any reason, a holding loses its status,
    - the measures to be taken if the results of checks carried out in accordance with the provisions of the program are positive,
  - (ii) the program referred to in point (i) may be approved if it complies with the criteria laid down in that point, in accordance with the procedure referred to in Article 24(2). The additional guarantees, general or specific, 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 program in accordance with the procedure referred to in Article 24(2). Such guarantees must not exceed those which the Member State implements nationally,
  - (iii) amendments or additions to the programmes submitted by Member States may be approved in accordance with the procedure referred to in Article 24(2). Amendments to the guarantees which have been defined in accordance with point (ii) may be approved in accordance with that procedure,
- (c) where a Member State considers that its territory or part of its territory is free from scrapie:
- (i) it is to submit to the Commission appropriate supporting documentation, setting out in particular:
    - the history of the occurrence of the disease in its territory,
    - the results of surveillance testing based on serological, microbiological, pathological or epidemiological investigation,
    - the period over which the surveillance was carried out,
    - the arrangements for verifying the absence of the disease,
  - (ii) the additional guarantees, general or specific, which may be required in intra-Community trade are to be defined in accordance with the procedure referred to in Article 24(2). Such guarantees must not exceed those which the Member State implements nationally,

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- (iii) the Member State concerned is to notify the Commission of any change in the details specified in point (i) which relate to the disease. The guarantees defined in accordance with point (ii) may, in the light of such notification, be amended or withdrawn in accordance with the procedure referred to in Article 24(2)<sup>[F2]</sup>,
- (d) <sup>[F5]</sup>from 1 January 2005 semen and embryos of ovine and caprine animals shall:
  - (i) be collected from animals which have been kept continuously since birth or for the last three years of their life on a holding or holdings which have satisfied the requirements of subparagraph (a)(i) or, as appropriate, (a)(ii) for three years or
  - (ii) in the case of ovine semen, be collected from male animals of the ARR/ARR prion protein genotype as defined in Annex I to Commission Decision 2002/1003/EC<sup>(2)</sup> or
  - (iii) in the case of ovine embryos, be of the ARR/ARR prion protein genotype as defined in Annex I to Decision 2002/1003/EC.]]

#### Textual Amendments

- F4** Substituted by [Commission Regulation \(EC\) No 876/2004 of 29 April 2004 amending Annex VIII to Regulation \(EC\) No 999/2001 of the European Parliament and of the Council as regards trade in ovine and caprine animals for breeding \(Text with EEA relevance\).](#)
- F5** Inserted by [Commission Regulation \(EC\) No 1492/2004 of 23 August 2004 amending Regulation \(EC\) No 999/2001 of the European Parliament and of the Council as regards eradication measures for transmissible spongiform encephalopathies in bovine, ovine and caprine animals, the trade and importation of semen and embryos of ovine and caprine animals and specified risk material \(Text with EEA relevance\).](#)

#### Textual Amendments

- F3** Substituted by [Commission Regulation \(EC\) No 722/2007 of 25 June 2007 amending Annexes II, V, VI, VIII, IX and XI to Regulation \(EC\) No 999/2001 of the European Parliament and of the Council laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies \(Text with EEA relevance\).](#)

### <sup>[F3]</sup>II. CONDITIONS WHICH APPLY TO BOVINE ANIMALS

The United Kingdom shall ensure that bovine animals born or reared on its territory before 1 August 1996 are not dispatched from its territory to other Member States or third countries.]

#### Textual Amendments

- F1** Substituted by [Commission Regulation \(EC\) No 260/2003 of 12 February 2003 amending Regulation \(EC\) No 999/2001 of the European Parliament and of the Council as regards the eradication of transmissible spongiform encephalopathies in ovine and caprine animals and rules for the trade in live ovine and caprine animals and bovine embryos \(Text with EEA relevance\).](#)
- F2** Substituted by [Commission Regulation \(EC\) No 1492/2004 of 23 August 2004 amending Regulation \(EC\) No 999/2001 of the European Parliament and of the Council as regards eradication measures for transmissible spongiform encephalopathies in bovine, ovine and caprine animals, the trade and](#)

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importation of semen and embryos of ovine and caprine animals and specified risk material (Text with EEA relevance).

## CHAPTER B

Conditions relating to progeny of TSE suspect or confirmed animals referred to in Article 15(2)

It shall be prohibited to place on the market the last-born progeny to which female bovine animals infected with a TSE or BSE-confirmed ovine or caprine animals gave birth during the preceding two-year period or during the period that followed the appearance of the first clinical signs of the onset of the disease.

## [<sup>F3</sup>CHAPTER C

### Conditions for intra-Community trade in certain products of animal origin

#### SECTION A

##### Products

The following products of animal origin are exempt from the prohibition referred to in Article 16(3), provided that they are derived from bovine, ovine and caprine animals that satisfy the requirements of Section B:

- fresh meat,
- minced meat,
- meat preparations,
- meat products.

#### SECTION B

##### Requirements

The products referred to in Section A must satisfy the following requirements:

- (a) the animals from which the products of bovine, ovine and caprine animal origin were derived have not been fed meat-and-bone meal or greaves derived from ruminants and passed ante-mortem and post-mortem inspections;
- (b) the animals from which the products of bovine, ovine and caprine animal origin were derived have not been slaughtered after stunning by means of gas injected into the cranial cavity or killed by the same method or slaughtered by laceration after stunning of central nervous tissue by means of an elongated rod-shaped instrument introduced into the cranial cavity;
- (c) the products of bovine, ovine and caprine animal origin are not derived from:
  - (i) specified risk material as defined in Annex V;
  - (ii) nervous and lymphatic tissues exposed during the deboning process; and

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- (iii) mechanically separated meat obtained from bones of bovine, ovine or caprine animals.]

## CHAPTER D

Conditions applicable to exports

Live bovine animals and products of animal origin derived therefrom are to be subject — as regards exports to third countries — to the rules laid down in this Regulation for intra-Community trade.

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- (1) [<sup>F1</sup> [<sup>F4</sup> OJ L 349, 24.12.2002, p. 105.]]
- (2) [<sup>F1</sup> [<sup>F5</sup> OJ L 349, 24.12.2002, p. 105.]]

#### Textual Amendments

- F1** Substituted by Commission Regulation (EC) No 260/2003 of 12 February 2003 amending Regulation (EC) No 999/2001 of the European Parliament and of the Council as regards the eradication of transmissible spongiform encephalopathies in ovine and caprine animals and rules for the trade in live ovine and caprine animals and bovine embryos (Text with EEA relevance).
- F4** Substituted by Commission Regulation (EC) No 876/2004 of 29 April 2004 amending Annex VIII to Regulation (EC) No 999/2001 of the European Parliament and of the Council as regards trade in ovine and caprine animals for breeding (Text with EEA relevance).
- F5** Inserted by Commission Regulation (EC) No 1492/2004 of 23 August 2004 amending Regulation (EC) No 999/2001 of the European Parliament and of the Council as regards eradication measures for transmissible spongiform encephalopathies in bovine, ovine and caprine animals, the trade and importation of semen and embryos of ovine and caprine animals and specified risk material (Text with EEA relevance).

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