

COMMISSION REGULATION (EC) No 282/2004

of 18 February 2004

introducing a document for the declaration of, and veterinary checks on, animals from third countries entering the Community

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/496/EEC of 15 July 1991 laying down the principles governing the organisation of veterinary checks on animals entering the Community from third countries and amending Directives 89/662/EEC, 90/425/EEC and 90/675/EEC ⁽¹⁾, and in particular Article 3(2) and Article 7(2) thereof,

Whereas:

- (1) The prior notification of the arrival of animals from third countries requires, in the interests of smooth operations at the border inspection posts, the adoption of a formal document containing the information relevant to the customs declaration.
- (2) The procedures for the declaration of, and veterinary checks on, animals at the border must be harmonised with the procedures applicable to products of animal origin.
- (3) As part of this harmonisation the definition of the person responsible for the load as laid down in Article 2(2)(e) of Council Directive 97/78/EC ⁽²⁾ should be used.
- (4) The development of the integrated computerised veterinary system Traces, provided for by Commission Decision 2003/623/EC ⁽³⁾, involves the standardisation of documents relating to the declaration and checks so that the data gathered can be properly managed and processed in order to improve health safety in the Community.
- (5) The provisions of Commission Decision 92/527/EEC of 4 November 1992 laying down the model for the certificate referred to in Article 7(1) of Directive 91/496/EEC ⁽⁴⁾ should accordingly be updated and Decision 92/527/EEC repealed.
- (6) Since the border inspection posts between the existing Member States and the new Member States are to be abolished upon accession, a transitional measure should be adopted to save them having to introduce new administrative procedures for one month.

- (7) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS REGULATION:

*Article 1***Notification of arrival of animals by means of the common veterinary entry document**

1. Where any animal referred to in Directive 91/496/EEC enters the Community from a third country, the person responsible for the load within the meaning of Article 2(2)(e) of Directive 97/78/EC shall give notice of such entry at least one working day before the expected arrival of the animal(s) on Community territory. Such notification shall be made to the inspection staff of the border inspection post using a document drawn up in accordance with the model common veterinary entry document (CVED) set out in Annex I.
2. The CVED shall be issued in accordance with the general rules of certification laid down in relevant Community legislation.
3. The CVED shall consist of an original and as many copies as required by the competent authority to comply with this Regulation. The person responsible for the load shall complete part 1 of the requisite number of copies of the CVED and transmit them to the official veterinarian responsible for the border inspection post.
4. Without prejudice to paragraphs 1 and 3, the information contained in the document may, with the agreement of the competent authorities of the Member State concerned by the consignment, be the subject of prior notification via a telecommunications system or other data transmission system. Where this is the case, the information transmitted in electronic form must be exactly the same as required in part 1 of the model CVED.

*Article 2***Veterinary checks**

Veterinary checks and laboratory analyses shall be carried out in accordance with Commission Decision 97/794/EC ⁽⁵⁾.

⁽¹⁾ OJ L 268, 24.9.1991, p. 56. Directive as last amended by Directive 96/43/EC (OJ L 162, 1.7.1996, p. 1).

⁽²⁾ OJ L 24, 30.1.1998, p. 9.

⁽³⁾ OJ L 216, 28.8.2003, p. 58.

⁽⁴⁾ OJ L 332, 18.11.1992, p. 22.

⁽⁵⁾ OJ L 323, 26.11.1997, p. 31.

Article 3

Procedures to be followed after veterinary checks have been completed

1. After completion of the veterinary checks specified in Article 4 of Directive 91/496/EEC, part 2 of the CVED shall be completed under the responsibility of the official veterinarian responsible for the border inspection post and shall be signed by him/her or by another official veterinarian operating under his/her authority.

Where importation is refused, the box 'details of reconsignment' in part 3 of the CVED shall be completed as soon as the relevant information is known. That information shall be entered in the information exchange system referred to in Article 20 of Council Directive 90/425/EEC⁽¹⁾.

2. The original of the CVED shall consist of parts 1 and 2, duly completed and signed.

3. The official veterinarian, the importer or the person responsible for the load shall then notify the customs authorities for the border inspection post of the veterinary decision taken on the consignment, by presenting the original of the CVED, or by sending it electronically.

4. Where the veterinary decision is favourable and the customs authorities have agreed, the original of the CVED shall accompany the animals to the destination specified on the document.

5. A copy of the CVED shall be kept by the official veterinarian at the border inspection post.

6. A copy of the CVED and, where appropriate, in accordance with Article 7 of Directive 91/496/EEC, a copy of the veterinary import certification, shall be given to the importer or the person responsible for the load.

7. The official veterinarian shall keep the original of the veterinary certification or documentation accompanying the animals, as well as a copy of the CVED, for at least three years. However, for animals in transit or being transhipped, whose final destination is outside the Community, the original veterinary document accompanying the animals on arrival shall travel onwards with them and copies only shall be kept at the border inspection post.

Article 4

Procedures to be followed for animals under customs control or subject to special monitoring

For animals entering the Community which are exempt from the obligation to undergo identity and/or physical checks pursuant to Article 4(3) or Article 8(A)(I)(b)(ii) of Directive 91/

⁽¹⁾ OJ L 224, 18.8.1990, p. 29.

496/EEC, where the documentary check is satisfactory, the official veterinarian at the border inspection post of entry into the Community shall notify the official veterinarian at the border inspection post of the place of destination. Such notification shall be made by means of the information exchange system referred to in Article 20 of Directive 90/425/EEC. The official veterinarian at the border inspection post of destination shall issue a CVED including the final veterinary decision on acceptance of the animals. Where consignments fail to arrive or there is a quantitative or qualitative mismatch, the competent authority responsible for the border inspection post of destination shall complete part 3 of the CVED.

In the case of transit the person responsible for the load shall present the consignment to the official veterinarian at the border inspection post of exit. Official veterinarians at border inspection posts notified of transiting animals travelling to destinations in a third country on exit from the Community shall complete part 3 of the CVED. They shall inform the official veterinarian at the border inspection post at which the animals in transit entered the Community by means of the CVED.

Official veterinarians of the competent authority at the place of destination notified of the arrival of animals destined for a slaughterhouse, an approved quarantine station within the meaning of Commission Decision 2000/666/EC⁽²⁾ or an officially approved body, institute or centre within the meaning of Council Directive 92/65/EEC⁽³⁾ located in their area of responsibility shall complete part 3 of the CVED in cases where the consignment fails to arrive or there is a quantitative or qualitative mismatch.

Article 5

Coordination between competent authorities responsible for checks

To ensure that all animals entering the Community are subjected to veterinary checks, the competent authority and the official veterinarians of each Member State shall work in coordination with the other inspection services to gather together all information relevant to imports of animals. This shall include in particular the following information:

- (a) information available to the customs services;
- (b) information in the manifests of ships, trains or aeroplanes;
- (c) other information sources accessible to road, rail, port or airport operators.

⁽²⁾ OJ L 278, 31.10.2000, p. 26.

⁽³⁾ OJ L 268, 14.9.1992, p. 54.

*Article 6***Access to databases and participation in information systems**

To achieve the objective laid down in Article 5, the Member States' competent authorities and customs services shall organise the mutual exchange of data contained in their respective data bases. The information technology systems used by the competent authority shall, as far as possible and subject to appropriate data security, be coordinated with those of the customs services, and with those of commercial operators, so as to speed up the transfer of information.

*Article 7***Use of electronic certification**

The production, use, transmission, and storage of CVEDs may be done by electronic means in agreement with the competent authority.

Information shall be transmitted between competent authorities by means of the information exchange system referred to in Article 20 of Directive 90/425/EEC.

*Article 8***Transitional measures**

This Regulation shall apply only until 1 May 2004 to the border inspection posts listed in Annex II which are due to be abolished upon the accession of Hungary, Poland, the Czech Republic, Slovakia and Slovenia.

*Article 9***Repeal**

Decision 92/527/EEC is hereby repealed.

References to the repealed Decision shall be construed as references to this Regulation.

*Article 10***Entry into force**

This Regulation shall enter into force on 31 March 2004.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 18 February 2004.

For the Commission

David BYRNE

Member of the Commission

ANNEX I

Part 1: Details of consignment presented	1. Consignor / Exporter <input type="checkbox"/> Name Address Country + ISO code		2. CVED reference number	
			Border Inspection Post	
			Unit number	
	3. Consignee Name Address Postal code Country + ISO code		4. Person responsible for the consignment Name Address	
			5. Country of origin + ISO code	6. Region of origin Code
	7. Importer Name Address Postal code Country + ISO code		8. Place of destination Name Approval number Address Postal code Country + ISO code	
	9. Arrival at BIP (estimated date and time) Date Time		10. Veterinary documents Number Date of issue Accompanying document(s) Number(s)	
	11. Means of transport: Aeroplane <input type="checkbox"/> Ship <input type="checkbox"/> Railway wagon <input type="checkbox"/> Road vehicle <input type="checkbox"/> Other <input type="checkbox"/> Identification: Documentary references:			
	12. Animal species, breed		13. Commodity code (CN code)	
			14. Number of animals	
		15. Number of packages		
16. Animals certified as: Breeding/production <input type="checkbox"/> Fattening <input type="checkbox"/> Slaughter <input type="checkbox"/> Approved bodies <input type="checkbox"/> Pets <input type="checkbox"/> Other <input type="checkbox"/> Quarantine <input type="checkbox"/> Registered equidae <input type="checkbox"/> Relaying <input type="checkbox"/> Circus/exhibition <input type="checkbox"/>				
17. Seal number and container numbers				
18. For transhipment to <input type="text"/> BIP BIP unit no: 3rd country 3rd country ISO code:		19. For transit to 3rd country <input type="text"/> To 3rd country + ISO code Exit BIP: BIP unit no:		
20. For import or admission Definitive import <input type="text"/> Horses re-entry <input type="text"/> Temporary admission horses <input type="text"/> Exit date Exit point		21. Transiting Member States <input type="text"/> Member State + ISO code Member State + ISO code Member State + ISO code		
22. Means of transport after border inspection post Railway wagon <input type="text"/> Registered No Aeroplane <input type="text"/> Flight No Ship <input type="text"/> Name Road vehicle <input type="text"/> Plate No Other <input type="text"/>		23. Transporter Name Approval number Address Postal code Country		
25. Declaration I, the undersigned person responsible for the load detailed above, certify that to the best of my knowledge and belief the statements made in Part 1 of this document are true and complete and I agree to comply with the legal requirements		24. Route plan Yes <input type="text"/> No <input type="text"/>		
		Place and date of declaration Name of signatory Signature		

Notes for guidance on the common veterinary entry document (CVED ⁽¹⁾) for live animals from third countries entering the European Union or the European Economic Area

General: Please complete the certificate in capitals. To confirm an option, tick the box or mark with a cross (X).

A separate document must be completed for each consignment presented at a border inspection post, whether the consignment is presented as meeting EU requirements and intended for free circulation, a consignment that is to go to a controlled destination or a consignment for transshipment or transit.

'ISO codes' means the international standard two-letter code for a country.

Part 1

This part must be completed by the importer or the person responsible for the load. Prior notification must be given at least one working day before the arrival of the animals on Community territory in accordance with Article 3(1)(a) of Directive 91/496/EEC. For this purpose boxes 5, 9, 11, 12, 13, 14, 16 and one or other of boxes 18, 19 or 20 must be completed.

- Box 1. Consignor/exporter: Give the name of the commercial organisation dispatching the consignment (in the third country).
- Box 2. Border inspection post. If this information is not pre-printed on the document, please complete. The CVED reference number is the unique reference number entered by the border inspection post issuing the certificate (also appears in box 27). The unit number is unique to the border inspection post and is listed against its name on the list of approved border inspection posts published in the Official Journal.
- Box 3. Consignee: Indicate the address of the person or commercial organisation given on the third-country certificate. All these details are compulsory.
- Box 4. Person responsible for the load (including their agent or declarant): This is the person who is in charge of the consignment when presented at the border inspection post and who makes the necessary declarations to the competent authorities on behalf of the importer: give the name and address. This person is required to notify the border inspection post in accordance with Article 3(1)(a) of Directive 91/496/EEC. If the person responsible for the load and the consignee are the same person, indicate 'see box 3'.
- Box 5. Country of origin: This means the country in which the animals spent the requisite period (three months in the case of cattle, pigs, sheep, goats and equidae intended for slaughter; breeding, store or registered equidae, and poultry; six months in the case of breeding and store cattle and pigs; sheep and goats for breeding, store or fattening).
- For horses re-entering, 'country of origin' means the country from which they were last consigned.
- Box 6. Region in which the animals spent the same period as specified for the country: this is a requirement only for those countries which are divided into regions and for which imports are authorised only from one or more parts of the country concerned. The regional codes are given in the relevant rules.
- Box 7. Importer: The importer may be remote from the border inspection post: give the name and address. If the importer and person responsible for the load are the same, indicate 'see box 4'.
- Box 8. Place of destination: place to where the animals are being taken for final unloading (i.e. not counting staging points) and kept in accordance with the current rules. Give the name, country, address and post code. If the place of destination is the same as the location of the consignee, indicate as the name and address 'see box 3'.
- Box 9. Give the date and time when consignments are expected to arrive at the border inspection post. Importers or their representatives are required (pursuant to Article 3(1)(a) of Directive 91/496/EEC) to give one working day's notice to the veterinary staff of the border inspection post where the animals are to be presented, specifying the number, nature and expected time of arrival of the animals.
- Box 10. Veterinary certificate/document: Date of issue: The date that the certificate/document was signed by the official veterinarian or the competent authority. Number: give the unique official number of the certificate. Accompanying documents: this mainly concerns certain types of horses (horse passport), zootechnical documents or CITES permits.

(1) The notes for guidance may be printed and distributed separately from the certificate itself.

- Box 11. Give details of the means of transport upon arrival:
The mode of transport (air, maritime, rail, road).
Identification of the means of transport: for transport by air, the flight number; for maritime transport, the name of the vessel; for rail transport, the number of the train and the wagon and for road transport, the registration number of the road vehicle and the number of the trailer where used.
Commercial document reference: the airway bill number, the bill of lading number or the commercial number of the train or road vehicle.
- Box 12. Species: state the species of animal by giving the common name and breed where appropriate. For non-domestic animals (in particular those destined for zoos, exhibitions or research institutes) give the scientific name.
- Box 13. CN code: Give as a minimum the first four digits of the relevant Combined Nomenclature (CN) code, established by Council Regulation (EEC) No 2658/87 ⁽¹⁾, as last amended.
- Box 14. Number of animals: the number or weight in kg as stated on the veterinary certificate or other documents.
- Box 15. Number of packages: give the number of boxes, cages or stalls in which the animals are being transported.
- Box 16. Animals certified as: as indicated on the certificate in accordance with the rules laid down.
'Body approved pursuant to Directive 92/65/EEC' means an officially recognised body, institute or centre. 'Quarantine' refers to Decision 2000/666/EC for birds and Directive 92/65/EC for birds and cats and dogs. 'Relaying' applies to molluscs. 'Other' means for purposes not listed elsewhere in this classification.
- Box 17. Give all seal and container identification numbers where relevant.
- Box 18. For transshipment:
Use this box, in accordance with Article 4(3) of Directive 91/496/EEC, where a consignment is not to be imported at this border inspection post and the animals are continuing their journey by sea or by air on the same vessel or the same aircraft, to another border inspection post for import into the European Union or the European Economic Area. Unit number — see Box 2.
This box may also be used where animals arrive in the European Union or the European Economic Area from a third country on their way to another third country on board the same aircraft or maritime vessel.
- Box 19. For transit: this means transit through the EU/EEA of animals from a third country and destined for another third country in accordance with Article 9 of Directive 91/496/EEC. Give the ISO code of the third country of destination.
Exit BIP: Name of the border inspection post where the animals are to leave the EU.
- Box 20. For import or temporary admission
Re-entry applies only to registered horses for racing, competition and cultural events after temporary export (Commission Decision 93/195/EEC ⁽²⁾).
Temporary admission applies only to registered horses, for a maximum period of 90 days. Indicate the point and date of exit.
- Box 21. Transit Member States: Additional information: give the name(s) of the Member State(s) of the EU or the EEA irrespective of destination: import into or transit to a third country.
- Box 22. Means of transport: state the mode of transport to be used after the consignment has passed through the BIP and give details.
'Other' means modes of transport not covered by Directive 91/628/EEC which deals with the welfare of animals during transport.
- Box 23. Transporter: in accordance with animal welfare rules, give the transporter's approval number and in the case of air transport please ensure that the company is a member of IATA.

⁽¹⁾ OJ L 256, 7.9.1987, p. 1.

⁽²⁾ OJ L 86, 6.4.1993, p. 1.

- Box 24. Route plan: state whether a route plan is presented to accompany the animals in accordance with the requirements of Directive 91/628/EEC.
- Box 25. Signature: This commits the signatory also to accepting back consignments in transit that are refused entry by a third country.

Part 2

This section must be completed only by the official veterinarian of the border inspection post.

- Box 26. Documentary check. To be completed for all consignments. This also includes checking compliance with the additional guarantees (which will be listed) for some Member States and, as regards species not listed in Annex A to Directive 90/425/EEC, this includes compliance with national requirements regardless of the final destination. The documentation required for this check will be provided by the importer or the importer's representative. Non-compliance with an additional guarantee requirement or with a national requirement means that the consignment is not satisfactory.
- Box 27. This refers to the unique reference number of the border inspection post issuing the certificate, see Box 2).
- Box 28. Identity check: compare with the original certificates and documents.
- Derogation: tick box where animals are being transhipped from one BIP to another and will not have undergone an identity check pursuant to Article 4(3) of Directive 91/496/EEC.
- Box 29. Physical checks: these refer to the results of the clinical examination undertaken, mortality and morbidity in the consignment.
- Derogation: tick this box where animals are being transhipped from one BIP to another and will not have undergone a physical check pursuant to Article 4(3) of Directive 91/496/EEC. This box must also be used for species of animal not listed in Annex A to Directive 90/425/EEC imported at a BIP of a Member State which is not the final destination and for which the physical checks must be carried out at the place of final destination in accordance with Article 8(A)(1)(b)(ii) of Directive 91/496/EEC.
- Box 30. Laboratory testing:
- Tested for: State the category of substance or pathogen for which an investigation procedure is undertaken.
- 'On a random basis' indicates monthly sampling pursuant to Decision 97/794/EC.
- 'Based on suspicions' includes cases where animals are suspected of having a disease or show signs of disease or are tested under safeguard clauses in force.
- Pending: tick if the animals have not been dispatched pending results.
- Box 31. Welfare check: describe the transport conditions and the welfare status of the animals on arrival.
- Derogation: tick this box where animals are being transhipped from one BIP to another and will not have undergone a welfare check.
- Box 32. Impact of transport on the animals: state how many animals have died, how many are unfit to travel and how many females gave birth or miscarried during transport. In the case of animals consigned in large numbers (day-old chicks, fish, molluscs, etc.) give an estimate of the number of dead or unfit animals as appropriate.
- Box 33. Acceptable for transhipment: Complete where relevant to indicate acceptability for transhipment as defined in box 18.
- Box 34. Acceptable for transit procedure: complete by indicating transit Member States in accordance with the route plan where appropriate.
- Box 35. Acceptable for internal market: complete as appropriate if the animals are being sent to a controlled destination (slaughterhouse, officially approved body or quarantine as defined in Box 16) authorised for import on special conditions.

- Box 36. Acceptable for temporary admission: this box applies only to registered horses. They are authorised to remain on EU/EEA territory only until the date specified in Box 20, which may not be more than 90 days.
- Box 37. Reasons for refusal: complete as appropriate to add relevant information. Tick the appropriate box.

'Absence of/invalid certificate' refers to import licences or transit documents required by third countries or Member States.
- Box 38. Not acceptable: use this box for consignments which do not meet EU requirements or which are suspect.

Where import is refused, indicate clearly the procedure to be followed. 'Slaughter' means that the meat from the animals could go for human consumption if passed on inspection. 'Euthanasia' means destruction or elimination of the animals and their meat cannot be allowed to go for human consumption.
- Box 39. Details of controlled destinations: Give the approval number and address including postcode for all destinations where an additional veterinary check is required. This applies to Boxes 35, 36 and 38. For Box 36 only give the address of the first establishment. For sensitive bodies which must remain anonymous give the number assigned to them but no address.
- Box 40. Consignment resealed: Use this box when the original seal recorded on a consignment is destroyed on opening the container. A consolidated list of all seals that have been used for this purpose should be kept.
- Box 41. Official stamp of the border inspection post or competent authority.
- Box 42. Signature of official veterinarian.
- Box 43. For use by customs services to add relevant information (e.g. the number of the T1 or T5 customs certificate) where consignments remain under customs control for a period. This information is normally added after signature by the veterinarian.

Part 3

Control: this part must be completed by an official veterinarian responsible for reconsignment or supervision of a controlled destination (BIP, approved body, local veterinary unit).

- Box 44. Details of reconsignment: the BIP of entry must indicate the mode of transport used, its identification and the country and date of reconsignment as soon as this information is known.
- Box 45. Follow-up: this part and the relevant parts of the document are also to be completed where animals of species not listed in Annex A to Directive 90/425/EEC are transhipped or imported, for which the physical check has not been carried out at the BIP of entry. This part also has to be completed by the BIP of exit in the case of animals in transit from one third country to another and by the competent local veterinary units in the event of non-arrival of the animals expected or if the consignment does not match the documentation in terms of quantity or quality.
- Box 46. See Box 42.
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ANNEX II

País: Alemania — Land: Tyskland — Land: Deutschland — Χώρα: Γερμανία — Country: Germany — Pays: Allemagne — Paese: Germania — Land: Duitsland — País: Alemanha — Maa: Saksa — Land: Tyskland

1	2	3	4	5	6
Dresden Friedrichstadt	0153499	F		HC, NHC	
Forst	0150399	R		HC, NHC-NT	U, E, O
Frankfurt/Oder	0150499	F		HC, NHC	
Frankfurt/Oder	0150499	R		HC, NHC	U, E, O
Furth im Wald-Schafberg	0149399	R		HC, NHC	U, E, O
Ludwigsdorf Autobahn	0152399	R		HC, NHC	U, E, O
Pomellen	0151299	R		HC, NHC-T(FR), NHC-NT	U, E, O
Schirnding-Landstraße	0149799	R		HC, NHC	O
Waidhaus	0150099	R		HC, NHC	U, E, O
Zinnwald	0152599	R		HC, NHC	U, E, O

País: Italia — Land: Italien — Land: Italien — Χώρα: Ιταλία — Country: Italy — Pays: Italie — Paese: Italia — Land: Italië — País: Itália — Maa: Italia — Land: Italien

1	2	3	4	5	6
Gorizia	0301199	R		HC, NHC	U, E, O
Prosecco-Fernetti	0302399	R	Prodotti HC	HC	
			Prodotti NHC	NHC	
			Altri Animali		O
			Tomaso Prioglio Spa		U, E

País: Austria — Land: Østrig — Land: Österreich — Χώρα: Αυστρία — Country: Austria — Pays: Autriche — Paese: Austria — Land: Oostenrijk — País: Austria — Maa: Itävalta — Land: Österrike

1	2	3	4	5	6
Berg	1300199	R		HC, NHC	U, E, O
Deutschkreutz	1300399	R		HC(2), NHC-NT	E, O, U(13)
Drasenhofen	1300499	R		HC, NHC	U, E, O
Heiligenkreuz	1300299	R		HC(2), NHC, (18)	
Hohenau	1300799	F			U
Karawankentunnel	1300899	R		HC(2), NHC-NT	E, O, U(13)
Nickelsdorf	1301099	R		HC, NHC	U, E, O
Sopron	1301199	F		HC(2), NHC-NT	
Spielfeld	1301299	R		HC, NHC	U, E, O

1	2	3	4	5	6
Villach-Süd	1301499	F		HC-NT, NHC-NT	
Wien-ZB-Kledering	1300599	F		HC(2), NHC-NT	
Wulowitz	1301699	F		NHC-NT(6)	
Wulowitz	1301699	R		HC, NHC-NT	E, O, U(13)
Berg	1300199	R		HC, NHC	U, E, O