

Commission Regulation (EC) No 1266/2007 of 26 October 2007 on implementing rules for Council Directive 2000/75/EC as regards the control, monitoring, surveillance and restrictions on movements of certain animals of susceptible species in relation to bluetongue (Text with EEA relevance)

## CHAPTER 3

### RESTRICTIONS ON MOVEMENTS OF ANIMALS AND OF THEIR SEMEN, OVA AND EMBRYOS

#### *Article 6*

#### **Restricted zones**

1 Member States shall notify to the Commission their restricted zones, and any change in the situation of those zones within 24 hours.

[<sup>F12</sup> Before taking any decision to remove an epidemiologically relevant geographical area from a restricted zone, Member States shall provide the Commission with substantiated information demonstrating the absence of bluetongue virus circulation in that area during a period of two years, including two full vector activity seasons, following the implementation of the bluetongue monitoring and surveillance programme in accordance with point 3 of Annex I.]

3 The Commission shall inform the Member States in the framework of the Standing Committee on the Food Chain and Animal Health of the list of restricted zones.

4 Member States shall draw up and keep updated a list of the restricted zones in their territory and make it available to the other Member States and to the public.

5 The Commission shall publish, for information purposes only, on its website the updated list of restricted zones.

That list shall include information on the bluetongue virus serotypes circulating in each restricted zone, which permits, for the purposes of Articles 7 and 8, the identification of the restricted zones demarcated in different Member States where the same bluetongue virus serotypes are circulating.

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#### **Textual Amendments**

- F1** Substituted by [Commission Implementing Regulation \(EU\) No 456/2012 of 30 May 2012 amending Regulation \(EC\) No 1266/2007 on implementing rules for Council Directive 2000/75/EC as regards the control, monitoring, surveillance and restrictions on movements of certain animals of susceptible species in relation to bluetongue \(Text with EEA relevance\)](#).

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**Changes to legislation:** There are outstanding changes not yet made to Commission Regulation (EC) No 1266/2007. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

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## Article 7

### Conditions for movements within the same restricted zone

1 Movements of animals within the same restricted zone where the same bluetongue virus serotype or serotypes are circulating shall be allowed by the competent authority provided that the animals to be moved do not show any clinical signs of bluetongue on the day of transport.

2 However, movements of animals from a protection zone to a surveillance zone may only be allowed if:

- a the animals comply with the conditions set out in Annex III; or
- b the animals comply with any other appropriate animal health guarantees based on a positive outcome of a risk assessment of measures against the spread of the bluetongue virus and protection against attacks by vectors, required by the competent authority of the place of origin and approved by the competent authority of the place of destination, prior to the movement of such animals;
- c the animals are destined for immediate slaughter.

[<sup>F1</sup>2a Member States may demarcate an epidemiological relevant geographical area in a restricted zone as a 'provisionally free area' provided that for a period of one year, including one full vector season, monitoring and surveillance in accordance with point 3 of Annex I has demonstrated the absence of bluetongue virus circulation in that part of the restricted zone for that specific bluetongue serotype or combination of serotypes.

A Member State which intends to demarcate a restricted zone or part of a restricted zone as a 'provisionally free area' shall notify its intention to the Commission. That notification shall be accompanied by the information referred to in point 3 of Annex I.

The Commission shall inform the Member States in the framework of the Standing Committee on the Food Chain and Animal Health of the list of 'provisionally free areas'.

Movements of animals within the same restricted zone from an area where the same bluetongue virus serotype or serotypes are circulating to a part of the same restricted zone demarcated as a 'provisionally free area' may only be permitted if:

- a the animals comply with the conditions set out in Annex III; or
- b the animals comply with any other appropriate animal health guarantees based on a positive outcome of a risk assessment of measures against the spread of the bluetongue virus and protection against attacks by vectors, required by the competent authority of the place of origin and approved by the competent authority of the place of destination, prior to the movement of such animals; or
- c the animals are destined for immediate slaughter.]

[<sup>F2</sup>3 The Member State of origin shall immediately inform the Commission and the other Member States of the animal health guarantees referred to in paragraph 2(b) or 2a(b).

4 For the animals referred to in paragraphs 1, 2 and 2a of this Article, the following additional wording shall be added to the corresponding health certificates laid down in Directives 64/432/EEC, 91/68/EEC and 92/65/EEC, or referred to in Decision 93/444/EEC:

Animals in compliance with ... (Article 7(1), or 7(2)(a), or 7(2)(b), or 7(2)(c), or 7(2a)(a) or 7(2a)(b), or 7(2a)(c), indicate as appropriate) of Regulation (EC) No 1266/2007.]

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### Textual Amendments

- F1** Substituted by Commission Implementing Regulation (EU) No 456/2012 of 30 May 2012 amending Regulation (EC) No 1266/2007 on implementing rules for Council Directive 2000/75/EC as regards the control, monitoring, surveillance and restrictions on movements of certain animals of susceptible species in relation to bluetongue (Text with EEA relevance).
- F2** Substituted by Commission Regulation (EC) No 123/2009 of 10 February 2009 amending Regulation (EC) No 1266/2007 as regards conditions for movements of animals within the same restricted zone and the conditions for exempting animals from the exit ban provided for in Council Directive 2000/75/EC (Text with EEA relevance).

## Article 8

### Conditions for exemption from the exit ban provided for in Directive 2000/75/EC

1 Movements of animals, their semen, ova and embryos, from a holding or semen collection or storage centre located in a restricted zone to another holding or semen collection or storage centre shall be exempted from the exit ban established pursuant to Article 9(1)(c) and point 1 of Article 10 of Directive 2000/75/EC provided that the animals, their semen, ova and embryos comply with:

- a the conditions set out in Annex III to this Regulation; or
- b comply with any other appropriate animal health guarantees based on a positive outcome of a risk assessment of measures against the spread of the bluetongue virus and protection against attacks by vectors, required by the competent authority of the place of origin and approved by the competent authority of the place of destination, prior to the movement of such animals.

2 The Member State of origin shall immediately inform the Commission and the other Member States of the animal health guarantees referred to in paragraph 1(b).

3 A channelling procedure shall be set up, under the control of the competent authority of the place of destination, to ensure that the animals, their semen, ova and embryos moved in accordance with the conditions provided for in paragraph 1(b), are not subsequently moved to another Member State unless the animals comply with the conditions provided for in paragraph 1(a).

4 Movements of animals from a holding located in a restricted zone for immediate slaughter shall be exempted from the exit ban established pursuant to Article 9(1)(c) and point 1 of Article 10 of Directive 2000/75/EC provided that:

- a no case of bluetongue has been recorded in the holding of origin for a period of at least 30 days prior to the date of dispatch;
- [<sup>F3</sup>b the animals are transported
  - under veterinary supervision to the slaughterhouse of destination, where they are to be slaughtered within 24 hours of arrival, and
  - directly, unless a rest period foreseen by Regulation (EC) No 1/2005<sup>(1)</sup> takes place in a control post situated in the same restricted zone;]
- c the competent authority at the place of dispatch notifies the intended movement of the animals to the competent authority of the place of destination at least 48 hours prior to the loading of the animals.

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5 Notwithstanding paragraph 4(b), the competent authority of the place of destination may require, on the basis of a risk assessment, the competent authority of the place of origin to set up a channelling procedure for the transport of the animals referred to therein towards designated slaughterhouses.

Any such designated slaughterhouses shall be identified on the basis of a risk assessment that shall take into account the criteria set out in Annex IV.

[<sup>F1</sup>Information on the designated slaughterhouses shall be made available to the other Member States and to the public.]

[<sup>F45a</sup> Movements of animals not certified in accordance with paragraph 1 from a holding located in a restricted zone directly, to the exit point, as defined in Article 1(2)(a) of Decision 93/444/EEC, for export to a third country shall be exempted from the exit ban established pursuant to Article 9(1)(c) and point 1 of Article 10 of Directive 2000/75/EC provided that:

- a no case of bluetongue has been recorded in the holding of origin for a period of at least 30 days prior to the date of dispatch;
- b the animals are transported to the exit point
  - under official supervision, and
  - directly, unless a rest period foreseen by Regulation (EC) No 1/2005 takes place in a control post situated in the same restricted zone.]

[<sup>F36</sup> For the animals, their semen, ova and embryos referred to in paragraphs 1, 4 and 5a of this Article, the following additional wording shall be added to the corresponding health certificates laid down in Directives 64/432/EEC, 91/68/EEC and 92/65/EEC, or referred to in Decision 93/444/EEC:

‘... (Animals semen, ova and embryos indicate as appropriate) in compliance with ... (Articles 8(1)(a) or 8(1)(b) or 8(4) or 8(5a), indicate as appropriate) of Regulation (EC) No 1266/2007’.]

#### Textual Amendments

- F1** Substituted by [Commission Implementing Regulation \(EU\) No 456/2012 of 30 May 2012 amending Regulation \(EC\) No 1266/2007 on implementing rules for Council Directive 2000/75/EC as regards the control, monitoring, surveillance and restrictions on movements of certain animals of susceptible species in relation to bluetongue \(Text with EEA relevance\).](#)
- F3** Substituted by [Commission Regulation \(EC\) No 708/2008 of 24 July 2008 amending Regulation \(EC\) No 1266/2007 as regards the conditions for exempting certain animals of susceptible species from the exit ban provided for in Council Directive 2000/75/EC \(Text with EEA relevance\).](#)
- F4** Inserted by [Commission Regulation \(EC\) No 708/2008 of 24 July 2008 amending Regulation \(EC\) No 1266/2007 as regards the conditions for exempting certain animals of susceptible species from the exit ban provided for in Council Directive 2000/75/EC \(Text with EEA relevance\).](#)

### [<sup>F1</sup>Article 9

#### Further conditions for the transit of animals

- 1 The transit of animals shall be allowed by the competent authority provided that:
- a after adequate cleansing and disinfection at the place of loading, the means in which the animals are transported are treated with authorised insecticides and/or repellents. This treatment must in any case take place prior to leaving or entering the restricted zone;

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- b when a rest period of more than one day is foreseen at a control post during the movement through a restricted zone, the animals are protected against attacks by vectors in a vector protected establishment in accordance with the criteria set out in Annex II.
- 2 Paragraph 1 shall not apply if the transit takes place:
- a exclusively from or through epidemiologically relevant geographical areas of the restricted zone during the bluetongue seasonally vector-free period defined in accordance with Annex V; or
- b from or through parts of the restricted zone demarcated as a ‘provisionally free area’ in accordance with Article 7(2a).
- 3 For the animals referred to in paragraph 1 of this Article, the following additional wording shall be added to the corresponding health certificates laid down in Directives 64/432/EEC, 91/68/EEC and 92/65/EEC, or referred to in Decision 93/444/EEC: ‘Insecticide/repellent treatment with ... *(insert name of the product)* on ... *(insert date)* in conformity with Article 9 of Regulation (EC) No 1266/2007.]’

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#### Textual Amendments

- F1** Substituted by Commission Implementing Regulation (EU) No 456/2012 of 30 May 2012 amending Regulation (EC) No 1266/2007 on implementing rules for Council Directive 2000/75/EC as regards the control, monitoring, surveillance and restrictions on movements of certain animals of susceptible species in relation to bluetongue (Text with EEA relevance).

<sup>F5</sup>Article 9a

[<sup>F5</sup>Transitional provisions]

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#### Textual Amendments

- F5** Deleted by Commission Implementing Regulation (EU) No 456/2012 of 30 May 2012 amending Regulation (EC) No 1266/2007 on implementing rules for Council Directive 2000/75/EC as regards the control, monitoring, surveillance and restrictions on movements of certain animals of susceptible species in relation to bluetongue (Text with EEA relevance).

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(1) [<sup>F3</sup>OJ L 3, 5.1.2005, p. 1.]

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**Textual Amendments**

- F3** Substituted by [Commission Regulation \(EC\) No 708/2008 of 24 July 2008 amending Regulation \(EC\) No 1266/2007 as regards the conditions for exempting certain animals of susceptible species from the exit ban provided for in Council Directive 2000/75/EC \(Text with EEA relevance\).](#)

### Changes to legislation:

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### Changes and effects yet to be applied to the whole legislation item and associated provisions

- Annex 1 para. 3 heading word substituted by [S.I. 2018/1410 reg. 14\(11\)\(b\)\(i\)](#)
- Annex 1 para. 1 words substituted by [S.I. 2018/1410 reg. 14\(11\)\(a\)](#)
- Annex 1 para. 3(a) words substituted by [S.I. 2018/1410 reg. 14\(11\)\(b\)\(ii\)\(aa\)](#)
- Annex 1 para. 3(a) words substituted by [S.I. 2018/1410 reg. 14\(11\)\(b\)\(ii\)\(bb\)](#)
- Annex 1 para. 3(b) words substituted by [S.I. 2018/1410 reg. 14\(11\)\(b\)\(iii\)\(aa\)](#)
- Annex 1 para. 3(b) words substituted by [S.I. 2018/1410 reg. 14\(11\)\(b\)\(iii\)\(bb\)](#)
- Annex 1 para. 1 words substituted in earlier amending provision [S.I. 2018/1410, reg. 14\(11\)\(a\)](#) by [S.I. 2020/1388 reg. 25\(11\)\(f\)\(i\)](#)
- Annex 1 para. 3(a) words substituted in earlier amending provision [S.I. 2018/1410, reg. 14\(11\)\(b\)\(ii\)\(bb\)](#) by [S.I. 2020/1388 reg. 25\(11\)\(f\)\(ii\)](#)
- Annex 3 s. B word substituted in earlier amending provision [S.I. 2018/1410, reg. 14\(12\)\(b\)\(ii\)](#) by [S.I. 2020/1388 reg. 25\(11\)\(g\)\(ii\)](#)
- Annex 3 s. C word substituted in earlier amending provision [S.I. 2018/1410, reg. 14\(12\)\(c\)](#) by [S.I. 2020/1388 reg. 25\(11\)\(g\)\(ii\)](#)
- Annex 3 s. A words omitted by [S.I. 2018/1410 reg. 14\(12\)\(a\)\(i\)\(aa\)](#)
- Annex 3 s. A words omitted by [S.I. 2018/1410 reg. 14\(12\)\(a\)\(i\)\(bb\)](#)
- Annex 3 s. B words omitted by [S.I. 2018/1410 reg. 14\(12\)\(b\)\(i\)](#)
- Annex 3 s. A words substituted by [S.I. 2018/1410 reg. 14\(12\)\(a\)\(i\)\(cc\)](#) (This amendment not applied to legislation.gov.uk. [Reg. 14\(12\)\(a\)\(i\)\(cc\)](#) substituted immediately before IP completion day by [S.I. 2020/1388, regs. 1\(2\)\(a\), 25\(11\)\(g\)\(i\)\(aa\)](#))
- Annex 3 s. A words substituted by [S.I. 2018/1410 reg. 14\(12\)\(a\)\(ii\)](#) (This amendment not applied to legislation.gov.uk. [Reg. 14\(12\)\(a\)\(ii\)](#) substituted immediately before IP completion day by [S.I. 2020/1388, regs. 1\(2\)\(a\), 25\(11\)\(g\)\(i\)\(bb\)](#))
- Annex 3 s. A words substituted by [S.I. 2018/1410 reg. 14\(12\)\(a\)\(iii\)](#) (This amendment not applied to legislation.gov.uk. [Reg. 14\(12\)\(a\)\(iii\)](#) substituted immediately before IP completion day by [S.I. 2020/1388, regs. 1\(2\)\(a\), 25\(11\)\(g\)\(i\)\(cc\)](#))
- Annex 3 s. B words substituted by [S.I. 2018/1410 reg. 14\(12\)\(b\)\(ii\)](#)
- Annex 3 s. C words substituted by [S.I. 2018/1410 reg. 14\(12\)\(c\)](#)
- Annex 3 s. A words substituted by [S.I. 2018/1410, reg. 14\(12\)\(a\)\(i\)\(cc\)](#) (as substituted) by [S.I. 2020/1388 reg. 25\(11\)\(g\)\(i\)\(aa\)](#)
- Annex 3 s. A words substituted by [S.I. 2018/1410, reg. 14\(12\)\(a\)\(ii\)](#) (as substituted) by [S.I. 2020/1388 reg. 25\(11\)\(g\)\(i\)\(bb\)](#)
- Annex 3 s. A words substituted by [S.I. 2018/1410, reg. 14\(12\)\(a\)\(iii\)](#) (as substituted) by [S.I. 2020/1388 reg. 25\(11\)\(g\)\(i\)\(cc\)](#)
- Art. 2(b) substituted by [S.I. 2018/1410 reg. 14\(3\)\(a\)](#)
- Art. 2(c) substituted by [S.I. 2018/1410 reg. 14\(3\)\(b\)](#)
- Art. 2(c) words substituted in earlier amending provision [S.I. 2018/1410, reg. 14\(3\)\(b\)](#) by [S.I. 2020/1388 reg. 25\(11\)\(b\)\(i\)](#)
- Art. 2(e) substituted by [S.I. 2018/1410 reg. 14\(3\)\(c\)](#)
- Art. 2(e) words substituted in earlier amending provision [S.I. 2018/1410, reg. 14\(3\)\(c\)](#) by [S.I. 2020/1388 reg. 25\(11\)\(b\)\(ii\)](#)
- Art. 2(g)-(j) inserted by [S.I. 2018/1410 reg. 14\(3\)\(d\)](#)
- Art. 2(g) words substituted in earlier amending provision [S.I. 2018/1410, reg. 14\(3\)\(d\)](#) by [S.I. 2020/1388 reg. 25\(11\)\(b\)\(iii\)\(aa\)](#)
- Art. 2(j)(ii)(iii) Art. 2(j)(iii)(iv) renumbered as Art. 2(j)(ii)(iii) in earlier amending provision [S.I. 2018/1410, reg. 14\(3\)\(d\)](#) by [S.I. 2020/1388 reg. 25\(11\)\(b\)\(iii\)\(bb\)](#)

- Art. 2(j)(ii) omitted in earlier amending provision S.I. 2018/1410, reg. 14(3)(d) by S.I. 2020/1388 reg. 25(11)(b)(iii)(bb)