

SCHEDULE 1

Regulation 1(2)

AMENDMENTS TO COUNCIL DIRECTIVES [90/425/EEC](#) AND [91/496/EEC](#)

1. Council Directive [90/425/EEC](#) (OJNo. L224, 18.8.90, p. 29) has been amended by, and must be read with—

Council Directive [90/539/EEC](#) (OJ No. L303, 31.10.90, p. 6);
Council Directive [91/67/EEC](#) (OJ No. L46, 19.2.91, p. 1);
Council Directive [91/68/EEC](#) (OJ No. L46, 19.2.91, p. 19);
Council Directive [91/174/EEC](#) (OJ No. L85, 5.4.91, p. 37);
Council Directive [91/496/EEC](#) (OJ No. L268, 24.9.91, p. 56);
Council Directive [91/628/EEC](#) (OJ No. L340, 11.12.91, p. 17);
Council Directive [92/60/EEC](#) (OJ No. L268, 14.9.92, p. 75);
Council Directive [92/65/EEC](#) (OJ No. L268, 14.9.92, p. 54);
Council Directive [92/118/EEC](#) (OJ No. L62, 15.3.93, p. 49);
Commission Decision [93/444/EEC](#) (OJ No. L208, 19.8.93, p. 34);
Commission Decision [94/338/EC](#) (OJ No. L151, 17.6.94, p. 36);
Commission Decision [94/339/EC](#) (OJ No. L151, 17.6.94, p. 38);
Council Directive [97/78/EC](#) (OJ No. L24, 30.1.98, p. 9);
Council Directive [2002/33/EC](#) (OJ No. L315, 19.11.2002, p. 14); and the European international instruments.

2. Council Directive [91/496/EEC](#) (OJ No. L268, 24.9.91, p. 56) has been amended by and must be read with—

Council Directive [89/662/EEC](#) (OJ No. L395, 30.12.89, p. 13);
Council Directive [90/424/EEC](#) (OJ No. L224, 18.08.90, p. 19);
Council Directive [90/425/EEC](#) (OJ No. L224, 18.08.90, p. 29);
Council Directive [91/628/EEC](#) (OJ No. L340, 11.12.91, p. 17);
Council Decision [92/438/EEC](#) (OJ No. L243, 25.8.92, p. 27);
Commission Decision [94/467/EC](#) (OJ No. L190, 26.7.94, p. 28);
Council Directive [96/43/EC](#) (OJ No. L162, 1.7.96, p. 1);
Council Directive [97/78/EC](#) (OJ No. L24, 30.1.98, p. 9);
Commission Decision [97/794/EC](#) (OJ No. L323, 26.11.97, p. 31);
Commission Regulation (EC) No. [282/2004](#) (OJ No. L49, 19.2.2004, p. 11), as amended by
Commission Regulation (EC) No. [585/2004](#) (OJ No. L91, 30.3.2004, p. 17);

and the European international instruments.

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SCHEDULE 2

Regulations 1(2) and 17(1)

BORDER INSPECTION POSTS

<i>Border inspection post</i>	<i>Animals which may be imported</i>
Gatwick Airport	All animals other than ungulates ⁽ⁱ⁾
Heathrow Airport	All animals
Luton Airport ⁽ⁱⁱ⁾	Ungulates ⁽ⁱ⁾
Manchester Airport	Cats, dogs, rodents, lagomorphs, live fish, reptiles, and birds other than ratites
Stansted Airport ⁽ⁱⁱ⁾	Ungulates ⁽ⁱ⁾

(i) Ungulates include registered equidae as defined in Council Directive [90/426/EEC](#) (OJ No. L224, 18.8.90, p. 42), as amended.

(ii) Luton Airport and Stansted Airport are not border inspection posts for any species of animal specified in the Rabies (Importation of Dogs, Cats and Other Mammals) Order 1974 (S.I.1974/2211).

SCHEDULE 3

Regulations 4, 5(1), 6(1), 6(2), 7(4), 8(1),
10, 12(7)(a), 29(2)(b) and 34

INTRA-COMMUNITY TRADE: LEGISLATION AND ADDITIONAL REQUIREMENTS

PART I

LEGISLATION ON INTRA-COMMUNITY TRADE

Bovine animals and swine

1. Instrument: Council Directive [64/432/EEC](#) on health problems affecting intra-Community trade in bovine animals and swine as replaced by the Annex to Council Directive [97/12/EC](#) (OJ No. L109, 25.4.97, p. 1), and as subsequently amended by—

Council Directive [98/46/EC](#) (OJ No. L198, 15.7.98, p. 22);

Council Directive [98/99/EC](#) (OJ No. L358, 31.12.98, p. 107);

Commission Decision [98/621/EC](#) (OJ No. L296, 5.11.98, p. 15);

Directive [2000/15/EC](#) of the European Parliament and of the Council (OJ No. L105, 3.5.2000, p. 34);

Directive [2000/20/EC](#) of the European Parliament and of the Council (OJ No. L163, 4.7.2000, p. 35);

Commission Decision [2001/298/EC](#) (OJ No. L102, 12.4.2001, p. 63);

Commission Regulation (EC) No [535/2002](#) (OJ No. L80, 23.3.2002, p. 22);

Commission Regulation (EC) No [1226/2002](#) (OJ L179, 9.7.2002, p. 13);

Council Regulation (EC) No. [21/2004](#) (OJ No. L5, 9.1.2004, p. 8);

Commission Decision [2004/226/EC](#) (OJ No. L68, 6.3.2004, p. 36); and

the European International Instruments.

Relevant provisions in that instrument: Articles 3(2), 4(1), 5(1), 5(2), 5(5), 6(1), 6(2), 6(3), 7 (in the case of imports), and 12(3).

Additional requirements

- (a) (a) The official health certificate accompanying all cattle imported into England from Spain must contain the statement: “Live cattle in accordance with Commission Decision [90/208/EEC](#) on contagious bovine pleuro-pneumonia”.
- (b) The official health certificate accompanying all cattle imported into England from Portugal must contain the statement “Live cattle in accordance with Commission Decision [91/52/EEC](#) on contagious bovine pleuro-pneumonia”.
- (c) The official health certificate accompanying all swine imported into England from any other member State except Austria, the Republic of Cyprus, the Czech Republic, Denmark, Finland, Germany, Luxembourg, Sweden and those regions of France specified in Commission Decisions amending Decision [2001/618/EC](#) must contain the statement: “Pigs in accordance with Commission Decision [2001/618/EC](#) concerning Aujeszky’s disease⁽¹⁾”.
- (d) In the event of the prohibition on the export of cattle from England imposed by Commission Decision [98/256/EC](#) on emergency measures to protect against Bovine Spongiform Encephalopathy (OJ No. L113, 15.4.98, p. 32) (as amended by Commission Decision [2002/670/EC](#) (OJ No. L228, 24.8.2002, p. 22)) being revoked so as to allow the despatch of cattle from Great Britain to another member State or a third country, such exports to the countries listed in Annexes I and II of Commission Decision [2004/558/EC](#) (OJ No. L249, 23.7.2004, p. 20) must meet the additional conditions laid down in that Decision.
- (e) In accordance with Commission Decision [2003/514/EC](#) concerning health protection measures against African swine fever in Sardinia, Italy (OJ No. L178, 17.7.2003, p. 28), the importation into England from the Italian region of Sardinia of animals of the suidae family is prohibited.

Bovine semen

2. Instrument: Council Directive [88/407/EEC](#) laying down the animal health requirements applicable to intra-Community trade in and imports of semen of domestic animals of the bovine species (OJ No. L194, 22.7.88, p. 10), as amended by, and as read with—

- Council Directive [90/120/EEC](#) (OJ No. L71, 17.3.90, p. 37);
 - Council Directive [90/425/EEC](#) (OJ No. L224, 18.8.90, p. 29);
 - Council Directive [93/60/EEC](#) (OJ No. L186, 28.7.93, p. 28);
 - Council Directive [2003/43/EC](#) (OJ No. L143, 11.6.2003, p. 23);
 - Commission Decision [2004/205/EC](#) (OJ No. L65, 3.3.2004, p. 23);
 - Commission Decision [2004/101/EC](#) (OJ No. L30, 4.2.2004, p. 15); and
- the European international instruments.

Relevant provisions in that instrument: Articles 3 and 6.

(1) OJ No. L16, 25.1.93, p. 18.

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Bovine embryos

3. Instrument: Council Directive [89/556/EEC](#) on animal health conditions concerning intra-Community trade in and importation from third countries of embryos of domestic animals of the bovine species (OJ No. L302, 19.10.89, p. 1), as amended by, and as read with—

Council Directive [90/425/EEC](#) (OJ No. L224, 18.8.90, p. 29);
Council Directive [93/52/EEC](#) (OJ No. L175, 19.7.93, p. 21);
Commission Decision [94/113/EC](#) (OJ No. L53, 24.2.94, p. 23);
Commission Decision [2004/205/EC](#) (OJ No. L65, 3.3.2004, p. 23); and
the European international instruments.

Relevant provisions in that instrument: Articles 3 and 6.

Equidae

4. Instrument: Council Directive [90/426/EEC](#) on health conditions governing the movement of equidae and their import from third countries (OJ No. L224, 18.8.90, p. 42), as amended by, and as read with—

Council Directive [90/425/EEC](#) (OJ No. L224, 18.8.90, p. 29);
Council Directive [90/427/EEC](#) (OJ No. L224, 18.08.90, p. 55)
Council Directive [91/496/EEC](#) (OJ No. L268, 24.9.91, p. 56);
Council Directive [92/36/EEC](#) (OJ No. L157, 10.6.92, p. 28);
Commission Decision [92/130/EEC](#) (OJ No. L47, 22.2.92, p. 26);
Commission Decision [93/623/EEC](#) (OJ No. L298, 3.12.93, p. 45) as amended by Commission Decision [2000/68/EC](#) (OJ No. L23, 28.1.2000, p. 72);
Commission Decision [2001/298/EC](#) (OJ No. L102, 12.4.2001, p. 63);
Commission Decision [2002/160/EC](#) (OJ No. L053, 23.2.2002, p. 37); and
the European international instruments.

Relevant provisions in that instrument, subject to and as read with the following Notes: Articles 4, 5, 7(1), and 8.

Notes:

- (a) The requirements of Articles 4(1), 4(2) and 8 shall not apply in respect of the export to or the import from the Republic of Ireland of any equidae, or the export to or the import from France of registered horses or equidae for breeding and production accompanied by an identification document provided for in Council Directive [90/427/EEC](#).
- (b) For the avoidance of doubt, the derogation permitted under Article 7(2) shall not apply in relation to equidae brought into England.

Porcine semen

5. Instrument: Council Directive [90/429/EEC](#) laying down the animal health requirements applicable to intra-Community trade in and imports of semen of domestic animals of the porcine species (OJ No. L224, 18.8.90, p. 62) and Commission Decision [99/608/EC](#) (OJ No. L242, 14.9.99, p. 20), as amended by, and as read with—

Commission Decision [99/608/EC](#) (OJ No. L242, 14.9.1999, p. 20);
Commission Decision [2000/39/EC](#) (OJ No. L13, 19.1.2000, p. 21);
Commission Decision [2004/205/EC](#) (OJ No. L65, 3.3.2004, p. 23); and

the European international instruments.

Relevant provisions in that instrument: Articles 3, 4(1), 4(2) and 6(1).

Additional requirements: The official health certification accompanying all porcine semen imported into England from any other member State must state that the semen was collected from boars “on a collection centre which only contains animals that have not been vaccinated against Aujeszky’s disease and which have reacted negatively to the serum neutralisation test or to the ELISA test for Aujeszky’s disease, in accordance with the provisions of Council Directive [90/429/EEC](#)” and paragraph 13(b)(ii) of the model health certificate provided in Annex D of Council Directive [90/429/EEC](#) must be deleted in all cases.

Poultry and hatching eggs

6. Instrument: Council Directive [90/539/EEC](#) on animal health conditions governing intra-Community trade in, and imports from third countries of poultry and hatching eggs (OJ No. L303, 30.10.90, p. 6), as amended by, and as read with—

Council Directive [90/425/EEC](#) (OJ No. L224, 18.8.90, p. 29);

Council Directive [91/496/EEC](#) (OJ No. L268, 24.9.91, p. 56);

Council Directive [92/65/EEC](#) (OJ No. L268, 14.9.92, p. 54);

Commission Decision [92/340/EEC](#) (OJ No. L188, 8.7.92, p. 34);

Commission Decision [92/369/EEC](#) (OJ No. L195, 14.7.92, p. 25);

Council Directive [93/120/EEC](#) (OJ No. L340, 31.12.93, p. 35);

Council Decision [95/410/EC](#) (OJ No. L243, 11.10.95, p. 25) as amended by Council Decision [98/227/EC](#) (OJ No. L87, 21.3.98, p. 14);

Commission Decision [97/278/EC](#) (OJ No. L110, 26.4.97, p. 77);

Council Directive [99/90/EC](#) (OJ No. L300, 23.11.1999, p. 19);

Commission Decision [2000/505/EC](#) (OJ No. L201, 9.8.2000, p. 8);

Commission Decision [2001/867/EC](#) (OJ No. L323, 7.12.2001, p. 29);

Commission Decision [2003/644/EC](#) (OJ No. L228, 12.9.2003, p. 29);

Commission Decision [2004/235/EC](#) (OJ No. L72, 11.3.2004, p. 86); and

the European International instruments.

Relevant provisions in that instrument: Articles 6 to 11, 12(1), and 15 to 17.

Additional requirements:

- (a) The official health certification accompanying breeding poultry exported from England to Finland or Sweden must contain the statement that they have been tested for salmonella with negative results in accordance with Commission Decision [2003/644/EC](#) of 8 September 2003.
- (b) The official health certification accompanying day-old chicks exported from England to Finland or Sweden must contain the statement that they come from flocks which have been tested for salmonella with negative results in accordance with Commission Decision [2003/644/EC](#) of 8 September 2003.
- (c) The official health certification accompanying laying hens exported from England to Finland or Sweden must contain the statement that they have been tested for salmonella with negative results in accordance with Commission Decision [2004/235/EC](#) of 11 March 2004.

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- (d) The official health certification accompanying poultry for slaughter exported from England to Finland or Sweden must contain the statement that they have undergone microbiological testing with negative results in accordance with Council Decision [95/410/EC](#) of 22 June 1995.

Animal waste

7. Instrument: Regulation [\(EC\) No 1774/2002](#) of the European Parliament and of the Council laying down rules concerning animal by-products not intended for human consumption (OJ No. L273, 10.10.2002, p. 1), as amended by, and as read with—

Commission Regulation No. 808/2003 (OJ No. L117, 13.5.03, p. 1);
 Commission Regulation No. 811/2003 (OJ No. L117, 13.5.03, p. 14);
 Commission Regulation No. 813/2003 (OJ No. L117, 13.5.03, p. 22);
 Commission Decision [2003/320/EC](#) (OJ No. L117, 13.5.03, p. 24);
 Commission Decision [2003/321/EC](#) (OJ No. L117, 13.5.03, p. 30);
 Commission Decision [2003/326/EC](#) (OJ No. L117, 13.5.03, p. 42);
 Commission Decision [2003/327/EC](#) (OJ No. L117, 13.5.03, p. 44);
 Commission Decision [2003/328/EC](#) (OJ No. L117, 13.5.2003, p. 46);
 Commission Decision [2003/329/EC](#) (OJ No. L117, 13.5.2003, p. 51);
 Commission Regulation No. 780/2004 (OJ No. L123, 27.4.2004, p. 64); and
 the European international instruments.

Relevant provision in that instrument: Article 8.

Fish

Farmed fish

8.—(1) Instrument: Council Directive [91/67/EEC](#) concerning the animal health conditions governing the placing on the market of aquaculture animals and products (OJ No. L46, 19.2.91, p. 1), as amended by, and as read with—

Commission Decision [94/864/EC](#) (OJ No. L352, 31.12.94, p. 74);
 Commission Decision [97/804/EC](#) (OJ No. L329, 29.11.97, p. 70);
 Council Directive [97/79/EC](#) (OJ No. L24, 30.1.98, p. 31);
 Commission Decision [98/24/EC](#) (OJ No. L8, 14.1.98, p. 26);
 Council Directive [98/45/EC](#) (OJ No. L189, 3.7.98, p. 12);
 Commission Decision [99/567/EC](#) (OJ No. L216, 14.8.99, p. 13);
 Commission Decision [2001/159/EC](#) (OJ No. L57, 27.2.2001, p. 54);
 Commission Decision [2001/183/EC](#) (OJ L67 9.3.2001 p. 65);
 Commission Decision [2002/300/EC](#) (OJ No. L103, 19.4.2002, p. 24), as amended by
 Commission Decision [2003/378/EC](#) (OJ No. L130, 27.5.2003, p. 27);
 Commission Decision [2002/308/EC](#) (OJ No. L106, 23.4.2002, p. 28), as amended by
 Commission Decision [2004/850/EC](#) (OJ No. L368, 15.12.2004, p. 28);
 Commission Decision [2003/390/EC](#) (OJ No. L135, 3.6.2003, p.19);
 Commission Decision [2003/466/EC](#) (OJ No. L156, 25.6.2003, p. 61);

Commission Decision [2003/634/EC](#) (OJ No. L220, 3.9.2003, p. 8), as amended by Commission Decision [2003/904/EC](#) (OJ No. L340, 24.12.2003, p. 69) and Commission Decision [2004/328/EC](#) (OJ L104, 8.4.2004, p. 129);

Commission Decision [2004/453/EC](#) (OJ No. L156, 30.4.2004, p. 5); and the European international instruments.

Relevant provisions in that instrument: in so far as they apply to live fish, eggs and gametes, Articles 3, 4, 7 to 11, and 14 and 16.

Fish other than farmed fish

(2) **Instrument:** Council Directive [91/493/EEC](#) laying down the health conditions for the production and placing on the market of fishery products (OJ No. L268, 24.9.91, p. 15), as amended by, and as read with—

Council Directive [92/48/EEC](#) (OJ No. L187, 7.7.92, p. 41), laying down the minimum hygiene rules applicable to fishery products caught on board certain vessels in accordance with Article 3(1)(a)(I) of Council Directive [91/493/EEC](#);

Council Directive [95/71/EC](#) (OJ No. L332, 30.12.95, p. 40);

Council Directive [97/79/EC](#) (OJ No. L24, 30.1.98, p. 310); and

the European international instruments.

Relevant provision in that instrument: Article 4.

Live Bivalve molluscs

(3) **Instrument:** Council Directive [91/492/EEC](#) laying down the health conditions for the production and placing on the market of live shellfish (OJ No. L268, 24.9.91, p. 1), as amended by, and as read with—

Council Directive [97/61/EC](#) (OJ No. L295, 29.10.97, p. 35); and

the European international instruments.

Relevant provisions in that instrument: Articles 3(1)(a)-(i), 3(2), 4, 7, 8, and 9.

Ovine and caprine animals

9. Instrument: Council Directive [91/68/EEC](#) on animal health conditions governing intra-Community trade in ovine and caprine animals (OJ No. L46, 19.2.91, p. 19) as amended by, and as read with—

Council Directive [90/425/EC](#) (OJ No. L224, 18.8.90, p. 29);

Council Directive [92/102/EEC](#) (OJ No. L355, 5.12.92, p. 32); as amended by Council Regulation (EC) No. 21/2004 (OJ No. L5, 9.1.2004, p. 8);

Commission Decision [93/52/EEC](#) (OJ No. L13, 21.1.93, p. 14), as amended by Commission Decisions [2001/292/EC](#) (OJ No. L100, 11.4.2001, p. 28), [2002/482/EC](#) (OJ No. L166, 25.6.2002, p. 23), [2003/44/EC](#) (OJ No. L013, 18.1.2003, p. 23), [2003/237/EC](#) (OJ No. L 87, 4.4.2003, p. 13), [2003/732/EC](#) (OJ No. L264, 15.10.2003, p.30), [2004/199/EC](#) (OJ No. L64, 2.3.2004, p. 41) and [2004/320/EC](#) (OJ No. L102, 7.4.2004, p. 75);

Commission Decision [94/164/EEC](#) (OJ No. L74, 17.3.94, p. 42);

Commission Decision [94/953/EEC](#) (OJ No. L371, 31.12.94, p. 14);

Commission Decision [2001/298/EC](#) (OJ No. L102, 12.4.2001, p. 63);

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Directive [2001/10/EC](#) of the European Parliament and of the Council (OJ No. L147, 31.5.2001, p. 41);

Commission Decision [2002/261/EC](#) (OJ No. L091, 6.4.2002, p. 31);

Council Directive [2003/50/EC](#) (OJ No. L169, 8.7.2003, p. 51);

Commission Decision [2003/708/EC](#) (OJ No. L258, 10.10.2003, p. 11);

Commission Decision [2004/554/EC](#) (OJ No. L 248, 9.7.2004, p. 1); and

the European international instruments.

Relevant provisions in that instrument: Articles 3, 4, 4a, 4b, 4c, 5, 6 and 9.

Additional requirements:

- (a) Only uncastrated rams for breeding which have been tested for contagious epididymitis (*Brucella ovis*) in accordance with Article 6(c) of Council Directive [91/68/EEC](#) may be imported into England.
- (b) The official health certification accompanying all sheep and goats for fattening and breeding imported into England must confirm that the animals are eligible for entry into an officially brucellosis free ovine or caprine holding in accordance with Annex A, Chapter 1, point D of Council Directive [91/68/EEC](#).

Other animals, semen, ova and embryos

10. Instrument: Council Directive [92/65/EEC](#) laying down animal health requirements governing trade in and imports into the Community of animals, semen, ova and embryos not subject to animal health requirements laid down in specific Community rules referred to in Council Directive [90/425/EEC](#) (OJ No. L268, 14.9.92, p. 54), as amended by, and as read with—

Commission Decision [95/176/EC](#) (OJ No. L117, 24.5.95, p. 23);

Commission Decision [95/294/EC](#) (OJ No. L182, 2.8.95, p. 27);

Commission Decision [95/307/EC](#) (OJ No. L185, 4.8.95, p. 58);

Commission Decision [95/388/EC](#) (OJ No. L234, 3.10.95, p. 30), as amended by Commission Decision [2005/43/EC](#) (OJ No. L20, 22.1.05, p. 34);

Commission Decision [95/483/EC](#) (OJ No. L275, 18.11.95, p. 30);

Commission Decision [2001/298/EC](#) (OJ No. L102, 12.4.2001, p. 63);

Commission Regulation (EC) No. [1282/2002](#) (OJ No. L187, 16.7.2002, p. 3);

Council Regulation (EC) No. [1802/2002](#) (OJ No. L274, 11.10.2002, p. 21);

Regulation (EC) No. [998/2003](#) (OJ No. L146, 13.6.2003, p.1), as amended by Council Decision [2004/ 650/EC](#) (OJ No. L298, 23.9.2004, p. 22);

Council Regulation (EC) No. [1398/2003](#) (OJ No. L198, 06.08.2003, p. 3);

Commission Regulation (EC) No. [592/2004](#) (OJ No. L94, 31.3.2004, p. 7);

Council Directive [2004/68/EC](#) (OJ No. L226, 25.6.2004, p. 128);

Commission Decision [2004/205/EC](#) (OJ No. L65, 3.3.2004, p. 23); and

the European international instruments;

Relevant provisions in that instrument: subject to the Note to this paragraph, Articles 3 to 9, 10(1) to 10(3), and 11 to 13.

Note

By way of derogation from the requirements of Article 5(1), the Secretary of State may authorise in writing the purchase by a body, institute or centre approved under regulation 9 of these Regulations of apes belonging to an individual.

Additional requirements:

- (a) The importation into England of lagomorphs which cannot be shown to have been born on the holding of origin and kept in captivity since birth is prohibited except in accordance with the provisions of the Rabies (Importation of Dogs, Cats and Other Mammals) Order 1974. Lagomorphs born on the holding of origin and kept in captivity since birth must be accompanied on importation by an official health certificate confirming that status and that the holding of origin has been free from rabies for at least one month.
- (b) Animals (other than carnivores, primates, bats and lagomorphs) born on the holding of origin and kept in captivity since birth must be accompanied on importation by a certificate completed by the exporter confirming that status and that the animals do not show any obvious signs of disease at the time of export, and that the premises of origin are not subject to any animal health restrictions.

Pathogens

11. Instrument: Council Directive [92/118/EEC](#) laying down animal and public health requirements governing trade in and imports into the Community of products not subject to the said requirements laid down in specific Community rules referred to in Annex A(I) to Directive [89/662/EEC](#) and, as regards pathogens, to Directive [90/425/EEC](#) (OJ No. L62, 15.3.93, p. 49) as amended by, and as read with—

Council Directive [2002/33/EC](#) (OJ No. L315, 19.11.2002, p. 14);

Commission Decision [2003/721/EC](#) (OJ No. L260, 11.10.2003, p. 21);

Commission Regulation ([EC](#)) No. [445/2004](#) (OJ No. L72, 11.3.2004, p. 60); and the European international instruments.

Relevant provisions in that instrument: Articles 6 and 7(1).

Pure-bred animals of the bovine species

12. Instrument: Council Directive [77/504/EEC](#) on pure-bred breeding animals of the bovine species (OJ No. L206, 12.8.1977, p. 8), as amended by, and as read with—

The Act concerning the conditions of accession of the Hellenic Republic to the European Communities (OJ No. L291, 19.11.79, p. 17);

Council Directive [79/268/EEC](#) (OJ No. L62, 13.3.79, p. 5);

Council Regulation [3768/85/EEC](#) (OJ No. L362, 31.12.85, p. 8);

Council Directive [85/586/EEC](#) (OJ No. L372, 31.12.85, p. 44);

Commission Decision [86/404/EEC](#) (OJ No. L233, 20.8.86, p. 19);

Commission Decision [88/124/EEC](#) (OJ No. L62, 8.3.88, p. 32);

Council Directive [91/174/EEC](#) (OJ No. L85, 5.4.91, p. 37);

Council Directive [94/28/EC](#) (OJ No. L178, 12.7.94, p. 66);

Commission Decision [96/80/EC](#) (OJ No. L19, 25.1.96, p. 50);

Commission Decision [96/510/EC](#) (OJ No. L210, 20.8.96, p. 53) (as amended by Commission Decision [2004/186/EC](#) (OJ No. L57, 25.2.2004, p. 27);

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Commission Decision [2002/8/EC](#) (OJ No. L003, 5.1.2002, p. 53); and the European international instruments.

Relevant provisions in that instrument: Articles 5 and 7.

Breeding animals of the porcine species

13. Instrument: Council Directive [88/661/EEC](#) on the zootechnical standards applicable to breeding animals of the porcine species (OJ No. L382, 31.12.1988, p. 36), as amended by, and as read with—

Commission Decision [89/503/EEC](#) (OJ No. L247, 23.8.89, p. 22);

Commission Decision [89/506/EEC](#) (OJ No. L247, 23.8.89, p. 34);

Council Directive [94/28/EC](#) (OJ No. L178, 12.7.94, p. 66);

Commission Decision [96/510/EC](#) (OJ No. L210, 20.08.96, p. 53) (as amended by Commission Decision [2004/186/EC](#) (OJ No. L57, 25.2.2004, p. 27); and

the European international instruments.

Relevant provisions in that instrument: Articles 2(2), 5, 7(2) and 9.

Pure-bred breeding sheep and goats

14. Instrument: Council Directive [89/361/EEC](#) concerning pure-bred breeding sheep and goats (OJ No. L153, 6.6.1989, p. 30), as amended by, and as read with—

Commission Decision [90/258/EEC](#) (OJ No. L145, 8.6.90, p. 39);

Council Directive [94/28/EC](#) (OJ No. L178, 12.7.94, p. 66);

Commission Decision [96/510/EC](#) (OJ No. L210, 20.08.96, p. 53);

Commission Decision [2004/186/EC](#) (OJ No. L57, 25.2.2004, p. 27); and

the European international instruments.

Relevant provisions in that instrument: Articles 3(2) and 6.

Equidae

15. Instrument: Council Directive [90/427/EEC](#) on the zootechnical and genealogical conditions governing intra-Community trade in equidae (OJ No. L224, 18.8.90, p. 55), as amended by, and as read with—

Council Directive [90/426/EEC](#) (OJ No. L224, 18.8.90, p. 42);

Commission Decision [92/353/EEC](#) (OJ No. L192, 11.7.92, p. 63);

Commission Decision [92/354/EEC](#) (OJ No. L192, 11.7.92, p. 66);

Commission Decision [93/623/EEC](#) (OJ No. L298, 3.12.93, p. 45) as amended by Decision [2000/68/EC](#) (OJ No. L023, 28.1.2000, p. 72);

Council Directive [94/28/EC](#) (OJ No. L178, 12.7.94, p. 66);

Commission Decision [96/78/EC](#) (OJ No. L19, 25.1.96, p. 39);

Commission Decision [96/510/EC](#) (OJ No. L210, 20.08.1996, p. 53);

Commission Decision [2004/186/EC](#) (OJ No. L57, 25.2.2004, p. 27); and

the European international instruments.

Relevant provisions in that instrument: Articles 6 and 8.

PART II

ADDITIONAL REQUIREMENTS FOR THE TRANSPORT OF CATTLE, PIGS, SHEEP AND GOATS

1. Any person transporting cattle, pigs, sheep or goats in intra-Community trade shall do so in accordance with this Part.

2. He shall, for each vehicle used for the transport of those animals, keep a register containing the following information, and shall preserve that information in the register for at least three years—

- (a) places and dates of pick-up, and the name or business name and address of the holding or assembly centre where the animals are picked up;
- (b) places and dates of delivery, and the name or business name and address of the consignee;
- (c) species and number of animals carried;
- (d) date and place of disinfection; and
- (e) the unique identifying number of accompanying health certificates.

3. He shall ensure that the means of transport is constructed in such a way that animal faeces, litter or feed cannot leak or fall out of the vehicle.

- (a) He shall give a written undertaking to the Secretary of State stating that—
 - (i) in the case of cattle or pigs, Council Directive [64/432/EEC](#), and in particular the provisions laid down in Article 12 of that Directive and the provisions of that Directive relating to the appropriate documentation that must accompany the animals; and
 - (ii) in the case of sheep or goats, Council Directive [91/68/EEC](#), and in particular the provisions laid down in Article 8c of that Directive and the provisions of that Directive relating to the appropriate documentation that must accompany the animals; and
- (b) that the transport of animals will be entrusted to staff who possess the necessary ability, professional competence and knowledge.

PART III

ADDITIONAL REQUIREMENTS FOR DEALERS IN CATTLE, PIGS, SHEEP AND GOATS

1. Every dealer in cattle, pigs, sheep or goats engaging in intra-Community trade shall comply with the provisions of this Part.

2.—(1) The dealer shall—

- (a) be approved by the Secretary of State under this paragraph; and
- (b) be registered with, and have a registration number issued by, the Secretary of State.

(2) The Secretary of State shall only issue an approval under this paragraph if satisfied that the dealer will comply with the provisions of this Part and, in the case of a dealer in sheep or goats, that the dealer has agreed to comply with the requirements for the operation of his premises which an inspector has specified in an operational agreement as being the requirements the inspector believes are necessary to ensure the premises are capable of being operated in accordance with the second indent of Article 3(2) of Council Directive [90/425/EEC](#).

3. The dealer shall ensure that he only imports or exports animals that are identified and meet the requirements of Community law for intra-Community trade and, in the case of cattle, come from herds that are officially free of tuberculosis, brucellosis and leucosis, or are slaughter animals

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meeting the requirements of Article 6(3), or, if slaughter animals under a disease control programme, the requirements of Article 13(1)(a), of Council Directive [64/432/EEC](#).

4. The dealer shall keep a record for all cattle, pigs, sheep and goats which he imports or exports, either on the basis of identification numbers or marks on the animals, and preserve the record for at least three years, of—

- (a) the name and address of the seller;
- (b) the origin of the animals;
- (c) the date of purchase;
- (d) the categories, number and identification (or registration number of the holding of origin) of cattle, sheep and goats;
- (e) the registration number of the holding of origin or the herd of origin of pigs;
- (f) the approval or registration number of the assembly centre through which he has acquired sheep or goats (where applicable);
- (g) the registration number of the transporter or the licence number of the vehicle delivering and collecting animals;
- (h) the name and address of the buyer and the destination of the animals; and
- (i) copies of route plans and numbers of health certificates.

5. In the case of a dealer who keeps cattle, pigs, sheep or goats on his premises he shall ensure that—

- (a) specific training in the care and welfare of animals is given to the staff in charge of the animals; and
- (b) all necessary steps are taken to prevent the spread of disease.

6.—(1) The dealer shall only use premises approved for the purpose by the Secretary of State under this paragraph and which, in the case of a dealer in sheep and goats, are specified in an operational agreement created pursuant to paragraph 2(2).

(2) The Secretary of State shall issue an approval number for premises approved under this paragraph.

(3) The Secretary of State shall only issue an approval under this paragraph if satisfied that the premises comply with, in the case of a dealer in cattle or pigs, Article 13(2) of Council Directive [64/432/EEC](#) or, in the case of a dealer in sheep and goats, Article 8b(2) of Council Directive [91/68/EEC](#).

SCHEDULE 4

Regulations 5(5), 9(4) and 33(1)

THE POULTRY HEALTH SCHEME

PART I

MEMBERSHIP

1. Any reference to “the Directive” in this Part of this Schedule is a reference to Council Directive [90/539/EEC](#).

2. An application for an establishment to become a member of the Poultry Health Scheme (“the Scheme” in this Schedule) must be accompanied by the registration fee, the details of which are set out in Part 2 of this Schedule.

3. The Secretary of State shall only grant membership of the Scheme to an establishment if—

(a) she is satisfied, following an inspection by a veterinary inspector, that—

(i) the establishment meets the requirements regarding facilities in Chapter II of Annex II to the Directive; and

(ii) the operator of the establishment will comply, and ensure that the establishment complies, with the requirements of point 1 of Chapter I of Annex II to the Directive; and

(b) the operator of the establishment, having been notified that the Secretary of State is satisfied that the requirements in sub-paragraph (a) are met, has paid the annual membership fee, the details of which are set out in Part III of this Schedule.

4. The disease surveillance programme referred to in paragraph (b) of point 1 of Chapter I of Annex II to the Directive shall consist of the disease surveillance measures specified in Chapter III of Annex II to the Directive, together with any additional testing requirements that a veterinary inspector notifies in writing to an establishment as being requirements that he believes are necessary to avoid the spreading of contagious disease through intra-Community trade, taking into account the particular circumstances at that establishment.

5. On receipt of the first annual membership fee, the Secretary of State shall issue the establishment’s membership certificate, which shall include the establishment’s membership number.

6. The operator of an establishment that is a member of the Scheme shall pay the annual membership fee each year, and shall pay any re-inspection fee when it becomes due.

7. In order to ensure that operators and their establishments continue to meet the requirements for membership of the Scheme, and generally to ensure compliance with the Directive—

(a) a veterinary inspector (whether employed by Defra or not) shall carry out an annual veterinary inspection of the establishment; and

(b) a veterinary inspector employed by Defra shall carry out any additional inspections (insofar as not provided for under paragraph 8) which the Secretary of State considers necessary.

8. Without prejudice to any action which may be taken under paragraph 9, where, at the annual veterinary inspection of an operator’s establishment, that operator or his establishment do not appear to the Secretary of State to meet the requirements either for membership of the Scheme or of the Directive, a veterinary inspector employed by Defra shall carry out such additional inspections (“re-inspections”) as the Secretary of State considers necessary to ensure compliance on the part of that operator and his establishment with those requirements, in which case a re-inspection fee shall—

(a) be charged for each such re-inspection; and

(b) become due upon the receipt by the operator concerned of an invoice for that fee.

9. The Secretary of State—

(a) shall suspend, revoke or restore membership in accordance with Chapter IV of Annex II to the Directive (references to “withdrawal” in that Chapter shall be read as references to “revocation” for the purposes of this paragraph);

(b) may suspend or revoke membership if—

(i) an establishment is in breach of any of the requirements regarding facilities in Chapter II of Annex II to the Directive;

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- (ii) the operator or the establishment is in breach of any of the requirements in point 1 of Chapter I of Annex II to the Directive;
- (iii) ownership or control of an establishment changes; or
- (iv) the operator has not paid the annual membership fee or if a re-inspection fee remains unpaid 30 days after becoming due.

PART II

REGISTRATION FEE

1. The Secretary of State shall—
 - (a) determine the registration fee on the basis of the cost attributable to each application of the items listed in paragraph 3; and
 - (b) publish the current registration fee on Defra’s website⁽²⁾.
2. The registration fee shall be payable to the Secretary of State in respect of each establishment for which an application is made and shall be non-refundable.
3. The items referred to in paragraph 1(a) are—
 - (a) the salaries and fees, together with overtime payments and employers' national insurance and superannuation contributions, of—
 - (i) any person involved directly in processing applications for membership of the Scheme;
 - (ii) any person engaged in managing the processing of such applications; and
 - (iii) any veterinary inspector who carries out a veterinary inspection at an applicant establishment;
 - (b) recruiting and training the staff referred to in sub-paragraph (a);
 - (c) travel and related incidental expenses incurred in processing applications for membership (including inspecting establishments), except where incurred by a person attending his normal place of work;
 - (d) office accommodation, equipment and services for the staff referred to in sub-paragraph (a), including depreciation of office furniture and equipment and the cost of information technology and stationery;
 - (e) provision of protective clothing and equipment used in inspecting establishments, and laundering, cleansing or disinfecting that protective clothing;
 - (f) provision of payroll and personnel services in connection with the employment of the staff referred to in sub-paragraph (a); and
 - (g) any other incidental expenses incurred in connection with the processing of applications for membership of the Scheme.

(2) www.defra.gov.uk.

PART III

ANNUAL MEMBERSHIP FEE

1. There shall be two rates for the annual membership fee; a higher rate, which includes the cost of an annual veterinary inspection by a veterinary inspector employed by Defra, and a lower rate which does not include the cost of such an inspection.
2. The lower rate shall be payable—
 - (a) the first time the annual membership fee is paid (the cost of the first annual veterinary inspection having been included in the registration fee); and
 - (b) in subsequent years where the operator of the establishment has elected for the annual veterinary inspection to be carried out by a veterinary inspector who is not employed by Defra.
3. The Secretary of State shall—
 - (a) determine the two rates of the annual membership fee on the basis of the cost attributable to each establishment of the items listed in paragraph 5; and
 - (b) publish the current rates of the annual membership fee on Defra's website.
4. The annual membership fee shall be payable to the Secretary of State in respect of each establishment and shall be non-refundable.
5. The items referred to in paragraph 3(a) are (subject to paragraph 6)—
 - (a) salaries and fees, together with overtime payments and employers' national insurance and superannuation contributions, of—
 - (i) any person directly involved in the administration of the Scheme (including corresponding with and responding to queries from members, producing guidance, and arranging inspections of establishments);
 - (ii) any person engaged in managing the administration of the Scheme;
 - (iii) any veterinary inspector employed by Defra who carries out the annual veterinary inspection of an establishment or additional inspections during the year;
 - (b) recruiting and training the staff referred to in sub-paragraph (a);
 - (c) travel and related incidental expenses incurred in the administration of the Scheme (including veterinary inspections of establishments), except where incurred by a person attending his normal place of work;
 - (d) office accommodation, equipment and services for staff referred to in sub-paragraph (a), including depreciation of office furniture and equipment and the cost of information technology and stationery;
 - (e) provision of protective clothing and equipment, where applicable, used in carrying out inspections of establishments, and laundering, cleansing or disinfecting that protective clothing;
 - (f) provision of payroll and personnel services in connection with the employment of staff referred to in sub-paragraph (a); and
 - (g) any other incidental expenses incurred in connection with the administration of the Scheme.
6. The items listed in paragraph 5 shall not include any expense or cost which relates to the administration of, travel for the purposes of, and attendance at, re-inspections insofar as that expense or cost is recoverable under Part IV of this Schedule.

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PART IV

RE-INSPECTION FEE

1. The re-inspection fee provided for under paragraph 8, Part I of this Schedule shall be composed of—
 - (a) a charge for the veterinary inspector's time spent at the operator's establishment carrying out the re-inspection, the rate for which charge shall be £45 per hour or part thereof; and
 - (b) a charge for mileage, that is, for each mile travelled by the veterinary inspector to and from the operator's establishment in order to carry out the re-inspection, the rate for which charge shall be 33 pence per mile.
2. The Secretary of State may, using such criteria as she considers appropriate in all the circumstances, reduce the charge for mileage under paragraph 1(b) in respect of any particular re-inspection in order to avoid an over-recovery of mileage costs incurred for a journey in the course of which other official activity is undertaken in addition to that re-inspection.

SCHEDULE 5

Regulations 9(4) and 33(1)

APPROVAL OF LABORATORIES UNDER THE POULTRY HEALTH SCHEME

PART I

APPROVAL

1. The Secretary of State may approve any laboratory that she considers to be suitable for the purposes of carrying out Mycoplasma testing under the Poultry Health Scheme.
2. The operator of a laboratory approved under paragraph (1) shall pay the annual approval fee each year, the details of which are set out in Part 2 of this Schedule.
3. In order to ensure that approved laboratories remain suitable for approval, an inspector shall carry out inspections and quality assurance testing as the Secretary of State considers necessary.

PART II

ANNUAL APPROVAL FEE

1. The Secretary of State shall—
 - (a) determine the annual approval fee on the basis of the cost attributable to each laboratory of the items listed in paragraph 3; and
 - (b) publish the current annual approval fee on the website of Defra.
2. The annual approval fee shall be payable to the Secretary of State in respect of each approved laboratory and shall be non-refundable.
3. The items referred to in paragraph 1(a) are—
 - (a) the salaries and fees, together with overtime payments and employers' national insurance and superannuation contributions, of—
 - (i) any person directly involved in the administration of the approval of laboratories;

- (ii) any person engaged in the management or administration of this work; and
- (iii) any veterinary inspector who carries out inspections of laboratories;
- (b) recruiting and training the staff referred to in sub-paragraph (a);
- (c) travel and related incidental expenses incurred in the administration of the approval of laboratories (including carrying out inspections), except where incurred by a person attending his normal place of work;
- (d) office accommodation, equipment and services for staff involved in the administration of approval of laboratories, including depreciation of office furniture and equipment and the cost of information technology and stationery;
- (e) provision of protective clothing and equipment used in carrying out inspections of establishments, and laundering that protective clothing;
- (f) provision of quality assurance testing samples, assessment of the results and provision of advice about the results;
- (g) provision of payroll and personnel services in connection with the employment of staff involved in the administration of approval of laboratories; and
- (h) any other incidental expenses incurred in connection with the administration of the approval of laboratories.

SCHEDULE 6

Regulations 13(1) and 27(1)

LIST OF DISEASES

Foot and mouth disease
Classical swine fever
African swine fever
Swine vesicular disease
Newcastle disease
Rinderpest
Peste des petits ruminants
Vesicular stomatitis
Bluetongue
African horse sickness
Equine encephalomyelitis (of all types, including Venezuelan equine encephalomyelitis)
Teschen disease
Avian influenza
Sheep and goat pox
Lumpy skin disease
Rift valley fever
Contagious bovine pleuropneumonia
Bovine spongiform encephalopathy
Infectious haematopoietic necrosis
Viral haemorrhagic septicaemia

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Dourine
Equine infectious anaemia
Glanders
Infectious Salmon anaemia
Small hive beetle (*Aethina tumida*)
Tropilaelaps mite

SCHEDULE 7

Regulations 16(2) and 16(3), 18(2) and 34

COMMUNITY LEGISLATION ON THIRD COUNTRIES

PART I

INSTRUMENTS SPECIFYING THIRD COUNTRIES AND TERRITORIES IN THIRD COUNTRIES FROM WHICH MEMBER STATES MAY AUTHORISE CERTAIN IMPORTS

1. Council Decision [79/542/EEC](#) drawing up a list of third countries or parts of third countries, and laying down animal and public health and veterinary certification conditions, for importation into the Community of certain live animals and their fresh meat (OJ No. L146, 14.6.79, p. 15), as amended by, and as read with—

Commission Decision [2004/212/EC](#) (OJ No. L73, 11.3.2004, p. 11);

Commission Decision [2004/410/EC](#) (OJ No. L151, 30.4.2004, p. 31) and

Commission Decision [2004/620/EC](#) (OJ No. L279, 28.08.2004 p. 30).

2. Commission Decision [95/233/EC](#) drawing up lists of third countries from which member States authorise imports of live poultry and hatching eggs (OJ No. L156, 7.7.95, p. 76), as amended by, and as read with—

Commission Decision [96/628/EC](#) (OJ No. L282, 1.11.96, p. 73);

Commission Decision [96/659/EC](#) (OJ No. L302, 26.11.96, p. 27);

Commission Decision [97/183/EC](#) (OJ No. L76, 18.3.97, p. 32);

Commission Decision [2001/732/EC](#) (OJ No. L 275, 18.10.2001, p. 14);

Commission Decision [2001/751/EC](#) (OJ No. L 281, 25.10.2001, p. 24);

Commission Decision [2002/183/EC](#) (OJ No. L 61, 2.3.2002, p. 56); and

Commission Decision [2004/118/EC](#) (OJ No. L36, 7.2.2004, p. 34).

3. Commission Decision [2003/804/EC](#) laying down the animal health conditions and certification requirements for imports of molluscs, their eggs and gametes for further growth, fattening, relaying or human consumption (OJ No. L302, 21.11.2003, p. 22), as amended by, and as read with—

Commission Decision [2004/609/EC](#) (OJ L274, 24.8.04, p. 17); and

Commission Decision [2004/623/EC](#) (OJ No. L280, 31.8.2004, p. 26).

4. Commission Decision [2003/858/EC](#) laying down the animal health conditions and certification requirements for imports of live fish, their eggs and gametes intended for farming, and live fish of aquaculture origin and products thereof intended for human consumption (OJ L324, 11.12.2003, p. 37.) as amended by, and as read with—

Commission Decision [2004/454/EC](#) (OJ No. 156, 30.4.2004, p. 29).

5. Commission Decision [2003/881/EC](#) (OJ No. L328, 17.12.2003, p. 26), as amended by—
Commission Decision [2005/60/EC](#) (OJ No. L25, 28.1.2005).
6. Commission Decision [2004/211/EC](#) establishing the list of third countries and parts of territory thereof from which Member States authorise imports of live equidae and semen, ova and embryos of the equine species (OJ No. L73, 11.3.2004, p. 1).

PART II

DETAILED PROVISIONS

Bovine, ovine and caprine animals and swine from third countries

1. **Instrument:** Council Directive [72/462/EEC](#) on health and veterinary inspection problems upon importation of bovine, ovine and caprine animals and swine, and fresh meat or meat products from third countries (OJ L302, 31.12.72, p. 28), as amended by and as read with—
Council Directive [90/423/EEC](#) (OJ No. L224, 18.8.90, p. 13);
Council Directive [90/425/EEC](#) (OJ No. L224, 18.8.90, p. 29);
Council Directive [91/69/EEC](#) (OJ No. L46, 19.2.91, p. 37);
Council Directive [91/496/EEC](#) (OJ No. L268, 24.9.91, p. 56);
Council Directive [91/688/EEC](#) (OJ No. L377, 31.12.91, p. 18);
Council Directive [96/91/EC](#) (OJ No. L13, 16.1.1997, p. 26);
Council Directive [97/79/EC](#) (OJ No. L24, 30.1.98, p. 31); and
the European international instruments.

Relevant provisions in that instrument: Articles 6, 10, 11, 13, 29 and 30.

Cloven-hoofed animals and elephants from third countries

2. **Instrument:** Council Decision [79/542/EEC](#) drawing up a list of third countries or parts of third countries, and laying down animal and public health and veterinary certification conditions, for importation into the Community of certain live animals and their fresh meat (OJ No. L146, 14.6.79, p. 15), as amended by, and as read with—
Commission Decision [2004/212/EC](#) (OJ No. L73, 11.3.2004, p. 11);
Commission Decision [2004/410/EC](#) (OJ No. L151, 30.4.2004, p. 31);
Commission Decision [2004/554/EC](#) (OJ No. L248, 9.7.2004, p. 1); and
Commission Decision [2004/620/EC](#) (OJ No. L279, 28.8.2004, p. 30).

Relevant provisions in that instrument: Articles 3, 4, 5, 6 and 7.

Equidae

General

3. **Instrument:** Council Directive [90/426/EEC](#) on health conditions governing the movement of equidae and their import from third countries (OJ No. L224, 18.8.90, p. 42), as amended by, and as read with—
Council Directive [90/425/EEC](#) (OJ No. L224, 18.8.90, p. 29);
Council Directive [91/496/EEC](#) (OJ No. L268, 24.9.91, p. 56);

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Council Directive [92/36/EEC](#) (OJ No. L157, 10.6.92, p. 28);
 Commission Decision [92/130/EEC](#) (OJ No. L47, 22.2.92, p. 26);
 Commission Decision [95/329/EC](#) (OJ No. L191, 12.8.95, p. 36);
 Commission Decision [96/81/EC](#) (OJ No. L19, 25.1.96, p. 53);
 Commission Decision [2002/160/EC](#) (OJ No. L053, 23.3.2002, p. 37);
 Council Directive [2004/68/EC](#) (OJ No. L226, 25.6.2004, p. 128); and
 the European international instruments.

Relevant provisions in that instrument: Articles 11, 12(1), 13 to 16 and 18.

4. Instrument: Commission Decision [2004/211/EC](#) establishing the list of third countries and parts of territory thereof from which Member States authorise imports of live equidae and semen, ova and embryos of the equine species (OJ No. L73, 11.3.2004, p. 1).

Relevant provision in that instrument: Article 6.

Temporary admission of registered horses

5. Instrument: Commission Decision [92/260/EEC](#) (OJ No. L130, 15.5.92, p. 67), as amended by, and as read with—

Commission Decision [93/344/EEC](#) (OJ No. L138, 9.6.93, p. 11);
 Commission Decision [94/453/EC](#) (OJ No. L187, 22.7.94, p. 11);
 Commission Decision [94/561/EC](#) (OJ No. L214, 19.8.94, p. 17);
 Commission Decision [95/322/EC](#) (OJ No. L190, 11.8.95, p. 9);
 Commission Decision [95/323/EC](#) (OJ No. L190, 11.8.95, p. 11);
 Commission Decision [96/81/EC](#) (OJ No. L19, 25.1.96, p. 53);
 Commission Decision [96/279/EC](#) (OJ No. L107, 30.4.96, p. 1);
 Commission Decision [97/10/EC](#) (OJ No. L3, 7.1.97, p. 9) as amended by Decision [2001/622/EC](#) (OJ No. L216, 10.8.2001, p. 26);
 Commission Decision [98/360/EC](#) (OJ No. L163, 6.6.98, p. 44);
 Commission Decision [98/594/EC](#) (OJ No. L286, 23.10.98, p. 53);
 Commission Decision [99/228/EC](#) (OJ No. L83, 27.3.99, p. 77);
 Commission Decision [99/613/EC](#) (OJ No. L24, 15.9.99, p. 12);
 Commission Decision [2000/209/EC](#) (OJ No. L064, 11.3.2000, p. 22);
 Commission Decision [2001/117/EC](#) (OJ No. L043, 14.2.2001, p. 38);
 Commission Decision [2001/611/EC](#) (OJ No. L214, 8.8.2001, p. 49);
 Commission Decision [2001/619/EC](#) (OJ No. L215, 9.8.2001, p. 55);
 Commission Decision [2001/828/EC](#) (OJ No. L308, 27.11.2001, p. 41);
 Commission Decision [2002/635/EC](#) (OJ No. L206, 3.8.2002, p. 20);
 Commission Decision [2002/636/EC](#) (OJ No. L206, 3.8.2002, p. 27);
 Commission Decision [2003/13/EC](#) (OJ No. L007, 11.1.2003, p. 86);
 Commission Decision [2003/541/EC](#) (OJ No. L185, 24.07.2003, p. 41);
 Commission Decision [2004/117/EC](#) (OJ No. L36, 7.2.2004, p. 20);
 Commission Decision [2004/177/EC](#) (OJ No. L55, 24.2.2004, p. 64);

Commission Decision [2004/241/EC](#) (OJ No. L74, 12.03.04, p. 19); and the European international instruments.

Relevant provision in that instrument: Article 1.

Registered horses for racing, etc, upon re-entry

6. Instrument: Commission Decision [93/195/EEC](#) on animal health conditions and veterinary certification for the re-entry of registered horses for racing, competition and cultural events after temporary export (OJ No. L86, 6.4.93, p. 1), as amended by, and as read with—

Commission Decision [94/453/EC](#) (OJ No. L187, 22.7.94, p. 11);
Commission Decision [94/561/EC](#) (OJ No. L214, 19.8.94, p. 17);
Commission Decision [95/99/EC](#) (OJ No. L76, 5.4.95, p. 16);
Commission Decision [95/322/EC](#) (OJ No. L190, 11.8.95, p. 9);
Commission Decision [95/323/EC](#) (OJ No. L190, 11.8.95, p. 11);
Commission Decision [96/279/EC](#) (OJ No. L107, 30.4.96, p. 1);
Commission Decision [97/684/EC](#) (OJ No. L287, 21.10.97, p. 49);
Commission Decision [98/360/EC](#) (OJ No. L163, 6.6.98, p. 44);
Commission Decision [98/567/EC](#) (OJ No. L276, 13.10.98, p. 11);
Commission Decision [98/594/EC](#) (OJ No. L286, 23.10.98, p. 53);
Commission Decision [99/228/EC](#) (OJ No. L83, 27.3.99, p. 77);
Commission Decision [99/558/EC](#) (OJ No. L211, 11.8.99, p. 53);
Commission Decision [2000/209/EC](#) (OJ No. L64, 11.3.00, p. 64);
Commission Decision [2000/754/EC](#) (OJ No. L303, 12.12.00, p. 34);
Commission Decision [2001/117/EC](#) (OJ No. L43, 14.2.01, p. 38);
Commission Decision [2001/144/EC](#) (OJ No. L53, 23.2.01, p. 23);
Commission Decision [2001/610/EC](#) (OJ No. L43, 8.8.01, p. 45);
Commission Decision [2001/611/EC](#) (OJ No. L214, 8.8.01, p. 49);
Commission Decision [2004/211/EC](#) (OJ No. L73, 11.3.2004, p. 1); and the European international instruments.

Relevant provision in that instrument: Article 1.

Equidae for slaughter

7. Instrument: Commission Decision [93/196/EEC](#) on animal health conditions and veterinary certification for imports of equidae for slaughter (OJ No. L86, 6.4.93, p. 7), as amended by, and as read with—

Commission Decision [94/453/EC](#) (OJ No. L187, 22.7.94, p.11);
Commission Decision [95/322/EC](#) (OJ No. L190, 11.8.95, p. 9);
Commission Decision [96/81/EC](#) (OJ No. L19, 25.1.96, p. 53);
Commission Decision [96/82/EC](#) (OJ No. L19, 25.1.96, p. 56);
Commission Decision [96/279/EC](#) (OJ No. L107, 30.4.96, p. 1);
Commission Decision [97/36/EC](#) (OJ No. L14, 17.1.97, p. 57);

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Commission Decision [98/360/EC](#) (OJ No. L163, 6.6.98, p. 44);
 Commission Decision [99/228/EC](#) (OJ No. L83, 27.3.99, p. 77);
 Commission Decision [2001/117/EC](#) (OJ No. L43, 14.2.01, p. 38);
 Commission Decision [2001/611/EC](#) (OJ No. L214, 8.8.01, p. 49); and
 the European international instruments.

Relevant provision in that instrument: Article 1.

Registered equidae and equidae for breeding and production

8. Instrument: Commission Decision [93/197/EEC](#) on animal health conditions and veterinary certification on imports of registered equidae and equidae for breeding and production (OJ No. L86, 6.4.93, p. 16), as amended by, and as read with—

Commission Decision [93/510/EEC](#) (OJ No. L238, 23.9.93, p. 45);
 Commission Decision [93/682/EEC](#) (OJ No. L317, 18.12.93, p. 82);
 Commission Decision [94/453/EC](#) (OJ No. L187, 22.7.94, p. 11);
 Commission Decision [94/561/EC](#) (OJ No. L214, 19.8.94, p. 17);
 Commission Decision [95/322/EC](#) (OJ No. L190, 11.8.95, p. 9);
 Commission Decision [95/323/EC](#) (OJ No. L190, 11.8.95, p. 11);
 Commission Decision [95/536/EC](#) (OJ No. L304, 16.12.95, p. 49);
 Commission Decision [96/81/EC](#) (OJ No. L19, 25.1.96, p. 53);
 Commission Decision [96/82/EC](#) (OJ No. L19, 25.1.96, p. 56);
 Commission Decision [96/279/EC](#) (OJ No. L107, 30.4.96, p. 1);
 Commission Decision [97/10/EC](#) (OJ No. L3, 7.1.97, p. 9), as amended by Commission Decision [2004/117/EC](#) (OJ L036, 7.2.04, p. 20);
 Commission Decision [97/36/EC](#) (OJ No. L14, 17.1.97, p. 57);
 Commission Decision [98/360/EC](#) (OJ No. L163, 6.6.98, p. 44);
 Commission Decision [98/594/EC](#) (OJ No. L286, 23.10.98, p. 53);
 Commission Decision [99/228/EC](#) (OJ No. L83, 27.3.99, p. 77);
 Commission Decision [99/236/EC](#) (OJ No. L87, 31.3.99, p. 13);
 Commission Decision [99/252/EC](#) (OJ No. L96, 10.4.99, p. 31);
 Commission Decision [99/613/EC](#) (OJ No. L243, 15.9.99, p. 12);
 Commission Decision [2000/209/EC](#) (OJ No. L64, 11.3.00, p. 64);
 Commission Decision [2001/117/EC](#) (OJ No. L43, 14.2.01, p. 38);
 Commission Decision [2001/611/EC](#) (OJ No. L214, 8.8.01, p. 49);
 Commission Decision [2001/619/EC](#) (OJ No. L215, 9.8.01, p. 55);
 Commission Decision [2001/754/EC](#) (OJ No. L282, 26.10.01, p. 34);
 Commission Decision [2001/766/EC](#) (OJ No. L288, 1.11.01, p. 50);
 Commission Decision [2001/828/EC](#) (OJ No. L308, 27.11.01, p. 41);
 Commission Decision [2002/635/EC](#) (OJ No. L206, 3.8.02, p. 20);
 Commission Decision [2002/841/EC](#) (OJ No. L206, 25.10.02, p. 42);
 Commission Decision [2003/541/EC](#) (OJ No. L185, 24.07.2003, p. 41);

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Commission Decision [2004/117/EC](#) (OJ No. L36, 7.2.2004, p. 20);
Commission Decision [2004/177/EC](#) (OJ No. L55, 24.2.2004, p. 64);
Commission Decision [2004/241/EC](#) (OJ No. L74, 12.3.04, p. 19); and
the European international instruments.

Relevant provision in that instrument: Article 1.

Additional requirements:

- (a) All pre-export tests of registered horses from Kyrgyzstan and registered equidae and equidae for breeding and production imported from Belarus, Bulgaria, Croatia, ex-Yugoslavia Republic of Macedonia, Romania, Russian Federation and the Ukraine must be carried out as follows: for vesicular stomatitis at the Institute of Animal Health, Pirbright, the National Veterinary Institute, Czech Republic or at the Central Veterinary Laboratory, Budapest, Hungary; the mandatory tests for infectious anaemia, dourine and glanders and, if necessary, the test for equine viral arteritis at the Veterinary Laboratories Agency, Weybridge, the National Veterinary Institute, Czech Republic or at the Central Veterinary Laboratory, Budapest, Hungary;
- (b) The test results must be attached to the health certificate accompanying the imported equidae.

Poultry

9. Instrument: Council Directive [90/539/EEC](#) on animal health conditions governing intra-Community trade in, and imports from third countries of poultry and hatching eggs (OJ No. L303, 30.10.90, p. 6) as amended by, and as read with—

Council Directive [91/494/EEC](#) (OJ No. L268, 24.9.91, p. 35);
Council Directive [91/496/EEC](#) (OJ No. L268, 24.9.91, p. 56);
Council Directive [92/65/EEC](#) (OJ No. L268, 14.9.92, p. 54);
Commission Decision [92/369/EEC](#) (OJ No. L195, 14.7.92, p. 25);
Council Directive [93/120/EEC](#) (OJ No. L340, 31.12.93, p. 35);
Commission Decision [96/482/EC](#) (OJ No. L196, 7.8.96, p. 13);
Commission Decision [96/628/EC](#) (OJ No. L282, 1.11.96, p. 73);
Council Directive [99/89/EC](#) (OJ L300, 23. 11.99 p. 17);
Council Directive [99/90/EC](#) (OJ No. L300, 23.11.1999, p. 19);
Commission Decision [2000/505/EC](#) (OJ No. L201, 9.8.2000, p. 8);
Commission Decision [2002/183/EC](#) (OJ No. L61, 2.3.2002, p. 56);
Commission Decision [2002/542/EC](#) (OJ No. L176, 5.7.2002, p. 43);
Commission Decision [2004/118/EC](#) (OJ No. L36, 7.2.2004, p. 34); and
the European international instruments.

Relevant provisions in that instrument: Articles 20, 21(1), 22(1), 23, 24, 27(2) and 28.

Other specified animals, semen, ova and embryos

10. Instrument: Council Directive [92/65/EEC](#) laying down animal health requirements governing trade in and imports into the Community of animals, semen, ova and embryos not subject to animal health requirements laid down in specific Community rules referred to in Council Directive [90/425/EEC](#) (OJ No. L268, 14.9.92, p. 54), as amended by, and as read with—

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Commission Decision [95/176/EC](#) (OJ No. L117, 24.5.95, p. 23);
 Commission Decision [2001/298/EC](#) (OJ No. L102, 12.4.2001, p. 63);
 Commission Regulation (EC) No [1282/2002](#) (OJ No. L187, 16.7.2002, p. 3);
 Council Regulation (EC) No. [1802/2002](#) (OJ No. L274, 11.10.2002, p. 21);
 Council Regulation (EC) No [998/2003](#) (OJ No. L146, 13.6.2003, p. 1);
 Council Regulation (EC) No. [1398/2003](#) (OJ No. L198, 6.8.2003, p. 3);
 Commission Decision [2003/881/EC](#) (OJ No. L328, 17.12.2003, p. 26);
 Commission Regulation (EC) No. [592/2004](#) (OJ No. L94, 31.3.2004, p. 7);
 Council Directive [2004/68/EC](#) (OJ No. L226, 25.6.2004, p. 128);
 Commission Decision [2004/595/EC](#) (OJ No. L266, 13.8.2004, p. 11);
 Council Decision [2004/650/EC](#) (OJ No. L298, 23.9.2004, p. 22); and
 the European international instruments and Joint Committee Decision 69/96 of 17 July 1998 amending Annex 1 (Veterinary and Phytosanitary matters) to the Agreement on the European Economic Area (OJ No. L158, 24.6.99, p. 1).

Relevant provisions in that instrument: Articles 17(1), 17(2) and 18.

Live animals from New Zealand

11. Instrument: Commission Decision [2003/56/EC](#) on health certificates relating to live animals, their semen, ova and embryos imported from New Zealand (OJ No. L22, 25.1.03, p. 38) as amended by—

Commission Decision [2003/385/EC](#) (OJ No. L133, 29.5.03, p. 87); and
 Commission Decision [2003/669/EC](#) (OJ No. L237, 24.9.03, p. 7).

Relevant provisions in that instrument: Articles 1, 2 and 3.

Zootechnical conditions

12. Instrument: Council Directive [94/28/EC](#) laying down the principles relating to the zootechnical and genealogical conditions applicable to imports from third countries of animals, their semen, ova and embryos, and amending Directive [77/504/EEC](#) on pure-bred breeding animals of the bovine species (OJ No. L178, 12.7.94, p. 66), as read with—

Commission Decision [96/509/EC](#) (OJ No. L210, 20.8.96, p. 47); and
 Commission Decision [96/510/EC](#) (OJ No. L210, 20.8.96, p. 53), as amended by Commission Decision [2004/186/EC](#) (OJ No. L57, 25.2.2004, p. 27).

Relevant provision in that instrument: Article 4.

Finfish and shellfish from third countries

13. Instrument: Commission Decision [2003/804/EC](#) laying down the animal health conditions and certification requirements for imports of molluscs, their eggs and gametes for further growth, fattening, relaying or human consumption (OJ No. L302, 21.11.2003, p. 22), as amended by, and as read with—

Commission Decision [2004/609/EC](#) (OJ L274, 24.8.04, p. 17); and
 Commission Decision [2004/623/EC](#) (OJ No. L280, 31.8.2004, p. 26).

Relevant provisions in that instrument: Articles 3, 4, 5, 6, 7 and 8.

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14. Instrument: Commission Decision [2003/858/EC](#) laying down the specific animal health conditions and certification requirements for imports of live fish, their eggs, and gametes intended for farming, and live fish of aquaculture origin and products thereof intended for human consumption (OJ L324, 11.12.2003, p. 37) as amended by, and as read with—

Commission Decision [2004/454/EC](#) (OJ No. L156, 30.4.2004, p. 29); and

Commission Decision [2004/914/EC](#) (OJ No. L385, 29.12.2004, p. 60).

Relevant provisions in that instrument: Articles 3, 4, 5, 6, 7, 8 and 9.

SCHEDULE 8

Regulation 34

LEGISLATION THAT DOES NOT APPLY

<i>Title</i>	<i>Reference</i>	<i>Extent</i>
The Diseases of Fish Act 1937	1937 c. 33	Section 1
The Hares (Control of Importation) Order 1965	S.I. 1965/2040	The whole Order
The Rabies (Importation of Dogs, Cats and Other Mammals) Order 1974 as amended	S.I. 1974/2211 as amended by S.I. 1977/361 , 1984/1182 , 1986/2062 , 1990/2371 , 1993/1813 , 1994/1405 , 1994/1716 , 1999/3443 , 2000/1298 , 2000/1641 , 2001/6 , 2002/1011 , 2002/2850 , and 2004/2364 .	The Order shall continue to apply to all carnivores, primates and bats. It shall continue to apply to the importation of all other animals unless such animals are imported by way of trade and can be shown to have been born on the holding of origin and kept in captivity since birth.
The Importation of Animals Order 1977	S.I. 1977/944	Articles 3, 4(7), 4(8), 5(1) to (3), 7(1), 8 to 14, 16, 17, 18(1) (b), 18(3), 19 to 21, 23, 24 and 25(2) except that article 3 shall continue to apply to ruminating animals and swine other than animals which are the subject of Council Directive 64/432/EEC .
The Importation of Birds, Poultry and Hatching Eggs Order 1979	S.I. 1979/1702	Articles 4 to 7, 9(3) to (6), 10 to 12 except that article 4 shall continue to apply to all birds (including domestic fowl) and their hatching eggs other than those subject to the provisions of Council Directive 90/539/EEC (excluding domestic fowl).
The Importation of Embryos, Ova and Semen Order 1980 as	S.I. 1980/12 as amended by S.I. 1984/1326	The whole Order except that article 4 shall continue to apply

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<i>Title</i>	<i>Reference</i>	<i>Extent</i>
amended by the Importation of Embryos, Ova and Semen (Amendment) Order 1984		to embryos, ova and semen (as defined in that Order) other than— (a) bovine semen which is the subject of Council Directive 88/407/EEC , (b) bovine embryos which are the subject of Council Directive 89/556/EEC , (c) porcine semen which is the subject of Council Directive 90/429/EEC , (d) equine ova and embryos which are the subject of Commission Decision 95/294/EC , (e) equine semen which is the subject of Commission Decision 95/307/EC , (f) ovine and caprine semen, ova and embryos which are the subject of Commission Decision 95/388/EC , and (g) porcine ova and embryos which are the subject of Commission Decision 95/483/EC .
The Diseases of Fish Regulations 1984	S.I. 1984/455	Regulations 2 and 5.
The Importation of Bovine Semen Regulations 1984	S.I. 1984/1325	The whole instrument.
The Shellfish and Specified Fish (Third Country Imports) Order 1992	S.I. 1992/3301	The whole Order.