II

*(Acts whose publication is not obligatory)*

# COMMISSION

## COMMISSION DECISION

**of 6 September 2004**

**laying down the importation conditions of semen of domestic animals of the bovine species**

*(notified under document number C(2004) 3364)*

**(Text with EEA relevance)**

(2004/639/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 88/407/EEC of 14 June 1988 laying down animal health requirements governing trade and imports into the Community of semen of domestic animals of bovine species [1], and in particular Article 8(1), Article 10(2) and Article 11(2) thereof,

Whereas:

(1) Commission Decision 90/14/EEC [2], lays down the list of third countries from which bovine semen may be imported.

(2) Commission Decision 91/277/EEC [3], lays down health protection measures in respect of imports of deep-frozen bovine semen from Israel.

(3) Commission Decision 94/577/EC [4], lays down animal health conditions and veterinary certification for the importation of bovine semen from third countries.

(4) Following the modification of Directive 88/407/EEC by Council Directive 2003/43/EC [5], the recast of Commission decisions related to importation of semen of domestic animals of the bovine species into the Community is required.

(5) The lists of semen collection and storage centres from which Member States shall authorise the importation of semen originating in third countries is established and updated in accordance with Article 9(1) of Directive 88/407/EEC which foresees that the up-to-date version of all lists be made available to the public. These lists are on the Internet at: http://europa.eu.int/comm/food/index_en.htm.

(6) Directive 2003/43/EC amending Directive 88/407/EEC provides that as of 1 January 2005, semen of domestic animals of bovine species must be collected, processed and stored according to the new provisions introduced by Directive 2003/43/EC in order to be eligible to imports.

(7) However, it is appropriate to authorise the continuing imports of stocks of semen of domestic animals of bovine species in accordance with the provisions of Directive 88/407/EEC, prior to the modification introduced by Directive 2003/43/EC.

(8) Therefore, Article 2(2) of Directive 2003/43/EC provides that:

— up until 31 December 2004, Member States shall authorise imports of semen of domestic animals of bovine species collected, processed, stored before 31 December 2004 and accompanied by a certificate in accordance with the models provided for before the amendments introduced by Directive 2003/43/EC,

[1] OJ L 194, 22.7.1988, p. 10. Directive as last amended by Commission Decision 2004/101/EC (OJ L 30, 4.2.2004, p. 15).
[2] OJ L 8, 11.1.1990, p. 71. Decision as last amended by Decision 2004/52/EC (OJ L 10, 16.1.2004, p. 67).
[3] OJ L 135, 30.5.1991, p. 60.
[4] OJ L 221, 26.8.1994, p. 26. Decision as last amended by Decision 2004/52/EC.
[5] OJ L 143, 11.6.2003, p. 23.

— after this date, Member States shall not authorise imports of semen of domestic animals of bovine species in accordance with the provisions formerly in force unless it was collected, processed and stored before 31 December 2004.

(9) Consequently, it is necessary to provide a model certificate for imports of semen of domestic animals of the bovine species collected, processed and stored before 31 December 2004 and to be used as of 1 January 2005.

(10) It is more convenient to gather, in the same act, all the information relating to the importation of semen of domestic animals of the bovine species (list of third countries authorised, veterinary requirements applying to importations and list of centres approved in those third countries), and to repeal Decisions 90/14/EEC, 91/277/EEC and 94/577/EC accordingly.

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

HAS ADOPTED THIS DECISION:

*Article 1*

1. Member States shall authorise the importation from third countries listed in Annex I, of semen of domestic animals of the bovine species conforming to the conditions laid down in the model animal health certificate in Annex II, part 1 and accompanied by such a certificate duly completed.

2. However, as of 1 January 2005, Member States shall authorise the importation from third countries listed in Annex I, of semen of domestic animals of the bovine species, collected, processed and stored before 31 December 2004, conforming to the conditions laid down in the model animal health certificate in Annex II, part 2 and accompanied by such a certificate duly completed.

3. The semen referred to in paragraph 1 must be collected after the date of approval of the centre by the competent national authorities of the third countries concerned.

*Article 2*

Decisions 90/14/EEC, 91/277/EEC and 94/577/EC are repealed.

*Article 3*

This Decision shall apply from 18 September 2004.

*Article 4*

This Decision is addressed to the Member States.

Done at Brussels, 6 September 2004.

*For the Commission*
David BYRNE
*Member of the Commission*

*ANNEX I*

**List of third countries from which Member States authorise importation of semen of domestic animals of the bovine species**

| ISO code | Country |
|---|---|
| AU | Australia |
| CA | Canada |
| CH | Switzerland |
| NZ | New Zealand |
| RO | Romania |
| US | United States of America |

*ANNEX II*

**Model veterinary certificates for imports**

**PART 1**

*The following model certificate is applicable to imports of semen collected in accordance with Directive 88/407/EEC as amended by Directive 2003/43/EC*

<table>
<tr><td colspan="3">VETERINARY CERTIFICATE<br>Semen of domestic animals of the bovine species for imports collected in accordance with Directive 88/407/EEC as amended by Directive 2003/43/EC</td></tr>
<tr><td colspan="2">1. Country of provenance and competent authority</td><td>2. Health certificate No</td></tr>
<tr><td colspan="3">A. ORIGIN OF SEMEN</td></tr>
<tr><td colspan="3">3. Approval number of the centre of provenance of the consignment (collection/storage (1))</td></tr>
<tr><td colspan="2">4. Name and address of the centre of provenance of the consignment: collection/storage (1)</td><td>5. Name and address of the consignor</td></tr>
<tr><td colspan="2">6. Country and place of loading</td><td>7. Means of transport</td></tr>
<tr><td colspan="3">B. DESTINATION OF SEMEN</td></tr>
<tr><td colspan="2">8. Member State of destination</td><td>9. Name and address of the consignee</td></tr>
<tr><td colspan="3">C. IDENTIFICATION OF SEMEN</td></tr>
<tr><td>10.1. Identification mark of the doses (2)</td><td>10.2. Number of doses</td><td>10.3. Approval number of the collection centre of origin</td></tr>
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| D. **HEALTH INFORMATION** | |
|---|---|
| 11. I, undersigned official veterinarian, hereby certify that: | |
| 11.1. ..... (name of exporting country) (3) has been free from rinderpest and foot-and-mouth disease during the 12 months immediately prior to collection of the semen for export and until its date of dispatch and no vaccination against these diseases has taken place during the same period; | |
| 11.2. the centre at which the semen to be exported was collected or stored was: | |
| 11.2.1. approved under the conditions laid down in Annex A, Chapter I to Directive 88/407/EEC; | |
| 11.2.2. operated and supervised under the conditions laid down in Annex A, Chapter II to Directive 88/407/EEC; | |
| 11.3. the centre at which the semen to be exported was collected has been free from rabies, tuberculosis, brucellosis, anthrax and contagious bovine pleuropneumonia during the period commencing 30 days prior to the date of collection of the semen to be exported until 30 days after collection (in the case of fresh semen until day of dispatch); | |
| 11.4. the bovine animals standing at the semen collection centre: | |
| 11.4.1. come from herds and/or were born to dams which satisfy the conditions at Annex B(I)(1)(b) and (c) to Directive 88/407/EEC; | |
| 11.4.2. have, within the 28 days preceding the quarantine isolation period, undergone the tests required by Annex B(I)(1)(d) to Directive 88/407/EEC; | |
| 11.4.3. have satisfied the quarantine isolation period and testing requirements laid down in Annex B(I)(1)(e) to Directive 88/407/EEC; | |
| 11.4.4. have undergone, at least once a year, with negative results, the routine tests according to Annex B(II) to Directive 88/407/EEC; | |
| 11.5. the semen to be exported was obtained from donor bulls; | |
| 11.5.1. which satisfy the conditions laid down in Annex C to Directive 88/407/EEC; | |
| 11.5.2. which have been resident in the exporting country, for the period of six months immediately prior to collection of semen for export (1); or which have been imported since less than six months in the exporting country from ..... (3). At the time of import, they satisfied the animal health conditions applied to donors whose semen is intended for export to the Community (1); | |
| 11.5.3. resident in: — either bluetongue virus free countries or zones and which fulfil the conditions laid down in paragraph 1 of Article 2.1.9.9 of the Terrestrial Animal Health Code (1); — or bluetongue virus seasonally free zones and which fulfil the conditions laid down in paragraph 1 of Article 2.1.9.10 of the Terrestrial Animal Health Code (1); — or bluetongue virus infected countries or zones and which fulfil the conditions laid down in paragraph 1 of Article 2.1.9.11 of the Terrestrial Animal Health Code (1); | **** |
| 11.5.4. which were subjected on two occasions not more than 12 months apart to the following pre-collection and post-collection tests with negative results in an approved laboratory (the post-collection test must be performed on a blood sample taken not less than 21 days following the collection of semen for export) to an agar-gel immunodiffusion test (4) and a virus neutralisation test for all serotypes of epizootic haemorrhagic disease (EHD) known to exist in the exporting country, which are the following: ..... .....; | *** |

| | |
|---|---|
| 11.5.5. which were subjected in an approved laboratory with negative results prior to entry and every six months to an agar-gel immuno-diffusion test (4) and a virus neutralization test for all serotypes of epizootic haemorrhagic disease (EHD) known to exist in the exporting country, which are the following: .....<br>.....; | ** |
| 11.5.6. which were subjected on two occasions not more than 12 months apart to the following pre-collection and post-collection tests with negative results in an approved laboratory (the post-collection test must be performed on a blood sample taken not less than 21 days following the collection of semen for export) to a serum neutralisation test for Akabane virus; | * |
| 11.6. the semen to be exported was collected after the date of approval of the centre by the competent national authorities of the exporting country; | |
| 11.7. The semen to be exported was processed, stored and transported under conditions, which satisfy the terms of Directive 88/407/EEC. | |

E. **VALIDITY**

| 12. Date and place | 13. Name and qualification of the official veterinarian | 14. Signature and stamp of the official veterinarian |
|---|---|---|
| | | |

Note for the importer: this certificate is only for veterinary purposes and has to accompany the consignment until it reaches the border inspection post.

(1) Delete as necessary.
(2) Corresponding to the identification of the donor animals and date of collection.
(3) Countries listed in Annex I of Decision 2004/639/EC.
(4) Standards for EHD virus diagnostic tests are described in the blue tongue chapter of the Terrestrial Manual.
**** To be used only by Australia, Canada and USA.
*** To be used only by Australia and USA.
** To be used only by Canada.
* To be used only by Australia.

**PART 2**

*The following model certificate is applicable from 1 January 2005 for imports of stocks of semen collected, processed and stored before 31 December 2004 in accordance with the former conditions of Council Directive 88/407/EEC, and imported after that date in accordance with Article 2(2) of Directive 2003/43/EC.*

| **VETERINARY CERTIFICATE**<br>**Semen of domestic animals of the bovine species collected, processed and stored before 31 December 2004, for imports as of 1 January 2005, in accordance with Article 2(2) of Directive 2003/43/EC** | |
|---|---|
| 1. Country of provenance and competent authority | 2. Health certificate No |
| A. **ORIGIN OF SEMEN** | |
| 3. Approval number of the centre of provenance of the consignment (collection/storage [1]) | |
| 4. Name and address of the centre of provenance of the consignment: collection/storage [1] | 5. Name and address of the consignor |
| 6. Country and place of loading | 7. Means of transport |
| B. **DESTINATION OF SEMEN** | |
| 8. Member State of destination | 9. Name and address of the consignee |

C. **IDENTIFICATION OF SEMEN**

| 10.1. Identification mark of the doses [2] | 10.2. Date of collection [3] | 10.3. Number of doses | 10.4. Approval number of the collection centre of origin |
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D. **HEALTH INFORMATION**

11. I, undersigned official veterinarian, hereby certify that:

11.1. .....

(Name of exporting country)

has been free from rinderpest and foot-and-mouth disease during the 12 months immediately prior to collection of the semen for export and until its date of dispatch and no vaccination against these diseases has taken place during the same period;

11.2. the semen described above was collected before the date of 31 December 2004 on a semen collection centre which was:

11.2.1. approved under the conditions laid down in Annex A, Chapter I to Directive 88/407/EEC;

11.2.2. operated and supervised under the conditions laid down in Annex A, Chapter II to Directive 88/407/EEC;

11.3. the centre at which the semen to be exported was collected has been free from rabies, tuberculosis, brucellosis, anthrax and contagious bovine pleuropneumonia during the period commencing 30 days prior to the date of collection of the semen to be exported until 30 days after collection (in the case of fresh semen until day of dispatch);

11.4. at the time the semen described above was collected, all bovine animals at the semen collection centre:

11.4.1. came from herds and/or were born to dams which satisfy the conditions of paragraphs 1(b) and (c) in Chapter I of Annex B to Directive 88/407/EEC;

11.4.2. have, within the 30 days preceding the quarantine isolation period, undergone with negative results:

— the tests required by Annex B, Chapter I, 1.d.(i), (ii) and (iii) to Directive 88/407/EEC, and

— a serum neutralisation test or an ELISA test for infectious bovine rhinotracheitis/infectious pustular vulvo-vaginitis, and

— a virus isolation test (fluorescent antibody test or immunoperoxidase test) for bovine viral diarrhoea, which in the case of an animal less than six months of age has been deferred until that age was reached;

11.4.3. have satisfied the quarantine isolation period of 30 days and have been subjected with the required negative results to the following health tests:

— a serological test for brucellosis carried out in accordance with the procedure described in Annex C to Directive 64/432/EEC,

— either an immunofluorescent antibody test or a culture test for campylobacter foetus infection on a sample of preputial material or artificial vagina washings, or, in the case of a female animal, a vaginal mucus agglutination test,

— a microscopic examination and culture test for trichomonas foetus on a sample of preputial material or artificial vagina washings, or in the case of a female animal a vaginal mucus agglutination test;

11.4.4. have undergone, at least once a year, with negative results, the routine tests referred to in points 1(a) (b) and (c) in Chapter I of Annex B to Directive 88/407/EEC;

11.5. at the time the semen described above was collected:

11.5.1. all female bovine animals in the centre have undergone at least once a year a vaginal mucus agglutination test for campylobacter foetus infection with negative results; and

11.5.2. all bulls used for semen production have undergone with negative result either an immunofluorescent antibody test or a culture test for campylobacter foetus infection on a sample of preputial material or artificial vagina washings carried out within 12 months prior to collection;

| | |
|---|---|
| 11.6. the semen to be exported was obtained from donor bulls; | |
| 11.6.1. which satisfy the conditions laid down in Annex C to Directive 88/407/EEC; | |
| 11.6.2. which have been resident in the exporting country, for the period of six months immediately prior to collection of semen for export (1);<br>or<br>which have been imported since less than six months in the exporting country, from ..... (4). At the time of import, they satisfied the health conditions applied to donors whose semen is intended for export to the Community (1); | |
| 11.6.3. standing in a semen collection centre in which:<br>i) all bovine animals have undergone at least once a year with negative result a serum neutralisation test or an ELISA test for infectious bovine rhinotracheitis/infectious pustular vulvo-vaginitis (1); or<br>ii) bovine animals not vaccinated against infectious bovine rhinotracheitis have undergone at least once a year with negative result a serum neutralisation test or an ELISA test for infectious bovine rhinotracheitis/infectious pustular vulvo-vaginitis, and testing for infectious bovine rhinotracheitis is not carried out on bulls which have received a first vaccination against infectious bovine rhinotracheitis at the insemination centre after they have been tested with negative result in a serum neutralisation test or an ELISA test for infectious bovine rhinotracheitis/infectious pustular vulvo-vaginitis and which since the first vaccination have been regularly re-vaccinated with an interval of not more than six months (1). | |
| 11.6.4. resident in:<br>— either bluetongue virus free countries or zones and which fulfil the conditions laid down in paragraph 1 of Article 2.1.9.9 of the Terrestrial Animal Health Code (1);<br>— or bluetongue virus seasonally free zones and which fulfil the conditions laid down in paragraph 1 of Article 2.1.9.10 of the Terrestrial Animal Health Code (1);<br>— or bluetongue virus infected countries or zones and which fulfil the conditions laid down in paragraph 1 of Article 2.1.9.11 of the Terrestrial Animal Health Code (1); | **** |
| 11.6.5. which were subjected on two occasions not more than 12 months apart to the following pre-collection and post-collection tests with negative results in an approved laboratory (the post-collection test must be performed on a blood sample taken not less than 21 days following the collection of semen for export) to an agar-gel immuno-diffusion test (4) and a virus neutralisation test for all serotypes of epizootic haemorrhagic disease (EHD) known to exist in the exporting country, which are the following: .....<br>.....; | *** |
| 11.6.6. which were subjected in an approved laboratory with negative results prior to entry and every six months to an agar-gel immuno-diffusion test (4) and a virus neutralization test for all serotypes of epizootic haemorrhagic disease (EHD) known to exist in the exporting country, which are the following: .....<br>.....; | ** |
| 11.6.7. which were subjected on two occasions not more than 12 months apart to the following pre-collection and post-collection tests with negative results in an approved laboratory (the post-collection test must be performed on a blood sample taken not less than 21 days following the collection of semen for export) to a serum neutralisation test for Akabane virus; | * |
| 11.7. the semen to be exported was collected after the date of approval of the centre by the competent national authorities of the exporting country; | |
| 11.8. the semen to be exported was processed, stored and transported under conditions which satisfy the terms of Directive 88/407/EEC prior to the modification introduced by Directive 2003/43/EC. | |

| E. **VALIDITY** | | |
|---|---|---|
| 12. Date and place | 13. Name and qualification of the official veterinarian | 14. Signature and stamp of the official veterinarian |
| Note for the importer: this certificate is only for veterinary purposes and has to accompany the consignment until it reaches the border inspection post. | | |

(1) Delete as necessary.
(2) Corresponding to the identification of the donor animals and date of collection.
(3) The date of collection must be earlier than 31 December 2004.
(4) Countries listed in Annex I of Decision 2004/639/EC.
(6) Standards for EHD virus diagnostic tests are described in the Blue Tongue chapter of the Terrestrial Manual.
**** To be used only by Australia, Canada and USA.
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