

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 11 December 2003

concerning the animal health and certification conditions for imports of bees (*Apis mellifera* and *Bombus* spp.) from certain third countries and repealing Decision 2000/462/EC

(notified under document number C(2003) 4623)

(Text with EEA relevance)

(2003/881/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 92/65/EEC of 13 July 1992 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 Annex A(I) to Directive 90/425/EEC⁽¹⁾, and in particular Article 17(2)(b), the first indent of Article 18(1) and Article 19(b) thereof,

Whereas:

(1) Commission Decision 2000/462/EC of 12 July 2000 concerning the health certification for imports of bees/hives, queens and their attendants from third countries⁽²⁾ lays down the health certification conditions for such imports from third countries, as required by Directive 92/65/EEC.

(2) The small hive beetle (*Aethina tumida*) is an exotic pest affecting honey bees that has spread from various African countries to a number of other third countries, thereby creating serious problems for the apiculture industry. An effective and safe treatment against this pest is at present not available. If introduced, the small hive beetle poses a risk to the sustainability of the apiculture industry in the Community, and hence to agriculture and the environment, owing to the resultant disruption of pollination.

(3) The small hive beetle is not yet listed in the list of diseases maintained by the International Office of Epizootic Diseases (OIE). For this reason the extent of infestation in third countries is not known.

(4) The Tropilaelaps mite (*Tropilaelaps* spp.) is an exotic pest of honey bees which is spreading in various third countries, thereby creating serious problems for the apiculture industry. If introduced, it could also have similar severe consequences for the sustainability of the apiculture industry in the Community.

(5) Pursuant to Regulation (EC) No 1398/2003, the presence of the small hive beetle and the Tropilaelaps mite in the Community is subject to compulsory notification through their listing under Directive 92/65/EEC. At present there have been no reports that either has been found in the Community.

(6) Apart from making the presence of these pests notifiable within the Community, it is therefore necessary to lay down additional requirements for the importation of bees from certain third countries to limit the risk of introducing the small hive beetle and the Tropilaelaps mite into the Community, in the interest of protecting the Community's status as regards apiculture health.

(7) Only queen bees accompanied by a small number of attendants in single queen bee cages can be easily checked for infestation with the small hive beetle and Tropilaelaps mite, and therefore imports of bees should in principle be limited to such consignments.

⁽¹⁾ OJ L 268, 14.9.1992, p. 54, as last amended by Commission Regulation (EC) No 1398/2003 (OJ L 98, 6.8.2003, p. 3).

⁽²⁾ OJ L 183, 12.7.2000, p. 18.

- (8) However, there is no evidence that the *Tropilaelaps* mite can infest colonies of bumble bees (*Bombus* spp.). In addition, the small hive beetle has only been shown to infest bumble bee colonies under experimental conditions, and there is no documented evidence that the small hive beetle is able to infest bumble bee colonies in the natural environment. Also, small colonies of bumble bees bred and reared under environmentally controlled conditions may be traded for the horticultural industry in particular, while the importation of queen bumble bees from the wild may also remain necessary for breeding purposes. In view of this, the importation of bumble bees (*Bombus* spp.) should be authorised also for small consignments bred and reared solely under environmentally controlled conditions within recognised establishments and which can be assured to be free of the small hive beetle.
- (9) In the interest of the clarity of Community legislation, and to ensure further harmonisation of Community animal health requirements upon importation, Decision 2000/462/EC should therefore be repealed and replaced by the provisions of this Decision restricting the authorisation of imports to queen bees (*Apis mellifera*) and queen bumble bees (*Bombus* spp.) with a small number of attendants, or to small colonies of bumble bees (*Bombus* spp.) bred under environmentally controlled conditions within recognised establishments.
- (10) Council Directive 96/93/EC of 17 December 1996 on the certification of animals and animal products ⁽¹⁾ lays down standards of certification which are necessary for valid certification and to prevent fraud; it is appropriate to ensure that the rules and principles applied by third country certifying officers provide guarantees which are at least equivalent to those laid down in this Directive and therefore only those countries listed in Part I of the Annex to Council Decision 79/542/EEC ⁽²⁾ should be authorised for importation of bees into the Community.
- (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 of bees (*Apis mellifera* and *Bombus* spp.) as foreseen by Directive 92/65/EEC provided the following requirements are complied with:

- they come from third countries or parts thereof listed in part 1 of the Annex to Decision 79/542/EEC and,

- they are accompanied by a health certificate in accordance with the specimen set out in Annex I and comply with the guarantees laid down in this specimen,
- the consignments are limited to a maximum of 20 accompanying attendants to one queen bee in one single queen bee cage.

2. At the designated destination, where the hives shall be put under official control, the queens shall be transferred to new cages before being introduced to local colonies.

3. The cages, attendants, and other material that accompanied the queens from the third country of origin shall be sent to a laboratory for examination for the presence of the small hive beetle, their eggs or larvae and signs of the *Tropilaelaps* mite. After laboratory examination, all material shall be destroyed.

Article 2

By derogation from Article 1(1), second and third indents, Member States shall also authorise the imports of consignments of bumble bees (*Bombus* spp.) limited to a single colony containing a maximum of 200 adult bumble bees per container, which are accompanied by a health certificate in accordance with the specimen set out in Annex II and complying with the guarantees laid down in this specimen. In this case, and by derogation from Article 1(2) and (3), it shall be sufficient that the container and all material that accompanied the bumble bees from the third country of origin be destroyed either during or immediately at the end of the lifespan of the colony.

Article 3

Decision 2000/462/EC is repealed.

Article 4

This Decision shall apply from 27 December 2003.

Article 5

This Decision is addressed to the Member States.

Done at Brussels, 11 December 2003.

For the Commission

David BYRNE

Member of the Commission

⁽¹⁾ OJ L 13, 16.1.1997, p. 28.

⁽²⁾ OJ L 146, 14.6.1979, p. 15.

ANNEX I

Specimen health certificate for queen bees and queen bumble bees (*Apis mellifera* and *Bombus* spp.), and their attendants, intended for consignment to the European Community

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

Specimen health certificate for queen bees and queen bumble bees (<i>Apis mellifera</i> and <i>Bombus</i> spp.), and their attendants, intended for consignment to the European Community			
1. Third country of origin and competent authority		2.1. Health certificate No	<input type="checkbox"/> ORIGINAL (1)
		2.2. CITES certificate No (where applicable)	
A. Origin of queen bees/queen bumble bees (with attendants) (<i>Apis mellifera</i> and <i>Bombus</i> spp.)			
3. Name and address of the apiary of origin		4. Name and address of the consignor	
5. Place of loading		6. Means of transport (2)	
B. Destination of queen bees/queen bumble bees (with attendants) (<i>Apis mellifera</i> and <i>Bombus</i> spp.)			
7. Member State of destination		8. Name and address of the apiary of destination	
9. Name and address of the consignee			
C. Identity of queen bees/queen bumble bees (with attendants) (<i>Apis mellifera</i> and <i>Bombus</i> spp.)			
	10. Number of bees (one queen per cage with a maximum of 20 attendants per queen)	11. Species	12. Batch identification (3)
10.1.			
10.2.			
10.3.			
10.4.			
10.5. (4)			
D. Health information			
13. I, the undersigned certify that:			
13.1. American foulbrood, the small hive beetle (<i>Aethina tumida</i>) and the Tropilaelaps mite (<i>Tropilaelaps</i> spp.) are notifiable diseases/pests in(exporting country).			

<p>13.2. the queen bees/queen bumble bees, with attendants, referred to above:</p> <ul style="list-style-type: none"> (a) come from a breeding apiary, which is supervised and controlled by the competent authority; (b) come from an area which is not the subject of any restrictions associated with an occurrence of American foulbrood, and where no such occurrence has taken place within at least 30 days prior to the issuance of the present certificate. Where an outbreak of foulbrood has occurred previously, all hives within a radius of three kilometres have been checked by the competent authority and all infected hives burned or treated and inspected to the satisfaction of the said competent authority within 30 days following the last recorded case; (c) are from hives or come from hives or colonies (in the case of bumble bees) from which samples of the comb have been tested in the last 30 days for American foulbrood as laid down in the OIE manual of diagnostic standards with negative results; (d) come from an area of at least 30 km radius which is not the subject of any restrictions associated with the occurrence of the small hive beetle (<i>Aethina tumida</i>) or <i>Tropilaelaps</i> spp. and where these infestations are absent; (e) are from hives or come from hives or colonies (in the case of bumble bees), which were inspected immediately prior to dispatch and show no clinical signs or suspicion of disease including infestations affecting bees; (f) have undergone detailed examination to ensure that all bees and packaging do not contain the small hive beetle (<i>Aethina tumida</i>) or its eggs and larvae, or other infestations, in particular <i>Tropilaelaps</i> spp., affecting bees. <p>13.3. the packing material, queen cages, accompanying products and food are new and have not been in contact with diseased bees or brood-combs, and all precautions have been taken to prevent contamination with agents causing diseases or infestations of bees.</p>		
E. Validity		
14. The period of validity of this certificate is 10 days.		
15. Date and place	16. Name and qualification of the undersigned (approved veterinarian/approved official)	17. Signature of the approved veterinarian/approved official and stamp ⁽⁵⁾
<p>(¹) The original must be kept for at least three years. (²) Give registration number of the vehicle or container and seal number where applicable. (³) Seal number of cage. (⁴) Continue as necessary. (⁵) The signature and stamp must be in a colour different to that of the printing.</p>		

ANNEX II

Specimen health certificate for bumble bees (*Bombus* spp.) bred under environmentally controlled conditions within recognised establishments and intended for consignment to the European Community

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

Specimen health certificate for bumble bees (<i>Bombus</i> spp.) bred under environmentally controlled conditions within recognised establishments and intended for consignment to the European Community			
1. Third country of origin and competent authority.	2.1. Health certificate No 2.2. CITES certificate No (where applicable)	<input type="checkbox"/> ORIGINAL ⁽¹⁾	
A. Origin of bumble bees (<i>Bombus</i> spp.)			
3. Name and address of the recognised establishment of origin containing environmentally controlled conditions	4. Name and address of the consignor		
5. Place of loading	6. Means of transport ⁽²⁾		
B. Destination of bumble bees (<i>Bombus</i> spp.)			
7. Member State of destination	8. Name and address of the apiary of destination		
9. Name and address of the consignee			
C. Identity of bumble bees (<i>Bombus</i> spp.)			
	10. Number of bumble bees (a single colony containing a maximum of 200 adult bees per container)	11. Species	12. Batch identification ⁽³⁾
10.1.			
10.2.			
10.3.			
10.4.			
10.5. ⁽⁴⁾			

D. Health information		
13.1.		
(a) the bumble bees (<i>Bombus</i> spp.) referred to above have been bred and kept under a controlled environment within a recognised establishment which is supervised and controlled by the competent authority;		
(b) the establishment referred to above was inspected immediately prior to dispatch and all bumble bees and breeding stock show no clinical signs or suspicion of disease including infestations affecting bees;		
(c) all colonies for export to the Community have undergone detailed examination to ensure that all bumble bees, broodstock and packaging do not contain the small hive beetle (<i>Aethina tumida</i>) or its eggs and larvae, or other infestations affecting bees;		
13.2. the packing material, containers, accompanying products and food are new and have not been in contact with diseased bees or brood-combs, and all precautions have been taken to prevent contamination with agents causing diseases or infestations of bees.		
E. Validity		
14. The period of validity of this certificate is 10 days.		
15. Date and place	16. Name and qualification of the undersigned (approved veterinarian/approved official)	17. Signature of the approved veterinarian/approved official and stamp ⁽⁵⁾
⁽¹⁾ The original must be kept for at least three years. ⁽²⁾ Give registration number of the vehicle or container and seal number where applicable. ⁽³⁾ Seal number of container. ⁽⁴⁾ Continue as necessary. ⁽⁵⁾ The signature and stamp must be in a colour different to that of the printing.		