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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 15.5.2009
COM(2009) 227 final

2009/0067 (CNS)

Proposal for a

COUNCIL DIRECTIVE

**on animal health conditions governing intra-Community trade in, and imports from
third countries of, poultry and eggs for hatching
(codified version)**

EXPLANATORY MEMORANDUM

1. In the context of a people's Europe, the Commission attaches great importance to simplifying and clarifying Community law so as to make it clearer and more accessible to the ordinary citizen, thus giving him new opportunities and the chance to make use of the specific rights it gives him.

This aim cannot be achieved so long as numerous provisions that have been amended several times, often quite substantially, remain scattered, so that they must be sought partly in the original instrument and partly in later amending ones. Considerable research work, comparing many different instruments, is thus needed to identify the current rules.

For this reason a codification of rules that have frequently been amended is also essential if Community law is to be clear and transparent.

2. On 1 April 1987 the Commission therefore decided¹ to instruct its staff that all legislative acts should be codified after no more than ten amendments, stressing that this is a minimum requirement and that departments should endeavour to codify at even shorter intervals the texts for which they are responsible, to ensure that the Community rules are clear and readily understandable.
3. The Conclusions of the Presidency of the Edinburgh European Council (December 1992) confirmed this², stressing the importance of codification as it offers certainty as to the law applicable to a given matter at a given time.

Codification must be undertaken in full compliance with the normal Community legislative procedure.

Given that no changes of substance may be made to the instruments affected by codification, the European Parliament, the Council and the Commission have agreed, by an interinstitutional agreement dated 20 December 1994, that an accelerated procedure may be used for the fast-track adoption of codification instruments.

4. The purpose of this proposal is to undertake a codification of Council Directive 90/539/EEC of 15 October 1990 on animal health conditions governing intra-Community trade in, and imports from third countries of, poultry and hatching eggs³. The new Directive will supersede the various acts incorporated in it⁴; this proposal fully preserves the content of the acts being codified and hence does no more than bringing them together with only such formal amendments as are required by the codification exercise itself.

¹ COM(87) 868 PV.

² See Annex 3 to Part A of the Conclusions.

³ Carried out pursuant to the Communication from the Commission to the European Parliament and the Council – Codification of the Acquis communautaire, COM(2001) 645 final.

⁴ Annex VI, Part A of this proposal.

5. The codification proposal was drawn up on the basis of a preliminary consolidation, in all official languages, of Directive 90/539/EEC and the instruments amending it, carried out by the Office for Official Publications of the European Communities, by means of a data-processing system. Where the Articles have been given new numbers, the correlation between the old and the new numbers is shown in a table contained in Annex VII to the codified Directive.

↓ 90/539/EEC (adapted)

2009/0067 (CNS)

Proposal for a

COUNCIL DIRECTIVE.../.../EC

of [...]

on animal health conditions governing intra-Community trade in, and imports from third countries of, poultry and eggs for hatching (codified version)

(Text with EEA relevance)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 37 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament⁵,

Having regard to the opinion of the European Economic and Social Committee⁶,

Whereas:

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- (1) Council Directive 90/539/EEC of 15 October 1990 on animal health conditions governing intra-Community trade in, and imports from third countries of, poultry and hatching eggs⁷ has been substantially amended several times⁸. In the interests of clarity and rationality the said Directive should be codified.

↓ 90/539/EEC Recital 1

- (2) Poultry, being live animals, and eggs for hatching, being animal products, are included in the list of products in Annex I to the Treaty.

⁵ OJ C [...], [...], p. [...].

⁶ OJ C [...], [...], p. [...].

⁷ OJ L 303, 31.10.1990, p. 6.

⁸ See Annex VI, Part A.

↓ 90/539/EEC Recital 2 (adapted)

- (3) In order to ensure the rational development of poultry production, thereby increasing productivity in that sector, certain animal health rules governing intra-Community trade in poultry and eggs for hatching ☒ should ☒ be laid down at Community level.

↓ 90/539/EEC Recital 3

- (4) The breeding and rearing of poultry is included in the farming sector. It constitutes a source of income for part of the farming population.

↓ 90/539/EEC Recital 4 (adapted)

- (5) In order to encourage intra-Community trade in poultry and eggs for hatching, ☒ there should be no disparities as regards animal health conditions in the Member States ☒ .

↓ 90/539/EEC Recital 5

- (6) In order to encourage the harmonious development of intra-Community trade, a Community system should be laid down to govern imports from third countries.

↓ 90/539/EEC Recital 6

- (7) The provisions of this Directive should not, in principle, apply to specific trade such as exhibitions, shows and contests.

↓ 90/539/EEC Recital 8

- (8) In view of the nature of modern poultry farming, the best way to promote the harmonious development of intra-Community trade in poultry and eggs for hatching is to monitor production establishments.

↓ 90/539/EEC Recital 9

- (9) It should be left to the competent authorities of the Member States to approve establishments which satisfy the conditions laid down in this Directive and to ensure that the conditions are applied.

↓ 90/539/EEC Recital 10
(adapted)

- (10) Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation)⁹ provides for the marketing standards for products of the eggs and poultrymeat sectors. Commission Regulation (EC) No 617/2008¹⁰ lays down detailed rules for implementing that Regulation as regards marketing standards for eggs for hatching and farmyard poultry chicks, and in particular as regards the granting of a distinguishing number to each production establishment and for the marking of eggs for hatching. For practical reasons, the same criteria for identifying production establishments and marking eggs for hatching should be adopted for the purposes of this Directive.

↓ 2008/73/EC Recitals 17 and 18
(adapted)

- (11) Member States should designate the national reference laboratories and provide all the necessary details and updates. Member States should make that information available to the other Member States and the public.

↓ 90/539/EEC Recital 11
(adapted)

- (12) In order to be the subject of intra-Community trade, poultry and eggs for hatching should satisfy certain animal health requirements, so as to avoid the spread of contagious diseases.

↓ 90/539/EEC Recital 13
(adapted)

- (13) Transport conditions should be laid down for the same reason.

↓ 90/539/EEC Recital 14

- (14) Provision should be made for allowing the Commission to approve certain additional requirements in the light of the progress made by a Member State in eradicating certain poultry diseases, provided that those requirements in no case exceed those applied nationally by the Member State concerned. In this context, it could prove desirable to determine the status of the Member States or regions thereof with regard to certain diseases likely to affect poultry.

⁹ OJ L 299, 16.11.2007, p. 1.

¹⁰ OJ L 168, 28.6.2008, p. 5.

↓ 90/539/EEC Recital 15

- (15) Although intra-Community trade transactions in very small quantities cannot, for practical reasons, be subject to all the Community requirements, certain essential rules should be complied with.

↓ 90/539/EEC Recital 16
(adapted)

- (16) To ensure that the prescribed requirements are satisfied, provision should be made for the issue by an official veterinarian of a veterinary certificate to accompany the poultry and eggs for hatching to their destination.

↓ 90/539/EEC Recital 17

- (17) In respect of the organisation of, and the follow-up to, the checks to be carried out by the Member State of destination and the safeguard measures to be implemented, reference should be made to the general rules laid down in Council Directive 90/425/EEC of 26 June 1990 concerning veterinary and zootechnical checks applicable in intra-Community trade in certain live animals and products with a view to the completion of the internal market¹¹.

↓ 90/539/EEC Recital 18

- (18) Provision should be made for checks to be carried out by the Commission in cooperation with the competent authorities of Member States.

↓ 90/539/EEC Recital 19

- (19) Defining Community arrangements applicable to imports from third countries requires a list to be drawn up of third countries or parts of third countries from which poultry and eggs for hatching may be imported.

↓ 90/539/EEC Recital 20
(adapted)

- (20) The choice of those countries should be based on criteria of a general nature such as the state of health of the poultry and other livestock, the organisation and powers of the veterinary services and the health regulations in force.

¹¹ OJ L 224, 18.8.1990, p. 29.

↓ 90/539/EEC Recital 21
(adapted)

- (21) In addition, importation of poultry and eggs for hatching should not be authorised from countries which are infected with contagious poultry diseases presenting a risk to Community livestock or which have been free from such diseases for too short a period.

↓ 90/539/EEC Recital 22
(adapted)

- (22) The general conditions applicable to importation from third countries should be supplemented by special conditions drawn up on the basis of the health situation in each of them.

↓ 90/539/EEC Recital 23
(adapted)

- (23) The presentation of a standard form of certificate upon importation of poultry and eggs for hatching constitutes an effective means of verifying that the Community rules are being applied. Such rules may include special provisions which may vary according to the third country concerned. This should be taken into account in drawing up the standard forms of certificate.

↓ 90/539/EEC Recital 24

- (24) Commission veterinary experts should be responsible for verifying that the rules are observed in third countries.

↓ 90/539/EEC Recital 25
(adapted)

- (25) The checks carried out upon importation should cover the origin and the state of health of the poultry and eggs for hatching.

↓ 90/539/EEC Recital 26
(adapted)

- (26) Member States should be allowed, on the arrival of poultry and eggs for hatching in the territory of the Community and during transit to their place of destination, to take all measures, including slaughter and disposal, required for the purpose of safeguarding public and animal health.

↓ 90/539/EEC Recital 29

- (27) The constant development of poultry-rearing techniques means that periodic changes in the methods of poultry disease control will have to be made.

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- (28) The measures necessary for the implementation of this Directive should be adopted in accordance with Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission¹².
- (29) This Directive should be without prejudice to the obligations of the Member States relating to the time-limits for transposition into national law of the Directives set out in Annex VI, Part B,

↓ 90/539/EEC (adapted)

HAS ADOPTED THIS DIRECTIVE:

CHAPTER I

General provisions

Article 1

1. This Directive lays down animal health conditions governing intra-Community trade in, and imports from third countries of, poultry and eggs for hatching.
2. This Directive shall not apply to poultry for exhibitions, show or contests.

↓ 90/539/EEC (adapted)
→₁ 92/65/EEC Art. 7(B)

Article 2

For the purposes of this Directive ‘official veterinarian’ and ‘third country’ shall mean the official veterinarian and third countries ☒ as defined ☒ in Council Directive 2004/68/EC¹³.

☒ The following definitions shall also apply: ☒

¹² OJ L 184, 17.7.1999, p. 23.

¹³ OJ L 139, 30.4.2004, p. 321.

(1) 'poultry' means fowl, turkeys, guinea fowl, ducks, geese, quails, pigeons, pheasants ☒, ☒ partridges →₁ and ratites (*Ratitae*) ← reared or kept in captivity for breeding, the production of meat or eggs for consumption, or for re-stocking supplies of game;

(2) 'eggs for hatching' means eggs for incubation, laid by poultry ;

↓ 93/120/EC Art. 1 pt. 1

(3) 'day-old chicks' means all poultry less than 72 hours old, not yet fed; however, muscovy ducks (*Cairina moschata*) or their crosses may be fed;

↓ 90/539/EEC

(4) 'breeding poultry' means poultry 72 hours old or more, intended for the production of eggs for hatching;

(5) 'productive poultry' means poultry 72 hours old or more, reared for the production of meat and/or eggs for consumption (or for restocking supplies of game);

(6) 'slaughter poultry' means poultry sent direct to a slaughterhouse for slaughter as soon as possible after arrival, and in any case within 72 hours;

↓ 93/120/EC Art. 1 pt. 2

(7) 'flock' means all poultry of the same health status kept on the same premises or in the same enclosure and constituting a single epidemiological unit. In housed poultry this will include all birds sharing the same airspace;

↓ 90/539/EEC

(8) 'holding' means a facility — which may include an establishment — used for the rearing or keeping of breeding or productive poultry;

(9) 'establishment' means a facility or part of a facility which occupies a single site and is devoted to the following activities:

(a) pedigree breeding establishment: an establishment which produces eggs for hatching for the production of breeding poultry;

(b) breeding establishment: an establishment which produces eggs for hatching for the production of productive poultry;

↓ 93/120/EC Art. 1 pt. 3

(c) rearing establishment:

- (i) either a breeding poultry-rearing establishment which is an establishment which rears breeding poultry prior to the reproductive stage;

or

- (ii) a productive poultry-rearing establishment which is an establishment which rears egg-laying productive poultry prior to the laying stage;

↓ 90/539/EEC (adapted)

- (d) hatchery: an establishment which incubates and hatches eggs and supplies day-old chicks;
- (10) ‘authorised veterinarian’ means a veterinarian instructed by the competent veterinary authority, under its responsibility, to carry out the checks provided for in this Directive in a particular establishment;
- (11) ‘approved laboratory’ means a laboratory located in the territory of a Member State, approved by the competent veterinary authority, under its responsibility, for the purpose of carrying out the diagnostic tests provided for in this Directive;
- (12) ‘health inspection’ means a visit by the official veterinarian or authorised veterinarian for the purpose of inspecting the health status of all the poultry in an establishment;
- (13) ‘compulsorily notifiable diseases’ means the diseases listed in Annex V;
- (14) ‘outbreak ’ means ☒ outbreak ☒ as defined in Council Directive 82/894/EEC¹⁴;
- (15) ‘quarantine station’ means facilities where the poultry is kept in complete isolation and away from direct or indirect contact with other poultry, so as to permit long-term observation and testing for the diseases listed in Annex V;
- (16) ‘sanitary slaughter’ means the destruction, subject to all the necessary health safeguards including disinfection, of all poultry and products at the ☒ site of the ☒ outbreak which are infected or suspected of being contaminated.

¹⁴ OJ L 378, 31.12.1982, p. 58.

CHAPTER II

Rules for intra-Community trade

Article 3

1. Member States shall submit to the Commission by 1 July 1991 a plan describing the national measures which they intend to implement to ensure compliance with the rules set out in Annex II for the approval of establishments for the purposes of intra-Community trade in poultry and eggs for hatching.

The Commission shall examine the plans. In accordance with the procedure referred to in Article 35(2), those plans may be approved, or amendments or additions made, before approval is given.

2. In accordance with the procedure referred to in Article 35(2), amendments or additions to a plan which has been approved in accordance with the second subparagraph of paragraph 1 of this Article may be:

- (a) approved at the request of the Member State concerned, in order to take account of a change in the situation in that Member State, or
- (b) requested, in order to take account of progress in methods of disease prevention and control.

Article 4

Each Member State shall designate a national reference laboratory to be responsible for coordinating the diagnostic methods provided for in this Directive and their use by the approved laboratories located in its territory.

Each Member State shall make the details of its national reference laboratory, and any subsequent changes, available to the other Member States and to the public.

Detailed rules for the uniform application of this Article may be adopted in accordance with the procedure referred to in Article 35(2).

↓ 93/120/EC Art. 1 pt. 5 (adapted)

Article 5

In order to be traded in the Community:

- (a) eggs for hatching, day-old chicks, breeding poultry and productive poultry ☒ shall ☒ satisfy the conditions laid down in Articles 6, 17, 20 and 22. They ☒ shall ☒ also satisfy any conditions laid down pursuant to Articles 18 and 19.

In addition:

- (i) eggs for hatching ☒ shall ☒ satisfy the conditions laid down in Article 8;
- (ii) day-old chicks ☒ shall ☒ satisfy the conditions laid down in Article 9;
- (iii) breeding poultry and productive poultry ☒ shall ☒ satisfy the conditions laid down in Article 10;
- (b) slaughter poultry ☒ shall ☒ fulfil the conditions set out in Articles 13, 17, 20 and 22 and those laid down pursuant to Articles 18 and 19;
- (c) poultry (including day-old chicks) intended for restocking supplies of game ☒ shall ☒ fulfil the conditions set out in Articles 14, 17, 20 and 22 and those laid down pursuant to Articles 18 and 19;

↓ 1994 Act of Accession Art. 29 and Annex I, p. 135 (adapted)
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- (d) as regards salmonella, poultry intended for Finland and Sweden ☒ shall ☒ fulfil the conditions laid down pursuant to Articles 11, 12 and 15.

↓ 90/539/EEC (adapted)

Article 6

Eggs for hatching, day-old chicks, breeding poultry and productive poultry ☒ shall ☒ come from:

- (a) establishments which fulfil the following requirements:
- (i) they must be approved and given a distinguishing number by the competent authority, in accordance with the rules set out in Chapter I of Annex II;
- (ii) they must not, at the time of consignment, be the subject of any animal health restrictions applicable to poultry;

↓ 93/120/EC Art. 1 pt. 6
(adapted)

- (iii) they must not be located in an area which for animal health reasons is subject to restrictive measures in accordance with Community legislation as a result of the outbreak of a disease to which poultry is susceptible;

↓ 93/120/EC Art. 1 pt. 7

- (b) a flock which at the time of consignment presents no clinical sign or suspicion of contagious poultry disease.

↓ 2008/73/EC Art. 11(2)

Article 7

Each Member State shall draw up and keep up-to-date a list of establishments approved in accordance with point (a)(i) of Article 6 and their distinguishing numbers, and shall make it available to the other Member States and to the public.

Detailed rules for the uniform application of this Article may be adopted in accordance with the procedure referred to in Article 35(2).

↓ 93/120/EC Art. 1 pt. 8
(adapted)

Article 8

1. At the time of consignment, eggs for hatching ☒ shall ☒:

- (a) come from flocks which:
- (i) have been held for more than six weeks in one or more Community establishments as ☒ referred to ☒ in Article 6(a)(i);
 - (ii) if vaccinated, have been vaccinated in accordance with the vaccination conditions in Annex III;
 - (iii) have ☒ : ☒
 - either undergone an animal health examination carried out by an official veterinarian or an authorised veterinarian during the 72 hours preceding consignment and, at the time of the examination, have shown no clinical sign or suspicion of contagious disease, ☒ or ☒

- had a monthly health inspection visit by an official veterinarian or an authorised veterinarian, the most recent visit having been within 31 days of consignment. If this option is chosen there shall also be an examination by the official veterinarian or authorised veterinarian of the records of the health status of the flock and an evaluation of its current health status as assessed by up-to-date information supplied by the person in charge of the flock during the 72 hours preceding consignment. In a case where records or other information give rise to suspicion of disease, the flocks shall have had an animal health examination by the official veterinarian or authorised veterinarian that has ruled out the possibility of contagious poultry disease;

(b) be marked in accordance with Regulation (EC) No 617/2008;

(c) have been disinfected in accordance with the instructions of the official veterinarian.

2. If contagious poultry diseases which may be transmitted through eggs develop in the flock which supplied the eggs for hatching during the period of their incubation, the hatchery involved and the authority or authorities responsible for the hatchery and the flock of origin shall be notified.

90/539/EEC (adapted)

Article 9

Day-old chicks shall .

(a) have been hatched from eggs for hatching satisfying the requirements of Articles 6 and 8;

93/120/EC Art. 1 pt. 9

(b) satisfy the vaccination conditions in Annex III, if they have been vaccinated;

90/539/EEC

(c) present, at the time of consignment, no suspicion of diseases on the basis of Annex II, Chapter II, B2(g) and (h).

90/539/EEC (adapted)

Article 10

At the time of consignment, breeding poultry and productive poultry shall .

- (a) have been held since hatching or for more than six weeks in one or more Community establishments as referred to in Article 6(a)(i);
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↓ 93/120/EC Art. 1 pt. 10
(adapted)

- (b) satisfy the vaccination conditions in Annex III , if they have been vaccinated;
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↓ 93/120/EC Art. 1 pt. 11

- (c) have been submitted to a health examination by an official veterinarian or authorised veterinarian during the 48 hours preceding consignment and, at the time of the examination, have presented no clinical sign or suspicion of contagious poultry disease.
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↓ 1994 Act of Accession Art. 29
and Annex I, p. 135

Article 11

1. As regards salmonella, Finland and Sweden may submit to the Commission an operational programme concerning flocks of breeding poultry and flocks of day-old chicks intended to be introduced into flocks of breeding poultry or flocks of productive poultry.

↓ 1994 Act of Accession Art. 29
and Annex I, p. 135 (adapted)

2. The Commission shall examine the operational programmes. Following that examination and if it is justified, the Commission shall, in accordance with the procedure referred to in Article 35(2), specify the additional general or limited guarantees which may be required for consignments to Finland and Sweden. Those guarantees shall be equivalent to those which Finland and Sweden implement respectively at national level. The appropriate decisions shall be adopted before 1 January 1995 .

↓ 1994 Act of Accession Art. 29
and Annex I, p. 135

Article 12

1. As regards salmonella and pending the adoption of Community rules, Finland and Sweden may submit to the Commission an operational programme concerning flocks of laying hens (productive poultry reared to produce eggs for consumption).

↓ 1994 Act of Accession Art. 29
and Annex I, p. 135 (adapted)

2. The Commission shall examine the operational programmes. Following that examination and if it is justified, the Commission shall, in accordance with the procedure ☒ referred to ☒ in Article 35(2), specify the additional general or limited guarantees which may be required for consignments to Finland and Sweden. Those guarantees ☒ shall ☒ be equivalent to those which Finland and Sweden implement respectively at national level. In addition, these guarantees shall take into account the opinion of the ☒ European Food Safety Authority ☒ as regards serotypes of salmonella to be included in the list of invasive serotypes for poultry. The appropriate decisions shall be adopted before ☒ 1 January 1995 ☒.

↓ 90/539/EEC (adapted)

Article 13

At the time of the consignment, slaughter poultry ☒ shall ☒ have come from a holding:

- (a) where they have been held since hatching or for more than 21 days;
 - (b) which is not the subject of any animal health restrictions applicable to poultry;
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↓ 93/120/EC Art. 1 pt. 12

- (c) where the health examination carried out by the official veterinarian or authorised veterinarian during the 5 days preceding dispatch on the flock from which the consignment to be slaughtered is to be drawn has not revealed within that flock any clinical sign or suspicion of contagious poultry disease;
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↓ 93/120/EC Art. 1 pt. 13

- (d) which is not located in an area which for animal health reasons is subject to restrictive measures in accordance with Community legislation as a result of the outbreak of a disease to which poultry is susceptible.
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↓ 93/120/EC Art. 1 pt. 14
(adapted)

Article 14

1. At the time of consignment, poultry over 72 hours old intended for restocking supplies of wild game ☒ shall ☒ have come from a holding:

- (a) where it has been held since hatching or for more than 21 days and where it has not been placed in contact with newly-arrived poultry during the two weeks preceding consignment;
 - (b) which is not the subject of any animal health restrictions applicable to poultry;
 - (c) where the health examination carried out by the official veterinarian or authorised veterinarian during the 48 hours preceding dispatch on the flock from which the consignment is to be drawn has not revealed within that flock any clinical sign or suspicion of contagious poultry disease;
 - (d) which is not located in an area which for animal health reasons is subject to prohibition in accordance with Community legislation as a result of an outbreak of disease to which poultry is susceptible.
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↓ 93/120/EC Art. 1 pt. 14

2. Articles 6 and 11 shall not apply to the poultry referred to in paragraph 1.

↓ 1994 Act of Accession Art. 29
and Annex I, p. 135 (adapted)

Article 15

1. As regards salmonella and in respect of serotypes not mentioned in Annex II, Chapter III(A), consignments of poultry for slaughter for Finland and Sweden shall be subject to a microbiological test by sampling in the establishment of origin in accordance with rules to be laid down by the Council acting on a proposal from the Commission before ☒ 1 January 1995 ☒ .
 2. The range of the test referred to in paragraph 1 and the methods to be adopted ☒ shall ☒ be determined in the light of the opinion of the ☒ European Food Safety Authority ☒ and of the operational programme which Finland and Sweden must submit to the Commission.
 3. The test referred to in paragraph 1 shall not be carried out for slaughter poultry from a holding subject to a programme recognised as equivalent to that referred to in paragraph 2 ☒ in accordance with ☒ the procedure ☒ referred to ☒ in Article 35(2).
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↓ 90/539/EEC (adapted)

Article 16

1. The requirements of Articles 5 to 13 and 20 shall not apply to intra-Community trade in poultry and eggs for hatching in respect of consignments comprising fewer than 20 units ☒ provided that they comply with paragraph 2 of this Article ☒ .

Article 17

1. In the case of consignments of poultry and eggs for hatching from Member States or regions of Member States which vaccinate poultry against Newcastle disease to a Member State or region of a Member State, the status of which has been established in accordance with paragraph 2, the following rules shall apply:

- (a) eggs for hatching shall come from flocks which are:
 - (i) not vaccinated, or
 - (ii) vaccinated using inactivated vaccine, or
 - (iii) vaccinated using a live vaccine, provided that vaccination has taken place at least 30 days before the collection of the eggs for hatching;
- (b) day-old chicks (including chicks intended for restocking supplies of game) shall not be vaccinated against Newcastle disease, and shall come from:
 - (i) eggs for hatching satisfying the conditions in point (a), and
 - (ii) a hatchery where working practice ensures that such eggs are incubated at completely separate times and locations from eggs not satisfying the conditions in point (a);
- (c) breeding and productive poultry shall :
 - (i) not be vaccinated against Newcastle disease, and
 - (ii) have been isolated for 14 days before consignment, at either a holding or a quarantine station under the supervision of the official veterinarian. In this connection, no poultry at the holding of origin or quarantine station, as applicable, may have been vaccinated against Newcastle disease during the 21 days preceding consignment and no bird which is not due for consignment may have entered the holding or the quarantine station during that time; in addition, no vaccination may be carried out in the quarantine stations, and
 - (iii) have undergone, during the 14 days preceding consignment, representative serological testing, with negative results, to detect Newcastle disease antibodies in accordance with detailed rules adopted in accordance with the procedure referred to in Article 35(2);
- (d) slaughter poultry shall come from flocks which:

- (i) if not vaccinated against Newcastle disease, satisfy the requirements of point (c)(iii);
- (ii) if vaccinated, have undergone, during the 14 days preceding consignment and on the basis of a representative sample, a test to isolate Newcastle disease virus complying with detailed rules adopted in accordance with the procedure ☒ referred to ☒ in Article 35(2).

↓ 93/120/EC Art. 1 pt. 18 (adapted)
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2. If a Member State or a region or regions of Member State wish to be established as Newcastle disease non-vaccinating they ☒ may ☒ present a programme as ☒ referred to ☒ in Article 18(1).

The Commission shall examine the programmes presented by the Member States. The programmes may be approved, in compliance with the criteria referred to in Article 18(1), in accordance with the procedure ☒ referred to ☒ in Article 35(2). Any additional guarantees, general or specific, which may be required in intra-Community trade may be defined in accordance with the same procedure.

Where a Member State or a region of a Member State considers it has achieved Newcastle disease non-vaccinating status, an application may be made to the Commission for Newcastle disease non-vaccinating status to be established in accordance with the procedure ☒ referred to ☒ in Article 35(2).

The elements to be taken into account for determination of a Member State's or region's status as Newcastle disease non-vaccinating shall be the data referred to in Article 19(1) and, in particular, the following criteria:

- (a) vaccination against Newcastle disease in poultry shall not have been authorised for the preceding 12 months, except for the compulsory vaccination of racing pigeons referred to in [Article 17(3) of Council Directive 92/66/EEC¹⁵];
- (b) breeding flocks shall have been serologically monitored at least once a year for the presence of Newcastle disease according to the detailed rules adopted ☒ in accordance with ☒ the procedure ☒ referred to ☒ in Article 35(2);
- (c) the holdings shall contain no poultry which has been vaccinated against Newcastle disease in the previous 12 months, with the exception of racing pigeons vaccinated pursuant to [Article 17(3) of Directive 92/66/EEC].

¹⁵ OJ L 260, 5.9.1992, p. 1.

↓ 1994 Act of Accession Art. 29
and Annex I, p. 135 (adapted)

As regards Finland and Sweden, the appropriate decisions concerning the status of ‘non-vaccination zone against Newcastle disease’ shall be adopted ☒ in accordance with ☒ the procedure ☒ referred to ☒ in Article 35(2) before ☒ 1 January 1995 ☒ .

↓ 93/120/EC Art. 1 pt. 18
(adapted)

3. The Commission may suspend Newcastle disease non-vaccinating status in accordance with the procedure ☒ referred to ☒ in Article 35(2) in the event of:

- (a) either a serious epizootic of Newcastle disease which is not being brought under control;
 - (b) or the removal of the legislative restrictions prohibiting systematic recourse to routine vaccination against Newcastle disease.
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↓ 90/539/EEC (adapted)

Article 18

1. Where a Member State draws up or has drawn up a voluntary or compulsory control programme for a disease to which poultry are susceptible, it may present the programme to the Commission, outlining in particular:

- (a) the distribution of the disease in its territory;
- (b) the reasons for the programme, taking into consideration the importance of the disease and the programme's likely benefit in relation to its cost;
- (c) the geographical area in which the programme will be implemented;
- (d) the status categories to be applied to poultry establishments, the standards which must be attained in each category, and the test procedures to be used;
- (e) the programme monitoring procedures;
- (f) the action to be taken if, for any reason, an establishment loses its status;
- (g) the measures to be taken if the results of the tests carried out in accordance with the provisions of the programme are positive.

2. The Commission shall examine the programmes presented by the Member States. The programmes may be approved, in compliance with the criteria referred to in paragraph 1, in accordance with the procedure ☒ referred to ☒ in Article 35(2). Any additional guarantees, general or specific, which may be required in intra-Community trade may be defined in

accordance with the same procedure. Such guarantees shall not exceed those required by the Member State in its own territory.

3. Programmes submitted by Member States may be amended or supplemented in accordance with the procedure referred to in Article 35(2). Amendments or additions to programmes which have already been approved or to guarantees which have been defined in accordance with paragraph 2 of this Article may be approved in accordance with the same procedure.

↓ 90/539/EEC (adapted)

Article 19

1. Where a Member State considers that its territory or part of its territory is free from one of the diseases to which poultry are susceptible, it shall present to the Commission appropriate supporting documentation, setting out in particular:

- (a) the nature of the disease and the history of its occurrence in that Member State;
- (b) the results of surveillance testing based on serological, microbiological or pathological investigations and on the fact that the disease must by law be notified to the competent authorities;
- (c) the period over which the surveillance was carried out;
- (d) where applicable, the period during which vaccination against the disease has been prohibited and the geographical area concerned by the prohibition;
- (e) the arrangements for verifying that the area concerned remains free from the disease.

2. The Commission shall examine documentation submitted by Member States. The additional guarantees, general or specific, which may be required in intra-Community trade may be defined in accordance with the procedure referred to in Article 35(2). Such guarantees shall not exceed those required by the Member State in its own territory.

3. The Member State concerned shall notify the Commission of any change in the particulars specified in paragraph 1. The guarantees defined pursuant to paragraph 2 may, in the light of such notification, be amended or withdrawn in accordance with the procedure referred to in Article 35(2).

↓ 90/539/EEC

Article 20

↓ 93/120/EC Art. 1 pt. 19
(adapted)

1. Day-old chicks and eggs for hatching ☒ shall ☒ be transported in:

- (a) either unused purpose-designed disposable containers to be used only once and then destroyed;
- (b) or containers which may be re-used provided they are cleaned and disinfected beforehand.

2. In any event ☒ the ☒ containers ☒ referred to in paragraph 1 shall ☒:

- (a) contain only day-old chicks or eggs for hatching of the same species, category and type of poultry, coming from the same establishment;
- (b) be labelled with:
 - (i) the name of the Member State and region of origin;
 - (ii) the establishment of origin's approval number as provided for in Annex II, Chapter I(2);
 - (iii) the number of chicks or eggs in each box;
 - (iv) the poultry species to which the eggs or chicks belong.

↓ 90/539/EEC (adapted)

3. Boxes holding day-old chicks or eggs for hatching may be grouped for transport in appropriate containers. The number of boxes thus grouped and the indications referred to in paragraph 2 (b) ☒ shall ☒ be shown on those containers.

4. Breeding and productive poultry ☒ shall ☒ be transported in crates or cages:

- (a) which contain only poultry of the same species, categories and type, coming from the same establishment;
- (b) bearing the approval number of the establishment of origin as provided for in Annex II, Chapter I (2).

5. Breeding and productive poultry and day-old chicks ☒ shall ☒ be conveyed without delay to the establishment of destination, without coming into contact with other live birds,

except breeding and productive poultry or day-old chicks satisfying the conditions laid down in this Directive.

Slaughter poultry shall be conveyed without delay to the slaughterhouse of destination, without coming into contact with other poultry, except slaughter poultry satisfying the conditions laid down in this Directive.

↓ 93/120/EC Art. 1 pt. 21
(adapted)

Poultry intended for restocking supplies of game shall be conveyed without delay to the point of destination without coming into contact with other poultry except poultry intended for restocking supplies of game satisfying the conditions laid down in this Directive.

↓ 90/539/EEC (adapted)

6. Crates, cages and vehicles shall be designed so as to:

- (a) preclude the loss of excrement and minimise the loss of feathers during transit;
- (b) allow visual inspection of the poultry;
- (c) allow cleansing and disinfection.

7. The vehicles and, if they are not disposable, the containers, crates and cages shall , before loading and unloading, be cleansed and disinfected in accordance with the instructions of the competent authority of the Member State concerned.

↓ 90/539/EEC

Article 21

Poultry as referred to in Article 20(5) may not be transported through areas infected with avian influenza or Newcastle disease, unless by trunk road or rail.

↓ 90/539/EEC (adapted)

Article 22

In trade between Member States, poultry and eggs for hatching shall , during transportation to the place of destination, be accompanied by a veterinary certificate which:

- (a) conforms with the appropriate model laid down in Annex IV, completed in accordance with Commission Regulation (EC) No 599/2004¹⁶, ;
- (b) is signed by an official veterinarian;
- (c) is drawn up on the date of loading in the official language or languages of the Member State of dispatch and in the official language or languages of the Member State of destination;
- (d) is valid for five days;
- (e) consists of a single sheet;
- (f) is normally made out for a single consignee;

93/120/EC Art. 1 pt. 22

- (g) bears a stamp and a signature of a different colour from that of the certificate.

90/539/EEC

Article 23

The Member States of destination may, in compliance with the general provisions of the Treaty, grant one or more Member States of dispatch general authorisations or authorisations limited to specific cases permitting entry into their territory of poultry and eggs for hatching without the certificate provided for in Article 22.

90/539/EEC (adapted)

CHAPTER III

Rules for imports from third countries

Article 24

Poultry and eggs for hatching imported into the Community shall satisfy the conditions laid down in Articles 25 to 28.

¹⁶ OJ L 94, 31.3.2004, p. 44.

Article 25

1. Poultry and eggs for hatching shall have originated in a third country or part of a third country included on a list drawn up by the Commission in accordance with the procedure referred to in Article 35(2). That list may be supplemented or amended in accordance with the procedure referred to in Article 35(3).

2. In deciding whether a third country or part thereof may be included on the list referred to in paragraph 1, particular account shall be taken of:

- (a) the state of health of the poultry, other domestic animals and wildlife in the third country, particular attention being paid to exotic animal diseases, and the health situation in the surrounding area, where either is liable to endanger public and animal health in the Member States;
- (b) the regularity and rapidity of the supply of information by the third country relating to the existence of contagious animal diseases in its territory, in particular the diseases on the list of the World Organisation for Animal Health (OIE) ;
- (c) the country's rules on animal-disease prevention and control;
- (d) the structure of the veterinary services in the country and their powers;
- (e) the organisation and implementation of measures to prevent and control contagious animal diseases;
- (f) the guarantees which the third country can give with regard to compliance with this Directive;
- (g) compliance with Community rules on hormones and residues.

3. The list referred to in paragraph 1 and any amendments thereto shall be published in the *Official Journal of the European Union*.

↓ 93/120/EC Art. 1 pt. 24 (adapted)
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Article 26

1. Poultry and eggs for hatching shall come from third countries:

- (a) in which avian influenza and Newcastle disease, as defined in Council Directives 2005/94/EC¹⁷ and [92/66/EEC] respectively, are legally notifiable diseases;
- (b) free from avian influenza and Newcastle disease,

¹⁷ OJ L 10, 14.1.2006, p. 16.

or

which, although they are not free from these diseases, apply measures to control them which are at least equivalent to those laid down in Directives 2005/94/EC and [92/66/EEC] respectively.

2. Additional criteria for classifying third countries in respect of paragraph 1(b), particularly as regards the type of vaccine used, shall be adopted in accordance with the procedure ☒ referred to ☒ in Article 35(2) before 1 January 1995.

3. The Commission may, in accordance with the procedure ☒ referred to ☒ in Article 35(2), decide under which conditions paragraph 1 ☒ of this Article ☒ is to apply only to a part of the territory of third countries.

↓ 90/539/EEC (adapted)

Article 27

1. Poultry and eggs for hatching may be imported from the territory of a third country or part of the territory of a third country included on the list drawn up in accordance with Article 25(1) only if they come from flocks which:

- (a) prior to consignment have been held without interruption in the territory or part of the territory concerned of such country for a period to be determined in accordance with the procedure ☒ referred to ☒ in Article 35(2);
- (b) satisfy the animal health conditions adopted in accordance with the procedure ☒ referred to ☒ in Article 35(2) for imports of poultry and eggs for hatching from the country in question. The conditions may differ according to the species or category of poultry.

2. The animal health conditions shall be determined on the basis of the rules laid down in Chapter II and its corresponding Annexes. In accordance with the procedure ☒ referred to ☒ in Article 35(2), derogations may be granted on a case-by-case basis if the third country concerned offers similar animal health guarantees which are at least equivalent.

Article 28

1. Poultry and eggs for hatching ☒ shall ☒ be accompanied by a certificate drawn up and signed by an official veterinarian of the exporting third country.

The certificate ☒ shall ☒:

- (a) be issued on the day of loading for consignment to the Member State of destination;
- (b) be drawn up in the official language or languages of the Member State of destination;
- (c) accompany the consignment in the original;

- (d) attest to the fact that the poultry or eggs for hatching satisfy the requirements of this Directive and those adopted pursuant to this Directive with regard to importation from third countries;
- (e) be valid for five days;
- (f) consist of a single sheet;
- (g) be made out for a single consignee;

↓ 93/120/EC Art. 1 pt. 25

- (h) bear a stamp and a signature of a different colour from that of the certificate.

↓ 90/539/EEC (adapted)

2. The certificate referred to in paragraph 1 shall comply with a model drawn up in accordance with the procedure referred to in Article 35(2).

↓ 90/539/EEC

Article 29

On-the-spot inspections shall be carried out by veterinary experts of the Member States and the Commission to ensure that all the provisions of this Directive are effectively applied.

The Member States' experts responsible for those inspections shall be designated by the Commission on proposals from the Member States.

The inspections shall be carried out on behalf of the Community, and the latter shall bear the costs thereof.

↓ 90/539/EEC (adapted)

The frequency of the inspections and the inspection procedure shall be determined in accordance with the procedure referred to in Article 35(2).

Article 30

1. The Commission may, in accordance with the procedure referred to in Article 35(3), decide that imports from a third country or part of a third country are to be confined to particular species, to eggs for hatching, to breeding or productive poultry, to slaughter poultry or to poultry intended for special purposes.

↓ 1999/90/EC Art. 1 pt. 4
(adapted)

2. The Commission may, in accordance with the procedure ☒ referred to ☒ in Article 35(2), determine that the imported poultry, eggs for hatching or poultry hatched from imported eggs is to be kept quarantined or isolated for a period which may not exceed two months.

↓ 1999/90/EC Art. 1 pt. 5
(adapted)

Article 31

Notwithstanding Articles 24, 26, 27 and 28, the Commission may, in accordance with the procedure ☒ referred to ☒ in Article 35(2), decide to permit on a case-by-case basis the importation of poultry and eggs for hatching from third countries where such imports do not conform to the provisions of Articles 24, 26, 27 and 28. Detailed rules for such importation shall be drawn up ☒ at the same time in accordance ☒ with the same procedure. Such rules shall offer animal health guarantees at least equivalent to the animal health guarantees offered by Chapter II, involving compulsory quarantine and testing for avian influenza, Newcastle disease and any other relevant disease.

↓ 90/539/EEC (adapted)

Article 32

On arrival in the Member State of destination, slaughter poultry ☒ shall ☒ be taken directly to a slaughterhouse for slaughter as soon as possible.

Without prejudice to any special conditions which may be adopted in accordance with the procedure ☒ referred to ☒ in Article 35(3), the competent authority of the Member State of destination may, on animal-health grounds, designate the slaughterhouse to which the poultry must be conveyed.

CHAPTER IV

Common provisions

Article 33

For the purposes of intra-Community trade, the safeguard measures provided for in Council Directive 89/662/EEC¹⁸ shall apply to poultry and eggs for hatching.

Article 34

The veterinary control rules provided for by Directive 90/425/EEC shall apply to intra-Community trade in poultry and eggs for hatching.

↓ 806/2003 Art. 3 and Annex III pt. 13 (adapted)

Article 35

1. The Commission shall be assisted by the Standing Committee on the Food Chain and Animal Health set up pursuant to Article 58 of Regulation (EC) No 178/2002 of the European Parliament and of the Council¹⁹.

2. Where reference is made to this paragraph, Articles 5 and 7 of Decision 1999/468/EC shall apply.

The period laid down in Article 5(6) of Decision 1999/468/EC shall be set at three months.

3. Where reference is made to this paragraph, Articles 5 and 7 of Decision 1999/468/EC shall apply.

The period laid down in Article 5(6) of Decision 1999/468/EC shall be set at 15 days.

↓ 90/539/EEC (adapted)

Article 36

Amendments to Annexes I to V, particularly in order to adapt them to changes in diagnostic methods and to variations in the economic importance of particular diseases, shall be decided in accordance with the procedure ☒ referred to ☐ in Article 35(2).

¹⁸ OJ L 395, 30.12.1989, p. 13.

¹⁹ OJ L 31, 1.2.2002, p. 1.



Article 37

Directive 90/539/EEC, as amended by the acts listed in Annex VI, Part A, is repealed, without prejudice to the obligations of the Member States relating to the time-limits for transposition into national law of the Directives set out in Annex VI, Part B.

References to the repealed Directive shall be construed as references to this Directive and shall be read in accordance with the correlation table in Annex VII.

Article 38

This Directive shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

It shall apply from 1 January 2010.

Article 39

This Directive is addressed to the Member States.

Done at Brussels, [...]

*For the Council
The President
[...]*

↓ 90/539/EEC

ANNEX I

↓ 2008/73/EC Art. 11(3)(ii)

The national reference laboratories for avian diseases designated in accordance with Article 4 shall be responsible in each Member State for coordinating the diagnostic methods provided for in this Directive. To this end:

- (a) they may supply approved laboratories with the reagents needed for diagnostic testing;
 - (b) they shall monitor the quality of reagents used by the laboratories approved for the purpose of carrying out the diagnostic tests provided for in this Directive;
 - (c) they shall organize periodic comparative tests.
-

ANNEX II

APPROVAL OF ESTABLISHMENTS

CHAPTER I

General rules

1. In order to be approved by the competent authority for the purposes of intra-Community trade, establishments must:
 - (a) satisfy the conditions as regards facilities and operation set out in Chapter II;
 - (b) apply and adhere to a disease surveillance programme approved by the competent central veterinary authority, taking into account the requirements of Chapter III;
 - (c) provide every facility for the carrying out of the operations listed in point (d);
 - (d) be subject to the supervision of the competent veterinary authority within the context of an organised form of animal health monitoring. Such monitoring shall include in particular:
 - at least one inspection visit per year by the official veterinarian, supplemented by checks to verify the application of hygiene measures and the operation of the establishment in accordance with the conditions in Chapter II,
 - the recording by the farmer of all the information necessary for the continuous monitoring of the health status of the establishment by the competent veterinary authority;
 - (e) contain only poultry.
2. The competent authority shall give each establishment which complies with the conditions laid down in point 1 a distinguishing number, which may be the same as that given pursuant to Regulation (EC) No 1234/2007 .

CHAPTER II

Facilities and operation

A. *Pedigree breeding, breeding and rearing establishments*

1. *Facilities*

- (a) The setting and layout of the facilities must be compatible with the type of production pursued, ensuring that the introduction of disease can be prevented or, if an outbreak occurs, that it can be controlled. If an establishment houses several species of poultry, there must be a clear separation between them.
- (b) The facilities must provide good conditions of hygiene and allow health monitoring to be carried out.
- (c) The equipment must be compatible with the type of production pursued, and allow cleansing and disinfection of the facilities and of vehicles for transporting poultry and eggs at the most suitable spot.

2. *Rearing*

- (a) Rearing techniques must be based as far as possible on the ‘protected rearing’ principle and on the ‘all-in/all-out’ principle. Cleansing, disinfection and depopulation must be carried out between batches.
- (b) Pedigree-breeding, breeding and rearing establishments must house only poultry:
 - from the establishment itself, and/or
 - from other pedigree-breeding, breeding or rearing establishments in the Community approved in accordance with Article 6(a)(i), and/or
 - imported from third countries in accordance with this Directive.
- (c) Hygiene rules must be drawn up by the management of the establishment; personnel must wear appropriate working clothing and visitors protective clothing.
- (d) Buildings, pens and equipment must be kept in good repair.
- (e) Eggs must be collected several times a day, and must be clean and be disinfected as soon as possible.

- (f) The farmer must notify the authorised veterinarian of any variation in production performance or any other sign suggesting the presence of a contagious poultry disease. As soon as disease is suspected, the authorised veterinarian must send the samples needed for making or confirming the diagnosis to an approved laboratory.
- (g) A flock history, register or data medium must be kept for each flock for at least two years after the disposal of the flock and must show:
 - arrivals and departures,
 - production performance,
 - morbidity and mortality with causes,
 - any laboratory tests and the results thereof,
 - the place of origin of the poultry,
 - the destination of eggs.
- (h) Where a contagious poultry disease occurs, the results of laboratory tests must be communicated immediately to the authorised veterinarian.

B. *Hatcheries*

1. *Facilities*

- (a) A hatchery must be physically and operationally separate from rearing facilities. The layout must be such as to allow the various functional units listed below to be kept separate:
 - egg storage and grading,
 - disinfection,
 - pre-incubation,
 - hatching,
 - preparation and packaging of goods for dispatch.
- (b) Buildings must be protected against birds coming from outside and rodents; floors and walls must be of hard-wearing, impervious and washable materials; natural or artificial lighting and air flow and temperature systems must be of an appropriate type; provision must be made for the hygienic evacuation of waste (eggs and chicks).
- (c) Equipment must have smooth and waterproof surfaces.

2. Operation

- (a) Operation must be based on a one-way circuit for eggs, mobile equipment and personnel.
- (b) Eggs for hatching must be:
 - from Community pedigree breeding or breeding establishments approved in accordance with Article 6(a)(i),
 - imported from third countries in accordance with this Directive.
- (c) Hygiene rules must be drawn up by the management of the establishment; personnel must wear appropriate working clothing and visitors protective clothing.
- (d) Buildings and equipment must be kept in good repair.
- (e) The following must be disinfected:
 - eggs, between the time of their arrival and the incubation process,
 - the incubators, regularly,
 - hatching equipment, after the hatching of each batch.
- (f) A programme of microbiological quality control must be used to assess the health status of the hatchery.

↓ 90/539/EEC (adapted)

- (g) The farmer must notify the authorised veterinarian of any variation in production performance or any other sign suggesting the presence of a contagious poultry disease. As soon as contagious disease is suspected, the authorised veterinarian must send the samples needed for making or confirming the diagnosis to an approved laboratory and inform the competent veterinary authority, which shall decide on appropriate measures to be taken.

↓ 90/539/EEC

- (h) A flock history, register or data medium for the hatchery must be kept for at least two years showing, if possible by flock:
 - the origin of the eggs and their arrival date,
 - hatching yields,
 - any abnormalities,

- any laboratory tests and the results thereof,
 - details of any vaccination programmes,
 - the number and the destination of incubated eggs which have not hatched,
 - the destination of day-old chicks.
- (i) Where a contagious poultry disease occurs, the results of laboratory tests must be communicated immediately to the authorised veterinarian.

CHAPTER III

Disease surveillance programme

Without prejudice to health measures and to Articles 18 and 19, disease surveillance programmes must, as a minimum, comprise surveillance of the infections and species listed below.

A. *Salmonella pullorum*, *Salmonella gallinarum* and *Salmonella arizonae* infections

1. *Species concerned*

- (a) *Salmonella pullorum et gallinarum*: fowls, turkeys, guinea fowls, quails, pheasants, partridges and ducks.
- (b) *Salmonella arizonae*: turkeys.

2. *Disease surveillance programme*

- (a) Serological and/or bacteriological tests must be used to determine whether an infection is present.
- (b) Samples for testing must be taken, as appropriate, from blood, second-grade chicks, down or dust taken from hatchers, swabs taken from the walls of the hatchery, litter or water from a drinker.
- (c) When blood samples are taken from a flock for serological testing for *Salmonella pullorum* or *Salmonella arizonae*, prevalence of infection in the country concerned and its past incidence in the establishment must be allowed for in determining the number of samples to be taken.

Flocks must be inspected during each laying period at the best time for detecting the disease.

B. *Mycoplasma gallisepticum* and *Mycoplasma meleagridis* infections

1. *Species concerned*

(a) *Mycoplasma gallisepticum*: fowls and turkeys.

(b) *Mycoplasma meleagridis*: turkeys.

2. *Disease surveillance programme*

(a) Presence of infection must be tested by serological and/or bacteriological testing and/or by the presence of air sacculitis lesions in day-old chicks and turkey poults.

(b) Samples for testing must be taken, as appropriate, from blood, day-old chicks and turkey poults, sperm, or swabs taken from the trachea, the cloaca or air sacs.

(c) Tests for detecting *Mycoplasma gallisepticum* or *Mycoplasma meleagridis* must be performed on a representative sample in order to allow continuous surveillance of the infection during rearing and laying, i.e. just before the start of laying and every three months thereafter.

C. *Results and measures to be taken*

If there are no reactors, the test is deemed negative. Otherwise, the flock is suspect and the measures specified in Chapter IV must be applied to it.

D. In the case of holdings which consist of two or more separate production units, the competent veterinary authority may derogate from these measures as regards healthy production units on a holding which is infected provided that the authorised veterinarian has confirmed that the structure and size of these production units and the operations carried out there are such that the production units provide completely separate facilities for housing, keeping and feeding, so that the disease in question cannot spread from one production unit to another.

CHAPTER IV

Criteria for suspending or withdrawing approval of an establishment

1. Approval granted to an establishment must be suspended:

(a) when the conditions laid down in Chapter II are no longer met;

(b) until an investigation appropriate to the disease has been completed:

– if avian influenza or Newcastle disease are suspected at the establishment,

- if the establishment has received poultry or hatching eggs from an establishment with suspected or actual infection by avian influenza or Newcastle disease,
 - if contact liable to transmit the infection has occurred between the establishment and the site of an outbreak of avian influenza or Newcastle disease;
- (c) until such time as new tests are performed, if the results of surveillance carried out in accordance with the conditions laid down in Chapters II and III for infection by *Salmonella pullorum*, *Salmonella gallinarum*, *Salmonella arizonae*, *Mycoplasma gallisepticum* or *Mycoplasma meleagridis* give cause to suspect infection;
- (d) until completion of the appropriate measures required by the official veterinarian, if the establishment is found not to conform with the requirements of Chapter I, point 1 (a), (b) and (c).
2. Approval must be withdrawn:
- (a) if avian influenza or Newcastle disease occurs at the establishment;
 - (b) if a second test of an appropriate type confirms the presence of infection by *Salmonella pullorum*, *Salmonella gallinarum*, *Salmonella arizonae*, *Mycoplasma gallisepticum* or *Mycoplasma meleagridis*;
 - (c) if, after a second notice served by the official veterinarian, action to bring the establishment into line with the requirements of Chapter I, point 1(a), (b) and (c), has not been taken.
3. Conditions for restoring approval:
- (a) if approval has been withdrawn because of an occurrence of avian influenza or Newcastle disease, it may be restored 21 days after cleansing and disinfection if sanitary slaughter has been carried out;
 - (b) if approval has been withdrawn because of infection caused by:
 - *Salmonella pullorum et gallinarum*, or *Salmonella arizonae*, it may be restored after negative results have been recorded in two tests performed with an interval of at least 21 days on the establishment and after disinfection following sanitary slaughter of the infected flock,
 - *Mycoplasma gallisepticum* or *Mycoplasma meleagridis*, it may be restored after negative results have been recorded in two tests performed on the entire flock with an interval of at least 60 days.

ANNEX III

POULTRY VACCINATION CONDITIONS

1. Vaccines used for vaccinating poultry or flocks producing eggs for hatching must have a marketing authorisation issued by the competent authority of the Member State in which the vaccine is used.
 2. The criteria for using vaccines against Newcastle disease in the context of routine-vaccination programmes may be determined by the Commission.
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ANNEX IV

VETERINARY CERTIFICATES FOR INTRA-COMMUNITY TRADE

(Models 1 to 6)

MODEL 1

EUROPEAN COMMUNITY

Intra-trade certificate

Part I: Details of consignment presented	I.1. Consignor Name		I.2. Certificate reference number		I.2.a. Local reference number:						
	Address		I.3. Central Competent Authority								
	Postal code		I.4. Local Competent Authority								
	I.5. Consignee Name		I.6.								
	Address										
	Postal code		I.7.								
	I.8. Country of origin	ISO code	I.9. Region of origin	Code	I.10. Country of destination	ISO code	I.11. Region of destination	Code			
	I.12. Place of origin			I.13. Place of destination							
	Holding <input type="checkbox"/>		Establishment <input type="checkbox"/>		Holding <input type="checkbox"/>		Establishment <input type="checkbox"/>		Approved body <input type="checkbox"/>		
	Name		Approval number		Name		Approval number				
	Address				Address						
	Postal code				Postal code						
	I.14. Place of loading			I.15. Date and time of departure							
	Postal code										
I.16. Means of transport			I.17. Transporter								
Aeroplane <input type="checkbox"/>		Ship <input type="checkbox"/>		Railway wagon <input type="checkbox"/>		Name		Approval number			
Road vehicle <input type="checkbox"/>		Other <input type="checkbox"/>				Address					
Identification:			Postal code		Member State						
I.18. Animal species/product				I.19. Commodity code (CN code)							
				04.07							
						I.20. Number/quantity					
I.21.						I.22. Number of packages					
I.23. Identification of container/seal number				I.24.							
I.25. Animals certified as/products certified for						Breeding <input type="checkbox"/>		Approved body <input type="checkbox"/>		Other <input type="checkbox"/>	
I.26. Transit through third country <input type="checkbox"/>			ISO code		I.27. Transit through Member States <input type="checkbox"/>		Member State		ISO code		
Third country		Code		Member State		ISO code					
Exit point		BIP unit No:		Member State		ISO code					
Entry point				Member State		ISO code					
I.28. Export <input type="checkbox"/>			ISO code		I.29.						
Third country		Code									
Exit point											
I.30.											
I.31. Identification of the animals											
Species (Scientific name)			Category		Identification		Age		Number of packages		Quantity

Part II: Certification	II.1	Animal health attestation	II.a. Certificate reference number	II.b. Local reference number
		<p>I, the undersigned official veterinarian, certify that the eggs for hatching described above:</p> <p>(a) comply with</p> <p>(1) either [the provisions of Articles 6, 8 and 20 of Council Directive [.../.../EC]]</p> <p>(1)(2) or [the provisions of Articles 6 (a) (i), (ii) and (b), 8 and 20 of Council Directive [.../.../EC]];</p> <p>(3) (b) comply with the provisions of Article 17 (1) (a) of Council Directive [.../.../EC].</p> <p>(4) (c) comply with the provisions of Commission Decision(s) .../.../EC concerning additional guarantees with regard to (indicate disease(s)) and in accordance with Article 18 or Article 19 of Council Directive [.../.../EC].</p> <p>(d) come from poultry which:</p> <p>(1) either [have not been vaccinated against Newcastle disease;]</p> <p>(1) or [have been vaccinated against Newcastle disease using:</p> <p>.....</p> <p>(name and type (live or inactivated) of Newcastle disease virus strain used in vaccine(s))</p> <p>On (date) at the age of weeks].</p>		
	II.2	Public health attestation		
	<p>I, the undersigned official veterinarian, certify that the eggs for hatching described above:</p> <p>(5) (a) come from a flock which has been tested for <i>Salmonella</i> serotypes with public health significance in accordance with Regulation (EC) No 2160/2003 of the European Parliament and of the Council.</p> <p>Date of last sampling of the flock from which the testing result is known:</p> <p>Result of all testing in the flock:</p> <p>(1) (6) <i>either</i> [positive;]</p> <p>(1) (6) <i>or</i> [negative]</p> <p>(5) (b) and, neither <i>Salmonella</i> Enteritidis nor <i>Salmonella</i> Typhimurium were detected with the control programme referred to in point II.2(a).</p>			
	II.3	Additional health information		
	<p>(1) (7) II.3.1. The consignment consists of live poultry/day-old chicks/ eggs for hatching originating from holdings where no vaccination against avian influenza has been carried out.</p> <p>(1) II.3.2. This consignment complies with the animal health conditions laid down in Commission Decision 2006/415/EC.</p> <p>(1) II.3.3. This consignment complies with the animal health conditions laid down in Commission Decision 2006/563/EC.</p>			

	<p>Notes</p> <p>Part I:</p> <p>– Box reference I.16: Registration number (railway wagons or container and lorries), flight number (aircraft) or name (ship)</p> <p>– Box reference I.31: Category: select one of the following: pure line/grandparents/parents/laying pullets/fattening/others.</p> <p>Identification: indicate the identification details of parent flock and brand name.</p> <p>Age: provide the date of collection.</p> <p>Part II:</p> <p>(1) Keep as appropriate.</p> <p>(2) Only applicable if II.3.2. or II.3.3. are complied with.</p> <p>(3) To certify in case of dispatch to a Member State, which has an EC-approved non-vaccinating status for Newcastle disease currently: Finland and Sweden otherwise delete reference.</p> <p>(4) Complete if appropriate.</p> <p>(5) The certification under points II.2 only applies if the poultry belongs to the species <i>Gallus gallus</i>.</p> <p>(6) If any of the results were positive for <i>Salmonella</i> Infantis, <i>Salmonella</i> Virchow or <i>Salmonella</i> Hadar during the life of the flock, indicate as positive.</p> <p>(7) Only applicable for Member States which carry out vaccination against avian influenza according to EC approved vaccination plan.</p> <p>– The colour of the stamp and signature must be different from that of the other particulars in the certificate.</p>								
	<p>Official veterinarian</p> <table border="0" style="width: 100%;"> <tr> <td style="width: 60%;">Name (in Capital):</td> <td style="width: 40%;">Qualification and title</td> </tr> <tr> <td>Local Veterinary Unit:</td> <td>N° of the related LVU:</td> </tr> <tr> <td>Date:</td> <td>Signature:</td> </tr> <tr> <td>Stamp</td> <td></td> </tr> </table>	Name (in Capital):	Qualification and title	Local Veterinary Unit:	N° of the related LVU:	Date:	Signature:	Stamp	
Name (in Capital):	Qualification and title								
Local Veterinary Unit:	N° of the related LVU:								
Date:	Signature:								
Stamp									



MODEL 2

EUROPEAN COMMUNITY

Intra-trade certificate

Part I: Details of consignment presented	I.1. Consignor Name		I.2. Certificate reference number		I.2.a. Local reference number:					
	Address		I.3. Central Competent Authority							
	Postal code		I.4. Local Competent Authority							
	I.5. Consignee Name		I.6. No(s) of related original certificates		No(s) of accompanying documents					
	Address		I.7.							
	Postal code									
	I.8. Country of origin	ISO code	I.9. Region of origin	Code	I.10. Country of destination	ISO code	I.11. Region of destination	Code		
	I.12. Place of origin				I.13. Place of destination					
	Holding <input type="checkbox"/>		Establishment <input type="checkbox"/>		Holding <input type="checkbox"/>		Establishment <input type="checkbox"/>		Approved body <input type="checkbox"/>	
	Name		Approval number		Name		Approval number			
	Address				Address					
	Postal code				Postal code					
	I.14. Place of loading				I.15. Date and time of departure					
Postal code										
I.16. Means of transport				I.17. Transporter						
Aeroplane <input type="checkbox"/>				Name		Approval number				
Ship <input type="checkbox"/>				Address						
Road vehicle <input type="checkbox"/>				Postal code		Member State				
Other <input type="checkbox"/>										
Identification:										
I.18. Animal species/product				I.19. Commodity code (CN code)						
				I.20. Number/quantity						
I.21.				I.22. Number of packages						
I.23. Identification of container/seal number				I.24.						
I.25. Animals certified as/products certified for										
Breeding <input type="checkbox"/>		Approved body <input type="checkbox"/>		Other <input type="checkbox"/>						
I.26. Transit through third country <input type="checkbox"/>				I.27. Transit through Member States <input type="checkbox"/>						
Third country		ISO code		Member State		ISO code				
Exit point		Code		Member State		ISO code				
Entry point		BIP unit No:		Member State		ISO code				
I.28. Export <input type="checkbox"/>				I.29.						
Third country		ISO code								
Exit point		Code								
I.30.										
I.31. Identification of the animals										
Species (Scientific name)		Category		Age		Number of packages		Quantity		

Part II: Certification	II.1. Animal health attestation	II.a. Certificate reference number	II.b. Local reference number
	<p>I, the undersigned official veterinarian, certify that the day-old chicks described above:</p> <p>(a) comply with:</p> <p>(1) either (i) [the provisions of Articles 6, 9 and 20 of Council Directive [...]/.../EC]</p> <p>(1) (2) (3) or [the provisions of Articles 6 (a) (i), (ii) and (b), 9 and 20 of Council Directive [...]/.../EC];</p> <p>(1) or (ii) [if derived from eggs for hatching imported according to the requirements of Model HEP of Commission Decision 2006/696/EC, with the provision of Article 6 (a) and Article 9 (b) and (c) of Council Directive [...]/.../EC]</p> <p>(1) (2) (3) or [if derived from eggs for hatching imported according to the requirements of Model HEP of Commission Decision 2006/696/EC, with the provision of Article 6 (a) (i), (ii) and Article 9 (b) and (c) of Council Directive [...]/.../EC]</p> <p>(4) (b) comply with Article 17 (1) (b) of Council Directive [...]/.../EC].</p> <p>(5) (c) comply with the provisions of Commission Decision(s) .../.../EC concerning additional guarantees with regard to (indicate disease(s)) and in accordance with Article 18 or Article 19 of Council Directive [...]/.../EC].</p> <p>(1) (d) either [have not been vaccinated against Newcastle disease;]</p> <p>(1) or [have been vaccinated against Newcastle disease using:</p> <p>.....</p> <p>.....</p> <p>(name and type (live or inactivated) of Newcastle disease virus strain used in vaccine(s)) on (date)].</p> <p>(e) come from poultry which:</p> <p>(1) either [have not been vaccinated against Newcastle disease;]</p> <p>(1) or [have been vaccinated against Newcastle disease using:</p> <p>.....</p> <p>.....</p> <p>(name and type (live or inactivated) of Newcastle disease virus strain used in vaccine(s)) on (date)].</p> <p>(1) (f) for introduction into flocks of breeding poultry or flocks of productive poultry come from flocks which have been tested with negative results according to the rules laid down in Commission Decision 2003/644/EC.</p>		
	II.2. Public health attestation		

I, the undersigned official veterinarian, certify that the day-old chicks described above:

- (6) (a) come from a flock which has been tested for Salmonella serotypes with public health significance in accordance with Regulation (EC) No 2160/2003 of the European Parliament and of the Council.

Date of last sampling of the flock from which the testing result is known:
.....

Result of all testing in the flock:

(1) (7) *either* [positive;]

(1) (7) *or* [negative]

- (6) (b) and, if intended for breeding, neither Salmonella Enteritidis nor Salmonella Typhimurium were detected within the control programme referred to in point II.2(a).

II.3. Additional health information

- (1) (8) II.3.1. The consignment consists of live poultry/day-old chicks/ eggs for hatching originating from holdings where no vaccination against avian influenza has been carried out.

- (1) II.3.2. This consignment complies with the animal health conditions laid down in Commission Decision 2006/415/EC.

Notes

Part I:

- **Box reference I.6:** No(s) of accompanying animal health certificates.
- **Box reference I.16:** Registration number (railway wagons or container and lorries), flight number (aircraft) or name (ship).
- **Box reference I.19:** Use the appropriate HS codes: 01.05. 01.06.39.
- **Box reference I.31:** Category: select one of the following: pure line/grandparents/parents/laying pullets/fattening/others.

Age: provide date hatched.

Number of packages: provide the number of crates or cages.

Part II:

- (1) Keep as appropriate.
- (2) Only applicable if II.3.2. is complied with.
- (3) In those cases where day-old chicks come from eggs imported from a third country the period of isolation on the holding of destination has to be respected as foreseen in Article 10 of Commission Decision 2006/696/EC. The competent authority of the final destination of the day-old chicks has to be informed through the TRACES system about this requirement.
- (4) To certify in case of dispatch to a Member State, which has an EC-approved-non-vaccinating status for Newcastle diseases currently: Finland and Sweden otherwise delete reference.
- (5) Complete if appropriate.
- (6) The guarantees given under points II.2 only apply if the day-old chicks belong to the species

Gallus gallus and,

- They apply from 1 February 2008, if the day-old chicks are intended solely for production of eggs, other than eggs for hatching.
- They apply from 1 January 2009, if the day-old chicks are intended solely for meat production.

(7) If any of the results were positive for the serotypes below during the life of the flock, indicate as positive.

Flocks of breeding poultry: *Salmonella* Hadar, *Salmonella* Virchow and *Salmonella* Infantis.

Flocks of productive poultry: *Salmonella* Enteritidis and *Salmonella* Typhimurium.

(8) Only applicable for Member States which carry out vaccination against avian influenza according to EC approved vaccination plan.

- The colour of the stamp and signature must be different from that of the other particulars in the certificate.

Official veterinarian

Name (in Capital):
Local Veterinary Unit:
Date:
Stamp

Qualification and title
N° of the related LVU:
Signature:



MODEL 3

EUROPEAN COMMUNITY

Intra-trade certificate

Part I: Details of consignment presented	I.1. Consignor Name		I.2. Certificate reference number		I.2.a. Local reference number:					
	Address		I.3. Central Competent Authority							
	Postal code		I.4. Local Competent Authority							
	I.5. Consignee Name		I.6.							
	Address		I.7.							
	Postal code									
	I.8. Country of origin	ISO code	I.9. Region of origin	Code	I.10. Country of destination	ISO code	I.11. Region of destination	Code		
	I.12. Place of origin			I.13. Place of destination						
	Holding <input type="checkbox"/>		Establishment <input type="checkbox"/>		Holding <input type="checkbox"/>		Establishment <input type="checkbox"/>		Approved body <input type="checkbox"/>	
	Name		Approval number		Name		Approval number			
	Address				Address					
	Postal code				Postal code					
	I.14. Place of loading			I.15. Date and time of departure						
Postal code										
I.16. Means of transport				I.17. Transporter						
Aeroplane <input type="checkbox"/>		Ship <input type="checkbox"/>		Railway wagon <input type="checkbox"/>		Name		Approval number		
Road vehicle <input type="checkbox"/>		Other <input type="checkbox"/>				Address				
Identification:				Postal code		Member State				
I.18. Animal species/product					I.19. Commodity code (CN code)					
								I.20. Number/quantity		
I.21.								I.22. Number of packages		
I.23. Identification of container/seal number								I.24.		
I.25. Animals certified as/products certified for										
Breeding <input type="checkbox"/>		Approved body <input type="checkbox"/>		Other <input type="checkbox"/>						
I.26. Transit through third country <input type="checkbox"/>			I.27. Transit through Member States <input type="checkbox"/>							
Third country		ISO code		Member State		ISO code				
Exit point		Code		Member State		ISO code				
Entry point		BIP unit No:		Member State		ISO code				
I.28. Export <input type="checkbox"/>			I.29.							
Third country		ISO code								
Exit point		Code								
I.30.										
I.31. Identification of the animals										
Species (Scientific name)		Category		Identification		Number of packages		Quantity		

Part II: Certification	II.1. Animal health attestation	II.a. Certificate reference number	II.b. Local reference number
	<p>I, the undersigned official veterinarian, certify that the poultry described above:</p> <p>(a) comply with the provisions of Articles 6, 10 and 20 of Council Directive [.../.../EC]</p> <p>(1) (b) comply with Article 17 (1) (c) of Council Directive [.../.../EC].</p> <p>(2) (c) comply with the provisions of Commission Decision(s) .../.../EC concerning additional guarantees with regard to (indicate disease(s)) and in accordance with Article 18 or Article 19 of Council Directive [.../.../EC].</p> <p>(3) (d) either [have not been vaccinated against Newcastle disease;]</p> <p style="padding-left: 40px;">(3) or [have been vaccinated against Newcastle disease using:</p> <p style="padding-left: 80px;">.....</p> <p style="padding-left: 80px;">.....</p> <p style="padding-left: 40px;">(name and type (live or inactivated) of Newcastle disease virus strain used in vaccine(s))</p> <p style="padding-left: 40px;">on (date) at the age of weeks].</p> <p>(3) (e) the breeding poultry has been tested with negative results according to the rules laid down in Commission Decision 2003/644/EC.</p> <p>(3) (f) the laying hens (productive poultry reared with the view to producing eggs for consumption) have been tested with negative results according to the rules laid down in Commission Decision 2004/235/EC.</p>		
	II.2. Public health attestation		
	<p>I, the undersigned official veterinarian, certify that the poultry described above:</p> <p>(4) (a) come from a flock which has been tested for Salmonella serotypes with public health significance in accordance with Regulation (EC) No 2160/2003 of the European Parliament and of the Council.</p> <p style="padding-left: 40px;">Date of last sampling of the flock from which the testing result is known:</p> <p style="padding-left: 80px;">.....</p> <p style="padding-left: 40px;">Result of all testing in the flock:</p> <p style="padding-left: 40px;">(3) (5) <i>either</i> [positive;]</p> <p style="padding-left: 40px;">(3) (5) <i>or</i> [negative]</p> <p>(4) (b) and, if breeding poultry, neither Salmonella Enteritidis nor Salmonella Typhimurium were detected within the control programme referred to in point II.2(a).</p>		
	II.3. Additional health information		
	<p>(3) (6) II.3.1. The consignment consists of live poultry/day-old chicks/ eggs for hatching originating from holdings where no vaccination against avian influenza has been carried out.</p>		

Notes

Part I:

- **Box reference I.16:** Registration number (railway wagons or container and lorries), flight number (aircraft) or name (ship).
- **Box reference I.19:** Use the appropriate HS codes: 01.05. 01.06.39.
- **Box reference I.31:** Category: select one of the following: pure line/grandparents/parents/laying pullets/fattening/others.

Identification: indicate the identification details of flock of origin and brand name.

Part II:

- (1) To certify in case of dispatch to a Member State, which has an EC-approved non-vaccinating status for Newcastle diseases currently: Finland and Sweden otherwise delete reference.
- (2) Complete if appropriate.
- (3) Keep as appropriate.
- (4) The guarantees given under points II.2 apply only if the poultry belongs to the species *Gallus gallus* and,
 - They apply from 1 February 2008, if the poultry is intended solely for the production of eggs, other than eggs for hatching.
 - They apply from 1 January 2009, if the poultry is reared solely for meat production.
- (5) If any of the results were positive for the serotypes below during the life of the flock, indicate as positive.

Flocks of breeding poultry: *Salmonella* Hadar, *Salmonella* Virchow and *Salmonella* Infantis.

Flocks of productive poultry: *Salmonella* Enteritidis and *Salmonella* Typhimurium.
- (6) Only applicable for Member States which carry out vaccination against avian influenza according to EC approved vaccination plan.
 - The colour of the stamp and signature must be different from that of the other particulars in the certificate.

Official veterinarian

Name (in Capital):
Local Veterinary Unit:
Date:
Stamp

Qualification and title
N° of the related LVU:
Signature:



Part II: Certification	II.1. Animal health attestation	II.a. Certificate reference number	II.b. Local reference number
	<p>I, the undersigned official veterinarian, certify that:</p> <p>(a) (1) either [the poultry, day-old chicks or eggs for hatching described above comply with the provisions of Article 16 of Council Directive [.../.../EC].]</p> <p>(1) (2) or [the poultry, day-old chicks or eggs for hatching described above comply with the provisions of Article 16 (1) and (2) (a) to (d) of Council Directive [.../.../EC].]</p> <p>(3) (b) the poultry, day-old chicks or eggs for hatching described above comply with Article 17 (1) of Council Directive [.../.../EC].</p> <p style="padding-left: 40px;">(1) (c) either (i) [the poultry;]</p> <p style="padding-left: 40px;">(1) or (ii) [day-old chicks;]</p> <p style="padding-left: 40px;">(1) or (iii) [eggs for hatching;]</p> <p>(4) comply with the provisions of Commission Decision(s) .../.../EC concerning additional guarantees with regard to (indicate disease(s)) and in accordance with Article 18 or 19 of Council Directive [.../.../EC].</p> <p>(d) the poultry:</p> <p style="padding-left: 40px;">(1) either [have not been vaccinated against Newcastle disease;]</p> <p style="padding-left: 40px;">(1) or [have been vaccinated against Newcastle disease using:</p> <p style="padding-left: 80px;">.....</p> <p style="padding-left: 80px;">.....</p> <p style="padding-left: 40px;">(name and type (live or inactivated) of Newcastle disease virus strain used in vaccine(s))</p> <p style="padding-left: 40px;">on (date) at the age of weeks].</p> <p>(e) the day-old chicks:</p> <p style="padding-left: 40px;">(1) either [have not been vaccinated against Newcastle disease;]</p> <p style="padding-left: 40px;">(1) or [have been vaccinated against Newcastle disease using:</p> <p style="padding-left: 80px;">.....</p> <p style="padding-left: 80px;">.....</p> <p style="padding-left: 40px;">(name and type (live or inactivated) of Newcastle disease virus strain used in vaccine(s))</p> <p style="padding-left: 40px;">on (date)].</p> <p>(f) the poultry form which the day-old chicks come:</p> <p style="padding-left: 40px;">(1) either [have not been vaccinated against Newcastle disease;]</p> <p style="padding-left: 40px;">(1) or [have been vaccinated against Newcastle disease using:</p> <p style="padding-left: 80px;">.....</p> <p style="padding-left: 80px;">.....</p>		

.....
(name and type (live or inactivated) of Newcastle disease virus strain used in vaccine(s))
on (date) at the age of weeks].

- (g) the poultry from which the eggs for hatching come:
(1) either [have not been vaccinated against Newcastle disease;]
(1) or [have been vaccinated against Newcastle disease using:

.....
.....
(name and type (live or inactivated) of Newcastle disease virus strain used in vaccine(s))
on (date) at the age of weeks].

II.2. Public health attestation

I, the undersigned official veterinarian, certify that:

- (5) (a) the poultry, the day-old chicks or the eggs for hatching come from a flock which has been tested for *Salmonella* serotypes with public health significance in accordance with Regulation (EC) No 2160/2003 of the European Parliament and of the Council.

Date of last sampling of the flock from which the testing result is known:
.....

Result of all testing in the flock:

- (1) (6) either [positive;]
(1) (6) or [negative]
- (5) (b) and, if breeding poultry, day-old chicks or eggs for hatching intended for breeding, neither *Salmonella* Enteritidis nor *Salmonella* Typhimurium were detected within the control programme referred to in point II.2(a).

II.3. Additional health information

- (1) (7) II.3.1. The consignment consists of live poultry/day-old chicks/ eggs for hatching originating from holdings where no vaccination against avian influenza has been carried out.
- (1) II.3.2. This consignment complies with the animal health conditions laid down in Commission Decision 2006/415/EC.
- (1) II.3.3. This consignment complies with the animal health conditions laid down in Commission Decision 2006/563/EC.

Notes

Part I:

- **Box reference I.16:** Registration number (railway wagons or container and lorries), flight number (aircraft) or name (ship).
- **Box reference I.19:** Use the appropriate HS codes: 01.05, 01.06.39, 04.07.

– **Box reference I.31:** Category: select one of the following: pure line/grandparents/parents/laying pullets/fattening/others.

Identification: indicate the identification details of flocks of origin.

Age: provide the date of collection (in case of eggs) or the approximate age (in case of poultry)

Part II:

- (1) Keep as appropriate.
- (2) Only applicable if II.3.2. or II.3.3. is complied with.
- (3) To certify in case of dispatch to a Member State, which has an EC-approved-non-vaccinating status for Newcastle diseases currently: Finland and Sweden otherwise delete reference.
- (4) Complete if appropriate.
- (5) The guarantees given under points II.2 apply only if the poultry, day-old chicks or eggs for hatching belong to the species *Gallus gallus* and,
 - They apply from 1 February 2008, if the poultry or day-old chicks are intended solely for production of eggs, other than eggs for hatching.
 - They apply from 1 January 2009, if the poultry or day-old chicks are reared solely for meat production.
- (6) If any of the results were positive for the serotypes below during the life of the flock, indicate as positive.

Flocks of breeding poultry: *Salmonella* Hadar, *Salmonella* Virchow and *Salmonella* Infantis.

Flocks of productive poultry: *Salmonella* Enteritidis and *Salmonella* Typhimurium.
- (7) Only applicable for Member States which carry out vaccination against avian influenza according to EC approved vaccination plan.
 - The colour of the stamp and signature must be different from that of the other particulars in the certificate.

Official veterinarian

Name (in Capital):
Local Veterinary Unit:
Date:
Stamp

Qualification and title
N° of the related LVU:
Signature:



MODEL 5

EUROPEAN COMMUNITY

Intra-trade certificate

Part I: Details of consignment presented	I.1. Consignor Name		I.2. Certificate reference number		I.2.a. Local reference number:						
	Address		I.3. Central Competent Authority								
	Postal code		I.4. Local Competent Authority								
	I.5. Consignee Name		/								
	Address										
	Postal code		I.7.								
	I.8. Country of origin	ISO code	I.9. Region of origin	Code	I.10. Country of destination	ISO code	I.11. Region of destination	Code			
	I.12. Place of origin				I.13. Place of destination						
	Holding <input type="checkbox"/>		Establishment <input type="checkbox"/>		Holding <input type="checkbox"/>		Establishment <input type="checkbox"/>		Approved body <input type="checkbox"/>		
	Name		Approval number		Name		Approval number				
	Address				Address						
	Postal code				Postal code						
	I.14. Place of loading				I.15. Date and time of departure						
Postal code											
I.16. Means of transport				I.17. Transporter							
Aeroplane <input type="checkbox"/>		Ship <input type="checkbox"/>		Railway wagon <input type="checkbox"/>		Name		Approval number			
Road vehicle <input type="checkbox"/>		Other <input type="checkbox"/>				Address					
Identification:				Postal code		Member State					
I.18. Animal species/product				I.19. Commodity code (CN code)							
						I.20. Number/quantity					
I.21.						I.22. Number of packages					
I.23. Identification of container/seal number						I.24.					
I.25. Animals certified as/products certified for											
Slaughter <input type="checkbox"/>											
I.26. Transit through third country <input type="checkbox"/>				I.27. Transit through Member States <input type="checkbox"/>							
Third country		ISO code		Member State		ISO code					
Exit point		Code		Member State		ISO code					
Entry point		BIP unit No:		Member State		ISO code					
I.28. Export <input type="checkbox"/>				I.29.							
Third country		ISO code									
Exit point		Code									
I.30.											
I.31. Identification of the animals											
Species (Scientific name)		Category		Identification		Age		Number of packages		Quantity	

Part II: Certification	II.1. Animal health attestation	II.a. Certificate reference number	II.b. Local reference number
	<p>I, the undersigned official veterinarian, certify that the poultry described above:</p> <p>(a) (1) either [comply with the provisions of Articles 13 and 20 of Council Directive [...]/EC].</p> <p>(1) (2) or [comply with the provisions of Articles 13 (a), (b), (c) and 20 of Council Directive [...]/EC].</p> <p>(3) (b) comply with Article 17 (1) (d) of Council Directive [...]/EC].</p> <p>(4) (c) comply with the provisions of Commission Decision(s) .../.../EC concerning additional guarantees with regard to (indicate disease(s)) and in accordance with Article 18 or 19 of Council Directive [...]/.../EC].</p> <p>(d) (1) either [have not been vaccinated against Newcastle disease;]</p> <p>(1) or [have been vaccinated against Newcastle disease using:</p> <p>.....</p> <p>.....</p> <p>(name and type (live or inactivated) of Newcastle disease virus strain used in vaccine(s))</p> <p>on (date) at the age of weeks].</p>		
	II.2. Public health attestation		
	<p>I, the undersigned official veterinarian, certify that the poultry described above:</p> <p>(5) are tested for Salmonella serotypes with public health significance in accordance with Regulation (EC) No 2160/2003 of the European Parliament and of the Council.</p> <p>Date of last sampling of the flock from which the testing result is known:</p> <p>Result of all testing in the flock:</p> <p>(1) (6) either [positive;]</p> <p>(1) (6) or [negative]</p>		
	II.3. Additional health information		
	<p>(1) (7) II.3.1. The consignment consists of live poultry/day-old chicks/ eggs for hatching originating from holdings where no vaccination against avian influenza has been carried out.</p> <p>(1) II.3.2. This consignment complies with the animal health conditions laid down in Commission Decision 2006/415/EC.</p>		
	Notes		
	Part I:		
	<p>– Box reference I.16: Registration number (railway wagons or container and lorries), flight number (aircraft) or name (ship).</p>		

- **Box reference I.19:** Use the appropriate HS codes: 01.05, 01.06.39.
- **Box reference I.31:** Category: select one of the following: pure line/grandparents/parents/laying pullets/fattening/others.

Identification: indicate the identification details of parent flock and brand name.

Age: provide the approximate age of the poultry.

Part II:

- (1) Keep as appropriate.
- (2) Only applicable if II.3.2. or II.3.3. is complied with.
- (3) To certify in case of dispatch to a Member State, which has an EC-approved non-vaccinating status for Newcastle diseases currently: Finland and Sweden otherwise delete reference.
- (4) Complete if appropriate.
- (5) The guarantees given under points II.2 apply only if the slaughter poultry belong to the species *Gallus gallus* and,
 - They apply from 1 February 2008, if the poultry was kept solely for production of eggs, other than eggs for hatching.
 - They apply from 1 January 2009, if the poultry is reared solely for meat production.
- (6) If any of the results were positive for the serotypes below during the life of the flock, indicate as positive.

Flocks of breeding poultry: *Salmonella* Enteritidis, *Salmonella* Typhimurium, *Salmonella* Hadar, *Salmonella* Virchow and *Salmonella* Infantis.

Flocks of productive poultry: *Salmonella* Enteritidis and *Salmonella* Typhimurium.
- (7) Only applicable for Member States which carry out vaccination against avian influenza according to EC approved vaccination plan.
 - The colour of the stamp and signature must be different from that of the other particulars in the certificate.

Official veterinarian

Name (in Capital):
 Local Veterinary Unit:
 Date:
 Stamp

Qualification and title
 N° of the related LVU:
 Signature:



MODEL 6

EUROPEAN COMMUNITY

Intra-trade certificate

Part I: Details of consignment presented	I.1. Consignor Name		I.2. Certificate reference number		I.2.a. Local reference number:						
	Address		I.3. Central Competent Authority								
	Postal code		I.4. Local Competent Authority								
	I.5. Consignee Name		/								
	Address		/								
	Postal code		/								
	I.8. Country of origin	ISO code	I.9. Region of origin	Code	I.10. Country of destination	ISO code	I.11. Region of destination	Code			
	I.12. Place of origin			I.13. Place of destination							
	Holding <input type="checkbox"/>		Establishment <input type="checkbox"/>		Holding <input type="checkbox"/>		Establishment <input type="checkbox"/>		Approved body <input type="checkbox"/>		
	Name		Approval number		Name		Approval number				
	Address				Address						
	Postal code				Postal code						
	I.14. Place of loading				I.15. Date and time of departure						
Postal code											
I.16. Means of transport				I.17. Transporter							
Aeroplane <input type="checkbox"/>				Name		Approval number					
Road vehicle <input type="checkbox"/>				Address							
Ship <input type="checkbox"/>				Postal code		Member State					
Railway wagon <input type="checkbox"/>				Other <input type="checkbox"/>							
Identification:											
I.18. Animal species/product				I.19. Commodity code (CN code)							
				I.20. Number/quantity							
I.21.				I.22. Number of packages							
I.23. Identification of container/seal number				I.24.							
I.25. Animals certified as/products certified for											
Game restocking <input type="checkbox"/>											
I.26. Transit through third country <input type="checkbox"/>				I.27. Transit through Member States <input type="checkbox"/>							
Third country		ISO code		Member State		ISO code					
Exit point		Code		Member State		ISO code					
Entry point		BIP unit No:		Member State		ISO code					
I.28. Export <input type="checkbox"/>				I.29.							
Third country		ISO code		/							
Exit point		Code		/							
I.30.				/							
I.31. Identification of the animals											
Species (Scientific name)		Category		Identification		Age		Number of packages		Quantity	

Part II: Certification	II.1. Animal health attestation	II.a. Certificate reference number	II.b. Local reference number
	<p>I, the undersigned official veterinarian, certify that poultry described above:</p> <p>(a) comply with the provisions of Articles 14 and 20 of Council Directive [.../.../EC]</p> <p>(1) (b) comply with Article 17 (1) (c) of Council Directive [.../.../EC].</p> <p>(2) (c) comply with the provisions of Commission Decision(s) .../.../EC concerning additional guarantees with regard to (indicate disease(s)) and in accordance with Article 18 or 19 of Council Directive [.../.../EC].</p> <p>(3) (d) either [have not been vaccinated against Newcastle disease;]</p> <p>(3) or [have been vaccinated against Newcastle disease using:</p> <p>.....</p> <p>.....</p> <p>(name and type (live or inactivated) of Newcastle disease virus strain used in vaccine(s))</p> <p>on (date) at the age of weeks].</p>		
	II.2. Additional health information		
	<p>(3) II.2.1. The consignment consists of live poultry/day-old chicks/ eggs for hatching originating from holdings where no vaccination against avian influenza has been carried out.</p> <p>(3) II.2.2. This consignment complies with the animal health conditions laid down in Commission Decision 2006/605/EC.</p>		
	Notes		
	Part I:		
	<p>– Box reference I.16: Registration number (railway wagons or container and lorries), flight number (aircraft) or name (ship).</p> <p>– Box reference I.19: Use the appropriate HS codes: 01.05. 01.06.39.</p> <p>– Box reference I.31: Category: select one of the following: pure line/grandparents/parents/laying pullets/fattening/others.</p> <p>Identification: indicate the identification details of flocks of origin.</p> <p>Age: provide the approximate age of the poultry.</p>		
	Part II:		
	<p>(1) To certify in case of dispatch to a Member State, which has an EC-approved non-vaccinating status for Newcastle diseases currently: Finland and Sweden otherwise delete reference.</p> <p>(2) Complete if appropriate.</p>		

(3) Keep as appropriate.

- The colour of the stamp and signature must be different from that of the other particulars in the certificate.

Official veterinarian

Name (in Capital):
Local Veterinary Unit:
Date:
Stamp

Qualification and title
N° of the related LVU:
Signature:



ANNEX V

COMPULSORILY NOTIFIABLE DISEASES

- Avian influenza
 - Newcastle disease
-



ANNEX VI

Part A

Repealed Directive with list of its successive amendments (referred to in Article 37)

Council Directive 90/539/EEC (OJ L 303, 31.10.1990, p. 6)	
Council Directive 91/494/EEC (OJ L 268, 24.9.1991, p. 35)	Only Article 19(2)
Council Directive 91/496/EEC (OJ L 268, 24.9.1991, p. 56)	Only as regards the reference to Directive 90/539/EEC in Article 26(2)
Council Directive 92/65/EEC (OJ L 268, 14.9.1992, p. 54)	Only Article 7(B), second subparagraph
Commission Decision 92/369/EEC (OJ L 195, 14.7.1992, p. 25)	
Council Directive 93/120/EC (OJ L 340, 31.12.1993, p. 35)	
Points V.E.I.2.A.4 of Annex I to the 1994 Act of Accession (OJ C 241, 29.8.1994, p. 132)	
Council Directive 1999/90/EC (OJ L 300, 23.11.1999, p. 19)	
Commission Decision 2000/505/EC (OJ L 201, 9.8.2000, p. 8)	Only Article 1 and Annex
Commission Decision 2001/867/EC (OJ L 323, 7.12.2001, p. 29)	
Council Regulation (EC) No 806/2003 (OJ L 122, 16.5.2003, p. 1)	Only Annex III, point 13
Point 6.B.I.17 of Annex II to the 2003 Act of Accession (OJ L 236, 23.9.2003, p. 381)	
Council Directive 2006/104/EC (OJ L 363, 20.12.2006, p. 352)	Only Annex, point I.3

Commission Decision 2006/911/EC
(OJ L 346, 9.12.2006, p. 41)

Only Annex, point 4

Commission Decision 2007/594/EC
(OJ L 227, 31.8.2007, p. 33)

Commission Decision 2007/729/EC
(OJ L 294, 13.11.2007, p. 26)

Only Annex, point 2

Council Directive 2008/73/EC
(OJ L 219, 14.8.2008, p. 40)

Only Article 11

Part B

List of time-limits for transposition into national law (referred to in Article 37)

Directive	Time-limit for transposition
90/539/EEC	1 May 1992
91/494/EEC	1 May 1992
91/496/EEC	1 July 1992
92/65/EEC	31 December 1993
93/120/EC	1 January 1995
1999/90/EC	30 June 2000
2006/104/EC	1 January 2007
2008/73/EC	1 January 2010

ANNEX VII

CORRELATION TABLE

Directive 90/539/EEC	This Directive
Article 1	Article 1
Article 2, first paragraph	Article 2, first paragraph
Article 2, second paragraph, points (1) to (14)	Article 2, second paragraph, points (1) to (14)
Article 2, second paragraph, point (16)	Article 2, second paragraph, point (15)
Article 2, second paragraph, point (17)	Article 2, second paragraph, point (16)
Article 3(1)	Article 3(1), first subparagraph
Article 3(2)	Article 3(1), second subparagraph
Article 3(3), first and second indents	Article 3(2)(a) and (b)
Article 4	Article 4
Article 5(a), first subparagraph	Article 5(a), first subparagraph
Article 5(a), second subparagraph, first, second and third indents	Article 5(a), second subparagraph, (i), (ii) and (iii)
Article 5(b), (c) and (d)	Article 5(b), (c) and (d)
Article 6(1)(a), (b) and (c)	Article 6(a)(i), (ii) and (iii)
Article 6(2)	Article 6(b)
Article 6a	Article 7
Article 7, first paragraph, point (1), first indent	Article 8(1)(a)(i)
Article 7, first paragraph, point (1), second indent	Article 8(1)(a)(ii)
Article 7, first paragraph, point (1), second indent, first subindent	Article 8(1)(a)(iii), first indent
Article 7, first paragraph, point (1), second indent, second subindent	Article 8(1)(a)(iii), second indent
Article 7, first paragraph, point (2)	Article 8(1)(b)

Article 7, first paragraph, point (3)	Article 8(1)(c)
Article 7, second paragraph	Article 8(2)
Article 8	Article 9
Article 9	Article 10
Article 9a	Article 11
Article 9b	Article 12
Article 10	Article 13
Article 10a	Article 14
Article 10b	Article 15
Article 11(1)	Article 16(1)
Article 11(2), first to fifth indents	Article 16(2), first subparagraph, points (a) to (e)
Article 11(2), sixth indent	Article 16(2), second subparagraph
Article 11(3)	Article 16(3)
Article 12(1)(a), first, second and third indents	Article 17(1)(a)(i), (ii) and (iii)
Article 12(1)(b), first and second indents	Article 17(1)(b)(i) and (ii)
Article 12(1)(c), first, second and third indents	Article 17(1)(c)(i), (ii) and (iii)
Article 12(1)(d), first and second indents	Article 17(1)(d)(i) and (ii)
Article 12(2), first, second and third subparagraphs	Article 17(2), first, second and third subparagraphs
Article 12(2), fourth subparagraph, first, second and third indents	Article 17(2), fourth subparagraph, points (a), (b) and (c)
Article 12(2), fifth subparagraph	Article 17(2), fifth subparagraph
Article 12(3)(i) and (ii)	Article 17(3)(a) and (b)
Article 13(1), first to seventh indents	Article 18(1)(a) to (g)
Article 13(2), first subparagraph	Article 18(2)
Article 13(2), second subparagraph	_____

Article 13(3)	Article 18(3)
Article 13(4)	_____
Article 14(1), first to fifth indents	Article 19(1)(a) to (e)
Article 14(2)	Article 19(2)
Article 14(3)	Article 19(3)
Article 14(4)	_____
Article 15(1), first subparagraph, first and second indents	Article 20(1)(a) and (b)
Article 15(1), second subparagraph, point (a)	Article 20(2)(a)
Article 15(1), second subparagraph, point (b), first to fourth indents	Article 20(2)(b)(i) to (iv)
Article 15(2)	Article 20(3)
Article 15(3), first and second indents	Article 20(4)(a) and (b)
Article 15(4)(a)	Article 20(5), first subparagraph
Article 15(4)(b)	Article 20(5), second subparagraph
Article 15(4)(c)	Article 20(5), third subparagraph
Article 15(5), first, second and third indents	Article 20(6)(a), (b) and (c)
Article 15(6)	Article 20(7)
Article 16	Article 21
Article 17, first to seventh indents	Article 22(a) to (g)
Article 18	Article 23
Article 20	Article 24
Article 21	Article 25
Article 22	Article 26
Article 23	Article 27
Article 24	Article 28
Article 25	Article 29
Article 26	Article 30

Article 27a	Article 31
Article 28	Article 32
Article 29(1)	Article 33
Article 30(1)	Article 34
Article 30(2)	_____
Article 31	_____
Article 32(1)	Article 35(1)
Article 32(2)	Article 35(2)
Article 32(3)	_____
Article 33(1)	_____
Article 33(2)	Article 35(3)
Article 34	Article 36
Article 36	_____
_____	Article 37
_____	Article 38
Article 37	Article 39
Annex I, point 2	Annex I
Annex II, Chapters I, II and III	Annex II, Chapters I, II and III
Annex II, Chapter IV, points 1 and 2	Annex II, Chapter IV, points 1 and 2
Annex II, Chapter IV, point 3(a)	Annex II, Chapter IV, point 3(a)
Annex II, Chapter IV, point 3(b)(i) and (ii)	Annex II, Chapter IV, point 3(b), first and second indents
Annexes III, IV and V	Annexes III, IV and V
_____	Annex VI
_____	Annex VII