



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 27.10.2004
COM(2004)714 final

Proposal for a

COUNCIL DECISION

on the Community position on Decision No 2/2004 of the Joint Veterinary Committee set up by the Agreement between the European Community and the Swiss Confederation on trade in agricultural products regarding the amendment of Appendices 1, 2, 3, 4, 5, 6 and 11 of Annex 11 to the Agreement

(presented by the Commission)

EXPLANATORY MEMORANDUM

The Agreement between the European Community and the Swiss Confederation on trade in agricultural products, hereinafter called the "Agriculture Agreement", entered into force on 1 June 2002.

Article 19(1) of Annex 11 to the Agriculture Agreement sets up a Joint Veterinary Committee made up of representatives of the parties. It is responsible for examining all questions relating to the said Annex and its implementation and is to carry out the tasks provided for therein. The Joint Veterinary Committee is empowered to adopt decisions in the cases provided for in Annex 11.

Article 19(3) of Annex 11 to the Agriculture Agreement authorises the Joint Veterinary Committee to amend the appendices thereto, in particular with a view to adapting and updating them. It has been decided to take account of the legislation in force at 26 July 2004.

The Community must adopt the position it is to take in the Joint Veterinary Committee regarding adoption of the amendments needed to update Appendices 1, 2, 3, 4, 5, 6 and 11 to Annex 11. Under the first subparagraph of Article 5(2) of Decision 2002/309/EC, Euratom, the Community's position is to be adopted by the Council on a proposal from the Commission.

The draft amendment updates Appendices 1, 2, 3, 4, 5, 6 and 11 to Annex 11 to the Agriculture Agreement.

Decision No 2/2004 of the Joint Veterinary Committee will be published in the *Official Journal of the European Union*.

Proposal for a

COUNCIL DECISION

on the Community position on Decision No 2/2004 of the Joint Veterinary Committee set up by the Agreement between the European Community and the Swiss Confederation on trade in agricultural products regarding the amendment of Appendices 1, 2, 3, 4, 5, 6 and 11 of Annex 11 to the Agreement

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 37 and Article 152(4)(b) in conjunction with the second subparagraph of Article 300(2) thereof,

Having regard to the proposal from the Commission,

Whereas:

- (1) The first subparagraph of Article 5(2) of Decision 2002/309/EC, Euratom, of the Council and of the Commission as regards the Agreement on Scientific and Technological Cooperation, of 4 April 2002 on the conclusion of seven Agreements with the Swiss Confederation, the Community's position within the Joint Veterinary Committee is to be adopted by the Council on a proposal from the Commission.
- (2) The Agreement between the European Community and the Swiss Confederation on trade in agricultural products, of 21 June 1999, hereinafter called the "Agriculture Agreement", entered into force on 1 June 2002.
- (3) Article 19(1) of Annex 11 to the Agriculture Agreement sets up a Joint Veterinary Committee responsible for examining all questions relating to the said Annex and its implementation and for carrying out the tasks provided for therein. Article 19(3) of that Annex authorises the Committee to amend the appendices thereto, in particular with a view to their adaptation and updating.
- (4) The Community must adopt the position it is to take in the Joint Veterinary Committee regarding these necessary amendments,

HAS DECIDED AS FOLLOWS:

Article 1

The position to be adopted by the Community in the Joint Veterinary Committee set up by Article 19(1) of Annex 11 to the Agreement between the European Community and the Swiss Confederation on trade in agricultural products regarding the amendments to Appendices 1, 2, 3, 4, 5, 6 and 11 to the said Annex shall be based on the draft Decision of the Joint Committee annexed to this Decision.

Article 2

Decision No 2/2004 of the Joint Veterinary Committee on amendments to Appendices 1, 2 3 4, 5, 6 and 11 to the Annex 11 to the Agreement shall be published in the *Official Journal of the European Union* as soon as it has been adopted.

Done at Brussels,

For the Council
The President

ANNEX

Proposal for a

DECISION No 2/2004 OF THE JOINT VETERINARY COMMITTEE SET UP UNDER THE AGREEMENT BETWEEN THE EUROPEAN COMMUNITY AND THE SWISS CONFEDERATION ON TRADE IN AGRICULTURAL PRODUCTS

of 2004

amending Appendices 1, 2, 3, 4, 5, 6 and 11 to Annex 11 to the Agreement

(2004/.../EC)

THE COMMITTEE,

Having regard to the Agreement between the European Community and the Swiss Confederation on trade in agricultural products (hereinafter called the "Agricultural Agreement"), and in particular Article 19(3) of Annex 11 thereto,

Whereas:

- (1) The Agreement with Switzerland entered into force on 1 June 2002.
- (2) Appendices 1, 2, 3, 4, 5, 6 and 11 of Annex II to the Agricultural Agreement were amended for the first time by Decision No 2/2003 of Joint Veterinary Committee set up by Article 19(1) of Annex 11 to the Agreement between the European Community and the Swiss Confederation on trade in agricultural products of 25 November 2003 regarding the amendment of Appendices 1, 2, 3, 4, 5, 6 and 11 of Annex 11 to the Agreement¹. In general, the decision takes account of the legislation in force at 31 December 2000. In the specific case of bovine spongiform encephalopathy, it takes account of the legislation in force at 11 July 2003.
- (3) Appendix 5 to Annex 11 to the Agricultural Agreement was amended a second time by Decision No 1/2004 of the Joint Veterinary Committee set up by the Agreement between the European Community and the Swiss Confederation on trade in agricultural products of 28 April 2004 regarding the amendment of Appendix 5 of Annex 11 to the Agreement².

¹ OJ L 23, 28.1.2004, p. 27.

² OJ L 160, 30.4.2004, p. 116.

- (4) Appendices 1, 2, 3, 4, 5, 6 and 11 to Annex 11 to the Agreement should be amended to take account of changes in the Community and Swiss legislation in force at 26 July 2004,

HAS ADOPTED THIS DECISION:

Article 1

Appendices 1, 2, 3, 4, 5, 6 and 11 to Annex 11 to the Agreement between the European Community and the Swiss Confederation on trade in agricultural products are hereby replaced by the Appendices in the Annex to this Decision.

Article 2

This Decision, drawn up in duplicate, shall be signed by the joint chairmen or other persons empowered to act in the name of the Parties.

Article 3

This Decision shall be published in the *Official Journal of the European Union*.

It shall take effect at the date of the last signature.

Signed at Bern, [date]

Signed at Brussels, [date]

For the Joint Veterinary Committee

Head of Delegation
of the Swiss Confederation,

Head of Delegation
of the Community

ANNEX

"Appendix 1

CONTROL MEASURES/NOTIFICATION OF DISEASES

I. FOOT-AND-MOUTH DISEASE

A. LEGISLATION

Community	Switzerland
<p>1. Council Directive 2003/85/EC of 29 September 2003 on Community measures for the control of foot-and-mouth disease repealing Directive 85/511/EEC and Decisions 84/531/EEC and 91/665/EEC and amending Directive 92/46/EEC (OJ L 306, 22.11.2003, p. 1)</p>	<p>1. Law on epizootic diseases (LFE) of 1 July 1966, as last amended on 20.6.2003 (RS 916.40), and in particular Articles 1, 1a and 9a (measures against highly contagious epizootic diseases, control objectives) and 57 (technical implementing provisions, international cooperation) thereof</p> <p>2. Ordonnance of 27 June 1995 on epizootic diseases (OFE), as last amended on 23.06.2004, (RS 916.401), and in particular Articles 2 (highly contagious epizootic diseases), 49 (handling micro-organisms that are pathogenic for animals), 73 and 74 (cleaning and disinfection), 77 to 98 (common provisions concerning highly contagious epizootic diseases) and 99 to 103 (specific measures to combat foot-and-mouth disease) thereof</p> <p>3. Ordonnance of 14 June 1999 on the organisation of the Département fédéral de l'économie, as last amended on 5 December 2003 (RS 172.216.1), and in particular Article 8 thereof (reference laboratory, registration, control and provision of vaccine against foot-and-mouth disease)</p>

B. SPECIAL RULES AND PROCEDURES FOR IMPLEMENTATION

1. In principle, the Commission and the Office Vétérinaire Fédéral shall notify each other of any intention to carry out emergency vaccinations. In extreme emergencies, notification may cover the decision as taken and the rules and procedures governing its implementation. At all events, consultations must be held as soon as possible within the Joint Veterinary Committee.
2. Pursuant to Article 97 of the Ordonnance on epizootic diseases, Switzerland has established an emergency warning plan. Technical implementation rule No 95/65 issued by the Office Vétérinaire Fédéral lays down the procedures for that plan.
3. The joint reference laboratory for identifying foot-and-mouth virus shall be the Institute for Animal Health, Pirbright Laboratory, United Kingdom. Switzerland shall pay the costs it incurs for operations carried out by the laboratory in that capacity. The functions and tasks of the laboratory shall be as laid down in Annex XVI to Directive 2003/85/EC.

II. CLASSICAL SWINE FEVER

A. LEGISLATION

Community	Switzerland
<p>Council Directive 2001/89/EC of 23 October 2001 on Community measures for the control of classical swine fever (OJ L 316, 1.12.2001, p. 5), as last amended by the Act concerning the conditions of accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic and the adjustments to the Treaties on which the European Union is founded, Annex II: List referred to in Article 20 of the Act of Accession – 6. Agriculture – B. Veterinary and plant health legislation – I. Veterinary legislation (OJ L 236, 23.9.2003, p. 381)</p>	<ol style="list-style-type: none"><li data-bbox="810 427 1406 752">1. Law on epizootic diseases (LFE) of 1 July 1966, as last amended on 20.6.2003 (RS 916.40), and in particular Articles 1, 1a and 9a (measures against highly contagious epizootic diseases, control objectives) and 57 (technical implementing provisions, international cooperation) thereof<li data-bbox="810 786 1406 1368">2. Ordonnance of 27 June 1995 on epizootic diseases (OFE), as last amended on 23 June 2004, (RS 916.401), and in particular Articles 2 (highly contagious epizootic diseases), 40 to 47 (disposal and use of waste), 49 (handling micro-organisms that are pathogenic for animals), 73 and 74 (cleaning and disinfection), 77 to 98 (common provisions concerning highly contagious epizootic diseases) and 116 to 121 (detection of swine fever at slaughter, specific measures to combat swine fever) thereof<li data-bbox="810 1402 1406 1659">3. Ordonnance of 14 June 1999 on the organisation of the Département fédéral de l'économie, as last amended on 5 December 2003 (RS 172.216.1), and in particular Article 8 thereof (reference laboratory)<li data-bbox="810 1693 1406 1794">4. Ordonnance of 23 June 2004 on the elimination of animal by-products (OESPA), (RS 916.441.22)

B. SPECIAL RULES AND PROCEDURES FOR IMPLEMENTATION

1. The Commission and the Office Vétérinaire Fédéral shall notify each other of any intention to carry out emergency vaccinations. Consultations shall be held as soon as possible within the Joint Veterinary Committee.
2. If necessary, pursuant to Article 117(5) of the Ordonnance on epizootic diseases, the Office Vétérinaire Fédéral shall lay down technical implementing rules on the marking and treatment of meat coming from protection and surveillance zones.
3. Pursuant to Article 121 of the Ordonnance on epizootic diseases, Switzerland undertakes to implement a plan to eradicate classical swine fever in wild pigs in accordance with Articles 15 and 16 of Directive 2001/89/EEC. Consultations shall be held as soon as possible within the Joint Veterinary Committee.
4. Pursuant to Article 97 of the Ordonnance on epizootic diseases, Switzerland has established an emergency warning plan. Technical implementation rule No 95/65 issued by the Office Vétérinaire Fédéral lays down the procedures for that plan.
5. On-the-spot inspections shall be carried out under the responsibility of the Joint Veterinary Committee in accordance in particular with Article 21 of Directive 2001/89/EEC and Article 57 of the Law on epizootic diseases.
6. If necessary, pursuant to Article 89(2) of the Ordonnance on epizootic diseases, the Office Vétérinaire Fédéral shall lay down technical implementing rules on serological checks on pigs in protection and surveillance zones in accordance with Annex IV to Decision 2002/106/EEC (OJ L 39, 9.2.2002, p. 71).
7. The joint reference laboratory for classical swine fever shall be the Institut für Virologie der Tierärztlichen Hochschule Hannover, 15 Bünteweg 17, D-30559, Hannover, Germany. Switzerland shall pay the costs it incurs for operations carried out by the laboratory in that capacity. The functions and tasks of the laboratory shall be as laid down in Annex IV to Directive 2001/89/EC.

III. AFRICAN HORSE SICKNESS

A. LEGISLATION

Community	Switzerland
<p>Council Directive 92/35/EC of 29 April 1992 laying down control rules and measures to combat African horse sickness (OJ L 157, 10.6.1992, p. 19), as last amended by the Act concerning the conditions of accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic and the adjustments to the Treaties on which the European Union is founded, Annex II: List referred to in Article 20 of the Act of Accession – 6. Agriculture – B. Veterinary and plant health legislation – I. Veterinary legislation (OJ L 236, 23.9.2003, p. 381)</p>	<ol style="list-style-type: none"> <li data-bbox="810 360 1404 689">1. Law on epizootic diseases (LFE) of 1 July 1966, as last amended on 20 June 2003 (RS 916.40), and in particular Articles 1, 1a and 9a (measures against highly contagious epizootic diseases, control objectives) and 57 (technical implementing provisions, international cooperation) thereof <li data-bbox="810 725 1404 1234">2. Ordonnance of 27 June 1995 on epizootic diseases (OFE), as last amended on 23 June 2004 (RS 916.401), and in particular Articles 2 (highly contagious epizootic diseases), 49 (handling micro-organisms that are pathogenic for animals), 73 and 74 (cleaning and disinfection), 77 to 98 (common provisions concerning highly contagious epizootic diseases) and 112 to 115 (specific measures to combat African horse sickness) thereof <li data-bbox="810 1270 1404 1518">3. Ordonnance of 14 June 1999 on the organisation of the Département fédéral de l'économie, as last amended on 5 December 2003 (RS 172.216.1), and in particular Article 8 thereof (reference laboratory)

B. SPECIAL RULES AND PROCEDURES FOR IMPLEMENTATION

1. Where an epizootic disease of particular severity develops in Switzerland, the Joint Veterinary Committee shall meet to consider the situation. The competent Swiss authorities undertake to take the measures found necessary in the light of that examination.
2. The joint reference laboratory for African horse sickness shall be the Laboratorio de Sanidad y Producción Animal, Ministerio de Agricultura, Pesca y Alimentación, 28110 Algete, Madrid, Spain. Switzerland shall pay the costs it incurs for operations carried out by the laboratory in that capacity. The functions and tasks of the laboratory shall be as laid down in Annex III to Directive 92/35/EEC.
3. On-the-spot inspections shall be carried out under the responsibility of the Joint Veterinary Committee in accordance in particular with Article 16 of Directive 92/35/EEC and Article 57 of the Law on epizootic diseases.
4. Pursuant to Article 97 of the Ordonnance on epizootic diseases, Switzerland has established an action plan. Technical implementation rule No 95/65 issued by the Office Vétérinaire Fédéral lays down the procedures for that plan.

IV. AVIAN INFLUENZA

A. LEGISLATION

Community	Switzerland
<p>Council Directive 92/40/EEC of 19 May 1992 introducing Community measures for the control of avian influenza (OJ L 167, 22.6.1992, p. 1), as last amended by the Act concerning the conditions of accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic and the adjustments to the Treaties on which the European Union is founded, Annex II: List referred to in Article 20 of the Act of Accession – 6. Agriculture – B. Veterinary and plant health legislation – I. Veterinary legislation (OJ L 236, 23.9.2003, p. 381)</p>	<ol style="list-style-type: none"> 1. Law on epizootic diseases (LFE) of 1 July 1966, as last amended on 20 June 2003 (RS 916.40), and in particular Articles 1, 1a and 9a (measures against highly contagious epizootic diseases, control objectives) and 57 (technical implementing provisions, international cooperation) thereof 2. Ordonnance of 27 June 1995 on epizootic diseases (OFE), as last amended on 23 June 2004 (RS 916.401), and in particular Articles 2 (highly contagious epizootic diseases), 49 (handling micro-organisms that are pathogenic for animals), 73 and 74 (cleaning and disinfection), 77 to 98 (common provisions concerning highly contagious epizootic diseases) and 122 to 125 (specific measures concerning avian influenza) thereof 3. Ordonnance of 14 June 1999 on the organisation of the Département fédéral de l'économie, as last amended on 5 December 2003 (RS 172.216.1), and in particular Article 8 thereof (reference laboratory)

B. SPECIAL RULES AND PROCEDURES FOR IMPLEMENTATION

1. The joint reference laboratory for avian influenza shall be the Central Veterinary Laboratory, New Haw, Weybridge, Surrey KT15 3NB, United Kingdom. Switzerland shall pay the costs it incurs for operations carried out by the laboratory in that capacity. The functions and tasks of the laboratory shall be as laid down in Annex V to Directive 92/40/EEC.

2. Pursuant to Article 97 of the Ordonnance on epizootic diseases, Switzerland has established an emergency plan. Technical implementation rule No 95/65 issued by the Office Vétérinaire Fédéral lays down the procedures for that plan.
3. On-the-spot inspections shall be carried out under the responsibility of the Joint Veterinary Committee in accordance in particular with Article 18 of Directive 92/40/EEC and Article 57 of the Law on epizootic diseases.

V. NEWCASTLE DISEASE

A. LEGISLATION

Community	Switzerland
<p>Council Directive 92/66/EEC of 14 July 1992 introducing Community measures for the control of Newcastle disease (OJ L 260, 5.9.1992, p. 1), as last amended by the Act concerning the conditions of accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic and the adjustments to the Treaties on which the European Union is founded, Annex II: List referred to in Article 20 of the Act of Accession – 6. Agriculture – B. Veterinary and plant health legislation – I. Veterinary legislation (OJ L 236, 23.9.2003, p. 381)</p>	<ol style="list-style-type: none"> <li data-bbox="810 394 1433 719">1. Law on epizootic diseases (LFE) of 1 July 1966, as last amended on 20 June 2003 (RS 916.40), and in particular Articles 1, 1a and 9a (measures against highly contagious epizootic diseases, control objectives) and 57 (technical implementing provisions, international cooperation) thereof <li data-bbox="810 757 1433 1267">2. Ordonnance of 27 June 1995 on epizootic diseases (OFE), as last amended on 23 June 2004 (RS 916.401), and in particular Articles 2 (highly contagious epizootic diseases), 40 to 47 (disposal and use of waste), 49 (handling micro-organisms that are pathogenic for animals), 73 and 74 (cleaning and disinfection), 77 to 98 (common provisions concerning highly contagious epizootic diseases) and 122 to 125 (specific measures concerning Newcastle disease) thereof <li data-bbox="810 1305 1433 1518">3. Ordonnance of 14 June 1999 on the organisation of the Département fédéral de l'économie, as last amended on 5 December 2003 (RS 172.216.1), and in particular Article 8 thereof (reference laboratory) <li data-bbox="810 1556 1433 1769">4. Instruction (technical directive) of the Office Vétérinaire Fédéral of 20 June 1989 on combating paramyxovirosis in pigeons (Bulletin of the Office Vétérinaire Fédéral No 90(13) p. 113 (vaccination, etc.)) <li data-bbox="810 1807 1433 1910">5. Ordonnance of 23 June 2004 on the elimination of animal by-products (OESPA), (RS 916.441.22)

B. SPECIAL RULES AND PROCEDURES FOR IMPLEMENTATION

1. The joint reference laboratory for Newcastle disease shall be the Central Veterinary Laboratory, New Haw, Weybridge, Surrey KT15 3NB, United Kingdom. Switzerland shall pay the costs it incurs for operations carried out by the laboratory in that capacity. The functions and tasks of the laboratory shall be as laid down in Annex V to Directive 92/66/EEC.
2. Pursuant to Article 97 of the Ordonnance on epizootic diseases, Switzerland has established an emergency plan. Technical implementation rule No 95/65 issued by the Office Vétérinaire Fédéral lays down the procedures for that plan.
3. The information provided for in Articles 17 and 19 of Directive 92/66/EEC shall be the responsibility of the Joint Veterinary Committee.
4. On-the-spot inspections shall be carried out under the responsibility of the Joint Veterinary Committee in accordance in particular with Article 22 of Directive 92/66/EEC and Article 57 of the Law on epizootic diseases.

VI. FISH DISEASES

A. LEGISLATION

Community	Switzerland
<p>Council Directive 93/53/EEC of 24 June 1993 introducing minimum Community measures for the control of certain fish diseases (OJ L 175, 19.7.1993, p. 23), as last amended by the Act concerning the conditions of accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic and the adjustments to the Treaties on which the European Union is founded, Annex II: List referred to in Article 20 of the Act of Accession – 6. Agriculture – B. Veterinary and plant health legislation – I. Veterinary legislation (OJ L 236, 23.9.2003, p. 381)</p>	<ol style="list-style-type: none">1. Law of 1 July 1966 on epizootic diseases (LFE), as last amended on 20 June 2003 (RS 916.40), and in particular Articles 1, 1a and 10 (measures against epizootic diseases) and 57 (technical implementing provisions, international cooperation) thereof2. Ordonnance of 27 June 1995 on epizootic diseases (OFE), as last amended on 23 June 2004 (RS 916.401), and in particular Articles 3 and 4 (epizootic diseases referred to), 61 (obligations of leasers of fishing rights and of bodies responsible for monitoring fishing), 62 to 76 (general measures for combating disease) 275 to 290 (specific measures relating to fish diseases, diagnostic laboratory) thereof

B. SPECIAL RULES AND PROCEDURES FOR IMPLEMENTATION

1. At present salmon farming is not authorised and the species is not present in Switzerland. In accordance with amendment I to the Ordonnance on epizootic diseases (OFE) of 28 March 2001 (RO 2001.1337), infectious anaemia in salmon is now classified in Switzerland as a disease to be eradicated. The situation shall be reviewed within the Joint Veterinary Committee one year after the entry into force of this Annex.
2. Flat oyster farming is not currently practised in Switzerland. Should cases of bonamiosis or marteiliosis appear, the Office Vétérinaire Fédéral undertakes to take the necessary emergency measures in accordance with Community rules on the basis of Article 57 of the Law on epizootic diseases.

3. In cases as referred to in Article 7 of Directive 93/53/EEC, the information shall be submitted to the Joint Veterinary Committee.
4. The joint reference laboratory for fish diseases shall be the Statens Veterinære Serumlaboratorium, Landbrugsministeriet, Høgebjergvej 2, 8200 Århus, Denmark. Switzerland shall pay the costs it incurs for operations carried out by the laboratory in that capacity. The functions and tasks of the laboratory shall be as laid down in Annex C to Directive 93/53/EEC.
5. Pursuant to Article 97 of the Ordinance on epizootic diseases, Switzerland has established an action plan. Technical implementation rule No 95/65 issued by the Office Vétérinaire Fédéral lays down the procedures for that plan.
6. On-the-spot inspections shall be carried out under the responsibility of the Joint Veterinary Committee in accordance in particular with Article 16 of Directive 93/53/EEC and Article 57 of the Law on epizootic diseases.

VII. BOVINE SPONGIFORM ENCEPHALOPATHY

A. LEGISLATION

Community	Switzerland
<p>Regulation (EC) No 999/2001 of the European Parliament and of the Council of 22 May 2001 laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies (OJ L 147, 31.5.2001, p. 1), as last amended by Commission Regulation (EC) No 876/2004 of 29 April 2004 amending Annex VIII to Regulation (EC) No 999/2001 of the European Parliament and of the Council as regards trade in ovine and caprine animals for breeding (OJ L 162, 30.4.2004, p. 52).</p>	<ol style="list-style-type: none"> <li data-bbox="805 405 1442 591">1. Ordonnance of 27 May 1981 on the protection of animals (OPAn), as last amended on 27 June 2001 (RS 455.1), and in particular Article 64f thereof (stunning procedures) <li data-bbox="805 622 1442 913">2. Ordonnance of 20 April 1988 on the import, transit and export of animals and animal products (OITE), as last amended on 23 June 2004 (RS 916.443.11), and in particular Articles 3 (Office Vétérinaire Fédéral), 25 to 58 (import) and 64 to 77 (exports) thereof <li data-bbox="805 945 1442 1131">3. Ordonnance (1/90) of 13 June 1990 temporarily prohibiting the import of ruminants and the products of such animals from Great Britain (RS 916.443.39) <li data-bbox="805 1162 1442 1379">4. Law of 9 October 1992 on foodstuffs (LDA1), as last amended on 21 March 2003 (RS 817.0), and in particular Articles 24 (inspection and sampling) and 40 (inspection of foodstuffs) thereof <li data-bbox="805 1411 1442 1671">5. Ordonnance of 1 March 1995 on meat hygiene (OHyV), as last amended on 23 June 2004 (RS 817.190), and in particular Articles 31-33 (inspection of animals before slaughter), 48 (duties of meat inspectors) and 49 to 54 (duties of meat checkers)

	<p>6. Ordonnance of 1 March 1995 on foodstuffs (ODA1), as last amended on 23 June 2004 (RS 817.02), and in particular Article 122 thereof (parts of the carcass which may not be used)</p> <p>7. Ordonnance of 27 June 1995 on epizootic diseases (OFE), as last amended on 23 June 2004 (RS 916.401), and in particular Articles 6 (definitions and abbreviations), 36 (Patent), 61 (obligation to report), 130 (surveillance of Swiss livestock), 175 to 185 (transmissible spongiform encephalopathies), 297 (internal implementation), 301 (duties of the canton veterinarian), 303 (training and further training of veterinary officials) and 312 (diagnostic laboratories) thereof</p> <p>8. Ordonnance of 10 June 1999 on the catalogue of feedingstuffs (OLAIA), as last amended on 15 December 2003 (RS 916.307.1), and in particular Article 28 thereof (transport of feedingstuffs for productive animals), Annex 1, Part 9 (products of land animals), Part 10 (fish, other marine animals and their products and by-products) and Annex 4 (list of banned substances) thereto.</p>
--	--

B. SPECIAL RULES AND PROCEDURES FOR IMPLEMENTATION

1. The joint reference laboratory for bovine spongiform encephalopathy (BSE) shall be the Veterinary Laboratories Agency, Woodham Lane, New Haw, Addlestone, Surrey KT15 3NB, United Kingdom. Switzerland shall pay the costs it incurs for operations carried out by the laboratory in that capacity. The functions and tasks of the laboratory shall be as laid down in Chapter B of Annex X to Regulation (EC) No 999/2001.

2. Pursuant to Article 57 of the Ordonnance on epizootic diseases, Switzerland has established an emergency plan for implementing measures to combat BSE.
3. Under Article 12 of Regulation (EC) No 999/2001, any animal suspected of being infected by a TSE in the Member States of the Community shall be placed under an official movement restriction until the results of a clinical and epidemiological examination carried out by the competent authority are known, or sacrificed for laboratory examination under official control.

Under Article 177 of the Ordonnance on epizootic diseases, Switzerland has banned the slaughter of animals suspected of being infected by BSE. Suspect animals must be killed without spilling blood and incinerated, and their brains must be analysed in the Swiss reference laboratory for BSE.

Under Article 10 of the Ordonnance on epizootic diseases, Switzerland has introduced a permanent identification system for bovine animals enabling them to be traced back to the dam and herd of origin and making it possible to establish that they are not the progeny of BSE suspect or confirmed females.

Under Articles 178 and 179 of the Ordonnance on epizootic diseases, Switzerland slaughters animals infected with BSE and their progeny. Since 1 July 1999, Switzerland has also implemented slaughter by cohort (it practised slaughter by herd from 14 December 1996 until 30 June 1999).

4. Under Article 7 of Regulation (EC) No 999/2001, the Member States of the Community prohibit the feeding of processed animal proteins to farmed animals which are kept, fattened or bred for the production of food. There is a total prohibition on feeding proteins derived from animals to ruminants in the Member States of the Community.

Under Article 183 of the Ordonnance on epizootic diseases, Switzerland has introduced a total prohibition on the feeding of animal protein to farmed animals, which entered into force on 1 January 2001.

5. Under Article 6 of Regulation (EC) No 999/2001 and in accordance with Chapter A of Annex III to that Regulation, the Member States of the Community are to introduce an annual BSE monitoring programme. This plan includes a rapid BSE test for all cattle more than 24 months old subject to emergency slaughter, animals which have died on the farm or found to be ill during the ante mortem inspection and all animals more than 30 months old slaughtered for human consumption.

The rapid BSE tests used by Switzerland are listed in Chapter C of Annex X to Regulation (EC) No 999/2001.

Under Article 175a of the Ordonnance on epizootic diseases, Switzerland is to carry out a compulsory rapid BSE test for all bovine animals more than 30 months old subject to emergency slaughter, animals which have died on the farm or been found to be ill during the ante mortem inspection and all animals more than 30 months old slaughtered for human consumption. In addition, operators are to implement a voluntary programme for monitoring bovine animals more than 20 months old slaughtered for human consumption.

6. The Joint Veterinary Committee shall be responsible for providing the information required in Article 6 and Chapter B of Annex III and in Annex IV (3.II) to Regulation (EC) No 999/2001.
7. On-the-spot inspections shall be carried out under the responsibility of the Joint Veterinary Committee in accordance in particular with Article 21 of Regulation (EC) No 999/2001 and Article 57 of the Law on epizootic diseases.

C. ADDITIONAL INFORMATION

1. From 1 January 2003, pursuant to the Ordonnance of 20 November 2002 on the allocation of contributions to cover the costs of eliminating animal waste in 2003 (RS 916.406), Switzerland has introduced a financial incentive for farms on which bovine animals are born and slaughterhouses where they are slaughtered, provided they comply with the procedures for declaring animal movements as provided for in the legislation in force.
2. Under Article 8 of Regulation (EC) No 999/2001 and in accordance with point 1 of Annex XI to that Regulation, the Member States of the Community are to remove and destroy specified risk materials (SRMs). The list of SRMs removed includes, in particular, the spinal column of bovine animals more than 12 months old.

Under Articles 181 and 182 of the Ordonnance on epizootic diseases and Article 122 of the Ordonnance on foodstuffs, Switzerland has introduced a policy of removing SRMs from the animal and human food chains. The list of SRMs removed includes, in particular, the spinal column of bovine animals more than 30 months old.

3. Regulation (EC) No 1774/2002 of the European Parliament and of the Council lays down health rules concerning animal by-products not intended for human consumption in the Member States of the Community.

Under Article 13 of the Ordonnance on the elimination of animal by-products, Switzerland is to incinerate category 1 animal by-products, including specified risk materials and animals which have died on the farm.

VIII. OTHER DISEASES

A. LEGISLATION

Community	Switzerland
<p>Council Directive 92/119/EEC of 17 December 1992 introducing general Community measures for the control of certain animal diseases and specific measures relating to swine vesicular disease (OJ L 62, 15.3.1993, p. 69), as last amended by the Act concerning the conditions of accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic and the adjustments to the Treaties on which the European Union is founded, Annex II: List referred to in Article 20 of the Act of Accession – 6. Agriculture – B. Veterinary and plant health legislation – I. Veterinary legislation (OJ L 236, 23.9.2003, p. 381)</p>	<ol style="list-style-type: none"><li data-bbox="810 376 1430 698">1. Law of 1 July 1966 on epizootic diseases (LFE), as last amended on 20 June 2003 (RS 916.40), and in particular Articles 1, 1a and 9a (measures against highly contagious epizootic diseases, control objectives) and 57 (technical implementing provisions, international cooperation) thereof<li data-bbox="810 739 1430 1245">2. Ordonnance of 27 June 1995 on epizootic diseases (OFE), as last amended on 23 June 2004 (RS 916.401), and in particular Articles 2 (highly contagious epizootic diseases), 49 (handling micro-organisms that are pathogenic for animals), 73 and 74 (cleaning and disinfection), 77 to 98 (common provisions concerning highly contagious epizootic diseases) and 103 to 105 (specific measures concerning the control of swine vesicular disease) thereof<li data-bbox="810 1285 1430 1496">3. Ordonnance of 14 June 1999 on the organisation of the Département fédéral de l'économie, as last amended on 5 December 2003 (RS 172.216.1), and in particular Article 8 thereof (reference laboratory)

B. SPECIAL RULES AND PROCEDURES FOR IMPLEMENTATION

1. In cases as referred to in Article 6 of Directive 92/119/EEC, the information shall be submitted to the Joint Veterinary Committee.
2. The joint reference laboratory for swine vesicular disease shall be the AFR Institute for Animal Health, Pirbright Laboratory, Ash Road, Pirbright, Woking, Surrey, GU24 0NF, United Kingdom. Switzerland shall pay the costs it incurs for operations carried out by the laboratory in that capacity. The functions and tasks of the laboratory shall be as laid down in Annex III to Directive 92/119/EEC.

3. Pursuant to Article 97 of the Ordonnance on epizootic diseases, Switzerland has established an emergency plan. Technical implementation rule No 95/65 issued by the Office Vétérinaire Fédéral lays down the procedures for that plan.
4. On-the-spot inspections shall be carried out under the responsibility of the Joint Veterinary Committee in accordance in particular with Article 22 of Directive 92/119/EEC and Article 57 of the Law on epizootic diseases.

IX. NOTIFICATION OF DISEASES

A. LEGISLATION

Community	Switzerland
<p>Council Directive 82/894/EEC of 21 December 1982 on the notification of animal diseases within the Community (OJ L 378, 31.12.1982, p. 58), as last amended by Commission Decision 2004/216/EC of 1 March 2004 amending Council Directive 82/894/EEC on the notification of animal diseases within the Community to include certain equine diseases and certain diseases of bees to the list of notifiable diseases (OJ L 67, 5.3.2004, p. 27).</p>	<ol style="list-style-type: none"><li data-bbox="799 394 1439 672">1. Law of 1 July 1966 on epizootic diseases (LFE), as last amended on 20 June 2003 (RS 916.40), and in particular Articles 11 (announcement and declaration of diseases) and 57 (technical implementing provisions, international cooperation) thereof<li data-bbox="799 676 1439 1039">2. Ordonnance of 27 June 1995 on epizootic diseases (OFE), as last amended on 23 June 2004 (RS 916.401), and in particular Articles 2 to 5 (diseases referred to), 59 to 65 and 291 (obligation to report, notification) and 292 to 299 (monitoring, implementation, administrative assistance) thereof

B. SPECIAL RULES AND PROCEDURES FOR IMPLEMENTATION

The Commission, in cooperation with the Office Vétérinaire Fédéral, shall integrate Switzerland into the animal disease notification system provided for in Directive 82/894/EEC.

ANIMAL HEALTH: TRADE AND PLACING ON THE MARKET**I. BOVINE ANIMALS AND SWINE****A. LEGISLATION**

Community	Switzerland
<p>Council Directive 64/432/EEC of 26 June 1964 on animal health problems affecting intra-Community trade in bovine animals and swine (OJ L 121, 29.7.1964, p. 1977/64), as last amended by Council Regulation (EC) No 21/2004 of 17 December 2003 establishing a system for the identification and registration of ovine and caprine animals and amending Regulation (EC) No 1782/2003 and Directives 92/102/EEC and 64/432/EEC (OJ L 5, 9.1.2004, p. 8).</p>	<ol style="list-style-type: none"> <li data-bbox="805 497 1431 1160">1. Ordonnance of 27 June 1995 on epizootic diseases (OFE), as last amended on 23 June 2004 (RS 916.401), and in particular Articles 27 to 31 (markets, exhibitions), 34 to 37 (trade), 73 and 74 (cleaning and disinfection), 116 to 121 (African swine fever), 135 to 141 (Aujeszky's disease), 150 to 157 (bovine brucellosis), 158 to 165 (tuberculosis), 166 to 169 (enzootic bovine leucosis), 170 to 174 (IBR/IPV), 175 to 195 (spongiform encephalopathies), 186 to 189 (bovine genital infections), 207 to 211 (porcine brucellosis), 297 (approval of markets, assembly centres and disinfection points) thereof <li data-bbox="805 1189 1431 1370">2. Ordonnance of 20 April 1988 on the import, transit and export of animals and animal products (OITE), as last amended on 23 June 2004 (RS 916.443.11)

B. SPECIAL RULES AND PROCEDURES FOR IMPLEMENTATION

1. Pursuant to the first paragraph of Article 297 of the Ordonnance on epizootic diseases, the Office Vétérinaire Fédéral shall approve assembly centres as defined in Article 2 of Directive 64/432/EEC. For the purposes of this Annex, in accordance with Articles 11, 12 and 13 of Directive 64/432/EEC, Switzerland shall draw up a list of its approved assembly centres, transporters and traders.
2. The information provided for in Article 11(3) of Directive 64/432/EEC shall be submitted to the Joint Veterinary Committee.

3. For the purposes of this Annex, Switzerland is recognised as fulfilling the conditions laid down in Annex A(II)(7) of Directive 64/432/EEC as regards bovine brucellosis. In order to maintain its status as having an officially brucellosis-free bovine herd, Switzerland undertakes to meet the following conditions:

- (a) Any animal of the bovine species suspected of being infected with brucellosis shall be reported to the competent authorities and the animal concerned shall undergo the official tests for brucellosis, comprising at least two serological tests with complement fixation and a microbiological examination of suitable samples taken in cases of abortion.
- (b) Until such time as suspicion of the disease is lifted, i.e. when the tests provided for in (a) have produced negative results, the officially brucellosis-free status of the herd to which the animal (or animals) of the bovine species suspected of infection belongs shall be suspended.

Detailed information concerning herds testing positive and an epidemiological report shall be submitted to the Joint Veterinary Committee. If any of the conditions laid down in the first subparagraph of Annex A(II)(7) of Directive 64/432/EEC is not fulfilled by Switzerland, the Office Vétérinaire Fédéral shall immediately notify the Commission. The situation shall be considered within the Joint Veterinary Committee with a view to reviewing this paragraph.

4. For the purposes of this Annex, Switzerland is recognised as fulfilling the conditions laid down in Annex A(I)(4) of Directive 64/432/EEC as regards bovine tuberculosis. In order to maintain its status as having an officially tuberculosis-free bovine herd, Switzerland undertakes to meet the following conditions:

- (a) An identification system shall be introduced allowing each bovine animal to be traced back to its herd of origin.
- (b) All slaughtered animals shall undergo a post mortem inspection carried out by an official veterinarian.
- (c) Any suspected cases of tuberculosis in live, dead or slaughtered animals shall be reported to the competent authorities.
- (d) In each case the competent authorities shall carry out the investigations necessary to establish whether the suspected disease is present, including upstream research on the herds of origin and transit herds. Where lesions suspected to have been caused by tuberculosis are discovered during an autopsy or on slaughter, the competent authorities shall have a laboratory examination conducted on the lesions.

- (e) The officially tuberculosis-free status of the herds of origin and transit herds to which the bovine animal suspected of infection belong shall be suspended until clinical, laboratory or tuberculin tests have confirmed that no bovine tuberculosis is present.
- (f) Where tuberculin, clinical or laboratory tests confirm that tuberculosis is present, the officially tuberculosis-free status of the herds of origin and transit herds shall be withdrawn.
- (g) Officially tuberculosis-free status shall not be established until all the animals suspected of being infected have been removed from the herd, the premises and equipment have been disinfected and all the remaining animals aged over six weeks have reacted negatively to at least two official intradermal injections of tuberculin pursuant to Annex B to Directive 64/432/EEC, the first being carried out at least six months after the infected animal has left the herd and the second at least six months after the first.

Detailed information on the infected herds and an epidemiological report shall be submitted to the Joint Veterinary Committee. If any of the conditions laid down in the first subparagraph of Annex A(I)(4) of Directive 64/432/EEC is not fulfilled by Switzerland, the Office Vétérinaire Fédéral shall immediately notify the Commission. The situation shall be considered within the Joint Veterinary Committee with a view to reviewing this paragraph.

5. For the purposes of this Annex Switzerland is recognised as fulfilling the conditions laid down in Chapter I.F of Annex D to Directive 64/432/EEC as regards enzootic bovine leucosis. In order to maintain its status as having an officially enzootic bovine leucosis-free herd, Switzerland undertakes to meet the following conditions:
 - (a) The Swiss herd shall be monitored by sampling checks. The size of the sample shall be such that it can be declared with 99 % reliability that less than 0.2 % of herds are infected with enzootic bovine leucosis.
 - (b) All slaughtered animals shall undergo a post mortem inspection carried out by an official veterinarian.
 - (c) Any suspected cases of enzootic bovine leucosis found in clinical examinations, autopsies or checks on meat shall be reported to the competent authorities.
 - (d) Where enzootic bovine leucosis is suspected or found to be present, the officially leucosis-free status of the herd shall be suspended until the isolation period is terminated.

- (e) The isolation period shall be terminated when, after the infected animals and, where appropriate, their calves have been eliminated, two serological examinations carried out at an interval of at least 90 days have produced negative results.

If enzootic bovine leucosis has been found in 0.2 % of herds, the Office Vétérinaire Fédéral shall immediately notify the Commission. The situation shall be considered within the Joint Veterinary Committee with a view to reviewing this paragraph.

- 6. For the purposes of this Annex, Switzerland is recognised as officially free from infectious bovine rhinotracheitis. In order to maintain that status, Switzerland undertakes to meet the following conditions:

- (a) The Swiss herd shall be monitored by sampling checks. The size of the sample shall be such that it can be declared with 99% reliability that less than 0.2% of herds are infected with infectious bovine rhinotracheitis.
- (b) Breeding bulls aged over 24 months shall undergo an annual serological examination.
- (c) Any suspected cases of infectious bovine rhinotracheitis shall be reported to the competent authorities and the animals concerned shall undergo official tests for infectious bovine rhinotracheitis, comprising virological or serological tests.
- (d) Where infectious bovine rhinotracheitis is suspected or found to be present, the officially infection-free status of the herd shall be suspended until the isolation period is terminated.
- (e) The isolation period shall be terminated when a serological examination carried out at least 30 days after the infected animals have been eliminated produces negative results.

By virtue of the recognised status of Switzerland, Decision 2004/558/EC (OJ L 249, 23.7.2004, p. 20), shall apply *mutatis mutandis*.

The Office Vétérinaire Fédéral shall immediately notify the Commission of any change in the conditions on which recognition of that status was based. The situation shall be considered within the Joint Veterinary Committee with a view to reviewing this paragraph.

- 7. For the purposes of this Annex, Switzerland is recognised as officially free from Aujeszky's disease. In order to maintain that status, Switzerland undertakes to meet the following conditions:

- (a) The Swiss herd shall be monitored by sampling checks. The size of the sample shall be such that it can be declared with 99% reliability that less than 0.2% of herds are infected with Aujeszky's disease.

- (b) Any suspected cases of Aujeszky's disease shall be reported to the competent authorities and the animals concerned shall undergo official tests for Aujeszky's disease including virological or serological tests.
- (c) Where Aujeszky's disease is suspected or found to be present, the officially infection-free status of the herd shall be suspended until the isolation period is terminated.
- (d) Isolation shall be terminated when, after the infected animals have been eliminated, two serological examinations of all breeding animals and a representative number of fattening animals carried out at an interval of least 21 days have produced negative results.

By virtue of the recognised status of Switzerland, Decision 2001/618/EC (OJ 215, 9.8.2001, p. 48), as last amended by Decision 2004/320/EC (OJ L 102, 7.4.2004, p. 75), shall apply *mutatis mutandis*.

The Office Vétérinaire Fédéral shall immediately notify the Commission of any change in the conditions on which recognition of that status was based. The situation shall be considered within the Joint Veterinary Committee with a view to reviewing this paragraph.

- 8. The question of possible additional guarantees concerning transmissible gastroenteritis of pigs (TGE) and porcine reproductive and respiratory syndrome (PRRS) shall be considered as soon as possible by the Joint Veterinary Committee. The Commission shall inform the Office Vétérinaire Fédéral of any developments in this area.
- 9. In Switzerland the Institut de Bactériologie Vétérinaire of the University of Bern is responsible for the official testing of tuberculins within the meaning of point 4 of Annex B to Directive 64/432/EEC.
- 10. The Institut de Bactériologie Vétérinaire of the University of Bern shall be responsible for the official testing of antigens (brucellosis) in Switzerland in accordance with point 4 of Annex C(A) to Directive 64/432/EEC.
- 11. Bovine animals and swine traded between the Member States of the Community and Switzerland shall be accompanied by health certificates in accordance with the models set out in Annex F to Directive 64/432/EEC. The following adjustments shall apply:

Model 1:

- in section C, the certifications are adapted as follows:
 - in point 4, relating to the additional guarantees, the following is added to the indents:
 - "– disease: infectious bovine rhinotracheitis;
 - in accordance with Commission Decision 2004/558/EC, which shall apply *mutatis mutandis*;"

Model 2:

- in section C, the certifications are adapted as follows:
 - in point 4, relating to the additional guarantees, the following is added to the indents:
 - "– disease: Aujeszky's
 - in accordance with Commission Decision 2001/618/EC, which shall apply *mutatis mutandis*;"

12. For the purposes of applying this Annex, bovine animals traded between the Member States of the Community and Switzerland must be accompanied by additional health certificates containing the following health declarations:

- "– The bovine animals:
 - are identified by a permanent identification system enabling them to be traced back to the dam and herd of origin and making it possible to establish that they are not the progeny of BSE suspect or confirmed females born during the two years preceding the diagnosis;
 - do not come from herds where a suspected case of BSE is under investigation;
 - were born after 1 June 2001."

II. SHEEP AND GOATS

A. LEGISLATION

Community	Switzerland
<p>Council Directive 91/68/EEC of 28 January 1991 on animal health conditions governing intra-Community trade in ovine and caprine animals (OJ L 46, 19.2.1991 p. 19), as last amended by Commission Decision 2004/554/EC of 9 July 2004 amending Annex E to Council Directive 91/68/EEC and Annex I to Council Decision 79/542/EEC as regards the updating of the model health certificates relating to ovine and caprine animals (OJ L 248, 22.7.2004, p. 1)</p>	<ol style="list-style-type: none"> 1. Ordonnance of 27 June 1995 on epizootic diseases (OFE), as last amended on 23 June 2004 (RS 916.401), and in particular Articles 27 to 31 (markets, exhibitions), 34 to 37 (trade), 73 and 74 (cleaning and disinfection), 142 to 149 (rabies), 158 to 165 (tuberculosis), 166 to 169 (scrapie), 190 to 195 (ovine and caprine brucellosis), 196 to 199 (contagious agalactia), 200 to 203 (caprine arthritis/encephalitis), 233 to 235 (brucellosis in rams) and 297 (approval of markets, assembly centres and disinfection points) thereof 2. Ordonnance of 20 April 1988 on the import, transit and export of animals and animal products (OITE), as last amended on 23 June 2004 (SR 916.443.11)

B. SPECIAL RULES AND PROCEDURES FOR IMPLEMENTATION

1. For the purposes of the second subparagraph of Article 3(2) of Directive 91/68/EEC, the information referred to therein shall be submitted to the Joint Veterinary Committee.

2. On-the-spot inspections shall be carried out under the responsibility of the Joint Veterinary Committee in accordance in particular with Article 11 of Directive 91/68/EEC and Article 57 of the Law on epizootic diseases.

3. For the purposes of this Annex, Switzerland is recognised as officially free from ovine and caprine brucellosis. In order to maintain that status, Switzerland undertakes to implement the measures provided for in point II(2) of Chapter I of Annex A to Directive 91/68/EEC.

Should ovine and caprine brucellosis appear or reappear, Switzerland shall inform the Joint Veterinary Committee so that the necessary measures can be taken in line with developments in the situation.

4. Ovine and caprine animals traded between the Member States of the Community and Switzerland shall be accompanied by health certificates in accordance with the models set out in Annex E to Directive 91/68/EEC.

III. EQUIDAE

A. LEGISLATION

Community	Switzerland
Council Directive 90/426/EEC of 26 June 1990 on animal health conditions governing the movement and import from third countries of equidae (OJ L 224, 18.8.1990 p.42), as last amended by Council Directive 2004/68/EC of 26 April 2004 laying down animal health rules for the importation into and transit through the Community of certain live ungulate animals, amending Directives 90/426/EEC and 92/65/EEC and repealing Directive 72/462/EEC (OJ L 139 30.4.2004, p. 320)	<ol style="list-style-type: none">1. Ordonnance of 27 June 1995 on epizootic diseases (OFE), as last amended on 23 June 2004 (RS 916.401), and in particular Articles 112 to 115 (African horse disease), 204 to 206 (dourine, encephalomyelitis, infectious anaemia, glanders), and 240 to 244 (contagious equine metritis) thereof2. Ordonnance of 20 April 1988 on the import, transit and export of animals and animal products (OITE), as last amended on 23 June 2004 (RS 916.443.11)

B. SPECIAL RULES AND PROCEDURES FOR IMPLEMENTATION

1. For the purposes of Article 3 of Directive 90/426/EEC, information shall be submitted to the Joint Veterinary Committee.
2. For the purposes of Article 6 of Directive 90/426/EEC, information shall be submitted to the Joint Veterinary Committee.
3. On-the-spot inspections shall be carried out under the responsibility of the Joint Veterinary Committee in accordance in particular with Article 10 of Directive 90/426/EEC and Article 57 of the Law on epizootic diseases.
4. Annexes B and C to Directive 90/426/EEC shall apply *mutatis mutandis* to Switzerland.

IV. POULTRY AND HATCHING EGGS

A. LEGISLATION

Community	Switzerland
<p>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 eggs (OJ L 303, 31.10.1990, p. 6), as last amended by the Act concerning the conditions of accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic and the adjustments to the Treaties on which the European Union is founded, Annex II: List referred to in Article 20 of the Act of Accession – 6. Agriculture – B. Veterinary and plant health legislation – I. Veterinary legislation (OJ L 236, 23.9.2003, p. 381)</p>	<ol style="list-style-type: none"><li data-bbox="805 347 1436 705">1. Ordonnance of 27 June 1995 on epizootic diseases (OFE), as last amended on 23 June 2004 (RS 916.401), and in particular Articles 25 (transport), 122 to 125 (avian influenza and Newcastle disease), 255 to 261 (Salmonella enteritidis) and 262 to 265 (avian infectious laryngotracheitis) thereof<li data-bbox="805 710 1436 1025">2. Ordonnance of 20 April 1988 on the import, transit and export of animals and animal products (OITE), as last amended on 23 June 2004 (RS 916.443.11), and in particular Article 64a (approval of export establishments) thereof

B. SPECIAL RULES AND PROCEDURES FOR IMPLEMENTATION

1. For the purposes of Article 3 of Directive 90/539/EEC, Switzerland shall submit a plan to the Joint Veterinary Committee setting out the measures it intends to implement for the approval of its establishments.
2. For the purposes of Article 4 of Directive 90/539/EEC, the national reference laboratory for Switzerland shall be the Institut de Bactériologie Vétérinaire of the University of Bern.
3. The requirement concerning eggs held prior to consignment in the first indent of Article 7(1) of Directive 90/539/EEC shall apply *mutatis mutandis* to Switzerland.
4. For consignments of hatching eggs to the Community, the Swiss authorities undertake to comply with the rules on marking laid down in Commission Regulation (EEC) No 1868/77. The mark for Switzerland shall be "CH".
5. The holding requirement specified in Article 9(a) of Directive 90/539/EEC shall apply *mutatis mutandis* to Switzerland.

6. The holding requirement specified in Article 10(a) of Directive 90/539/EEC shall apply *mutatis mutandis* to Switzerland.
7. The requirement concerning eggs held prior to consignment in the first indent of Article 11(2) of Directive 90/539/EEC shall apply *mutatis mutandis* to Switzerland.
8. For the purposes of this Annex, Switzerland is recognised as meeting the requirements of Article 12(2) of Directive 90/539/EEC with regard to Newcastle disease and therefore shall have the status of not vaccinating against Newcastle disease. The Office Vétérinaire Fédéral shall immediately notify the Commission of any change in the conditions on which recognition of that status is based. The situation shall be considered within the Joint Veterinary Committee with a view to reviewing this paragraph.
9. The references to the name of the Member State in Article 15 shall apply *mutatis mutandis* to Switzerland.
10. Poultry and hatching eggs traded between the Member States of the Community and Switzerland shall be accompanied by health certificates in accordance with the models set out in Annex IV to Directive 90/539/EEC.
11. In the case of consignments from Switzerland to Finland or Sweden, the Swiss authorities undertake to supply the guarantees concerning salmonella required under Community legislation.

V. AQUACULTURE ANIMALS AND PRODUCTS

A. LEGISLATION

Community	Switzerland
<p>Council Directive 91/67/EEC of 28 January 1991 concerning the animal health conditions governing the placing on the market of aquaculture animals and products (OJ L 46, 19.2.1991, p. 1), as last amended by Council Regulation (EC) No 806/2003 of 14 April 2003 adapting to Decision 1999/468/EC the provisions relating to committees which assist the Commission in the exercise of its implementing powers laid down in Council instruments adopted in accordance with the consultation procedure (OJ L 122, 16.5.2003, p. 1)</p>	<ol style="list-style-type: none"><li data-bbox="805 409 1439 728">1. Ordonnance of 27 June 1995 on epizootic diseases (OFE), as last amended on 23 June 2004 (RS 916.401), and in particular Articles 275 to 290 (fish and crayfish diseases) and 297 (approval of establishments, zones and laboratories) thereof<li data-bbox="805 732 1439 1014">2. Ordonnance of 20 April 1988 on the import, transit and export of animals and animal products (OITE), as last amended on 23 June 2004 (RS 916.443.11), and in particular Article 64a (approval of export establishments) thereof

B. SPECIAL RULES AND PROCEDURES FOR IMPLEMENTATION

1. The information provided for in Article 4 of Directive 91/67/EEC shall be submitted to the Joint Veterinary Committee.
2. The Joint Veterinary Committee shall decide on any application of Articles 5, 6 and 10 of Directive 91/67/EEC to Switzerland.
3. The Joint Veterinary Committee shall decide on any application of Articles 12 and 13 of Directive 91/67/EEC to Switzerland.
4. For the purposes of Article 15 of Directive 91/67/EEC, the Swiss authorities undertake to implement sampling plans and diagnostic methods in accordance with Community legislation.
5. On-the-spot inspections shall be carried out under the responsibility of the Joint Veterinary Committee in accordance in particular with Article 17 of Directive 91/67/EEC and Article 57 of the Law on epizootic diseases.

- 6.
- (a) Where live fish, eggs or gametes from an approved zone are placed on the market, the movement document shall be as set out in Chapter 1 of Annex E to Directive 91/67/EEC.
 - (b) Where live fish, eggs or gametes from an approved farm are placed on the market, the movement document shall be as set out in Chapter 2 of Annex E to Directive 91/67/EEC.
 - (c) Where molluscs from an approved coastal zone are placed on the market, the movement document shall be as set out in Chapter 3 of Annex E to Directive 91/67/EEC.
 - (d) Where molluscs from an approved farm are placed on the market, the movement document shall be as set out in Chapter 4 of Annex E to Directive 91/67/EEC.
 - (e) Where farmed fish, molluscs or crustaceans, their eggs or gametes not belonging to species susceptible to IHN, VHS or bonamiosis or maritiliosis, as applicable, are placed on the market, the movement document shall be as set out in Annex I to Commission Decision 2003/390/EC.
 - (f) Where live wild fish, molluscs or crustaceans, their eggs or gametes are placed on the market, the movement document shall be as set out in Annex I to Commission Decision 2003/390/EC.

VI. BOVINE EMBRYOS

A. LEGISLATION

Community	Switzerland
<p>Council Directive 89/556/EEC of 25 September 1989 on animal health conditions governing intra-Community trade in and importation from third countries of embryos of domestic animals of the bovine species (OJ L 302, 19.10.1989 p. 1), as last amended by Council Regulation (EC) No 806/2003 of 14 April 2003 adapting to Decision 1999/468/EC the provisions relating to committees which assist the Commission in the exercise of its implementing powers laid down in Council instruments adopted in accordance with the consultation procedure (OJ L 122, 16.5.2003, p. 1)</p>	<p>1. Ordonnance of 27 June 1995 on epizootic diseases (OFE), as last amended on 23 June 2004 (RS 916.401), and in particular Articles 56 to 58 (embryo transfer) thereof</p> <p>2. Ordonnance of 20 April 1988 on the import, transit and export of animals and animal products (OITE), as last amended on 23 June 2004 (RS 916.443.11), and in particular Articles 64a and 76 (approval of assembly agencies as export enterprises) thereof</p>

B. SPECIAL RULES AND PROCEDURES FOR IMPLEMENTATION

1. On-the-spot inspections shall be carried out under the responsibility of the Joint Veterinary Committee in accordance in particular with Article 15 of Directive 89/556/EEC and Article 57 of the Law on epizootic diseases.
2.
 - (a) Bovine embryos traded between the Member States of the Community and Switzerland shall be accompanied by health certificates in accordance with the models set out in Annex C to Directive 89/556/EEC.
 - (b) No specific implementing rules relating to BSE may be required for bovine embryos traded between the Member States of the Community and Switzerland.

VII. BOVINE SEMEN

A. LEGISLATION

Community	Switzerland
<p>Council Directive 88/407/EEC of 14 June 1988 laying down the animal health requirements applicable to intra-Community trade in and imports of deep-frozen semen of domestic animals of the bovine species (OJ L 194, 22.7.1988 p. 10), as last amended by Commission Decision 2004/101/EC of 6 January 2004 amending Annex D to Council Directive 88/407/EEC laying down the animal health requirements applicable to intra-Community trade in and imports of semen of domestic animals of the porcine species (OJ L 30, 4.2.2004, p. 15)</p>	<ol style="list-style-type: none"><li data-bbox="805 409 1439 651">1. Ordonnance of 27 June 1995 on epizootic diseases (OFE), as last amended on 23 June 2004 (RS 916.401), and in particular Articles 51 to 55 (artificial insemination) thereof<li data-bbox="805 656 1439 978">2. Ordonnance of 20 April 1988 on the import, transit and export of animals and animal products (OITE), as last amended on 23 June 2004 (RS 916.443.11), and in particular Articles 64a and 76 (approval of insemination centres as export enterprises) thereof

B. SPECIAL RULES AND PROCEDURES FOR IMPLEMENTATION

1. For the purposes of Article 4(2) of Directive 88/407/EEC, it is noted that in Switzerland all centres keep only animals giving a negative reaction to the serum neutralisation test or the Elisa test.
2. The information provided for in Article 5(2) of Directive 88/407/EEC shall be submitted to the Joint Veterinary Committee.
3. On-the-spot inspections shall be carried out under the responsibility of the Joint Veterinary Committee in accordance in particular with Article 16 of Directive 88/407/EEC and Article 57 of the Law on epizootic diseases.
4.
 - (a) Bovine semen traded between the Member States of the Community and Switzerland shall be accompanied by health certificates in accordance with the models set out in Annex D to Directive 88/407/EEC.
 - (b) No specific implementing rules relating to BSE may be required for bovine semen traded between the Member States of the Community and Switzerland.

VIII. PORCINE SEMEN

A. LEGISLATION

Community	Switzerland
<p>Council Directive 90/429/EEC of 26 June 1990 laying down the animal health requirements applicable to intra-Community trade in and imports of semen of domestic animals of the porcine species (OJ L 224, 18.8.1990 p. 62), as last amended by Council Regulation (EC) No 806/2003 of 14 April 2003 adapting to Decision 1999/468/EC the provisions relating to committees which assist the Commission in the exercise of its implementing powers laid down in Council instruments adopted in accordance with the consultation procedure (OJ L 122, 16.5.2003, p. 1)</p>	<ol style="list-style-type: none"><li data-bbox="831 427 1433 645">1. Ordonnance of 27 June 1995 on epizootic diseases (OFE), as last amended on 23 June 2004 (RS 916.401), and in particular Articles 51 to 55 (artificial insemination) thereof<li data-bbox="831 680 1433 965">2. Ordonnance of 20 April 1988 on the import, transit and export of animals and animal products (OITE), as last amended on 23 June 2004 (RS 916.443.11), and in particular Articles 64a and 76 (approval of insemination centres as export enterprises) thereof

B. SPECIAL RULES AND PROCEDURES FOR IMPLEMENTATION

1. The information provided for in Article 5(2) of Directive 90/429/EEC shall be submitted to the Joint Veterinary Committee.
2. On-the-spot inspections shall be carried out under the responsibility of the Joint Veterinary Committee in accordance in particular with Article 16 of Directive 90/429/EEC and Article 57 of the Law on epizootic diseases.
3. Porcine semen traded between the Member States of the Community and Switzerland shall be accompanied by health certificates in accordance with the models set out in Annex D to Directive 90/429/EEC.

IX. OTHER SPECIES

A. LEGISLATION

Community	Switzerland
<p>Council Directive 92/65/EEC of 13 July 1992 laying down animal health requirements governing trade in and imports into the Community of animals, semen, ova and embryos not subject to animal health requirements laid down in specific Community rules referred to in Annex A (I) to Directive 90/425/EEC (OJ L 268, 14.9.1992 p. 54), as last amended by Council Directive 2004/68/EC of 26 April 2004 laying down animal health rules for the importation into and transit through the Community of certain live ungulate animals, amending Directives 90/426/EEC and 92/65/EEC and repealing Directive 72/462/EEC (OJ L 139, 30.4.2004, p. 320)</p>	<ol style="list-style-type: none">1. Ordonnance of 27 June 1995 on epizootic diseases (OFE), as last amended on 23 June 2004 (RS 916.401), and in particular Articles 51 to 55 (artificial insemination) and 56 to 58 (embryo transfer) thereof2. Ordonnance of 20 April 1988 on the import, transit and export of animals and animal products (OITE), as last amended on 23 June 2004 (RS 916.443.11), and in particular Articles 25 to 30 (import of dogs, cats and other animals), 64 (conditions of export), 64a and 76 (approval of insemination centres and assembly agencies as export enterprises) thereof

B. SPECIAL RULES AND PROCEDURES FOR IMPLEMENTATION

1. For the purposes of this Annex, this point shall cover trade in live animals not subject to points I to V inclusive, and in semen, ova and embryos not subject to points VI to VIII inclusive.
2. The Community and Switzerland undertake not to ban or restrict trade in the live animals, semen, ova and embryos as referred to in 1 for animal-health reasons other than those resulting from the application of this Annex, and in particular any safeguard measures taken pursuant to Article 20 thereof.
3. Ungulates other than as referred to in points I, II and III traded between the Member States of the Community and Switzerland shall be accompanied by health certificates in accordance with the models set out in Part 1 of Annex E to Directive 92/65/EEC.

4. Lagomorphs traded between the Member States of the Community and Switzerland shall be accompanied by health certificates in accordance with the models set out in Part 1 of Annex E to Directive 92/65/EEC, bearing where necessary the declaration provided for in the second subparagraph of Article 9(2) of Directive 92/65/EEC.

That declaration may be adapted by the Swiss authorities to include in full the requirements of Article 9 of Directive 92/65/EEC.

5. The information provided for in the fourth subparagraph of Article 9(2) of Directive 92/65/EEC shall be submitted to the Joint Veterinary Committee.

6. (a) Consignments of cats and dogs from the Community to Switzerland shall be subject to Article 10(2) of Directive 92/65/EEC.

- (b) Consignments of cats and dogs from Switzerland to the Member States of the Community other than the United Kingdom, Ireland, Malta and Sweden shall be subject to the requirements of Article 10(2) of Directive 92/65/EEC.

- (c) Consignments of cats and dogs from Switzerland to the United Kingdom, Ireland, Malta and Sweden shall be subject to the requirements of Article 10(3) of Directive 92/65/EEC.

- (d) The identification arrangements shall be those provided for in Regulation (EC) No 998/2003 of the European Parliament and of the Council of 26 May 2003 on the animal health requirements applicable to the non-commercial movement of pet animals and amending Council Directive 92/65/EEC (OJ L 146, 13.6.2003, p. 1), as last amended by Commission Decision 2004/557/EC of 2 July 2004 (OJ L 249, 23.7.2004, p. 18). The passport to be used is that provided for by Commission Decision 2003/803/EC (OJ L 312, 27.11.2003, p. 1).

7. Semen, ova and embryos of the ovine or caprine species traded between the Member States of the Community and Switzerland shall be accompanied by health certificates as provided for by Decision 95/388/EC.

8. Semen of the equine species traded between the Member States of the Community and Switzerland shall be accompanied by health certificates as provided for by Decision 95/307/EC.

9. Ova and embryos of the equine species traded between the Member States of the Community and Switzerland shall be accompanied by health certificates as provided for by Decision 95/294/EC.

10. Ova and embryos of the porcine species traded between the Member States of the Community and Switzerland shall be accompanied by health certificates as provided for by Decision 95/483/EC.

11. For the purposes of Article 24 of Directive 92/65/EEC, the information provided for in paragraph 2 of that Article shall be submitted to the Joint Veterinary Committee.
12. For trade between the Community and Switzerland in live animals as referred to in 1, the certificates provided for in Parts 2 and 3 of Annex E to Directive 92/65/EEC shall apply *mutatis mutandis*.
13. Animals as referred to in Article 2(b) of Directive 92/65/EEC which have gone through quarantine in an approved centre and are traded between the Community and Switzerland shall be accompanied by health certificates in accordance with the models provided for by Directive 92/65/EEC.

IMPORTS OF LIVE ANIMALS AND CERTAIN ANIMAL PRODUCTS FROM THIRD COUNTRIES

I. EUROPEAN COMMUNITY - LEGISLATION

A. Bovine, porcine, ovine and caprine animals

Council Directive 72/462/EEC of 12 December 1972 on health and veterinary inspection problems upon importation of bovine animals, swine and fresh meat or meat products from third countries (OJ L 302, 31.12.1972, p. 28), as last amended by Council Directive 2004/68/EC (OJ L 139, 30.4.2004, p. 320).

B. Equidae

Council Directive 90/426/EEC of 26 June 1990 on animal health conditions governing the movement and import from third countries of equidae (OJ L 224, 18.8.1990 p. 42), as last amended by Council Directive 2004/68/EC (OJ L 139, 30.4.2004, p. 320).

C. Poultry and hatching eggs

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 eggs (OJ L 303, 31.10.1990, p. 6), as last amended by the Act concerning the conditions of accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic and the adjustments to the Treaties on which the European Union is founded (OJ L 236, 23.9.2003, p. 381).

D. Aquaculture animals

Council Directive 91/67/EEC of 28 January 1991 concerning the animal health conditions governing the placing on the market of aquaculture animals and products (OJ L 46, 19.2.1991, p. 1), as last amended by Council Regulation (EC) No 806/2003 (OJ L 122, 16.5.2003, p. 1).

E. Molluscs

Council Directive 91/492/EEC of 15 July 1991 laying down the health conditions for the production and the placing on the market of live bivalve molluscs (OJ L 268, 24.9.1991, p. 1), as last amended by Council Regulation (EC) No 806/2003 (OJ L 122, 16.5.2003, p. 1).

F. Bovine embryos

Council Directive 89/556/EEC of 25 September 1989 on animal health conditions governing intra-Community trade in and importation from third countries of embryos of domestic animals of the bovine species (OJ L 302, 19.10.1989, p. 1), as last amended by Council Regulation (EC) No 806/2003 (OJ L 122, 16.5.2003, p. 1).

G. Bovine semen

Council Directive 88/407/EEC of 14 June 1988 laying down the animal health requirements applicable to intra-Community trade in and imports of semen of domestic animals of the porcine species (OJ L 194, 22.7.1988, p. 10), as last amended by Commission Decision 2004/101/EC of 6 January 2004 (OJ L 13, 4.2.2004, p. 15).

H. Porcine semen

Council Directive 90/429/EEC of 26 June 1990 laying down the animal health requirements applicable to intra-Community trade in and imports of semen of domestic animals of the porcine species (OJ L 224, 18.8.1990, p. 62), as last amended by Council Regulation (EC) No 806/2003 (OJ L 122, 16.5.2003, p. 1).

I. Other live animals

Council Directive 92/65/EEC of 13 July 1992 laying down animal health requirements governing trade in and imports into the Community of animals, semen, ova and embryos not subject to animal health requirements laid down in specific Community rules referred to in Annex A(I) to Directive 90/425/EEC (OJ L 268, 14.9.1992 p. 54), as last amended by Council Directive 2004/68/EC (OJ L 139, 30.4.2004, p. 320).

II. SWITZERLAND - LEGISLATION

Ordonnance of 20 April 1988 on the import, transit and export of animals and animal products (OITE), as last amended on 23 June 2004 (RS 916.443.11).

For the purposes of this Annex, for Switzerland, the Zurich Zoo is accepted as an approved centre in accordance with Annex C to Directive 92/65/EEC.

III. IMPLEMENTING RULES

As a general rule, the Office Vétérinaire Fédéral shall apply the same rules as those covered by point I of this Appendix. However, the Office Vétérinaire Fédéral may adopt more restrictive measures and require additional guarantees. In that case, without prejudice to its right to implement those measures immediately, consultations shall be held within the Joint Veterinary Committee to find appropriate solutions. Where the Office Vétérinaire Fédéral wishes to implement less restrictive measures, it shall inform the competent Commission departments in advance. In such cases, consultations shall be held within the Joint Veterinary Committee to find suitable solutions. Pending such solutions, the Swiss authorities shall refrain from implementing the planned measures.

ZOOTECHNICAL PROVISIONS, INCLUDING THOSE GOVERNING IMPORTS FROM THIRD COUNTRIES

I. EUROPEAN COMMUNITY - LEGISLATION

A. Bovine animals

Council Directive 77/504/EEC of 25 July 1977 on pure-bred breeding animals of the bovine species (OJ L 206, 12.8.1977, p. 8), as last amended by Council Regulation (EC) No 807/2003 (OJ L 122, 16.5.2003, p. 36).

B. Porcine animals

Council Directive 88/661/EEC of 19 December 1988 on the zootechnical standards applicable to breeding animals of the porcine species (OJ L 382, 31.12.1988, p. 36), as last amended by Council Regulation (EC) No 806/2003 (OJ L 122, 16.5.2003, p. 1).

C. Ovine and caprine animals

Council Directive 89/361/EEC of 30 May 1989 concerning pure-bred breeding sheep and goats (OJ L 153, 6.6.1989, p. 30).

D. Equidae

(a) Council Directive 90/427/EEC of 26 June 1990 on the zootechnical and genealogical conditions governing intra-Community trade in equidae (OJ L 224, 18.8.1990, p. 55).

(b) Council Directive 90/428/EEC of 26 June 1990 on trade in equidae intended for competitions and laying down the conditions for participation therein (OJ L 224, 18.8.1990, p. 60).

E. Pure-bred animals

Council Directive 91/174/EEC of 25 March 1991 laying down zootechnical and pedigree requirements for the marketing of pure-bred animals and amending Directives 77/504/EEC and 90/425/EEC (OJ L 85, 5.4.1991, p. 37).

F. Imports from third countries

Council Directive 94/28/EC of 23 June 1994 laying down the principles relating to the zootechnical and genealogical conditions applicable to imports from third countries of animals, their semen, ova and embryos, and amending Directive 77/504/EEC on pure-bred breeding animals of the bovine species (OJ L 178, 12.7.1994, p. 66).

II. SWITZERLAND - LEGISLATION

Ordonnance of 7 December 1998 on livestock farming, as last amended on 26 November 2003 (RS 916.310)

III. IMPLEMENTING RULES

Without prejudice to the provisions on zootechnical checks in Appendices 5 and 6, the Swiss authorities undertake to ensure that Switzerland applies to its imports the same provisions as those in Council Directive 94/28/EC.

Where difficulties arise in trade, the matter shall be referred to the Joint Veterinary Committee at the request of either Party.

CHECKS AND FEES

CHAPTER 1

Trade between the European Community and Switzerland

I. TRACES system

A. LEGISLATION

European Community	Switzerland
Commission Decision 2004/292/EC of 30 March 2004 on the introduction of the Traces system and amending Decision 92/486/EEC (OJ L 94, 31.3.2004, p. 63).	Ordonnance of 27 June 1995 on epizootic diseases (OFE), as last amended on 13 June 2004 (RS 916.401)

B. SPECIAL RULES AND PROCEDURES FOR IMPLEMENTATION

The Commission, in cooperation with the Office Vétérinaire Fédéral, shall integrate Switzerland into the TRACES computerised system provided for by Commission Decision 2004/292/EC.

For trade in live animals and their semen, ova and embryos between the European Community and Switzerland, the health certificates shall be those provided for in this Annex and available in the TRACES system, in accordance with Commission Regulation (EC) No 599/2004 of 30 March 2004 concerning the adoption of a harmonised model certificate and inspection report linked to intra-Community trade in animals and products of animal origin (OJ L 94, 31.3.2004, p. 44).

If necessary, transitional measures shall be laid down in the Joint Veterinary Committee.

II. Rules for equidae

Checks relating to trade between the European Community and Switzerland shall be carried out in accordance with 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 market (OJ L 224, 18.8.1990, p. 29), as last amended by Directive 2002/33/EC of the European Parliament and of the Council (OJ L 315, 19.11.2002, p. 14).

The Joint Veterinary Committee shall be responsible for implementing Articles 9 and 22.

III. Rules for animals sent for grazing in border areas

1. Definitions:

- Grazing: dispatching animals to a Member State or to Switzerland with a view to grazing in a 10 km strip on either side of the border. In special, duly substantiated conditions, a wider strip on either side of the border between Switzerland and the Community may be authorised by the competent authorities concerned.
- Daily grazing: grazing where the animals are returned to their holding of origin in a Member State or in Switzerland at the end of each day.

2. In the event of grazing between the Member States and Switzerland, Commission Decision 2001/672/EC of 20 August 2001 laying down special rules applicable to movements of bovine animals when put out to summer grazing in mountain areas (OJ L 235, 4.9.2001, p. 23), as last amended by Decision 2004/318/EC (OJ L 102, 7.4.2004, p. 71) shall apply *mutatis mutandis*.

However, for the purposes of this Annex, the following adjustments shall apply to Article 1 of Decision 2001/672/EC:

- the reference period 1 May to 15 October shall be replaced by "the calendar year";
- for Switzerland, the parties referred to in Article 1 of Decision 2001/672/EC and referred to in the corresponding Annex shall be:

SWITZERLAND
CANTON OF ZÜRICH
CANTON OF BERN/BERNE
CANTON OF LUZERN
CANTON OF URI
CANTON OF SCHWYZ
CANTON OF OBWALDEN

CANTON OF NIDWALDEN
CANTON OF GLARIS
CANTON OF ZUG
CANTON OF FRIBOURG
CANTON OF SOLOTHURN
CANTON OF BASEL STADT
CANTON OF BASEL LAND
CANTON OF SCHAFFHAUSEN
CANTON OF APPENZEL AUSSERRHODEN
CANTON OF APPENZEL INNERRHODEN
CANTON OF SANKT GALLEN
CANTON OF GRAUBÜNDEN
CANTON OF AARGAU
CANTON OF THURGAU
CANTON OF TICINO
CANTON OF VAUD
CANTON OF VALAIS/WALLIS
CANTON OF NEUCHÂTEL
CANTON OF GENEVA
CANTON OF JURA

Pursuant to the Ordonnance on epizootic diseases (OFE) of 27 June 1995, as last amended on 23.6.2004 (RS 916.401), and in particular Article 7 thereof (registration) and the Ordonnance of 18 August 1999 on the data base on animal movements, as last amended on 20 November 2002 (RS 916.404), and in particular Article 2 thereof (content of the data base), Switzerland is to allocate to each pasturage a specific registration code which must be registered in the national database on bovine animals.

3. In the case of grazing between the Member States and Switzerland, the official veterinarian of the country of dispatch shall:
 - (a) on the date of issue of the certificate and no later than 24 hours before the planned date of arrival of the animals, by means of the computerised system linking veterinary authorities provided for in Article 20 of Directive 90/425/EEC, inform the competent authority of the place of destination (local veterinary unit) to which the animals have been dispatched;
 - (b) examine the animals within 48 hours prior to their departure for the grazing ground; the animals must be duly identified;
 - (c) issue a certificate in accordance with the model in 11 below.
4. The official veterinarian of the country of destination shall inspect the animals upon arrival in the country of destination to ensure that they comply with the standards laid down in this Annex.

5. Throughout the duration of the grazing period, the animals shall remain under customs control.
6. The holder of the animals must:
 - (a) accept, in a written statement, to comply with all measures taken pursuant to this Annex and any other measures introduced at local level, in the same way as any holder originating in a Member State or Switzerland;
 - (b) to pay the costs of the checks required pursuant to this Annex;
 - (c) to cooperate fully with arrangements for customs or veterinary checks required by the authorities of the country of dispatch or of destination.
7. When the animals return at the end of the season or before, the official veterinarian of the country where the grazing ground is located shall:
 - (a) on the date of issue of the certificate and no later than 24 hours before the planned date of arrival of the animals, by means of the computerised system linking veterinary authorities provided for in Article 20 of Directive 90/425/EEC, inform the competent authority of the place of destination (local veterinary unit) to which the animals have been dispatched;
 - (b) examine the animals within 48 hours prior to their departure for the grazing ground; the animals must be duly identified;
 - (c) issue a certificate in accordance with the model in 11 below.
8. In the event of outbreaks of disease, the competent veterinary authorities shall take appropriate measures by mutual agreement.

Those authorities shall consider how to cover any costs involved. If necessary the matter shall be referred to the Joint Veterinary Committee.
9. As an exception to the rules on grazing in 1 to 8 above, in the case of daily grazing between the Member States and Switzerland:
 - (a) the animals shall not enter into contact with animals from another holding;
 - (b) the holders of such animals shall undertake to inform the competent veterinary authority of any contact between their animals and animals from another holding;
 - (c) the health certificate set out in 11 below shall be presented to the competent veterinary authorities every calendar year when the animals first enter a Member State or Switzerland. The health certificate must be presented to the competent veterinary authorities at the request of the latter;

- (d) points 2 and 3 above shall apply only to the first time in each calendar year that the animals are dispatched to a Member State or to Switzerland;
 - (e) point 7 shall not apply;
 - (f) the holders of animals shall undertake to inform the competent veterinary authority of the end of the grazing period.
10. As an exception to the rules on fees provided for in point VI(D) of Chapter 3 of Appendix 5, in the case of daily grazing between the Member States and Switzerland, the fees provided for shall be paid only once per calendar year.
11. Model health certificate for bovine animals sent for grazing or daily grazing in border areas and for bovine animals returning from border grazing (at or before the end of the normal grazing period):

Part I : Details of consignment presented	I.1. Consignor <input type="checkbox"/> Name Address Postal code		I.2. Certificate reference number	I.2.a. Local reference number:				
			I.3. Central Competent Authority					
			I.4. Local Competent Authority					
	I.5. Consignee Name Address Postal code		I.6. No.(s) of related original certificates		No.(s) of accompanying documents			
			I.7. Dealer Name Approval number					
	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/Place of harvest Holding <input type="checkbox"/> Assembly centre <input type="checkbox"/> Dealer's premise <input type="checkbox"/> Approved body <input type="checkbox"/> Semen centre <input type="checkbox"/> Approved aquaculture holding <input type="checkbox"/> Embryo team <input type="checkbox"/> Establishment <input type="checkbox"/> Other <input type="checkbox"/> Name Address Postal code Approval number				I.13. Place of destination Holding <input type="checkbox"/> Assembly centre <input type="checkbox"/> Dealer's premise <input type="checkbox"/> Approved body <input type="checkbox"/> Semen centre <input type="checkbox"/> Approved aquaculture holding <input type="checkbox"/> Embryo team <input type="checkbox"/> Establishment <input type="checkbox"/> Other <input type="checkbox"/> Name Address Postal code Approval number			
	I.14. Place of loading Postal code		I.15. Date and time of departure					
	I.16. Means of transport Aeroplane <input type="checkbox"/> Ship <input type="checkbox"/> Railway wagon <input type="checkbox"/> Road vehicle <input type="checkbox"/> Other <input type="checkbox"/> Identification:		I.17. Transporter Name Address Postal code Approval number Member state					
	I.18. Animal species/Product			I.19. Commodity code (CN code)				
				I.20. Number/Quantity				
	I.21. Temperature of products Ambient <input type="checkbox"/> Chilled <input type="checkbox"/> Frozen <input type="checkbox"/>			I.22. Number of packages				
	I.23. Identification of container/Seal number			I.24. Type of packaging				
	I.25. Animals certified as/products certified for: Breeding <input type="checkbox"/> Fattening <input type="checkbox"/> Slaughter <input type="checkbox"/> Transhumance <input type="checkbox"/> Approved body <input type="checkbox"/> Artificial reproduction <input type="checkbox"/> Registered equidae <input type="checkbox"/> Game restocking <input type="checkbox"/> Pets <input type="checkbox"/> Human consumption <input type="checkbox"/> Animal feedingstuff <input type="checkbox"/> Pharmaceutical use <input type="checkbox"/> Technical use <input type="checkbox"/> Other <input type="checkbox"/>							
I.26. Transit through 3rd country 3rd country Exit point Entry point ISO code Code BIP unit no.:			I.27. Transit through Member states Member state Member state Member state ISO code ISO code ISO code					
I.28. Export 3rd country Exit point ISO code Code			I.29. Estimated journey time					
I.30. Route plan Yes <input type="checkbox"/> No <input type="checkbox"/>								
I.31. Identification of the animals								

Part II: Certification	II.	Health information (1); (2)	II.a. Reference number of certificate	II.b. Local reference number
	<input type="checkbox"/> A.*	Health certificate for bovine animals sent for grazing (3) or daily grazing (3)(4) in border areas		
	I, the undersigned official veterinarian, certify that:			
	each animal in the consignment described below			
<input type="checkbox"/> A.1.	comes from a holding of origin and an area which, in accordance with Community or national legislation, are not subject to any prohibition or restriction in connection with animal diseases affecting the bovine species;			
<input type="checkbox"/> A.2.	comes from a herd of origin situated in a Member State or part of its territory,			
	<input type="checkbox"/> a)	with a surveillance network approved by Commission Decision.../EC, and for Switzerland by the Agreement of 21 June 1999 between the European Community and Switzerland (point I of Appendix 2 to Annex 11),		
	<input type="checkbox"/> b)	which is officially recognised as free of leucosis, tuberculosis and brucellosis.		
<input type="checkbox"/> A.3.	is an animal for breeding(3) or production(1) that:			
	<input type="checkbox"/> a)	has, according to the available information, remained on the holding of origin for the last 30 days, or since birth if less than 30 days old, and that no animals imported from a third country have entered the holding during that period, unless kept completely isolated from the other animals on the holding;		
	<input type="checkbox"/> b)	has not been in contact during the past 30 days with animals from herds not meeting the conditions set out in point 2.		
	and that:			
<input type="checkbox"/> A.4.	the animals described above were inspected on (date) during the 48 hours prior to planned departure and showed no clinical signs of infectious or contagious disease;			
<input type="checkbox"/> A.5.	the holding of origin and, where applicable, the approved assembly centre, and the zone in which they are situated are not subject to any prohibition or restriction in connection with animal diseases affecting the bovine species in accordance with Community or national legislation;			
<input type="checkbox"/> A.6.	all the applicable provisions of Council Directive 64/432/EEC have been complied with;			
<input type="checkbox"/> A.7.	the animals comply with the additional guarantees regarding IBR/IPV in accordance with Commission Decision 2004/558/EC, which applies <i>mutatis mutandis</i> in accordance with the Agreement of 21 June 1999 between the European Community and Switzerland;			
<input type="checkbox"/> A.8.	at the time of inspection the above animals were fit to be transported on the intended journey in accordance with the provisions of Directive 91/628/EEC(5).			
<input type="checkbox"/> A.9.	Date of arrival at the pasture ground(6)			
<input type="checkbox"/> A.10.	Planned date of departure from pasture ground:			
<input type="checkbox"/> B.*	Health certificate for bovine animals returning from grazing in border areas (at or before the end of the normal grazing period)			
	I, the undersigned official veterinarian, certify that:			
<input type="checkbox"/> B.1.	the animals described above (list of animals returning early (3) or list of animals on the associated original certificate (3), (7), (8) were inspected on (date of loading or 48 hours before departure) and showed no clinical signs of infectious or contagious disease;			
<input type="checkbox"/> B.2.	the area in which the animals have been grazing is not subject to any prohibition or restriction in connection with animal diseases affecting the bovine species in accordance with Community or national legislation and, in particular, no cases of tuberculosis, brucellosis or leucosis have been found during the grazing period.			
* Part A to be filled in on dispatch to grazing or daily grazing in a border area, Part B to be filled in for return from grazing in a border area.				
(1) The information which must appear on this certificate must be entered in the computerised system linking veterinary authorities provided for in Article 20 of Directive 90/425/EEC on the date of issue of the certificate and no later than 24 hours before the planned date of arrival of the animals.				
(2) This certificate shall be valid for ten days from the date of the health inspection carried out in Switzerland or in the Member State of origin. In the case of daily grazing, this certificate shall be valid for the entire grazing period.				
(3) Delete as appropriate.				
(4) In the case of daily grazing, this certificate shall be valid for the entire grazing period.				
(5) This statement does not exempt transporters from their obligations in accordance with Community provisions in force in particular regarding the fitness of animals to be transported.				
(6) The registration code of the pasture ground is shown in part I.13 (Approval number) of this certificate.				

<p>(7) If animals are returned to their holding of origin during the grazing period for health reasons, accompanied by a health certificate, the animals concerned must be deleted from the initial list, which must be validated by the official veterinarian.</p> <p>(8) The number of the health certificate used to move the animals to the grazing area is given in part I.6 of this certificate.</p>	
<p>Official veterinarian or inspector</p>	
<p>Name (in capital letters) (LVU): Official stamp</p>	<p>Qualification and title: Local Veterinary Unit LVU No: Date : Signature:</p>

Part III: Control	III.1. Date of the inspection <input type="text"/>	III.2. Certificate Reference Number:																													
	III.3. Documentary Check: <table style="width:100%; border: none;"> <tr> <td style="width: 50%;">No <input type="text"/></td> <td style="width: 50%;">Yes <input type="text"/></td> </tr> <tr> <td>EU Standard Satisfactory <input type="text"/></td> <td>Not satisfactory <input type="text"/></td> </tr> <tr> <td>Additional guarantees Satisfactory <input type="text"/></td> <td>Not satisfactory <input type="text"/></td> </tr> <tr> <td>National requirements Satisfactory <input type="text"/></td> <td>Not satisfactory <input type="text"/></td> </tr> </table>	No <input type="text"/>	Yes <input type="text"/>	EU Standard Satisfactory <input type="text"/>	Not satisfactory <input type="text"/>	Additional guarantees Satisfactory <input type="text"/>	Not satisfactory <input type="text"/>	National requirements Satisfactory <input type="text"/>	Not satisfactory <input type="text"/>	III.4. Identity Check: <table style="width:100%; border: none;"> <tr> <td style="width: 50%;">No <input type="text"/></td> <td style="width: 50%;">Yes <input type="text"/></td> </tr> <tr> <td>Satisfactory <input type="text"/></td> <td>Not satisfactory <input type="text"/></td> </tr> </table>	No <input type="text"/>	Yes <input type="text"/>	Satisfactory <input type="text"/>	Not satisfactory <input type="text"/>																	
	No <input type="text"/>	Yes <input type="text"/>																													
	EU Standard Satisfactory <input type="text"/>	Not satisfactory <input type="text"/>																													
	Additional guarantees Satisfactory <input type="text"/>	Not satisfactory <input type="text"/>																													
	National requirements Satisfactory <input type="text"/>	Not satisfactory <input type="text"/>																													
	No <input type="text"/>	Yes <input type="text"/>																													
	Satisfactory <input type="text"/>	Not satisfactory <input type="text"/>																													
	III.5. Physical Check: <table style="width:100%; border: none;"> <tr> <td style="width: 50%;">No <input type="text"/></td> <td style="width: 50%;">Total animals checked <input type="text"/></td> </tr> <tr> <td>Satisfactory <input type="text"/></td> <td>Not satisfactory <input type="text"/></td> </tr> </table>	No <input type="text"/>	Total animals checked <input type="text"/>	Satisfactory <input type="text"/>	Not satisfactory <input type="text"/>	III.6. Laboratory Tests: <table style="width:100%; border: none;"> <tr> <td style="width: 50%;">No <input type="text"/></td> <td style="width: 50%;">Yes <input type="text"/></td> </tr> <tr> <td colspan="2">Date:</td> </tr> <tr> <td colspan="2">Tested for:</td> </tr> <tr> <td>Random <input type="text"/></td> <td>Suspicion <input type="text"/></td> </tr> <tr> <td>Results: Satisfactory <input type="text"/></td> <td>Not satisfactory <input type="text"/></td> </tr> </table>	No <input type="text"/>	Yes <input type="text"/>	Date:		Tested for:		Random <input type="text"/>	Suspicion <input type="text"/>	Results: Satisfactory <input type="text"/>	Not satisfactory <input type="text"/>															
	No <input type="text"/>	Total animals checked <input type="text"/>																													
Satisfactory <input type="text"/>	Not satisfactory <input type="text"/>																														
No <input type="text"/>	Yes <input type="text"/>																														
Date:																															
Tested for:																															
Random <input type="text"/>	Suspicion <input type="text"/>																														
Results: Satisfactory <input type="text"/>	Not satisfactory <input type="text"/>																														
III.7. Welfare check <table style="width:100%; border: none;"> <tr> <td style="width: 50%;">No <input type="text"/></td> <td style="width: 50%;">Yes <input type="text"/></td> </tr> <tr> <td>Satisfactory <input type="text"/></td> <td>Not satisfactory <input type="text"/></td> </tr> </table>	No <input type="text"/>	Yes <input type="text"/>	Satisfactory <input type="text"/>	Not satisfactory <input type="text"/>	III.9. Infringement of health legislation <table style="width:100%; border: none;"> <tr><td>III.9.1. Absence/Invalid certificate</td><td><input type="checkbox"/></td></tr> <tr><td>III.9.2. Mis-match with documents</td><td><input type="checkbox"/></td></tr> <tr><td>III.9.3. Non authorised country</td><td><input type="checkbox"/></td></tr> <tr><td>III.9.4. Non approved region/ zone</td><td><input type="checkbox"/></td></tr> <tr><td>III.9.5. Prohibited species</td><td><input type="checkbox"/></td></tr> <tr><td>III.9.6. Absence of additional guarantee</td><td><input type="checkbox"/></td></tr> <tr><td>III.9.7. Non approved holding</td><td><input type="checkbox"/></td></tr> <tr><td>III.9.8. Diseased or suspect animals</td><td><input type="checkbox"/></td></tr> <tr><td>III.9.9. Unsatisfactory tests</td><td><input type="checkbox"/></td></tr> <tr><td>III.9.10. Absence or non legal identification</td><td><input type="checkbox"/></td></tr> <tr><td>III.9.11. National requirements not fulfilled</td><td><input type="checkbox"/></td></tr> <tr><td>III.9.12. Address of destination invalid</td><td><input type="checkbox"/></td></tr> <tr><td>III.9.13. Other</td><td><input type="checkbox"/></td></tr> </table>	III.9.1. Absence/Invalid certificate	<input type="checkbox"/>	III.9.2. Mis-match with documents	<input type="checkbox"/>	III.9.3. Non authorised country	<input type="checkbox"/>	III.9.4. Non approved region/ zone	<input type="checkbox"/>	III.9.5. Prohibited species	<input type="checkbox"/>	III.9.6. Absence of additional guarantee	<input type="checkbox"/>	III.9.7. Non approved holding	<input type="checkbox"/>	III.9.8. Diseased or suspect animals	<input type="checkbox"/>	III.9.9. Unsatisfactory tests	<input type="checkbox"/>	III.9.10. Absence or non legal identification	<input type="checkbox"/>	III.9.11. National requirements not fulfilled	<input type="checkbox"/>	III.9.12. Address of destination invalid	<input type="checkbox"/>	III.9.13. Other	<input type="checkbox"/>
No <input type="text"/>	Yes <input type="text"/>																														
Satisfactory <input type="text"/>	Not satisfactory <input type="text"/>																														
III.9.1. Absence/Invalid certificate	<input type="checkbox"/>																														
III.9.2. Mis-match with documents	<input type="checkbox"/>																														
III.9.3. Non authorised country	<input type="checkbox"/>																														
III.9.4. Non approved region/ zone	<input type="checkbox"/>																														
III.9.5. Prohibited species	<input type="checkbox"/>																														
III.9.6. Absence of additional guarantee	<input type="checkbox"/>																														
III.9.7. Non approved holding	<input type="checkbox"/>																														
III.9.8. Diseased or suspect animals	<input type="checkbox"/>																														
III.9.9. Unsatisfactory tests	<input type="checkbox"/>																														
III.9.10. Absence or non legal identification	<input type="checkbox"/>																														
III.9.11. National requirements not fulfilled	<input type="checkbox"/>																														
III.9.12. Address of destination invalid	<input type="checkbox"/>																														
III.9.13. Other	<input type="checkbox"/>																														
III.8. Infringement of welfare regulation: <table style="width:100%; border: none;"> <tr><td>III.8.1. Transporter authorisation invalid</td><td><input type="checkbox"/></td></tr> <tr><td>III.8.2. Non-compliance of the means of transport</td><td><input type="checkbox"/></td></tr> <tr><td>III.8.3. Stocking density exceeded</td><td><input type="checkbox"/></td></tr> <tr><td>III.8.4. Travel times exceeded</td><td><input type="checkbox"/></td></tr> <tr><td>III.8.5. Watering and feeding not fulfilled</td><td><input type="checkbox"/></td></tr> <tr><td>III.8.6. Mishandling or negligence to the animals</td><td><input type="checkbox"/></td></tr> <tr><td>III.8.7. Other</td><td><input type="checkbox"/></td></tr> </table> Average space	III.8.1. Transporter authorisation invalid	<input type="checkbox"/>	III.8.2. Non-compliance of the means of transport	<input type="checkbox"/>	III.8.3. Stocking density exceeded	<input type="checkbox"/>	III.8.4. Travel times exceeded	<input type="checkbox"/>	III.8.5. Watering and feeding not fulfilled	<input type="checkbox"/>	III.8.6. Mishandling or negligence to the animals	<input type="checkbox"/>	III.8.7. Other	<input type="checkbox"/>	III.10. Impact of the transport on animals <table style="width:100%; border: none;"> <tr> <td>Number of dead animals: <input type="text"/></td> <td>Estimation <input type="text"/></td> </tr> <tr> <td>Number of unfit animals: <input type="text"/></td> <td>Estimation <input type="text"/></td> </tr> <tr> <td colspan="2" style="text-align: center;">Number of birth or abortion <input type="text"/></td> </tr> </table>	Number of dead animals: <input type="text"/>	Estimation <input type="text"/>	Number of unfit animals: <input type="text"/>	Estimation <input type="text"/>	Number of birth or abortion <input type="text"/>											
III.8.1. Transporter authorisation invalid	<input type="checkbox"/>																														
III.8.2. Non-compliance of the means of transport	<input type="checkbox"/>																														
III.8.3. Stocking density exceeded	<input type="checkbox"/>																														
III.8.4. Travel times exceeded	<input type="checkbox"/>																														
III.8.5. Watering and feeding not fulfilled	<input type="checkbox"/>																														
III.8.6. Mishandling or negligence to the animals	<input type="checkbox"/>																														
III.8.7. Other	<input type="checkbox"/>																														
Number of dead animals: <input type="text"/>	Estimation <input type="text"/>																														
Number of unfit animals: <input type="text"/>	Estimation <input type="text"/>																														
Number of birth or abortion <input type="text"/>																															
III.11. Corrective action <table style="width:100%; border: none;"> <tr><td>III.11.1. Delayed departure</td><td><input type="checkbox"/></td></tr> <tr><td>III.11.2. Transfer procedure</td><td><input type="checkbox"/></td></tr> <tr><td>III.11.3. Quarantine</td><td><input type="checkbox"/></td></tr> <tr><td>III.11.4. Humane killing/Euthanasia</td><td><input type="checkbox"/></td></tr> <tr><td>III.11.5. Destruction of carcasses/products</td><td><input type="checkbox"/></td></tr> <tr><td>III.11.6. Return of consignment</td><td><input type="checkbox"/></td></tr> <tr><td>III.11.7. Treatment of products</td><td><input type="checkbox"/></td></tr> <tr><td>III.11.8.7. Use of products for other purpose</td><td><input type="checkbox"/></td></tr> </table> Identification:	III.11.1. Delayed departure	<input type="checkbox"/>	III.11.2. Transfer procedure	<input type="checkbox"/>	III.11.3. Quarantine	<input type="checkbox"/>	III.11.4. Humane killing/Euthanasia	<input type="checkbox"/>	III.11.5. Destruction of carcasses/products	<input type="checkbox"/>	III.11.6. Return of consignment	<input type="checkbox"/>	III.11.7. Treatment of products	<input type="checkbox"/>	III.11.8.7. Use of products for other purpose	<input type="checkbox"/>	III.12. Follow-up of quarantine <table style="width:100%; border: none;"> <tr> <td>III.12.1. Humanely killing/Euthanasia</td> <td><input type="text"/></td> </tr> <tr> <td>III.12.2. Release</td> <td><input type="text"/></td> </tr> </table>	III.12.1. Humanely killing/Euthanasia	<input type="text"/>	III.12.2. Release	<input type="text"/>										
III.11.1. Delayed departure	<input type="checkbox"/>																														
III.11.2. Transfer procedure	<input type="checkbox"/>																														
III.11.3. Quarantine	<input type="checkbox"/>																														
III.11.4. Humane killing/Euthanasia	<input type="checkbox"/>																														
III.11.5. Destruction of carcasses/products	<input type="checkbox"/>																														
III.11.6. Return of consignment	<input type="checkbox"/>																														
III.11.7. Treatment of products	<input type="checkbox"/>																														
III.11.8.7. Use of products for other purpose	<input type="checkbox"/>																														
III.12.1. Humanely killing/Euthanasia	<input type="text"/>																														
III.12.2. Release	<input type="text"/>																														
III.13. Place of inspection <table style="width:100%; border: none;"> <tr> <td>Establishment <input type="text"/></td> <td>Holding <input type="text"/></td> <td>Assembly centre <input type="text"/></td> </tr> <tr> <td>Dealer's premise <input type="text"/></td> <td>Approved body <input type="text"/></td> <td>Semen centre <input type="text"/></td> </tr> <tr> <td>Port <input type="text"/></td> <td>Airport <input type="text"/></td> <td>Exit point <input type="text"/></td> </tr> <tr> <td>Enroute <input type="text"/></td> <td>Other <input type="text"/></td> <td></td> </tr> </table>		Establishment <input type="text"/>	Holding <input type="text"/>	Assembly centre <input type="text"/>	Dealer's premise <input type="text"/>	Approved body <input type="text"/>	Semen centre <input type="text"/>	Port <input type="text"/>	Airport <input type="text"/>	Exit point <input type="text"/>	Enroute <input type="text"/>	Other <input type="text"/>																			
Establishment <input type="text"/>	Holding <input type="text"/>	Assembly centre <input type="text"/>																													
Dealer's premise <input type="text"/>	Approved body <input type="text"/>	Semen centre <input type="text"/>																													
Port <input type="text"/>	Airport <input type="text"/>	Exit point <input type="text"/>																													
Enroute <input type="text"/>	Other <input type="text"/>																														
III.14. Official veterinarian or official inspector <table style="width:100%; border: none;"> <tr> <td>Local Veterinary Unit</td> <td>N° of the related LVU</td> </tr> <tr> <td>Name (in Capital):</td> <td></td> </tr> <tr> <td>Qualification and title</td> <td></td> </tr> <tr> <td>Date:</td> <td>Signature:</td> </tr> </table>		Local Veterinary Unit	N° of the related LVU	Name (in Capital):		Qualification and title		Date:	Signature:																						
Local Veterinary Unit	N° of the related LVU																														
Name (in Capital):																															
Qualification and title																															
Date:	Signature:																														

"

IV. **Specific rules**

- A. Where animals for slaughter are bound for the slaughterhouse in Basle, documentary checks only shall be carried out at one of the points of entry into Swiss territory. This rule shall apply only to animals originating in the French department of Haut Rhin or the German Landkreise Lörrach, Waldshut, Breisgau-Hochschwarzwald and the town of Freiburg im Breisgau. This provision may be extended to other slaughterhouses along the border between the Community and Switzerland.
- B. Where animals are bound for the customs enclave of Livigno, documentary checks only shall be carried out at Ponte Gallo. This rule shall apply only to animals originating in the canton of Graubünden. This provision may be extended to other areas under customs control along the border between the Community and Switzerland.
- C. Where animals are bound for the canton of Graubünden, documentary checks only shall be carried out at La Drossa. This rule shall apply only to animals originating in the customs enclave of Livigno. This provision may be extended to other areas along the border between the Community and Switzerland.
- D. Where live animals are loaded directly or indirectly onto a train at a point in the territory of the Community for unloading at another point in the territory of the Community after transit through Swiss territory, the only requirement shall be to inform the Swiss veterinary authorities beforehand. This rule shall apply only to trains the composition of which does not change in the course of transport.

V. **Rules for animals crossing through Community or Swiss territory**

- A. Where live animals originating in the Community are to cross through Swiss territory, the Swiss authorities shall carry out documentary checks only. In suspicious cases, they may carry out any other inspections required.
- B. Where live animals originating in Switzerland are to cross through Community territory, the Community authorities shall carry out documentary checks only. In suspicious cases, they may carry out any other inspections required. The Swiss authorities guarantee that the animals will be accompanied by a certificate of non-refusal issued by the authorities of the third country of first destination.

VI. General rules

These provisions shall apply to cases not covered by points II to IV.

A. For live animals originating in the Community or Switzerland and intended for import, the following checks shall be carried out:

- documentary checks.

B. For live animals from countries other than those covered by this Annex which have been checked as provided for in Directive 91/496/EEC, as last amended by the Act concerning the conditions of accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic and the adjustments to the Treaties on which the European Union is founded (OJ L 236, 23.9.2003, p. 381), the following checks shall be carried out:

- documentary checks.

VII. Points of entry - trade between the European Community and Switzerland

A. For the Community:

Germany:	
– Konstanz Strasse	road
– Weil am Rhein/Mannheim	rail, road

France:	
– Saint Julien/Bardonnex	road
– Ferney-Voltaire/Geneva	air
– Saint-Louis/Basle	road/air

Italy:	
– Campocologno	rail
– Chiasso	rail, road
– Grand San Bernardo-Pollein	road

Austria:		
–	Feldkirch-Tisis	road
–	Höchst	road
–	Feldkirch-Buchs	rail

B. For Switzerland:

–	Germany:	Thayngen	road
		Kreuzlingen	road
		Basle	road/rail/air,
–	France:	Bardonnex	road
		Basle	road/air
		Geneva	air
–	Italy:	Campocologno	rail
		Chiasso	road/rail
		Martigny	road
–	Austria:	Schaanwald	road
		St. Margrethen	road
		Feldkirch-Buchs	rail

CHAPTER 2

Imports from third countries

I. Legislation

Checks on imports from third countries shall be carried out in accordance with Council Directive 91/496/EEC of 15 July 1991 laying down the principles governing the organisation of veterinary checks on animals entering the Community from third countries and amending Directives 89/662/EEC, 90/425/EEC and 90/675/EEC (OJ L 268, 24.4.1991, p. 56), as last amended by the Act concerning the conditions of accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic and the adjustments to the Treaties on which the European Union is founded (OJ L 236, 23.9.2003, p. 381).

II. Implementing rules and procedures

- A. For the purposes of Article 6 of Directive 91/496/EEC, the border inspection posts shall be: Basle-Mulhouse airport, Ferney-Voltaire/Geneva airport and Zürich airport. The Joint Veterinary Committee shall be responsible for subsequent amendments.
- B. On-the-spot inspections shall be carried out under the responsibility of the Joint Veterinary Committee in accordance in particular with Article 19 of Directive 91/496/EEC and Article 57 of the Law on epizootic diseases.

CHAPTER 3

Special provisions

- For France, the cases of Ferney-Voltaire/Geneva airport and St. Louis/Basle airport shall be the subject of consultations within the Joint Veterinary Committee.
- For Switzerland, the cases of Geneva-Cointrin airport and Basle-Mulhouse airport shall be the subject of consultations within the Joint Veterinary Committee.

I. MUTUAL ASSISTANCE

A. LEGISLATION

European Community	Switzerland
Council Directive 89/608/EEC of 21 November 1989 on mutual assistance between the administrative authorities of the Member States and cooperation between the latter and the Commission to ensure the correct application of legislation on veterinary and zootechnical matters (OJ L 351, 2.12.1989, p. 34)	Law on epizootic diseases (LFE) of 1 July 1966, as last amended on 20 June 2003 (RS 916.40), and in particular Article 57 thereof

B. SPECIAL RULES AND PROCEDURES FOR IMPLEMENTATION

The Joint Veterinary Committee shall be responsible for the application of Articles 10, 11 and 16 of Directive 89/608/EEC.

II. IDENTIFICATION OF ANIMALS

A. LEGISLATION

European Community	Switzerland
<p>1. Council Directive 92/102/EEC of 27 November 1992 on the identification and registration of animals (OJ L 355, 5.12.1992, p. 32), as amended by Council Regulation (EC) No 21/2004 of 17 December 2003 establishing a system for the identification and registration of ovine and caprine animals and amending Regulation (EC) No 1782/2003 and Directives 92/102/EEC and 64/432/EEC (OJ L 5, 9.1.2004, p. 8)</p>	<p>1. Ordonnance of 27 June 1995 on epizootic diseases (OFE), as last amended on 23 June 2004 (RS 916.401), and in particular Articles 7 to 22 (registration and identification) thereof</p>
<p>2. Regulation (EC) No 1760/2000 of the European Parliament and of the Council of 17 July 2000 establishing a system for the identification and registration of bovine animals and regarding the labelling of beef and beef products and repealing Council Regulation (EC) No 820/97 (OJ L 204, 11.8.2000, p. 1), as last amended by the Act concerning the conditions of accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic and the adjustments to the Treaties on which the European Union is founded, Annex II: List referred to in Article 20 of the Act of Accession – 6. Agriculture – B. Veterinary and plant health legislation – I. Veterinary legislation (OJ L 236, 23.9.2003, p. 381)</p>	<p>2. Ordonnance of 18 August 1999 on the data base for animal movements, as last amended on 20 November 2002 (RS 916.404)</p>

B. SPECIAL RULES AND PROCEDURES FOR IMPLEMENTATION

1. The Joint Veterinary Committee shall be responsible for the application of Article 3(2), the fifth subparagraph of Article 4(1)(a) and Article 4(2) of Directive 92/102/EEC.
2. For movements of swine and ovine and caprine animals within Switzerland, the date to be taken into account for the purposes of Article 5(3) shall be 1 July 1999.
3. In the context of Article 10 of Directive 92/102/EEC, the Joint Veterinary Committee shall be responsible for coordination where any electronic identification systems are set up.

III. ANIMAL WELFARE

A. LEGISLATION

Community	Switzerland
1. Council Directive 91/628/EEC of 19 November 1991 on the protection of animals during transport and amending Directives 90/425/EEC and 91/496/EEC (OJ L 340, 11.12.1991, p. 17), as last amended by Council Regulation (EC) No 806/2003 of 14 April 2003 adapting to Decision 1999/468/EC the provisions relating to committees which assist the Commission in the exercise of its implementing powers laid down in Council instruments adopted in accordance with the consultation procedure (qualified majority) (OJ L 122, 16.5.2003, p. 1)	1. Ordonnance of 27 May 1981 on animal welfare, as last amended on 27 June 2001 (RS 455.1)
2. Council Regulation (EC) No 1255/97 of 25 June 1997 concerning Community criteria for staging points and amending the route plan referred to in the Annex to Directive 91/628/EEC (OJ L 174, 2.7.1997, p. 1), as last amended by Council Regulation (EC) No 1040/2003 of 11 June 2003 amending Regulation (EC) No 1255/97 as regards the use of staging points (OJ L 151, 19.6.2003, p. 21)	2. Ordonnance of 20 April 1988 on the import, transit and export of animals and animal products (OITE), as last amended on 23 June 2004 (RS 916.443.11)

B. SPECIAL RULES AND PROCEDURES FOR IMPLEMENTATION

1. The Swiss authorities undertake to comply with the requirements laid down in Directive 91/628/EEC for trade between Switzerland and the European Community and for imports from third countries.

2. The information provided for in the fourth paragraph of Article 8 of Directive 91/628/EEC shall be submitted to the Joint Veterinary Committee.
3. On-the-spot inspections shall be carried out under the responsibility of the Joint Veterinary Committee in accordance in particular with Article 10 of Directive 91/628/EEC and Article 65 of the Ordonnance of 20 April 1988 on the import, transit and export of animals and animal products (OITE), as last amended on 23 June 2004 (RS 916.443.11).
4. The information provided for in the second subparagraph of Article 18(3) of Directive 91/628/EEC shall be submitted to the Joint Veterinary Committee.

IV. SEMEN, OVA AND EMBRYOS

Section VI of Chapter 1 and Chapter 2 of this Appendix shall apply *mutatis mutandis*.

V. FEES

- A. For checks on live animals from countries other than those covered by this Annex, the Swiss authorities undertake to collect at least the fees provided for in Annex C, Chapter 2, to Directive 96/43/EC.
- B. The fees payable on live animals originating in the Community or Switzerland and intended for import into the Community or Switzerland shall be:
- EUR 2.5/t, with a minimum of EUR 15 and a maximum of EUR 175 being charged per consignment.
- C. No fees shall be charged:
- on animals for slaughter bound for the slaughterhouse in Basle,
 - on animals bound for the customs enclave of Livigno,
 - on animals bound for the canton of Graubünden,
 - on live animals loaded directly or indirectly onto a train at one point in Community territory for unloading at another point in Community territory,
 - on live animals originating in the Community crossing Swiss territory,
 - on live animals originating in Switzerland crossing Community territory,
 - on equidae.
- D. The fees payable on animals sent for grazing in border areas shall be:
- EUR 1/head for the country of dispatch and EUR 1/head for the country of destination, with a minimum of EUR 10 and a maximum of EUR 100 being charged in each case per consignment.
- E. For the purposes of this chapter, "consignment" means a number of animals of the same type, covered by the same health certificate or document, carried on the same means of transport, dispatched by the same consignor, coming from the same exporting country or region and bound for the same destination.

Appendix 6

LIVESTOCK PRODUCTS

CHAPTER 1

Sectors where recognition of equivalence is mutual

Products: Milk and products of milk of bovine species intended for human consumption

Exports from the Community to Switzerland and exports from Switzerland to the Community					
Trade conditions			Equivalence	Special requirements	
EC standards	Swiss standards				
Animal health - Bovine	64/432/EEC 92/46/EEC	Ordonnance of 27 June 1995 on epizootic diseases (OFE), as last amended on 23 October 2001 (RS 916.401), and in particular Articles 47, 61, 65, 101, 155, 163, 169, 173, 177, 224 and 295 thereof.		Yes	Milk and products of milk of bovine species intended for human consumption traded between the Member States of the Community and Switzerland must be accompanied exclusively by the commercial accompanying documents provided for in Chapter II of Directive 92/46/ECE
Public health	92/46/EEC	<p>Ordonnance of 7 December 1998 on ensuring quality in the dairy sector (Ordonnance on milk quality, OQL) as last amended on 8 March 2002 (RS 916.351.0)</p> <p>Ordonnance of 13 April 1999 on ensuring quality in milk production, as last amended on 20 December 2002 (RS 916.351.021.1)</p> <p>Ordonnance of 13 April 1999 on ensuring quality in industrial milk processing, as last amended on 20 December 2002 (RS 916.351.021.2)</p> <p>Ordonnance of 13 April 1999 on ensuring quality in artisanal processing of milk, as last amended on 20 December 2002 (RS 916.351.021.3)</p> <p>Ordonnance of 13 April 1999 on ensuring quality during maturing and pre-packaging of cheese, as last amended on 20 December 2002 (RS 916.351.021.4)</p>		Yes	Under Article 10 of Directive 92/46/EEC, Switzerland shall draw up a list of its approved processing establishments and treatment establishments and a list of its approved collection centres and standardisation centres.

**Products: Animal by-products not for human consumption, including
milk and products of milk of bovine species not for human consumption**

Exports from the European Community to Switzerland and exports from Switzerland to the European Community

Trade conditions		Equivalence	Special requirements
EC standards	Swiss standards		
<p>Regulation (EC) No 1774/2002 of the European Parliament and of the Council of 3 October 2002 laying down health rules concerning animal by-products not intended for human consumption (OJ L 273, 10.10.2002, p. 1), as last amended by Commission Regulation (EC) No 780/2004 of 26 April 2004 on transitional measures pursuant to Regulation (EC) No 1774/2002 of the European Parliament and of the Council as regards the import and transit of certain products from certain third countries (OJ L 123, 27.4.2004, p. 64).</p>	<p>Ordonnance of 5 March 1995 on meat hygiene (OHyV), as last amended on 23 June 2004 (RS 817.190).</p> <p>Ordonnance of 27 June 1995 on epizootic diseases (OFE), as last amended on 23 June 2004 (RS 916.401)</p> <p>Ordonnance of 20 April 1988 on the import, transit and export of animals and animal products (OITE), as last amended on 23 June 2004 (RS 916.443.11), and in particular Articles 51, 64a and 77 (approval as export enterprises, import and export conditions for animal by-products) thereof</p> <p>Ordonnance of 23 June 2004 on the elimination of animal by-products (OESPA), (RS 916.441.22)</p>	<p>Yes</p>	<p>Switzerland shall apply to its imports the same provisions as those in Annexes VII, VIII, X (certificates) and XI (countries), in accordance with Article 29 of Regulation (EC) No 1774/2002</p> <p>Trade in category 1 and 2 materials shall be prohibited, except for certain technical uses provided for in Regulation (EC) No 1774/2002 (transitional measures introduced by Commission Regulation (EC) No 878/2004)</p> <p>Category 3 materials traded between the Member States of the Community and Switzerland must be accompanied by the commercial documents and health certificates provided for in Chapter III of Annex II, in accordance with Articles 7 and 8 of Regulation (EC) No 1774/2002.</p> <p>In accordance with Chapter III of Regulation (EC) No 1774/2002, Switzerland shall draw up a list of its corresponding establishments.</p>

CHAPTER II

Sectors other than those covered by Chapter I

I. Exports from the Community to Switzerland

Exports from the Community to Switzerland shall be subject to the same conditions as intra-Community trade. However, in all cases, a certificate attesting compliance with those conditions shall be issued by the competent authorities to accompany consignments.

If necessary, models for certificates shall be discussed in the Joint Veterinary Committee.

II. Exports from Switzerland to the Community

Exports from Switzerland to the Community shall be subject to the relevant conditions laid down in the Community rules. Models for certificates shall be discussed in the Joint Veterinary Committee.

Pending a decision on these models, the present requirements for certificates shall apply.

CHAPTER III

Transfer of a sector from Chapter II to Chapter I

As soon as Switzerland adopts any legislation it regards as equivalent to Community legislation, the matter shall be brought before the Joint Veterinary Committee. Chapter I of this Appendix shall be adjusted as soon as possible to reflect the outcome of the Committee's deliberations.

CONTACT POINTS

– **For the European Community :**

The Director

Food Safety: plant health, animal health and welfare, international questions

Directorate General for Health and Consumer Protection (DG SANCO)

European Commission

Rue Froissart, 101

B-1049 Brussels

Other important contacts

The Director

Food and Veterinary Office

Grange

Ireland

Head of Unit

International food, veterinary and phytosanitary questions

Directorate General for Health and Consumer Protection (DG SANCO)

European Commission

Rue Froissart, 101

B-1049 Brussels

– **For Switzerland**

Office vétérinaire fédéral

CH-3003 Berne

Tel: (41-31) 323 85 01 02

Fax: (41-31) 324 82 56

Other important contacts

Office fédéral de la santé publique

Unité principale Sûreté alimentaire

CH-3003 Berne

Tel: (41-31) 322 95 55

Fax: (41-31) 322 95 74

Centrale du Service d'inspection et de consultation en matière d'économie laitière

Schwarzenburgstraße 161

CH-3097 Liebefeld-Berne

Tel: (41-31) 323 81 03

Fax: (41-31) 323 82 27"
