VERŻJONI ELETTRONIKA

L.N. 258 of 2010

MALTA VETERINARY SERVICES ACT

(CAP. 437)

Animal Health Requirements Governing Trade and Imports into the Community of Animals, Semen, Ova and Embryos not Subject to Animal Health Requirements laid down in Specific Community Acts, (Amendment) Rules 2010

IN EXERCISE of the powers conferred by article 10 of the Veterinary Services Act, the Minister for Resources and Rural Affairs after consultation with the Minister for Health, the Elderly and Community Care, has made the following rules:-

Title and scope.

1. The title of these rules is Animal Health Requirements Governing Trade and Imports into the Community of Animals, Semen, Ova and Embryos not Subject to Animal Health Requirements laid down in Specific Community Acts (Amendment) Rules 2010, and they shall be read and construed as one with the Animal Health Requirements Governing Trade and Imports into the Community of Animals, Semen, Ova and Embryos not Subject to Animal Health Requirements laid down in Specific Community Acts, Rules 2009, hereinafter referred to as "the principal rules".

L.N. 351 of 2009.

Amends rule 1 of the principal rules.

2. For sub-rule (2) of rule 1 of the principal rules, there shall be substituted the following:-

"(2) The scope of these rules is to transpose Directive 92/65/EEC laying down animal health requirements governing trade and imports into the community of animals, semen, ova and embryos not subject to animal health requirements laid down in the specific Community acts referred to in Schedule F to these rules and shall apply without prejudice to the provisions adopted pursuant to other rules and community rules which may apply in this regard and without prejudice to other national rules governing pet animals.".

Amends rule 6 of the principal rules.

3. Rule 6 of the principal rules shall be amended as follows:-

(a) for sub-rule 1 (e) thereof there shall be substituted the following:-

"(e) they are accompanied by a certificate corresponding to the specimen given in terms of the declaration laid down in Schedule E to these rules.";

(b) paragraph (f) of sub-rule (1) thereof shall be deleted;

(c) for paragraph (b) of sub-rule (2) thereof there shall be substituted the following:-

"(b) where they do not come from a herd meeting the conditions laid down in paragraph (a) hereof, they have come from a holding in which no case of brucellosis or tuberculosis has been recorded in the 42 days preceding the loading of the animals and in which the ruminants have, in the 30 days prior to dispatch, undergone with negative results a test for brucellosis and tuberculosis."; and

for sub-rule (4) thereof there shall be substituted the following:-

"(4) The testing requirements referred to in this rule and their criteria may be established in accordance with the procedure concerning veterinary checks in terms of rule 3(2) of these rules. Such decisions shall take into consideration the case of ruminants reared in the arctic regions of the Community. Pending the decisions provided for in this sub-rule, national rules shall continue to apply.".

Amends rule 11 of the principal rules.

4. For rule 11 of the principal rules there shall be substituted the following:-

"11. (1) The competent Authority shall ensure that only semen, ova and embryos meeting the conditions laid down in sub-rules (2), (3), (4) and (5) hereof shall be subject to trade.

(2) Without prejudice to any criteria to be complied with for the entry of equids in stud books for certain specific breeds semen of the ovine, caprine and equine species shall:

(a) have been collected, processed and stored with a view to artificial insemination in a centre approved from the health point of view in accordance with Schedule D(I) to these rules, or, in the case of ovine and caprine animals by way of derogation from the above, in a holding satisfying the requirements contained in the provisions of the Health Conditions governing Intra-Community Trade in Ovine and Caprine Animals Rules, 2005;

L.N. 293 of 2005.

(b) have been collected from animals meeting the conditions laid down in Schedule D(II) to these rules;

(c) have been collected, processed, preserved, stored and transported in accordance with Schedule D(III) to these rules; and

(d) have been accompanied during transport to another Member State by a health certificate corresponding to a specimen to be determined in accordance with the procedure concerning veterinary checks in terms of rule 3(2) of these rules.

(3) Ova and embryos of the ovine, caprine, equine and porcine species shall:

(a) have been removed from donor females meeting the conditions laid down in Schedule D(IV) to these rules by a collection team or have been produced by a production team approved by the competent Authority and satisfying the conditions to be established in Schedule D(I) hereof in accordance with the procedure concerning veterinary checks in terms of rule 3(2) of these rules;

(b) have been collected, processed and preserved in an appropriate laboratory, stored and transported in accordance with Schedule D(III) to these rules; and

(c) be accompanied during transport to another Member State by a health certificate corresponding to a specimen to be determined in accordance with the procedure concerning veterinary checks in terms of rule 3(2) of these rules. Semen used for the insemination of donor females shall comply with the provisions of sub-

rule (2) hereof in the case of sheep, goats and equids and with the provisions of Directive 90/429/EEC laying down the animal health requirements applicable to intra-Community trade in and imports of semen of domestic animals of the porcine species. Any additional guarantees may be determined in accordance with the procedure concerning veterinary checks in terms of rule 3(2) of these rules .

(4) The approved centres referred to in sub-rule (2) (a) of this rule and the approved teams referred to in sub-rule (3) (a) of this rule shall be registered by the competent Authority, each centre and team being given a veterinary registration number. The competent Authority shall draw up and keep up to date a list of those approved centres and teams and their veterinary registration numbers and shall make it available to the other Member States and to the public. Detailed rules for the uniform application of this paragraph may be adopted in accordance with the procedure concerning veterinary checks in terms of rule 3(2) of these rules.

(5) The animal health requirements and the specimen health certificates applicable to semen, ova and embryos of species not mentioned in sub-rules (2) and (3) hereof shall be established in accordance with the procedure concerning veterinary checks in terms of rule 3(2) of these rules. Pending the establishment of animal health requirements and specimen health certificates for trade in such semen, ova and embryos, national rules shall continue to apply.".

5. Immediately after Schedule E to the principal rules there shall be added the following new Schedule:- Adds new Schedule to the principle rules.

"Schedule F

Regulation 1(2)

Council Directive 64/432/EEC of 26 June 1964 on animal health problems affecting intra-Community trade in bovine animals and swine as transposed by the Animal Health Problems affecting Intra-Community Trade in Bovine Animals and Swine Regulations, 2004

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

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

Council Directive 90/426/EEC of 26 June 1990 on animal health conditions governing the movement and import from third countries of Equidae as transposed by the Animal Health Conditions governing the Movement and Import from Third Countries of Equidae Rules, 2005

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

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

Council Directive 2006/88/EC on animal health requirements for aquaculture animals and products thereof and on the prevention and control of certain diseases in aquatic animals as transposed by the Animal Health Requirements For Aquaculture Animals and of Products Thereof, and on the Prevention and Control of Certain Diseases in Aquatic Animals Rules, 2009

Council Directive 91/68/EEC of 28 January 1991 on animal health conditions governing intra-Community trade in ovine and caprine animals as transposed by the Health Conditions governing Intra-Community Trade in Ovine and Caprine Animals Rules, 2005

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.".

Ippubblikat mid-Dipartiment tal-Informazzjoni (doi.gov.mt) — Valletta — ***Published by the Department of Information (doi.gov.mt) — Valletta***
Mitbugħ fl-Istamperija tal-Gvern fuq karta riċiklata — ***Printed at the Government Printing Press on recycled paper***

Prezz/*Price*
€0.47