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from: General Secretariat
to: Delegations
Subject: Draft Regulation (EU) No .../2012 of the European Parliament and of the Council on the non-commercial movement of pet animals and repealing Regulation (EC) No 998/2003

In view of the meeting of the Working Party of the Veterinary Experts (Animal Health) of 25 May 2012, delegations will find attached drafting suggestions from the Presidency in relation to the Articles of the proposal.

Suggested new text is highlighted in **bold underlined** and deletion is signalled in ~~strike through~~. In addition, new changes made to Articles 1 to 15 further to the last meeting are highlighted in grey.¹

At this stage, the recitals have not been reviewed.

¹ These highlights show also the changes compared to DS 1300/12.

Draft

REGULATION (EU) No .../2012 OF THE EUROPEAN PARLIAMENT

AND OF THE COUNCIL

on the non-commercial movement of pet animals **and repealing Regulation (EC) No 998/2003**

(Text with EEA relevance)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,
Having regard to the Treaty on the Functioning of the European Union, and in particular
Article 43(2) and the introductory phrase and point (b) of Article 168(4) thereof,
Having regard to the proposal from the European Commission,
After transmission of the draft legislative act to the national **p**arliaments,
Having regard to the opinion of the European Economic and Social Committee¹,
Having regard to the opinion of the Committee of the Regions²,
Acting in accordance with the ordinary legislative procedure,
Whereas:

RECITALS (1) to (38) : Will be reviewed at a later stage.

HAVE ADOPTED THIS REGULATION:

¹ OJ C [...], [...], p. [...].

² OJ C [...], [...], p. [...].

CHAPTER I
GENERAL PROVISIONS

Article 1

Subject matter

This Regulation lays down the animal health requirements applicable to the non-commercial movement of pet animals and the rules for **compliance** checks on such movements.

Article 2

Scope

1. This Regulation shall apply to the non-commercial movement of pet animals ~~of the species listed in Annex I~~ into a Member State from another Member State or from a third country or territory.
2. This Regulation shall apply without prejudice to:
 - (a) Regulation (EC) No 338/97;
 - (b) measures taken by Member States to restrict the movement of certain species or breeds of pet animals on the basis of considerations other than those relating to animal health.

Article 3

Definitions

For the purposes of this Regulation, the following definitions shall apply:

- (a) ‘non-commercial movement’ means any movement which does not, ~~either directly or indirectly, involve or aim at~~ **selling or transferring the pet animal to another owner transferring the ownership or possession of a pet animal or at making use of it to obtain** a financial gain or a transfer of ownership;

- (b) ‘pet animal’ means an animal of the species listed in Annex I accompanying, for the purposes of a non-commercial movement, its owner or **an authorised person** a natural person acting on behalf of and in formal agreement with the owner, and which remains during such non-commercial movement under the responsibility of the owner or such person; **For the purpose of this definition, the term 'accompanying' shall not imply that the pet animal is necessarily in the immediate proximity of its owner or such person at all times: on duly justified and documented grounds, the movement of the pet animal may be disconnected in time for a maximum of four months and/or in space from the movement of its owner or such person;**
- (c) ‘owner’ means a natural person who owns and possesses the pet animal;
- (ca) **‘authorised person’ means a person authorised in writing by the owner to carry out, on his behalf, the non-commercial movement of his pet animal;**
- (d) ‘transponder’ means a read-only passive radio frequency identification device;
- (e) ‘identification document’ means **the** document enabling the pet animal to be clearly identified and its health status to be checked for compliance with this Regulation **and which model is to be drawn up in accordance with Articles 21(1), 25(1), 29(1) and 32(1);**
- (f) [‘Member States’ means the countries and territories listed in Annex II;]
- (fa) **‘authorised veterinarian’ means any veterinarian to which the competent authority has delegated which has been authorised by the competent authority to carry out specific tasks in accordance with this Regulation or any other rules adopted pursuant to this Regulation;**
- (fb) **‘official veterinarian’ means the veterinarian appointed by the competent authority;**
- (g) ‘travellers’ point of entry’ means any check-in area designated by Member States **for moving a pet animal into a Member State from a third country or territory other than those listed in the implementing act adopted pursuant to Article 13(1) and where for the purposes of the checks referred to in Article 36(1) are to be carried out;**

- (h) **‘documentary checks’ means verification of the identification document accompanying the pet animal;**
- (i) **‘identity checks’ means verification, by visual inspection only, for consistency between the identification document and the pet animal and for the presence and conformity of the marking;**

Article 4

General obligations

Non-commercial movements of pet animals that comply with the animal health requirements laid down in this Regulation shall not be prohibited, restricted or impeded on animal health grounds other than those resulting from the application of this Regulation.

CHAPTER II

CONDITIONS APPLICABLE TO NON-COMMERCIAL MOVEMENTS OF PET ANIMALS INTO A MEMBER STATE FROM ANOTHER MEMBER STATE

SECTION 1

CONDITIONS APPLICABLE TO PET ANIMALS OF THE SPECIES LISTED IN PART A OF ANNEX I

Article 5

***Non-commercial movement conditions applicable to pet animals
of the species listed in Part A of Annex I***

Pet animals of the species listed in Part A of Annex I shall not be moved into a Member State from another Member State unless they:

- (a) are ~~actively~~ marked in accordance with Article 16(1);
- (b) have received an anti-rabies vaccination that complies with the validity requirements set out in Annex IV;

- (c) comply with the preventive health measures for diseases or infections other than rabies **when adopted pursuant to Article 18(1) of this Regulation;**~~or~~
- (ii) ~~adopted pursuant to the second subparagraph of Article 5(1) of Regulation (EC) No 998/2003;~~
- (d) are accompanied by an identification document **duly completed and** issued in accordance with Article 20(1).

Article 6
Derogation from the anti-rabies vaccination condition for young pet animals of the species listed in Part A of Annex I

By way of derogation from Article 5(b), Member States may authorise the non-commercial movement **into and/or through their territory** of pet animals **of the species listed in Part A of Annex I** which are less than three months ~~old~~ **fifteen weeks** old and not vaccinated against rabies **have not received an anti-rabies vaccination in accordance with that provision** provided that they are accompanied by their identification document duly completed and issued in accordance with Article 20, and either:

- (a) **which are less than twelve weeks old and have not received an anti-rabies vaccination;**
or
- (b) **which are between twelve and sixteen weeks old and have received an anti-rabies vaccination, but do not yet meet the requirement of point (2)(d) of Annex IV.**

The authorisation referred to in the first subparagraph shall be granted on the condition that the owner or an authorised person or a natural person acting on behalf of and in formal agreement with the owner provides proof a written declaration that they the pet animals have remained in their place of birth without any contact with wild animals of species susceptible likely to have been exposed to rabies since their birth and until the time of the non-commercial movement.

- (ii) **where** they are accompanied by their mother, on whom they still depend, and it has been documented that **the anti-rabies vaccination provided for in Article 5(b) was received by** their mother before their birth an anti-rabies vaccination which complied with the validity requirements set out in Annex IV.

Article 7
Derogation from the anti-rabies vaccination condition for pet animals
of the species listed in Part A of Annex I

1. By way of derogation from Article 5(b), the non-commercial movement of pet animals of the species listed in Part A of Annex I not vaccinated against rabies may be authorised between Member States or parts thereof which are free of rabies **and for which the risk of rabies introduction is considered to be negligible** provided they comply with specific conditions. In order to ensure that the necessary measures are in place for the appropriate authorisation of non-commercial movements under this derogation, the Commission shall be empowered to adopt delegated acts in accordance with Article 41 concerning those specific conditions for the authorisation of such non-commercial movements.
2. The specific conditions for the authorisation laid down in the delegated acts adopted pursuant to paragraph 1 shall be based on adequate, reliable and validated scientific information concerning an assessment of the health status regarding rabies in Member States or parts thereof and applied proportionately to the risks to public or animal health associated with the non-commercial movement of pet animals of the species listed in Part A of Annex I likely to be affected by rabies.
3. For the same purpose the delegated acts referred to in paragraph 1 may also include:
 - (a) rules for the categorisation of Member States or parts thereof based on historic data concerning their rabies status and on their surveillance and reporting systems with regard to rabies;
 - (b) the conditions that Member States must fulfil to remain eligible for the authorisation referred to in paragraph 2.

Article 8
***List of Member States or parts of the territory of Member States to be categorised
in accordance with delegated acts adopted pursuant to Article 7(1)***

The Commission shall, by means of an implementing act, adopt lists of Member States or parts of the territory of Member States that comply with the rules for the categorisation of Member States or parts thereof as referred to in Article 7(3)(a). That implementing act shall be adopted in accordance with the examination procedure referred to in Article 43(2).

SECTION 2
CONDITIONS APPLICABLE TO PET ANIMALS OF THE SPECIES LISTED IN PART B OF ANNEX I

Article 9
***Non-commercial movement conditions applicable to pet animals
of the species listed in Part B of Annex I***

1. Pet animals of the species listed in Part B of Annex I shall not be moved into a Member State from another Member State unless they comply with the following conditions:
 - (a) they are marked or described as provided for in Article 16(2);
 - (b) they comply with the preventive health measures for diseases or infections other than rabies as provided in Article 18(1);
 - (c) they are accompanied by an identification document **duly completed and** issued **in accordance with Article 28.**
 - ~~(i) in accordance with Article 28;~~
 - ~~(ii) in the format provided for in Article 30~~
2. The conditions referred to in paragraph 1 shall apply from the date of application of the relevant delegated or implementing acts provided for in Article 16(2), Article 18(1) and Article 30.

CHAPTER III

CONDITIONS APPLICABLE TO NON-COMMERCIAL MOVEMENTS OF PET ANIMALS INTO A MEMBER STATE FROM A THIRD COUNTRY OR TERRITORY

SECTION 1

CONDITIONS APPLICABLE TO PET ANIMALS OF THE SPECIES LISTED IN PART A OF ANNEX I

Article 10

Non-commercial movement conditions applicable to pet animals of the species listed in Part A of Annex I

1. Pet animals of the species listed in Part A of Annex I shall not be moved into a Member State from a third country or territory unless they:
 - (a) are ~~actively~~ marked in accordance with Article 16(1);
 - (b) have received an anti-rabies vaccination that complies with the validity requirements set out in Annex IV;
 - (c) have undergone a rabies antibody titration test that complies with the validity requirements set out in Annex V;
 - (d) comply with the preventive health measures for diseases or infections other than rabies **when adopted pursuant to Article 18(1) of this Regulation**, ~~or~~
 - (ii) ~~adopted pursuant to the second subparagraph of Article 5(1) of Regulation (EC) No 998/2003;~~
 - (e) are accompanied by an identification document **duly completed and** issued in accordance with Article 24.
2. **Pet animals of the species listed in Part A of Annex I may only ~~move~~ be moved into a Member State from a third country or territory other than those listed in the implementing act adopted pursuant to Article 13(1) ~~only~~ through a travellers' point of entry.**

3. **By way of derogation from paragraph 2, a Member State may authorise that registered military or search and rescue or assistance dogs do not pass through a travellers' point of entry provided that:**
- (a) **a prior application for a permit has been made by the owner or an authorised person a person acting on behalf of and in formal agreement with the owner and the Member State has granted such a permit;**
 - (b) **the dogs are checked for compliance in accordance with Article 36:**
 - (i) **at a place designated by the competent authority;**
 - (ii) **in accordance with the arrangements prescribed in the permit.**

Article 11

*Derogation from the anti-rabies vaccination condition for young pet animals
of the species listed in Part A of Annex I*

1. By way of derogation from Article 10(1)(b), Member States may authorise the non-commercial movement into their territory **from third countries or territories listed in the implementing acts adopted pursuant to Article 13,** of pet animals **of the species listed in Part A of Annex I:** which are less than three months ~~fifteen weeks~~ old and not vaccinated against rabies **have not received an anti-rabies vaccination in accordance with that provision,** provided that they are accompanied by their identification document duly completed and issued in accordance with Article 24, and either
- (a) **which are less than twelve weeks old and have not received an anti-rabies vaccination; or**
 - (b) **which are between 12 and 16 weeks old and have received an anti-rabies vaccination, but do not yet meet the requirement of point (2)(d) of Annex IV.**

The authorisation referred to in the first subparagraph shall be granted on the condition that the owner or **an authorised person** ~~a natural person acting on behalf of~~ and in **formal** agreement with the owner provides proof **a written declaration** that they **the pet animals** have remained ~~in their place of birth~~ without any contact with wild animals of species **susceptible** likely to have been exposed to rabies **since their birth and until the time of the non-commercial movement.**

- (ii) ~~where~~ they are accompanied by their mother, on whom they still depend, and it has been documented that **the anti-rabies vaccination provided for in Article 10(1)(b) was received by** their mother before their birth ~~an anti-rabies vaccination which complied with the validity requirements set out in Annex IV.~~
2. However, the subsequent non-commercial movement into another Member State of those pet animals shall be prohibited, except where they are moved in accordance with the conditions laid down in Article 5 **or where they have been authorised to move in accordance with Article 6.**

Article 12
Derogation from the antibody titration test condition for pet animals
of the species listed in Part A of Annex I

By way of derogation from Article 10 **(1)** (c), the antibody titration test shall not be required for pet animals **of the species listed in Part A of Annex I** which are being moved into a Member State:

- (a) from a third country or territory listed in the implementing acts adopted pursuant to Article 13, **either directly** or following residency exclusively in one or more of those third countries or territories, or
- (b) from a third country or territory listed in the implementing acts adopted pursuant to Article 13 after transit through third countries or territories other than those listed in the implementing acts adopted pursuant to Article 13, provided that the owner or **an authorised person** ~~a natural person acting on behalf of and in **formal** agreement with the owner~~ provides proof **a written declaration** that during such transit, the pet animals have had no contact with **animals of** species susceptible to rabies and remain secured within a means of transport or within the perimeter of an international airport.

Article 13

Establishment of a list of third countries or territories ~~for the purpose of Article 12~~

1. The Commission shall, by means of an implementing act, by [*date to be inserted: one year after entry into force of this Regulation*] adopt a list of third countries or territories which have demonstrated that they apply rules equivalent to those laid down in **Section 1 of Chapter II ~~and of~~** this Chapter and **in** Section 2 of Chapter VI for animals of species listed in Part A of Annex I.
2. The Commission shall, by means of an implementing act, by [*date to be inserted: one year after entry into force of this Regulation*] adopt a list of third countries or territories which have demonstrated that for animals of species listed in Part A of Annex I, they meet at least the following criteria:
 - (a) the notification of cases of rabies to the competent authorities is obligatory;
 - (b) an ~~efficient~~ **effective** monitoring **surveillance** and reporting system for rabies has been in place for at least two years **with a minimum requirement being an on-going early detection programme to ensure investigation and reporting of rabies suspect animals;**
 - (c) the structure and organisation of their veterinary services are sufficient to guarantee the validity of the animal health certificates provided for in Article **25** and issued in accordance with Article 24;
 - (d) measures for the prevention and control of rabies have been implemented, including rules for imports into these third countries or territories of pet animals;
 - (e) rules are in force on the licensing and marketing of anti-rabies vaccines.
3. The implementing acts referred to in paragraphs 1 and 2 shall be adopted in accordance with the examination procedure referred to in Article 43(2).

On duly justified imperative grounds of urgency relating to risks to public or animal health, the Commission shall adopt immediately applicable implementing acts updating the list of third countries or territories referred to in paragraphs 1 and 2 in accordance with the procedure referred to in Article 43(3).

SECTION 2

CONDITIONS APPLICABLE TO PET ANIMALS OF THE SPECIES LISTED IN PART B OF ANNEX I

Article 14

Non-commercial movement conditions applicable to pet animals of the species listed in Part B of Annex I

1. Pet animals of the species listed in Part B of Annex I shall not be moved into a Member State from a third country or territory unless they comply with the following conditions:
 - (a) they are marked or described as provided for in Article 16(2);
 - (b) they comply with the preventive health measures for diseases or infections other than rabies as provided for in Article 18(1);
 - (c) they are accompanied by an identification document **duly completed and issued in accordance with Article 28.**
 - ~~(i) in accordance with Article 28;~~
 - ~~(ii) in the format provided for in Article 33.~~
- 1a. **Pet animals of the species listed in Part B of Annex I may only be moved into a Member State from a third country or territory other than those listed in the implementing act adopted pursuant to Article 14a through a travellers' point of entry.**
2. The conditions referred to in **paragraphs 1 and 1a** shall apply from the date of application of the relevant delegated or implementing acts provided for in **Article 14a**, Article 16(2), Article 18(1) and Article 33.
3. Pending the adoption of the delegated and implementing acts referred to in paragraph 2, national rules shall continue to apply provided that such rules are:
 - (a) applied proportionately to the risk to public or animal health associated with the non-commercial movement of the pet animals of the species listed in Part B of Annex I;

- (b) not stricter than those applied to imports of animals of those species in accordance with Directive 92/65/EEC.

Article 14a

The Commission shall, by means of an implementing act, adopt a list of third countries or territories which have demonstrated that they apply rules equivalent to those laid down in Section 2 of Chapter II and of this Chapter and in Section 2 of Chapter VI for animals of species listed in Part B of Annex I.

SECTION 3

DEROGATION FROM THE NON-COMMERCIAL MOVEMENT CONDITIONS OF PET ANIMALS

Article 15

Derogation from the non-commercial movement conditions between certain countries of pet animals of the species listed in Annex I

By way of derogation from Articles 10 and 14, the non-commercial movement of pet animals between the following countries may continue under the conditions laid down by their national rules:

- (a) San Marino and Italy;
- (b) the Vatican and Italy;
- (c) Monaco and France;
- (d) Andorra and France;
- (e) Andorra and Spain;
- (f) Norway and Sweden.

CHAPTER IV
MARKING AND PREVENTIVE HEALTH MEASURES

SECTION 1
MARKING

Article 16
Marking of pet animals

1. Pet animals of the species listed in Part A of Annex I shall be ~~actively~~ marked by the implantation of a transponder ~~complying with the technical requirements set out in Annex III~~ or by a clearly readable tattoo applied before 3 July 2011.

Where ~~such pet animal is marked with a~~ **the** transponder that **referred to in the first subparagraph** does not comply with the technical requirements set out in Annex III, the owner **or an authorised person** ~~the natural person acting on behalf of and in agreement with the owner~~ shall provide the means necessary for reading that transponder at the time of any verification of identity provided for in Article 20(2), Article 24(2), Article 35 and Article 36(1).

2. Pet animals of the species listed in Part B of Annex I shall be marked or described taking into account the specificities of each species in such a manner that an unequivocal link between the pet animal and its corresponding identification document is ensured.

In order to take into account the specificities of the species in Part B of Annex I the Commission shall be empowered to adopt delegated acts in accordance with Article 41 concerning such species-specific requirements for marking or describing those pet animals.

Article 17

~~*Qualifications required*~~ **Requirements for implanting transponders in pet animals**

Member States shall lay down rules on the minimum ~~qualifications required~~ **requirements** for the ~~persons carrying out~~ the implantation of transponders in pet animals.

SECTION 2

PREVENTIVE HEALTH MEASURES FOR DISEASES OR INFECTIONS OTHER THAN RABIES

Article 18

Preventive health measures and conditions for their application

1. Where preventive health measures are necessary for the protection of public health or the health of pet animals ~~of the species listed in Annex I~~ for the control of diseases or infections other than rabies, likely to be spread due to the movement of those pet animals, the Commission shall be empowered to adopt delegated acts in accordance with Article 41 concerning species-specific preventive health measures for such diseases or infections.

Where, in the event of risks to public or animal health, imperative grounds of urgency so require, the procedure provided for in Article 42 shall apply to delegated acts adopted pursuant to this paragraph.

2. The species-specific preventive health measures authorised by a delegated act adopted pursuant to paragraph 1 shall be based on adequate, reliable and validated scientific information and applied proportionately to the risk to public or animal health associated with the non-commercial movement of pet animals ~~of the species listed in Annex I~~ likely to be affected by diseases or infections other than rabies.
3. For the same purpose the delegated acts provided for in paragraph 1 may also include:
 - (a) rules for the categorisation of Member States or parts thereof depending on their animal health status and their surveillance and reporting systems with regard to certain diseases or infections other than rabies;
 - (b) the conditions that Member States must fulfil to remain eligible for the application of the preventive health measures referred to in paragraph 2;
 - (c) the conditions for applying and documenting the preventive health measures referred to in paragraph 2 prior to the non-commercial movement of pet animals ~~of the species listed in Annex I~~;

- (d) the conditions for the granting of derogations in certain specified circumstances from the application of the preventive health measures referred to in paragraph 2.

Article 19

List of Member States or parts of the territory of Member States categorised in accordance with delegated acts adopted pursuant to Article 18(1)

The Commission shall, by means of an implementing act, adopt lists of Member States or parts of the territory of Member States that comply with the rules for the categorisation of Member States or parts thereof as referred to in Article 18(3)(a). That implementing act shall be adopted in accordance with the examination procedure referred to in Article 43(2).

CHAPTER V

IDENTIFICATION DOCUMENTS

SECTION 1

IDENTIFICATION DOCUMENTS FOR THE NON-COMMERCIAL MOVEMENT INTO A MEMBER STATE FROM ANOTHER MEMBER STATE OF PET ANIMALS OF THE SPECIES LISTED IN PART A OF ANNEX I

Article 20

Issuing of the identification document

~~1. The identification document referred to in Article 5(d) shall:~~

~~(a) be issued by a veterinarian authorised by the competent authority for that purpose;~~

~~(b) document compliance with the requirements provided for in Article 5(a), (b) and (c) and, where applicable, in Article 27(b)(ii); such compliance may be documented in more than one identification document in the format provided for in Article 22(1).~~

~~2. Compliance with the marking requirements provided for in Article 5(a) shall be verified before:~~

~~(a) the identification document is issued in accordance with paragraph 1(a);~~

~~(b) compliance with the requirements referred to in paragraph 1(b) is documented.~~

1. **The identification document referred to in Article 5(d) shall be issued by an authorised veterinarian after he has verified that the pet animal is marked in accordance with Article 16(1) and he has duly completed the relevant entries with the information referred to in Article 21(1)(a) to (ba).**

2. **The authorised veterinarian shall complete the relevant entries of the identification document with the information referred to in Article 21(1)(c) to (e) certifying compliance with the requirements referred to in Article 5(b) and (c) and, where applicable, in Article 27(b)(ii) after he has verified that the pet animal is marked in accordance with Article 16(1).**

Notwithstanding the first subparagraph, the entry on the information referred to in Article 21(1)(e) may be completed by a non authorised veterinarian if so permitted by the delegated act adopted in accordance with Article 18(1)

3. **The authorised veterinarian issuing the identification document shall keep records of the information referred to in Article 21(1)(a) to (b) and in Article 21(3) for a minimum period to be determined by the competent authority, but which may not be less than three years.**

4. **Where necessary the compliance referred to in paragraph 2 may be documented in more than one identification document in the format provided for in Article 21(1).**

5. **The owner shall sign the identification document after the authorised veterinarian has issued it in accordance with paragraph 1.**

Article 21

Information to be provided by the ~~Format and content of the~~ identification document

1. The identification document referred to in Article 5(d) **shall be in the format of a passport in accordance with the model to be adopted by the Commission by means of an implementing act and shall provide contain the entries for the insertion of** the following information:

- (a) the location **of the transponder or the tattoo and either** the date of application **or the date of reading of the transponder or the tattoo** and **the** alphanumeric code displayed by the transponder or the tattoo;
- (aa) **the species, breed, sex and colour of the pet animal concerned**
- (b) the name **and contact information** address and signature of the owner;
- (ba) **the name, contact information and signature of the authorised veterinarian issuing the identification document;**
- (bb) **the signature of the owner**
- (c) details of the anti-rabies vaccination;
- (d) the date of blood sampling for the rabies antibody titration test ~~in the case provided for in Article 27(b)(ii);~~
- (e) compliance with the preventive health measures for diseases or infections other than rabies, ~~where necessary:~~
 - (i) ~~under Article 18(1) of this Regulation, or~~
 - (ii) ~~adopted pursuant to the second subparagraph of Article 5(1) of Regulation (EC) No 998/2003;~~
- (f) other relevant information regarding the description and the health status of the animal.

~~2. The veterinarian issuing the identification document shall record the information referred to in paragraph 1(a) and (b) and keep records of that information for at least 10 years from the date of issue of the identification document.~~

That implementing act shall be adopted in accordance with the examination procedure referred to in Article 43(2) by [date to be inserted: three years after entry into force of this Regulation].

2. **The implementing act referred to in paragraph 1 shall lay down requirements concerning the languages and the layout of the passport referred to in that paragraph.**

3. **The passport referred to in paragraph 1 shall bear a number consisting of the ISO code of the Member State of issue followed by a unique alphanumeric code.**

Article 22

Distribution of blank identification documents

Format of the identification document

- ~~1. The identification document referred to in Article 5(d) shall be in the format of a passport in accordance with the model to be adopted by the Commission by means of an implementing act and contain entries for the insertion of the information required in accordance with Article 21(1). That implementing act shall be adopted in accordance with the examination procedure referred to in Article 43(2) by [date to be inserted: three years after entry into force of this Regulation].~~
- ~~2. The implementing act referred to in paragraph 1 shall lay down requirements concerning the languages and the layout of the passport referred to in that paragraph.~~
- ~~3. The passport referred to in paragraph 1 shall bear a number consisting of the ISO code of the Member State of issue followed by a unique alphanumeric code.~~
1. **Competent authorities shall distribute blank identification documents only to authorised veterinarians and record their name and contact information with reference to the number referred to in Article 21(3).**
2. **The records referred to in paragraph 1 shall be kept for a minimum period to be determined by the competent authority, but which may not be less than three years.**

Article 23

Derogation from the format of the identification document provided for in Article 21(1)

1. By way of derogation from Article 21(1), Member States shall authorise the non-commercial movement into a Member State from another Member State of pet animals **of the species listed in part A of Annex I** accompanied by the identification document issued **in accordance with Article 24**, ~~issued for the purposes of Article 10(e).~~

~~(a) in accordance with Article 24;~~

~~(b) in the format provided for in Article 26(1).~~

2. Where necessary, compliance with the requirements referred to in Article 5(c) shall be documented in the identification document referred to in paragraph 1, after the completion of the checks provided for in Article 36(1).

SECTION 2

IDENTIFICATION DOCUMENTS FOR THE NON-COMMERCIAL MOVEMENT INTO A MEMBER STATE FROM A THIRD COUNTRY OR TERRITORY OF PET ANIMALS OF THE SPECIES LISTED IN PART A OF ANNEX I

Article 24

Issuing of the identification document

1. The identification document referred to in Article 10~~(1)~~(e) shall ~~bear a serial number and~~ **be issued by:**
- (a) an official veterinarian of the third country **or territory** of dispatch on the basis of supporting documentation or on
 - (b) **an authorised** veterinarian authorised by the competent authority of the third ~~country of dispatch for that purpose~~ and subsequently endorsed by the competent authority **of the third country or territory of dispatch.**
 - ~~(b) document compliance with the requirements provided for in Article 10(a) to (d)~~
2. ~~Compliance with the marking requirements referred to in Article 10(a) shall be verified before:~~
- ~~(a) the identification document is issued in accordance with paragraph 1;~~
 - ~~(b) compliance with the requirements referred to in Article 10(b), (c) and (d) is documented.~~

2. **After having verified that the pet animal is marked in accordance with Article 16(1), the issuing veterinarian shall complete the relevant entries of the identification document with the information referred to in Article 25(1)(a) to (f) certifying compliance with the requirements referred to in Article 10(1)(a) to (d) where applicable.**

Article 25

Information to be provided by Format and content of the identification document

1. The identification document referred to in Article 10(1)(e) shall **be in the format of an animal health certificate in accordance with the model to be adopted by the Commission by means of an implementing act and shall provide contain the entries for the insertion of** the following information:
- (a) the location **of the transponder or the tattoo and either** the date of application **or the date of reading of the transponder or the tattoo** and **the** alphanumeric code displayed by the transponder or the tattoo;
 - (aa) **the species, breed, sex and colour of the pet animal concerned**
 - (ab) **a unique certificate reference number**
 - (b) the name and **contact information** address of the owner or the **authorised person** ~~natural person acting on behalf of and in agreement with the owner;~~
 - (ba) **the name and signature of the issuing official or authorised veterinarian;**
 - (bb) **the name and the signature of the representative of the endorsing competent authority;**
 - (c) details of the anti-rabies vaccination;
 - (d) the date of the blood sampling for **the valid** rabies antibody titration test;

- (e) compliance with the preventive health measures for diseases or infections other than rabies, ~~where necessary:~~
 - (i) ~~under Article 18(1) of this Regulation, or~~
 - (ii) ~~adopted pursuant to the second subparagraph of Article 5(1) of Regulation (EC) No 998/2003;~~
- (f) other relevant information regarding the description and the health status of the animal.

That implementing act shall be adopted in accordance with the examination procedure referred to in Article 43(2) by [date to be inserted: three years after entry into force of this Regulation].

- 1a. **The implementing act referred to in paragraph 1 shall lay down requirements concerning the languages, the layout and the validity of the animal health certificate referred to in that paragraph.**
- 2. **A written declaration signed by the owner or the authorised person stating that the pet animal is moved into the Union for non-commercial purposes shall be part of the** identification document referred to in **paragraph 1** ~~Article 10(e) shall be supplemented by a written declaration signed by the owner or the natural person acting on behalf of and in agreement with the owner stating that the pet animal is moved into the Union for non-commercial purposes.~~

Article 26

Format of the identification document

- 1. ~~The identification document referred to in Article 10(e) shall be in the format of an animal health certificate in accordance with the model to be adopted by the Commission by means of an implementing act and contain entries for the insertion of the information required in accordance with Article 25(1). That implementing act shall be adopted in accordance with the examination procedure referred to in Article 43(2) by [date to be inserted: three years after entry into force of this Regulation].~~

~~2. The implementing act referred to in paragraph 1 shall lay down requirements concerning the languages, the layout and the validity of the animal health certificate referred to in that paragraph.~~

Article 27

Derogation from the format of the identification document

By way of derogation from Article ~~25~~**25**(1), Member States shall authorise the non-commercial movement of pet animals **of the species listed in Part A of Annex I** accompanied by the identification document **issued in accordance with Article 20** ~~in the format provided for in Article 22(1)~~ where:

- (a) the identification document has been issued in one of the third countries or territories listed in the implementing act adopted pursuant to Article 13(1), or
- (b) such pet animals enter a Member State, after ~~temporary~~ movement to or transit through a third country or territory from a Member State, and **the identification document was completed and issued by an authorised veterinarian certifying that** ~~a veterinarian authorised by the competent authority has documented that before~~ **the pet animals before having** left the Union ~~they~~ had:
 - (i) received **the** anti-rabies vaccination **provided for in Article 10(1)(b)**;
 - (ii) undergone **the** rabies antibody titration test **provided for in Article 10(1)(c)**, except in the case of the derogation as provided for in Article 12.

SECTION 3

IDENTIFICATION DOCUMENTS FOR THE NON-COMMERCIAL MOVEMENT INTO A MEMBER STATE
FROM ANOTHER MEMBER STATE OF PET ANIMALS OF THE SPECIES LISTED IN PART B OF ANNEX I

Article 28

Issuing of the identification document

1. **The identification document referred to in Article 9(1)(c) shall be issued by an authorised veterinarian after he has verified that the pet animal is marked in accordance with Article 16(2) and he has duly completed the relevant entries with the information referred to in Article 29(1)(a) to (ba);**
 2. **After having verified that the pet animal is marked in accordance with Article 16(2), the issuing veterinarian shall complete the relevant entry with the information referred to in Article 29(1)(c) certifying compliance with the requirements referred to in Article 9(1)(b), where applicable.**
 3. **The owner shall sign the identification document after the authorised veterinarian has issued it in accordance with paragraph 1.**
- ~~1. The identification document referred to in Article 9(1)(c) shall:~~
- ~~(a) be issued by a veterinarian authorised by the competent authority for that purpose;~~
 - ~~(b) document compliance with Article 9(1)(a), (b) and (c).~~
- ~~2. Compliance with the marking or description requirements provided for in Article 9(1)(a) shall be verified before:~~
- ~~(a) the identification document is issued in accordance with paragraph 1(a);~~
 - ~~(b) the requirements provided for in Article 9(1)(a), (b) and (c) are documented in accordance with Article 18(3)(c).~~

Article 29

Information to be provided by Format and content of the identification document

1. **The Commission shall, by means of an implementing act, adopt a model of the identification document referred to in Article 9(1)(c) shall provide which shall contain entries for the insertion of the following information:**
 - (a) the characteristics of the mark or the description of the animal as provided for in Article 16(2);
 - (aa) **the species, breed (if relevant), sex (if relevant) and colour of the animal concerned;**
 - (b) the name **and contact information** address and signature of the owner;
 - (ba) **the name and contact information of the authorised veterinarian issuing the identification document;**
 - (bb) **the signature of the owner;**
 - (c) details of the preventive health measures for diseases or infections other than rabies, where necessary, under Article 18(1);
 - (d) other relevant information regarding the description and the health status of the animal.

That implementing act shall be adopted in accordance with the examination procedure referred to in Article 43(2).

2. **The implementing act referred to in paragraph 1 shall lay down requirements concerning the languages, the layout and the validity of the identification document referred to in that paragraph.**

Article 30

Format of the identification document

- ~~1. The Commission shall, by means of an implementing act, adopt a model of the identification document referred to in Article 9(1)(c) which shall contain entries for the insertion of the information required in accordance with Article 29. That implementing act shall be adopted in accordance with the examination procedure referred to in Article 43(2).~~
- ~~2. The implementing act referred to in paragraph 1 shall lay down requirements concerning the languages, the layout and the validity of the identification document referred to in that paragraph.~~

SECTION 4

**IDENTIFICATION DOCUMENTS FOR THE NON-COMMERCIAL MOVEMENT INTO A MEMBER STATE
FROM A THIRD COUNTRY OR TERRITORY OF PET ANIMALS OF THE SPECIES LISTED IN PART B OF
ANNEX I**

Article 31

Issuing of the identification document

1. The identification document referred to in Article 14(1)(c) shall **be issued by** :
 - (a) an official veterinarian **of the third country or territory of dispatch** on the basis of supporting documentation, or
 - (b) **an authorised veterinarian** by the competent authority for that purpose and subsequently endorsed by the competent authority **of the third country or territory of dispatch.**

~~(b) — document compliance with Article 14(1)(a), (b) and (c).~~
- ~~2. — Compliance with the marking or description requirements provided for in Article 14(1)(a) shall be verified before:~~
 - ~~(a) — the identification document is issued in accordance with paragraph 1(a);~~
 - ~~(b) — the requirements provided for in Article 14(1)(a), (b) and (c) are documented in accordance with Article 18(3)(e).~~
2. **After having verified that the pet animal is marked in accordance with Article 16(2), the issuing veterinarian shall complete the relevant entries of the identification document with the information referred to in Article 32(1) certifying compliance with the requirements referred to in Article 14(1)(a) to (b) where applicable.**

Article 32

~~Information to be provided by~~ Format and content of the identification document

1. **The Commission shall, by means of an implementing act, adopt a model of the** identification document referred to in Article 14(1)(c) ~~shall provide~~ **which shall contain entries for the insertion of** the following information:

- (a) the characteristics of the mark or the description of the animal as provided for in Article 16(2);
- (b) the name and ~~address~~ **contact information** of the owner or the **authorised person** ~~natural person acting on behalf of and in agreement with the owner;~~
- (ba) the name and signature of the issuing official or authorised veterinarian;**
- (bb) the name and the signature of the representative of the endorsing competent authority;**
- (bc) a unique certificate reference number;**
- (c) details of the preventive health measures for diseases or infections other than rabies ~~where necessary, under Article 18(1);~~
- (d) other relevant information regarding the description and the health status of the animal.

That implementing act shall be adopted in accordance with the examination procedure referred to in Article 43(2).

- 1a. **The implementing act referred to in paragraph 1 shall lay down requirements concerning the languages, the layout and the validity of the identification document referred to in that paragraph.**
- 2. **A written declaration signed by the owner or the authorised person stating that the pet animal is moved into the Union for non-commercial purposes shall be part of the** identification document referred to in Article 14(1)(c) ~~shall be supplemented by a written declaration signed by the owner or the natural person acting on behalf of and in agreement with the owner stating that the pet animal is moved into the Union for non-commercial purposes.~~

Article 33

Format of the identification document

1. ~~The Commission shall, by means of an implementing act, adopt a model of the identification document referred to in Article 14(1)(c) which shall contain entries for the insertion of the information required in accordance with Article 32(1). That implementing act shall be adopted in accordance with the examination procedure referred to in Article 43(2).~~
2. ~~The implementing act referred to in paragraph 1 shall lay down requirements concerning the languages, the layout and the validity of the identification document referred to in that paragraph.~~

CHAPTER VI

COMMON PROVISIONS

SECTION 1

DEROGATION FOR ~~DIRECT~~ NON-COMMERCIAL MOVEMENT OF PET ANIMALS INTO MEMBER STATES

Article 34

Derogation from the conditions of Articles 5, 9, 10 and 14

1. By way of derogation from the conditions provided for in Articles 5, 9, 10 and 14, Member States may authorise **[in exceptional circumstances]** the movement for non-commercial purposes into their territory of pet animals ~~of the species listed in Annex I~~ which do not comply with the conditions laid down in those Articles, provided that:
 - (a) a prior application for a permit has been made by the owner ~~or the natural person acting on behalf of and in agreement with the owner~~ and the Member State of destination has granted such permit;

- (b) the pet animals are **isolated** ~~quarantined~~ under official supervision for the time necessary for them to meet those conditions and not exceeding six months:
- (i) at a place approved by the competent authority;
 - (ii) in accordance with the arrangements prescribed in the permit.
2. The permit referred to in paragraph 1(a) may include an authorisation for transiting through another Member State provided that the Member State of transit has given its prior agreement to the Member State of destination.

SECTION 2

GENERAL CONDITIONS REGARDING COMPLIANCE

Article 35

Documentary, and identity ~~and physical~~ checks to be carried out on non-commercial movements of pet animals into a Member State from another Member State or a third country or territory listed pursuant to Article 13(1) and Article 14a

1. Without prejudice to Article 15, Member States shall carry out targeted or random documentary and identity checks, ~~and where necessary physical checks~~, on pet animals being moved for non-commercial purposes into a Member State from another Member State or from a third country or territory listed in the implementing act adopted pursuant to Article 13(1) **and Article 14a**, to verify in a non-discriminatory way compliance with Chapter II.
2. The owner or **an authorised person** ~~a natural person acting on behalf of and in agreement with the owner~~ at the time of any non-commercial movement into a Member State from another Member State or a third country or territory listed pursuant to Article 13(1) **and Article 14a** shall, at the request of the competent authority responsible for the checks provided for in paragraph 1 of this Article:

- (a) present the identification document which ~~demonstrates~~ **certifies** compliance with the requirements for such movement; ~~in the format provided for in:~~
 - ~~(i) Article 22(1), or~~
 - ~~(ii) Article 23(1);~~
- (b) make the pet animal available for those checks.

Article 36

Documentary, and identity and physical checks to be carried out on non-commercial movements into a Member State from a third country or territory other than those listed in accordance with Article 13(1) and Article 14a

1. The non-commercial movement of pet animals into a Member State from a third country or territory other than those listed in the implementing act adopted pursuant to Article 13(1) **and Article 14a** shall be subject to documentary and identity checks, ~~and where necessary physical checks,~~ by the competent authority at the travellers' point of entry **to verify compliance with Chapter III.**
2. The owner or **an authorised person** ~~a or a natural person acting on behalf of and in agreement with the owner,~~ **shall** at the time of entry into a Member State from a third country or territory other than those listed in the implementing act adopted pursuant to Article 13(1) **and Article 14a, make direct contact with** shall at the request of the competent authority **present at the traveller's point of entry for the purpose of the checks referred to** ~~provided for in paragraph 1~~ **and:**
 - (a) present the identification document **of the pet animal** which ~~demonstrates~~ **certifies** compliance with the requirements for such movement; ~~in the format provided for in:~~
 - ~~(i) Article 26(1), or~~
 - ~~(ii) Article 27(b)~~
 - (b) make the pet animal available for those checks.
3. Member States shall draw up and keep up-to-date a list of travellers' points of entry.

4. Member States shall ensure that the competent authority that they have designated to carry out checks provided for in paragraph 1:
- (a) is fully informed of the rules laid down in Chapter III and the officials of the competent authority have the necessary training to implement them;
 - (b) keeps records of the **number of** checks that have been carried out **and of non compliances revealed during these checks**;
 - (c) [documents the checks that have been carried out in the identification document]; referred to in:
 - (i) ~~Article 10(e), or~~
 - (ii) ~~Article 27(b).~~

Article 37
Actions in case of non-compliance ~~with~~ revealed during the checks provided for in Articles 35 and 36

1. Where the checks provided for in Articles 35 and 36 reveal that a pet animal does not comply with the conditions laid down in Chapters II and III, the competent authority shall decide, after consultation with the official veterinarian, and **where necessary with the owner**, to:
- (a) return the pet animal to its country or territory of dispatch, or
 - (b) isolate the pet animal, ~~at the expense of the owner~~, under official control for the time necessary for it to comply with the conditions laid down in Chapters II and III, or
 - (c) **as a last resort**, put the pet animal down, ~~without financial compensation to the owner or the natural person acting on behalf of and in agreement with the owner~~, where its return is not possible or isolation is not practical.
2. Where the non-commercial movement of pet animals into the Union is refused by the competent authority, **the pet animals** shall be housed under official control pending:
- (a) their return to their country or territory of dispatch, or

(b) the adoption of any other administrative decision concerning those pet animals.

3. **The measures referred to in paragraphs 1 and 2 shall be applied at the expense of the owner and without the possibility of any financial compensation.**

Article 38

Safeguard measures for rabies

Where rabies occurs or spreads in a Member State, a third country or territory and is liable to represent a serious threat to public or animal health, the Commission may, acting on its own initiative or at the request of a Member State, adopt one of the following measures, by means of an implementing act, without delay and depending on the gravity of the situation:

- (a) suspend the non-commercial movement or transit of pet animals **of the species listed in Part A of Annex I** from all or part of the territory of the Member State or third country or territory concerned;
- (b) lay down special conditions in respect of non-commercial movements of pet animals **of the species listed in Part A of Annex I** coming from all or part of the Member State or third country or territory concerned.

Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 43(2).

On duly justified imperative grounds of urgency to contain or address a serious risk to public or animal health, the Commission shall adopt immediately applicable implementing acts in accordance with the procedure referred to in Article 43(3).

Article 39

Information obligations

1. By [*date to be inserted: one year after entry into force of this Regulation*] at the latest, Member States shall provide the public with clear and easily accessible information concerning the **animal health requirements applicable to the non commercial movement of pet animals and the rules for checks on such movement laid down in this Regulation, and in particular the** following:

- (a) the ~~qualifications required~~ **requirements** for the implantation of the transponder as provided for in Article 17;
- (b) the authorisation to derogate from the anti-rabies vaccination condition for young pet animals of the species listed in Part A of Annex I as provided for in Articles 6 and 11;
- (c) the conditions applicable to the non-commercial movement into their territory of pet animals ~~of the species listed in Annex I~~:
 - (i) which do not comply with Articles 5, 9, 10 and 14;
 - (ii) which come from certain countries and territories under conditions laid down by their national rules as provided for in Article 15;
- (d) the list of travellers' points of entry as required by Article 36(3), including the competent authority designated to carry out the checks as provided for in Article 36(4);
- (e) the conditions applicable to the non-commercial movement into their territory of pet animals of the species listed in Part B of Annex I, laid down by their national rules as provided for in Article 14(2);
- (f) **information on anti-rabies vaccines to which they have granted an authorisation as provided for in paragraph 1(b) of Annex IV and in particular any recommendations regarding the protocol of use.**

2. In order to ensure uniform application of the information requirements provided for in paragraph 1, the Commission may adopt implementing acts. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 43(2).

SECTION 3

PROCEDURAL PROVISIONS

Article 40

Scope of delegated acts

1. In order to take into account technical progress, scientific developments and the protection of public health or the health of pet animals ~~of the species listed in Annex I~~, the Commission shall be empowered to adopt delegated acts in accordance with Article 41 to amend Annexes II to V to this Regulation.
2. [In order to avoid commercial movement fraudulently disguised as non-commercial movement of pet animals, the Commission shall be empowered to adopt delegated acts in accordance with Article 41 to lay down rules limiting the number of pet animals ~~of the species listed in Annex I~~ that may accompany the owner or **an authorised person** ~~a natural person acting on behalf of and in agreement with the owner~~ for a single non-commercial movement.]

Article 41

Exercise of the delegation

1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.
2. **The power to adopt delegated acts** ~~The delegation of power~~ referred to in Article 7(1), the second subparagraph of Article 16(2), the first subparagraph of Article 18(1) and Article 40 shall be conferred on the Commission for an indeterminate period of time from (*).

(*) *Date of entry into force of the basic legislative act or any other date set by the legislator.*

3. **The power to adopt delegated acts** ~~The delegation of power~~ referred to in Article 7(1), the second subparagraph of Article 16(2), the first subparagraph of Article 18(1) and Article 40 may be revoked at any time by the European Parliament or by the Council. A decision **to revoke** ~~of revocation~~ shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the *Official Journal of the European Union* or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.
4. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.
5. A delegated act adopted pursuant to Article 7(1), the second subparagraph of Article 16(2), the first subparagraph of Article 18(1) and Article 40 shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or the Council.

Article 42

Urgency procedure

1. Delegated acts adopted under this Article shall enter into force without delay and shall apply as long as no objection is expressed in accordance with paragraph 2. The notification of a delegated act to the European Parliament and to the Council shall state the reasons for the use of the urgency procedure.
2. Either the European Parliament or the Council may object to a delegated act in accordance with the procedure referred to in Article 41(5). In such a case, the Commission shall repeal the act without delay following the notification of the decision to object by the European Parliament or by the Council.

Article 43

Committee procedure

1. The Commission shall be assisted by the Standing Committee on the Food Chain and Animal Health established by Article 58 of Regulation (EC) No 178/2002 **of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety**¹. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.

2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.

Where the opinion of the committee is to be obtained by written procedure, that procedure shall be terminated without result when, within the time-limit for delivery of the opinion, the chair of the committee so decides or a simple majority of committee members so requests.

3. Where reference is made to this paragraph, Article 8 of Regulation (EU) No 182/2011, in conjunction with Article 5 thereof, shall apply.

Article 44

Penalties

The Member States shall lay down the rules on penalties applicable to infringements of this Regulation and shall take all measures necessary to ensure that they are implemented. The penalties provided for must be effective, proportionate and dissuasive.

The Member States shall notify those provisions to the Commission by [*date to be inserted: one year after entry into force of this Regulation*] at the latest and shall notify it without delay of any subsequent amendments affecting them.

¹ OJ L 31, 1.2.2002, p.1.

CHAPTER VII
TRANSITIONAL AND FINAL PROVISIONS

Article 45

Repeal

1. Regulation (EC) No 998/2003 shall be repealed with effect from [*date to be inserted: one year after entry into force of this Regulation*].

References in this Regulation to the list in the implementing act adopted pursuant to Article 13(1) or (2) shall be construed as references to the list of third countries and territories set out in Section 2 of Part B or in Part C of Annex II to Regulation (EC) No 998/2003 until the entry into force of that implementing act.

2. References to the repealed Regulation shall be construed as references to this Regulation and shall be read in accordance with the correlation table in Annex VI.
3. **The repeal of the Regulation referred to in paragraph 1 shall be without prejudice to the maintenance in force of Commission Delegated Regulation No 1152/2011 adopted on the basis of Article 5(1) of that Regulation.**

Article 46

Transitional measures regarding identification documents

1. By way of derogation from Article 21(1), the identification document shall be deemed to comply with this Regulation where:
 - (a) it is drawn up in accordance with the model passport established by Decision 2003/803/EC;
 - (b) it has been issued not later than one year from the date of entry into force of the implementing act adopted pursuant to Article 21 (1).

2. By way of derogation from Article 25(1), the identification document shall be deemed to comply with this Regulation where:

- (a) it is drawn up in accordance with the model certificate set out in Annex II to Decision 2011/874/EU;
- (b) it has been issued not later than one year from the date of entry into force of the implementing act adopted pursuant to Article 25(1).

Article 47

Entry into force and applicability

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

It shall apply from xxxx [*date to be inserted: one year after entry into force of this Regulation*].

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

For the European Parliament
The President

For the Council
The President

ANNEX I

Species of pet animals

PART A

Dogs (*Canis lupus familiaris*)

Cats (*Felis silvestris catus*)

Ferrets (*Mustela putorius furo*)

PART B

Invertebrates (except bees and bumble bees **covered by Article 8 of** ~~falling within the scope of Directive 92/65/EEC~~ and molluscs and crustaceans ~~falling within the scope of~~ **as defined in Article 3 of** Directive 2006/88/EC)

Ornamental aquatic animals reared in non-commercial aquaria (excluded from the scope of Directive 2006/88/EC **by Article 2 thereof**)

Amphibia

Reptiles

Birds: all species of birds except ~~poultry falling within the scope of~~ **birds covered by Article 7 of** Directives 92/65/EEC **and poultry as defined in Article 2 of** 2009/158/EC)

Mammals: ~~rodents and domestic rabbits~~ **other than those covered by Article 9 of Directive 92/65/EEC and rodents and rabbits other than those defined under 'lagomorphs' in Annex I to Regulation (EC) No 853/2004.**

ANNEX II

[List of Member States as defined in Article 3(f)]

Country code	Country	Included territories
BE	Belgium	
BG	Bulgaria	
CZ	Czech Republic	
DK	Denmark	The Faroe Islands and Greenland
DE	Germany	
EE	Estonia	
IE	Ireland	
EL	Greece	
ES	Spain	The Balearic Islands, the Canary Islands, Ceuta and Melilla
FR	France	French Guiana, Guadeloupe, Martinique and Réunion
IT	Italy	
CY	Cyprus	
LV	Latvia	
LT	Lithuania	
LU	Luxembourg	
HU	Hungary	
MT	Malta	
NL	Netherlands	
AT	Austria	
PL	Poland	
PT	Portugal	The Azores and Madeira
RO	Romania	
SI	Slovenia	

SK	Slovakia	
FI	Finland	
SE	Sweden	
UK	United Kingdom	The Channel Islands and the Isle of Man
GI	Gibraltar	

]

ANNEX III

Technical requirements for transponders as defined in Article 3(d)

The transponders shall ~~be a read-only passive radio frequency identification device:~~

- (a) ~~complying~~ with ISO Standard 11784 and ~~applying~~ HDX or FDX-B technology;
- (b) **be** capable of being read by a reading device compatible with ISO Standard 11785.

ANNEX IV

Validity requirements for anti-rabies vaccinations

1. The anti-rabies vaccine must:
 - (a) be a vaccine other than a live modified vaccine and fall within one of the following categories:
 - (i) an inactivated vaccine of at least one antigenic unit per dose (recommendation from the World Health Organisation), or
 - (ii) a recombinant vaccine expressing the immunising glycoprotein of the rabies virus in a live virus vector;
 - (b) where it is administered in a Member State, ~~it must~~ have been granted a marketing authorisation in accordance with:
 - (i) Article 5 of Directive 2001/82/EC, or
 - (ii) Article 3 of Regulation (EC) No 726/2004;
 - (c) where it is administered in a third country, ~~it must~~ have been granted an approval or a licence by the competent authority and meet at least the requirements laid down in the relevant part of the Chapter concerning rabies in the Manual of Diagnostic Tests and Vaccines for Terrestrial Animals of the World Organisation for Animal Health.
2. An anti-rabies vaccination must meet the following conditions:
 - (a) the vaccine was administered by **an authorised** veterinarian ~~authorised by the competent authority~~;
 - (ab) **the animal was at least twelve weeks of age at the time of vaccination;**
 - (b) the date of administration **of the vaccine** is indicated by **an authorised** veterinarian ~~authorised by the competent authority~~ **or an official veterinarian** in the appropriate section of the identification document ~~in the format provided for in Article 22(1) or Article 26(1)~~;

- (c) the date of administration referred to in point (b) does not precede the date of **application of the transponder** ~~microchipping or tattooing~~ or **the date of reading of the transponder or the tattoo** indicated in the appropriate section of the identification document ~~in the format provided for in Article 22(1) or Article 26(1)~~;
- (d) **the period of validity** ~~It~~ starts from the establishment of protective immunity, which shall not be less than 21 days from the completion of the vaccination protocol required by the manufacturer for the primary vaccination, and continues until the end of the period of protective immunity, as prescribed in the technical specification of the marketing authorisation referred to in point 1(b) or the approval or licence referred to in point 1(c) for the anti-rabies vaccine in the Member State or third country or territory where the vaccine is administered;
- The period of validity of the vaccination is indicated by ~~the~~ **an** authorised veterinarian **or an official veterinarian** in the appropriate section of the identification document ~~in the format provided for in Article 22(1) or Article 26(1)~~.
- (e) a revaccination must be considered a primary vaccination if it was not carried out within the period of validity referred to in point (d) of the previous vaccination.

ANNEX V

Validity requirements for the rabies antibody titration test

1. The collection of the sample of blood necessary to carry out the rabies antibody titration test must be carried out and documented by **an authorised** veterinarian ~~authorised by the competent authority~~ in the appropriate section of the identification document ~~in the format provided for in Article 22(1) or Article 26(1)~~;
2. The rabies antibody titration test ~~must~~:
 - (a) **must** be carried out on a sample collected at least 30 days after the date of vaccination and
 - (i) not less than three months before the date of:
 - the non-commercial movement from a third country or territory other than those listed in the implementing acts adopted pursuant to Article 13, or
 - the transit through such third country or territory, where the conditions laid down in Article 12(b) are not fulfilled;
 - or
 - (ii) before the pet animal left the Union for a movement to or transit through a third country or territory other than those listed in the implementing acts adopted pursuant to Article 13; the identification document in the format provided for in Article 22(1) must confirm that a rabies antibody titration test was carried out with a favourable result before the date of movement;
 - (b) **must** measure a level of neutralising antibody to rabies virus in serum equal to or greater than 0.5 IU/ml and using a method prescribed in the relevant part of the Chapter concerning rabies in the Manual of Diagnostic Tests and Vaccines for Terrestrial Animals of the World Organisation for Animal Health;

- (c) **must** be performed in a laboratory approved in accordance with Article 3 of Decision 2000/258/EC;
- (d) **has not to** be renewed following a satisfactory result described in point (b) of this Annex **paragraph** , provided that the animal is revaccinated in accordance with ~~point~~ **paragraph** 2(e) of Annex IV.

ANNEX VI

Correlation table
[referred to in Article 45(2)]

Regulation (EC) No 998/2003	This Regulation
Article 1	Article 1
First paragraph of Article 2	Article 2(1)
Second paragraph of Article 2	Article 2(2)(a)
Third paragraph of Article 2	Article 2(2)(b)
Point (a) of Article 3	Article 3(b)
Point (b) of Article 3	Article 3(e)
Point (c) of Article 3	Article 3(a)
Introductory phrase of the first subparagraph of Article 4(1)	---
Points (a) and (b) of the first subparagraph of Article 4(1)	First subparagraph of Article 16(1)
Second subparagraph of Article 4(1)	Second subparagraph of Article 16(1)
Article 4(2)	Article 21(1)(b)
Article 4(3)	---
Article 4(4)	---
Article 5(1)(a)	Article 5(a)
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