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THE EUROPEAN UNION**

**Brussels, 9 November 2012**

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from: General Secretariat  
to: Working Party of Agricultural Counsellors/Attaches

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No. prev. doc.: 12054/12  
No. Cion prop.: 7326/12 - COM(2012) 89 final

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Subject: Proposal for a Regulation of the European Parliament and of the Council on the non-commercial movement of pet animals

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In view of the meeting of the Working Party of Agricultural Counsellors/Attaches of 20 November 2012, delegations will find attached a table containing the amendments to the above Commission's proposal voted on 6 November 2012 by the European Parliament's Committee on Environment, Public Health and Food Safety (COMENVI).

These are presented together with the text of the original Commission's proposal, the amendments to the proposal introduced up to now in Council (as set out in document 12054/12) and the suggestions made by the Presidency in order to try to reconcile the views of the three Institutions.

| <b>COMMISSION proposal<br/>COM(2012) 89 final</b>   | <b>EP COMENVI amendments<br/>As voted on 6/11/2012</b> | <b>Position in COUNCIL<br/>As in document 12054/12</b>   | <b>PRESIDENCY<br/>suggestions</b>                                |
|---|--|--|--|
| <b>Recital 1</b>  |  |  |  |
| (1) 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 <sup>1</sup> lays down the animal health requirements applicable to non-commercial movements of pet animals into a Member State from another Member State or from third countries and the checks applicable to such movements. It aims to ensure a sufficient level of safety with regard to the public or animal health risks involved in those non-commercial movements and to remove any unjustified obstacles to such movements. | <b>Not amended</b>                                     | (1) 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 <sup>1</sup> [...] lays down the animal health requirements applicable to non-commercial movements of pet animals into a Member State from another Member State or from third countries and the checks applicable to such movements. It aims to ensure a sufficient level of safety with regard to the public or animal health risks involved in those non-commercial movements and to remove any unjustified obstacles to such movements. | <b>Propose to keep Council text.<br/>Legal Linguistic change</b> |
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<sup>1</sup> OJ L 146, 13.6.2003, p. 1.

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| <b>Recital 2</b>   |  |  |  |
|  | <b>Not Amended</b>                             |  |  |
| <p>(2) In a statement annexed to Regulation (EU) No 438/2010 of the European Parliament and of the Council<sup>1</sup> amending Regulation (EC) No 998/2003, the Commission undertook to propose a revision of Regulation (EC) No 998/2003 in its entirety, and, in particular, the aspects of delegated and implementing acts. Therefore, due to the entry into force of the Treaty, the powers conferred on the Commission under Regulation (EC) No 998/2003 need to be aligned with Articles 290 and 291 of that Treaty. Taking into account the number of amendments that need to be made to the animal health requirements laid down in Regulation (EC) No 998/2003 and in order to ensure that they are sufficiently clear and accessible to the ordinary citizen, that Regulation should be repealed and replaced by this Regulation.</p> |  | <p>(2) In a statement annexed to Regulation (EU) No 438/2010 of the European Parliament and of the Council <b><u>of 19 May 2010</u></b><sup>1</sup> amending Regulation (EC) No 998/2003, the Commission undertook to propose a revision of Regulation (EC) No 998/2003 in its entirety, and, in particular, the aspects of delegated and implementing acts. Therefore, due to the entry into force of the Treaty <b><u>on the functioning of the European Union (TFEU)</u></b>, the powers conferred on the Commission under Regulation (EC) No 998/2003 need to be aligned with Articles 290 and 291 of <b><u>TFEU</u></b>. Taking into account the number of amendments that need to be made to the animal health requirements laid down in Regulation (EC) No 998/2003 and in order to ensure that they are sufficiently clear and accessible to the ordinary citizen, that Regulation should be repealed and replaced by this Regulation.</p> | <p><b>Propose to keep Council text.</b><br/><b>Legal Linguistic change</b></p> |

<sup>1</sup> OJ L 132, 29.5.2010, p. 3.

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| <b>Recital 3</b>   |  |   |  |
| (3) Since the objective of this Regulation, namely to lay down public and animal health rules for the non-commercial movement of pet animals of the species listed in Annex I in order to prevent or minimise risks to public or animal health arising from those movements, cannot be sufficiently achieved by the Member States and can therefore be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty. In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve that objective. | <b>Not Amended</b>                             | (3) (Moved to Recital 39)   | See Recital 39   |
| <b>Recital 4</b>   |  |   |  |
| (4) This Regulation should establish a positive list of animal species to which harmonised animal health requirements should apply when animals of those species are kept as pet animals and moved for non-commercial purposes. When drawing up that list, account should be taken of their susceptibility to or role in the epidemiology of rabies.   | <b>Not Amended</b>                             | (4) This Regulation should establish a [...] list of animal species to which harmonised animal health requirements should apply when animals of those species are kept as pet animals and moved for non-commercial purposes. When drawing up that list, account should be taken of their susceptibility to or role in the epidemiology of rabies. | <p><b>Propose to keep Council text after introducing an additional change to replace "moved for non-commercial purposes" by "subject to non-commercial movement" which is the defined concept.</b></p> <p>(4) This Regulation should establish a [...] list of animal species to which harmonised animal health requirements should apply when animals of those species are kept as pet animals and <b>subject to non-commercial movements</b>. When drawing up that list, account should be taken of their susceptibility to or role in the epidemiology of rabies.</p> |

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| <b>Recital 5</b>  |  |   |  |
|   | <b>Amendment 1</b>   |   |  |
| (5) 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 <sup>1</sup> establishes <i>inter alia</i> the animal health requirements applicable to trade in and imports of dogs, cats and ferrets, which are animals of species susceptible to rabies. Because those species are also kept as pet animals and frequently moved for non-commercial purposes with their owner within and into the Union, this Regulation should lay down the animal health requirements applicable to the non-commercial movement of those species into Member States. Those species are listed in Part A of Annex I thereto. | (5) 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 establishes <i>inter alia</i> the animal health requirements applicable to trade in and imports of dogs, cats and ferrets, which are animals of species susceptible to rabies. Because those species are also kept as pet animals <b><i>that frequently accompany their owner or an authorised person</i></b> for non-commercial purposes within and into the Union, this Regulation should lay down the animal health requirements applicable to the non-commercial movement of those species into Member States. Those species are listed in Part A of Annex I thereto. | (5) 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 <sup>1</sup> establishes <i>inter alia</i> the animal health requirements applicable to trade in and imports of dogs, cats and ferrets, which are animals of species susceptible to rabies. Because those species are also kept as pet animals <b><i>that frequently accompany their owner or an authorised person during non-commercial movements</i></b> within and into the Union, this Regulation should lay down the animal health requirements applicable to the non-commercial movement of those species into Member States. Those species are listed in Part A of Annex I thereto. | <p><b>Acceptable with modification</b></p> <p><b>Suggest modifying "moved for non-commercial purposes" to “during non-commercial movements” as in recital 4.</b></p> <p>(5) 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<sup>1</sup> establishes <i>inter alia</i> the animal health requirements applicable to trade in and imports of dogs, cats and ferrets, which are animals of species susceptible to rabies. Because those species are also kept as pet animals <b><i>that frequently accompany their owner or an authorised person during non-commercial movements</i></b> within and into the Union, this Regulation should lay down the animal health requirements applicable to the non-commercial movement of those species into Member States. Those species are listed in Part A of Annex I thereto.</p> |

<sup>1</sup> OJ L 268, 14.9.1992, p. 54.

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| <b>Recital 6</b>  |  |   |  |
| (6) Similarly, a legal framework should be established for the animal health requirements applicable to the non-commercial movement of animals of species not affected by rabies or of no epidemiological significance as regards rabies, to which, if they were not kept as pet animals, other Union legislation would apply, including legislation on food-producing animals. Those species are listed in Part B of Annex I to this Regulation. | <b>Not amended</b>                             | <u>Not amended</u>  | <b>Keep Commission text</b>                                      |
| <b>Recital 7</b>  |  |   |  |
| (7) The list in Part B of Annex I should include invertebrates, with the exception of bees and bumble bees, covered by Directive 92/65/EEC, and molluscs and crustaceans, covered by Directive 2006/88/EC <sup>1</sup> . It should also include ornamental aquatic animals reared in non-commercial aquaria excluded from the scope of Directive 2006/88/EC, and amphibians and reptiles.   | <b>Not amended</b>                             | (7) The list in Part B of Annex I should include invertebrates, with the exception of bees and bumble bees covered by Directive 92/65/EEC, and molluscs and crustaceans, covered by <u>Council Directive 2006/88/EC of 24 October 2006 on animal health requirements for aquaculture animals and products thereof, and on the prevention and control of certain diseases in aquatic animals</u> <sup>1</sup> . It should also include ornamental aquatic animals reared in non-commercial aquaria excluded from the scope of Directive 2006/88/EC, and amphibians and reptiles. | <b>Propose to keep Council text.<br/>Legal Linguistic change</b> |

<sup>1</sup> OJ L 328, 24.11.2006, p. 14.

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| <b>Recital 8</b>   |  |   |  |
| <b>Amendment 2</b>   |  |   |  |
| (8) The list should further include all species of birds, except poultry falling within the scope of Directive 92/65/EEC and Council Directive 2009/158/EC of 30 November 2009 on animal health conditions governing intra-Community trade in, and imports from third countries of, poultry and hatching eggs <sup>1</sup> , and rodents and domestic rabbits. | <p>(8) The list should further include all species of birds, except poultry falling within the scope of Directive 92/65/EEC and Council Directive 2009/158/EC of 30 November 2009 on animal health conditions governing intra-Community trade in, and imports from third countries of, poultry and hatching eggs, and rodents <i>and rabbits, except those intended for the production of food defined in Annex 1 of Regulation (EC) No 853/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific hygiene rules for food of animal origin</i><sup>1</sup>.</p> <p><sup>1</sup><i>OJ L 139, p. 55.</i></p> | (8) The list should further include all species of birds, except poultry <b><u>as defined in</u></b> Council Directive 2009/158/EC of 30 November 2009 on animal health conditions governing intra-Community trade in, and imports from third countries of, poultry and hatching eggs <sup>1</sup> , and rodents and [...] rabbits <b><u>other than those intended for food production and defined in Annex I to Regulation EC No 853/2004.</u></b> | <p><b>Acceptable with modification</b></p> <p><b>Propose small redrafting to make the text clearer</b></p> <p>(8) The list should further include all species of birds, except poultry <b><u>as defined in</u></b> Council Directive 2009/158/EC of 30 November 2009 on animal health conditions governing intra-Community trade in, and imports from third countries of, poultry and hatching eggs, and rodents and [...] rabbits <b><u>other than those intended for the production of food defined in Annex 1 of Regulation (EC) No 853/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific hygiene rules for food of animal origin.</u></b></p> |

<sup>1</sup> OJ L 343, 22.12.2009, p. 74.

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| <b>Recital 9</b>  |  |  |   |
| (9) However, in the interest of consistency of Union legislation, pending the establishment of Union rules governing the non-commercial movement into a Member State from third countries or territories of pet animals of species listed in Part B, existing national rules should continue to apply to such movements provided that they are not stricter than those applied to imports of those animals for commercial purposes. | <b>Not amended</b>                             | (9) However, in the interest of consistency of Union legislation, pending the establishment of Union rules governing the non-commercial movement into a Member State <u>from another Member State or from a territory or a third country</u> of pet animals of species listed in Part B <u>of Annex I to this Regulation, [...] national rules could [...] apply to such movements provided that they are not stricter than those applied to imports of those animals for commercial purposes.</u> | <p><b>Need to be further discussed together with Articles 9 and 14 and recital 10.</b></p> <p><b>In any case, propose further clarification of the text of this recital:</b></p> <ul style="list-style-type: none"> <li>– to take account of the explanations of the Commission on the concept of territory (i.e. it does not refer only to third countries);</li> <li>– to specify better the annexes to which the text refers.</li> </ul> |
| <b>Recital 10</b>   |  |  |   |
| (10) Conversely and without prejudice to Article 3, Article 9(3) and Article 10a of Directive 92/65/EEC, Member States should not lay down any animal health requirements for the non-commercial movement into a Member State from another Member State of pet animals of species listed in Part B unless rules governing such movement are established in accordance with this Regulation.   | <b>Not amended</b>                             | <u>Deleted</u>   | <b>Need to be further discussed together with Articles 9 and 14 and recital 9.</b>  |



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| Recital 11  |  |   |   |
| (11) Because animals of the species listed in Part B may belong to species that require particular protection, this Regulation should apply without prejudice to Council Regulation (EC) No 338/97 of 9 December 1996 on the protection of species of wild fauna and flora by regulating trade therein <sup>1</sup> . | Not amended                                    | (11) Because animals of the species listed in Part B <b><u>of Annex I to this Regulation</u></b> may belong to species that require particular protection, this Regulation should apply without prejudice to Council Regulation (EC) No 338/97 of 9 December 1996 on the protection of species of wild fauna and flora by regulating trade therein <sup>1</sup> . | <b>Propose Council text</b><br><br><b>Clarification to specify better the annexes to which the text refers to</b> |

<sup>1</sup> OJ L 61, 3.3.1997, p. 1.

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| Recital 12   |   |   |  |
|  | <b>Amendment 3</b>  |   |  |
| (12) In order to make a clear distinction between the rules that apply to movements for non-commercial purposes and to trade in and imports into the Union from third countries of dogs, cats and ferrets covered by the animal health requirements of Directive 92/65/EEC, this Regulation should not only define a pet animal but also the non-commercial movement of such animals as a movement which does not, either directly or indirectly, involve or aim at a financial gain or a transfer of ownership. | (12) In order to make a clear distinction between the rules that apply to movements for non-commercial purposes and to trade in and imports into the Union from third countries of dogs, cats and ferrets covered by the animal health requirements of Directive 92/65/EEC, this Regulation should not only define a pet animal but also the non-commercial movement of such animals as a movement <i>in which this pet animal accompanies its owner or an authorised person. Experience has shown that it is not always possible for the pet animal to be in the immediate vicinity of the owner or authorised person at all times during such movements. In duly justified and documented situations the movement should be considered as being in the company of the owner or authorised person, if the movement of the pet animal is not interrupted for a period of more than five days.</i> | (12) In order to make a clear distinction between the rules that apply to <b><u>non-commercial</u></b> movements [...] and to trade in and imports into the Union from third countries of dogs, cats and ferrets covered by the animal health requirements of Directive 92/65/EEC, this Regulation should not only define a pet animal but also the non-commercial movement <b><u>during which such a pet animal is accompanying its owner or an authorised person. Experience shows that during such a non-commercial movement it is not always possible for the pet animal to be in the immediate proximity of its owner or of the authorised person at all times. On duly justified and documented grounds, the pet animal should be considered as accompanying its owner or the authorised person even where the movement of the pet animal is disconnected in time for not more than [five days] and/or in space from the movement of its owner or of the authorised person.</u></b> | <p><b>Acceptable with modification</b></p> <p><b>Propose to use the terms “non-commercial movements” and to specify further the concept of accompanying pet animal.</b></p> <p>(12) In order to make a clear distinction between the rules that apply to <b><u>non-commercial</u></b> movements [...] and to trade in and imports into the Union from third countries of dogs, cats and ferrets covered by the animal health requirements of Directive 92/65/EEC, this Regulation should not only define a pet animal but also the non-commercial movement <b><u>during which this pet animal accompanies its owner or an authorised person. Experience has shown that it is not always possible for the pet animal to be in the immediate vicinity of the owner or authorised person at all times during such a movement. On duly justified and documented grounds, the pet animal should be considered as accompanying its owner or the authorised person even if the movement of the pet animal is disconnected in time for not more than five days and/or in space from the movement of its owner or of the authorised person.</u></b></p> |

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| Recital 12a (New)                         |   |   |  |
|   | <b>Amendment 4</b><br><i>(12a) Experience with the application of the existing rules shows that trade in animals listed in Part A of Annex I can be fraudulently concealed. In order to prevent any development of such practices, this Regulation should fix a maximum number for pet animals listed in Part A of Annex I that may accompany their owner or an authorised person. The possibility of exceeding this maximum number should be available, but only under certain specified conditions.</i> | <b>(12a)</b> <u>Experience shows that commercial movements of animals of the species listed in Part A of Annex I to this Regulation can be fraudulently disguised as non-commercial movements. In order to prevent such practices developing, the maximum number of pet animals of the species listed in Part A of Annex I that can accompany their owner or an authorised person during a non-commercial movement should be established in this Regulation. Further, it should be clarified that when the maximum number of pet animals of the species listed in Part A of Annex I to this Regulation exceeds the established number, requirements of [...] Directive 92/65/EEC and checks of 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<sup>1</sup> or Council Directive 91/496/EEC of 15 July 1991 laying down the principles governing the organization of veterinary checks on animals entering the Community from third countries<sup>2</sup> apply to these animals.</u> | <p>Acceptable with modification</p> <p>Propose to specify better the annexes to which the text refers and the rules applicable when the established maximum number is exceeded.</p> <p><i>(12a) Experience with the application of the existing rules shows that trade in animals listed in Part A of Annex I to this Regulation can be fraudulently disguised as non-commercial movements. In order to prevent any development of such practices, this Regulation should fix a maximum number for pet animals listed in Part A of Annex I that may accompany their owner or an authorised person. However, the possibility of exceeding this maximum number should be available, but only under certain specified conditions. Further, it should be clarified that when the specified conditions are not fulfilled and the number of pet animals of the species listed in Part A of Annex I to this Regulation exceeds the established maximum number, requirements of Directive 92/65/EEC and checks of 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 or Council Directive 91/496/EEC of 15 July 1991 laying down the principles governing the organization of veterinary checks on animals entering the Community from third countries apply to these animals.</i></p> |

<sup>1</sup> OJ L 224, 18.8.1990, p. 29.

<sup>2</sup> OJ L 268, 24.9.1991, p.

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| Recital 13  |  |  |                           |
| (13) The improvement in the rabies situation in the Union prompted Ireland, Malta, Sweden and the United Kingdom to abandon the system of mandatory six months’ quarantine which they applied for decades to certain pet animals moving into their territories, in favour of the alternative, less restrictive system providing an equivalent level of safety laid down in Regulation (EC) No 998/2003. Those Member States are listed in Part A of Annex II to Regulation (EC) No 998/2003 and were to apply until 31 December 2011, in addition to a valid anti-rabies vaccination, a pre-entry check on the effectiveness of the anti-rabies vaccination to pet dogs and cats coming from the other Member States and certain third countries and territories in accordance with national rules. | Amendment 5                                    | <u>Deleted</u>                                 | Acceptable                |
|   | <i>deleted</i>                                 |  |                           |
| Recital 14  |  |  |                           |
| (14) Section 1 of Part B of Annex II to Regulation (EC) No 998/2003 sets out a list of the rest of the Member States, including countries and territories which are, for the purposes of that Regulation, considered part of those Member States because national movement conditions apply to animals of the species listed in Annex I thereto, or considered comparable to Member States, when those animals are moved for non-commercial purposes between the Member States and those countries and territories.   | Amendment 6                                    | <u>Deleted</u>                                 | Acceptable                |
|   | <i>deleted</i>                                 |  |                           |

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| Recital 15  |  |  |  |
| (15) Article 355(5)(c) of the Treaty and Regulation (EEC) No 706/73 of the Council of 12 March 1973 concerning the Community arrangements applicable to the Channel Islands and the Isle of Man for trade in agricultural products <sup>1</sup> provide that Union veterinary legislation applies to those islands, which, for the purposes of Regulation (EC) No 998/2003, are treated as part of the United Kingdom.  | Not amended                                    | <u>Deleted</u>                                 | Propose deletion of this recital : no need to keep it following the deletion of Annex II - See amendment 162 |
|   |  |  |  |
| Recital 16  |  |  |  |
| (16) In view of the end of the transitional regime provided for in Regulation (EC) No 998/2003 and in the interests of clarity of Union legislation, the list of Member States, including Ireland, Malta, Sweden and the United Kingdom, the territories which are part of Member States and Gibraltar, should be set out in Annex II to this Regulation, and this Regulation should clarify the animal health conditions applicable to the non-commercial movement of pet animals of the species listed in Part A of Annex I into a Member State from another Member State and from third countries and territories. | Amendment 7                                    | <u>Deleted</u>                                 | Acceptable   |
|   | <i>deleted</i>                                 |  |  |

<sup>1</sup> OJ L 68, 15.3.1973, p. 1.

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| Recital 17  |   |   |  |
| (17) Regulation (EC) No 998/2003 also provides that, for a transitional period, pet animals of the species listed in Parts A and B of Annex I thereto are to be regarded as identified when they bear either a clear readable tattoo or an electronic identification system ('transponder'). This Regulation should therefore clarify the rules for the marking of pet animals of the species listed in Part A of Annex I, including the qualifications required for those who carry out the marking, after expiry of the transitional period on 3 July 2011. | <b>Amendment 8</b><br>(17) Regulation (EC) No 998/2003 also provides that, for a transitional period, pet animals of the species listed in Parts A and B of Annex I thereto are to be regarded as identified when they bear either a clear readable tattoo or an electronic identification system ('transponder'). This Regulation should therefore <i>establish</i> the rules for the marking of pet animals of the species listed in Part A of <i>Annex I after</i> expiry of the transitional period on 3 July 2011. | (17) Regulation (EC) No 998/2003 also provides that, for a transitional period, pet animals of the species listed in Parts A and B of Annex I thereto are to be regarded as identified when they bear either a clear readable tattoo or an electronic identification system ('transponder'). This Regulation should therefore clarify the rules for the marking of pet animals of the species listed in Part A of Annex I <u>to this Regulation</u> after expiry of the transitional period on 3 July 2011. | <b>Acceptable with modification</b><br><br><b>Propose to specify better the annexes to which the text refers and a small redrafting.</b><br><br>(17) Regulation (EC) No 998/2003 also provides that, for a transitional period, pet animals of the species listed in Parts A and B of Annex I thereto are to be regarded as identified when they bear either a clear readable tattoo or an electronic identification system ('transponder'). This Regulation should therefore <u>provide</u> the rules for the marking of pet animals of the species listed in Part A of Annex I <u>to this Regulation</u> after expiry of the transitional period on 3 July 2011. |
| Recital 17a   |   |   |  |
|   | <b>Amendment 9</b><br>(17a) <i>In order to protect animal and human health and improve traceability, this Regulation should require that once they have been marked, animals of the species listed in Part A of Annex I should be registered on an authorised database, which is accessible across Member States from a central point of access.</i>  | Not existing  | <b>Not acceptable</b><br><br><b>The purpose of this Regulation is to establish animal health conditions for the non-commercial movements of pet animals into Member States and not to establish a traceability system for pet animals. There is no corresponding Article in the text.</b>  |

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| <b>Recital 17b (EP) 17a Council (New)</b>  |  |  |  |
|  | <b>Amendments 10</b><br><i>(17b) The implantation of a transponder is an invasive procedure and certain qualifications are required to carry it out. The implantation should therefore only be performed by a suitably qualified person approved by the competent authorities.</i> | <b>(17a) The implantation of transponders is an <u>invasive intervention that requires certain qualifications.</u> Therefore, if a Member State allows a person other than veterinarians to implant transponders, it should lay down rules on the minimum qualifications required for such a person.</b> | Acceptable with modification<br>Propose to align the text to the content of Article 17<br><i>(17a) The implantation of a transponder is an invasive <u>intervention</u> and certain qualifications are required to carry it out. The implantation should therefore only be performed by a suitably qualified person [...]. Therefore, if a Member State allows a person other than veterinarians to implant transponders, it should lay down rules on the minimum qualifications required for such a person.</i> |
| <b>Recital 18</b>  |  |  |  |
| (18) Annex Ia to Regulation (EC) No 998/2003 sets out technical requirements for the identification of pet animals by transponders. Those technical requirements correspond to internationally accepted standards and should be set out, without any substantial amendments being made to them, in Annex III to this Regulation. | <b>Not amended</b>   | <b><u>Not amended</u></b>  | Keep Commission text   |

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| <b>Recital 19</b>  |  |  |   |
| (19) In order to protect public health and the health of pet animals of the species listed in Annex I, this Regulation should provide for the possibility to adopt preventive health measures for diseases and infections other than rabies. Those measures should be based on validated scientific information and applied proportionately to the risk to public or animal health associated with the non-commercial movement of those animals likely to be affected by those diseases or infections. They should include rules for the categorisation of Member States or parts thereof, procedures under which Member States that require the application of preventive health measures should substantiate the rationale for such measures on a continuous basis, conditions for applying and documenting the preventive health measures and, where appropriate, conditions for derogating from their application. It should therefore also be provided that a list of Member States or parts thereof categorised pursuant to the rules for the categorisation of Member States or parts thereof is to be laid down in an implementing act to be adopted in accordance with this Regulation. | <b>Not amended</b>                             | (19) In order to protect public health and the health of pet animals of the species listed in Annex I <u>to</u> this Regulation, <u>it</u> should provide for the possibility to adopt preventive health measures for diseases and infections other than rabies. Those measures should be based on validated scientific information and applied proportionately to the risk to public or animal health associated with the non-commercial movement of those animals likely to be affected by those diseases or infections. They should include rules for the categorisation of Member States or parts thereof, procedures under which Member States that require the application of preventive health measures should substantiate the rationale for such measures on a continuous basis, conditions for applying and documenting the preventive health measures and, where appropriate, conditions for derogating from their application. It should therefore also be provided that a list of Member States or parts thereof categorised pursuant to the rules for the categorisation of Member States or parts thereof is to be laid down in an implementing act to be adopted in accordance with this Regulation. | <b>Propose Council text</b><br><br><b>Clarification to specify better the annexes to which the text refers.</b> |
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| <b>Recital 20</b>  |  |   |  |
|  | <b>Amendment 11</b>  |   |  |
| (20) Rabies vaccines administered to pet animals of the species listed in Part A of Annex I before the age of three months may not induce protective immunity due to competition with maternal antibodies. Consequently, vaccine manufacturers recommend not to vaccinate young animals before that age. Therefore, in order to authorise the non-commercial movement of young animals of the species listed in Part A of Annex I not vaccinated against rabies, this Regulation should establish certain precautionary measures to be taken and give the Member States the possibility to authorise such movement into their territory when young animals comply with those measures. | (20) Rabies vaccines administered to pet animals of the species listed in Part A of Annex I before the age of three months may not induce protective immunity due to competition with maternal antibodies. Consequently, vaccine manufacturers recommend not to vaccinate young animals before that age. Therefore, in order to authorise the non-commercial movement of young animals of the species listed in Part A of Annex I not vaccinated, <i>or vaccinated but not yet immunised</i> , against rabies, this Regulation should establish certain precautionary measures to be taken and give the Member States the possibility to authorise such movement into their territory when young animals comply with those measures. | (20) Rabies vaccines administered to pet animals of the species listed in Part A of Annex I <u>to this Regulation</u> before the age of three months may not induce protective immunity due to competition with maternal antibodies. Consequently, vaccine manufacturers recommend not to vaccinate young animals before that age. Therefore, in order to authorise the non-commercial movement of young animals of the species listed in Part A of Annex I <u>to this Regulation</u> not vaccinated <u>and/or vaccinated but not yet protected</u> against rabies, this Regulation should establish certain precautionary measures to be taken and give the Member States the possibility to authorise such movement into their territory when young animals comply with those measures. | <p><b>Acceptable with modification</b></p> <p><b>Propose to specify better the annexes to which the text refers and to align the wording with the one in the annexes to this Regulation.</b></p> <p>(20) Rabies vaccines administered to pet animals of the species listed in Part A of Annex I <u>to this Regulation</u> before the age of three months may not induce protective immunity due to competition with maternal antibodies. Consequently, vaccine manufacturers recommend not to vaccinate young animals before that age. Therefore, in order to authorise the non-commercial movement of young animals of the species listed in Part A of Annex I <u>to this Regulation</u> not vaccinated, <i>or vaccinated but not yet having acquired protective immunity</i> against rabies, this Regulation should establish certain precautionary measures to be taken and give the Member States the possibility to authorise such movement into their territory when young animals comply with those measures.</p> |

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| <b>Recital 21</b>   |  |  |  |
|   | <b>Amendment 12</b>  |  |  |
| (21) In order to simplify the conditions for the non-commercial movement of pet animals of the species listed in Part A of Annex I between Member States of equivalent favourable status with regard to rabies, this Regulation should also provide for the possibility to adopt conditions for derogating from the anti-rabies vaccination requirement. Such measures should be based on validated scientific information and applied proportionately to the risk to public or animal health associated with the non-commercial movement of those animals likely to be affected by rabies. They should include rules for the categorisation of Member States or parts thereof, and procedures under which Member States that require the application of the derogation should substantiate the rationale for such derogation on a continuous basis. It should also be provided that a list of Member States categorised pursuant to the rules for the categorisation of Member States or parts thereof is to be laid down in an implementing act to be adopted in accordance with this Regulation. | (21) In order to simplify the conditions for the non-commercial movement of pet animals of the species listed in Part A of Annex I between Member States of equivalent favourable status with regard to rabies <i>and posing a negligibly low risk of introducing rabies</i> , this Regulation should also provide for the possibility to adopt conditions for derogating from the anti-rabies vaccination requirement. Such measures should be based on validated scientific information and applied proportionately to the risk to public or animal health associated with the non-commercial movement of those animals likely to be affected by rabies. They should include rules for the categorisation of Member States or parts thereof, and procedures under which Member States that require the application of the derogation should substantiate the rationale for such derogation on a continuous basis. It should also be provided that a list of Member States categorised pursuant to the rules for the categorisation of Member States or parts thereof is to be laid down in an implementing act to be adopted in accordance with this Regulation. | (21) In order to simplify the conditions for the non-commercial movement of pet animals of the species listed in Part A of Annex I <u>to this Regulation</u> between Member States of equivalent favourable status with regard to rabies <u>and for which the risk of rabies introduction is considered to be negligible</u> , this Regulation should also provide for the possibility to adopt conditions for derogating from the anti-rabies vaccination requirement. Such measures should be based on validated scientific information and applied proportionately to the risk to public or animal health associated with the non-commercial movement of those animals likely to be affected by rabies. They should include rules for the categorisation of Member States or parts thereof, and procedures under which Member States that require the application of the derogation should substantiate the rationale for such derogation on a continuous basis. It should also be provided that a list of Member States categorised pursuant to the rules for the categorisation of Member States or parts thereof is to be laid down in an implementing act to be adopted in accordance with this Regulation. | <b>Acceptable with modification</b><br><b>Propose to specify better the annexes to which the text refers and a small redrafting.</b><br><br>(21) In order to simplify the conditions for the non-commercial movement of pet animals of the species listed in Part A of Annex I <u>to this Regulation</u> between Member States of equivalent favourable status with regard to rabies <u>and for which the risk of rabies introduction is considered to be negligible</u> , this Regulation should also provide for the possibility to adopt conditions for derogating from the anti-rabies vaccination requirement. Such measures should be based on validated scientific information and applied proportionately to the risk to public or animal health associated with the non-commercial movement of those animals likely to be affected by rabies. They should include rules for the categorisation of Member States or parts thereof, and procedures under which Member States that require the application of the derogation should substantiate the rationale for such derogation on a continuous basis. It should also be provided that a list of Member States categorised pursuant to the rules for the categorisation of Member States or parts thereof is to be laid down in an implementing act to be adopted in accordance with this Regulation. |

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| <b>Recital 22</b>   |   |  |  |
|   | <b>Amendment 13</b>   |  |  |
| (22) Countries and territories listed in Section 2 of Part B of Annex II to Regulation (EC) No 998/2003 apply rules equivalent to those applied by Member States while third countries and territories listed in Part C of Annex II to that Regulation comply with the criteria laid down in Article 10 of that Regulation. It should therefore be provided that those lists, without any substantial amendments being made to them, should be set out in an implementing act to be adopted within one year from the adoption of this Regulation. However, this Regulation should provide that the list of countries and territories set out in Section 2 of Part B and in Part C of Annex II to Regulation (EC) No 998/2003 should continue to apply for the purpose of this Regulation until that implementing act enters into force. | (22) Countries and territories listed in Section 2 of Part B of Annex II to Regulation (EC) No 998/2003 apply rules equivalent to those applied by Member States while third countries and territories listed in Part C of Annex II to that Regulation comply with the criteria laid down in Article 10 of that Regulation. It should therefore be provided that those lists, without any substantial amendments being made to them, should be set out in <i>a delegated act to be adopted within 18 months of the entry into force of this Regulation.</i> | (22) Countries and territories listed in Section 2 of Part B of Annex II to Regulation (EC) No 998/2003 apply rules equivalent to those applied by Member States while <u>those</u> listed in Part C of Annex II to that Regulation comply with the criteria laid down in Article 10 of that Regulation. It should therefore be provided that those lists, without any substantial amendments being made to them, should be set out in an implementing act to be adopted <u>in accordance with</u> this Regulation. <u>[...]</u> . | <b>Need to be further discussed</b><br><br><b>Not acceptable?</b><br><br><b>There are no reasons to have different listing procedures of third countries.</b>  |
| <b>Recital 22a (New)</b>  |   |  |  |
|   | <b>Amendment 14</b>   |  |  |
|   | <i>(22a) A list containing those territories of a Member State or third countries that apply rules equivalent to those applied by Member States regarding pet animals listed in Part B of Annex I should be defined in a delegated act in accordance with the provisions of this Regulation.</i>  | (22a) <u>Further, it should be provided that a list of territories or third countries that apply rules equivalent to those of this Regulation for pet animals of the species listed in Part B of Annex I thereto should be set out in an implementing act to be adopted in accordance with this Regulation.</u>  | <b>Need to be further discussed</b><br><br><b>Not acceptable?</b><br><br><b>While the need for such a recital is acknowledged, there are no reasons to have different listing procedures of third countries.</b> |

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| <b>Recital 23</b>  |  |  |                           |
| (23) Regulation (EC) No 998/2003 lays down certain requirements for the non-commercial movement of pet animals into Member States from other Member States and from countries or territories listed in Section 2 of Part B and in Part C of Annex I thereto, which <i>inter alia</i> include a valid anti-rabies vaccination carried out on the pet animals in question with vaccines complying with the minimum standards as laid down in the relevant Chapter of the Manual of Diagnostic Tests and Vaccines for Terrestrial Animals of the World Organisation for Animal health (OIE), or for which a marketing authorisation has been granted in accordance with either Directive 2001/82/EC of the European Parliament and of the Council of 6 November 2001 on the Community code relating to veterinary medicinal products <sup>1</sup> or Regulation (EC) No 726/2004 of the European Parliament and of the Council of 31 March 2004 laying down Community procedures for the authorisation and supervision of medicinal products for human and veterinary use and establishing a European Medicines Agency <sup>2</sup> . Those vaccines have proven to be effective in protecting animals against rabies and form part of the validity requirements for the anti-rabies vaccination set out in Annex Ib to Regulation (EC) No 998/2003. Those requirements, without any substantial amendments being made to them, should be set out in Annex IV to this Regulation. | Not amended                                    | <u>Not amended</u>                             | Keep Commission text      |
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<sup>1</sup> OJ L 311, 28.11.2001, p. 1.

<sup>2</sup> OJ L 136, 30.4.2004, p. 1.

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| <b>Recital 24</b>   |  |   |  |
| (24) Regulation (EC) No 998/2003 lays down more stringent animal health requirements for pet animals moved into Member States from third countries or territories other than those listed in Part C of Annex II thereto. Those requirements include checks on the effectiveness in individual animals of the anti-rabies vaccination by titration of antibodies in a laboratory approved in accordance with Council Decision 2000/258/EC of 20 March 2000 designating a specific institute responsible for establishing the criteria necessary for standardising the serological tests to monitor the effectiveness of rabies vaccines <sup>1</sup> . That requirement should therefore be maintained in Annex V to this Regulation and a condition should be included that the test should be performed in accordance with the methods laid down in the relevant Chapter of the OIE Manual of Diagnostic Tests and Vaccines for Terrestrial Animals. | <b>Not amended</b>                             | (24) Regulation (EC) No 998/2003 lays down more stringent animal health requirements for pet animals moved into Member States from [...] countries or territories other than those listed in Part C of Annex II thereto. Those requirements include checks on the effectiveness in individual animals of the anti-rabies vaccination by titration of antibodies in a laboratory approved in accordance with Council Decision 2000/258/EC of 20 March 2000 designating a specific institute responsible for establishing the criteria necessary for standardising the serological tests to monitor the effectiveness of rabies vaccines <sup>1</sup> . That requirement should therefore be maintained in Annex V to this Regulation and a condition should be included that the test should be performed in accordance with the methods laid down in the relevant Chapter of the OIE Manual of Diagnostic Tests and Vaccines for Terrestrial Animals. | <b>Propose Council text</b><br><br><b>Clarification to make the text consistent with the wording currently used in Regulation (EC) No 998/2003</b> |
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<sup>1</sup> OJ L 79, 30.3.2000, p. 40.

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| Recital 25   |   |   |   |
| (25) Identification documents accompanying pet animals of the species listed in Part A of Annex I which are moved for non-commercial purposes into Member States are necessary to attest compliance with the conditions of this Regulation. The Regulation should therefore establish the conditions for issuing the identification documents and the requirements for their content, validity and format. | <b>Amendment 15</b><br>(25) Identification documents accompanying pet animals of the species listed in Part A of Annex I which are moved for non-commercial purposes into Member States are necessary to attest compliance with the conditions of this Regulation. The Regulation should therefore establish the conditions for issuing the identification documents and the requirements for their content, validity, <i>safety features</i> and format. | (25) Identification documents accompanying pet animals of the species listed in Part A of Annex I <b><u>to this Regulation</u></b> which are moved for non-commercial purposes into Member States are necessary to attest compliance with the conditions of this Regulation. <b><u>This</u></b> Regulation should therefore establish the conditions for issuing the identification documents and the requirements for their content, validity, <b><u>security features or layout</u></b> . | <b>Acceptable with modification</b><br><br><b>Propose to specify better the annexes to which the text refers and additional changes to avoid the use of "non-commercial purposes".</b><br><br>(25) Identification documents accompanying pet animals of the species listed in Part A of Annex I <b><u>to this Regulation</u></b> which are <b><u>subject to non-commercial movements</u></b> into Member States are necessary to attest compliance with the conditions of this Regulation. <b><u>This</u></b> Regulation should therefore establish the conditions for issuing the identification documents and the requirements for their content, validity, <b><u>security features, format or layout</u></b> . |

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| <b>Recital 26</b>   |  |  |   |
| (26) This Regulation should allow Member States to authorise the non-commercial movement onto their territory of pet animals of the species listed in Part A of Annex I accompanied by an identification document issued in a third country or territory which applies rules equivalent to those applied by Member States. It should also allow Member States to authorise the non-commercial movement onto their territory after a temporary movement in a third country or territory of those pet animals accompanied by an identification document issued in a Member State provided that the conditions to return from those countries or territories are met before the animal left the Union. | <b>Not amended</b>                             | (26) This Regulation should allow Member States to authorise the non-commercial movement <u>into</u> their territory of pet animals of the species listed in Part A of Annex I <u>thereto</u> accompanied by an identification document issued in a territory or a third country which applies rules equivalent to those applied by Member States. It should also allow Member States to authorise the non-commercial movement <u>into</u> their territory after a [...] movement in a <u>territory or a third country</u> of those pet animals accompanied by an identification document issued in a Member State provided that the conditions to return from those <u>territories or third</u> countries are met before the animal left the Union. | <b>Propose Council text</b><br><br><b>Clarification of the text:</b> <ul style="list-style-type: none"> <li>– <b>to take account of the explanations of the Commission on the concept of territory (i.e. it does not refer only to third countries);</b></li> <li>– <b>to specify better the annexes to which the text refers.</b></li> </ul> |
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| Recital 27   |   |   |  |
|  | <b>Amendments 16</b>  |   |  |
| (27) This Regulation should also give the Member States the possibility to authorise, where the need for an urgent departure arises, the direct entry onto their territory of pet animals of the species listed in Annex I which do not comply with the conditions provided for in this Regulation provided that a permit is applied for in advance and granted by the Member State of destination, and a time-limited quarantine under official supervision is carried out to meet those conditions. Despite the need for such urgent departure, such permit should be indispensable due to the animal health risks arising from the introduction into the Union of a pet animal not complying with the conditions provided for in this Regulation. | (27) This Regulation should also give the Member States the possibility to authorise, where the need for an urgent departure <i>of the owner</i> arises – <i>for example, in the event of a sudden natural disaster, political unrest or particularly serious personal emergencies</i> –, the direct entry onto their territory of pet animals of the species listed in Annex I which do not comply with the conditions provided for in this Regulation provided that a permit is applied for in advance and granted by the Member State of destination, and a time-limited quarantine under official supervision is carried out to meet those conditions. Despite the need for such urgent departure, such permit should be indispensable due to the animal health risks arising from the introduction into the Union of a pet animal not complying with the conditions provided for in this Regulation. | (27) This Regulation should also give the Member States the possibility to authorise, where the need for an urgent departure <u>of the owner</u> arises, <u>for example due to a sudden natural catastrophe or a political conflict</u> , the direct entry <u>into</u> their territory of pet animals of the species listed in Annex I <u>thereto</u> which do not comply with the conditions provided for in this Regulation provided that a permit is applied for in advance and granted by the Member State of destination, and a time-limited <u>isolation</u> under official supervision is carried out to meet those conditions. Despite the need for such urgent departure, such permit should be indispensable due to the animal health risks arising from the introduction into the Union of a pet animal not complying with the conditions provided for in this Regulation. | <p><b>Acceptable with modification</b></p> <p><b>Propose to specify better the annexes to which the text refers and to avoid the use of the term "quarantine" that might be perceived in a restrictive manner.</b></p> <p>(27) This Regulation should also give the Member States the possibility to authorise, where the need for an urgent departure <i>of the owner</i> arises, <i>for example, in the event of a sudden natural disaster, political unrest or particularly serious personal emergencies</i>, the direct entry <u>into</u> their territory of pet animals of the species listed in Annex I <u>thereto</u> which do not comply with the conditions provided for in this Regulation provided that a permit is applied for in advance and granted by the Member State of destination, and a time-limited <u>isolation</u> under official supervision is carried out to meet those conditions. Despite the need for such urgent departure, such permit should be indispensable due to the animal health risks arising from the introduction into the Union of a pet animal not complying with the conditions provided for in this Regulation.</p> |



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| <b>Recital 28</b>  |  |  |   |
| (28) 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 <sup>1</sup> and 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 <sup>2</sup> do not apply to veterinary checks on pet animals accompanying travellers for non-commercial purposes. | <b>Not amended</b>                             | (28) <u>Directive 90/425/EEC and Directive 91/496/EEC [...]</u> do not apply to veterinary checks on pet animals accompanying travellers <u>during</u> non-commercial <u>movements</u> . | <b>Propose Council text</b><br><br><b>Legal linguistic change (those acts are already quoted in full in the new recital 12a).</b> |
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<sup>1</sup> OJ L 224, 18.8.1990, p. 29.

<sup>2</sup> OJ L 268, 24.9.1991, p. 56.

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| <b>Recital 29</b>   |   |   |   |
| <b>Amendment 17</b>   |   |   |   |
| <p>(29) Therefore, in order for the Member States to verify compliance with the rules laid down in this Regulation and to take the necessary action, this Regulation should require the person accompanying the pet animal to present the required identification document at the time of any non-commercial movement or entry into a Member State and provide for targeted or random documentary and identity checks on pet animals moving for non-commercial purposes into a Member State from another Member State.</p> <p>It should also require Member States to carry out systematic documentary and identity checks at designated entry points on pet animals moving for non-commercial purposes into a Member State from third countries or territories. Those checks should take account of the relevant principles of Regulation (EC) No 882/2004 of the European Parliament and of the Council of 29 April 2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and welfare rules<sup>1</sup>.</p> | <p>(29) Therefore, in order for the Member States to verify compliance with the rules laid down in this Regulation and to take the necessary action, this Regulation should require the person accompanying the pet animal to present the required identification document at the time of any non-commercial movement or entry into a Member State and provide for targeted or random documentary and identity checks on pet animals moving for non-commercial purposes into a Member State from another Member State.</p> <p>It should also require Member States to carry out systematic documentary and identity checks at designated entry points on pet animals moving for non-commercial purposes into a Member State from third countries or territories. Those checks should take account of the relevant principles of Regulation (EC) No 882/2004 of the European Parliament and of the Council of 29 April 2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and welfare rules. <i><b>In order to be able to use the date of these checks to determine the period of validity of the identification document for further movements within the Union, Member States should be required to record proof of the checks in the identification document.</b></i></p> | <p>(29) Therefore, in order for the Member States to verify compliance with the rules laid down in this Regulation and to take the necessary action, this Regulation should require the person accompanying the pet animal to present the required identification document at the time of any non-commercial movement or entry into a Member State and provide for targeted or random documentary and identity checks on pet animals <u><b>accompanying their owner during a non-commercial movement</b></u> into a Member State from another Member State.</p> | <p><b>Acceptable with modification</b><br/> <b>Propose to split the recital into two recitals</b><br/> <b>First part of the recital: propose to avoid the use of the terms “ for non-commercial purposes”.</b></p> <p>(29) Therefore, in order for the Member States to verify compliance with the rules laid down in this Regulation and to take the necessary action, this Regulation should require the person accompanying the pet animal to present the required identification document at the time of any non-commercial movement or entry into a Member State and provide for targeted or random documentary and identity checks on pet animals <u><b>accompanying their owner during a non-commercial movement</b></u> into a Member State from another Member State.</p> <p><b>Second part of the recital propose to avoid the use of the terms “ for non-commercial purposes”, to take account of the explanations of the Commission on the concept of territory (i.e. it does not refer only to third countries) and to align the wording in the recital with the wording in the text.</b></p> <p><b>See text as proposed for recital 29a</b></p> |

<sup>1</sup> OJ L 165, 30.4.2004, p. 1.

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| <b>Recital 29a (New)</b>  |  |  |   |
|   |  | (29a) It should also require Member States to carry out systematic documentary and identity checks at designated entry points on pet animals <b><u>accompanying their owner during a non-commercial movement</u></b> into a Member State from <b><u>a territory or a third country</u></b> . Those checks should take account of the relevant principles of Regulation (EC) No 882/2004 of the European Parliament and of the Council of 29 April 2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and welfare rules <sup>1</sup> . <b><u>In order to allow for the date of these checks to be used to define the period of validity of the identification document for further movements within the Union, Member States should also be required to insert information regarding these checks in the identification document.</u></b> | (29a) It should also require Member States to carry out systematic documentary and identity checks at designated entry points on pet animals <b><u>accompanying their owner during a non-commercial movement</u></b> into a Member State from <b><u>a territory or a third country</u></b> . Those checks should take account of the relevant principles of Regulation (EC) No 882/2004 of the European Parliament and of the Council of 29 April 2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and welfare rules <sup>1</sup> . <i><b><u>In order to be able to use the date of these checks to determine the period of validity of the identification document for further movements within the Union, Member States should be required to document the checks in the identification document.</u></b></i> |
| <b>Recital 30</b>   |  |  |   |
| (30) In addition, this Regulation should provide for safeguard measures for the purpose of dealing with risks to public or animal health arising from the non-commercial movement of pet animals. | <b>Not amended</b>                             | <b><u>Not amended</u></b>  | <b>Keep Commission text</b>   |

<sup>1</sup> OJ L 165, 30.4.2004, p. 1.

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|--|--|--|---|
| <b>Recital 31</b>  |  |  |   |
|  | <b>Amendment 18</b>  |  |   |
| (31) With a view to providing the citizen with clear and accessible information concerning the rules that apply to the non-commercial movement into the Union of pet animals of the species listed in Annex I, Member States should be required to make that information, notably the relevant provisions of national law, available to the public within one year from the date of adoption of this Regulation. | (31) With a view to providing the citizen <i>and veterinarians</i> with clear and accessible information concerning the rules that apply to the non-commercial movement into the Union of pet animals of the species listed in Annex I, Member States should be required to make that information, notably the relevant provisions of national law, available to the public <i>and veterinarians</i> within one year from the date of adoption of this Regulation. | (31) With a view to providing the citizen with clear and accessible information concerning the rules that apply to the non-commercial movement into the Union of pet animals of the species listed in Annex I <b><u>to this Regulation</u></b> , Member States should be required to make that information, notably the relevant provisions of national law, available to the public <b><u>[...]</u></b> . | <p><b>Not necessary.</b><br/> <b>If information is made available to public, it will be available to veterinarians as well.</b><br/> <b>Propose instead to specify better the annexes to which the text refers and a legal linguistic change.</b></p> <p>(31) With a view to providing the citizen with clear and accessible information concerning the rules that apply to the non-commercial movement into the Union of pet animals of the species listed in Annex I <b><u>to this Regulation</u></b>, Member States should be required to make that information, notably the relevant provisions of national law, available to the public <b><u>[...]</u></b>.</p> |

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| Recital 32  |  |  |  |
| Not amended   |  |  |  |
| <p>(32) In order to ensure proper application of this Regulation, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of rules on the conditions for derogating from certain conditions applicable to the non-commercial movement between Member States of equivalent status with regard to rabies of pet animals of the species listed in Part A of Annex I, species-specific requirements for the marking of pet animals listed in Part B of Annex I thereto and species-specific preventive health measures against diseases or infections other than rabies affecting species of pet animals listed in Annex I thereto, as well as to adopt rules for limiting the number of pet animals of species listed in Annex I accompanying their owner during a non-commercial movement and to amend Annexes II to V thereto. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level.</p> <p>The Commission, when preparing and drawing up such delegated acts, should ensure simultaneous, timely and appropriate transmission of relevant documents to the European Parliament and Council.</p> |  | <p>(32) In order to ensure proper application of this Regulation, the power to adopt acts in accordance with Article 290 of the <b>TFEU</b> should be delegated to the Commission in respect of rules on the conditions for derogating from certain conditions applicable to the non-commercial movement between Member States of equivalent status with regard to rabies of pet animals of the species listed in Part A of Annex I <b>to this Regulation</b>, species-specific requirements for the marking of pet animals listed in Part B of Annex I thereto and species-specific preventive health measures against diseases or infections other than rabies affecting species of pet animals listed in Annex I thereto, as well as to adopt rules for limiting the number of pet animals of species listed <b>in Part B of Annex I thereto</b> accompanying their owner during a non-commercial movement and to amend Annexes II to V thereto. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level.</p> <p>The Commission, when preparing and drawing up [...] delegated acts, should ensure <b>a</b> simultaneous, timely and appropriate transmission of relevant documents to the European Parliament and Council.</p> | <p><b>Propose Council text</b></p> <p><b>Clarification of the text to specify better the annexes to which it refers and legal linguistic change</b></p> <p><b>NB : the change to refer to maximum number of pet animals of part B species only, is the result of the decision to introduce an Article 4a in this Regulation that already establishes a maximum number for pet animals of part A species.</b></p> |

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| <b>Recital 33</b>   |  |  |  |
| (33) In addition, the power to adopt acts in accordance with the urgency procedure should be delegated to the Commission in duly justified cases of risks to public or animal health in respect of preventive health measures against diseases or infections other than rabies likely to affect pet animals of the species listed in Annex I. | <b>Not amended</b>                             | (33) In addition, the power to adopt acts in accordance with the urgency procedure should be delegated to the Commission in duly justified cases of risks to public or animal health in respect of preventive health measures against diseases or infections other than rabies likely to affect pet animals of the species listed in Annex I <b><u>to this Regulation.</u></b> | <b>Propose Council text</b><br><br><b>Clarification of the text to specify better the annexes to which it refers</b> |

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| <b>Recital 34</b>   |   |  |   |
|   | <b>Amendment 19</b>   |  |   |
| (34) In order to ensure uniform conditions for the implementation of this Regulation with respect to the list of Member States or parts thereof categorised in accordance with the conditions for derogating from certain conditions applicable to the non-commercial movement between Member States of equivalent status with regard to rabies of pet animals of the species listed in Part A of Annex I and with the rules concerning preventive health measures against diseases and infections other than rabies and the lists of third countries or territories for the purpose of derogating from certain non-commercial movement conditions, the model for the identification documents that are to accompany pet animals of the species listed in Annex I being moved for non-commercial purposes into a Member State from another Member State or from a third country or territory, safeguard measures in the event of the occurrence or spread of rabies, and the uniform application of information requirements, implementing powers should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers <sup>1</sup> . | (34) In order to ensure uniform conditions for the implementation of this Regulation with respect to the list of Member States or parts thereof categorised in accordance with the conditions for derogating from certain conditions applicable to the non-commercial movement between Member States of equivalent status with regard to rabies of pet animals of the species listed in Part A of Annex I and with the rules concerning preventive health measures against diseases and infections other than rabies and the lists of third countries or territories for the purpose of derogating from certain non-commercial movement conditions, the model for the identification documents that are to accompany pet animals of the species listed in Annex I being moved for non-commercial purposes into a Member State from another Member State or from a third country or territory, safeguard measures in the event of the occurrence or spread of rabies, <i>disease or infection</i> , and the uniform application of information requirements, implementing powers should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers. | (34) In order to ensure uniform conditions for the implementation of this Regulation with respect to the list of Member States or parts thereof categorised in accordance with the conditions for derogating from certain conditions applicable to the non-commercial movement between Member States of equivalent status with regard to rabies of pet animals of the species listed in Part A of Annex I <u>to this Regulation</u> and with the rules concerning preventive health measures against diseases and infections other than rabies and the lists of <u>territories or third countries</u> for the purpose of derogating from certain conditions applicable to a non-commercial movement, the model for the identification documents that are to accompany pet animals of the species listed in Annex I <u>during the non-commercial movement</u> into a Member State from another Member State or from a <u>territory or a third country</u> , safeguard measures in the event of the occurrence or spread of <u>a disease or infection</u> , and the uniform application of information requirements, implementing powers should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers <sup>1</sup> . | <p><b>Acceptable with modifications</b></p> <p><b>Propose to specify better the annexes to which the text refers, to avoid the use of the terms “for non-commercial purposes”, to take account of the explanations of the Commission on the concept of "territory" and a small redrafting.</b></p> <p>(34) In order to ensure uniform conditions for the implementation of this Regulation with respect to the list of Member States or parts thereof categorised in accordance with the conditions for derogating from certain conditions applicable to the non-commercial movement between Member States of equivalent status with regard to rabies of pet animals of the species listed in Part A of Annex I <u>to this Regulation</u> and with the rules concerning preventive health measures against diseases and infections other than rabies and the lists of <u>territories or third countries</u> for the purpose of derogating from certain conditions applicable to a non-commercial movement, the model for the identification documents that are to accompany pet animals of the species listed in Annex I <u>during the non-commercial movement</u> into a Member State from another Member State or from a <u>territory or a third country</u>, safeguard measures in the event of the occurrence or spread of rabies <u>or of a disease or infection other than rabies</u>, and the uniform application of information requirements, implementing powers should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers<sup>1</sup>.</p> |

<sup>1</sup> OJ L 55, 28.2.2011, p. 13.

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| <b>Recital 35</b>   |  |   |   |
| (35) The Commission should adopt immediately applicable implementing acts updating the list of third countries or territories for the purpose of derogating from certain non-commercial movement conditions and regarding safeguard measures in the event of the occurrence or spread of rabies, where, in duly justified cases, related to animal and public health, imperative grounds of urgency so require. | <b>Amendment 20</b><br>(35) The Commission should adopt immediately applicable implementing acts updating the list of third countries or territories for the purpose of derogating from certain non-commercial movement conditions and regarding safeguard measures in the event of the occurrence or spread of rabies, <i>disease or infection</i> , where, in duly justified cases, related to animal and public health, imperative grounds of urgency so require. | (35) The Commission should adopt immediately applicable implementing acts updating the list of <u>territories or third countries</u> for the purpose of derogating from certain <u>conditions applicable to the non-commercial movement</u> and regarding safeguard measures in the event of the occurrence or spread of <u>a disease or infection</u> , where, in duly justified cases, related to animal and public health, imperative grounds of urgency so require. | <b>Acceptable with modifications</b><br><br><b>Propose to take account of the explanations of the Commission on the concept of "territory" and some redrafting.</b><br>(35) The Commission should adopt immediately applicable implementing acts updating the list of <u>territories or third countries</u> for the purpose of derogating from certain <u>conditions applicable to the non-commercial movement</u> and regarding safeguard measures in the event of the occurrence or spread of rabies <u>or of a disease or infection other than rabies</u> , where, in duly justified cases, related to animal and public health, imperative grounds of urgency so require. |
| <b>Recital 36</b>   |  |   |   |
| (36) Certain failures to comply with the rules laid down in Regulation (EC) No 998/2003 have been revealed in a number of Member States. Accordingly, Member States must lay down rules on penalties applicable to infringements of this Regulation.  | <b>Not amended</b>   | (36) Certain failures to comply with the rules laid down in Regulation (EC) No 998/2003 have been revealed in a number of Member States. Accordingly, Member States <u>should</u> lay down rules on penalties applicable to infringements of this Regulation.   | <b>Propose Council text</b><br><br><b>Legal linguistic change</b>   |



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| <b>Recital 37</b>   |  |   |   |
| (37) Commission Decision 2003/803/EC of 26 November 2003 establishing a model passport for the intra-Community movement of dogs, cats and ferrets <sup>1</sup> establishes the model passport for the movement of pet animals of the species dogs, cats and ferrets between Member States, as provided for in Regulation (EC) No 998/2003. Identification documents issued in accordance with that model passport should, subject to certain conditions, remain valid for the lifespan of the animal in order to limit the administrative and financial burden on owners.   | <b>Not amended</b>                             | <u>Not amended</u>  | <b>Keep Commission text</b>                                       |
| <b>Recital 38</b>   |  |   |   |
| (38) Commission Implementing Decision 2011/874/EU of 15 December 2011 laying down the list of third countries and territories authorised for imports of dogs, cats and ferrets and for non-commercial movements of more than five dogs, cats and ferrets into the Union and the model certificates for imports and non-commercial movements of those animals into the Union <sup>2</sup> establishes the model health certificate attesting compliance with the requirements of Regulation (EC) No 998/2003 for the non-commercial movements of five or less dogs, cats or ferrets into the Union. In order to give time to Member States to adapt to the new rules laid down in this Regulation, that model certificate should remain valid subject to certain conditions. | <b>Not amended</b>                             | (38) Commission Implementing Decision 2011/874/EU of 15 December 2011 laying down the list of third countries and territories authorised for imports of dogs, cats and ferrets and for non-commercial movements of more than five dogs, cats and ferrets into the Union and the model certificates for imports and non-commercial movements of those animals into the Union <sup>2</sup> establishes the model health certificate attesting compliance with the requirements of Regulation (EC) No 998/2003 for the non-commercial movements of five or less dogs, cats or ferrets into the Union. <b><u>For the purpose of ensuring a smooth transition</u></b> to the new rules laid down in this Regulation, that model certificate should remain valid subject to certain conditions. | <b>Propose Council text</b><br><br><b>Legal linguistic change</b> |

<sup>1</sup> OJ L 312, 27.11.2003, p. 1.

<sup>2</sup> OJ L 343, 23.12.2011, p. 65.

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| <b>Recital 39</b>                         |  |   |  |
|   | <b>Not amended</b>                             | <p><b><u>Current recital 3 of the Commission's proposal moved here and slightly amended</u></b></p> <p>(39) Since the objective of this Regulation, namely to lay down [...] animal health rules for the non-commercial movement of pet animals of the species listed in Annex I in order to prevent or minimise risks to public or animal health arising from those movements, cannot be sufficiently achieved by the Member States and can therefore be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty <b><u>on European Union</u></b>. In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve that objective,</p> | <p><b>Propose Council text</b></p> <p><b>Legal linguistic change and clarification</b></p> |

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| CHAPTER I<br>GENERAL PROVISIONS   |   |   |  |
| <i>Article 1</i>  |   |   |  |
| <i>Subject matter</i><br>This Regulation lays down the animal health requirements applicable to the non-commercial movement of pet animals and the rules for checks on such movements.                            | <b>Not amended</b>  | <i>Subject matter</i><br>This Regulation lays down the animal health requirements applicable to the non-commercial movement of pet animals and the rules for <b><u>compliance</u></b> checks on such movements. | <b>Propose Council text</b><br><b>Clarification in line with content of Articles 35 and 36</b>   |
| <i>Article 2 - Title and paragraph 1</i>  |   |   |  |
| <i>Scope</i><br>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. | <b>Amendment 21</b><br><i>Scope</i><br>1. This Regulation shall apply to the non-commercial movement of pet <b><i>animals</i></b> <b><i>into</i></b> a Member State from another Member State or from a third country or territory. | <i>Scope</i><br>1. This Regulation shall apply to the non-commercial movement of pet animals [...] into a Member State from another Member State or <b><u>from a territory or a third country.</u></b>          | <b>Acceptable with modification</b><br><b>Propose to take account of the explanation of the Commission on the concept of territory (i.e. it does not refer only to third countries).</b><br>1. This Regulation shall apply to the non-commercial movement of pet animals [...] into a Member State from another Member State or <b><u>from a territory or a third country.</u></b> |
| <i>Article 2 - paragraph 2 - introductory sentence</i>  |   |   |  |
| 2. This Regulation shall apply without prejudice to:  | <b>Not amended</b>  | <b><u>Not amended</u></b>   | <b>Keep Commission text</b>  |
| <i>Article 2 - paragraph 2 - point a</i>  |   |   |  |
| (a) Regulation (EC) No 338/97;  | <b>Not amended</b>  | <b><u>Not amended</u></b>   | <b>Keep Commission text</b>  |
| <i>Article 2 - paragraph 2 - point b</i>  |   |   |  |
| (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.                               | <b>Not amended</b>  | <b><u>Not amended</u></b>   | <b>Keep Commission text</b>  |

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| Article 3 - Title and introductory sentence  |   |  |   |
| Definitions<br>For the purposes of this Regulation, the following definitions shall apply:   | Not amended   | Not amended  | Keep Commission text  |
|  |   |  |   |
| Article 3 - point a  |   |  |   |
| (a) ‘non-commercial movement’ means any movement which does not, either directly or indirectly, involve or aim at a financial gain or a transfer of ownership;   | Amendment 22<br>(a) ‘non-commercial movement’ means any movement which does not <i>aim</i> either at <i>the sale of a pet animal</i> or <i>the</i> transfer of ownership <i>of the pet animal</i> ;   | (a) ‘non-commercial movement’ means any movement which does not [...] aim at <b><u>moving a pet animal in order to sell it or to transfer its ownership</u></b> ;  | Acceptable  |
| Article 3 - point b  |   |  |   |
| (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 a natural person acting on behalf of and in agreement with the owner, and which remains during such non-commercial movement under the responsibility of the owner or such person; | Amendment 23<br>(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 <b><i>an authorised</i></b> person, and which remains during such non-commercial movement under the responsibility of the owner or <b><i>the authorised</i></b> person; | (b) ‘pet animal’ means an animal of the species listed in Annex I accompanying <sub>2</sub> for the purposes of a non-commercial movement <sub>2</sub> its owner or <b><u>an authorised person</u></b> , and which remains during such non-commercial movement under the responsibility of the owner or such person; | Acceptable  |
| Article 3 - point c  |   |  |   |
| (c) ‘owner’ means a natural person who owns and possesses the pet animal;  | Amendment 24<br>(c) ‘owner’ means a natural person <b><i>or organisation</i></b> who <b><i>has a</i></b> pet animal <b><i>and is indicated as the owner in the identification document</i></b> ;  | (c) ‘owner’ means a natural person who owns [...] the pet animal;  | Acceptable with modification<br>Not acceptable to refer to organisation here as the scope of the proposal is to allow movement of the animal when there is a need for the owner to move. Further, this might jeopardize the system.<br>(c) ‘owner’ means a natural person [...] who <b><i>has a</i></b> pet animal <b><i>and is indicated as the owner in the identification document</i></b> ; |

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| <i>Article 3 - point ca (New)</i>  |  |  |   |
|  | <b>Amendment 25</b><br>(ca) <i>'authorised person' means any natural person who has authorisation in writing from the owner to carry out the non-commercial movement of the pet animal on his/her behalf;</i>  | (ca) <u>'authorised person' means a natural person authorised in writing by the owner to carry out, on his behalf, the non-commercial movement of his pet animal;</u>  | Acceptable  |
| <i>Article 3 - point d</i>   |  |  |   |
| (d) 'transponder' means a read-only passive radio frequency identification device;   | <b>Not amended</b>   | <u>Not amended</u>   | <u>Keep Commission text</u>   |
| <i>Article 3 - point e</i>   |  |  |   |
| (e) 'identification document' means any document enabling the pet animal to be clearly identified and its health status to be checked for compliance with this Regulation; | <b>Amendment 26</b><br>(e) 'identification document' means <i><b>the</b></i> document enabling the pet animal to be clearly identified and its health status to be checked for compliance with this Regulation <i><b>and which has been compiled in accordance with the provisions of this Regulation;</b></i> | (e) 'identification document' means <u><b>the</b></u> document enabling the pet animal to be clearly identified and its health status to be checked for compliance with this Regulation <u><b>and which model is to be drawn up in accordance with Articles 21(1), 25(1), 29(1) and 32(1);</b></u> | <b>Need to be discussed further. Acceptable with modification. The type of document is more important than the way it is compiled.</b><br><br>(e) 'identification document' means <u><b>the</b></u> document, <u><b>the model of which is drawn up in accordance with this Regulation [and in acts adopted on the basis hereof]</b></u> enabling the pet animal to be clearly identified and its health status to be checked for compliance with this Regulation; |

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| Article 3 - point f   |   |   |   |
| (f) ‘Member States’ means the countries and territories listed in Annex II;   | Amendment 27  | Deleted (replaced by definition of authorised veterinarian)<br><br>(f) definition of ‘ <u>authorised veterinarian</u> ’;                              | Acceptable  |
|   | deleted   |   |   |
| Article 3 - point g   |   |   |   |
| (g) ‘travellers’ point of entry’ means any check-in area designated by Member States for the purposes of Article 36(1). | Amendment 28  | (g) ‘travellers’ point of entry’ means any [...] area designated by Member States for the purposes of <u>the checks referred to in</u> Article 36(1); | Acceptable with modification<br><br>(g) ‘travellers’ point of entry’ means any area designated by Member States for the purposes of <u>the checks referred to in</u> Article 36(1); |
|   | (g) ‘travellers’ point of entry’ means any area designated by Member States for the purposes of <i>checking in</i> Article 36(1). |   |   |
| Article 3 - point ga (EP) fa (Council)(New)   |   |   |   |
|   | Amendment 29  | (fa) ‘ <u>official veterinarian</u> ’ means a <u>veterinarian appointed by the competent authority</u> ;  | Acceptable with modification<br><br><i>‘official veterinarian’ means any veterinarian appointed by the competent authority;</i>   |
|   | (ga) ‘ <i>official veterinarian</i> ’ means any veterinarian appointed by the competent authorities;                              |   |   |

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| <b>Article 3 - point gb (EP) point f (Council) (New)</b>   |   |   |  |
|  | <b>Amendment 30</b><br>(gb) 'authorised veterinarian' means any veterinarian is authorised by the competent authorities to carry out certain activities in accordance with this Regulation or with other provisions adopted on the basis of the Regulation; | (f) 'authorised veterinarian' means any veterinarian which <u>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;</u> | Acceptable with modification<br>'authorised veterinarian' means any veterinarian [...] authorised by the competent <u>authority</u> to carry out certain activities in accordance with this Regulation or with other provisions adopted on the basis of <u>this</u> Regulation;  |
| <b>Article 3 - point gc (EP) point h (Council) (New)</b>   |   |   |  |
|  | <b>Amendment 31</b><br>(gc) 'documentary check' means verification of the identification document accompanying the pet animal;  | (h) 'documentary checks' means <u>verification of the identification document accompanying the pet animal;</u>  | Acceptable with modifications<br>'documentary checks' means verification of the identification document accompanying the pet animal  |
| <b>Article 3 - point gd (EP) point I (Council) (New)</b>   |   |   |  |
|  | <b>Amendment 32</b><br>(gd) 'identity check' means checking that the identification document corresponds to the pet animal and its marking.   | (i) 'identity checks' means <u>verification for consistency between the identification document and the pet animal and for the presence and conformity of the marking;</u>  | Acceptable with modification<br>Propose some redrafting as the marking is not systematic for all species (e.g. part B species)<br>'identity checks' means <u>verification for consistency between the identification document and the pet animal and where appropriate for the presence and conformity of the marking.</u> |
| <b>Article 4</b>   |   |   |  |
| <b>General obligations</b><br>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. | <b>Not amended</b>  | Not amended   | Keep Commission text   |
|  |   |   |  |

| COMMISSION proposal<br>COM(2012) 89 final | EP COMENVI amendments<br>As voted on 6/11/2012  | Position in COUNCIL<br>As in document 12054/12   | PRESIDENCY suggestions   |
|---|---|--|--|
| <i>Article 4a - (New)</i>                 |   |  |  |
|   | <b>Amendment 33</b>   |  |  |
|   | <p><i>Maximum number of pet animals</i></p> <p>1. <i>The number of pet animals of the species listed in Part A of Annex I which may accompany the owner or an authorised person in the course of an individual movement may not exceed five.</i></p> <p>2. <i>By way of derogation from paragraph 1, the number of pet animals of the species listed in Part A of Annex I may exceed five if:</i></p> <p>(a) <i>the non-commercial movement of pet animals is for the purpose of participating in competitions, exhibitions or sporting events or in training for these events; and</i></p> <p>(b) <i>the owner or the authorised person is able to submit a written invitation and a written registration document, a receipt of online entry or proof of payment such as a bank transfer to the event to be attended under point (a), or has written evidence to prove that the pets are registered with an association that organises events mentioned under point (a) provided that these pets are above 6 months of age.</i></p> | <p><i>Maximum number of pet animals</i></p> <p>1. <u>The maximum number of pet animals of the species listed in Part A of Annex I that may accompany the owner or an authorised person during a single non-commercial movement shall not exceed five.</u></p> <p>2. <u>By way of derogation from paragraph 1, the maximum number of pet animals of the species listed in Part A of Annex I may exceed five where the owner or the authorised person can provide evidence that:</u></p> <p>(a) <u>the movement of the pet animals is a non-commercial movement for the purpose of participating in competitions, exhibitions, sporting or leisure events or training for those events; and</u></p> <p>(b) <u>the animals are registered with an association organising the events referred to in point (a).</u></p> | <p>Acceptable</p> <p>Acceptable with modification</p> <p>Propose further drafting improvements</p> <p>1. <i>The <u>maximum</u> number of pet animals of the species listed in Part A of Annex I which may accompany the owner or an authorised person <u>during a single non-commercial movement shall not exceed five.</u></i></p> <p>Acceptable with modification</p> <p>Propose further drafting improvements</p> <p>2. <i>By way of derogation from paragraph 1, the <u>maximum</u> number of pet animals of the species listed in Part A of Annex I may exceed five if:</i></p> <p>Acceptable</p> <p>Acceptable with modification</p> <p>Propose to simplify the text</p> <p>(b) <i>the owner or the authorised person <u>can provide written evidence that the pet animals are registered either to attend an event referred to in point (a), or with an association organising such events; and</u></i></p> <p>(c) <i>the pet animals are above 6 months of age</i></p> |



| COMMISSION proposal<br>COM(2012) 89 final | EP COMENVI amendments<br>As voted on 6/11/2012  | Position in COUNCIL<br>As in document 12054/12  | PRESIDENCY suggestions  |
|---|---|---|---|
| <b>Article 4a</b>                         |   |   |   |
|   | <p><b>Amendment 33</b></p> <p>3. <i>The Member States retains the prerogative to complete standard spot checks to verify that the information is correct</i></p> <p>4. <i>The European Commission shall be empowered to adopt delegated acts in accordance with Article 41 to lay down rules setting the maximum number of pet animals of the species listed in part B that may accompany the owner or an authorised person for a single non-commercial movement</i></p> <p>5. <i>The Commission shall submit a report to the European Parliament and the Council on the implementation of this Regulation not later than five years after the entry into force of this Regulation. The Commission shall, where necessary, propose amendments to the Regulation on the basis of its report.</i></p> | <p>-</p> <p>3. <u>Without prejudice to paragraph 2, where the number of pet animals referred to in paragraph 1 is exceeded, those pet animals shall comply with the animal health requirements laid down in Directive 92/65/EEC for the species concerned and Member States shall ensure that those animals are subject to the veterinary checks provided for in Directives 90/425/EEC or 91/496/EEC.</u></p> <p>4. <u>In order to avoid commercial movements of pet animals fraudulently disguised as non-commercial movements, the Commission shall be empowered to adopt delegated acts in accordance with Article 41 to lay down rules setting the maximum number of pet animals of the species listed in Part B that may accompany the owner or an authorised person for a single non-commercial movement.</u></p> | <p>Need to be clarified with the EP as looks redundant in view of Article 35 and 36?</p> <p>Propose Council text</p> <p>It is necessary to specify the rules applicable to the movement if the maximum number of pet animals is exceeded and the conditions for benefitting from the derogation are not met.</p> <p>Acceptable with modification</p> <p>4. <u>[In order to avoid commercial movements of pet animals of the species listed in Part B of Annex I fraudulently disguised as non-commercial movements], the European Commission shall be empowered to adopt delegated acts in accordance with Article 41 to lay down rules setting the maximum number of pet animals of these species that may accompany the owner or an authorised person for a single non-commercial movement.</u></p> <p>Need to be clarified with the EP</p> <p>If the intention is to obtain a report on the implementation of this Article, the text should be redrafted accordingly; if the intention is to obtain a report on the implementation of the entire Regulation, the text should be placed in a separate Article on reporting after slight redrafting.</p> |

| COMMISSION proposal<br>COM(2012) 89 final   | EP COMENVI amendments<br>As voted on 6/11/2012  | Position in COUNCIL<br>As in document 12054/12  | PRESIDENCY suggestions                            |
|---|---|---|---|
| CHAPTER II<br>CONDITIONS APPLICABLE TO NON-COMMERCIAL MOVEMENTS OF PET ANIMALS INTO A MEMBER STATE FROM<br>ANOTHER MEMBER STATE               |   |   |   |
| <i>Chapter II - subheading (New)</i>  |   |   |   |
|   | <b>Amendment 34</b>   |   |   |
|   | <i>Section 1</i><br><i>Pet animals of the species listed in</i><br><i>Part A of Annex I</i> | <u>Section 1</u><br><u>Pet animals of the species listed in Part</u><br><u>A of Annex I</u>   | Acceptable  |
| <i>Article 5 - Title</i>  |   |   |   |
| <i>Non-commercial movement conditions</i><br><i>applicable to pet animals of the species</i><br><i>listed in Part A of Annex I</i>            | <b>Not amended</b>  | <u>Conditions applicable to <i>non-commercial</i></u><br><u>movements of pet animals of the species</u><br><u>listed in Part A of Annex I</u> | Propose Council text<br>Clarification of the text |
| <i>Article 5 - Introductory sentence</i>  |   |   |   |
| Pet animals of the species listed in Part A<br>of Annex I shall not be moved into a<br>Member State from another Member State<br>unless they: | <b>Not amended</b>  | <u>Not amended</u>  | Keep Commission text                              |
| <i>Article 5 - Point a</i>  |   |   |   |
| (a) are actively marked in accordance<br>with Article 16(1);  | <b>Not amended</b>  | (a) are [...] marked in accordance with<br>Article 16(1);   | Propose Council text<br>Clarification of the text |
| <i>Article 5 - Point b</i>  |   |   |   |
| (b) have received an anti-rabies<br>vaccination that complies with the<br>validity requirements set out in Annex<br>IV;                       | <b>Not amended</b>  | <u>Not amended</u>  | Keep Commission text                              |

| COMMISSION proposal<br>COM(2012) 89 final   | EP COMENVI amendments<br>As voted on 6/11/2012   | Position in COUNCIL<br>As in document 12054/12  | PRESIDENCY<br>suggestions  |
|---|--|---|--|
| <b>Article 5 - Point c</b>  |  |   |  |
| (c) comply with the preventive health measures for diseases or infections other than rabies, where necessary:<br>(i) under Article 18(1) of this Regulation, or<br>(ii) adopted pursuant to the second subparagraph of Article 5(1) of Regulation (EC) No 998/2003;   | <b>Amendment 35</b><br>(c) comply with the preventive health measures for diseases or infections other than rabies, where necessary, under Article 18(1) of this Regulation;   | (c) comply with the preventive health measures for diseases or infections other than rabies <u>when adopted pursuant to Article 18(1) of this Regulation; and</u>   | <b>Acceptable with modification</b><br><br><b>Propose further clarification of the text</b><br>(c) comply with the preventive health measures for diseases or infections other than rabies <u>when adopted pursuant to Article 18(1) of this Regulation; and</u> |
| <b>Article 5 - Point d</b>  |  |   |  |
| (d) are accompanied by a duly completed identification document issued in accordance with Article 20(1).  | <b>Amendment 36</b><br>(d) are accompanied by a duly completed identification document issued in accordance with Article 22a.  | (d) are accompanied by an identification document <u>duly completed and</u> issued in accordance with Article 20 [...].   | <b>Acceptable with modification</b><br><b>Need to check cross references</b><br>(d) are accompanied by an identification document <u>duly completed and</u> issued in accordance with Article 22a.   |
| <b>Article 6 - Title</b>  |  |   |  |
| <i>Derogation from the anti-rabies vaccination condition for young pet animals of the species listed in Part A of Annex I</i>   | <b>Not amended</b>   | Not amended   | Keep Commission text   |
| <b>Article 6 - Introductory sentence</b>  |  |   |  |
| By way of derogation from Article 5(b), Member States may authorise the non-commercial movement of pet animals which are less than three months old and not vaccinated against rabies, provided that they are accompanied by their identification document duly completed and issued in accordance with Article 20, and either: | <b>Amendment 37</b><br><b>I.</b> By way of derogation from Article 5(b), Member States may authorise the non-commercial movement <i>into their territory</i> of pet animals <i>of the species listed in Part A of Annex I, which</i> | <b>1.</b> By way of derogation from Article 5(b), Member States may authorise the non-commercial movement <u>into their territory</u> of pet animals <u>of the species listed in Part A of Annex I which are:</u> | <b>Acceptable</b>  |

| COMMISSION proposal<br>COM(2012) 89 final   | EP COMENVI<br>amendments<br>As voted on 6/11/2012   | Position in COUNCIL<br>As in document 12054/12   | PRESIDENCY<br>suggestions  |
|---|---|--|--|
| <b>Article 6 - Point a</b>  |   |  |  |
| (a) the owner or a natural person acting on behalf of and in agreement with the owner provides proof that they have remained in their place of birth without any contact with wild animals of susceptible species likely to have been exposed to rabies, or | <b>Amendment 38</b><br>(a) <i>are less than 12 weeks old and have not yet received an anti-rabies vaccination; or</i>   | (a) <u>less than twelve weeks old and have not received an anti-rabies vaccination; or</u>   | Acceptable with modification<br>Propose to delete "yet" to take account of the new point (ab) introduced in Annex IV (2)<br><br>(a) <i>are less than 12 weeks old and have not [...] received an anti-rabies vaccination; or</i> |
| <b>Article 6 - Point b</b>  |   |  |  |
| (b) they are accompanied by their mother, on whom they still depend, and it has been documented that their mother received before their birth an anti-rabies vaccination which complied with the validity requirements set out in Annex IV.                 | <b>Amendment 39</b><br>(b) <i>are between 12 and 16 weeks old and have received an anti-rabies vaccination, but do not yet meet the requirements of Annex IV, point 2(d).</i> | (b) <u>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.</u> | Acceptable   |

| COMMISSION proposal<br>COM(2012) 89 final | EP COMENVI amendments<br>As voted on 6/11/2012   | Position in COUNCIL<br>As in document 12054/12  | PRESIDENCY<br>suggestions  |
|---|--|---|--|
| <i>Article 6 - New paragraph</i>          |  |   |  |
|   | <p><b>Amendment 40</b></p> <p><i>1a. Moreover, the authorisation referred to in the first paragraph may only be granted if:</i></p> <p><i>(a) the animals are being moved between Member States or parts thereof which are free of rabies in compliance with Article 7;</i></p> <p><i>(b) the owner or authorised person declares in writing that the pet animals were kept from birth up until the date of movement without any contact with wild animals of species susceptible to rabies;</i></p> <p><i>(c) it is documented that the animals' mother received a rabies vaccination before pregnancy which, as a minimum, complies with the validity requirements set out in Annex IV for at least 24 hours after the animal's birth.</i></p> | <p>2. <u>The authorisation referred to in paragraph 1 may only be granted if the owner or an authorised person provides a signed declaration that the pet animals have not, at the time of the non-commercial movement, had any contact with wild animals of species susceptible to rabies since their birth.</u></p> | <p>Content of point (b) : Acceptable with modification<br/>Propose to further clarify the text</p> <p>2. <u>The authorisation referred to in the first paragraph may only be granted if the owner or authorised person provides a signed declaration that the pet animals were kept from birth up until the time of the non-commercial movement without any contact with wild animals of species susceptible to rabies.</u></p> <p>Content of point (a) : Not acceptable</p> <p>Redundant with Article 7 : if 2 MS were allowed to derogate from the vaccination requirement in accordance with Article 7, this might be for all animals and there would be no need for a derogation under this Article for young animals.</p> <p>Content of point (c) : Not acceptable</p> <p>The mother is not always with the puppies and it is difficult to prove that the animal accompanying the puppies is really their mother.</p> |

| COMMISSION proposal<br>COM(2012) 89 final   | EP COMENVI amendments<br>As voted on 6/11/2012  | Position in COUNCIL<br>As in document 12054/12   | PRESIDENCY<br>suggestions   |
|---|---|--|---|
| <b>Article 7 - Title</b>  |   |  |   |
| <i>Derogation from the anti-rabies vaccination condition for pet animals of the species listed in Part A of Annex I</i>   | <b>Not amended</b>  | <u>Not amended</u>   | Keep Commission text  |
| <b>Article 7 - paragraph 1</b>  |   |  |   |
|   | <b>Amendment 41</b>   |  |   |
| 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 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. | 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 <b><i>geographically definable</i></b> parts thereof which are free of rabies, <b><i>or in which there is a negligibly low risk of introducing rabies</i></b> , provided they comply with specific conditions. <b><i>The</i></b> 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. | 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 <b><u>and for which the risk of rabies introduction is considered to be negligible</u></b> 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. | <b>Acceptable with modification<br/>Propose a small redrafting [and the reintroduction of the deleted sentence]</b><br>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 <b><u>and for which the risk of rabies introduction is considered to be negligible</u></b> provided they comply with specific conditions. <b><u>[In order to ensure that the necessary measures are in place for the appropriate authorisation of non-commercial movements under this derogation,] the</u></b> 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. |

| COMMISSION proposal<br>COM(2012) 89 final  | EP COMENVI amendments<br>As voted on 6/11/2012  | Position in COUNCIL<br>As in document 12054/12 | PRESIDENCY<br>suggestions                                      |
|--|---|--|--|
| Article 7 - paragraph 2  |   |  |  |
| 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. | Amendment 42  | Not amended                                    | Need to be clarified with the EP<br><br>Meaning has changed.   |
|  | 2. The delegated acts shall be based on<br>a) adequate, reliable and validated scientific information concerning an assessment of the health status regarding rabies in Member States or parts thereof <i>collected using historic and current data concerning their rabies status and on their surveillance and reporting systems with regard to rabies</i> ; and<br>b) <i>a proportionate analysis of</i> 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. |  |  |
| Article 7 - paragraph 3  |   |  |  |
| 3. For the same purpose the delegated acts referred to in paragraph 1 may also include:<br>(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;<br>(b) the conditions that Member States must fulfil to remain eligible for the authorisation referred to in paragraph 2.   | Amendment 43  | Not amended                                    | Need to be clarified with the EP<br><br>Linked to amendment 42 |
|  | deleted   |  |  |

| COMMISSION proposal<br>COM(2012) 89 final   | EP COMENVI amendments<br>As voted on 6/11/2012                      | Position in COUNCIL<br>As in document 12054/12  | PRESIDENCY<br>suggestions                         |
|---|---|---|---|
| Article 8 - Title   |   |   |   |
| 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)   | Not amended   | Not amended   | Keep Commission text                              |
|   |   |   |   |
| Article 8 - text  |   |   |   |
| 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). | Not amended   | The Commission <u>may</u> , 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). | Propose Council text<br>Legal linguistic change   |
|   |   |   |   |
| Chapter II - subheading (New)   |   |   |   |
|   | Amendment 44  | Section 1<br>Pet animals of the species listed in Part B of Annex I   | Acceptable  |
|   | Section 2<br>Pet animals of the species listed in Part B of Annex I |   |   |
| Article 9 - Title   |   |   |   |
| Non-commercial movement conditions applicable to pet animals of the species listed in Part B of Annex I   | Not amended   | Conditions applicable to non-commercial movements of pet animals of the species listed in Part B of Annex I   | Propose Council text<br>Clarification of the text |
|   |   |   |   |



| COMMISSION proposal<br>COM(2012) 89 final  | EP COMENVI amendments<br>As voted on 6/11/2012  | Position in COUNCIL<br>As in document 12054/12  | PRESIDENCY<br>suggestions  |
|--|---|---|--|
| <b>Article 9 - paragraph 1</b>   |   |   |  |
| 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:<br>(a) they are marked or described as provided for in Article 16(2);<br>(b) they comply with the preventive health measures for diseases or infections other than rabies as provided in Article 18(1); | <b>Not amended</b>  | 1. <u>The non-commercial movement of pet animals of the species listed in Part B of Annex I into a Member State shall be subject to compliance with the conditions laid down in paragraph 2 when the Commission has adopted the delegated acts provided for in Article 16(2) and Article 18(1) and the implementing act provided for in Article 29.</u> | Need to be further discussed<br><br>Propose Council text: it makes clearer that there are no EU harmonised rules for the non commercial movement of animals of Part B species into a Member State from another Member State until the delegated and the implementing acts referred to in this paragraph are adopted.                           |
| (c) they are accompanied by a duly completed identification document issued:   | <b>Amendment 45</b><br>(c) they are accompanied by a duly completed <i>individual or collective</i> identification document issued: |   | Not acceptable<br><br>This is a question to be looked at in the future when applying the Article on format and content of identity documents for pet animals of Part B species.<br>The proposal does not yet establish the conditions for intra-Union movements of pets of part B species.<br>See together with suggestions on §2 on next page |
| (i) in accordance with Article 28;<br>(ii) in the format provided for in Article 30.   | <b>Amendment 46</b><br>(i) in accordance with Article <i>30a</i> ,<br>(ii) in the format provided for in Article <i>28a</i> .       |   | EP amendment limited to change of cross references<br>See together with suggestions on §2 on next page<br><b>Need to check cross references</b>  |

| COMMISSION proposal<br>COM(2012) 89 final   | EP COMENVI amendments<br>As voted on 6/11/2012 | Position in COUNCIL<br>As in document 12054/12   | PRESIDENCY<br>suggestions  |
|---|--|--|--|
| Article 9 - paragraph 2   |  |  |  |
| 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. | Not amended                                    | 2. <u>Pet animals of the species listed in Part B of Annex I may only be moved into a Member State from another Member State if:</u><br>(a) <u>marked or described according to the requirements adopted pursuant to Article 16(2);</u><br>(b) <u>compliant with the preventive health measures for diseases or infections other than rabies adopted pursuant to Article 18(1); and</u><br>(c) <u>accompanied by an identification document duly completed and issued in accordance with Article 28.</u>   | Need to be further discussed<br><br>Propose Council text: it makes the conditions applicable clearer.<br><br>In any case this text could be proposed to respond to amendments 45 and 46  |
|   |  |  |  |
| Article 9 - paragraph 3 (New)   |  |  |  |
|   |  | 3. <u>Pending the adoption of the delegated and implementing acts referred to in paragraph 1, national rules may apply to the non-commercial movement of pet animals of the species listed in Part B of Annex I into a Member State from another Member State, provided that such rules are:</u><br>(a) <u>applied proportionately to the risk to public or animal health associated with the non-commercial movement of the pet animals of those species; and</u><br>(b) <u>not stricter than those applied to trade in animals of those species in accordance with Directives 92/65/EEC or 2006/88/EC.</u> | Need to be discussed further<br><br>(Linked to recital 9 and 10)<br><br>Do Member States confirm their request to introduce in the text the possibility for national rules on non-commercial movements of animals of part B species during intra-Union movements pending the establishment of harmonised EU rules? |

| COMMISSION proposal<br>COM(2012) 89 final  | EP COMENVI amendments<br>As voted on 6/11/2012                      | Position in COUNCIL<br>As in document 12054/12  | PRESIDENCY<br>suggestions   |
|--|---|---|---|
| CHAPTER III  |   |   |   |
| CONDITIONS APPLICABLE TO NON-COMMERCIAL MOVEMENTS OF PET ANIMALS INTO A MEMBER STATE FROM  |   |   |   |
| A THIRD COUNTRY OR TERRITORY   | Not amended   | A TERRITORY OR A THIRD COUNTRY  | Propose Council text<br>Clarification to take account of the explanations of the Commission on the concept of territory |
|  |   |   |   |
| Chapter III - subheading (New)   |   |   |   |
|  | Amendment 47  | Section 1<br>Pet animals of the species listed in Part A of Annex I   | Acceptable  |
|  | Section 1<br>Pet animals of the species listed in Part A of Annex I |   |   |
| Article 10 - Title   |   |   |   |
| Non-commercial movement conditions applicable to pet animals of the species listed in Part A of Annex I                                      | Not amended   | Conditions applicable to non-commercial movements of pet animals of the species listed in Part A of Annex I                                       | Propose Council text<br>Clarification of the text   |
|  |   |   |   |
| Article 10 - introductory sentence   |   |   |   |
| 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: | Not amended   | 1. Pet animals of the species listed in Part A of Annex I shall not be moved into a Member State from a territory or a third country unless they: | Propose Council text<br>Clarification to take account of the explanations of the Commission on the concept of territory |
|  |   |   |   |
| Article 10 - point a   |   |   |   |
| (a) are actively marked in accordance with Article 16(1);  | Not amended   | (a) are [...] marked in accordance with Article 16(1);  | Propose Council text<br>Clarification of the text   |
|  |   |   |   |
| Article 10 - point b   |   |   |   |
| (b) have received an anti-rabies vaccination that complies with the validity requirements set out in Annex IV;                               | Not amended   | Not amended   | Keep Commission text  |
|  |   |   |   |

| COMMISSION proposal<br>COM(2012) 89 final   | EP COMENVI amendments<br>As voted on 6/11/2012  | Position in COUNCIL<br>As in document 12054/12  | PRESIDENCY<br>suggestions  |
|---|---|---|--|
| Article 10 - point c  |   |   |  |
| (c) have undergone a rabies antibody titration test that complies with the validity requirements set out in Annex V;  | Not amended   | Not amended   | Keep Commission text   |
|   |   |   |  |
| Article 10 - point d  |   |   |  |
| (d) comply with the preventive health measures for diseases or infections other than rabies, where necessary:<br>(i) under Article 18(1) of this Regulation, or<br>(ii) adopted pursuant to the second subparagraph of Article 5(1) of Regulation (EC) No 998/2003; | Amendment 48  | (d) comply with the preventive health measures for diseases or infections other than rabies <u>when adopted pursuant to Article 18(1) of this Regulation; and</u> | Acceptable with modification<br><br>Propose further clarification of the text<br>(d) comply with the preventive health measures for diseases or infections other than rabies <u>when adopted pursuant to Article 18(1) of this Regulation; and</u> |
|   | (d) comply with the preventive health measures for diseases or infections other than rabies, where necessary, under Article 18(1) of this Regulation or |   |  |
| Article 10 - point e  |   |   |  |
| (e) are accompanied by a duly completed identification document issued in accordance with Article 24.   | Amendment 49  | (e) are accompanied by an identification document <u>duly completed and</u> issued in accordance with Article 24.   | Acceptable with modification<br><br>Propose further clarification of the text<br>(e) are accompanied by an identification document <u>duly completed and</u> issued in accordance with Article 26a.<br>(Need to check cross references)            |
|   | (e) are accompanied by a duly completed identification document issued in accordance with Article 26a.  |   |  |

| COMMISSION proposal<br>COM(2012) 89 final               | EP COMENVI amendments<br>As voted on 6/11/2012  | Position in COUNCIL<br>As in document 12054/12  | PRESIDENCY<br>suggestions  |
|---|---|---|--|
| <b>Article 10 - Paragraph 1a (EP) 2 (Council) - New</b> |   |   |  |
|   | <b>Amendment 50</b><br><b>1a.</b> <i>Pet animals of the species listed in Part A of Annex I shall be moved through a travellers' point of entry in a Member State if arriving from a third country or territory other than those in the list established in accordance with Article 13(1). To this end, Member States shall compile a list of the travellers' points of entry and keep it up to date.</i> | <b>2.</b> <u>Pet animals of the species listed in Part A of Annex I may only be moved into a Member State from a territory or a third country other than those listed in the implementing act adopted pursuant to Article 13(1) through a travellers' point of entry.</u> | Acceptable with modification<br><br>Propose to take account of the explanation given by the Commission on the concept of territory. Further, the additional requirement in the second subparagraph is already in Article 36(3) and shall not be repeated here.<br><br><b>2.</b> <i>Pet animals of the species listed in Part A of Annex I may only be moved into a Member State from a territory or a third country other than those listed in accordance with Article 13(1) through a travellers' point of entry.</i> |
| <b>Article 10 - paragraph 1b (EP) 3 (Council) - New</b> |   |   |  |
|   | <b>Amendment 51</b><br><b>1b.</b> <i>By way of derogation from paragraph 1a, Member States may allow registered military, search or rescue dogs to be imported through a different point of entry from that for travellers, provided that:</i>  | <b>3.</b> <u>By way of derogation from paragraph 2, a Member State may authorise that registered military or search and rescue dogs may move through a point of entry other than a travellers' point of entry provided that:</u>  | Acceptable with modification<br><br>Propose further clarification of the text to keep the wording used in other parts of the text.<br><br><b>3.</b> <i>By way of derogation from paragraph 2, Member States may authorise that registered military or search and rescue dogs move through a point of entry other than a travellers' point of entry provided that:</i>  |

| COMMISSION proposal<br>COM(2012) 89 final   | EP COMENVI amendments<br>As voted on 6/11/2012  | Position in COUNCIL<br>As in document 12054/12  | PRESIDENCY<br>suggestions  |
|---|---|---|--|
| <b>Article 10 - paragraph 1b - Point a - (New)</b>  |   |   |  |
|   | <b>Amendment 52</b>   |   |  |
|   | (a) <i>the owner or authorised person has applied in advance for permission and the Member State has granted such permission whilst setting conditions for entry;</i>   | (a) <u>the owner or an authorised person has applied in advance for a permit and the Member State has granted such a permit;</u>  | Acceptable with modification<br><br>Propose further clarification of the text to keep the wording used in other parts of that text.<br>(a) <i>the owner or <u>the</u> authorised person has applied in advance for <u>a permit</u> and the Member State has granted such <u>a permit</u>;</i>  |
| <b>Article 10 - paragraph 1b- Point b - (New)</b>   |   |   |  |
|   | <b>Amendment 53</b>   |   |  |
|   | (b) <i>the dogs are checked for compliance with the conditions laid down in the approval decision at a place specified by the competent authority for this purpose.</i> | (b) <u>the dogs are checked for compliance in accordance with Article 36:</u><br>(i) <u>at a place designated by the competent authority;</u><br><u>and</u><br>(ii) <u>in accordance with the arrangements prescribed in the permit referred to in point (a).</u> | Acceptable with modification<br><br>Propose further clarification of the text to keep the wording used in other parts of that text and to specify that checks are carried out in accordance with Article 36<br>(b) <i>the dogs are checked for <u>compliance in accordance with Article 36 at a place designated by the competent authority for this purpose and in accordance with the arrangements prescribed in the permit referred to in point (a)</u></i> |
| <b>Article 11 - Title</b>   |   |   |  |
|   | <b>Not amended</b>  |   |  |
| <i>Derogation from the anti-rabies vaccination condition for young pet animals of the species listed in Part A of Annex I</i> |   | <u>Not amended</u>  | Keep Commission text   |

| COMMISSION proposal<br>COM(2012) 89 final   | EP COMENVI amendments<br>As voted on 6/11/2012   | Position in COUNCIL<br>As in document 12054/12  | PRESIDENCY<br>suggestions  |
|---|--|---|--|
| Article 11 - paragraph 1 - introductory sentence  |  |   |  |
| 1. By way of derogation from Article 10(b), Member States may authorise the non-commercial movement into their territory of pet animals which are less than three months old and not vaccinated against rabies from third countries or territories listed in the implementing acts adopted pursuant to Article 13, provided that they are accompanied by their identification document duly completed and issued in accordance with Article 24, and either: | Amendment 54   | 1. By way of derogation from Article 10(1)(b), Member States may authorise the non-commercial movement into their territory <u>from a territory or a third country 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:</u> | Acceptable with modification<br><br>Propose to specify that this applies to pet animals of Part A species and to take account of the explanations of the Commission on the concept of territory<br>1. By way of derogation from Article 10(1)(b), Member States may authorise the non-commercial movement into their territory <u>from a territory or a third country listed in accordance with Article 13, of pet animals of the species listed in Part A of Annex I, which</u> |
|   | 1. By way of derogation from Article 10(b), Member States may authorise the non-commercial movement into their territory of pet animals from third countries or territories listed in the implementing acts adopted pursuant to Article 13, <i>which</i> |   |  |
| Article 11 - paragraph 1 - point a  |  |   |  |
| (a) the owner or a natural person acting on behalf of and in agreement with the owner provides proof that they have remained in their place of birth without any contact with wild animals of susceptible species likely to have been exposed to rabies, or   | Amendment 55   | (a) <u>less than twelve weeks old and have not received an anti-rabies vaccination; or</u>  | Acceptable with modification<br><br>(a) <i>are less than 12 weeks old and have not [...] received an anti-rabies vaccination; or</i>   |
|   | (a) <i>are less than 12 weeks old and have not yet received an anti-rabies vaccination; or</i>   |   |  |
| Article 11 - paragraph 1 - point b  |  |   |  |
| (b) they are accompanied by their mother, on whom they still depend, and it has been documented that their mother received before their birth an anti-rabies vaccination which complied with the validity requirements set out in Annex IV.   | Amendment 56   | (b) <u>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.</u>   | Acceptable   |
|   | (b) <i>are between 12 and 16 weeks old and have received an anti-rabies vaccination, but do not yet meet the requirements of Annex IV, point 2(d).</i>   |   |  |

| COMMISSION proposal<br>COM(2012) 89 final | EP COMENVI amendments<br>As voted on 6/11/2012   | Position in COUNCIL<br>As in document 12054/12  | PRESIDENCY<br>suggestions   |
|---|--|---|---|
| <i>Article 11 - paragraph 1a (New)</i>    |  |   |   |
|   | <p><b>Amendment 57</b></p> <p><i>1a. The authorisation referred to in paragraph 1 may only be granted if:</i></p> <p><i>(a) the animals are being moved into a Member State from a third country in compliance with Article 13;</i></p> <p><i>(b) the owner or authorised person declares in writing that the pet animals were kept from birth up until the date of movement without any contact with wild animals of species susceptible to rabies; and</i></p> <p><i>(c) it is documented that the animals' mother received a rabies vaccination before pregnancy which, as a minimum, complies with the validity requirements set out in Annex IV for at least 24 hours after the animal's birth.</i></p> | <p><b>1a. <u>The authorisation referred to in paragraph 1 may only be granted if the owner or an authorised person provides a signed declaration that the pet animals have not, at the time of the non-commercial movement, had any contact with wild animals of species susceptible to rabies since their birth.</u></b></p> | <p>Content of point (b) :<br/>Acceptable with modification<br/>Propose to specify that the declaration should be signed</p> <p><i>1a. The authorisation referred to in paragraph 1 may only be granted if the owner or <u>the authorised person provides a signed declaration</u> that the pet animals were kept from birth up until the <u>time of the non-commercial</u> movement without any contact with wild animals of species susceptible to rabies; and</i></p> <p>Content of point (a) : Not Acceptable<br/>Not necessary as this is already foreseen in the introductory sentence of paragraph 1</p> <p>Content of point (c) : Not Acceptable<br/>The mother is not always with puppies and it is difficult to prove that the animal accompanying the puppies is really their mother.</p> |



| COMMISSION proposal<br>COM(2012) 89 final  | EP COMENVI amendments<br>As voted on 6/11/2012   | Position in COUNCIL<br>As in document 12054/12  | PRESIDENCY<br>suggestions   |
|--|--|---|---|
| <i>Article 11 - paragraph 2</i>  |  |   |   |
|  | <b>Amendment 58</b>  |   |   |
| 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. | 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 <i>or this has been approved in accordance with Article 6.</i> | 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 <u>or where they have been authorised to move in accordance with Article 6.</u> | <b>Acceptable with modification</b><br><b>Propose small redrafting</b><br>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 <u>or where they have been authorised to move in accordance with Article 6.</u> |

| COMMISSION proposal<br>COM(2012) 89 final  | EP COMENVI amendments<br>As voted on 6/11/2012  | Position in COUNCIL<br>As in document 12054/12  | PRESIDENCY<br>suggestions  |
|--|---|---|--|
| <b>Article 12 - Title</b>  |   |   |  |
| <i>Derogation from the antibody titration test condition for pet animals of the species listed in Part A of Annex I</i>  | <b>Not amended</b>  | <u>Not amended</u>  | Keep Commission text   |
| <b>Article 12 - introductory sentence</b>  |   |   |  |
| By way of derogation from Article 10(c), the antibody titration test shall not be required for pet animals which are being moved into a Member State:  | <b>Amendment 59</b><br>By way of derogation from Article 10(c), the antibody titration test shall not be required for pet animals <i>of the species listed in Part A of Annex I</i> which are being moved into a Member State <i>from a third country or territory that features in the list established in accordance with Article 13.</i> | By way of derogation from Article 10 <b>(1)</b> (c), the antibody titration test shall not be required for pet animals <u>of the species listed in Part A of Annex I</u> which are being moved into a Member State <u>from a territory or a third country listed in the implementing acts adopted pursuant to Article 13:</u> | <b>Acceptable with modification</b><br><b>Propose to take account of the explanation given by the Commission on the concept of territory.</b><br><br>By way of derogation from Article 10 <b>(1)</b> (c), the antibody titration test shall not be required for pet animals <i>of the species listed in Part A of Annex I</i> which are being moved into a Member State <i>from a territory or a third country that is listed in accordance with Article 13:</i> |
| <b>Article 12 - point a</b>  |   |   |  |
| (a) either directly from a third country or territory listed in the implementing acts adopted pursuant to Article 13 or following residency exclusively in one or more of those third countries or territories, or | <b>Amendment 60</b><br>(a) either <i>directly or following</i> residency exclusively in one or more of those third countries or territories, or   | (a) either directly [...] or following residency exclusively in one or more of those <u>territories or third countries</u> , or   | <b>Acceptable with modification</b><br><b>Propose to take account of the explanation given by the Commission on the concept of territory.</b><br><br>(a) either directly or following residency exclusively in one or more of those <u>territories or third countries</u> , or   |

| COMMISSION proposal<br>COM(2012) 89 final  | EP COMENVI amendments<br>As voted on 6/11/2012   | Position in COUNCIL<br>As in document 12054/12  | PRESIDENCY<br>suggestions  |
|--|--|---|--|
| Article 12 - point b   |  |   |  |
| (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 a natural person acting on behalf of and in agreement with the owner provides proof that during such transit, the pet animals have had no contact with species susceptible to rabies and remain secured within a means of transport or within the perimeter of an international airport. | Amendment 61   | (b) [...] after transit through <u>a territory or a third country</u> other than those listed in the implementing acts adopted pursuant to Article 13, provided that the owner or <u>an authorised person</u> provides <u>a signed declaration</u> that during such transit, the pet animals have had no contact with <u>animals of</u> species susceptible to rabies and remain secured within a means of transport or within the perimeter of an international airport. | Acceptable with modification<br><br>Propose to specify those ‘other’ third countries and that the declaration should be signed<br><br>(b) after transit through <u>a territory or a third country other than those listed in the implementing acts adopted pursuant to Article 13</u> , provided that the owner or <u>authorised</u> person provides <u>a signed declaration</u> that during such transit the pet animals have had no contact with <u>animals of</u> species susceptible to rabies and remain secured within a means of transport or within the perimeter of an international airport. |
|  | (b) after transit through <i>other</i> third countries or territories, provided that the owner or <i>authorised</i> person provides proof <i>by means of a written declaration</i> that during such transit the pet animals have had no contact with <i>animals of</i> species susceptible to rabies and remain secured within a means of transport or within the perimeter of an international airport. |   |  |
| Article 13 – Title   |  |   |  |
| Establishment of a list of third countries or territories for the purpose of Article 12  | Amendment 62   | Establishment of a list of territories or third countries [...]   | Acceptable with modification<br>Propose to take account of the explanations of the Commission on the concept of territory<br>Establishment of a list of territories or third countries [...]   |
|  | Establishment of a list of third countries or territories  |   |  |

| COMMISSION proposal<br>COM(2012) 89 final  | EP COMENVI amendments<br>As voted on 6/11/2012   | Position in COUNCIL<br>As in document 12054/12  | PRESIDENCY<br>suggestions   |
|--|--|---|---|
| Article 13 - paragraph 1   |  |   |   |
| 1. The Commission shall, by means of an implementing act, by [ <i>date to be inserted: one year after entry into force of this Regulation</i> ] adopt a list of third countries or territories which have demonstrated that they apply rules equivalent to those laid down in Chapter II, this Chapter and Section 2 of Chapter VI for animals of species listed in Part A of Annex I. | <b>Amendment 63</b>  | 1. The Commission shall, by means of an implementing act, [...] adopt a list of <b><u>territories or third countries</u></b> which have demonstrated that they apply rules equivalent to those laid down in <b><u>Section 1 of</u></b> Chapter II <b><u>and of</u></b> this Chapter and <b><u>in</u></b> Section 2 of Chapter VI for animals of species listed in Part A of Annex I <b><u>and where applicable the rules adopted pursuant to those rules.</u></b> | Need to be further discussed<br><br>Not acceptable?<br><br>There are no reasons to have different listing procedures of third countries.  |
|  | 1. The Commission shall, <i>pursuant to Article 41</i> , by ... *, <b><i>adopt delegated acts laying down</i></b> a list of third countries or territories which have demonstrated that they apply rules equivalent to those laid down in <b><i>Section 1 of</i></b> Chapter II, this Chapter and Section 2 of Chapter VI for animals of species listed in Part A of Annex 1 <b><i>and, if necessary, to the provisions that have been adopted on the basis of these rules.</i></b><br><br>-----<br><b><i>* Date of application of this Regulation in accordance with Article 47(2).</i></b> |   |   |
| Article 13 - paragraph 2 - introductory sentence   |  |   |   |
| 2. The Commission shall, by means of an implementing act, by [ <i>date to be inserted: one year after entry into force of this Regulation</i> ] 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:   | <b>Amendment 64</b>  | 2. The Commission shall, by means of an implementing act, [...] adopt a list of <b><u>territories or third countries</u></b> which have demonstrated that for animals of species listed in Part A of Annex I, they meet at least the following criteria:  | Acceptable with modification<br><br>Propose further clarification to take account of the explanation given by the commission on the concept of territory and to delete reference to the date as not necessary in this case.<br><br>2. The Commission shall, by means of an implementing act, [...] adopt a list of <b><u>territories or third countries</u></b> which have demonstrated that for animals of species listed in Part A of Annex I, they meet at least the following criteria: |
|  | <b><i>* Date of application of this Regulation in accordance with Article 47(2).</i></b>   |   |   |

| COMMISSION proposal<br>COM(2012) 89 final   | EP COMENVI amendments<br>As voted on 6/11/2012 | Position in COUNCIL<br>As in document 12054/12   | PRESIDENCY<br>suggestions                         |
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| <i>Article 13 - paragraph 2 - point a</i>   |  |  |   |
| (a) the notification of cases of rabies to the competent authorities is obligatory;   | Not amended                                    | <u>Not amended</u>   | Keep Commission text                              |
| <i>Article 13 - paragraph 2 - point b</i>   |  |  |   |
| (b) an efficient monitoring and reporting system for rabies has been in place for at least two years;   | Not amended                                    | (b) an <b>effective surveillance</b> system for rabies has been in place for at least two years <b><u>with a minimum requirement being an on-going early detection programme to ensure investigation and reporting of animals suspected of rabies;</u></b> | Propose Council text<br>Clarification of the text |
| <i>Article 13 - paragraph 2 - point c</i>   |  |  |   |
| (c) the structure and organisation of their veterinary services are sufficient to guarantee the validity of the animal health certificates provided for in Article 26 and issued in accordance with Article 24; | Not amended                                    | (c) the structure and organisation of their veterinary services are sufficient to guarantee the validity of the <b><u>identification documents in the format</u></b> provided for in Article <b>25</b> and issued in accordance with Article 24;           | Propose Council text<br>Legal linguistic change   |
| <i>Article 13 - paragraph 2 - point d</i>   |  |  |   |
| (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;  | Not amended                                    | (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; <b>and</b>  | Propose Council text                              |

| COMMISSION proposal<br>COM(2012) 89 final  | EP COMENVI amendments<br>As voted on 6/11/2012   | Position in COUNCIL<br>As in document 12054/12   | PRESIDENCY<br>suggestions  |
|--|--|--|--|
| <i>Article 13 - paragraph 2 - point e</i>  |  |  |  |
| (e) rules are in force on the licensing and marketing of anti-rabies vaccines.   | Not amended  | <u>Not amended</u>   | Keep Commission text   |
| <i>Article 13 - paragraph 3</i>  |  |  |  |
| 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).<br><br>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). | Not amended  | 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).<br><br>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 <b><u>territories or third countries</u></b> referred to in paragraphs 1 and 2 in accordance with the procedure referred to in Article 43(3). | <b>Propose Council text</b><br><b>Further clarification to take account of the explanation of the Commission on the concept of territory</b> |
| <i>Chapter III - subheading (New)</i>  |  |  |  |
|  | <b>Amendment 65</b><br><i>Section 2</i><br><i>Pet animals of the species listed in Part B of Annex I</i> | <b><u>Section 2</u></b><br><b><u>Pet animals of the species listed in Part B of Annex I</u></b>  | Acceptable   |
| <i>Article 14 - Title</i>  |  |  |  |
| <i>Non-commercial movement conditions applicable to pet animals of the species listed in Part B of Annex I</i>   | Not amended  | <i><u>Conditions applicable to non-commercial movements of pet animals of the species listed in Part B of Annex I</u></i>  | <b>Propose Council text</b><br><b>Clarification of the text</b>  |

| COMMISSION proposal<br>COM(2012) 89 final  | EP COMENVI amendments<br>As voted on 6/11/2012   | Position in COUNCIL<br>As in document 12054/12   | PRESIDENCY<br>suggestions   |
|--|--|--|---|
| <b>Article 14 - paragraph 1</b>  |  |  |   |
| <b>Amendment 66</b>  |  |  |   |
| 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:<br>(a) they are marked or described as provided for in Article 16(2);<br>(b) they comply with the preventive health measures for diseases or infections other than rabies as provided for in Article 18(1);<br>(c) they are accompanied by a duly completed identification document issued:<br>(i) in accordance with Article 28;<br>(ii) in the format provided for in Article 33. | <i>Not amended</i><br><br><i>Not amended</i><br><br><i>Not amended</i><br><br>(c) they are accompanied by a duly completed identification document issued:<br>(i) in accordance with Article <b>33a</b> ,<br>(ii) in the format provided for in Article <b>31a</b> . | 1. <u>The non-commercial movement of pet animals of the species listed in Part B of Annex I into a Member State from a territory or a third country shall be subject to compliance with the conditions laid down in paragraph 2 when the Commission has adopted the delegated acts provided for in Article 16(2) and Article 18(1) and the implementing acts provided for in Article 14a and Article 32.</u> | Need to be further discussed<br><br>EP amendment limited to change of cross references (Need to check cross references)<br>See together with suggestions on §2 on next page<br><br>Propose Council text : it makes clearer that there are no EU harmonised rules for the non commercial movement of animals of Part B species into a Member State from a third country until the delegated and the implementing acts referred to in this paragraph are adopted. |

| COMMISSION proposal<br>COM(2012) 89 final   | EP COMENVI amendments<br>As voted on 6/11/12 | Position in COUNCIL<br>As in document 12054/12  | PRESIDENCY<br>suggestions  |
|---|--|---|--|
| <i>Article 14 - paragraph 2</i>   |  |   |  |
| 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 33. | Not amended                                  | 2. <u>Pet animals of the species listed in Part B of Annex I may only be moved into a Member State from a territory or a third country if:</u><br>(a) <u>marked or described according to the requirements adopted pursuant to Article 16(2);</u><br>(b) <u>compliant with the preventive health measures for diseases or infections other than rabies adopted pursuant to Article 18(1);</u><br>(c) <u>accompanied by an identification document duly completed and issued in accordance with Article 31; and</u><br>(d) <u>having entered through a travellers' point of entry when coming from a territory or a third country other than those listed in the implementing act adopted pursuant to Article 14a.</u> | Need to be further discussed<br><br>Propose Council text: it makes the conditions applicable clearer<br><br>In any case this text could be proposed to respond to amendment 66 |
| <i>Article 14 - paragraph 3 - introductory sentence</i>   |  |   |  |
| 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:                                   | Not amended                                  | 3. Pending the adoption of the delegated and implementing acts referred to in paragraph <u>1</u> , national rules <u>may apply to the non commercial movement of pet animals of the species listed in Part B of Annex I into a Member State from a territory or a third country</u> , provided that such rules are:   | Need to be further discussed<br><br>Propose Council text<br><br>Clarification to allow Member States to adopt new rules in case of need  |
| <i>Article 14 - paragraph 3 - point a</i>   |  |   |  |
| (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;                     | Not amended                                  | (a) applied proportionately to the risk to public or animal health associated with the non-commercial movement of the pet animals of <u>those</u> species; <u>and</u>   | Propose Council text<br><br>Legal linguistic change  |



| COMMISSION proposal<br>COM(2012) 89 final  | EP COMENVI amendments<br>As voted on 6/11/2012   | Position in COUNCIL<br>As in document 12054/12   | PRESIDENCY<br>suggestions  |
|--|--|--|--|
| Article 14 - paragraph 3 - point b   |  |  |  |
| (b) not stricter than those applied to imports of animals of those species in accordance with Directive 92/65/EEC. | Not amended  | (b) not stricter than those applied to imports of animals of those species in accordance with Directives 92/65/EEC <u>or</u> <b>2006/88/EC.</b>  | Propose Council text<br><br>Clarification of the text  |
|  |  |  |  |
| Article 14a (New)  |  |  |  |
|  | Amendment 67   | <u>Establishment of a list of territories or third countries</u><br><br><b><u>The Commission may, by means of an implementing act, adopt a list of territories or third countries 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 and where applicable the rules adopted pursuant to those rules.</u></b> | Need to be further discussed<br><br>Not acceptable?<br><br>There are no reasons to have different listing procedures of third countries. |
|  | <i>The Commission shall, pursuant to Article 41, by ... *, adopt delegated acts laying down 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, this Chapter and Section 2 of Chapter VI for animals of species listed in Part B of Annex 1 and, if necessary, to the provisions that have been adopted on the basis of these rules.</i><br><br><i>* Date of application of this Regulation in accordance with Article 47(2).</i> |  |  |
| Chapter III - subheading (New)   |  |  |  |
|  | Amendment 68   | Section 3<br><b><u>Derogation from the conditions on the non-commercial movement of pet animals</u></b>  | Acceptable   |
|  | <i>Section 3<br/>Derogation from the conditions on the non-commercial movement of pet animals</i>  |  |  |

| COMMISSION proposal<br>COM(2012) 89 final   | EP COMENVI amendments<br>As voted on 6/11/2012 | Position in COUNCIL<br>As in document 12054/12   | PRESIDENCY<br>suggestions   |
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| <i>Article 15 - Title</i>   |  |  |   |
| <i>Derogation from the non-commercial movement conditions between certain countries of pet animals of the species listed in Annex I</i>   | Not amended                                    | <i>Derogation from <u>the conditions applicable to the non-commercial movement between certain countries [...]</u></i>   | Propose Council text after introducing a small change<br>Clarification of the text<br><i>Derogation from <u>the conditions applicable to the non-commercial movement of pet animals between certain countries [...]</u></i> |
| <i>Article 15 - Text</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:<br><br>(a) San Marino and Italy;<br>(b) the Vatican and Italy;<br>(c) Monaco and France;<br>(d) Andorra and France;<br>(e) Andorra and Spain;<br>(f) Norway and Sweden. | Not amended                                    | By way of derogation from Articles 10 and 14, the non-commercial movement of pet animals between the following countries <b><u>and territories</u></b> may continue under the conditions laid down by their national rules:<br><br><u>Not amended</u><br><u>Not amended</u><br><u>Not amended</u><br><u>Not amended</u><br><u>Not amended</u><br><br>(g) <u>Faroe Island and Denmark;</u><br>(h) <u>Greenland and Denmark.</u> | Propose Council text<br><br>Clarification to take account of the explanation from the Commission on the concept of territory and need to add new territories and countries  |

| COMMISSION proposal<br>COM(2012) 89 final   | EP COMENVI amendments<br>As voted on 6/11/2012  | Position in COUNCIL<br>As in document 12054/12  | PRESIDENCY<br>suggestions   |
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| CHAPTER IV  |   |   |   |
| MARKING AND PREVENTIVE HEALTH MEASURES  |   |   |   |
| SECTION 1   |   |   |   |
| MARKING   |   |   |   |
| Article 16 - Title  |   |   |   |
| Marking of pet animals  | Not amended   | Not amended   | Keep Commission text  |
|   |   |   |   |
| Article 16 - paragraph 1  |   |   |   |
| <div>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.</div> <div>Where such pet animal is marked with a transponder that does not comply with the technical requirements set out in Annex III, the owner or 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).</div> | <div>Amendment 69</div> <div>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.</div> <div>Where such pet animal is marked with a transponder that does not comply with the technical requirements set out in Annex III, the owner or the authorised person shall provide the means necessary for reading that transponder at the time of any verification of identity provided for in Article 20, Article 24(2), Article 35 and Article 36(1).</div> | <div>1. Pet animals of the species listed in Part A of Annex I shall be [...] marked by the implantation of a transponder [...] or by a clearly readable tattoo applied before 3 July 2011.</div> <div>Where the transponder referred to in the first subparagraph does not comply with the technical requirements set out in Annex III, the owner or an authorised person shall provide the means necessary for reading that transponder at the time of any verification of identity provided for in Article 20[...], Article 24(2), Article 35 and Article 36(1).</div> | <div>Acceptable with modification</div> <div>Propose to simplify and further specify the text</div> <div>Need to check cross references</div> <div>1. Pet animals of the species listed in Part A of Annex I shall be [...] marked by the implantation of a transponder [...] or by a clearly readable tattoo applied before 3 July 2011.</div> <div>Where the transponder referred to in the first subparagraph does not comply with the technical requirements set out in Annex III, the owner or the authorised person shall provide the means necessary for reading that transponder at the time of any verification of identity provided for in Article 20, Article 24(2), Article 35 and Article 36(1).</div> |

| COMMISSION proposal<br>COM(2012) 89 final   | EP COMENVI amendments<br>As voted on 6/11/2012  | Position in COUNCIL<br>As in document 12054/12  | PRESIDENCY<br>suggestions   |
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| <b>Article 16 - paragraph 2</b>   |   |   |   |
| 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.<br><br>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. | <b>Not amended</b>  | 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 <u>a</u> link between the pet animal and its corresponding identification document is ensured.<br><br>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 [...] pet animals <b>of those species.</b> | <b>Propose Council text</b><br><br><b>Legal linguistic change</b>   |
| <b>Article 17 - Title</b>   |   |   |   |
| <b><i>Qualifications required for implanting transponders in pet animals</i></b>  | <b>Not amended</b>  | <b><u>Not amended</u></b>   | Keep Commission text  |
| <b>Article 17 - Text</b>  |   |   |   |
| Member States shall lay down rules on the minimum qualifications required for the persons carrying out the implantation of transponders in pet animals.   | <b>Amendment 70</b><br>Member States shall lay down rules on the minimum qualifications required for <i>veterinarians or other competent</i> persons carrying out the implantation of transponders in pet animals | <b><u>Where a Member State intends to allow the implantation of transponders by a person other than veterinarians, it</u></b> shall lay down rules on the minimum qualifications required for <b><u>such a person [...]</u></b> .   | <b>Not acceptable</b><br><b>Propose Council text</b><br><b>Veterinarians have the qualifications to carry out such a task.</b><br><b><u>Where a Member State intends to allow the implantation of transponders by a person other than veterinarians, it</u></b> shall lay down rules on the minimum qualifications required for <b><u>such a person [...]</u></b> . |

| COMMISSION proposal<br>COM(2012) 89 final  | EP COMENVI amendments<br>As voted on 6/11/2012 | Position in COUNCIL<br>As in document 12054/12  | PRESIDENCY<br>suggestions   |
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| SECTION 2  |  |   |   |
| PREVENTIVE HEALTH MEASURES FOR DISEASES OR INFECTIONS OTHER THAN RABIES  |  |   |   |
| Article 18 - Title   |  |   |   |
| Preventive health measures and conditions<br>for their application   | Not amended                                    | Not amended   | Keep Commission text  |
|  |  |   |   |
| Article 18 - paragraph 1   |  |   |   |
| <div>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.</div> <div>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.</div> | Not amended                                    | <div>1. Where preventive health measures are necessary for the protection of public health or the health of pet animals [...] 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.</div> <div>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.</div> | <div>Propose Council text</div> <div>Clarification (no need to repeat "listed in Annex I" as this is part of the definition of pet animals)</div> |

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| <i>Article 18 - paragraph 2</i>  |  |   |  |
| 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. | <b>Not amended</b>                             | 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 [...] likely to be affected by diseases or infections other than rabies. | <b>Propose Council text</b><br><br><b>Clarification (no need to repeat "listed in Annex I" as this is part of the definition of pet animals)</b> |
| <i>Article 18 - paragraph 3</i>  |  |   |  |
| 3. For the same purpose the delegated acts provided for in paragraph 1 may also include:   | <b>Not amended</b>                             | <u>Not amended</u>  | <b>Keep Commission text</b>  |
| <i>Article 18 - paragraph 3 - point a</i>  |  |   |  |
| (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>Not amended</b>                             | <u>Not amended</u>  | <b>Keep Commission text</b>  |

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| <i>Article 18 - paragraph 3 - point b</i>  |  |   |  |
| (b) the conditions that Member States must fulfil to remain eligible for the application of the preventive health measures referred to in paragraph 2;   | <b>Not amended</b>                             | <b><u>Not amended</u></b>   | Keep Commission text   |
| <i>Article 18 - paragraph 3 - point c</i>  |  |   |  |
| (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;  | <b>Not amended</b>                             | (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 [...];  | <b>Propose Council text<br/>Clarification (no need to repeat "listed in Annex I" as this is part of the definition of pet animals)</b> |
| <i>Article 18 - paragraph 3 - point d</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.   | <b>Not amended</b>                             | <b><u>Not amended</u></b>   | Keep Commission text   |
| <i>Article 19 - Title</i>  |  |   |  |
| <i>List of Member States or parts of the territory of Member States categorised in accordance with delegated acts adopted pursuant to Article 18(1)</i>  | <b>Not amended</b>                             | <b><u>Not amended</u></b>   | Keep Commission text   |
| <i>Article 19 - text</i>   |  |   |  |
| 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). | <b>Not amended</b>                             | The Commission <b><u>may</u></b> , 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). | <b>Propose Council text<br/>Legal linguistic change</b>  |

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| CHAPTER V<br>IDENTIFICATION DOCUMENTS  |   |   |   |
| SECTION 1<br>IDENTIFICATION DOCUMENTS FOR<br>THE NON-COMMERCIAL MOVEMENT<br>INTO A MEMBER STATE FROM<br>ANOTHER MEMBER STATE OF PET<br>ANIMALS OF THE SPECIES LISTED IN<br>PART A OF ANNEX I   | SECTION 1<br>IDENTIFICATION DOCUMENTS FOR<br>THE NON-COMMERCIAL MOVEMENT<br>INTO A MEMBER STATE FROM<br>ANOTHER MEMBER STATE OF PET<br>ANIMALS OF THE SPECIES LISTED IN<br>PART A OF ANNEX I  | SECTION 1<br>IDENTIFICATION DOCUMENTS FOR<br>THE NON-COMMERCIAL MOVEMENT<br>INTO A MEMBER STATE FROM<br>ANOTHER MEMBER STATE OF PET<br>ANIMALS OF THE SPECIES LISTED IN<br>PART A OF ANNEX I  | SECTION 1<br>IDENTIFICATION DOCUMENTS FOR<br>THE NON-COMMERCIAL MOVEMENT<br>INTO A MEMBER STATE FROM<br>ANOTHER MEMBER STATE OF PET<br>ANIMALS OF THE SPECIES LISTED IN<br>PART A OF ANNEX I  |
| <i>Article 20</i>  | <i>Article 22a</i>  | <i>Article 20</i>   | <i>Article xy</i>   |
| <i>Issuing of the identification document</i>  | <i>Initial text (Article 20) deleted</i><br><b>(Amendment 71)</b><br><i>Issuing of the identification document</i><br><b>(Amendment 84)</b>   | <i>Issuing and completing the<br/>identification document</i>   | <b>Amendment 71</b> : Acceptable<br><b>Amendment 84</b> : Acceptable with<br>modification (Propose Council text)  |
| 1. The identification document<br>referred to in Article 5(d) shall:<br><br>(a) be issued by a veterinarian<br>authorised by the competent<br>authority for that purpose;<br><br>(b) document compliance with<br>the requirements provided for<br>in Article 5(a), (b) and (c)<br>and, where applicable, in<br>Article 27(b)(ii); such<br>compliance may be<br>documented in more than one<br>identification document in the<br>format provided for in Article<br>22(1). | <i>The identification document referred to<br/>in Article 5(d) shall be issued by an<br/>authorised veterinarian after:</i><br><b>(Amendment 85)</b><br>(a) <i>having verified that the animal<br/>was marked in accordance with<br/>Article 16(1);</i> <b>(Amendment 86)</b><br><br>(b) <i>carefully entering into the<br/>identification document the<br/>relevant information mentioned in<br/>Article 21(1), thus fulfilling the<br/>requirements mentioned in Article<br/>5(b) and (c), and possibly those in<br/>Article 27(b), point ii, and</i><br><b>(Amendment 87)</b><br>(c) <i>the owner has signed the<br/>identification document.</i><br><b>(Amendment 88)</b> | 1. The identification document<br>referred to in Article 5(d) shall <u>be<br/>issued by an authorised<br/>veterinarian after:</u><br>(a) <u>he has verified that the pet<br/>animal is marked in<br/>accordance with Article<br/>16(1);</u><br><br>(b) <u>he has duly completed the<br/>relevant entries in the<br/>identification document<br/>with the information<br/>referred to in Article<br/>21(1)(a) to (ba); and</u><br><br>(c) <u>the owner has signed the<br/>identification document.</u> | <b>Amendment 85</b> : Acceptable<br><br><b>Amendment 86</b> : Acceptable with<br>modification<br>(a) <u>he has verified that the pet animal<br/>was marked in accordance with<br/>Article 16(1);</u><br><br><b>Amendment 87</b> : Acceptable with<br>modification<br>(b) <u>he has duly completed the<br/>relevant entries in the<br/>identification document with the<br/>information mentioned in Article<br/>21(1)(a) to (ba); and</u><br><br><b>Amendment 88</b> : Acceptable |



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| <p>2. Compliance with the marking requirements provided for in Article 5(a) shall be verified before:</p> <p>(a) the identification document is issued in accordance with paragraph 1(a);</p> <p>(b) compliance with the requirements referred to in paragraph 1(b) is documented.</p> | <p><i>(Deleted by Amendment 71)</i></p>        | <p>2. <u>An authorised veterinarian shall complete the relevant entries of the identification document with the information referred to in Article 21(1) (ba), (c), (d) and (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).</u></p> <p><u>Notwithstanding the first subparagraph, the entry on the information referred to in Article 21(1)(e) may be completed by a veterinarian other than an authorised veterinarian if so permitted by the delegated act adopted pursuant to Article 18(1).</u></p> <p>3. <u>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.</u></p> | <p><b>Propose a new paragraph 2 similar to Council text</b> to specify better the steps for veterinarians</p> <p>2. <u>An authorised veterinarian shall complete the relevant entries of the identification document with the information referred to in Article 21(1) (ba), (c), (d) and (e), thus 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 was marked in accordance with Article 16(1).</u></p> <p><b>Propose Council text</b> : this text should be introduced as certification on echinococcus can be done by a veterinarian other than an authorised veterinarian</p> <p><b>Propose Council text</b> : this text is very close to the text of the Commission in Article 21(2) and to the text of the EP in amendment 82 : as it refers to records to be kept by the veterinarian issuing the identification document, it should be introduced in this Article on issuing and completing the identification document.</p> |

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|   |  | 4. <u>Where necessary compliance with the requirements referred to in paragraph 2 may be documented in more than one identification document in the format provided for in Article 21(1).</u>  | Propose Council text to clarify that more than one identification document can be used for one pet animal.   |
| <i>Article 21</i>   | <i>Article 21</i>  | <i>Article 21</i>  | <i>Article xx</i>  |
| <i>Information to be provided by the identification document</i>  | <i>Information to be provided by the identification document</i>   | <i>Format and content of the identification document</i>   | Propose Council text   |
| 1. The identification document referred to in Article 5(d) shall provide the following information:<br><br>(a) the location, date of application and alphanumeric code displayed by the transponder or the tattoo;<br><br>(b) the name, address and signature of the owner; | 1. The identification document referred to in Article 5(d) shall provide the following information:<br><br>(a) the location, date of application and alphanumeric code displayed by the transponder or the tattoo;<br><br>(b) the name, address and signature of the owner <i>and of up to two previous owners if applicable;</i><br><b>Amendment 76</b> | 1. The identification document referred to in Article 5(d) <u>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 contain the entries for the insertion of</u> the following information:<br>(a) the location <u>of the transponder or the tattoo and either the date of application or the date of reading of the transponder or the tattoo</u> and <u>the</u> alphanumeric code displayed by the transponder or the tattoo;<br><br>(aa) <u>the species, breed, sex and colour of the pet animal concerned</u><br><br>(b) the name <u>and contact information</u> of the owner; | Propose Council text<br>For the part between brackets : need to be further discussed together with amendment 73<br><br>Propose Council text: this clarification is necessary as the animal might already be identified<br><br>Similar to EP Amendment 80 on next page;<br>See Amendment 80<br><br>Propose Council text as the address is not sufficient to contact the owner and it is excessive to have to register the signature (see paragraph 2).<br>No need to specify the number of owners |

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| (c) details of the anti-rabies vaccination;<br>(d) the date of blood sampling for the rabies antibody titration test in the case provided for in Article 27(b)(ii);<br>(e) compliance with the preventive health measures for diseases or infections other than rabies, where necessary:<br>(i) under Article 18(1) of this Regulation, or<br>(ii) adopted pursuant to the second subparagraph of Article 5(1) of Regulation (EC) No 998/2003; | <b>(ba) <i>the name, address and signature of the authorised veterinarian issuing or completing the identification document;</i></b><br><b>(Amendment 77)</b>   | <b>(ba) <u>the name, contact information and signature of the authorised veterinarian issuing or completing the identification document;</u></b><br><br><b>(bb) <u>the signature of the owner</u></b>   | <b>Amendment 77:</b> Acceptable with modification<br><i>(ba) the name, contact information and signature of the authorised veterinarian issuing or completing the identification document</i>   |
|  | (c) details of the anti-rabies vaccination;<br>(d) the date of blood sampling for the rabies antibody titration test;<br><b>(Amendment 78)</b><br>(e) compliance with the preventive health measures for diseases or infections other than rabies, where necessary:<br>(i) under Article 18(1) of this Regulation, or<br>(ii) <i>Deleted</i> <b>(Amendment 79)</b><br><br><b>(ea) <i>the species, breed, sex, colour and any notable or discernable features or characteristics of the animal;</i></b><br><b>(Amendment 80)</b> | (c) details of the anti-rabies vaccination;<br>(d) the date of blood sampling for the rabies antibody titration test <u>[...]</u> ;<br>(e) compliance with the preventive health measures for diseases or infections other than rabies; <b>and</b><br>(i) <u>Deleted</u><br>(ii) <u>Deleted</u> | <b>Propose Council text</b><br>(consequence of the change proposed to point (b) above<br><b>keep Commission text</b> on (c)<br><br><b>Amendment 78:</b> Acceptable<br><br><b>Amendment 79:</b> Acceptable with modification : <b>propose also deletion of (i) as superfluous.</b><br>(e) compliance with the preventive health measures for diseases or infections other than rabies; <b>and</b><br><br><b>Amendment 80 :</b> Acceptable with modification; bring it as a point (aa) so that Article on issuing can work.<br><i>(ea) the species, breed, sex, colour and any notable or discernable features or characteristics of the pet animal</i> |

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| <p>(f) other relevant information regarding the description and the health status of the animal.</p> <p>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.</p>  | <p>(f) other relevant information regarding the description of the health status of the animal. (Amendment 81)</p> <p>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 <i>for a period to be determined by the competent authority which may not be less than 3 years</i> from the date of issue of the identification document. (Amendment 82)</p> | <p>(f) other relevant information regarding the description and the health status of the animal.</p> <p><u>Moved to Article on issuing and completing the identification document see above</u></p> | <p><b>Amendment 81: Acceptable with modification.</b></p> <p>(f) other relevant information <u>regarding the health</u> status of the animal.</p> <p><b>Amendment 82 : Acceptable with modification : acceptable to let the competent authority determine the duration but propose to move the text to the Article on issuing and completing the identification document – see above.</b></p> |
| <b>Article 22</b>   | <b>Article 20a</b>   |   |   |
| <b>Format of the identification document</b>  | <p><i>Initial text (Article 22) deleted (Amd 83)</i></p> <p><b>Format of the identification document (Amd 72)</b></p>  |   | <p><b>Amendment 83 : Acceptable</b></p> <p><b>Amendment 72 : Acceptable with modification : propose to merge the Articles on format and content to make the text more simple and use Council text for Title of Article</b></p>  |
| <p>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].</p> | <p>1. <i>The identification document referred to in Article 5(d) shall be in the format of a passport in accordance with the model in Annex Va. It shall contain entries for the insertion of the information required in accordance with Article 21(1).</i> (Amendment 73)</p>  | <p><u>Text partially integrated to Article on format and content of the identification document see above</u></p>   | <p><b>Amendment 73 : Need to be further discussed to evaluate the appropriateness of having models in the Annexes.</b></p> <p><b>Propose to introduce part of the text in the Article on format and content of the identification document.</b></p>   |

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|---|---|---|--|
| 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. | 2. <i>The Commission shall be empowered to lay down requirements in an implementing act concerning the languages, safety features and layout of the passport referred to in paragraph 1. It shall also establish transitional provisions in an implementing act for the period until existing stocks are depleted. These implementing acts shall be adopted in accordance with the examination procedure referred to in Article 43(2). (Amendment 74)</i> | <p><u>Text partially integrated to Article on format and content of the identification document – see above</u></p> <p>2. <u>The implementing act referred to in the first paragraph shall also lay down requirements concerning the languages, the layout and the security features of the passport referred to in that paragraph, and the rules necessary for the transition to the model of that passport.</u></p> <p><u>That implementing act shall be adopted in accordance with the examination procedure referred to in Article 43(2).</u></p> | <p><b>Amendment 74</b> : need to be further discussed together with amendment 73.</p> <p><b>The final text will depend on the position adopted on amendment 73</b></p> <p>Propose to introduce [part of the text] in the Article on format and content of the identification document.</p> |
| 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.        | 3. <i>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. (Amendment 75)</i>  | 3. <u>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.</u>   | <b>Amendment 75</b> : Acceptable (but the text should be part of the Article on format and content)  |

| COMMISSION proposal<br>COM(2012) 89 final | EP COMENVI amendments<br>As voted on 6/11/2012 | Position in COUNCIL<br>As in document 12054/12  | PRESIDENCY<br>suggestions |
|---|--|---|---------------------------|
|   |  | <i>Article 22</i>   | Propose Council text      |
|   |  | <u><i>Distribution of blank identification documents</i></u>  |                           |
|   |  | 1. <u>Competent authorities shall ensure that blank identification documents are only distributed to authorised veterinarians and that their name and contact information are recorded with reference to the number referred to in Article 21(3).</u> |                           |
|   |  | 2. <u>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.</u>  |                           |

| COMMISSION proposal<br>COM(2012) 89 final   | EP COMENVI amendments<br>As voted on 6/11/2012   | Position in COUNCIL<br>As in document 12054/12   | PRESIDENCY<br>suggestions   |
|---|--|--|---|
| <i>Article 23</i>   | <i>Article 23</i>  | <i>Article 23</i>  | <i>Article 23</i>   |
| <i>Derogation from the format of the identification document provided for in Article 22(1)</i>  | <i>Derogation from the format of the identification document provided for in Article 22(1)</i>   | <i>Derogation from the format of the identification document provided for in Article 21(1)</i>   | Keep Commission text<br>(need to check cross references)  |
| <p>1. By way of derogation from Article 22(1), Member States shall authorise the non-commercial movement into a Member State from another Member State of pet animals accompanied by the identification document issued for the purposes of Article 10(e):</p> <p>(a) in accordance with Article 24;</p> <p>(b) in the format provided for in Article 26(1).</p> <p>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).</p> | <p>1. By way of derogation from Article 20a(1), Member States shall authorise the non-commercial movement into a Member State from another Member State of pet animals accompanied by the identification document issued for the purposes of Article 10(e):</p> <p>(a) in accordance with Article 26a;</p> <p>(b) in the format provided for in Article 24a(1).<br/><b>(Amendment 89)</b></p> <p>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).</p> | <p>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 <u>of the species listed in part A of Annex I</u> accompanied by the identification document issued <u>in accordance with Article 24.</u></p> <p>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).</p> | <p><b>Amendment 89: Acceptable with modification</b><br/>Propose Council text to specify that this applies to pet animals of part A species. No need to repeat in which format the document is issued; this is clear from Article on issuing.<br/><br/>(need to check cross references)</p> <p>Keep Commission text</p> |

| COMMISSION proposal<br>COM(2012) 89 final  | EP COMENVI amendments<br>As voted on 6/11/2012  | Position in COUNCIL<br>As in document 12054/12  | PRESIDENCY<br>suggestions  |
|--|---|---|--|
| SECTION 2<br><b>IDENTIFICATION DOCUMENTS FOR<br/>THE NON-COMMERCIAL MOVEMENT<br/>INTO A MEMBER STATE FROM A<br/>THIRD COUNTRY OR TERRITORY OF<br/>PET ANIMALS OF THE SPECIES<br/>LISTED IN PART A OF ANNEX I</b>   | SECTION 2<br><b>IDENTIFICATION DOCUMENTS FOR<br/>THE NON-COMMERCIAL MOVEMENT<br/>INTO A MEMBER STATE FROM A<br/>THIRD COUNTRY OR TERRITORY OF<br/>PET ANIMALS OF THE SPECIES<br/>LISTED IN PART A OF ANNEX I</b>  | SECTION 2<br><b>IDENTIFICATION DOCUMENTS FOR<br/>THE NON-COMMERCIAL MOVEMENT<br/>INTO A MEMBER STATE FROM A<br/><u>TERRITORY OR A THIRD COUNTRY</u><br/>OF PET ANIMALS OF THE SPECIES<br/>LISTED IN PART A OF ANNEX I</b>   | <b>Propose to use Council text to take<br/>into account the explanations from<br/>the commission on the concept of<br/>territory</b>   |
| <i>Article 24</i>  | <i>Article 26a</i>  | <i>Article 24</i>   | <i>Article yy</i>  |
| <i>Issuing of the identification document</i>  | <i>Initial text (Article 24) deleted (Amd 90)</i><br><i>Issuing of the identification document</i><br><b>(Amd 101)</b>  | <i>Issuing and completing the<br/>identification document</i>   | <b>Amendment 90 : Acceptable</b><br><b>Amendment 101 (title) : Acceptable</b><br><b>with modification (Propose Council</b><br><b>text)</b>   |
| 1. The identification document referred to in Article 10(e) shall bear a serial number and:<br>(a) be issued by:<br>(i) an official veterinarian of the third country of dispatch on the basis of supporting documentation, or<br>(ii) a veterinarian authorised by the competent authority of the third country of dispatch for that purpose and subsequently endorsed by the competent authority;<br>(b) document compliance with the requirements provided for in Article 10(a) to (d). | <i>The identification document referred to in Article 10(e) shall bear a serial number and be issued either by an official veterinarian of the third country of dispatch on the basis of supporting documentation, or by an authorised veterinarian and subsequently endorsed by the competent authority after the veterinarian</i><br><b>(Amendment 101)</b> | 1. The identification document referred to in Article 10(1)(e) shall <b>be issued by</b> :<br>(a) <b><u>an official veterinarian of the territory or third country of dispatch on the basis of supporting documentation; or</u></b><br>(b) <b><u>an authorised veterinarian and subsequently endorsed by the competent authority of the territory or third country of dispatch.</u></b> | <b>Amendment 101 (text): Acceptable with modification</b><br><b>Propose to take into account the explanations from the commission on the concept of territory and to make the text clearer.</b><br><br><i>The identification document referred to in Article 10 1(e) shall bear a <u>unique reference number</u> and be issued either by an official veterinarian of the <u>territory or third country of dispatch on the basis of supporting documentation, or by an authorised veterinarian and subsequently endorsed by the competent authority of the territory or third country of dispatch after the issuing veterinarian:</u></i> |



| COMMISSION proposal<br>COM(2012) 89 final  | EP COMENVI amendments<br>As voted on 6/11/2012   | Position in COUNCIL<br>As in document 12054/12   | PRESIDENCY<br>suggestions  |
|--|--|--|--|
| 2. Compliance with the marking requirements referred to in Article 10(a) shall be verified before:<br>(a) the identification document is issued in accordance with paragraph 1;<br>(b) compliance with the requirements referred to in Article 10(b), (c) and (d) is documented. | (a) <i>has verified that the animal was marked in accordance with Article 16(1); and</i><br>(b) <i>has carefully entered into the identification document the relevant information mentioned in Article 25, points (a) to (e), thus fulfilling the requirements mentioned in Article 10(1), points (b) to (d).</i><br><b>(Amendment 101)</b> | 2. <u>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 (e) certifying compliance with the requirements referred to in Article 10(1)(a) and where applicable Article 10(1)(b), (c) and (d).</u>  | (a) <i>has verified that the <u>pet</u> animal was marked in accordance with Article 16(1); and</i><br>(b) <i>has <u>duly completed the relevant entries of the identification document with the information mentioned in Article 25(1), points (a) to (e), thus certifying compliance with the requirements mentioned in Article 10(1), point (a) and where applicable points (b), (c) and (d).</u></i> |
| <b>Article 25</b>  | <b>Article 25</b>  | <b>Article 25</b>  | <b>Article yx</b>  |
| <b><i>Information to be provided by the identification document</i></b>  | <b><i>Information to be provided by the identification document</i></b>  | <b><i>Format and content of the identification document</i></b>  | <b>Propose Council text</b>  |
| 1. The identification document referred to in Article 10(e) shall provide the following information:<br><br>(a) the location, date of application and alphanumeric code displayed by the transponder or the tattoo;  | 1. The identification document referred to in Article 10(e) shall provide the following information:<br><br>(a) the location, date of application and alphanumeric code displayed by the transponder or the tattoo;  | 1. The identification document referred to in Article 10(1)(e) shall <b><u>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 contain the entries for the insertion of</u></b> the following information:<br>(a) the location <b><u>of the transponder or the tattoo and either the</u></b> date of application <b><u>or the date of reading of the transponder or the tattoo</u></b> and <b><u>the</u></b> alphanumeric code displayed by the transponder or the tattoo; | <b>Propose Council text</b><br>For the part between brackets : need to be further discussed together with amendment 92<br><br><b>Propose Council text on point (a) : this clarification is necessary as the animal might already be identified</b>   |

| COMMISSION proposal<br>COM(2012) 89 final   | EP COMENVI amendments<br>As voted on 6/11/2012   | Position in COUNCIL<br>As in document 12054/12  | PRESIDENCY<br>suggestions   |
|---|--|---|---|
| (b) the name and address of the owner or the natural person acting on behalf of and in agreement with the owner;  | (b) the name, address <i>and signature</i> of the owner or the <i>authorised</i> person;<br>(Amendment 94)   | (aa) <u>the species, breed, sex and colour of the pet animal concerned;</u><br>(ab) <u>a unique certificate reference number;</u>       | Similar to EP amendment 97 on page 83; See Amendment 97<br><br><b>Propose Council text;</b> this entry is necessary for the unique reference number referred to in the Article on issuing   |
|   | (ba) <i>the name, address and signature of the authorised veterinarian issuing or completing the identification document;</i><br>(Amendment 95)  | (b) the name and <u>contact information</u> of the owner or the <u>authorised person</u> ;  | <b>Amendment 94 :</b> Acceptable with modification; the address is not sufficient to contact the owner and the signature of the owner should not be on this type of identification document.<br>(b) the name and <u>contact information</u> of the owner or the <i>authorised</i> person; |
| (c) details of the anti-rabies vaccination;<br>(d) the date of blood sampling for the rabies antibody titration test;   | (c) details of the anti-rabies vaccination;<br>(d) the date of blood sampling for the rabies antibody titration test;  | (ba) <u>the name, signature and contact information of the issuing official or authorised veterinarian;</u>                             | <b>Amendment 95 :</b> Acceptable with modification<br>(ba) <i>the name, contact information and signature of the official or authorised veterinarian issuing the identification document;</i>   |
| (e) compliance with the preventive health measures for diseases or infections other than rabies, where necessary:<br>(i) under Article 18(1) of this Regulation, or<br>(ii) adopted pursuant to the second subparagraph of Article 5(1) of Regulation (EC) No 998/2003; | (e) compliance with the preventive health measures for diseases or infections other than rabies, where necessary:<br>(i) under Article 18(1) of this Regulation, or<br>(ii) Deleted (Amendment 96) | (c) details of the anti-rabies vaccination;<br>(d) the date of the blood sampling for rabies antibody titration test;                   | <b>Keep Commission text</b><br><b>Keep Commission text</b>  |
|   |  | (e) compliance with the preventive health measures for diseases or infections other than rabies;<br><br>(i) Deleted<br><br>(ii) Deleted | <b>Amendment 96:</b> Acceptable with modification : propose also deletion of (i) as superfluous<br>(e) compliance with the preventive health measures for diseases or infections other than rabies;   |

| COMMISSION proposal<br>COM(2012) 89 final   | EP COMENVI amendments<br>As voted on 6/11/2012  | Position in COUNCIL<br>As in document 12054/12   | PRESIDENCY<br>suggestions  |
|---|---|--|--|
| (f) other relevant information regarding the description and the health status of the animal. | <p>(ea) <i>the species, breed, sex and colour of the animal;</i><br/>(Amendment 97)</p> <p>(f) other relevant information regarding the description <i>of</i> the health status of the animal.<br/>(Amendment 98)</p> | <p>(f) other relevant information regarding the description and the health status of the animal;</p> <p>(g) <u>the name and the signature of the representative of the endorsing competent authority; and</u></p> <p>(h) <u>the name, signature and contact information of the competent authority carrying out the checks referred to in Article 36 and the date of these checks.</u></p> | <p><b>Amendment 97:</b> Acceptable with modification; bring it as a point (aa) to keep consistency among similar articles<br/>(aa) <i>the species, breed, sex and colour of the <u>pet</u> animal;</i></p> <p><b>Amendment 98:</b> Acceptable with modification<br/>(f) other relevant information <u>regarding the health</u> status of the animal.</p> <p><b>Propose Council text</b></p> <p><b>Propose Council text</b></p> <p>These additional fields are necessary for the insertion of the contact information of the competent authority and of the results of the checks</p> |

| COMMISSION proposal<br>COM(2012) 89 final   | EP COMENVI amendments<br>As voted on 6/11/2012  | Position in COUNCIL<br>As in document 12054/12   | PRESIDENCY<br>suggestions  |
|---|---|--|--|
| 2. The identification document referred to in 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.   | 2. The identification document referred to in Article 10(e) shall be supplemented by a written declaration signed by the owner or <i>the authorised person</i> stating that the pet animal is moved into the Union for non-commercial purposes.<br>(Amendment 99)                                     | 2. <u>A written declaration signed by the owner or the authorised person confirming that the movement of the pet animal into the Union is a non-commercial movement shall be part of the identification document referred to in paragraph 1.</u> | Amendment 99 : Acceptable with modification<br>2. <u>A written declaration signed by the owner or the authorised person confirming that the movement of the pet animal into the Union is a non-commercial movement shall be part of the identification document referred to in Article 10(1)(e).</u> |
| <i>Article 26</i>   | <i>Article 24a</i>  | <i>Article 26</i>  |  |
| <i>Format of the identification document</i>  | <i>Initial text (Article 26) deleted (Amd 100)</i><br><i>Format of the identification document (Amd 91)</i>   | <u>Deleted</u><br><u>Text partially integrated in Article on format and content of the identification document</u>   | Amendment 100 : Acceptable<br>Amendment 91 : Acceptable with modification : propose to merge the Articles on format and content to make the text more simple and use Council text for Title of Article;.   |
| 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]. | 1. <i>The identification document referred to in Article 10(e) shall be in the format of an animal health certificate in accordance with the model contained in Annex Vb and shall contain entries for the insertion of the information required in accordance with Article 25.</i><br>(Amendment 92) | <u>Text partially integrated in Article on format and content of the identification document</u>   | Amendment 92 : Need to be further discussed to evaluate the appropriateness of having models in the Annexes.<br><br>Propose to introduce part of the text in the Article on format and content of the identification document.   |

| COMMISSION proposal<br>COM(2012) 89 final  | EP COMENVI amendments<br>As voted on 6/11/2012  | Position in COUNCIL<br>As in document 12054/12  | PRESIDENCY<br>suggestions  |
|--|---|---|--|
| 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.   | 2. <i>The Commission shall be empowered to lay down requirements by means of implementing acts concerning the languages, layout and validity of the animal health certificate referred to paragraph 1. These implementing acts shall be adopted in accordance with the examination procedure referred to in Article 43(2). (Amendment 93)</i>   | <u>Text integrated in Article on format and content as a new paragraph 1a</u><br>1a <u>The implementing act referred to in the first paragraph shall also lay down requirements concerning the languages, the layout and the validity of the animal health certificate referred to in that paragraph.</u><br><br><u>That implementing act shall be adopted in accordance with the examination procedure referred to in Article 43(2).</u>                 | <b>Amendment 93</b> : Need to be further discussed together with amendment 92.<br><b>The final text will depend on the position adopted on amendment 92.</b> Propose to introduce [part of] the text in the Article on format and content of the identification document.  |
| <i>Article 27</i>  | <i>Article 27</i>   | <i>Article 27</i>   |  |
| <i>Derogation from the format of the identification document</i>   | <i>Derogation from the format of the identification document</i>  | <i>Derogation from the format of the identification document <u>provided for in Article 25(1)</u></i>   | Propose Council text<br><b>Need to check cross references</b>  |
| By way of derogation from Article 26(1), Member States shall authorise the non-commercial movement of pet animals accompanied by the identification document in the format provided for in Article 22(1) where:<br><br>(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 | By way of derogation from Article <b>24a</b> (1), Member States shall authorise the non-commercial movement of pet animals accompanied by the identification document in the format provided for in Article <b>20a</b> (1) where: <b>(Amendment 102)</b><br><br>(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 | By way of derogation from Article <b>25</b> (1), Member States shall authorise the non-commercial movement of pet animals <b>of the species listed in Part A of Annex I</b> accompanied by the identification document <b>issued in accordance with Article 20</b> where:<br><br>(a) the identification document has been issued in one of the <b>territories or third countries</b> listed in the implementing act adopted pursuant to Article 13(1), or | <b>Amendment 102</b> : Acceptable with modification<br><b>Propose Council text to specify that this applies to pet animals of part A species and to take account in point (a) of the explanations given by the Commission on the concept of territory.</b><br><b>Propose to refer to issuance instead of format</b><br><b>(need to check cross references)</b> |

| COMMISSION proposal<br>COM(2012) 89 final   | EP COMENVI amendments<br>As voted on 6/11/2012   | Position in COUNCIL<br>As in document 12054/12  | PRESIDENCY<br>suggestions   |
|---|--|---|---|
| <p>(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 a veterinarian authorised by the competent authority has documented that before the pet animals left the Union they had:</p> <p>(i) received an anti-rabies vaccination;</p> <p>(ii) undergone a rabies antibody titration test, except in the case of the derogation as provided for in Article 12.</p> | <p>(b) such pet animals enter a Member State, <i>after movement</i> to or transit through a third country or territory from a Member State, and <i>an authorised</i> veterinarian has documented that before the pet animals left the Union they had: <b>(Amendment 103)</b></p> <p>(i) received an anti-rabies vaccination;</p> <p>(ii) undergone a rabies antibody titration test, except in the case of the derogation as provided for in Article 12.</p> | <p>(b) such pet animals enter a Member State, after [...] movement to or transit through a <b>territory or a third country</b> from a Member State, and <b>the identification document was completed and issued by an authorised veterinarian certifying that</b> the pet animals <b>before having</b> left the Union [...] had:</p> <p>(i) received <b>the</b> anti-rabies vaccination <b>provided for in Article 10(1)(b); and</b></p> <p>(ii) undergone <b>the</b> rabies antibody titration test <b>provided for in Article 10(1)(c),</b> except in the case of the derogation as provided for in Article 12.</p> | <p><b>Amendment 103 : Acceptable with modification</b></p> <p><b>Propose Council text to take account of the explanations given by the Commission on the concept of territory and to make the text clearer.</b></p> |

| COMMISSION proposal<br>COM(2012) 89 final  | EP COMENVI amendments<br>As voted on 6/11/2012   | Position in COUNCIL<br>As in document 12054/12   | PRESIDENCY<br>suggestions  |
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| SECTION 3<br>IDENTIFICATION DOCUMENTS FOR<br>THE NON-COMMERCIAL MOVEMENT<br>INTO A MEMBER STATE FROM<br>ANOTHER MEMBER STATE OF PET<br>ANIMALS OF THE SPECIES LISTED IN<br>PART B OF ANNEX I | SECTION 3<br>IDENTIFICATION DOCUMENTS FOR THE<br>NON-COMMERCIAL MOVEMENT INTO A<br>MEMBER STATE FROM ANOTHER<br>MEMBER STATE OF PET ANIMALS OF<br>THE SPECIES LISTED IN PART B OF<br>ANNEX I                               | SECTION 3<br>IDENTIFICATION DOCUMENTS FOR<br>THE NON-COMMERCIAL MOVEMENT<br>INTO A MEMBER STATE FROM<br>ANOTHER MEMBER STATE OF PET<br>ANIMALS OF THE SPECIES LISTED IN<br>PART B OF ANNEX I | Keep Commission text   |
| <i>Article 28</i>  | <i>Article 30a</i>   | <i>Article 28</i>  | <i>Article 3y</i>  |
| <i>Issuing of the identification<br/>document</i>  | <i>Initial text (Article 28) deleted (Amd 104)</i><br><i>Issuing of the identification document</i><br><b>(Amd 112)</b>  | <i>Issuing and completing the<br/>identification document</i>  | <b>Amendment 104 : Acceptable</b><br><b>Amendment 112 : Acceptable</b><br>with modification (Propose<br>Council text)  |
| 1. The identification document<br>referred to in Article 9(1)(c) shall:  | <i>The identification document referred to in<br/>Article 9(1), point (c), shall be issued by an<br/>authorised veterinarian after:</i><br><b>(Amendment 113)</b>  | 1. The identification document<br>referred to in Article 9(2)(c) shall<br><b>be issued by an authorised</b><br><b>veterinarian after:</b>  | <b>Amendment 113 : Acceptable</b><br><b>Need to check cross references</b>   |
| (a) be issued by a veterinarian<br>authorised by the competent<br>authority for that purpose;  | (a) <i>having verified that the animal was<br/>marked in accordance with Article<br/>16(2);</i><br><b>(Amendment 114)</b>  | (a) <b>he has verified that the pet<br/>animal is marked or<br/>described in accordance<br/>with Article 16(2);</b>  | <b>Amendment 114 : Acceptable with<br/>modification</b><br>(a) <b>he has verified that the pet<br/>animal was marked or<br/>described in accordance with<br/>Article 16(2);</b>          |
| (b) document compliance with<br>Article 9(1)(a), (b) and (c).  | (b) <i>carefully entering into the<br/>identification document the relevant<br/>information mentioned in Article 29,<br/>thus fulfilling the requirements<br/>mentioned in Article 9(1), and</i><br><b>(Amendment 115)</b> | (b) <b>he has duly completed the<br/>relevant entries with the<br/>information referred to in<br/>Article 29(1)(a) to (ba); and</b>  | <b>Amendment 115 : Acceptable with<br/>modification</b><br>(b) <b>he has duly completed the<br/>relevant entries with the<br/>information mentioned in<br/>Article 29(1)(a) to (ba);</b> |
|  | (c) <i>the owner has signed the<br/>identification document.</i> <b>(Amd 116)</b>  | (c) <b>the owner has signed the<br/>identification document.</b>   | <b>Amendment 116 : Acceptable</b>  |

| <b>COMMISSION proposal<br/>COM(2012) 89 final</b>   | <b>EP COMENVI amendments<br/>As voted on 6/11/2012</b>  | <b>Position in COUNCIL<br/>As in document 12054/12</b>  | <b>PRESIDENCY<br/>suggestions</b>  |
|---|---|---|--|
| 2. Compliance with the marking or description requirements provided for in Article 9(1)(a) shall be verified before:<br>(a) the identification document is issued in accordance with paragraph 1(a);<br>(b) the requirements provided for in Article 9(1)(a), (b) and (c) are documented in accordance with Article 18(3)(c). |   | 2. <u>After having verified that the pet animal is marked or described in accordance with Article 16(2), an authorised veterinarian shall complete the relevant entry of the identification document with the information referred to in Article 29(1)(ba) and (c) certifying compliance with the requirements referred to in Article 9(2)(b), where applicable.</u>  | Propose Council text to specify better the steps for veterinarians   |
| <i>Article 29</i>   | <i>Article 29</i>   | <i>Article 29</i>   | <i>Article 29</i>  |
| <i>Information to be provided by the identification document</i>  | <i>Information to be provided by the identification document</i>  | <i>Format and content of the identification document</i>  | Propose Council text   |
| The identification document referred to in Article 9(1)(c) shall provide the following information:<br><br>(a) the characteristics of the mark or the description of the animal as provided for in Article 16(2);   | The identification document referred to in Article 9(1)(c) shall provide the following information:<br><br>(a) the characteristics of the mark or the description of the animal as provided for in Article 16(2); | 1. <u>[The Commission may, by means of an implementing act, adopt a model of ]</u> the identification document referred to in Article 9(2)(c) <u>which shall contain entries for the insertion of</u> the following information:<br>(a) the characteristics of the mark or the description of the animal as provided for in Article 16(2);<br>(aa) <u>the species, breed (if relevant), sex (if relevant) and colour of the animal concerned;</u> | Propose Council text<br>For the part between brackets : need to be further discussed together with amendment 106<br>Need to check cross referencies<br><br>Keep Commission text<br><br>Similar to EP amendment 109 on next page; See Amendment 109 |



| COMMISSION proposal<br>COM(2012) 89 final   | EP COMENVI amendments<br>As voted on 6/11/2012   | Position in COUNCIL<br>As in document 12054/12  | PRESIDENCY<br>suggestions  |
|---|--|---|--|
| (b) the name, address and signature of the owner;   | (b) the name, address and signature of the owner;<br>(ba) <i>the name, address and signature of the authorised veterinarian;</i><br>(Amendment 108)  | (b) the name <u>and contact information</u> of the owner;<br>(ba) <u>the name, contact information and signature of the authorised veterinarian issuing or completing the identification document;</u><br><br>(bb) <u>the signature of the owner;</u> | <b>Propose Council text</b><br><br><b>Amendment 108:</b> Acceptable with modification<br>(ba) <i>the name, <u>contact information and signature of the authorised veterinarian issuing or completing the identification document</u></i><br><b>Propose Council text</b> to introduce a separate entry for the signature of the owner (consequence of change to b)<br><b>Propose Council text</b><br><br><b>Amendment 109:</b> Acceptable but bring it as a point (aa) so that Article on issuing can work.<br><b>Amendment 110:</b> Acceptable with modification<br>(d) other relevant information <u>regarding the health</u> status of the animal. |
| (c) details of the preventive health measures for diseases or infections other than rabies, where necessary, under Article 18(1); | (c) details of the preventive health measures for diseases or infections other than rabies, where necessary, under Article 18(1);<br>(ca) <i>the species and, where relevant, the breed, sex and colour of the animal;</i> (Amendment 109) | (c) details of the preventive health measures for diseases or infections other than rabies; <u>and</u>  | <br><br><b>Amendment 109:</b> Acceptable but bring it as a point (aa) so that Article on issuing can work.<br><b>Amendment 110:</b> Acceptable with modification<br>(d) other relevant information <u>regarding the health</u> status of the animal.   |
| (d) other relevant information regarding the description and the health status of the animal.                                     | (d) other relevant information regarding the description <i>of</i> the health status of the animal.<br>(Amendment 110)   | (d) other relevant information regarding the description and the health status of the animal.   |  |
| <b>Article 30</b>   | <b>Article 28a</b>   | <b>Article 30</b>   |  |
| <i>Format of the identification document</i>  | <i>Initial text (Article 30) deleted (Amd 111)</i><br><i>Format of the identification document</i><br>(Amd 105)  | <u>Deleted</u><br><br><u>Text partially integrated in Article on format and content see above</u>   | <b>Amendment 111 :</b> Acceptable<br><b>Amendment 105 :</b> Acceptable with modification : propose to merge Articles on format and content to make the text more simple and use Council text for Title of Article.   |

| COMMISSION proposal<br>COM(2012) 89 final  | EP COMENVI amendments<br>As voted on 6/11/2012  | Position in COUNCIL<br>As in document 12054/12   | PRESIDENCY<br>suggestions   |
|--|---|--|---|
| 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). | 1. <i>The identification document referred to in Article 9(1)(c) shall be in the format of the model contained in Annex Vc and shall contain entries for the insertion of the information required in accordance with Article 29.</i><br>(Amendment 106)  | <u>Text partially integrated in Article on format and content see above</u>  | <b>Amendment 106</b> : Need to be further discussed to evaluate the appropriateness of having models in the Annexes   |
| 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.   | 2. <i>The Commission shall be empowered to lay down requirements in an implementing act concerning the languages, safety features, layout and validity of the identification document referred to paragraph 1. This implementing act shall be adopted in accordance with the examination procedure referred to in Article 43(2).</i><br>(Amendment 107) | 2. <u>The implementing act referred to in the first paragraph shall also lay down requirements concerning the languages, the layout, the validity or the security features of the identification document referred to in that paragraph.</u><br><br><u>That implementing act shall be adopted in accordance with the examination procedure referred to in Article 43(2).</u> | <b>Amendment 107</b> : need to be further discussed together with amendment 106.<br><br>The final text will depend on the position adopted on Amendment 106<br>Propose to introduce [part of] the text in the Article on format and content of the identification document. |

| COMMISSION proposal<br>COM(2012) 89 final  | EP COMENVI amendments<br>As voted on 6/11/2012   | Position in COUNCIL<br>As in document 12054/12  | PRESIDENCY<br>suggestions  |
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| SECTION 4<br><b>IDENTIFICATION DOCUMENTS FOR<br/>THE NON-COMMERCIAL MOVEMENT<br/>INTO A MEMBER STATE FROM A<br/>THIRD COUNTRY OR TERRITORY OF<br/>PET ANIMALS OF THE SPECIES<br/>LISTED IN PART B OF ANNEX I</b>   | SECTION 4<br><b>IDENTIFICATION DOCUMENTS FOR<br/>THE NON-COMMERCIAL MOVEMENT<br/>INTO A MEMBER STATE FROM A<br/>THIRD COUNTRY OR TERRITORY OF<br/>PET ANIMALS OF THE SPECIES<br/>LISTED IN PART B OF ANNEX I</b>   | SECTION 4<br><b>IDENTIFICATION DOCUMENTS FOR<br/>THE NON-COMMERCIAL MOVEMENT<br/>INTO A MEMBER STATE FROM A<br/><u>TERRITORY OR A THIRD COUNTRY</u><br/>OF PET ANIMALS OF THE SPECIES<br/>LISTED IN PART B OF ANNEX I</b>   | <b>Propose Council text to take account<br/>of the explanations from the<br/>Commission on the concept of<br/>territory</b>  |
| <i>Article 31</i>  | <i>Article 33a</i>   | <i>Article 31</i>   | <i>Article uy</i>  |
| <i>Issuing of the identification document</i>  | <i>Initial text (Article 31) deleted (Amd 117)</i><br><i>Issuing of the identification document</i><br><b>(Amd 127)</b>  | <i>Issuing and completing the<br/>identification document</i>   | <b>Amendment 117 : Acceptable</b><br><b>Amendment 127 (title) : Acceptable</b><br><b>with modification (Propose Council<br/>text)</b>  |
| 1. The identification document<br>referred to in Article 14(1)(c)<br>shall:<br>(a) be issued by:<br>(i) an official veterinarian<br>on the basis of<br>supporting<br>documentation, or<br>(ii) a veterinarian<br>authorised by the<br>competent authority for<br>that purpose and<br>subsequently endorsed<br>by the competent<br>authority;<br>(b) document compliance with<br>Article 14(1)(a), (b) and (c). | <i>The identification document referred<br/>to in Article 14(1)(c) shall bear a<br/>serial number and be issued either by<br/>an official veterinarian of the third<br/>country of dispatch on the basis of<br/>supporting documentation, or by an<br/>authorised veterinarian and<br/>subsequently endorsed by the<br/>competent authority after the<br/>veterinarian</i><br><b>(Amendment 127)</b> | 1. The identification document<br>referred to in Article 14(2)(c)<br>shall <u>be issued by</u> :<br>(a) <u>an official veterinarian of<br/>the territory or third<br/>country of dispatch on the<br/>basis of supporting<br/>documentation, or</u><br>(b) <u>an authorised veterinarian<br/>and subsequently endorsed<br/>by the competent authority<br/>of the territory or third<br/>country of dispatch.</u> | <b>Amendment 127 (text): Acceptable</b><br><b>with modification</b><br><b>Need to check cross references</b><br><br><i>The identification document referred<br/>to in Article 14(2)(c) shall bear <u>a<br/>unique reference number</u> and be<br/>issued either by an official<br/>veterinarian of the <u>territory or third<br/>country of dispatch</u> on the basis of<br/>supporting documentation, or by an<br/>authorised veterinarian and<br/>subsequently endorsed by the<br/>competent authority <u>of the territory<br/>or third country of dispatch</u> after the<br/><u>issuing</u> veterinarian:</i> |

| COMMISSION proposal<br>COM(2012) 89 final   | EP COMENVI amendments<br>As voted on 6/11/2012   | Position in COUNCIL<br>As in document 12054/12   | PRESIDENCY<br>suggestions   |
|---|--|--|---|
| 2. Compliance with the marking or description requirements provided for in Article 14(1)(a) shall be verified before:<br>(a) the identification document is issued in accordance with paragraph 1(a);<br>(b) the requirements provided for in Article 14(1)(a), (b) and (c) are documented in accordance with Article 18(3)(c). | (a) <i>has verified that the animal was marked in accordance with Article 16(2); and</i><br>(b) <i>has carefully entered into the identification document the relevant information mentioned in Article 32(1), points (a) to (c), thus fulfilling the requirements mentioned in Article 14(2), points (a) and (b).</i><br><b>(Amendment 127)</b> | 2. <u>After having verified that the pet animal is marked or described 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)(a) to (c) certifying compliance with the requirements referred to in Article 14(2)(a) and (b) where applicable.</u> | (a) <i>has verified that the <u>pet animal</u> was marked or described in accordance with Article 16(2); and</i><br>(b) <i>has <u>duly completed the relevant entries of the identification document with the [...]</u> information mentioned in Article 32(1), points (a) to (c), thus certifying compliance with the requirements referred to in Article <u>14(2)</u>, points (a) and (b) where applicable.</i> |
| <b>Article 32</b>   | <b>Article 32</b>  | <b>Article 32</b>  | <b>Article ux</b>   |
| <b>Information to be provided by the identification document</b>  | <b>Information to be provided by the identification document</b>   | <b>Format and content of the identification document</b>   | <b>Propose Council text</b>   |
| 1. The identification document referred to in Article 14(1)(c) shall provide the following information:<br><br>(a) the characteristics of the mark or the description of the animal as provided for in Article 16(2);   | 1. The identification document referred to in Article 14(1)(c) shall provide the following information:<br><br>(a) the characteristics of the mark or the description of the animal as provided for in Article 16(2);<br><br>(aa) <i>the species and, where relevant, the breed, sex and colour of the animal;</i><br><b>(Amendement 121)</b>    | 1. <u>[The Commission may, by means of an implementing act, adopt a model of] the</u> identification document referred to in Article 14(2)(c) <u>which shall contain entries for the insertion of</u> the following information:<br>(a) the characteristics of the mark or the description of the animal as provided for in Article 16(2);                                 | <b>Propose Council text</b><br><b>For the part between brackets: need to be further discussed together with amendment 119.</b><br><b>Need to check cross references</b><br><br><b>Keep Commission text</b><br><br><b>Amendment 121 : Acceptable?</b>  |

| COMMISSION proposal<br>COM(2012) 89 final   | EP COMENVI amendments<br>As voted on 6/11/2012  | Position in COUNCIL<br>As in document 12054/12  | PRESIDENCY<br>suggestions   |
|---|---|---|---|
| (b) the name and address of the owner or the natural person acting on behalf of and in agreement with the owner;                  | (b) the name, address <i>and signature</i> of the owner or the <i>authorised</i> person;<br>(Amendment 122)                       | (b) the name and <u>contact information</u> of the owner or the <u>authorised person</u> ;  | <b>Amendment 122</b> : Acceptable with modification: the address is not sufficient to contact the owner and the signature of the owner should not be on this type of identification document.   |
|   | (ba) <i>the name, address and signature of the authorised veterinarian</i> ;<br>(Amendment 123)                                   | (ba) <u>the name, contact information and signature of the issuing official or authorised veterinarian</u> ;  | (b) the name and <u>contact information</u> of the owner or the <i>authorised</i> person<br><b>Amendment 123</b> : Acceptable with modification<br>(ba) <i>the name, contact information and signature of the issuing official or authorised veterinarian</i> |
| (c) details of the preventive health measures for diseases or infections other than rabies, where necessary, under Article 18(1); | (c) details of the preventive health measures for diseases or infections other than rabies, where necessary, under Article 18(1); | (bb) <u>a unique certificate reference number</u> ;   | <b>Propose Council text</b> to introduce a field for the unique reference number referred to in the Article on issuing<br><b>Propose Council text</b> : no need to use the end of the sentence as superfluous   |
| (d) other relevant information regarding the description and the health status of the animal.                                     | (d) other relevant information regarding the description <i>of</i> the health status of the animal<br>(Amendment 124)             | (c) details of the preventive health measures for diseases or infections other than rabies [...];   | <b>Amendment 124</b> : Acceptable with modification   |
|   |   | (d) other relevant information regarding the description and the health status of the animal;   | (d) other relevant information <u>regarding the</u> health status of the animal   |
|   |   | (e) <u>the name and the signature of the representative of the endorsing competent authority; and</u>   | <b>Propose Council text</b>   |
|   |   | (f) <u>the name, signature and contact information of the competent authority carrying out the checks referred to in Article 36 and the date of these checks.</u> | <b>Propose Council text</b><br>Additional fields are necessary for the insertion of the contact information of the competent authority and of the results of the checks   |

| COMMISSION proposal<br>COM(2012) 89 final  | EP COMENVI amendments<br>As voted on 6/11/2012  | Position in COUNCIL<br>As in document 12054/12   | PRESIDENCY<br>suggestions  |
|--|---|--|--|
| 2. 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. | 2. The <i>individual or collective</i> identification document referred to in Article 14(1)(c) shall be supplemented by a written declaration signed by the owner or the <i>authorised person</i> stating that the pet animal is moved into the Union for non-commercial purposes.<br>(Amendment 125) | 2. <u>A written declaration signed by the owner or the authorised person confirming that the movement of the pet animal into the Union is a non-commercial movement shall be part of the</u> identification document referred to in <u>paragraph 1 [...]</u> . | <b>Amendment 125</b> : Acceptable with modification<br>Not acceptable to have a reference to individual or collective identification document ; this question should be looked at in the future when applying the Article on format and content of identity documents for pet animals of Part B species.<br>The proposal does not yet establish the conditions for movements from third countries to the Union of animals of part B species.<br>2. <u>A written declaration signed by the owner or the authorised person confirming that the movement of the pet animal into the Union is a non-commercial movement shall be part of the</u> identification document referred to in in Article 14(2)(c).<br>Need to check cross references |
| <i>Article 33</i>  | <i>Article 31a</i>  | <i>Article 33</i>  |  |
| <i>Format of the identification document</i>   | <i>Initial text (Article 33) deleted (Amd 126)</i><br><i>Format of the identification document (Amd 118)</i>  | <u>Deleted</u><br><u>Text partially integrated in above Article on format and content</u>  | <b>Amendment 126</b> : Acceptable<br><b>Amendment 118</b> : Acceptable with modification : propose to merge Articles on format and content to make the text more simple and use Council text for title of the Article  |

| COMMISSION proposal<br>COM(2012) 89 final  | EP COMENVI amendments<br>As voted on 6/11/2012   | Position in COUNCIL<br>As in document 12054/12  | PRESIDENCY<br>suggestions   |
|--|--|---|---|
| 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). | 1. <i>The identification document referred to in Article 14(1), point (c) shall be in the format of the model contained in Annex Vd and shall contain entries for the insertion of the information required in accordance with Article 32(1).</i><br>(Amendment 119)   | <u>Text partially integrated in above Article on format and content</u><br><br><u>Text integrated in above Article on format and content as a new paragraph 1a</u>  | <b>Amendment 119</b> : need to be further discussed to evaluate the appropriateness of having models in the Annexes.<br><br>Propose to introduce part of the text in the Article on format and content of the identification document.  |
| 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.   | 2. <i>The Commission shall be empowered to lay down requirements in an implementing act concerning the languages, layout and validity of the identification document referred to paragraph 1. This implementing act shall be adopted in accordance with the examination procedure referred to in Article 43(2).</i><br>(Amendment 120) | 1a. <u>The implementing act referred to in the first paragraph shall also lay down requirements concerning the languages, the layout and the validity of the identification document referred to in that paragraph.</u><br><br><u>That implementing act shall be adopted in accordance with the examination procedure referred to in Article 43(2).</u> | <b>Amendment 120</b> : need to be further discussed together with amendment 119.<br><b>The final text will depend on the text proposed on Amendment 119</b><br><br>Propose to introduce [part of] the text in the Article on format and content of the identification document. |

| COMMISSION proposal<br>COM(2012) 89 final   | EP COMENVI amendments<br>As voted on 6/11/2012   | Position in COUNCIL<br>As in document 12054/12  | PRESIDENCY<br>suggestions  |
|---|--|---|--|
| CHAPTER VI<br>COMMON PROVISIONS   |  |   |  |
| <i>Chapter VI – Section 1 - Title</i>   |  |   |  |
| DEROGATION FOR DIRECT NON-COMMERCIAL MOVEMENT OF PET ANIMALS INTO MEMBER STATES   | Amendment 128<br>DEROGATION <i>FOR NON-COMMERCIAL</i> MOVEMENT OF PET ANIMALS INTO MEMBER STATES   | DEROGATION FOR [...] NON-COMMERCIAL MOVEMENT OF PET ANIMALS INTO MEMBER STATES  | Acceptable   |
| <i>Article 34 - title</i>   |  |   |  |
| <i>Derogation from the conditions of Articles 5, 9, 10 and 14</i>   | Not amended  | Not amended   | Keep Commission text   |
| <i>Article 34 – paragraph 1 – introductory sentence</i>   |  |   |  |
| 1. By way of derogation from the conditions provided for in Articles 5, 9, 10 and 14, Member States may authorise 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: | Amendment 129<br>1. By way of derogation from the conditions provided for in Articles 5, 9, 10 and 14, Member States may authorise 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 <i>in exceptional situations</i> , provided that: | 1. By way of derogation from the conditions provided for in Articles 5, 9, 10 and 14, Member States may authorise <u>in exceptional circumstances</u> the <u>non-commercial</u> movement [...] into their territory of pet animals[...] which do not comply with the conditions laid down in those Articles, provided that: | Acceptable with modification<br>1. By way of derogation from the conditions provided for in Articles 5, 9, 10 and 14, Member States may authorise <i>in exceptional situations</i> , the <u>non-commercial</u> movement [...] into their territory of pet animals [...] which do not comply with the conditions laid down in those Articles [...] provided that: |



| COMMISSION proposal<br>COM(2012) 89 final  | EP COMENVI amendments<br>As voted on 6/11/2012  | Position in COUNCIL<br>As in document 12054/12  | PRESIDENCY<br>suggestions  |
|--|---|---|--|
| Article 34 – paragraph 1 – point a   |   |   |  |
| (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;   | Amendment 130   | (a) <b><u>the owner has applied in advance for a permit</u></b> and the Member State of destination has granted such permit;  | Not acceptable<br><b>Only the owner should be allowed to ask for such a permit</b><br>(a) a prior application for a permit has been made by the owner [...] and the Member State of destination has granted such permit; |
|  | (a) a prior application for a permit has been made by the owner or the <b><i>authorised</i></b> person and the Member State of destination has granted such permit; |   |  |
| Article 34 – paragraph 1 – point b   |   |   |  |
| (b) the pet animals are quarantined under official supervision for the time necessary for them to meet those conditions and not exceeding six months:<br>(i) at a place approved by the competent authority;<br>(ii) in accordance with the arrangements prescribed in the permit. | Not amended   | (b) the pet animals are <b><u>isolated</u></b> under official supervision for the time necessary for them to meet those conditions and not exceeding six months:<br>(i) at a place approved by the competent authority; <b><u>and</u></b><br>(ii) <b><u>Not amended</u></b> | Propose Council text<br><b>It is sufficient to foresee an isolation under official supervision</b><br><br>Propose Council text<br><b>Legal linguistic change</b><br><b>Keep Commission text</b>                          |
|  |   |   |  |
| Article 34 – paragraph 2   |   |   |  |
| 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.   | Not amended   | <b><u>Not amended</u></b>   | Keep Commission text   |
|  |   |   |  |

| COMMISSION proposal<br>COM(2012) 89 final  | EP COMENVI amendments<br>As voted on 6/11/2012   | Position in COUNCIL<br>As in document 12054/12   | PRESIDENCY<br>suggestions  |
|--|--|--|--|
| SECTION 2  |  |  |  |
| GENERAL CONDITIONS REGARDING COMPLIANCE  |  |  |  |
| <i>Article 35 - Title</i>  |  |  |  |
| <i>Documentary, 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)</i>   | <b>Amendment 131</b><br>Documentary, 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) <i>and Article 14a</i>   | <b>Documentary <u>and</u> identity [...] checks to be carried out on non-commercial movements of pet animals into a Member State from another Member State or a <u>territory or a third country</u> listed pursuant to Article 13(1) <u>and Article 14a</u></b>  | Acceptable with modification<br><br>Propose to take account of the explanations of the Commission on the concept of territory. Further physical checks are not necessary to guarantee compliance with this Regulation.<br><br>Documentary <u>and</u> identity [...] checks to be carried out on non-commercial movements of pet animals into a Member State from another Member State or a <u>territory or a third country</u> listed pursuant to Article 13(1) <i>and Article 14a</i>   |
| <i>Article 35 – paragraph 1</i>  |  |  |  |
| 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), to verify in a non-discriminatory way compliance with Chapter II. | <b>Amendment 132</b><br>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) <i>and Article 14a</i> , to verify in a non-discriminatory way compliance with Chapter II. | 1. Without prejudice to Article 15, Member States shall carry out targeted or random documentary and identity checks [...] on pet animals being moved for non-commercial purposes into a Member State from another Member State or from a <u>territory or a third country</u> listed in the implementing act adopted pursuant to Article 13(1) <u>and where applicable Article 14a</u> , to verify in a non-discriminatory way compliance with Chapter II. | Acceptable with modification<br><br>Propose to take account of the explanations of the Commission on the concept of territory and an additional clarification.<br><br>1. Without prejudice to Article 15, Member States shall carry out targeted or random documentary and identity checks [...] on pet animals being moved for non-commercial purposes into a Member State from another Member State or from a <u>territory or a third country</u> listed in the implementing act adopted pursuant to Article 13(1) <i>and where applicable Article 14a</i> , to verify in a non-discriminatory way compliance with Chapter II. |

| COMMISSION proposal<br>COM(2012) 89 final  | EP COMENVI amendments<br>As voted on 6/11/2012   | Position in COUNCIL<br>As in document 12054/12   | PRESIDENCY<br>suggestions   |
|--|--|--|---|
| <b>Article 35 – paragraph 2 – introductory sentence</b>  |  |  |   |
|  | <b>Amendment 133</b><br>2. The owner or <i>the authorised person</i> 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) <i>and Article 14a</i> shall, at the request of the competent authority responsible for the checks provided for in paragraph 1 of this Article: | 2. <u>At</u> the time of any non-commercial movement into a Member State from another Member State or a <u>territory or a third country</u> listed pursuant to Article 13(1) <u>and where applicable Article 14a</u> , the owner or <u>an authorised person</u> shall, at the request of the competent authority responsible for the checks provided for in paragraph 1 of this Article: | <b>Acceptable with modification</b><br><b>Propose to take account of the explanations of the Commission on the concept of territory and an additional clarification.</b><br>2. <u>At</u> the time of any non-commercial movement into a Member State from another Member State or a <u>territory or a third country</u> listed pursuant to Article 13(1) <u>and where applicable Article 14a</u> , the owner or <i>the authorised person</i> shall, at the request of the competent authority responsible for the checks provided for in paragraph 1 of this Article: |
| <b>Article 35 – paragraph 2 – point a</b>  |  |  |   |
| (a) present the identification document which demonstrates compliance with the requirements for such movement in the format provided for in:<br>(i) Article 22(1), or<br>(ii) Article 23(1); | <b>Amendment 134</b><br>(a) present the identification document <i>required under this Regulation</i> which demonstrates compliance with the requirements for such movement.   | (a) present the identification document which <u>certifies</u> compliance with the requirements for such movement; <u>and</u>  | <b>Acceptable</b>   |
| <b>Article 35 – paragraph 2 – point b</b>  |  |  |   |
| (b) make the pet animal available for those checks.  | <b>Not amended</b>   | <u>Not amended</u>   | <b>Keep Commission text</b>   |
| <b>Article 36 - Title</b>  |  |  |   |
| <i>Documentary, identity and physical checks to be carried out on non-commercial movements into a Member State from a third country or territory</i>   | <b>Amendment 135</b><br>Documentary, identity and physical checks to be carried out on non-commercial movements from a third country or territory <i>not listed pursuant to Article 13(1) or Article 14a</i>   | <b>Documentary and identity [...] checks to be carried out on non-commercial movements into a Member State from a <u>territory or a third country other than those listed in accordance with Article 13(1) and Article 14a</u></b>   | <b>Acceptable with modification</b><br>Documentary <u>and</u> identity [...] checks to be carried out on non-commercial movements from a <u>territory or a third country not listed pursuant to Article 13(1) or Article 14a</u>  |

| COMMISSION proposal<br>COM(2012) 89 final   | EP COMENVI amendments<br>As voted on 6/11/2012  | Position in COUNCIL<br>As in document 12054/12  | PRESIDENCY<br>suggestions  |
|---|---|---|--|
| <b>Article 36 – paragraph 1</b>   |   |   |  |
| 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) shall be subject to documentary and identity checks, and where necessary physical checks, by the competent authority at the travellers' point of entry. | <b>Amendment 136</b><br>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) <b>and Article 14a</b> shall be subject to documentary and identity checks, and where necessary physical checks, by the competent authority at the travellers' point of entry, <b>in order to verify compliance with the provisions of Chapter III.</b> | 1. The non-commercial movement of pet animals into a Member State from <b>a territory or a third country</b> other than those listed in the implementing act adopted pursuant to Article 13(1) <b>and where applicable Article 14a</b> shall be subject to documentary and identity checks [...] by the competent authority at the travellers' point of entry <b>to verify compliance with Chapter III.</b>                     | <b>Acceptable with modification</b><br><br><b>Propose to take account of the explanations of the Commission on the concept of territory and an additional redrafting</b><br><br>1. The non-commercial movement of pet animals into a Member State from <b>a territory or a third country</b> other than those listed in the implementing act adopted pursuant to Article 13(1) <b>and where applicable Article 14a</b> shall be subject to documentary and identity checks [...] by the competent authority at the travellers' point of entry, <b>in order to verify compliance with the provisions of Chapter III.</b>  |
| <b>Article 36 – paragraph 2 – introductory sentence</b>   |   |   |  |
| 2. The owner or a or a natural person acting on behalf of and in agreement with the owner, 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), shall at the request of the competent authority provided for in paragraph 1:         | <b>Amendment 137</b><br>2. The owner or <b>the authorised</b> person, 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) <b>and Article 14a</b> , shall at the request of the competent authority <b>at the travellers' point of entry</b> provided for in paragraph 1:   | 2. The owner or <b>an authorised person shall</b> at the time of entry into a Member State from a <b>territory or a third country</b> other than those listed in the implementing act adopted pursuant to Article 13(1) <b>and where applicable Article 14a</b> , <b>contact</b> the competent authority <b>present at the traveller's point of entry for the purpose of the checks referred to</b> in paragraph 1 <b>and</b> : | <b>Acceptable with modification</b><br><br><b>Propose to take account of the explanations of the Commission on the concept of territory</b><br><b>It is also important to foresee an obligation for the travellers to present themselves to the competent authority</b><br><br>2. The owner or <b>the authorised</b> person, at the time of entry into a Member State from <b>a territory or a third country</b> other than those listed in the implementing act adopted pursuant to Article 13(1) <b>and where applicable Article 14a</b> , shall <b>contact</b> the competent authority <b>present at the travellers' point of entry for the purpose of the checks referred to</b> in paragraph 1 <b>and</b> : |

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|--|---|---|---|
| <i>Article 36 – paragraph 2 – point a</i>  |   |   |   |
| (a) present the identification document which demonstrates compliance with the requirements for such movement in the format provided for in:<br>(i) Article 26(1), or<br>(ii) Article 27(b); | <b>Amendment 138</b><br>(a) present the identification document which demonstrates compliance with the requirements for such movement in the format <i>corresponding to the requirements of this Regulation</i> . | (a) present the identification document <b><u>of the pet animal</u></b> which <b><u>certifies</u></b> compliance with the requirements for such movement; <b><u>and</u></b> | <b>Acceptable with modification</b><br><b>It is sufficient that the person demonstrates compliance with requirements for the movement</b><br><br>(a) present the identification document <b><u>of the pet animal</u></b> which demonstrates compliance with the requirements for such movement <b><u>[...]; and</u></b> |
| <i>Article 36 – paragraph 2 – point b</i>  |   |   |   |
| (b) make the pet animal available for those checks.  | <b>Not amended</b>  | <b><u>Not amended</u></b>   | <b>Keep Commission text</b>   |
| <i>Article 36 – paragraph 3</i>  |   |   |   |
| 3. Member States shall draw up and keep up-to-date a list of travellers' points of entry.  | <b>Not amended</b>  | <b><u>Not amended</u></b>   | <b>Keep Commission text</b>   |
| <i>Article 36 – paragraph 4 – introductory sentence</i>  |   |   |   |
| 4. Member States shall ensure that the competent authority that they have designated to carry out checks provided for in paragraph 1:  | <b>Not amended</b>  | <b><u>Not amended</u></b>   | <b>Keep Commission text</b>   |
| <i>Article 36 – paragraph 4 – point a</i>  |   |   |   |
| (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>Not amended</b>  | <b><u>Not amended</u></b>   | <b>Keep Commission text</b>   |

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|--|---|--|---|
| Article 36 – paragraph 4 – point b   |   |  |   |
| (b) keeps records of the checks that have been carried out;  | Amendment 139   | (b) keeps records of the <u>number of</u> checks that have been carried out <u>and of non-compliances revealed during these checks; and</u>  | Acceptable with modification<br>(b) keeps records of the <i>total number of</i> checks that have been carried out <i>and of non-compliances revealed during these checks; and</i> ;   |
|  | (b) keeps records of the <i>total number of</i> checks that have been carried out <i>and non-compliance registered</i> ;  |  |   |
| Article 36 – paragraph 4 – point c   |   |  |   |
| (c) documents the checks that have been carried out in the identification document referred to in:<br>(i) Article 10(e), or<br>(ii) Article 27(b)  | Amendment 140   | (c) documents the checks that have been carried out <u>in the relevant entry of</u> the identification document;   | Acceptable  |
|  | (c) documents the checks that have been carried out in the identification document.   |  |   |
| Article 37 - Title   |   |  |   |
| Actions in case of non-compliance with the checks provided for in Articles 35 and 36   | Not amended   | Actions in case of non-compliance <u>revealed during the checks provided for in Articles 35 and 36</u>   | Propose Council text<br>Clarification of the text   |
|  |   |  |   |
| Article 37 – paragraph 1 – introductory sentence   |   |  |   |
| 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, to: | Amendment 141   | 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 <u>or</u> III, the competent authority shall decide, after consultation with the official veterinarian, and <u>where necessary with the owner</u> , to: | Acceptable with modification<br>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 <u>or</u> III, the competent authority shall decide, after consultation with the official veterinarian <i>and where necessary with the owner or the authorised person</i> , to |
|  | 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 <i>and where necessary with the owner or the authorised person</i> , to |  |   |

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|---|--|--|--|
| Article 37 – paragraph 1 – point a  |  |  |  |
| (a) return the pet animal to its country or territory of dispatch, or   | Amendment 142  | Not amended  | Acceptable with modification<br>Accept principle but suggest to have a separate § on expenses that covers also § 2 and here keep Commission text   |
|   | (a) return the pet animal, <i>at the expense of the owner</i> , to its country or territory of dispatch, or  |  |  |
| Article 37 – paragraph 1 – point b  |  |  |  |
| (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                                    | Amendment 143  | (b) isolate the pet animal [...] under official control for the time necessary for it to comply with the conditions laid down in Chapters II <u>or</u> III, or                               | Acceptable with modification<br>Propose in addition to delete reference to expenses and to have it in a separate paragraph (see above)   |
|   | (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 <i>or</i> III, or   |  |  |
| Article 37 – paragraph 1 – point c  |  |  |  |
| (c) 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. | Amendment 144  | (c) <u>as a last resort</u> , put the pet animal down, [...] where its return is not possible or isolation is not <u>appropriate due to animal health, animal welfare or other reasons</u> . | Acceptable with modification<br>Propose as above to have reference to expenses in a separate paragraph<br>(c) <u>as a last resort</u> , put the pet animal down, [...] where its return is not possible or isolation is not practical. |
|   | (c) put the pet animal down, <i>as a last resort in accordance with member state animal welfare standards</i> , 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. |  |  |
| Article 37 – paragraph 2  |  |  |  |
| 2. Where the non-commercial movement of pet animals into the Union is refused by the competent authority, they shall be housed under official control pending:  | Not amended  | 2. Where the non-commercial movement of pet animals into the Union is refused by the competent authority, <u>the pet animals</u> shall be <u>isolated</u> under official control pending:    | Propose Council text<br><br>Clarification and consistency in the use of terms  |
|   |  |  |  |
| Article 37 – paragraph 1 – point a  |  |  |  |
| (a) their return to their country or territory of dispatch, or  | Not amended  | Not amended  | Keep Commission text   |
|   |  |  |  |

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| <i>Article 37 – paragraph 1 – point b</i>   |  |  |  |
| (b) the adoption of any other administrative decision concerning those pet animals.   | Not amended  | Not amended  | Keep Commission text   |
| <i>Article 37 – paragraph 3 (New)</i>   |  |  |  |
|   |  | 3. <u>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.</u>   | Propose Council text on expenses after an additionnal change to further clarify the text<br>3. <u>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 [for the owner or the authorised person].</u>  |
| <i>Article 38 – Title</i>   |  |  |  |
| <i>Safeguard measures</i>   | Not amended  | Not amended  | Keep Commission text   |
| <i>Article 38 – first paragraph</i>   |  |  |  |
| 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: | <b>Amendment 145</b><br>Where rabies <i>or another disease or infection</i> 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: | Where <u>a disease or infection</u> occurs or spreads in a Member State, a <u>territory or a third country</u> or 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: | Acceptable with modification<br><br>Propose to take account of explanations of the Commission on the concept of territory and to clarify further the text<br><br>Where <u>rabies or a disease or infection other than rabies</u> occurs or spreads in a Member State, a <u>territory or a third country and</u> 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: |



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| <b>Article 38 – point a of the first paragraph</b>   |  |   |  |
| (a) suspend the non-commercial movement or transit of pet animals from all or part of the territory of the Member State or third country or territory concerned;   | Not amended                                    | (a) suspend the non-commercial movement or transit of pet animals from all or part of the territory of the Member State or <u>territory or third country</u> concerned;           | Propose Council text to take account of explanations of the Commission on concept of territory |
| <b>Article 38 – point b of the first paragraph</b>   |  |   |  |
| (b) lay down special conditions in respect of non-commercial movements of pet animals coming from all or part of the Member State or third country or territory concerned.   | Not amended                                    | (b) lay down special conditions in respect of non-commercial movements of pet animals coming from all or part of the Member State or <u>territory or third country</u> concerned. | Propose Council text to take account of explanations of the Commission on concept of territory |
| <b>Article 38 – second paragraph</b>   |  |   |  |
| Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 43(2).<br><br>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). | Not amended                                    | <u>Not amended</u>  | Keep Commission text   |
| <b>Article 39 – Title</b>  |  |   |  |
| <b>Information obligations</b>   | Not amended                                    | <u>Not amended</u>  | Keep Commission text   |

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|--|--|---|---|
| <b>Article 39 – paragraph 1</b>  |  |   |   |
| 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 following: | <b>Amendment 146</b><br>1. <i>Member States</i> shall provide the public <i>and veterinarians</i> with clear and easily accessible information concerning the following:                                     | 1. [...] Member States shall provide the public with clear and easily accessible information concerning the <u>animal health requirements applicable to the non-commercial movement of pet animals and the rules for compliance checks on such movement laid down in this Regulation.</u> | <b>Acceptable with modifications</b><br><b>Not acceptable to add veterinarians here ; if the information is made available to the public, it will be available to veterinarians as well.</b><br>1. Member States shall provide the public with clear and easily accessible information concerning the <u>animal health requirements applicable to the non-commercial movement of pet animals and the rules for compliance checks on such movement laid down in this Regulation.</u> |
| <b>Article 39 – paragraph 1a (New)</b>   |  |   |   |
|  |  | 1a <u>The information referred to in paragraph 1 shall in particular include the following:</u>   | Propose Council text  |
| <b>Article 39 – paragraph 1a (New)</b>   |  |   |   |
|  | <b>Amendment 147</b><br>(aa) <i>the general requirements that apply for the non-commercial movements of pets in Union territory or the conditions under which they may enter or re-enter such territory;</i> |   | <b>Acceptable with modification</b><br><b>Is close to the text of § 1 in Council document 12054/12.</b><br><b>Propose to follow that line - see text above.</b>   |
| <b>Article 39 – paragraph 1 or 1a – point a</b>  |  |   |   |
| (a) the qualifications required for the implantation of the transponder as provided for in Article 17;   | <b>Not amended</b>   | (a) the qualifications required for <u>the persons carrying out</u> the implantation of the transponder as provided for in Article 17;  | <b>Propose Council text</b><br><b>Alignement to content of Article 17</b>   |
| <b>Article 39 – paragraph 1 or 1a – point b</b>  |  |   |   |
| (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;                          | <b>Not amended</b>   | <u>Not amended</u>  | <b>Keep Commission text</b>   |

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|--|---|---|---|
| Article 39 – paragraph 1 or 1a – point c   |   |   |   |
| (c) the conditions applicable to the non-commercial movement into their territory of pet animals of the species listed in Annex I:   | Not amended   | (c) the conditions applicable to the non-commercial movement into their territory of pet animals [...]:   | Propose Council text<br><br>No need to refer to Annex I as this is already part of the definition of pet animals  |
|  |   |   |   |
| Article 39 – paragraph 1 or 1a – point c – subpoint i  |   |   |   |
| (i) which do not comply with Articles 5, 9, 10 and 14;   | Not amended   | Not amended   | Keep Commission text  |
|  |   |   |   |
| Article 39 – paragraph 1 or 1a – point c – subpoint ii   |   |   |   |
| (ii) which come from certain countries and territories under conditions laid down by their national rules as provided for in Article 15;   | Not amended   | Not amended   | Keep Commission text  |
|  |   |   |   |
| Article 39 – paragraph 1 or 1a – point d   |   |   |   |
| (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);                                 | Amendment 148   | Not amended   | Not acceptable<br><br>As explained in the response to amendment 50, it is not necessary to have twice in the text the requirement to keep updated lists of travellers' points of entry. |
|  | (d) the list of travellers’ points of entry as required by Article 36(3) or Article 10(2), including the competent authority designated to carry out the checks as provided for in Article 36(4); |   |   |
| Article 39 – paragraph 1 or 1a – point e   |   |   |   |
| (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). | Not amended   | (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 9(3) and Article 14(3); | Need to be discussed further together with Article 9<br><br>Change linked to decision on national rules for intra-Union movement of pets of part B species                              |
|  |   |   |   |

| COMMISSION proposal<br>COM(2012) 89 final  | EP COMENVI amendments<br>As voted on 6/11/2012  | Position in COUNCIL<br>As in document 12054/12   | PRESIDENCY<br>suggestions   |
|--|---|--|---|
| <b>Article 39 – paragraph 1 or 1a – point ea</b>   |   |  |   |
|  | <b>Amendment 149</b><br>(ea) <i>information on anti-rabies vaccinations for which marketing authorisation is required under point 1(b) of Annex IV, and special instructions for use.</i>                           | (f) <u>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.</u>  | Acceptable with modification<br><br>(ea) <i>information on anti-rabies vaccines <u>to which they have granted marketing authorisation as provided for in point 1(b) of Annex IV, and in particular on the corresponding vaccination protocol.</u></i> |
| <b>Article 39 – paragraph 1 or 1a point eb (New)</b>   |   |  |   |
|  | <b>Amendment 150</b><br>(eb) <i>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.</i> |  | Acceptable ?  |
| <b>Article 39 – paragraph 2</b>  |   |  |   |
| 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). | <b>Not amended</b>  | 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).] | <b>Need to be further discussed</b><br><br><b>Subject to diverging views among Member States</b>  |
| SECTION 3<br>PROCEDURAL PROVISIONS   |   |  |   |
| <b>Article 40 – Title</b>  |   |  |   |
| <i>Scope of delegated acts</i>   | <b>Not amended</b>  | <u>Amendments to Annexes</u>   | Propose Council text  |

| COMMISSION proposal<br>COM(2012) 89 final   | EP COMENVI amendments<br>As voted on 6/11/2012 | Position in COUNCIL<br>As in document 12054/12  | PRESIDENCY<br>suggestions  |
|---|--|---|--|
| <b>Article 40 – paragraph 1</b>   |  |   |  |
| 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.  | <b>Not amended</b>                             | 1. In order to take into account technical progress, scientific developments and the protection of public health or the health of pet animals [...], the Commission shall be empowered to adopt delegated acts in accordance with Article 41 to amend Annexes II to V to this Regulation. | <b>Propose Council text</b><br><br><b>No need to refer to Annex I as this is already part of the definition of pet animals</b> |
| <b>Article 40 – paragraph 2</b>   |  |   |  |
| 2. In order to avoid commercial movements fraudulently disguised as non-commercial movements 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 a natural person acting on behalf of and in agreement with the owner for a single non-commercial movement. | <b>Amendment 151</b><br><br><i>deleted</i>     | <b>Deleted</b>  | <b>Acceptable</b>  |
| <b>Article 41 – Title</b>   |  |   |  |
| <i>Exercise of the delegation</i>   | <b>Not amended</b>                             | <b>Not amended</b>  | <b>Keep Commission text</b>  |
| <b>Article 41 – paragraph 1</b>   |  |   |  |
| 1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.  | <b>Not amended</b>                             | <b>Not amended</b>  | <b>Keep Commission text</b>  |

| COMMISSION proposal<br>COM(2012) 89 final   | EP COMENVI amendments<br>As voted on 6/11/2012   | Position in COUNCIL<br>As in document 12054/12  | PRESIDENCY<br>suggestions   |
|---|--|---|---|
| <i>Article 41 – paragraph 2</i>   |  |   |   |
| <p>2. 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 (*).</p> <p>(*) <u>Date of entry into force of the basic legislative act or any other date set by the legislator.</u></p> | <p><b>Amendment 152</b></p> <p>2. The delegation of power referred to in <i>Article 4a</i>, 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 <b><i>for a period of five years from ... *. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the 5-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.</i></b></p> <p><b><i>* Date of entry into force of this Regulation.</i></b></p> | <p>2. <b><u>The power to adopt delegated acts</u></b> referred to in <b><u>Article 4a</u></b>, 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 <b><u>a period of five years</u></b> from (*). <b><u>The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.</u></b></p> <p>(*) <u>Date of entry into force of the basic legislative act or any other date set by the legislator.</u></p> | <p><b>Acceptable with modification</b></p> <p><b>Legal linguistic change</b></p> <p>2. <b><u>The power to adopt delegated acts</u></b> referred to in <i>Article 4a</i>, 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 <b><i>for a period of five years from ... *. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the 5-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.</i></b></p> <p><b><i>* Date of entry into force of this Regulation.</i></b></p> |

| COMMISSION proposal<br>COM(2012) 89 final  | EP COMENVI amendments<br>As voted on 6/11/2012 | Position in COUNCIL<br>As in document 12054/12   | PRESIDENCY<br>suggestions   |
|--|--|--|---|
| <b>Article 41 – paragraph 3</b>  |  |  |   |
| 3. 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 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 <i>Official Journal of the European Union</i> or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.  | <b>Not amended</b>                             | 3. The delegation of power referred to in <b>Article 4a</b> , 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 <b>to revoke</b> 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 <i>Official Journal of the European Union</i> or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.   | <b>Propose Council text</b><br><br><b>Reference to Article 4 needed to take account of new Article 4a (4)</b> |
| <b>Article 41 – paragraph 4</b>  |  |  |   |
| 4. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.  | <b>Not amended</b>                             | <b>Not amended</b>   | <b>Keep Commission text</b>   |
| <b>Article 41 – paragraph 5</b>  |  |  |   |
| 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. | <b>Not amended</b>                             | 5. A delegated act adopted pursuant to <b>Article 4a</b> , 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. | <b>Propose Council text</b><br><br><b>Reference to Article 4 needed to take account of new Article 4a (4)</b> |

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| <b>Article 42</b>  |  |  |  |
| <p><b><i>Urgency procedure</i></b></p> <p>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.</p> <p>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.</p> | <b>Not amended</b>                             | <u>Not amended</u><br><u>Not amended</u>       | Keep Commission text<br>Keep Commission text |
|  |  | <u>Not amended</u>                             | Keep Commission text                         |
| <b>Article 43 – Title</b>  |  |  |  |
| <b><i>Committee procedure</i></b>  | <b>Not amended</b>                             | <u>Not amended</u>                             | Keep Commission text                         |
|  |  |  |  |



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| <i>Article 43 – paragraph 1</i>   |  |   |   |
| 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. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.  | <b>Not amended</b>                             | 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 <b><u>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</u></b> <sup>1</sup> . That committee shall be a committee within the meaning of Regulation (EU) No 182/2011. | <b>Propose Council text</b><br><br><b>Legal linguistic change</b> |
| <i>Article 43 – paragraph 2</i>   |  |   |   |
| 2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.<br><br>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. | <b>Not amended</b>                             | <b><u>Not amended</u></b>   | <b>Keep Commission text</b>                                       |

<sup>1</sup> OJ L 31, 1.2.2002, p.1.

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| Article 43 – paragraph 3  |  |  |                           |
| 3. Where reference is made to this paragraph, Article 8 of Regulation (EU) No 182/2011, in conjunction with Article 5 thereof, shall apply.   | Not amended  | Not amended                                    | Keep Commission text      |
|   |  |  |                           |
| Article 44 – Title  |  |  |                           |
| Penalties   | Not amended  | Not amended                                    | Keep Commission text      |
|   |  |  |                           |
| Article 44 – first subparagraph   |  |  |                           |
| 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. | Not amended  | Not amended                                    | Keep Commission text      |
|   |  |  |                           |
| Article 44 – Second subparagraph  |  |  |                           |
| 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.                   | Amendment 153  | Not amended                                    | Acceptable                |
|   | The Member States shall notify those provisions to the Commission and shall notify it without delay of any subsequent amendments affecting them. |  |                           |
| CHAPTER VII<br>TRANSITIONAL AND FINAL PROVISIONS  |  |  |                           |
| Article 45 – Title  |  |  |                           |
| Repeal  | Not amended  | Not amended                                    | Keep Commission text      |
|   |  |  |                           |

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|--|--|---|--|
| <b>Article 45 – paragraph 1 – first subparagraph</b>   |  |   |  |
| 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].   | Not amended  | 1. Regulation (EC) No 998/2003 shall be repealed [...].   | Propose Council text<br>Legal linguistic change  |
| <b>Article 45 – paragraph 1 – second subparagraph</b>  |  |   |  |
| 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. | Not amended  | Not amended   | Keep Commission text   |
| <b>Article 45 – paragraph 2</b>  |  |   |  |
| 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.   | Not amended  | Not amended   | Keep Commission text   |
| <b>Article 45 – paragraph 2a or 3 (New)</b>  |  |   |  |
|  | <b>Amendment 154</b>   |   |  |
|  | 2a. <i>The repeal of the Regulation mentioned in paragraph 1 shall be without prejudice to the maintenance of delegated Commission Regulation No 1152/2011, which was adopted on the basis of Article 5(1) of that Regulation.</i> | 3. <u>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.</u> | Acceptable<br>3. <i>The repeal of the Regulation referred to in paragraph 1 shall be without prejudice to the maintenance in force of delegated Commission Regulation No 1152/2011, which was adopted on the basis of Article 5(1) of that Regulation.</i> |

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| Article 46 - Title  |  |   |  |
| Transitional measures regarding<br>identification documents   | Not amended  | Not amended   | Keep Commission text   |
|   |  |   |  |
| Article 46 – paragraph 1 – introductory sentence  |  |   |  |
| 1. By way of derogation from Article 22(1), the identification document shall be deemed to comply with this Regulation where:               | Amendment 155  | 1. By way of derogation from Article 21(1), the identification document shall be deemed to comply with this Regulation where: | Acceptable<br><br>Need to check cross references   |
|   | 1. By way of derogation from Article 20a(1), the identification document shall be deemed to comply with this Regulation where: |   |  |
| Article 46 – paragraph 1 – point a  |  |   |  |
| (a) it is drawn up in accordance with the model passport established by Decision 2003/803/EC;   | Amendment 156  | (a) it was drawn up in accordance with the model passport established by Decision 2003/803/EC; and                            | Acceptable   |
|   | (a) it was drawn up in accordance with the model passport established by Decision 2003/803/EC;                                 |   |  |
| Article 46 – paragraph 1 – point b  |  |   |  |
| (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 22(1). | Amendment 157  | (b) it has been issued before the date of application of this Regulation.   | Acceptable with modifications<br>Need to check cross references<br>(b) it has been issued before the date of application of this Regulation. |
|   | (b) it has been issued before the date of entry into force of the implementing act adopted pursuant to Article 22(1).          |   |  |
| Article 46 – paragraph 2 – introductory sentence  |  |   |  |
| 2. By way of derogation from Article 26(1), the identification document shall be deemed to comply with this Regulation where:               | Amendment 158  | 2. By way of derogation from Article 25(1), the identification document shall be deemed to comply with this Regulation where: | Acceptable<br><br>Need to check cross references   |
|   | 2. By way of derogation from Article 24a(1), the identification document shall be deemed to comply with this Regulation where: |   |  |

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|---|--|--|--|
| Article 46 – paragraph 2 – point a  |  |  |  |
| (a) it is drawn up in accordance with the model certificate set out in Annex II to Decision 2011/874/EU;  | Amendment 159  | (a) it <u>was</u> drawn up in accordance with the model certificate set out in Annex II to Decision 2011/874/EU; <u>and</u>  | Acceptable   |
|   | (a) it <i>was</i> drawn up in accordance with the model passport established by Decision 2011/874/EC;                                      |  |  |
| Article 46 – paragraph 2 – point b  |  |  |  |
| (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 26(1).   | Amendment 160  | (b) it has been issued <u>before</u> the date of <u>application of this Regulation</u> .   | Acceptable with modification<br><br>(b) it has been issued <i>before</i> the date of <u>application of this Regulation</u> . |
|   | (b) it has been issued <i>before</i> the date of entry into force of the implementing act adopted pursuant to Article 26(1).               |  |  |
| Article 47  |  |  |  |
| Entry into force and applicability<br><br>This Regulation shall enter into force on the twentieth day following that of its publication in the <i>Official Journal of the European Union</i> .<br><br>It shall apply from xxxx [ <i>date to be inserted: one year after entry into force of this Regulation</i> ].<br><br>This Regulation shall be binding in its entirety and directly applicable in all Member States.<br><br>Done at Brussels, | Amendment 161<br><br><br><br><br>It shall apply from...*<br><br>* <i>18 months after the date of entry into force of this Regulation</i> . | Entry into force and applicability<br><br>This Regulation shall enter into force on the twentieth day following that of its publication in the <i>Official Journal of the European Union</i> .<br><br>It shall apply from xxxx [ <i>date to be inserted: <u>eigtheen months</u> after entry into force of this Regulation</i> ].<br><br>This Regulation shall be binding in its entirety and directly applicable in all Member States.<br><br>Done at ....., | Acceptable   |

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| <b>ANNEX I</b>   |  |  |                             |
| Species of pet animals<br><br>PART A<br>Dogs ( <i>Canis lupus familiaris</i> )<br>Cats ( <i>Felis silvestris catus</i> )<br>Ferrets ( <i>Mustela putorius furo</i> )   | <b>Not amended</b>                             | <b><u>Not amended</u></b>  | <b>Keep Commission text</b> |
| PART B<br>Invertebrates (except bees and bumble bees falling within the scope of Directive 92/65/EEC and molluscs and crustaceans falling within the scope of Directive 2006/88/EC)<br>Ornamental aquatic animals reared in non-commercial aquaria (excluded from the scope of Directive 2006/88/EC)<br>Amphibia<br>Reptiles<br>Birds: all species of birds except poultry falling within the scope of Directives 92/65/EEC and 2009/158/EC)<br>Mammals: rodents and domestic rabbits. | <b>Not amended</b>                             | PART B<br>Invertebrates (except bees and bumble bees <b><u>covered by Article 8</u></b> of Directive 92/65/EEC and molluscs and crustaceans <b><u>as defined in Article 3 of</u></b> Directive 2006/88/EC)<br>Ornamental aquatic animals ( <b><u>defined in Article 3 (k) of Directive 2006/88/EC</u></b> ) reared in non-commercial aquaria (excluded from the scope of Directive 2006/88/EC <b><u>by Article 2 thereof.</u></b> )<br>Amphibia<br>Reptiles<br>Birds: all species of birds except <b><u>poultry as defined in Article 2 of Directive 2009/158/EC</u></b><br>Mammals: rodents and [...] rabbits <b><u>other than those intended for food production and defined under ‘lagomorphs’ in Annex I to Regulation (EC) No 853/2004.</u></b> | <b>Propose Council text</b> |

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| ANNEX II  |  |  |                           |
| List of Member States as defined in Article 3(f)<br>(table)   | Amendment 162                                  | Deleted  | Acceptable                |
|   | deleted  |  |                           |
| ANNEX III   |  |  |                           |
| Technical requirements for transponders<br><br>The transponder shall be a read-only passive radio frequency identification device:<br><br>(a) complying with ISO Standard 11784 and applying HDX or FDX-B technology;<br><br>(b) capable of being read by a reading device compatible with ISO Standard 11785.  | Not amended                                    | Technical requirements for transponders <b><u>as defined in Article 3(d)</u></b><br><br>The transponders <b><u>must</u></b> :<br><br>(a) <b><u>comply</u></b> with ISO Standard 11784 and <b><u>apply</u></b> HDX or FDX-B technology; <b><u>and</u></b><br><br>(b) <b><u>be</u></b> capable of being read by a reading device compatible with ISO Standard 11785. | Propose Council text      |
| ANNEX IV  |  |  |                           |
| Validity requirements for anti-rabies vaccinations<br><br>1. The anti-rabies vaccine must:<br><br>(a) be a vaccine other than a live modified vaccine and fall within one of the following categories:<br><br>(i) an inactivated vaccine of at least one antigenic unit per dose (recommendation from the World Health Organisation), or<br><br>(ii) a recombinant vaccine expressing the immunising glycoprotein of the rabies virus in a live virus vector; | Not amended                                    | Not amended  | Keep Commission proposal  |

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| <b>ANNEX IV</b>  |  |   |  |
| <p>(b) where it is administered in a Member State, it must have been granted a marketing authorisation in accordance with:</p> <p>(i) Article 5 of Directive 2001/82/EC, or</p> <p>(ii) Article 3 of Regulation (EC) No 726/2004;</p> <p>(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.</p> <p>2. An anti-rabies vaccination must meet the following conditions:</p> <p>(a) the vaccine was administered by a veterinarian authorised by the competent authority;</p> | <p><b>Not amended</b></p>                      | <p><b><u>Not amended</u></b></p> <p>(c) where it is administered in <b><u>a territory or a third country, have been</u></b> 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.</p> <p>2. An anti-rabies vaccination must meet the following conditions:</p> <p>(a) the vaccine was administered by <b><u>an authorised</u></b> veterinarian <b><u>[...]</u></b>;</p> <p><b><u>(ab) the animal was at least twelve weeks old at the time of vaccination;</u></b></p> | <p><b>Keep Commission proposal</b></p> <p><b>Propose Council text to take account of the explanations of the Commission on concept of territory</b></p> <p><b>Propose Council text to take account of the new definition on authorised veterinarian and to make the text clearer for veterinarians</b></p> |



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| <b>ANNEX IV</b>   |  |  |   |
|   | <b>Not amended</b>                             |  |   |
| <p>(b) the date of administration is indicated by a 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);</p> <p>(c) the date of administration referred to in point (b) does not precede the date of microchipping or tattooing indicated in the appropriate section of the identification document in the format provided for in Article 22(1) or Article 26(1);</p> <p>(d) the period of validity of the vaccination is indicated by the authorised veterinarian in the appropriate section of the identification document in the format provided for in Article 22(1) or Article 26(1).</p> <p>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;</p> |  | <p>(b) the date of administration <b>of the vaccine</b> is indicated by <b>an authorised</b> veterinarian <b>or an official veterinarian</b> in the appropriate section of the identification document [...];</p> <p>(c) the date of administration referred to in point (b) does not precede the date of <b>application of the transponder or tattoo</b> or <b>the date of reading of the transponder or the tattoo</b> indicated in the appropriate section of the identification document [...];</p> <p>(d) <b>the period of validity</b> 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 <b>paragraph</b> 1(b) or the approval or licence referred to in <b>paragraph</b> 1(c) for the anti-rabies vaccine in the Member State or third country or territory where the vaccine is administered;</p> <p><b>The period of validity of the vaccination is indicated by <u>an</u> authorised veterinarian <u>or an official veterinarian</u> in the appropriate section of the identification document [...].</b></p> | <p><b>Propose Council text to take account of the new definition on authorised veterinarian</b></p> <p><b>Clarification of the text</b></p> |

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| ANNEX IV  |  |   |   |
| (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.  | Not amended                                    | Not amended   | Keep Commission text  |
|   |  |   |   |
| ANNEX V   |  |   |   |
| Validity requirements for the rabies antibody titration test<br><br>1. The collection of the sample of blood necessary to carry out the rabies antibody titration test must be carried out and documented by a 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);<br><br>2. The rabies antibody titration test must:<br><br>(a) be carried out on a sample collected at least 30 days after the date of vaccination and<br><br>(i) not less than three months before the date of:<br>– the non-commercial movement from a third country or territory other than those listed in the implementing acts adopted pursuant to Article 13, or<br>– the transit through such third country or territory, where the conditions laid down in Article 12(b) are not fulfilled; | Not amended                                    | Validity requirements for the rabies antibody titration test<br><br>1. The collection of the sample of blood necessary to carry out the rabies antibody titration test must be carried out and documented by <b>an authorised</b> veterinarian [...] in the appropriate section of the identification document [...];<br><br>2. The rabies antibody titration test:<br><br>(a) <b>must</b> be carried out on a sample collected at least 30 days after the date of vaccination and<br><br>(i) not less than three months before the date of:<br>– the non-commercial movement from <b>a territory or a third country</b> other than those listed in the implementing acts adopted pursuant to Article 13, or<br>– the transit through such <b>a territory or third country</b> , where the conditions laid down in Article 12(b) are not fulfilled; | <b>Propose Council text to take account of the new definition on authorised veterinarian</b><br><br><b>Clarification of the text</b><br><br><b>Propose Council text to take account of the explanations of the Commission on concept of territory</b> |
|   |  |   |   |

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| <b>ANNEX V</b>  |  |   |   |
| or  | <b>Not amended</b>                             | or  | <b>Propose Council text</b>   |
| (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; |  | (ii) before the pet animal left the Union for a movement to or transit through a <b><u>territory or a third country</u></b> other than those listed in the implementing acts adopted pursuant to Article 13; the identification document in the format provided for in Article 21(1) must confirm that a rabies antibody titration test was carried out with a favourable result before the date of movement; | <b>Propose Council text to take account of the explanations of the Commission on concept of territory</b> |
| (b) 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;  |  | (b) <b><u>must</u></b> 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;   | <b>Clarification of the text</b>  |
| (c) be performed in a laboratory approved in accordance with Article 3 of Decision 2000/258/EC;   |  | (c) <b><u>must</u></b> be performed in a laboratory approved in accordance with Article 3 of Decision 2000/258/EC;  |   |
| (d) not be renewed following a satisfactory result described in point (b) of this Annex, provided that the animal is revaccinated in accordance with point 2(e) of Annex IV.  |  | (d) <b><u>has not to be renewed following a satisfactory result described in point (b) of this paragraph, provided that the animal is revaccinated in accordance with paragraph 2(e) of Annex IV.</u></b>   |   |

| <b>COMMISSION proposal<br/>COM(2012) 89 final</b>  | <b>EP COMENVI amendments<br/>As voted on 6/11/2012</b>  | <b>Position in COUNCIL<br/>As in document 12054/12</b> | <b>PRESIDENCY<br/>suggestions</b> |
|--|---|--|-----------------------------------|
| <b><i>ANNEX Va (New)</i></b>   |   |  |                                   |
|  | <b>Amendment 163</b><br>Model for the identification document<br>under Article 20a<br>(model to be developed in the course of the<br>interinstitutional negotiation on the<br>Regulation) |  | <b>Need to be discussed</b>       |
| <b><i>ANNEX Vb (New)</i></b>   |   |  |                                   |
|  | <b>Amendment 164</b><br>Model for the identification document<br>under Article 24a<br>(model to be developed in the course of the<br>interinstitutional negotiation on the<br>Regulation) |  | <b>Need to be discussed</b>       |
| <b><i>ANNEX Vc (New)</i></b>   |   |  |                                   |
|  | <b>Amendment 165</b><br>Model for the identification document<br>under Article 28a<br>(model to be developed in the course of the<br>interinstitutional negotiation on the<br>Regulation) |  | <b>Need to be discussed</b>       |
| <b><i>ANNEX Vd (New)</i></b>   |   |  |                                   |
|  | <b>Amendment 166</b><br>Model for the identification document<br>under Article 31a<br>(model to be developed in the course of the<br>interinstitutional negotiation on the<br>Regulation) |  | <b>Need to be discussed</b>       |
| <b><i>ANNEX VI - table of correspondence to be updated as appropriate at the end of the negotiations</i></b> |   |  |                                   |