



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 23.6.2004
COM(2004) 441 final

Proposal for a

COUNCIL DECISION

amending Regulation (EC) 998/2003 to take account of the accession of Malta

(presented by the Commission)

EXPLANATORY MEMORANDUM

Certain acts adopted by the European Union require adaptation by reason of Accession, and the necessary adaptations were not provided for in the Act of Accession.

Regulation (EC) No 998/2003 is one of these acts and establishes veterinary conditions applying to non-commercial movements of pet dogs, cats and ferrets.

The island of Malta has maintained a system of 6 months quarantine for imports for appropriate species until the present time, but as new Member States that has joined the European Community it will have to abandon this regime to transpose and implement the Regulation (EC) No 998/2003 as from 3rd July 2004.

Malta maintained in negotiations for enlargement that as an island with a similar health status for freedom from Rabies to that of Sweden, Ireland and the United Kingdom, that Malta should be treated in the same category as these three Member States, a position that was accepted in Council in the course of negotiations with all Member States.

Regulation (EC) No 998/2003 divides Member States into two categories according to the history of their controls against rabies, with Sweden, Ireland and the United Kingdom permitted a transitional period of five years for controls on dogs, cats, and ferrets entering their territory.

Malta should therefore be added to the current list of three Member States - Sweden, Ireland and the United Kingdom, which have been granted a transitional period under this Regulation; during this period the same measures applying to movements into these three Member States concerning the non commercial movement of pet dogs, cats and ferrets, shall apply for movements into Malta.

Regulation (EC) No 998/2003 should be amended appropriately.

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amending Regulation (EC) 998/2003 to take account of the accession of Malta

(Text with EEA relevance)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to the Act of Accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia¹, and in particular, Article 57 thereof,

Whereas:

- (1) For certain acts adopted by the European Union, which remain valid beyond 1 May 2004, and require adaptation by reason of accession, the necessary adaptations were not provided for in the Act of Accession, in particular in its Annex II.
- (2) Regulation (EC) No 998/2003² establishes veterinary conditions applying to non-commercial movements of pet dogs, cats and ferrets, and is one of these acts that must be adapted.
- (3) Malta has maintained a system of 6 months quarantine for imports for the species concerned until the present time, but shall abandon this regime in order to transpose and implement Regulation (EC) No 998/2003 as from 3rd July 2004.
- (4) In the course of the negotiations for enlargement it was accepted that Malta being an island with a similar health status for freedom from Rabies to that of Ireland, the United Kingdom and Sweden, should be treated in the same category as these three Member States.
- (5) Regulation (EC) No 998/2003 divides Member States into two categories according to the history of their controls against rabies, and grants Sweden, Ireland and the United Kingdom a transitional period of five years for controls on dogs, cats, and ferrets entering their territory.
- (6) Malta should therefore be added to the list of Member States which have been granted a transitional period under this Regulation.

¹ OJ L 236, 23.9.2003, p. 33.

² OJ L 146, 13.6.2003, p. 1. Regulation as last amended by Commission Regulation (EC) No 592/2004 (OJ L 94, 31.3.2004, p. 7).

(7) Regulation (EC) No 998/2003 should be amended accordingly.

HAS ADOPTED THIS DECISION:

Article 1

Regulation (EC) No 998/2003 on the animal health requirements applicable to the non-commercial movement of pet animals and amending Council Directive 92/65/EEC is amended as follows:

1. In Article 6.1 first sentence of Regulation (EC) No 998/2003 the word ‘Malta,’ is added after the word ‘Ireland’.
2. In Article 6.1 third paragraph the words ‘these three Member States’ are replaced by the words ‘these four Member States’.
3. In Annex II part A in the list of countries and territories, the word ‘Malta,’ is added after ‘Ireland’.

Article 2

This Decision shall apply from the 20th day following that of its publication in the *Official Journal of the European Union*.

Article 3

This Decision is addressed to the Member states.

Done at Brussels,

*For the Council
The President*