



2023/2609

24.11.2023

COMMISSION IMPLEMENTING DECISION (EU) 2023/2609

of 22 November 2023

repealing Decision 2008/698/EC on the temporary admission and imports into the Community of registered horses from South Africa

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) 2016/429 of the European Parliament and of the Council of 9 March 2016 on transmissible animal diseases and amending and repealing certain acts in the area of animal health ('Animal Health Law') ⁽¹⁾, and in particular Article 230(1) thereof,

Whereas:

- (1) Regulation (EU) 2016/429 lays down, among other things, the animal health requirements for the entry into the Union of consignments of animals, germinal products and products of animal origin, and empowers the Commission to adopt implementing acts drawing up lists of third countries and territories from which the entry into the Union of specific species and categories of animals, germinal products and products of animal origin is to be permitted, in accordance with Article 230(1) of that Regulation.
- (2) Commission Delegated Regulation (EU) 2020/692 ⁽²⁾ supplements Regulation (EU) 2016/429 as regards the animal health requirements for the entry into the Union of consignments of certain species and categories of animals, germinal products and products of animal origin from third countries or territories, or zones or compartments thereof. Delegated Regulation (EU) 2020/692 lays down measures to ensure safe entry into the Union of equine animals from third countries or territories, or zones or compartments thereof.
- (3) Commission Implementing Regulation (EU) 2021/404 ⁽³⁾ establishes the lists of third countries or territories, or zones or compartments thereof, from which the entry into the Union of those species and categories of animals, germinal products and products of animal origin, that fall within the scope of Delegated Regulation (EU) 2020/692, is permitted. The lists and certain general rules concerning the lists are set out in Annexes I to XXII to that Implementing Regulation.
- (4) Annex IV to Implementing Regulation (EU) 2021/404 sets out the list of third countries and territories, and zones thereof authorised for the entry into the Union of consignments of equine animals.
- (5) South Africa is listed in Annex IV to Implementing Regulation (EU) 2021/404, assigned to Sanitary Group F and regionalised as zone ZA-1, restricted to the Metropolitan area of Cape Town. Entry into the Union of registered horses from this zone is suspended since 3 May 2011.

⁽¹⁾ OJ L 84, 31.3.2016, p. 1.

⁽²⁾ Commission Delegated Regulation (EU) 2020/692 of 30 January 2020 supplementing Regulation (EU) 2016/429 of the European Parliament and of the Council as regards rules for entry into the Union, and the movement and handling after entry of consignments of certain animals, germinal products and products of animal origin (OJ L 174, 3.6.2020, p. 379).

⁽³⁾ Commission Implementing Regulation (EU) 2021/404 of 24 March 2021 laying down the lists of third countries, territories or zones thereof from which the entry into the Union of animals, germinal products and products of animal origin is permitted in accordance with Regulation (EU) 2016/429 of the European Parliament and the Council (OJ L 114, 31.3.2021, p. 1).

- (6) Commission Decision 2008/698/EC ⁽⁴⁾ was adopted pursuant to Article 13(2), Articles 14, 15 and 16, and Article 19, point (i), of Council Directive 90/426/EEC ⁽⁵⁾ and it lays down the additional guarantees in relation to the temporary admission and imports of registered horses from South Africa. Decision 2008/698/EC also provided for the regionalisation of South Africa, indicating the Metropolitan area of Cape Town as an African horse sickness-free area. Directive 90/426/EEC was repealed by Council Directive 2009/156/EC ⁽⁶⁾, which, in turn, has been repealed by Regulation (EU) 2016/429.
- (7) Since 21 April 2021, the date of application of Regulation (EU) 2016/429 and its delegated and implementing acts, the measures laid down in Decision 2008/698/EC have become obsolete. The animal health requirements laid down in Regulation (EU) 2016/429 and in Delegated Regulation (EU) 2020/692, as well as the listing of third countries and territories, and zones thereof, in Implementing Regulation (EU) 2021/404, are sufficient to ensure safe entry into the Union of equine animals from third countries, including from South Africa.
- (8) Decision 2008/698/EC should therefore be repealed.
- (9) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

HAS ADOPTED THIS DECISION:

Article 1

Decision 2008/698/EC is repealed.

Article 2

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

Done at Brussels, 22 November 2023.

For the Commission
The President
Ursula VON DER LEYEN

⁽⁴⁾ Commission Decision 2008/698/EC of 8 August 2008 on the temporary admission and imports into the Community of registered horses from South Africa (OJ L 235, 2.9.2008, p. 16).

⁽⁵⁾ Council Directive 90/426/EEC of 26 June 1990 on animal health conditions governing the movement and imports from third countries of equidae (OJ L 224, 18.8.1990, p. 42).

⁽⁶⁾ Council Directive 2009/156/EC of 30 November 2009 on animal health conditions governing the movement and importation from third countries of equidae (OJ L 192, 23.7.2010, p. 1).