Decree of […] amending the Animal Keepers Decree in connection with the control of infectious bovine rhinotracheitis and infectious pustular vulvovaginitis in bovine animals in the Netherlands

We, Willem-Alexander, by the grace of God, King of the Netherlands, Prince of Orange-Nassau, etc.

On the recommendation of Our Minister of Agriculture, Fisheries, Food Security and Nature of […], No. […];

In view of Articles 46, 170 and 269 in conjunction with Article 10 of 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 legislation') (OJEU 2016, L 84) and Articles 2.2, tenth paragraph, subsections i, l, m and n, 7.1, 7.2, second paragraph, and 2.20, second paragraph, subsection j, of the Animals Act;

Having heard the Advisory Division of the Council of State (opinion of […], No. […]);

Having regard to the further report of Our Minister of Agriculture, Fisheries, Food Security and Nature of […], No. […]

Have approved and hereby decree the following:

ARTICLE I

The Animal Keepers Decree [Besluit houders van dieren] is amended as follows:

A

In Chapter 1, the following section is added after Article 1.61:

§ 14. Control of infectious bovine rhinotracheitis and infectious pustular vulvovaginitis in bovine animals

§ 14.1. General

Article 1.62. Definitions

In this section, the following terms and definitions apply:

gE antibodies: gE antibodies against bovine herpesvirus type 1;
IBR/IPV: infectious bovine rhinotracheitis/infectious pustular vulvovaginitis;
identification code: code as referred to in Article 2, subsection 18, of Regulation (EU) 2019/2035;
establishment: establishment as referred to in Article 4, subsection 27, of Regulation (EU) 2016/429;
dairy cow: a female bovine animal aged two years or older that produces milk for human consumption;
registration number: unique number of the marketing authorisation for an immunological veterinary medicinal product referred to in Articles 42, 46 or 48 of Regulation (EU) 2019/6;
bovine animal: an animal belonging to the species of ungulates of the genera Bison, Bos, including the subgenres Bos, Bibos, Novibos and Poephagus and the genus Bubalus, including the subgenus Anoa, and crossings of those species;

seasonal milker: an operator of an establishment where all bovine animals are not milked for the same consecutive period of at least one and at most three months per year;
status 'establishment free from infectious bovine rhinotracheitis/infectious pustular vulvovaginitis': status as referred to in Part IV, Chapter 1, Section 1 of Annex IV to Regulation (EU) 2020/689;
UBN: unique registration number as referred to in Article 2, subsection 15 of Regulation (EU) 2019/2035;
Regulation (EC) No. 1/2005: Council Regulation (EC) No. 1/2005 of 22 December 2004 on the protection of animals during transport and related operations and amending Directives 64/432/EEC and 93/119/EC and Regulation (EC) No. 1255/97 (OJ (EU) 2005, L 3);
Regulation (EU) 2016/1012: Regulation (EU) 2016/1012 of the European Parliament and of the Council of 8 June 2016 on zootechnical and genealogical conditions for the breeding, trade in and entry into the Union of purebred breeding animals, hybrid breeding pigs and the germinal products thereof and amending Regulation (EU) No. 652/2014, Council Directives 89/608/EEC and 90/425/EEC and repealing certain acts in the area of animal breeding ('Animal Breeding Regulation') (OJ 2016, L 171);
Regulation (EU) 2019/2035: Commission Delegated Regulation (EU) 2019/2035 of 28 June 2019 supplementing Regulation (EU) 2016/429 of the European Parliament and of the Council as regards rules for establishments keeping land animals and hatcheries and the traceability of certain land animals kept and hatching eggs (OJ 2019, L 314);
Regulation (EU) No 2020/689: Commission Delegated Regulation (EU) 2020/689 of 17 December 2019 supplementing Regulation (EU) 2016/429 of the European Parliament and of the Council as regards rules on surveillance, eradication programmes and disease-free status for certain listed diseases and new diseases (OJEU 2020, L 174);
Regulation (EU) 2020/464: Commission Implementing Regulation (EU) 2020/464 of 26 March 2020 laying down certain rules for the implementation of Regulation (EU) 2018/848 of the European Parliament and of the Council as regards the documents required for the retroactive recognition of conversion periods, the production of organic products and the information to be provided by Member States (OJEU 2020, L 098).

Article 1.63. Limitation of scope of requirements

1. This section does not apply to bovine animals used in an animal experiment as part of a project for which project authorisation has been granted as referred to in Article 10a of the Animal Experiments Act and in which vaccination against IBR/IPV interferes with the purpose of the animal experiment.
2. This section does not apply to bovine animals belonging to the species *Bison bonasus*.
3. By ministerial order, it may be determined that, by way of derogation from the second paragraph, this section applies to bovine animals belonging to the species *Bison bonasus.*
4. The obligations to remove a bovine animal set out in this section do not apply as long as that bovine animal is not fit for transport as referred to in Article 3(b) or, where applicable, Annex I, Chapter I, of Regulation (EC) No. 1/2005.

§ 14.2. Vaccination requirements

Article 1.64. Main vaccination requirement

1. The operator of an establishment must have all bovine animals aged three months and over kept there vaccinated with a bovine herpesvirus-1 (BoHV1)gE marker vaccine, with vaccination taking place:
    a. at least four months after the last vaccination;
    b. no later than eight months after the last vaccination; and
    c. the time between the current vaccination and second-to-last vaccination does not exceed 12 months.
2. Vaccination of an unvaccinated bovine animal aged three months or more takes place:
    a. no later than 11 months after the birth of the bovine animal; or
    b. no later than eight months after the bovine animals' arrival, if the bovine animals are eleven months old or older on arrival.
3. When a bovine animal aged three months or older that has not previously been vaccinated is moved to another establishment, it must in any case be vaccinated before the move takes place, unless it is transported to a slaughterhouse or taken outside the Netherlands.
4. An operator who has not kept bovine animals on the premises for a year or longer may deviate from the first and second paragraphs for eight months after the arrival of the first bovine animal on the premises if, at the end of the period of no more than eight months after the arrival of the first bovine animal, all bovine animals on the premises aged three months or older have been vaccinated.
5. In the case of vaccination as referred to in the first and fourth paragraphs, an exemption may be made where necessary from the time limit for re-vaccination set out in the package leaflet accompanying the vaccine in question.
6. If the vaccination involves two doses:
    a. the term 'last vaccination' as referred to in the first paragraph, subsections a and b, and 'second-to-last vaccination' as referred to in the first paragraph, subsection c, refer to 'the first dose of the last vaccination' and 'the first of two doses', respectively;
    b. 'The vaccination' as referred to in the second paragraph refers to 'The administration of the two doses';
    c. 'in any case vaccinated before' as referred to in the third paragraph refers to 'in any case vaccinated by two doses before';
    d. in the application of the fourth paragraph, the first vaccination takes place before the expiry of the eight-month period referred to in that paragraph.

Article 1.65. Annual vaccination of extensively reared bovine animals

1. Article 1.64 does not apply to an operator of an establishment if the following conditions are met:
    a. the establishment has no possibility of long-term housing of bovine animals;
    b. the bovine animals are grazed year-round in a contiguous area with a stocking density of less than one bovine animal per 1.5 hectares at any time; and
    c. the establishment has been notified to Our Minister for the purposes of this paragraph.
2. The operator referred to in the first paragraph must have at least 85% of the bovine animals aged three months and older present at the establishment vaccinated each calendar year.
3. The operator referred to in the first paragraph must ensure, if necessary by way of derogation from the package leaflet, that when a vaccinated bovine animal is revaccinated pursuant to the second paragraph, the vaccination does not take place earlier than three months after the day on which the last vaccination took place.

4. If the vaccination consists of two doses, ‘the last vaccination’ as referred to in the third paragraph refers to ‘the last dose of the last vaccination’.
5. For the purposes of the second paragraph, the number of bovine animals present at the establishment on 1 March of the previous year applies.
6. The operator referred to in the first paragraph must report the following information to Our Minister:
    a. any changes to the plot or plots of land used;
    b. changes in the number of bovine animals belonging to the species *Bison bonasus* present at the establishment on 1 March of the previous year.

Article 1.66. One-off vaccination of male bovine animals delivered to establishments with female and male bovine animals

1. Article 1.64 does not apply to an operator of an establishment in respect of male bovine animals delivered to the establishment if the following conditions are met:
    a. both female and male bovine animals are kept at the establishment;
    b. all delivered male bovine animals are permanently housed in separate stables;
    c. in the stables referred to in subsection b, a total of more than one hundred delivered male bovine animals are kept per calendar year on average;
    d. all delivered male bovine animals are kept continuously separate from other bovine animals present at the establishment or bovine animals from other establishments; and
    e. the establishment has been notified to Our Minister for the purposes of this paragraph.
2. The opening of a stable at an establishment with organic animal production as referred to in Regulation (EU) 2020/464, Annex I, Part I, Section 1, is considered part of that stable for the purposes of the first paragraph, subsection b.
3. The operator referred to in the first paragraph must ensure that:
    a. all male bovine animals delivered to the establishment are vaccinated with a live bovine herpesvirus-1 (BoHV1) gE marker vaccine no later than the day after arrival; and
    b. all delivered male bovine animals are only transported directly to a slaughterhouse in the Netherlands or are brought outside of the Netherlands.

§ 14.3. Exemptions from general vaccination requirement

Article 1.67. Categories of establishments exempted from vaccination

Operators of the following establishments are excluded from Article 1.64:
a. a semen collection centre for germinal products of bovine animals approved pursuant to Article 97 first paragraph, of Regulation (EU) 2016/429;
b. a zoo with valid authorisation as referred to in Article 4.2, first paragraph;
c. a collection centre for bovine animals approved in accordance with Article 97, first paragraph, of Regulation (EU) 2016/429 or pursuant to Article 1.40;
d. an approved quarantine establishment as referred to in Article 14 of Regulation (EU) 2019/2035 or a quarantine establishment from which bovine animals are transported outside the European Union;
e. a slaughterhouse;
f. an establishment where an exhibition or inspection takes place;
g. an establishment with the status ‘establishment free from infectious bovine rhinotracheitis/infectious pustular vulvovaginitis’;
h. an establishment where five bovine animals or fewer are kept at any time.

Article 1.68. Establishment exempted from vaccination with notification obligation

Operators of establishments where bovine animals are kept exclusively for the breeding of bovine animals for the purposes of a breeding programme as referred to in Regulation (EU) 2016/1012 are exempt from Article 1.64 if the establishment has been notified to Our Minister for the purposes of this article.

Article 1.69. Establishment exempted from vaccination with additional conditions

Article 1.64 does not apply to an operator of an establishment where the following conditions are met:

a. the bovine animals are permanently housed in a stable;
b. no dairy products for human consumption are produced at the establishment;
c. the bovine animals are only transported to:
    1°. a slaughterhouse;
    2°. a destination outside the Netherlands; or
    3°. an establishment that complies with subsections a, b and d, and this subsection, preamble, under 1° or 2°; and
d. the establishment has been notified to Our Minister for the purposes of this article.

Article 1.70. Establishments excluded from vaccination that are aspiring to obtain ‘establishment free from IBR/IPV’ status

1. Article 1.64 does not apply to an operator of an establishment in respect of which the operator acts in accordance with the requirements referred to in the second paragraph with a view to:
    a. obtaining the status of 'establishment free from infectious bovine rhinotracheitis/infectious pustular vulvovaginitis';
    b. the restoration of the status ‘establishment free from infectious bovine rhinotracheitis/infectious pustular vulvovaginitis’ after that status was previously suspended;
    c. regaining the status ‘establishment free from infectious bovine rhinotracheitis/infectious pustular vulvovaginitis’ after that status was previously withdrawn.
2. The operator referred to in the first paragraph must ensure that the following are complied with in respect of the establishment:
    a. insofar as it concerns an establishment as referred to in the first paragraph, preamble and subsection a: Annex IV, Part IV, Chapter 1, Section 1, point 1, subsections b, c, d and e or point 2, to Regulation (EU) 2020/689;
    b. insofar as it concerns an establishment as referred to in the first paragraph, preamble and subsection b: Annex IV, Part IV, Chapter 1, Section 3, point 2 to Regulation (EU) 2020/689;
    c. insofar as it concerns an establishment as referred to in the first paragraph, subsection c: Annex IV, Part IV, Chapter 1, Section 4, point 2 or 3, to Regulation (EU) 2020/689.
3. The first paragraph, preamble and subsections a or c only apply to an establishment that has been notified to Our Minister for the purposes of this article.
4. The first paragraph, preamble and subsection c do not apply to an operator of an establishment in respect of which Article 1.83, fourth paragraph, has been applied.

§ 14.4. Exemptions from vaccination requirement with IBR/IPV monitoring

Article 1.71. Establishments exempted from vaccination with IBR/IPV monitoring

1. The operator of an establishment where research into the presence of IBR/IPV is carried out as referred to in Articles 1.73, 1.74, 1.75, second paragraph, or 1.76 is exempt from Article 1.64 if the operator has registered the establishment with Our Minister as a category 1, 2, 3 or 4 establishment.
2. An establishment resulting from one or more establishments is considered a new establishment.
3. If the operator of a new establishment as referred to in the second paragraph can demonstrate that the establishment still complies with the requirements imposed on the category that applies to the original establishment or establishments, the operator may ask Our Minister to consider the new establishment as having been notified as the same category of establishment of the original establishment or establishments.

Article 1.72. Advance registration of category 1 establishment

1. Before an operator registers an establishment as a category 1 establishment, the operator must submit advance registration with Our Minister.
2. An operator who has submitted advance registration for an establishment as referred to in the first paragraph must comply with Article 1.64 or the requirements associated with an exception or exemption applicable to the establishment and, after the advance registration, if the following bovine animals are present at that establishment at the time of registration as a category 1 establishment, have individual blood samples taken from those bovine animals and tested for the presence of gE antibodies:
    a. all bovine animals over 12 months of age; and
    b. all bovine animals aged twelve months or younger present at the establishment, insofar as bovine animals aged twelve months or younger are kept at the establishment that originate from:
        - an establishment located in the Netherlands as referred to in Articles 1.64 to 1.70, with the exception of an establishment as referred to in Article 1.67, subsection a, f or g, and Article 1.68 insofar as those establishments are located in the Netherlands;
        - a category 1 or 3 establishment, in so far as Article 1.80, first paragraph, subsection a or b applied to that category 1 or 3 establishment on removal of the bovine animal; or
        - a category 2 or 4 establishment;
        - an establishment located outside the Netherlands, unless that establishment has the status of ‘establishment free from infectious bovine rhinotracheitis/infectious pustular vulvovaginitis’ or is located in a Member State or zone free from IBR/IPV or that the establishment is a semen collection centre for germinal products of bovine animals and is approved pursuant to Article 97, first paragraph, of Regulation (EU) 2016/429.
3. If gE antibodies are detected in one or no more than two samples, or more in no more than 10% of the samples referred to in the second paragraph, the operator must take the following measures:
    a. the operator must remove from the establishment the bovine animal or bovine animals from which the samples in which gE antibodies have been found have been taken within four weeks of the day following the detection of the gE antibodies; and
    b. the operator must have samples taken in accordance with one of the following subsections between four and eight weeks from the day after

the bovine animal or bovine animals referred to in subsection a have been removed:

1°. if at least 30% of the bovine animals at the establishment are dairy cows and a milk tank is in use:
   - if the bovine animal from which the sample containing gE antibodies was taken is a dairy cow: a milk sample from each milk tank present at the establishment containing milk; and
   - if the bovine animal from which the sample containing gE antibodies was taken is not a dairy cow: individual blood samples from three bovine animals, where possible from bovine animals that have been in contact with the bovine animal or animals referred to in subsection a or if there are fewer than three bovine animals at the establishment, that number of bovine animals;

2°. if less than 30% of the bovine animals at the establishment are dairy cows or where no milk tank is in use: individual blood samples from three bovine animals, where possible from bovine animals which have been in contact with the bovine animal or bovine animals referred to in subsection a or if there are fewer than three bovine animals at the establishment, that number of bovine animals.

4. If, at the time of registration as a category 1 establishment, there are bovine animals present at that establishment that have been brought to that establishment since the time of advance registration from an establishment as referred to in the second paragraph, subsection b, first, second, third or fourth dash, the operator must have a blood sample taken from each of these bovine animals and tested for the presence of gE antibodies.
5. If gE antibodies are detected in one of the samples referred to in the fourth paragraph, the operator must take the following measures:
   a. the operator must remove the bovine animal or bovine animals from which gE antibodies have been detected from the establishment within four weeks from the day after the gE antibodies have been detected; and
   b. the operator must have samples taken in accordance with one of the following subsections between four and eight weeks from the day after the bovine animal or bovine animals referred to in subsection a have been removed:

1°. if at least 30% of the bovine animals at the establishment are dairy cows and a milk tank is in use:
   - if the bovine animal from which the sample containing gE antibodies was taken is a dairy cow: a milk sample from each milk tank present at the establishment containing milk; and
   - if the bovine animal from which the sample containing gE antibodies was taken is not a dairy cow: individual blood samples from three bovine animals, where possible from bovine animals that have been in contact with the bovine animal or animals referred to in subsection a or if there are fewer than three bovine animals at the establishment, that number of bovine animals;

2°. if less than 30% of the bovine animals at the establishment are dairy cows or where no milk tank is in use: individual blood samples from three bovine animals, where possible from bovine animals which have been in contact with the bovine animal or bovine animals referred to in subsection a or if there are fewer than three bovine animals at the establishment, that number of bovine animals.

Article 1.73. Conditions for registration as a category 1 establishment

An operator may only register an establishment as a category 1 establishment if:

a. the operator has submitted advance registration for the establishment prior to registration as a category 1 establishment in accordance with Article 1.72, first paragraph;
b. where applicable: has implemented Article 1.75, fifth paragraph, subsection a;
c. no gE antibodies have been detected in the samples referred to in the second and fourth paragraphs of Article 1.72 or, where applicable, in the samples referred to in the third or fifth paragraphs of Article 1.72;
d. the samples referred to in Article 1.72, second paragraph, at the time of registration as a category 1 establishment relate to all bovine animals referred to in Article 1.72, second, third, fourth and fifth paragraphs, present at the establishment at the time of registration; and
e. no more than sixteen weeks have elapsed since the time of advance registration as referred to in Article 1.72, first paragraph.

Article 1.74. Conditions for registration as a category 2 establishment

An operator may only register the establishment as a category 2 establishment if:

a. at least 30% of the bovine animals kept on the premises are dairy cows and a milk tank is in use on the premises;
b. the results of tests on milk samples from each milk tank present at the establishment are not more than eight weeks old at the time of registration and the relevant results have not shown any gE antibodies;
c. a continuous period of one year has elapsed following notification of voluntary vaccination pursuant to Article 1.77, sixth paragraph, or Article 1.80 in conjunction with Article 1.77, sixth paragraph, or following the vaccination decision referred to in Article 1.83, second paragraph, subsections c, d, or e, in conjunction with Article 1.77, fourth or fifth paragraph, or in conjunction with Article 1.80 and Article 1.77, fourth or fifth paragraph;
d. if Article 1.79 has applied and the result of the sampling after pregnancy loss has shown gE antibodies, a continuous period of one year has elapsed after the examination referred to in Article 1.79, second paragraph or, where applicable, the first paragraph;
e. at least one continuous period of one year has elapsed between the date of registration as a category 2 establishment and the date on which the establishment was last registered as a category 1 or 3 establishment if an operator has not yet complied with an obligation applicable under or pursuant to this section to remove a bovine animal in which gE antibodies have been detected or to carry out an arrival examination as referred to in Article 1.77, second paragraph, or Article 1.80 in conjunction with Article 1.77, second paragraph.

Article 1.75. Conditions for registration at a category 3 establishment

1. An operator who wants to notify its establishment as a category 3 establishment must take the following measures:
    a. the operator submit advance registration with Our Minister for this purpose;
    b. the operator who has submitted advance registration for the establishment as referred to in part a must comply with the obligations applicable to a category 2 establishment until the moment of registration of the establishment as a category 3 establishment;

c. After the advance registration referred to in part a, if the following bovine animals are present at the establishment at the time of registration as a category 3 establishment, the operator must take individual blood samples from those bovine animals and test them for the presence of gE antibodies:
   1°. bovine animals aged six years and over; and
   2°. bovine animals other than those referred to in 1° which, prior to the establishment being registered as a category 2 establishment, were transported from an establishment as referred to in Article 1.72, second paragraph, subsection b, first, second, third or fourth dash.
d. if gE antibodies are detected in the samples referred to in subsection c, the operator must take the following measures:
   1° the operator must remove the bovine animal(s) in which gE antibodies have been detected from the establishment within four weeks from the day after the gE antibodies have been detected;
   2° between four and eight weeks from the day after the bovine animal or bovine animals referred to in 1° have been removed, the operator must take a milk sample from each milk tank present at the establishment where milk is present and ensure that the sample has been examined within that period for the presence of gE antibodies.

2. An operator may only register the establishment as a category 3 establishment if:
   a. the operator has submitted advance registration for its establishment prior to the registration as a category 3 establishment;
   b. the establishment has been a category 2 establishment for a continuous period of at least two years prior to the date of registration;
   c. where applicable: the first paragraph, subsection d, under 1° has been implemented;
   d. no gE antibodies have been detected in individual blood samples, as referred to in the first paragraph, subsection c, or where applicable, in the samples referred to in the first paragraph, subsection d, and the samples referred to in subsection c relate to all bovine animals present at the establishment at the time of registration, as referred to in that subsection;
   e. no gE antibodies have been detected in the most recent milk sample taken pursuant to Article 1.77 or Article 1.80 in conjunction with Article 1.77, fourth or fifth paragraph; and
   f. no more than sixteen weeks have elapsed since the time of advance registration as referred to in Article 1.72, first paragraph.

Article 1.76. Conditions for registration as a category 4 establishment

An operator may only register its establishment as a category 4 establishment if:
a. the establishment does not have the possibility of long-term rearing of bovine animals;
b. the bovine animals are grazed year-round in a contiguous area with a stocking density of less than one head per 1.5 hectares at any given time.

Article 1.77. Requirements for vaccination-excluded category 1, 2 or 3 establishments with IBR/IPV monitoring

1. An operator of a category 1, 2 or 3 establishment as referred to in Article 1.71 must ensure that the following examination is carried out:
   a. if at least 30% of the bovine animals kept at the establishment are dairy cows, a milk sample must be taken once per calendar month from each milk tank used at the establishment and the operator must ensure

that the milk sample is tested for the presence of gE antibodies during that calendar month. A seasonal milker may suffice with taking milk samples from each milk tank used at the establishment once per calendar month for nine consecutive months in a year and having them tested within that calendar month.

b. in establishments other than those referred to in subsection a, during the period from 1 January to 30 June and in the period from 1 July to 31 December, at least three bovine animals, which have been present at the establishment for more than 10 weeks, or if those bovine animals have been transported directly to the slaughterhouse from the establishment, have been present or if fewer than three bovine animals have been present at the establishment for more than 10 weeks, that number of bovine animals must have a blood sample taken and have been examined for the presence of gE antibodies during that period.

2. An operator of a category 1, 2 or 3 establishment as referred to in Article 1.71 must ensure that when a bovine animal is delivered to the establishment from an establishment as referred to in the second paragraph, subsection b, first, second, third or fourth dash, a blood sample is taken from the bovine animal within four weeks from the day after arrival and before the bovine animal leaves the establishment, a blood sample is taken and tested for the presence of gE antibodies.
3. If gE antibodies are present in a blood sample as referred to in the first paragraph, subsection b, or in the blood sample as referred to in the second paragraph, the operator is allowed to have a blood sample taken again from the same bovine animal within two weeks of the result of that examination and to ensure that the sample has been examined for the presence of gE antibodies within that period and before the bovine animal leaves the establishment. The results of that new test replace the results of the previous test.
4. An operator of a category 1, 2 or 3 establishment as referred to in Article 1.71 must take the following measures if gE antibodies are present in a blood sample as referred to in the third paragraph or, where applicable, in the first paragraph, subsection b, or the second paragraph:
   a. insofar as the bovine animal or animals concerned are still present at the establishment, the operator must remove the bovine animal or animals from which the sample was taken from the establishment within seven days of the date on which the operator became aware of the result, and
   b. the operator must have one of the following samples taken within at least four and at most eight weeks after the removal of the bovine animal or animals concerned and must ensure that the samples are tested for the presence of gE antibodies within those time limits and in the case of blood samples, before the bovine animal or animals concerned leave the establishment:
      1°. if at least 30% of the bovine animals kept at the establishment are dairy cows:
         - if the bovine animal from which the sample was taken with gE antibodies is a dairy cow and a milk tank is in use, a milk sample from each milk tank in which milk is present in the establishment; and
         - if the bovine animal from which the sample with gE antibodies was taken is not a dairy cow or is a dairy cow and no milk tank is in use, individual blood samples from three bovine animals, where possible from bovine animals that have been in contact with bovine animals referred to in subsection a, or if there are fewer than three bovine animals at the establishment, that number of bovine animals; or

2°. if less than 30% of the bovine animals at the establishment are dairy cows: individual blood samples from three bovine animals, where possible from bovine animals that have been in contact with the bovine animal or animals referred to in subsection a or, if there are fewer than three bovine animals at the establishment, that number of bovine animals.

5. An operator of a category 1, 2 or 3 establishment as referred to in Article 1.71 must implement the measures referred to in the fourth paragraph, subsection b, in the following cases by way of derogation from that subsection within the stipulated period:
   a. if no blood sample as referred to in the second paragraph is available and the bovine animal is no longer present at the establishment: within eight weeks of the day on which the sample was or should have been taken;
   b. if the test of the sample referred to in the second paragraph has not produced a result and the bovine animal is no longer present at the establishment: within eight weeks of the day on which it became known that the sample had not produced a result;
   c. if the bovine animal from which a sample is to be taken pursuant to the second paragraph is dead: within eight weeks of the day on which the bovine animal died.
6. The fourth and fifth paragraphs do not apply if the operator chooses to have all bovine animals aged three months and older on the premises vaccinated in accordance with Article 1.64, provided that Our Minister is notified about this decision within the seven-day period referred to in the fourth paragraph, preamble, subsection a, and has the animals vaccinated within eight weeks of the results of the examination of the bovine animal in which gE antibodies were found.

Article 1.78 Requirements for category 4 establishments

1. An operator of a category 4 facility referred to in Article 1.71 must ensure that:
   a. before the end of the calendar year of registration and subsequently each calendar year, an individual blood sample is taken from at least 55% of the bovine animals kept at the establishment and tested for the presence of gE antibodies;
   b. its establishment continues to comply with the requirements referred to in Article 1.76, subsections a and b.
2. For the purposes of the first paragraph, subsection a, the number of bovine animals present at the establishment on 1 March of the previous year applies.
3. The operator referred to in the first paragraph must report the following information to Our Minister:
   a. any changes to the plot or plots of land used;
   b. changes in the number of bovine animals belonging to the species *Bison bonasus* present at the establishment on 1 March of the previous year.

Article 1.79. Loss of pregnancy examination

1. An operator of a category 1 or 3 establishment must have a blood sample taken from a bovine animal that spontaneously gave birth to one or more foetuses after a gestation period of between 100 and 260 days within 14 days of the date of birth of that foetus or foetuses and must ensure that the sample has been examined for the presence of gE antibodies within that period and before the bovine animal leaves the establishment.

2. If gE antibodies are present in a sample referred to in the first paragraph, the operator is allowed to have a blood sample taken within 14 days of the result of that examination and to ensure that the sample has been examined within that period and before the bovine animal leaves the establishment. The results of that new test replace the results of the previous test.

Article 1.80. Special inspection requirement with delivery of bovine animals

1. In the following cases, Article 1.77, second paragraph, third, fourth, fifth and sixth paragraphs, applies mutatis mutandis to an operator of a category 1, 2 or 3 establishment where bovine animals have been delivered:
   a. if the bovine animals delivered originate from a category 1 or 3 establishment and the result of the examination carried out by the delivering keeper in the eight-week period prior to the removal has demonstrated the presence of gE antibodies pursuant to Article 1.77, first paragraph, second, third, fourth or fifth paragraph, Article 1.80 in conjunction with Article 1.77, second, third, fourth or fifth paragraph, or Article 1.79; or
   b. if the result of a test carried out by the operator of a category 1 or 3 establishment, pursuant to Article 1.77, first, second, third, fourth or fifth paragraph, or Article 1.80, in conjunction with Article 1.77, second, third, fourth or fifth paragraph, or Article 1.79, or an examination carried out by that operator for the presence of IBR/IPV virus, has demonstrated the presence of gE antibodies or IBR/IPV virus within the eight-week period following removal by that operator.
2. When the first paragraph, subsection b, is applied, the four-week period referred to in Article 1.77, second paragraph, begins when the communication referred to in Article 1.82, third paragraph, has been received.

§ 14.5. Other requirements

Article 1.81. Notification requirement in case of termination or change to exemption or derogation

1. If an operator no longer applies an exemption or derogation as referred to in Article 1.65, first paragraph, 1.66, first paragraph, 1.67, subsections a to g, 1.68, 1.69, 1.70, first paragraph, and 1.71 or when another exemption or derogation becomes applicable, the operator must report this to Our Minister.
2. The first paragraph does not apply to an operator of an establishment that no longer applies an exemption or derogation as a result of a decision of Our Minister as referred to in Article 1.83.
3. An operator who has submitted advance registration for the establishment as referred to in Article 1.72, first paragraph, or Article 1.75, first paragraph, subsection a, and who withdraws advance registration, must report this to Our Minister.

Article 1.82. Requirement to report removal within the Netherlands

1. An operator must report the following information to the operator of the destination establishment in case of transport of a bovine animal from its facility to another establishment in the Netherlands, other than an establishment as referred to in Article 1.64, 1.65, 1.66, 1.67, 1.68 or 1.69:
   a. which articles of subsections 14.2, 14.3 or 14.4 apply to the establishment;

b. or a decision as referred to in Article 1.83 has been taken by Our Minister with regard to the establishment of the operator in the eight weeks preceding the removal of the bovine animal
c. whether gE antibodies have been detected in the removed bovine animal or IBR/IPV virus has been detected through examinations;
d. if the establishment from which the bovine animal is removed is a category 1, 2 or 3 establishment, where applicable, the fact that, at the time of removal of the bovine animal in question, the establishment in question had up to six months prior to that removal not yet complied with a requirement pursuant to Article 1.77, second, fourth or fifth paragraph, Article 1.80 in conjunction with Article 1.77, second, fourth or fifth paragraph, or Article 1.79, or an obligation under this section to carry out an investigation after gE antibodies have been found in another bovine animal at the establishment or the results of that examination are not yet known to the operator;
e. where applicable, the fact that, at the establishment concerned, the examination referred to in Article 1.77, first, second, third, or fourth or fifth paragraph, or Article 1.80, first paragraph, in conjunction with Article 1.77, first, second, third, or fourth or fifth paragraph, during the eight weeks preceding the removal of the bovine animal, demonstrated gE antibodies in a bovine animal kept at the operator’s establishment at the same time as the removed bovine animal or in a milk sample taken when the removed bovine animal was kept at the establishment;
f. where applicable, the fact that, in the eight weeks prior to the removal of the bovine animal, the IBR/IPV virus was detected in a bovine animal kept at the operator's establishment at the same time as the removed bovine animal;
g. where appropriate, the presence at the establishment concerned of another bovine animal in which gE antibodies or IBR/IPV virus were found at the time of the removal of the bovine animal; and
h. where applicable, the fact that, at the time of removal of the bovine animal in question, the operator of the establishment had not yet complied with an obligation to remove that bovine animal or another bovine animal from that establishment, imposed by or pursuant to this section, up to six months prior to that removal.

2. The first paragraph does not apply to an operator of an establishment as referred to in Articles 1.64, 1.65, 1.66, 1.67, subsections a to g, 1.68 or 1.69.
3. An operator of a category 1 or 3 establishment that has found gE antibodies or IBR/IPV virus in a bovine animal at its establishment or in a milk tank sample must report this to all operators of category 1, 2 or 3 establishments to which, eight weeks before confirmation of the presence of gE antibodies or IBR/IPV virus, bovine animals have been transported from its establishment.

§ 14.6. Measures aimed at combating IBR/IPV

Article 1.83. Repeal of exemption from vaccination requirement

1. Insofar as it is in the interest of combating IBR/IPV, our Minister may decide, in respect of an operator who has registered the establishment for an exemption or derogation provided for in subsections 14.2, 14.3 or 14.4, that the exemption or derogation does not apply or ceases to apply if the operator does not comply with one or more of the rules laid down by or pursuant to this section in respect of the relevant exemption or derogation.
2. Our Minister makes the decision referred to in the first paragraph in the following cases at a minimum:

a. if an operator has registered an establishment as a category 1 or 2 establishment, but does not meet the conditions for registration in that category;
b. if a bovine animal is present at a category 1, 2, or 3 establishment and IBR/IPV virus has been detected through testing;
c. if two consecutive examinations of tank milk samples have demonstrated the presence of gE antibodies;
d. if the following tests at a seasonal milking establishment have shown the presence of gE antibodies: the tank milk sample taken prior to the continuous period of at least one and at most three months during which no milking took place and the tank milk sample taken in the calendar month following the calendar month in which milking resumed at the establishment;
e. if one of the tests referred to in Article 1.77, fourth or fifth paragraph, Article 1.80, in conjunction with Article 1.77, fourth or fifth paragraph, Article 1.79, second paragraph, or, where applicable, Article 1.79, first paragraph, demonstrates that gE antibodies are present in a bovine animal present at the establishment or in a bulk milk sample.

3. In respect of an operator of an establishment as referred to in Article 1.70, first paragraph, subsection a, Our Minister will decide that the exemption regulated in that paragraph no longer applies if, after the registration referred to in that paragraph, 14 months have expired without the operator having been granted the status of 'infectious bovine rhinotracheitis/infectious pustular vulvovaginitis-free establishment' for that establishment.
4. Our Minister makes a decision in respect of an operator of an establishment in respect of which the exemption provided for in Article 1.70, first paragraph, subsection c, no longer applies where, following a decision to withdraw that status as referred to in point 1 of Section 4 of Chapter 1 of Part 4 of Annex IV to Regulation (EU) 2020/689, 14 months have elapsed without the operator having obtained that status again for that establishment.
5. After Our Minister has made the decision referred to in the first, second, third or fourth paragraph, the operator must have his bovine animals vaccinated within eight weeks and the operator must then comply with Article 1.64.
6. The fifth paragraph does not apply if, within the period referred to in that paragraph, another or the same exemption or derogation from Article 1.64 applies in respect of the establishment concerned and the operator notifies Our Minister thereof.

Article 1.84. Additional or updated requirements

By ministerial regulation, if, in the opinion of Our Minister, immediate measures are necessary in the interests of combating IBR/IPV, rules may be laid down, in addition to and, where necessary, in deviation from this section, concerning:
a. examinations to be carried out to determine the presence of IBR/IPV at an establishment;
b. the supply or removal of bovine animals from establishments;
c. the data to be submitted by the operator;
d. vaccination.

§ 14.7. Data

Article 1.85. Information to be submitted on vaccinations, examinations and documents

1. An operator who, pursuant to the provisions of this section, has bovine animals vaccinated, must submit the following information to Our Minister:
    a. the UBN of the establishment concerned;
    b. the identification code of the vaccinated animals;
    c. the registration number of the vaccine;
    d. the date of each vaccination.
2. An operator who has bovine animals examined pursuant to the provisions of or under this section must submit the following information to Our Minister:
    a. the UBN of the establishment concerned;
    b. the laboratory where the examination was carried out;
    c. the nature of the examination;
    d. the results of the examination;
    e. the sampling date;
    f. the date of the examination results;
    g. where applicable: a description of the milk tank from which the milk sample was taken;
    h. the identification code of individually examined bovine animals.
3. An operator as referred to in Article 1.70, first paragraph, must submit results of examinations and documents as referred to in Annex IV, Part IV, Chapter 1, either Section 1 or Section 3(2), or Section 4(2) or (3) to Regulation (EU) 2020/689, from which it follows that the operator complies with the requirements for obtaining, recovering or reintroducing the status ‘establishment free from infectious bovine rhinotracheitis/infectious pustular vulvovaginitis’. The second paragraph and Article 1.87 apply accordingly.
4. An operator of an establishment with the *status ‘establishment free from infectious bovine rhinotracheitis/infectious pustular vulvovaginitis’* referred to in Part IV, Chapter 1, Section 1, of Annex IV to Regulation (EU) 2020/689 must submit the results of examinations for the maintenance of that status and documents showing compliance with the requirements of Part IV, Chapter 1, Section 2, of Annex IV, specifying the UBN of its establishment, to Our Minister. The second paragraph and Article 1.87 apply accordingly.

Article 1.86. Information to be provided with notifications

1. An operator submitting notification pursuant to Article 1.66, first paragraph, subsection e, 1.68, 1.69, subsection d, 1.71, first paragraph, subsection a, in conjunction with Article 1.73, 1.74 or 1.75, first paragraph, or 1.83, fourth paragraph, or advance registration as referred to in Article 1.72 or 1.75, first paragraph, subsection a, must submit the following information to Our Minister:
    a. the UBN of the establishment concerned;
    b. which exemption or deviation applies to the establishment in question or that the operator wishes to start conducting examinations in order to be able to register its establishment as a category 1 or 3 establishment;
    c. if examinations are required under Articles 1.73, 1.74, or 1.75 and these results have not been submitted previously, the results of the examinations concerned.
2. An operator who submits notification pursuant to Article 1.65, first paragraph, subsection c, or Article 1.71, first paragraph, in conjunction with Article 1.76, must submit the following information to Our Minister:
    a. the information referred to in the first paragraph, subsections a and b;
    b. the number of bovine animals present at the establishment on 1 March of the previous year;
    c. the number of bovine animals belonging to the species *Bison bonasus* present at the establishment on 1 March of the previous year;
    d. the number of plots of land;

e. the cadastral designation corresponding to the plot or plots where the bovine animals are kept;
f. the size of the plot or plots.

3. An operator who submits notification pursuant to Article 1.65, sixth paragraph, or Article 1.78, third paragraph, due to a change in the plots, must submit the information referred to in the second paragraph, subsections d, e, and f, to Our Minister.
4. An operator who submits notification pursuant to Article 1.70, third paragraph, must provide the following information to Our Minister:
   a. the information referred to in the first paragraph, subsection a; and
   b. in cases where the operator wishes to obtain the status ‘establishment free from infectious bovine rhinotracheitis/infectious pustular vulvovaginitis’ by means of conducting examinations: results of examinations, as referred to in point 1 of Section 1 of Chapter 1 of Part IV of Annex IV to Regulation (EU) 2020/689 from which it follows that the operator has started the examinations necessary to obtain the status ‘establishment free from infectious bovine rhinotracheitis/infectious pustular vulvovaginitis’; and
   c. in cases where the operator wishes to obtain the status of ‘establishment free from infectious bovine rhinotracheitis/infectious pustular vulvovaginitis’ through the delivery of bovine animals from establishments with that status: documents demonstrating that the operator has started delivering bovine animals referred to in point 2 of Section 1 of Chapter 1 of Part IV of Annex IV to Regulation (EU) 2020/689.
5. An operator who submits notification pursuant to Article 1.81 due to a change in the applicable exemption must submit the information referred to in the first paragraph, subsections a, b and c, to Our Minister.

Article 1.87. Deadline for submission of information

1. The submission of information or documents for or pursuant to this section and the submission of notification as referred to in Article 1.81 or communication as referred to in Article 1.82, third paragraph, must take place within seven days of the day on which the information became known to the operator.
2. Notwithstanding the first paragraph, the operator must report the information referred to in Article 1.65, sixth paragraph, subsection b, annually, before 31 December of the calendar year to which the information relates.
3. The first paragraph does not apply to the submission of information pursuant to Article 1.86, first, second and fourth paragraphs.
4. By way of derogation from the first paragraph, for the purpose of reintroducing the status of establishment free from infectious bovine rhinotracheitis/infectious pustular vulvovaginitis, the operator must submit the initial results of examinations and documents within two weeks of the decision made by Our Minister to suspend the status of 'establishment free from infectious bovine rhinotracheitis/infectious pustular vulvovaginitis'.
5. Notwithstanding the first paragraph, operators who have registered their establishment as referred to in Article 1.70, third paragraph, must submit the initial results of the examination and documents for regaining the status of establishment free from infectious bovine rhinotracheitis/infectious pustular vulvovaginitis as referred to in Article 1.85, third paragraph, within two weeks of the revocation of the status of 'establishment free of infectious bovine rhinotracheitis/infectious pustular vulvovaginitis'.

Article 1.88. Documentation requirement for operator

1. The keeper of food-producing bovine animals as referred to in Article 108, first paragraph, of Regulation (EU) 2019/6 must keep the following records:
    a. the veterinarian's declaration for each vaccination administered by that veterinarian in accordance with or pursuant to this section;
    b. the results form of the examination referred to in Article 1.85, second paragraph.
2. The keeper of bovine animals other than those referred to in the first paragraph must keep the following records:
    a. the veterinarian's declaration and invoice for each vaccination administered by that veterinarian in accordance with or pursuant to this section;
    b. the results form of the examination referred to in Article 1.85, second paragraph.
3. The information referred to in the first and second paragraphs must be retained for five years.

Article 1.89. Notifications

The person submitting notification pursuant to this section or Article 6.11 do so completely, correctly and truthfully.

Article 1.90. Designated database

1. Our Minister may designate a database for the registration and processing of information submitted to Our Minister pursuant to Article 6.11 and the provisions set out in or pursuant to this section or Section 15.
2. The administrator of the database must comply with the instructions of Our Minister when registering and processing data pursuant to this decision.
3. Our Minister ensures that the following information is provided to the designated database:
    a. of all establishments in the Netherlands where bovine animals are kept, with the exception of the establishments referred to in Article 1.67, subsection b: the UBN and the data referred to in Article 84, first paragraph, subsection b under i and ii, first part, of Regulation (EU) 2016/429 and its amendments;
    b. the following information for the bovine animals kept at the establishments referred to in subsection a:
        1°. the identification code of the bovine animals;
        2°. the gender of the bovine animal;
        3°. the date of birth of the bovine animals;
        4°. the information referred to in Article 42(d) and (e) of Regulation (EU) 2019/2035.
    c. the UBN of the establishment to which the status ‘establishment free from infectious bovine rhinotracheitis/infectious pustular vulvovaginitis’ has been granted;
    d. suspension and revocation of the status referred to in subsection c; and
    e. changes to the exemption or derogation applicable to an establishment as a result of decisions referred to in Article 1.83.

B

After Article 6.10, the following new article is added:

Article 6.11. Transitional regulations for combating infectious bovine rhinotracheitis and infectious pustular vulvovaginitis in bovine animals

1. Article 1.66 applies accordingly to male bovine animals kept at an establishment at the time of entry into force of Article 1.64 if:

a. the bovine animals were not born at the establishment concerned; and
b. with regard to these bovine animals, the establishment or stable in which they are kept complies with Article 1.66, first paragraph and third paragraph, subsection b; and
c. the operator of the establishment keeping the bovine animals has registered with Our Minister within four weeks of the entry into force of this decree.

2. By way of derogation from Article 1.64(2), the operator of an establishment that keeps bovine animals on 1 July 2026 must have its bovine animals that are five months of age or older at the time of entry into force of Article 1.64 and have not been vaccinated, and their bovine animals that were vaccinated at that time eight months or more ago, vaccinated within six months after 1 July 2026, or must notify their establishment within that period for application of Articles 1.65, 1.66, 1.68, 1.69, 1.70, or 1.71.
3. If the vaccination referred to in the second paragraph comprises two separate doses, the term 'vaccinate' in the second paragraph should be understood as ‘received two doses'.
4. The participation of an operator at the time of entry into force of Article 1.64 with the establishment in one of the following programmes and associated statuses of the private law system for combating IBR/IPV as applicable on **PM,** is considered to be advance registration of that establishment as referred to in Article 1.72, first paragraph:
   a. the ‘IBR-free (blood/surveillance tank milk intake route)’ programme of Vereniging ZuivelNL with the status ‘under examination’ in the event that the associated cohort study (Article 3.1 of the private programme protocol) has not yet been completed, which may involve participation with an individual establishment or with a veterinary unit or grazing unit for IBR/IPV of which the establishment is part;
   b. the Animal Health Service's 'IBR-free certification non-milk-producing' programme with the status 'under examination' if the associated intake examination has not yet been completed (Article 10 of the private programme protocol) and as an individual establishment;

   by which the date on which the intake inspection of the private-law system started is considered the date of this advance registration.
5. The participation of an operator at the time of the entry into force of Article 1.64 with its individual establishment in the programme ‘IBR-free (tank milk route)’ with the status ‘under examination’ of the private-law system to combat IBR/IPV of Vereniging ZuivelNL, as it applied to **PM,** in the event that the additional blood test for obtaining the private ‘free status’ has not yet been completed (Article 5 of the Private Protocol programme) is considered advance registration of that establishment as referred to in Article 1.75, first paragraph, subsection a, by which the date on which the additional blood test under the private-law system started is considered the date of this advance registration.
6. The participation of an operator at the time of entry into force of Article 1.64 with the establishment in one of the following programmes of the private-law system for combating IBR/IPV, as applicable on **PM,** is considered to constitute registration of that establishment as a category 1 establishment as referred to in Article 1.73, if the operator has, until that time:
   a. participated with that establishment as an individual establishment in the programme ‘IBR-free (blood, monitoring tank milk intake route)’ of Vereniging ZuivelNL and the fourth paragraph of this article does not apply to that establishment;
   b. with a veterinary unit or grazing unit for IBR/IPV of which its establishment forms part participated in the 'IBR-free (blood, bulk milk monitoring intake route)' programme of the Dutch Dairy Association (Vereniging ZuivelNL) and the fourth paragraph of this article does not apply to that establishment;

c. participated with that establishment as an individual establishment in the Animal Health Service programme ‘IBR-free certification not delivering milk’ and the fourth paragraph of this article does not apply to that establishment.

7. The participation of an operator at the time of entry into force of Article 1.64 with its establishment in one of the programmes of the private-law system to combat IBR/IPV of Vereniging ZuivelNL, as it applied to **PM,** will be considered registration as a category 2 establishment as referred to in Article 1.74, if the operator until that time:
   a. participated in the ‘IBR-free (tank milk route)’ programme with that establishment as an individual establishment;
   b. with a veterinary unit or grazing unit for IBR/IPV whose establishment, which is a dairy farm, is part of the IBR-free (tank milk route) programme.
8. 8. By way of derogation from the fifth and sixth paragraphs, the participation of an operator with its establishment in one of the following programmes with the associated status will not be considered as registration as a category 1 or 2 establishment:
   a. the ‘IBR-free (blood, bulk milk monitoring intake route)’ programme with ‘unknown’ status by virtue of Article 5.2.3 of said programme, in the event that the second deadline for removing a bovine animal that had tested positive for gE antibodies in the course of the arrival examination has expired,
   b. the ‘IBR-free (blood, tank milk monitoring intake route)’ programme with the status ‘under observation’ pursuant to Article 7.1.3 of that programme in the case of gE antibodies detected in the tank milk test or blood test via a sample taken after the removal of a bovine animal that has experienced a pregnancy loss;
   c. the programme ‘IBR-free (tank milk route)’ with the status ‘unknown’ pursuant to Article 6.2.3 of that programme in the event that the second period for the removal of a bovine animal that tested positive for gE antibodies during the arrival examination has expired;
   d. the ‘IBR-free (tank milk route)’ programme with the status ‘under examination’ pursuant to Article 3.1 of that programme, in case the intake study has not yet been completed at the time of entry into force of Article 1.64;

   this may involve participation with an individual establishment or with a veterinary unit or grazing unit for IBR/IPV of which its establishment is part.
9. A dairy farm as referred to in the seventh paragraph is defined as an establishment where at least 30% of the bovine animals are dairy cows and where a milk tank is in use.
10. After the time of entry into force of Article 1.64, the operator referred to in the fourth, fifth, six, seventh or eighth paragraph will continue to combat IBR/IPV at the monitoring stage at the time of entry into force of Article 1.64, in accordance with Section 14, and in the event that actions from the private programme have not yet been completed, by applying the first applicable follow-up step referred to in Annex V, column ‘First follow-up step for operator after entry into force of 1.64’, by which the operator is permitted to apply the time limits specified in that annex to the aforementioned follow-up steps once by way of derogation from Section 14. Article 1.83, first, third and fourth paragraphs, applies accordingly.
11. An operator, as referred to in Articles 1.65 and 1.78, is permitted, until 31 December 2026, by way of derogation from Article 1.87, first paragraph, to submit information on vaccinations and examinations carried out in 2026, as referred to in Article 1.85, first paragraph, to Our Minister within seven days of the registration of its establishment, as referred to in Article 1.65, first paragraph, subsection c, or 1.71, first paragraph.

C

The following annex is added:

Annex V. Annex as referred to in Article 6.11, tenth paragraph

Private programme protocol:	Status associated with the protocol	Article for the relevant private programme protocol dated PM	Action not yet completed from private programme protocol	First follow-up step for operator referred to in Article 6.11, fourth, fifth and sixth paragraphs, after entry into force of Article 1.64
IBR-free (blood/bulk milk monitoring intake route)	Under examination	Article 3.1	The cohort study has not yet been completed. According to the protocol, this must be completed within eight weeks of monitoring.	The operator applies Article 1.72, second, third, fourth and fifth paragraphs.
IBR-free (blood/bulk milk monitoring intake route)	Observation	Article 4.1	The re-examination of tank milk following an unfavourable monitoring test has not yet been completed.	The operator must have carried out an examination in accordance with Article 1.77, first paragraph, subsection a, in the calendar month in which Article 1.64 enters into force.
IBR-free (blood/bulk milk monitoring intake route)	Unknown	Article 4.3	No tank milk samples have been tested yet for the presence of gE antibodies within the second period of the monitoring test.	The operator must have carried out an examination in accordance with Article 1.77, first paragraph, subsection a, in the calendar month in which Article 1.64 enters into force.
IBR-free (blood/bulk milk monitoring intake route)	Observation	Article 5.1	Blood tests must be carried out because a bovine animal has been delivered from a non-free establishment.	The operator must have blood tests carried out in accordance with Article 1.77, second paragraph, no later than eight weeks after the bovine animal has been delivered.
IBR-free (blood/bulk milk monitoring intake route)	Observation	Article 5.2	A bovine animal that tested positive for gE antibodies during the arrival inspection must be removed.	The operator carries out confirmation testing in accordance with Article 1.77, third paragraph, and, if gE antibodies are found, applies Article 1.77, fourth, fifth or sixth paragraph, or Article 1.77, fourth, fifth or sixth paragraph directly.
IBR-free (blood/bulk milk monitoring intake route)	Under examination	Article 5.2.1	The monitoring test using tank milk (on a dairy farm) or a sample of three contact bovine animals (on a non-dairy farm) has not yet been carried out.	The operator must have carried out testing in accordance with Article 1.77, fourth paragraph, subsection b, under 1° (in the case of a dairy farm) or 2° (in the case of a non-dairy farm) at the earliest four weeks and at the latest eight weeks after the removal of the infected bovine animal.
IBR-free (blood/bulk milk monitoring intake route)	Unknown	Article 5.4	No blood samples have been tested yet for the presence of gE antibodies within the second period of the arrival examination.	The operator must have the individual blood test carried out in accordance with Article 1.77, second paragraph, no later than four weeks after the date on which the results should have been known according to the private programme, instead of no later than four weeks after delivery as required in Article 1.77, second paragraph.
IBR-free (blood/bulk milk monitoring intake route)	Observation	Article 6.3	A delivered bovine animal must be examined for possible infection after a high-risk delivery.	The operator must have blood tests carried out in accordance with Article 1.77, second paragraph, no later than eight weeks after delivery of the bovine animal, instead of no later than four weeks after delivery as required by Article 1.77, second paragraph.
IBR-free (blood/bulk milk monitoring intake route)	Observation	Article 6.3	Tank milk testing (on a dairy farm) or a random sample of three contact bovine animals (on a non-dairy farm) must be carried out due to a possible infection following a high-risk delivery.	The operator must have carried out tests in accordance with Article 1.77, fourth paragraph, subsection b under 1° (dairy farm) or 2° (non-dairy farm) at the earliest four weeks and at the latest eight weeks after the removal of the infected bovine animal.

IBR-free (blood/bulk milk monitoring intake route)	Unknown	Article 7.1.4	The second period for examining a cow that has experienced a pregnancy loss has expired.	The operator examines the bovine animal concerned no later than seven days after the entry into force of Article 1.64 in accordance with Article 1.79, first paragraph.
IBR-free (tank milk route)	Observation	Article 4.1	The re-examination of tank milk following an unfavourable monitoring test has not yet been completed.	The operator must have carried out an examination in accordance with Article 1.77, first paragraph, subsection a, no later than the calendar month in which Article 1.64 enters into force.
IBR-free (tank milk route)	Unknown	Article 4.3	The second period for conducting the monitoring test has expired after the first period did not yield any tank milk results.	The operator must have carried out an examination in accordance with Article 1.77, first paragraph, subsection a, no later than the calendar month in which Article 1.64 enters into force.
IBR-free (tank milk route)	Under examination	Article 5	Additional blood tests to obtain free status have not yet been completed.	The operator must comply with the conditions for exemption in accordance with Article 1.75 and may only register the establishment for a category 3 exemption once the conditions have been met. Until then, the operator remains registered as a category 2 exemption and must comply with the conditions set out in Article 1.74.
IBR-free (tank milk route)	Observation	Article 6.1	Blood tests must be carried out because a bovine animal has been delivered from a non-free establishment.	The operator has blood tests carried out no later than eight weeks after the bovine animal's arrival in accordance with Article 1.77, second paragraph, instead of no later than four weeks after arrival as required in Article 1.77, second paragraph.
IBR-free (tank milk route)	Observation	Article 6.2	A bovine animal that tested positive for gE antibodies during the arrival inspection must be removed.	The operator carries out confirmation testing in accordance with Article 1.77, third paragraph, and then applies Article 1.77, fourth, fifth or sixth paragraphs if gE antibodies are found, or applies Article 1.77, fourth, fifth or sixth paragraphs, directly
IBR-free (tank milk route)	Under examination	Article 6.2.1	The first monitoring test of tank milk after removal of bovine animals with gE antibodies has not yet been carried out.	The operator must have carried out an examination in accordance with Article 1.77, first paragraph, subsection a, no later than the calendar month in which Article 1.64 enters into force.
IBR-free (tank milk route)	Unknown	Article 6.4	No blood samples have been tested yet for the presence of gE antibodies within the second period of the arrival examination.	The operator must have the individual blood test carried out in accordance with Article 1.77, second paragraph, no later than four weeks after the results should have been known, instead of no later than four weeks after delivery as required in Article 1.77, second paragraph.
IBR-free certification non-milk-producing	Under examination	Article 10	The intake examination has not yet been completed. According to the protocol, this must be completed within eight weeks of monitoring.	The operator also applies Article 1.72.
IBR-free certification non-milk-producing	Observation	Article 11a	The monitoring test has not yet been completed.	The operator must have examined three bovine animals for the presence of gE antibodies in accordance with Article 1.77, first paragraph, subsection b, no later than three months after the entry into force of Article 1.64.
IBR-free certification non-milk-producing	Observation	Article 12 paragraph 3B	A bovine animal that tested positive for gE antibodies during the arrival inspection must be removed.	The operator carries out confirmation testing in accordance with Article 1.77, third paragraph, and, if gE antibodies are found, applies Article 1.77, fourth, fifth or sixth paragraph, or Article 1.77, fourth, fifth or sixth paragraph directly.

IBR-free certification non-milk-producing	Observation	Article 12.2	Blood tests must be carried out because a bovine animal has been delivered from a non-free establishment.	The operator has blood tests carried out no later than eight weeks after delivery of the bovine animal, in accordance with Article 1.77, second paragraph, instead of no later than four weeks after delivery as required by Article 1.77, second paragraph.
IBR-free certification non-milk-producing	Observation	Article 12.4	Blood tests must still be carried out on a random sample at the establishment after a bovine animal that has tested positive for gE antibodies has been removed.	The operator must have carried out tests in accordance with Article 1.77, fourth paragraph, subsection b, under 2°, at the earliest four weeks after and at the latest eight weeks after the removal of the infected bovine animal.
IBR-free certification non-milk-producing	Observation	Article 15 paragraph 2A	A bovine animal must be removed within seven days after gE antibodies have been detected in the monitoring test	The operator must have removed the bovine animal no later than two weeks after the entry into force of Article 1.64 and must then comply with Article 1.77(4)(a).
IBR-free certification non-milk-producing	Observation	Article 15 paragraph 2A	Blood tests must still be carried out on a random sample at the establishment after a bovine animal that has tested positive for gE antibodies has been removed.	The operator must have carried out tests in accordance with Article 1.77, fourth paragraph, subsection b, under 2°, at the earliest four weeks after and at the latest eight weeks after the removal of the infected bovine animal.

ARTICLE II

Article 1.67, subsection h, of the Animal Keepers Decree is repealed.

ARTICLE III

This decision enters into force with effect from **PM,** with the exception of Article II, which enters into force with effect from **PM.**

I hereby order this Decree and its associated explanatory notes to be published in the official journal.