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COMMISSION OF THE EUROPEAN COMMUNITIES

COM (77) 347 Final

Brussels, 20 July 1977

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Proposal for a
COUNCIL DIRECTIVE

prolonging certain derogation measures in relation to
brucellosis and tuberculosis granted to Denmark, Ireland and the
United Kingdom

(submitted to the Council by the Commission)



Explanatory note

By virtue of Article 104 of the Treaty of Accession, Denmark, Ireland and the United Kingdom were authorised to maintain for an interim period, until the end of 1977, their national rules for declaring a herd of cattle officially free of tuberculosis or free of brucellosis.

On the same basis certain derogations from existing Community provisions were granted, to allow for the maintenance of traditional exports of cattle from Ireland to the United Kingdom.

As certain delays have occurred in the solution of basic technical problems related to these matters and as a proposed modification of the basic directive governing these questions will only take full effect during the following year, it is considered necessary that the above derogations be extended until the end of 1978, in order not to cause unreasonable interruptions in existing prophylactic measures and traditional trade patterns.

COUNCIL DIRECTIVE of
prolonging certain derogation measures in relation
to brucellosis and tuberculosis granted to Denmark, Ireland
and the United Kingdom

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 43 and 100 thereof,

Having regard to the proposal from the Commission,

Having regard to the Opinion of the European Parliament,

Having regard to the Opinion of the Economic and Social Committee;

Whereas by virtue of Article 104⁽³⁾, of the Act of Accession¹,
the three new Member

States were authorised to maintain until 31 December 1977 certain of their national rules relating to brucellosis and tuberculosis; whereas by paragraph 4 thereof certain derogations were given concerning exports of cattle from Ireland to the United Kingdom;

Whereas by Article 4a of Council Directive 64/432/EEC of 26 June 1964 on animal health problems affecting intra-Community trade in bovine animals and swine,² as last amended by Directive 77/98/EEC of 21 December 1976,³ provides that amendments to Annexes A, B and C to the Directive or any other measures, including provisions relating to traditional trade between Ireland and the United Kingdom, shall be adopted by the Council before 1 January 1978 ;

Whereas, due to delays in the solution of basic technical problems, it is necessary to extend by 1 year the derogations by which the three new Member States are authorised to retain the methods applied in their territory for declaring a herd of cattle officially free of tuberculosis or brucellosis-free within the meaning of Article 2 of Directive 64/432/EEC;

Whereas for the same reason and in order not to interrupt the traditional trade in live animals between Ireland and the United Kingdom, it is necessary to prolong for the same period the special derogations granted to this trade;

¹ OJ no L 73, 27.3.1972, p.14

² OJ No 121, 29.7.1964, p.1977/64

³ OJ No L 26, 31.1.1977, p.81

HAS ADOPTED THIS DIRECTIVE:

Article 1

By way of derogation from Directive 64/432/EEC, Denmark, Ireland and the United Kingdom are hereby authorised to retain the methods applied in their territory for declaring a herd of cattle officially free of tuberculosis or free of brucellosis, within the meaning of Article 2 of the above Directive, and subject to the provisions thereof relating to the presence of animals vaccinated against brucellosis.

The provisions relating to the tests laid down for animals traded within the Community shall continue to apply subject to Article 2,

Article 2

Exports of cattle from Ireland to the United Kingdom may be carried out:

- (a) by way of derogation from the provisions of Directive 64/432/EEC relating to the brucellosis test laid down for animals traded within the Community, which shall not apply to exports of castrated cattle,
- (b) by way of derogation from the provisions of Directive 64/432/EEC relating to the intradermal tuberculin test laid down for animals traded within the Community, which shall be replaced by a test in accordance with the national rules of the importing Member State, and
- (c) by way of derogation from the provisions of Directive 64/432/EEC relating to the obligation to separate breeding and store cattle on the one hand and slaughter cattle on the other.

Article 3

The provisions of this Directive shall apply until 31 December 1972.

Article 4

The Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive on 1 January 1973 and shall forthwith inform the Commission thereof.

Article 5

This Directive is addressed to the Member States.

Done at Brussels

For the Council

