

EUROPEAN PARLIAMENT

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PROPOSAL

from the Commission of the European Communities
to the Council

for a decision on the financing by the Community
of certain emergency measures in the field of
animal health

PE 38.768

EUROPEAN COMMUNITIES

Brussels, 30.10.1974

THE COUNCIL

Mr Cornelis BERKHOUWER
President of the Assembly
Case Postale 1601
LUXEMBOURG
(Grand Duchy of Luxembourg)

Dear Mr President,

I have the honour to inform you that, by letter of 21 October 1974 the Commission of the European Communities submitted to the Council a formal proposal for a Council Decision on the financing by the Community of certain emergency measures in the field of animal health.

At its meeting of 29 October 1974, the Council decided to consult the Assembly on this proposal, the text of which is attached (Doc. COM (74) 1670 final), and instructed me to forward this request for consultation to you.

At the same time it decided to consult the Economic and Social Committee. Pursuant to the Council resolution of 22 July 1974 on veterinary matters, the Council is to take a decision on this proposal before 1 January 1975. It would therefore be grateful if the Assembly could deliver its opinion during its December part-session.

Yours sincerely,

(sgd.) HOMMEL
Secretary-General

COMMISSION OF THE EUROPEAN COMMUNITIES

(CM(74) 1670 final

Brussels, 17 October 1974

Proposal for a
COUNCIL DECISION

on the financing by the Community of certain emergency measures
in the field of animal health

(submitted to the Council by the Commission)

EXPLANATORY MEMORANDUM

At its 158th meeting, held at Luxembourg on 29 June 1971, the Council expressed the desire that the Community should assume certain financial responsibilities in the field of animal health. In the summary of the decisions taken at that meeting, a statement appears to the effect that, following an exchange of views on the possibility of setting up a joint animal health fund, the Council recognized that everything possible must be done to accelerate the harmonization of national provisions relating to animal health and to find the means of achieving such harmonization, particularly as regards the financial responsibility of the Community. The Council took note of the Commission's intention of submitting proposals to that end relating to certain specific and limited cases.

Furthermore, on 24 September 1973 the Standing Veterinary Committee also stressed the need to set up an emergency fund which would enable certain sums to be made available rapidly when the need arose, thus short-circuiting the usual lengthy procedures in order to obtain the funds necessary to protect the Community in cases of emergency.

This is the object of the attached draft Decision. It would enable the Community to intervene financially not only in cases where an exotic disease breaks out within its territory, but also where it is directly threatened owing to the outbreak of such disease in the territory of a third country. Obviously, the most effective means of protecting the Community from epizootic diseases is to combat them in the places where they have broken out, without waiting for them to approach or to break out within the frontiers of the Community. This is why the Community should be given the means to intervene outside its territory also, though only, naturally, to protect itself.

Such action must be undertaken on the basis of general criteria which should be laid down here and now. However, since it is impossible to foresee all the different situations which might arise, it should be left to the executive bodies to determine in each specific instance the manner in which the Community should act.

The attached draft Decision ties up to some extent with the Council Directive of 12 December 1972¹ on health and veterinary inspection problems upon importation of bovine animals and swine and fresh meat from third countries which, when implemented, will replace the national laws currently in force. The Community should therefore begin to consider the possibility of making itself to some extent responsible for making up losses suffered as a result of outbreaks of exotic diseases occurring in or threatening its territory. This should, however, in the Commission's opinion, be regarded as a first step which must later go further and take in a wider field. Thus, the Community should also assume financial responsibility for losses caused by classical diseases where imports effected in accordance with common rules are the cause of outbreaks in its territory.

It should be noted that the attached Decision would apply solely in respect of real emergencies where the procedure used at present for granting aid would be too slow. There could be no question of this Decision serving as the legal basis for financing measures such as those taken in the past to assist the FAO and Spain.

The appropriations for all the measures would form part of the annual Community Budget. For 1975 the Commission has requested appropriations for this purpose amounting to 2 500 000 units of account.

¹OJ No L 302, 31 December 1972, p. 28.

PROPOSAL FOR A

COUNCIL DECISION

on the financing by the Community of certain emergency measures in the field
of animal health

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and
in particular Article 43 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 it has been recognized that everything possible must be done to accelerate
the harmonization of national provisions relating to animal health and to find the
means of achieving such harmonization, particularly as regards the Community's
financial responsibility;

Whereas such responsibility should at first relate only to the risk of outbreaks
of exotic diseases occurring within the territory of the Community and should
involve measures to be carried out both within and outside the Community; whereas
the outbreak of such diseases in a Member State may constitute a serious danger for
the Community as a whole;

Whereas the manner in which responsibility is to be assumed should be defined in each particular case as it arises, under a flexible and rapid Community procedure in which the Commission cooperates closely with the Member States;

HAS ADOPTED THIS DECISION:

Article 1

1. Where an outbreak of one of the contagious diseases listed in Article 6 of the Council Directive of 12 December 1972 occurs in the territory of a Member State, such State shall receive financial assistance from the Community for the purpose of eradicating the disease, provided that the measures which are applied forthwith include the isolation of the farm in question from the moment when an outbreak is suspected and, as soon as the disease is officially confirmed :
 - the slaughter and destruction of animals of susceptible species which are afflicted or infected or suspected of being so;
 - the destruction of contaminated feedingstuffs;
 - the disinfection of the farm;
 - the establishment of buffer zones;
 - the application of measures to prevent the spread of infection (whether by vehicles or by man);
 - the fixing of a minimum period during which the farm may not be restocked following slaughter.

2. The Member State concerned shall forthwith inform the Commission and the other Member States of the measures applied and the results obtained. The Standing Veterinary Committee shall meet as soon as possible to examine the situation. The decision to grant Community financial assistance shall be taken in accordance with the procedure laid down in Article 5. The grant of such assistance may be made conditional on the application, in addition to the measures specified above, of such further measures as may be considered necessary for the achievement of the aim in view.

3. The Community's financial contribution, which may be split up into several instalments, may cover up to 50% of the expenses incurred by the Member State in compensating owners for the slaughter and destruction of the animals and for the destruction of feedingstuffs. The contribution shall be calculated on the basis of documentary evidence submitted by the Member State concerned.
4. The list of diseases referred to in paragraph 1 may, for the purposes of this Decision, be altered in accordance with the procedure laid down in Article 5.

Article 2

1. If a Member State is directly threatened by the outbreak in the territory of an adjacent third country or Member State of a contagious disease as referred to in Article 1(1), such Member State may if it considers special measures necessary for its protection, in particular the creation of a buffer zone of vaccinated animals, obtain financial assistance from the Community, to be granted in accordance with the procedure laid down in Article 5.
2. The Member State concerned shall to this end inform the Commission and the other Member States of its intentions without delay. The Standing Veterinary Committee shall meet as soon as possible to examine the situation.

The decision to grant Community financial assistance, which may relate only to the cost of purchasing vaccine and of carrying out vaccination, shall be taken in accordance with the procedure laid down in Article 5. The grant of such assistance may be made conditional on the application of such special measures as may be considered necessary for the achievement of the aim in view.
3. The Community's financial contribution, which may be split up into several instalments, may cover up to 100% of the cost of the vaccine and up to 50% of the cost of carrying out vaccination.

Article 3

The Community may make a financial contribution towards the cost of building up stocks of biological products (vaccines, appropriate virus strains, diagnosis serums) to combat the contagious diseases referred to in Article 1(1).

The desirability of such action and detailed rules for its implementation, particularly as regards the choice, production, transport and use of such stocks, shall be determined in accordance with the procedure laid down in Article 5.

Article 4

1. If the Community is threatened by the outbreak in a third country of a contagious disease as referred to in Article 1(1), it may help combat the disease by financing in particular the purchase of vaccine.
2. The desirability of such Community intervention and detailed rules for its implementation, in particular the animal health measures to which it may be made subject, shall be determined in accordance with the procedure laid down in Article 5.
3. Such financial contribution by the Community may not exceed 25% of the appropriations shown in the Budget in any given year for all the measures provided for in this Decision.

Article 5

1. Where the procedure laid down in this Article is to be followed, matters shall be referred by the Chairman, either on his own initiative or at the request of a Member State, to the Standing Veterinary Committee (hereinafter called the 'Committee') set up by the Council Decision of 15 October 1968.
2. Within the Committee, the votes of the Member States shall be weighted as provided in Article 148(2) of the Treaty. The Chairman shall not vote.

3. The representative of the Commission shall submit a draft of the measures to be adopted. The Committee shall deliver its opinion on such measures within two days. Opinions shall be delivered by a majority of forty-one votes.
4. The Commission shall adopt the measures and put them immediately into effect where they are in accordance with the opinion of the Committee. Where the measures are not in accordance with the opinion of the Committee, or if no opinion is delivered, the Commission shall without delay propose to the Council the measures to be adopted. The Council shall act by a qualified majority.

If, within fifteen days of the proposal being submitted to it, the Council has not acted, the Commission shall adopt the proposed measures and put them immediately into effect.

Article 6

The appropriations required for the implementation of the measures provided for in this Decision shall be fixed each year as part of the Budget.

Article 7

The provisions of Article 5 shall apply until 22 June 1975.

Article 8

This Decision is addressed to the Member States.

Done at Brussels,

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For the Council
The President

