

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(81) 497 final

Brussels, 14 September 1981

Proposal for a
COUNCIL DIRECTIVE

on the notification of animal disease within the Community

(submitted to the Council by the Commission)

COM(81) 497 final

EXPLANATORY NOTE

Intra-Community trade in live cattle and pigs, fresh meat from cattle, pigs, sheep, goats and solipeds, fresh poultrymeat and meat products takes place under the terms of certain directives dealing with those areas of trade. In each of these directives obligations are imposed on each Member State to notify to other Member State and the Commission the appearance and disappearance on their territories of animal diseases. Heretofore no detail has been laid down relating to the diseases to be reported, the frequency of the reports or content of the reports and the system must be clarified. These trading directives also give importing Member States the right to take appropriate protective measures if there is a risk of spread of animal disease as a result of trade.

It is therefore necessary to make a proposal for a directive laying down not only the diseases to be reported but also the frequency and contents of the reports including the methods by which the report shall be made.

Implementation of such a directive would provide the up to date, accurate information, essential to Member States in making rational decisions in relation to risk of spread of disease through intra-Community trade thereby preventing unreasonable interference with such trade and essential to the Commission to fulfil its task under Community law.

Proposal
for a
Council Directive

notification of animal disease within the Community

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 the Community has issued regulations in respect of the health requirements for intra-Community trade in bovine animals and swine, fresh meat, fresh poultry meat and meat products;

Whereas, the appearance or presence of certain contagious animal diseases present a risk to the Community herd notably by their spread as a result of trade; and rapid and accurate information is essential for the application of the different protection measures provided for in Community regulations;

Whereas it is necessary for each Member State to notify each other Member State and the Commission of the outbreak and disappearance of certain animal diseases on its territory in accordance with Article 9(2) of Council Directive 64/432/EEC⁽¹⁾ of 26 June 1964 on animal health problems affecting intra-Community trade in bovine animals and swine, as last amended by Council Directive 80/1274/EEC⁽²⁾; Article 7 of Council Directive 72/461/EEC⁽³⁾ of 12 December 1972 on health problems affecting intra-Community trade in fresh meat, as last amended by Council Directive 80/1099/EEC⁽⁴⁾; Article 11 of Council Directive 71/118/EEC⁽⁵⁾ of 15 February 1971 dealing with health problems affecting trade in fresh poultry meat, as last amended by Council Directive 80/216/EEC⁽⁶⁾; and Article 7 of Council Directive 80/215/EEC⁽⁷⁾ of 22 January 1980 on animal health problems affecting intra-Community trade in meat products, as last amended by Council Directive 80/1100/EEC⁽⁸⁾;

1) O.J. No 121 of 29.7.1964, p. 1977/64

2) O.J. No L 325 of 1.12.1980, p. 75

3) O.J. No L 302 of 31.12.1972, p. 24

4) O.J. No L 325 of 1.12.1980, p. 14

5) O.J. No L 55 of 8.3.1971, p. 23

6) O.J. No L 47 of 21.2.1980, p. 8

7) O.J. No L 47 of 21.2.1980, p. 4

8) O.J. No L 325 of 1.12.1980, p. 16

Whereas, however, the method of notification and diseases to be notified require to be specifically laid down and in particular the regular updating of the disease situation in each Member State;

Whereas, the adaptation to technical needs, required as a result of experience of application of the notification procedure, shall be adopted following a procedure ensuring close collaboration between the Member States and the Commission,

HAS ADOPTED THIS DIRECTIVE :

Article 1

1. This Directive refers to the notification :
 - of outbreaks of any of the diseases listed in Annex A,
 - of outbreaks of any new serious naturally transmissible disease,
 - of removal of restrictions in relation to the terminal outbreak of any diseases in Annex A or any new serious naturally transmissible disease.
2. It applies without prejudice to the particular provisions for information in respect of the harmonisation of eradication and/or prophylaxis of animal disease.

Article 2

For the purposes of this Directive :

- (a) "holding" means any establishment or place in the territory of a Member State where animals are assembled, reared or kept.
- (b) "case" means any animal or carcass in which any of the diseases listed in Annex A has been officially confirmed.
- (c) "outbreak" means occurrence on a holding of one or more cases.
- (d) "primary outbreak" means an outbreak not epizootiologically linked with a previous outbreak in the same region of a Member State as defined in Article 2 of Council Directive 64/432/EEC or the first outbreak in a different region of the same Member State.

Article 3

1. Each Member State shall notify directly to the Commission and directly to each other Member State within 24 hours :
 - the primary outbreak on its territory of any of the diseases in Annex A,
 - any outbreak of a new serious naturally transmissible disease,
 - the removal of restrictions from its territory in relation to the terminal outbreak of any of the diseases listed in Annex A or any new serious naturally transmissible disease.
2. Such notification shall be by telex and shall provide the information required by Annex B.
3. In the case of classical swine fever the information provided according to Council Directive 80/217/EEC⁽⁹⁾ of 22 January 1980 introducing Community measures for the control of classical swine fever as last amended by Council Directive 80/1274/EEC⁽¹⁰⁾ will be considered to be sufficient.

Article 4

1. Each Member State shall notify directly to the Commission on the first working day of each week the secondary outbreaks on its territory of any of the diseases listed in Annex A. This notification shall refer to the week ending at midnight on the Sunday prior to the notification. The Commission shall correlate this information and transmit a composite notification to the veterinary headquarters of each Member State.
2. The receipt of no information by the Commission shall be considered to mean that no secondary outbreaks have occurred during the period under report.
3. All such notifications shall be by telex and shall contain the information required by Annex B.

Article 5

1. According to the procedure laid down in Article 6 and before the date of implementation of this Directive the codified form shall be established by which the information contained in Annex B shall be transmitted.
2. According to the same procedure it may be decided :
 - to supplement or amend Annex A and/or Annex B,
 - that notwithstanding the provisions of Article 4 and taking account of the disease concerned and the particular epizootiological development, the frequency, content and scope of the notification may be temporarily modified.

(9) O.J. No L 47 of 21. 2. 1980, p. 11

(10) O.J. No L 375 of 31. 12. 1980, p. 75.

Article 6

1. Where the procedure laid down in this Article is to be used, matters shall without delay 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 45 votes.
4. The Commission shall adopt the measures and shall apply them immediately where they are in accordance with the opinion of the Committee. Where they 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 adopt the measures by a qualified majority.

If within 15 days from the date on which the proposal was submitted to it, the Council has not adopted any measures, the Commission shall adopt the proposed measures and apply them immediately, save where the Council has decided by a simple majority against those measures.

Article 7

Member States shall bring into force the laws, regulations, and administrative provisions necessary to comply with this Directive on 1 January 1982 and immediately inform the Commission thereof.

Article 8

This Directive is addressed to the Member States.

Done at Brussels,

For the Council

ANNEX A

FOOT AND MOUTH DISEASE.

RINDERPEST (CATTLE PLAQUE).

CONTAGIOUS BOVINE PLEUROPNEUMONIA.

BLUETONGUE.

SWINE VESICULAR DISEASE.

CLASSICAL SWINE FEVER.

AFRICAN SWINE FEVER.

TESCHEN DISEASE (CONTAGIOUS SWINE PARALYSIS).

VESICULAR STOMATITIS.

FOWL PLAQUE.

NEWCASTLE DISEASE.

ANNEX B

1. Information required by Article 3 in relation to primary outbreaks of diseases in Annex A and outbreaks of any new serious infectious or contagious disease :
 1. Date of dispatch.
 2. Time of dispatch.
 3. Name of Member State.
 4. (a) Name of disease.
(b) Type of virus if appropriate.
 5. Date of confirmation.
 6. Geographical location.
 7. Number of susceptible animals on premises (a) cattle, (b) pigs, (c) sheep, (d) goats, (e) poultry.
 8. Number of stock slaughtered (a) cattle, (b) pigs, (c) sheep, (d) goats, (e) poultry.
 9. Number of carcasses destroyed : (a) cattle, (b) pigs, (c) sheep, (d) goats, (e) poultry.

2. Information required by Article 4 in relation to secondary outbreaks of diseases in Annex A :
 1. Date of dispatch.
 2. Time of Dispatch.
 3. Name of Member State.
 4. For each disease notified :
 - (a) Name of disease.
 - (b) Number of outbreaks.
 - (c) Name of disease.
 - (d) Number of outbreaks.

3. Information required by Article 3 in relation to removal of restrictions in a Member State in relation to outbreaks of diseases listed in Annex A :
 1. Date of dispatch.
 2. Time of dispatch.
 3. Name of Member State.
 4. Name of disease.
 5. Date of removal of restrictions :