

COMMISSION OF THE EUROPEAN COMMUNITIES

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Brussels, 27 March 1979

Proposal for a
COUNCIL DIRECTIVE

prolonging, in respect of brucellosis, tuberculosis and swine fever, certain derogations granted to Denmark, Ireland and the United Kingdom

(submitted to the Council by the Commission)

EXPLANATORY MEMORANDUM

Under Article 104 of the Treaty of Accession and the provisions prolonging its effects, Denmark, Ireland and the United Kingdom were authorized to retain, until the end of 1978, their national rules for declaring a herd of cattle officially free of tuberculosis or brucellosis-free and on protection against swine fever. The same Article introduced certain derogations to existing Community provisions in order to maintain traditional trade between Ireland and the United Kingdom.

The effect of the above provisions was extended until 30 June 1979 by Council Directive 79/111/EEC of 24 January 1979⁽¹⁾ although the Commission, in its proposal, suggested extending it until 31 December 1979. The Commission considered that a period of one year was necessary to deal with certain technical problems whose solution is a precondition of the repeal of the derogations.

The Commission's proposal has proved in the event to be justified, since the expected solutions have not yet emerged. Consequently, it is appropriate to propose a new extension of these derogations for a period of six months, which was the Commission's original proposal.

(1) O.J. No L 29 of 3.2.1979, p. 26.

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prolonging, in respect of brucellosis, tuberculosis
and swine fever, certain derogations 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 Article 43 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

Whereas under Article 104(3) of the Act of Accession, Denmark, Ireland and the
United Kingdom were authorized to retain, by way of derogation from Council Directive
64/432/EEC and until 31 December 1977, their national provisions for declaring a
herd of cattle officially free of tuberculosis or free of brucellosis; whereas this
authorization was extended until 30 June 1979 by Council Directive 79/111/EEC⁽¹⁾;

Whereas, as regards tuberculosis, in view of the time needed to provide solutions
to basic technical problems on which the Commission has undertaken studies which
are not yet complete, it is necessary to retain for 6 months a number of limited
derogation provisions for Ireland and the United Kingdom regarding the standards
for the manufacture and use of tuberculins; whereas, as regards brucellosis,
it is also necessary for the same reasons to prolong by 6 months the derogations
granted to Ireland and the United Kingdom;

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 certain special derogations granted in respect of such trade;

.../...

(1) OJ No 121, 29.7.1964, p. 1977

(2) OJ No L 29, 3.2.1979, p. 26

Whereas as regards swine fever, Denmark, Ireland and the United Kingdom were also authorized, most recently under Directive 79/111/EEC, to retain their national provisions on protection against this disease; whereas only Community rules on swine fever can provide a definitive solution to this problem; whereas these rules are being drawn up; whereas the derogations granted to the three Member States referred to above should therefore be prolonged for a period of 6 months in order to enable the Council to adopt common rules in this field,

HAS ADOPTED THIS DIRECTIVE :

Article 1

By way of derogation from Directive 64/432/EEC,

- Denmark is hereby authorized to retain the methods applied in its territory for declaring a herd of cattle officially free of tuberculosis,
- Ireland and the United Kingdom are hereby authorized to retain the standards for the manufacture and use of tuberculins applied in their territory for declaring a herd of cattle officially free of tuberculosis.

Bovine herds in Ireland and the United Kingdom which on 30 June 1979 have been declared officially tuberculosis-free by national methods shall retain this designation as regards the application of Annex A(I) of Directive 64/432/EEC.

The provisions relating to the tests laid down for animals traded within the Community shall continue to apply, subject to the provisions of Article 3 (b).

Article 2

By way of derogation from Directive 64/432/EEC, Ireland and the United Kingdom are hereby authorized to retain the methods applied in their territory whereby a herd of cattle is considered to be brucellosis-free within the meaning of Article 2 of the said Directive, subject to the application of the provisions of that Directive 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 3 (a).

Article 3

Cattle may be traded from Ireland to the United Kingdom by way of derogation from the provisions of Directive 64/432/EEC relating to :

- (a) the brucellosis test laid down for animals traded within the Community, which shall not apply to trade in castrated cattle;
- (b) 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 abovementioned Member States of destination.

Article 4

In Articles 1 and 2 of Directive 79/111/EEC, the date '30 June 1979' shall be replaced by '31 December 1979'.

Article 5

Articles 1, 2 and 3 shall apply until 31 December 1979.

Article 6

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

Article 7

This Directive is addressed to the Member States.

Done at Brussels,

For the Council,

The President