

COMMISSION OF THE EUROPEAN COMMUNITIES

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~~3 UNIT~~
Proposal for a

COUNCIL DIRECTIVE

amending Directive 64/432/EEC with regard to swine vesicular disease and
swine fever

Proposal for a

COUNCIL DIRECTIVE

amending Directive 72/461/EEC with regard to swine vesicular disease and
swine fever

Proposal for a

COUNCIL DIRECTIVE

amending Directive 80/215/EEC with regard to swine vesicular disease and
classical swine fever

Proposal for a

COUNCIL DIRECTIVE

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

(submitted to the Council by the Commission)

EXPLANATORY MEMORANDUM

1. Swine fever is a serious menace to pig farming in the Community. To deal with it the Commission is proposing to the Council a systematic eradication programme.

The existence of the disease has at the present time certain consequences for intra-Community trade.

With regard to trade in live pigs, pigmeat and pigmeat products derogations have been granted to the three new Member States since their accession with a view to enabling them to maintain national legislation relating to protection against swine fever which for the most part takes the form of prohibitions.

These derogations expire on 30 June 1980.

The derogations should be replaced henceforth by a Community system enabling trade to take place while avoiding any risk of contamination by authorizing the Member States which are free from classical swine fever and do not practise vaccination to take additional measures relating to the origin of the animals which they import. These animals should come for example from a region free from swine fever where vaccination has been stopped.

These rules should apply after a necessary elapse of time, 3 months, to allow for their transposition into national law, during this period of 4 months the current derogations shall continue to apply. These rules shall continue to apply for the duration of the eradication programmes ensuring the success of the latter.

2. Swine vesicular disease is a contagious disease which was detected on Community territory in 1973. This disease is of particular importance in that its first symptoms are identical to those of foot-and-mouth disease. Although the cause of the disease is relatively benign and it is much less contagious, it is indispensable that stringent safeguards be enforced until a laboratory diagnosis has shown which of the two diseases is involved. For that reason the Commission under the safeguard clauses of the Directives in force at the time had, by Decision 73/55/EEC of 26 February 1973, introduced additional safeguards in connection with intra-Community trade of live pigs and pigmeat. In view of the fact that swine vesicular disease continues to exist in certain parts of the Community it is necessary, as was emphasized by the Council when on 22 January 1980 it adopted Directive 80/215/EEC on animal health problems affecting intra-Community trade in meat products, to introduce relevant safeguards into Community legislation on a permanent basis.

These safeguards do not differ from those existing at present except on one point with regard to meat products; in the case of these products the virus is destroyed only by heat and account should be taken of this in trade.

3. The Commission is thus proposing that the Council should make the above-mentioned amendments in Directives 64/432/EEC, 78/461/EEC and 80/215/EEC on health problems affecting intra-Community trade in live cattle and swine, fresh meat and meat products, whilst at the same time prolonging certain derogations relating to swine fever for a period of 3 months which already have been granted to Denmark, Ireland and the United Kingdom.

TECHNICAL DATA CONCERNING SWINE VESICULAR DISEASE

Problems arising in intra-Community trade in live pigs, fresh pigmeat and pigmeat-based products

I. Current state of Community Legislation

Commission Decision 73/53/EEC of 26 February 1973 specifies that Member States in which there has been an outbreak of swine vesicular disease should provide guarantees in respect of live pigs and pigmeat despatched from their territories which are identical to those established for foot-and-mouth disease by Directive 64/432/EEC and in particular Articles 2(i), 3(2)(b) and (2)(c)(i)(ii).

It should be pointed out, although this does not reduce the scope of the Decision, that as regards live animals the form which the guarantees should take is not specified. No mention is made of the issue of a special certificate or the appropriate amendment of the very complete certificates annexed to Directive 64/432/EEC.

With regard to fresh pigmeat, under the provisions of Directive 72/461/EEC relating to foot-and-mouth disease, the Community stamp must not be affixed to meat obtained from animals which do not satisfy the conditions required for trade in animals for slaughter.

II. Guarantees offered with regard to swine vesicular disease in intra-Community trade by applying the guarantees established for foot-and-mouth disease.

A. Breeding or productive pigs :

The pigs must come from a holding :

- on which no case of swine vesicular disease has been recorded for at least three months;
- around which no case of swine vesicular disease has been recorded within a radius of 10 km for at least 30 days.

B. Pigs for slaughter :

The pigs must come from a holding which is not subject to any prohibition measures on account of an outbreak of swine vesicular disease.

The prohibition measures relate to the holding on which swine vesicular disease has been detected and to holdings situated within a radius of 2 km from the infected holding.

These measures are lifted :

- in the case of an infected holding :

30 days following the detection of the last case of the disease when all the pigs have not been slaughtered.

- in the case of holdings situated in the protection zone 2 km in radius :

either 15 days following the slaughter of all the pigs and the disinfection of the infected holding,

or 30 days following the detection of the last case of the disease on the infected holding.

This means that pigs for slaughter must come from a holding :

that has been free from swine vesicular disease for at least 30 days and is situated more than 2 km from any holding on which swine vesicular disease has been detected less than 30 days previously or less than 15 days if all the pigs on this holding have been slaughtered and the premises disinfected.

C. Fresh meat :

Fresh meat can only receive the Community stamp and thus be admitted to intra-Community trade if the pigs from which it was obtained satisfied the conditions relating to intra-Community trade in pigs for slaughter (conditions set out under B).

D. Meat products :

Although Commission Decision 73/53/EEC does not mention pig-meat-products, guarantees identical to those provided for fresh meat are granted in respect of them. Meat products must be prepared from meat suitable for intra-Community trade in fresh meat and thus must satisfy the conditions set out under B.

However, by way of derogation from this principle, pigmeat obtained from animals coming from holdings subject to prohibition measures on account of an outbreak of swine vesicular disease and carrying the crossed Community stamp can be used for the preparation of certain pigmeat products which during preparation undergo a treatment such as to destroy the disease virus.

These treatments are as follows :

(a) heat treatment :

- either treatment in a hermetically sealed container of which the F_0 value is equal or exceeds 3,
- or heat treatment determining a temperature at the centre of 70°C.

(b) long maturing treatment :

natural fermentation and maturing for 9 months at least for deboned hams of a weight not less than 5.5 kg having an a_w value not exceeding 0.93 and a pH not exceeding 6.

III. Value of the guarantees provided

The guarantees which have been in force for 7 years have given complete satisfaction and seem adequate for live animals, fresh meat and meat products.

The fact that the first symptoms of swine vesicular disease are identical to those of foot-and-mouth disease is a good reason for taking all the measures relating to the latter disease. Once the different diagnosis is established, it is accepted that the analogy with foot-and-mouth disease cannot be maintained because swine vesicular disease is less contagious and has a low morbidity rate and is thus less dangerous than foot-and-mouth disease.

It should be noted, however, that the swine vesicular disease virus is more resistant than the foot-and-mouth virus. This characteristic is of some importance with regard to meat products, the treatment of which must ensure destruction of the disease virus that may be present in the fresh meat, in particular meat bearing the crossed stamp.

The resistance of the swine vesicular disease virus to pH variations is particularly remarkable since it survives variations ranging from 2 to 10, thereby resisting both acidification and basification of the medium. As a result, acidification of the meat following maturing does not destroy the swine vesicular disease virus as it does the foot-and-mouth virus. Accordingly in the case of swine vesicular disease, only heat treatment should be accepted as guaranteeing sterilization of meat products intended for intra-Community trade.

IV. Conclusion

From the practical and technical aspects, it does not appear necessary to amend the rules applicable at present to swine vesicular disease in intra-Community trade in live pigs and fresh pigmeat. With regard to meat products it should be pointed out that destruction of the virus can be guaranteed only by heat treatment and the derogation in Article 4 of the Directive on health requirements for meat products should not be applicable to products having undergone natural fermentation and maturing for at least nine months.

Consequently in order to clarify and maintain the provisions of Commission Decision 73/53/EEC the relevant amendments should be made to the directives concerned.

Proposal for a
Council Directive

amending Directive 64/432/EEC with regard to swine vesicular
disease and swine fever

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 Council Directive 64/432/EEC¹, as last amended by Directive 80/219/EEC²,
lays down the health requirements which must be fulfilled by live cattle and
swine intended for intra-Community trade;

Whereas the existence of swine vesicular disease in the Community represents
a danger for Community pigs; whereas, accordingly, steps should be taken to
ensure that the disease is not spread;

Whereas, moreover, the persistence of classical swine fever in certain parts
of the Community represents a danger for the pigs of the Member States which
are free from the disease; whereas, accordingly, until such time as classical
swine fever has been eliminated in the regions where it still exists, the
Member States should be authorized to take additional measures with a view to
preventing any contamination in the course of trade;

HAS ADOPTED THIS DIRECTIVE :

Article 1

Directive 64/432/EEC is hereby amended as follows:

1. In Article 2(j)(ii) the words "swine vesicular disease" are inserted between
the words "swine fever" and "or contagious swine paralysis".

¹ OJ No L 121, 29.7.1964, p. 1977/64

² OJ No L 47, 21.2.1980, p. 25

2. In Article 3(2) :

- (a) at (b) the words "swine vesicular disease" are inserted between the words "swine fever" and "contagious swine paralysis".
- (b) at (i) under (b) the words "swine vesicular disease" are inserted between "swine fever" and "foot-and-mouth disease".

3. The following Article 4c is inserted:

"Article 4c

Member States that have been free from swine fever for more than one year and do not practise vaccination may, subject to compliance with the general rules of the Treaty, impose the following conditions on the introduction of swine into their territory until 31 December 1985 :

- (a) pigs covered by this Directive must have been kept, during the three months preceding their shipment or since their birth if they are less than three months old, in a holding situated in a part of the territory of the consigning country, such part to have an area of at least 4 000 km² and consist of a region or several adjacent regions in which :
 - swine fever has not been detected for at least one year;
 - vaccination against swine fever has not been practised for at least one year;
- (b) breeding or productive pigs must have given a negative reaction to a test for antibody induced by swine fever made, in accordance with Annex I(c) of Directive 80/217/EEC, within 10 days preceding embarkation".

4. In Annex E paragraph (b), the fifth indent is deleted and the following three indents added :

- " - swine fever
- swine vesicular disease
- African swine fever."

5. In the second subparagraph of paragraph V(d) of Form III in Annex F, the words "swine vesicular disease" are inserted between "swine fever" and "and contagious paralysis".

Article 2

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive on 1 November 1980 and shall forthwith inform the Commission thereof.

Article 3

This Directive is addressed to the Member States.

Done at Brussels,

For the Council

The President

Proposal for a
Council Directive

amending Directive 72/461/EEC with regard to swine vesicular disease
and swine fever

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 Council Directive 72/461/EEC¹, as last amended by Directive 80/213/EEC², lays down the health requirements which must be fulfilled by animals from which meat is obtained;

Whereas the existence of the vesicular disease in the Community represents a danger for Community pigs; whereas, accordingly, steps should be taken to ensure that the disease is not spread in the course of trade in fresh pigmeat;

Whereas, moreover, the persistence of classical swine fever in certain parts of the Community represents a danger for the pigs of the Member States which are free from the disease; whereas, accordingly, until such time as swine fever has been eliminated in regions where it still exists, the Member States should be authorized to take additional measures with a view to preventing any contamination in the course of trade;

HAS ADOPTED THIS DIRECTIVE :

Article 1

Directive 72/461/EEC is hereby amended as follows:

1. In Article 3(b), the words "swine vesicular disease" are inserted between the words "swine fever" and "or contagious swine paralysis".

¹ OJ No L 302, 31.12.1972, p. 24

² OJ No L 47, 21.2.1980, p. 1

2. The following Article 13a is added:

"Article 13a

Member States that have been free from swine fever for more than one year and do not practise vaccination may, subject to compliance with the general rules of the Treaty, prohibit until 31 December 1985 the introduction into their territory of fresh pigmeat unless the meat has been obtained from pigs which :

- (a) have been kept during the three months preceding slaughter or since their birth on a holding situated in a part of the territory of the consigning country, such part amounting to one or more adjacent regions as defined in Article 2(o) of Directive 64/432/EEC, and in which swine fever has not been detected for at least one year;
- (b) have not been vaccinated against swine fever during the previous six months."

Article 2

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive on ~~1 November 1980~~ and shall forthwith inform the Commission thereof.

Article 3

This Directive is addressed to the Member States.

Done at Brussels,

For the Council

The President

Proposal for a
Council Directive

amending Directive 80/215/EEC with regard to swine vesicular disease
and classical swine fever

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 Council Directive 80/215/EEC¹ laid down the health requirements which must be fulfilled by meat products in intra-Community trade;

Whereas the existence of swine vesicular disease in the Community represents a danger for Community pigs; whereas, accordingly, steps should be taken to ensure that the disease is not spread in the course of trade in certain pigmeat products;

Whereas, moreover, the persistence of classical swine fever in certain parts of the Community represents a danger for the pigs of the Member States which are free from the disease; whereas, accordingly, until such time as swine fever has been eliminated in regions where it still exists, the Member States should be authorized to take additional measures with a view to preventing any contamination in the course of trade;

HAS ADOPTED THIS DIRECTIVE :

Article 1

Directive 80/215/EEC is hereby amended as follows:

1. In Article 4(1)(b), the following phrase is inserted between (i) and (ii) after the word "or"
"provided that, in addition, the disease in question is not swine vesicular disease".

2. In Article 7(1)(a), the words "swine vesicular disease" are inserted between the words "classical swine fever" and "and Teschen disease".
3. Article 10 is replaced by the following Article:

"Article 10

Member States that have been free from classical swine fever for more than one year and do not practise vaccination may, subject to compliance with the general rules of the Treaty, prohibit until 31 December 1985 the introduction into their territory of meat-based products which are prepared wholly or partly from pigmeat and have not undergone one of the treatments referred to in Article 4(1), unless the meat complies with the provisions laid down in Article 13 a of Directive 72/461/EEC.

Article 2

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive on 1 November 1980 and shall forthwith inform the Commission thereof.

Article 3

This Directive is addressed to the Member States.

Done at Brussels,

For the Council

The President

Proposal for
COUNCIL DIRECTIVE

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

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, under the terms of Directive 80/218/EEC⁽¹⁾, Denmark, Ireland and the United Kingdom were authorized to retain until 30 June 1980 their national provisions for ensuring protection against swine fever;

Whereas Community rules offer the only final solution to the problems caused by this disease;

Whereas the Commission has already forwarded proposals for this purpose; whereas a sufficient period should be provided for the implementation by the Member States prior to the expiry of the abovementioned derogations;

Whereas, therefore, these derogations should be extended until 31 October 1980,

(1) O.J. No L 47, 21.2.1980, p. 24

HAS ADOPTED THIS DIRECTIVE :

Article 1

By way of derogation from Council Directive 64/432/EEC², as last amended by Directive 80/219/EEC³, and from Council Directive 72/461/EEC⁴, as last amended by Directive 80/218/EEC, Denmark, Ireland and the United Kingdom are authorized to retain their national rules relating to protection against swine fever upon introduction into their territory of swine for breeding, store and slaughter and to imports of fresh pigmeat, subject to compliance with the general provisions of the Treaty.

Article 2

This Directive shall apply until the 31 October 1980.

Article 3

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive on 30 June 1980 and shall immediately inform the Commission thereof.

Article 4

This Directive is addressed to the Member States.

Done at Brussels,

For the Council

The President

² O.J. No L 121, 29.7.1964, p. 1977/64

³ O.J. No L 47, 21.2.1980, p. 25

⁴ O.J. No L 302, 31.12.1979, p. 24

