

Aquaculture animals: animal health requirements, prevention and control of certain diseases

2005/0153(CNS) - 23/08/2005 - Legislative proposal

PURPOSE: to update, recast and consolidate the animal health rules in relation to the trade in aquaculture products.

PROPOSED ACT: Council Directive.

CONTENT: in 2004, the European aquaculture industry was estimated to be worth more than EUR 2.5 billion. However, financial losses due to disease are estimated to be 20% of the production value. The purpose of this proposal, therefore, is to introduce modern and targeted legislation, which seeks to reduce these high costs. A reduction in diseases by 20% could equate into savings worth EUR 100 million per annum.

Given that existing legislation was initially developed over two decades ago, it can no longer usefully support the EU's aquaculture industry. When initially approved, the EU's aquaculture provisions served an EU consisting of twelve Member States only and focused essentially on the factors mostly affecting the industry of the then twelve, namely salmonid (trout and salmon) and oyster farming. EU regulatory provisions now need to be updated to reflect the broader range of aquaculture practises and species that are found in an expanded EU.

The current proposal takes account of significant developments in the industry, which have taken place in recent years. It also takes account of experience gained through 15 years of application of the present legislation, as well as scientific advances in this field. Moreover, the rules have been updated to bring the EU in line with international agreements and standards (like WTO/SPS and OIE).

This proposal will repeal existing primary legislation and merge the current three Directives into one. Such an approach will allow the regulatory framework of the EU's aquaculture industry to meet 21st Century challenges as well as simplifying and modernising existing rules. Further objectives of the revision are to generate greater flexibility and to delegate more operational responsibility to the Member States, thereby allowing local or regional authorities greater powers to prevent and contain aquatic diseases.

It is important to stress that the general principles laid down in the three Directives will be maintained. In addition to the current three Directives there are 13 implementing Decisions, which have been adopted pursuant to those Directives. These implementing Decisions will remain in force until they are repealed by a specific Decision, or replaced by a Decision adopted pursuant to this proposal.

The proposed Directive introduces the principle that aquatic animal diseases should receive the same treatment as terrestrial animal diseases. This would oblige the Community to offer financial contributions under Community law in cases where a slaughter/eradication policy needs to be carried out. In addition, the Directive allows for the application of more stringent rules where this is necessary for the protection of species from an environmental or conservation point of view. Thus, the Directive would not conflict with the EU Directive on the conservation of natural habitats and of wild fauna and flora. Indeed, it is hoped that a shift in policy towards Member State responsibility for disease will help overall conservation and environmental efforts.

Public health issues are not dealt with in this proposal, as it is regulated by the 'hygiene' package. Lastly, none of the diseases or pathogens covered by this proposal is known to have zoonotic potential.

More specifically speaking, the proposed Directive would include the following legal elements:

- § General requirements for production and processing, including authorisations and provisions relating to operations.
- § Animal health provisions for placing aquatic animals and related products on the market.
- § Animal health provisions for introducing third-country aquatic animals into the EU.
- § Provisions for notification and control of certain diseases in aquatic animals.
- § Provisions relating to a declaration of a 'disease free' status.
- § Requirements relating to the relevant Member State authorities and laboratories.
- § Technical requirements and guidelines specified in the Annexes.

As far as the budget is concerned the Commission proposes that the economic impact on the Community budget is limited. Financing should focus on two areas. Firstly offering economic compensation in the case of disease control and secondly, offering financial support for the implementation of primary legislation and the adoption of secondary legislation. In terms of the first area, it is being proposed that financial contributions for aquatic animal diseases and the control thereof should be financed through the European Fisheries Fund. As yet, however, it is difficult for the Commission to assess the exact impact this will have on the EFF, as much will depend on the size of the farms affected, the value of the animals kept at the farms etc. On the second point, the Commission deems it necessary to draw up, adopt and maintain secondary legislation relating to the control of aquatic diseases. Activities under this heading include, for example, the organisation of working-groups and meetings with stake-holders. In addition, following the entry into force of the Directive, FVO inspections of Member State implementation will be necessary in 2008/09 – an estimated 13 or 14 per year.

For further information concerning the financial implications of this measure, please refer to the financial statement.