

Animal diseases: foot-and-mouth disease (repeal. Directive 85/511/EEC and Decisions 89/531/EEC and 91/665/EEC; amend. Directive 92/46/EEC)

2002/0299(CNS) - 29/09/2003 - Final act

PURPOSE : to adopt new legislation on Community measures for the control of foot-and-mouth disease (FMD). LEGISLATIVE ACT : Council Directive 2003/85/EC on Community measures for the control of foot-and-mouth disease repealing Directive 85/511/EEC and Decisions 89/531/EEC and 91/665/EEC and amending Directive 92/46/EEC. CONTENT : the Council, acting unanimously, formally adopted the Directive on Community measures for the control of foot-and-mouth disease and amending Council Directive 92/46/EEC. This Directive sets out: - the minimum control measures to be applied in the event of an outbreak of foot-and-mouth disease of whatever type of virus; - certain preventative measures aimed at increasing awareness and preparedness of the competent authorities and the farming community for foot-and-mouth disease. The new proposal provides more details on the measures to be taken in the event of an outbreak and gives a key role to emergency vaccination in order to avoid massive slaughters of animals in the framework of the disease control measures in certain specific circumstances. In case of suspicion of an outbreak of FMD, several measures are to be taken such as the census of animals of the suspected infected holding by the competent authority, the prohibition of movements onto and off the holding, and the establishment of a community databank for vaccines and antigens. Measures in case of confirmation of an outbreak of FMD include the killing on the spot of animals of susceptible species on the holding, disinfecting procedures and tracing of products derived from or which have been in contact with suspicious animals. Conditions regarding the triggering of emergency vaccination are, among others, based on the potential risk that a FMD outbreak in one area of the EC could spread in another area due to its geographical situation or meteorological conditions. An important amendment adopted by the European Parliament proposes that the decision to introduce emergency vaccination could be taken not only at the request of the Commission or of the Member State affected, but also by any neighbouring country at risk, provided that close co-operation has been undertaken with the Member State concerned. Concerning the measures in case of confirmation of an outbreak of foot-and-mouth disease, the Directive stipulates that as soon as an outbreak of foot-and-mouth disease is confirmed, Member States shall ensure that, the following measures are also applied without delay on the holding: a) All animals of susceptible species shall be killed on-the-spot. In exceptional circumstances the animals of susceptible species may be killed at the nearest suitable place for that purpose under official supervision and in such a way as to avoid the risk of spreading foot-and-mouth disease virus during transport and killing. The Member State concerned shall notify the Commission about the existence of such exceptional circumstances, and the action taken. b) The official veterinarian shall ensure that before or during the killing of the animals of susceptible species all appropriate samples needed for the epidemiological inquiry have been taken in accordance with Annex III, and in sufficient numbers. c) The carcasses of animals of susceptible species which have died on the holding and the carcasses of animals which have been killed shall be processed without undue delay under official supervision in such a way that there is no risk of spreading foot-and-mouth disease virus. Where particular circumstances require the carcasses to be buried or burned, on site or off site. d) All products and substances referred to in Article 4(3)(c) shall be isolated until contamination can be ruled out, or treated in accordance with the instructions of the official veterinarian in such a way as to ensure the destruction of any foot-and-mouth disease virus, or processed. As regards preventative eradication programmes, the competent authority may, where epidemiological information or other evidence indicates, implement a preventive eradication programme, including preventive killing of animals of susceptible species likely to be contaminated and, if necessary, of animals from epidemiologically-linked production units or adjoining holdings. In that event, the taking of samples and clinical examinations of animals of susceptible species shall be carried out. On the issue of protection and surveillance zones, the competent authority shall establish a protection zone based on a minimum radius

of 3 km and a surveillance zone based on a minimum radius of 10 km centred on the outbreak of foot-and-mouth disease. The geographical delimitation of those zones shall take account of administrative boundaries, natural barriers, supervision facilities and technological progress which makes it possible to predict the probable dispersion of the foot-and-mouth disease virus by air or any other means. That delimitation shall be reviewed, if necessary, in the light of such elements. The competent authority shall ensure that the protection and surveillance zones are marked by posting signs of sufficient size on roads entering the zones. In order to ensure full coordination of all measures necessary to eradicate foot-and-mouth disease as quickly as possible, national and local disease control centres shall be established. For the purpose of carrying out the epidemiological inquiry, those centres shall be assisted by an expert group. Member States shall without delay trace animals dispatched from the zones during the period of at least 21 days before the estimated date of earliest infection on a holding in the protection zone and they shall inform the competent authorities in other Member States and the Commission about their results from tracing of animals. Other changes brought to the initial proposal, which include many of the EP's amendments concern some additional restrictions to the movement and transport of animals and their product in the protection zone, a better information to the public on products from vaccinated animals.

ENTRY INTO FORCE : 12 December 2003. TRANSPOSITION : 30 June 2004. It shall apply from 1 July 2004.