Basic information

2002/0299(CNS) CNS - Consultation procedure Directive	Procedure completed
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 Directive 92/46 /EEC) Repealed by 2013/0136(COD) **Subject** 3.10.08.05 Animal diseases	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
AGRI Agriculture and Rural Development	KREISSL-DÖRFLER Wolfgang (PSE)	23/01/2003

Committee for opinion	Rapporteur for opinion	Appointed
ENVI Environment, Public Health, Consumer Policy	WHITEHEAD Phillip (PSE)	28/01/2003

Council of the European Union

Council configuration	Meetings	Date
Agriculture and Fisheries	2516	2003-06-11
Agriculture and Fisheries	2528	2003-09-29
Agriculture and Fisheries	2481	2003-01-27
Agriculture and Fisheries	2500	2003-04-08

European Commission

Commission DG	Commissioner
Health and Food Safety	

Key events

Date	Event	Reference	Summary
13/12/2002	Legislative proposal published	COM(2002)0736	Summary
27/01/2003	Debate in Council		

10/02/2003	Committee referral announced in Parliament		
08/04/2003	Debate in Council		Summary
29/04/2003	Vote in committee		Summary
29/04/2003	Committee report tabled for plenary, 1st reading/single reading	A5-0141/2003	
14/05/2003	Debate in Parliament		
15/05/2003	Decision by Parliament	T5-0215/2003	Summary
29/09/2003	Act adopted by Council after consultation of Parliament		
29/09/2003	End of procedure in Parliament		
22/11/2003	Final act published in Official Journal		

Technical information

Procedure reference	2002/0299(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	Legislation
Legislative instrument	Directive
Amendments and repeals	Repealed by 2013/0136(COD)
Legal basis	EC Treaty (after Amsterdam) EC 037-p3
Stage reached in procedure	Procedure completed
Committee dossier	AGRI/5/19079

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, 1st reading/single reading		A5-0141/2003	29/04/2003	
Text adopted by Parliament, 1st reading/single reading		T5-0215/2003 OJ C 067 17.03.2004, p. 0207-0267 E	15/05/2003	Summary

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(2002)0736	13/12/2002	Summary

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
	Economic and Social Committee:	CES0577/2003		

EESC	opinion, report	OJ C 208 03.09.2003, p. 0011-0015	14/05/2003	
CofR	Committee of the Regions: opinion	CDR0065/2003 OJ C 256 24.10.2003, p. 0036-0040	02/07/2003	

Additional information		
Source	**Document**	**Date**
European Commission	EUR-Lex	

Final act	
Directive 2003/0085 OJ L 306 22.11.2003, p. 0001-0087	Summary

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) - 08/04/2003

The Council took note of the important progress made at technical level on the proposal for a Council Directive on Community measures for the control of foot-and-mouth disease and held an exchange of views on some key issues of this dossier. The Council instructs the Committee of Permanent Representatives to continue actively to work in the light of the current deliberation with a view to reach a decision on the dossier once the Opinion of the European Parliament will have been given. Two issues were addressed at the Council: - several delegations expressed their concerns concerning the recognition by third countries of the new approach of the proposal for a Directive, which emphasises the role of emergency vaccination and the principle of regionalisation; for some delegations, a new strategy regarding vaccination as suggested by the proposal should first be accepted by the main trade partners outside the European Union, before being adopted. For other delegations, negotiations with third countries should not impeed the progress of discussions in the Council on the proposal. Commissioner BYRNE indicated that, although regionalisation had been agreed at international level by the Office International des Epizooties (OIE), his Institution could not guarantee the acceptance by all third countries of regionalisation and other control measures, including emergency vaccination. - delegations also raised the issue of the financial consequences, both direct like the use of preventive vaccination on animals, and indirect, like the marketing of products derived from vaccinated animals. With regard to this issue, some delegations asked for a new definition of tasks for the Veterinary Fund created by Council Decision 90/424/EEC which may entail part of the costs derived from the vaccination procedure, while others emphasised the need to limit the scope of Community expenditures to current tasks but accepted that indirect costs could be covered by market support measures; Commissioner BYRNE stressed that there was no need to review Council Decision 90/424/EEC on expenditure in the veterinary field.

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) - 13/12/2002 - Legislative proposal

PURPOSE : to revise and improve legislation on EU measures to control outbreaks of foot-and-mouth disease (FMD). CONTENT : the EU measures for the control of FMD are currently laid down in Directive 85/511/EEC. The "non-vaccination policy" was introduced by Council Directive 90/423/EEC, which also specified requirements for contingency planning and antigen stocks for the production of vaccines for emergency vaccination. In order to protect livestock against infection, it also made modifications to the conditions for intra-EU trade and imports from third countries of susceptible animals and animal products, such as milk and meat. The proposal for a new FMD Directive is based on the experience with classical swine fever in 1997 and the application in 2001 of the current measures for FMD control as well as intensive stakeholder consultation, The proposal to amend Directive 92/46 /EEC outlines procedures on how to recover "free of FMD without vaccination status", which is of crucial importance for trade. The present proposal, although its preparation started well before the events of 2001, is therefore also a consequence of the lessons learned during this crisis. However, due to the nature of this disease, there is no perfect solution which could fully accommodate all of the economic, environmental and the ethical desires of civil society and therefore this proposal can only present the best currently available compromise. The structure of the proposal is to follow the sequence of events should an outbreak occur and contains in its final part the measures to be take in order to prepare for an outbreak. As soon as the presence of the disease is suspected rapid action must be taken so that immediate and effective control measures can be implemented once its

presence is confirmed. In addition, this proposal, for the first time since 1992, gives emergency vaccination a central role in tackling an outbreak. However, the proposal does not change the current policy banning prophylactic vaccination. Laboratory tests are now available to differentiate between vaccinated herds and those infected by the virus. In line with OIE requirements, the proposal details the procedure for how to recover "free of FMD without vaccination" status - the best animal health standard in relation to FMD- within 6 months of the last outbreak or completion of vaccination, whichever occurs last. This revised and more flexible procedure is to be used by a country that used emergency vaccination in combination with eradication of infected herds and post-vaccination surveillance testing. Moreover, the proposal adds detailed provisions for placing on the market of products derived from animals of susceptible species, such as meat and milk products, in the case of an outbreak. The draft law also provides for "regionalisation", limiting restrictions to the particular regions of a Member State that are affected by an outbreak. The draft Directive outlines the measures to be taken in order to prepare for an outbreak. The main new elements are: - Veterinary services will be empowered to establish suspect restriction zones and to impose a temporary movement ban on large parts of affected Member States. - The control strategy combines measures to deal with infectedanimals that have been subject to emergency vaccination. Detailed rules are laid down for how to treat and use products such as milk and meat from animals under restriction and from vaccinated animals. These products are not dangerous to humans; - Provisions are made for diagnostic facilities, in particular a Community Reference Laboratory, including a bank for diagnostic reagents, test kits, etc; - Detailed provisions are laid down for the management of the European antigen bank and for access to this bank by Member States and, where required, third countries. Specific rules are laid down for the confidential treatment of information on the quantities and strains of antigens stored at the bank; - Emphasis is put on preparation of contingency plans, including the preparation for a "worst case" scenario. Contingency plans have to be regularly updated in the light of the results of alert exercises.

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) - 15/05/2003 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 409 to 10 votes, with 6 abstentions, a resolution drafted by Wolfgang KREISSL-DORFLER (PES, Germany). It made several amendments to the Commission's proposal. (Please see the summary dated 29/04/03.) In addition to several new recitals, Parliament's principal amendments were as follows: - it will not be necessary to treat or stamp meat produced in the protection zone after 30 days, provided that it is confined to the domestic market; - an information programme will be put in place in the Member states to inform the public about the safety of meat, milk and dairy products from vaccinated animals for human consumption; - Member States contingency plans must be updated every three years; - cross-border movements of vaccinated zoo animals or rare breeds are allowed, subject to OIE rules; - the Commission must approve contingency plans as a matter of urgency.

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.