Basic information

2005/0154(CNS) CNS - Consultation procedure Decision	Procedure completed
Aquaculture, animal health: Community financial contributions in the veterinary field for fighting against animal diseases (amend. Decision 90 /424/EEC) **Subject** 3.10.08.05 Animal diseases 3.15.02 Aquaculture	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
PECH Fisheries	KINDERMANN Heinz (PSE)	15/09/2005

Committee for opinion	Rapporteur for opinion	Appointed
BUDG Budgets	The committee decided not to give an opinion.	20/09/2004
ENVI Environment, Public Health and Food Safety	The committee decided not to give an opinion.	

Council of the European Union

Council configuration	Meetings	Date
Agriculture and Fisheries	2758	2006-10-24

European Commission

Commission DG	Commissioner
Health and Food Safety	KYPRIANOU Markos

Key events

Date	Event	Reference	Summary
23/08/2005	Legislative proposal published	COM(2005)0362	Summary
27/09/2005	Committee referral announced in Parliament		
21/03/2006	Vote in committee		Summary

22/03/2006	Committee report tabled for plenary, 1st reading/single reading	A6-0067/2006	
27/04/2006	Decision by Parliament	T6-0152/2006	Summary
27/04/2006	Results of vote in Parliament		
24/10/2006	Act adopted by Council after consultation of Parliament		
24/10/2006	End of procedure in Parliament		
24/11/2006	Final act published in Official Journal		

Technical information

Procedure reference	2005/0154(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	Legislation
Legislative instrument	Decision
Legal basis	EC Treaty (after Amsterdam) EC 037
Stage reached in procedure	Procedure completed
Committee dossier	PECH/6/30038

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE362.795	06/01/2006	
Committee report tabled for plenary, 1st reading/single reading		A6-0067/2006	22/03/2006	
Text adopted by Parliament, 1st reading/single reading		T6-0152/2006	27/04/2006	Summary

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(2005)0362	23/08/2005	Summary
Document attached to the procedure	SEC(2005)1047	23/08/2005	Summary
Commission response to text adopted in plenary	SP(2006)2095	11/05/2006	

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
EESC	Economic and Social Committee: opinion, report	CES0233/2006	14/02/2006	

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

Final act	
Decision 2006/0782 OJ L 328 24.11.2006, p. 0057-0058	Summary

Aquaculture, animal health: Community financial contributions in the veterinary field for fighting against animal diseases (amend. Decision 90 /424/EEC)

2005/0154(CNS) - 27/04/2006 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted a resolution drafted by Heinz **KINDERMANN** (PES, DE), subject to one amendment, stating that the Decision shall apply from 30 June 2007, rather than 1 January 2007. (Please see the summary of 21/03/2006.)

Aquaculture, animal health: Community financial contributions in the veterinary field for fighting against animal diseases (amend. Decision 90 /424/EEC)

2005/0154(CNS) - 24/10/2006 - Final act

PURPOSE: to amend expenditure in the veterinary field.

LEGISLATIVE ACT: Council Decision 2006/782/EC amending Decision 90/424/EEC on expenditure in the veterinary field.

CONTENT: the purpose of this act is to amend Council Decision 90/424/EEC *on expenditure in the veterinary field*. This Decision offers Community financing to the Member States for the eradication of certain animal diseases and for the eradication of infectious salmon anaemia (ISA) and infectious haematopoietic necrosis (IHN), both of which affect salmonides.

Since July 2006, two legislative acts have been adopted, which affect the application of this Decisions.

- The first refers to Council Directive 2006/88/EC *on animal health requirements for aquaculture animals and products and on the prevention and control of certain diseases in aquatic animals*. See CNS/2005/0153.
- The second refers to Regulation 1198/2006/EC *on the establishment of the European Fisheries Fund* (EFF). See CNS/2004/0169.

The amendments allow the Member States to allocate funds within the operational programmes drawn up in accordance with EEF and for the eradication of exotic diseases in aquaculture animals. Minimum control and eradication measures must conform to provisions set down in Directive 2006/88/EC.

In addition, the following elements have been added to Decision 90/424/EEC:

- ‘epizootic haematopoietic necrosis in fish (EHN),
- epizootic ulcerative syndrome in fish (EUS),
- infection with Bonamia exitiosa,
- infection with Perkinsus marinus,
- infection with Microcytos mackini,
- Taura syndrome in crustaceans,

- yellowhead disease in crustaceans.

This list may be amended or shortened to take account of progress.

The following is added to the Annex, Group I:

- ‘Spring viraemia of carp (SVC),
- Viral haemorrhagic septicæmia (VHS),
- Koi herpes virus infection (KHV),
- Infection with Bonamia ostreae,
- Infection with Marteilia refringens,
- White spot disease in crustaceans.’

APPLY FROM: 1 August 2008.

Aquaculture, animal health: Community financial contributions in the veterinary field for fighting against animal diseases (amend. Decision 90 /424/EEC)

2005/0154(CNS) - 23/08/2005 - Legislative proposal

PURPOSE: amendment of Decision 90/424/EEC on expenditure in the veterinary field.

PROPOSED ACT: Council Decision

CONTENT: By this proposal, the Commission envisages therefore the necessary amendments of the current procedures governing the Community’s financial contribution towards veterinary measures in aquaculture animals, laid down in Council Decision 90/424/EEC, in order to take into account the proposals for a new aquatic animal health Directive and the European Fisheries Fund (see also **CNS/2005/0153**).

The current proposal envisages the following changes to Decision 90/424/EEC:

– to allow Member States to use the budget set up under Operational Programmes according to Title III of the European Fisheries Fund for the control and eradication of certain diseases in aquaculture animals;

– to ensure that the procedures for such financial support, is in line with the current procedures applicable to financial contribution for control and eradication of terrestrial animal diseases.

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

Aquaculture, animal health: Community financial contributions in the veterinary field for fighting against animal diseases (amend. Decision 90 /424/EEC)

2005/0154(CNS) - 23/08/2005 - Document attached to the procedure

COMMISSION'S IMPACT ASSESSMENT

For further information concerning the background to this issue, please refer to the summary of the Commission’s initial proposals of 23 August 2005 for a Council Directive on animal health requirements for aquaculture animals and products thereof, and on the prevention and control of certain diseases in aquatic animals - COM(2005)0362 and for a Council Decision amending Decision 90/424/EEC on expenditure in the veterinary field (please refer to procedure reference CNS 2005/0154).

1- POLICY OPTIONS AND IMPACTS

1.1- Option 1- Zero option: since this project was initiated by the need for updating the existing legislation, the zero-option would be to maintain the existing legislation. As the whole project has been driven by a need to update the legislation, the zero-option is not discussed.

1.2- Type of legislation for regulating animal health conditions for trade :

1.2.1- Option 2 : Regulation: Regulations have direct application in the Member States and are binding in their entirety. By choosing a Regulation, and thereby avoiding the need for Member States to transpose the act into national law, the time needed to have the legislation fully applicable would be significantly reduced compared to a Directive.

However, the Commission acknowledges the fact that it may be difficult to draw up, implement and apply a Regulation which would meet the demands of an industry which is as diverse in nature as the European aquaculture industry. The main reasons for this are:

- different species are raised in different parts of the Community, and different species needs different management practice;
- different climatic conditions influence the manifestation of disease even in the same species (infection with some pathogens does not cause problems in high temperature waters in the south of the Community, but in the low temperatures in the north of the Community there will be extensive mortalities due to the infection);
- different farming practices in the Community, like cage farming of salmonids versus pond farming of carps, farming areas or harvested natural beds for molluscs versus “cage or pond farms” for fish versus shrimp farms measured in hectares.

1.2.2- Option 3 : Intra-Community Trade Directive: with an Intra Community Trade Directive, the Community legislation will lay down the animal health conditions for cross-border trade of aquaculture animals. A special problem in aquatic animal diseases compared to terrestrial animal diseases is that the spread of diseases is directly linked to the flow of the watercourse, or coastal current, in addition to the migration of wild aquatic animals, which does not respect national boundaries. It is therefore important that the Member States applies at least the same animal health conditions for trade inside a Member State as between Member States. This fact is also acknowledged in the present legislation (Council Directive 91/67/EEC), as this is a Placing on the Market Directive. With the aim of completing the Internal Market, the view of the Commission is that the same minimum rules should apply within the Member States as between the Member States.

1.2.3- Option 4 : Placing on the market Directive: this option will be in line with, and not represent any change in the policy compared to the present legislation. Taking into account the wide variety of production types and species raised in EU aquaculture, however, all necessary technical details, in particular concerning risk management and disease control, are not possible to include in the primary legislation. Consequently, the proposal should be a Directive. It is therefore proposed to establish the principles, strategies and aims in the Directive, while detailed implementing rules should be adopted as secondary legislation under comitology procedures.

CONCLUSION: As a consequence of the discussion under points 1.2.1 and 1.2.2, **according to the Commission, the best legislative option is to propose a Directive relating to placing on the market.IMPACT**

The main provisions for placing on the market an import remains largely unchanged. However, some existing trade barriers have been removed without jeopardising the health status of aquaculture animals. The general disease control provisions will remain unchanged, with some minor adjustments. All diseases considered exotic to the Community will be subject to eradication provisions in order to maintain the Community’s free status. Under the present legislation such measures are applied for fish disease but not for mollusc diseases. The importation provisions are harmonised with the relevant provisions of Council Directive 2002/99/EC (the most recent Directive laying down animal health import provisions).

- Positive impacts will arise from an updated Community legislative framework that takes into account current scientific knowledge and the structure of today's aquaculture industry in the Community. There will be a positive shift in focus away from preventing the spread of disease and towards the occurrence of disease. Significant resources are now being used to maintain disease-free status in farms and zones that have been declared disease-free. The proposal would allow the Member State to re-allocate some of these resources to disease preventive activities. The proposal implements the philosophy that the best solution is often found closest to the problem, and delegates more operational responsibility to the Member States. By introducing general risk-based animal health surveillance, a better overview of the disease situation can be achieved. At the same time, the risk of spreading diseases to farms or areas where the disease has not yet been found is reduced. It takes into account the potential for exchange of disease agents between farmed and wild aquatic animals. The new legislation will be consistent with the International Aquatic Animal Health Code of the World Organisation for Animal Health (OIE), and will reduce existing trade barriers between third countries, including developing countries, and the Community.
- The negative impact will be limited, as the proposal will to a large extent be founded on the existing legislation. Some new elements and requirements will have an administrative and economic impact on the Member States and on the industry. The proposal for authorisation of aquaculture production business will cause extra work for the competent authorities in the Member States. However, since all mollusc farms and the majority of fish farms are already registered, the authorisation requirement is achievable for the Member States. The introduction of general risk-based animal health surveillance in all farms or farming areas is an extension of the requirements in the present mollusc legislation, under which all Member States must have a monitoring and sampling programme.

The **economic impact** of the proposal on the Community budget is expected to be limited and should not entail significant additional costs for the Community budget, compared to the costs resulting from the present legislation.

2- FOLLOW-UP

Member States have to adopt and publish their implementing legislation by the date laid down in the Directive.

There is a general approach in the proposal for more use of electronic communication and exchange of information, compared with the current situation. There are no legal requirements in the proposal for regular or annual status reports to the Commission. Use of electronic reporting is already required, by means of TRACES for recording and reporting the movements of animals, and ADNS for reporting disease outbreaks.