CHAPTER VI

Transport

22. Game meat must be dispatched in such a way that during transport it is protected from anything liable to contaminate it or to affect it unfavourably, having regard to the duration and conditions of transport and to the means of transport employed. In particular, vehicles used to transport game meat must be equipped in such a way as to ensure that the temperatures laid down at points 20 and 21 are not exceeded.

Proposal for a Council Decision introducing a Community measure for the eradication of brucellosis in sheep and goats.

COM(89) 498 final

(Submitted by the Commission on 30 October 1989)

(89/C 327/08)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 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 the continued presence of brucellosis in sheep and goats, particularly around the Mediterranean basin is a severe threat to human and animal health;

Whereas the continued presence of this disease prevents the free movement of sheep and goats;

Whereas the eradication of this disease constitutes an essential prerequisite for the establishment — with regard to trade in sheep and goats and their products and by-products — of the internal market in sheep and goats as well as for increasing the productivity of breeding and, consequently, improving the standard of living of persons engaged in this sector;

Whereas infected Member States are to present a plan for the eradication of brucellosis in sheep and goats;

Whereas it is moreover necessary to lay down the conditions in which slaughter, isolation, cleaning and disinfection should take place and the use which should be made of certain animal products;

Whereas Community financial aid will be in the form of a reimbursement to Member States of a part of the slaughter premium compensating owners of infected sheep and goats for the rapid disposal of such animals;

Whereas the eradication plans must include measures ensuring the effectiveness of the action untertaken; whereas a procedure closely associating the Member States and the Commission should be introduced by means of which such measures can be adopted and adapted as the situation develops;

Whereas the Member States should be kept regularly informed of the progress of the measures untertaken,

HAS ADOPTED THIS DECISION:

Article 1

France, Greece, Italy, Spain and Portugal must present a plan before 1 January 1990 for the eradication of brucellosis *(Brucella melltensis)* in sheep and goats.

Article 2

For the purpose of this Decision the definition in Article 2 of Council Regulation (EEC) on animal health conditions governing intra-Community trade in ovine and caprine animals shall apply; in addition an 'official brucellosis test' means any serological test as described in Annex C of the abovementioned Regulation or any other test that is agreed following the procedure laid down in Article 12.

Article 3

The plans referred to in Article 1 must:

1. indicate the central authorities which are to implement and coordinate the plan;

2. ensure that the presence and suspected presence of brucellosis are compulsory and immediately notifiable to the competent authority;

3. provide for a registration of holdings engaged in sheep and goat farming;

4. be so devised that at its completion the holdings are classified as officially brucellosis free or brucellosis free;

5. ban the therapeutic treatment of brucellosis;

6. must specify those parts of the territory in which brucellosis vaccination shall be carried out and those in which it shall be banned;

7. indicate the number of holdings and animals and their geographical position which are to be subjected to testing during each year of the plan;

8. indicate the national budgetary allocations for the eradication of ovine and caprine brucellosis and the breakdown by items of these allocations and in particular the estimated unit costs for slaugther compensation as well as estimated total costs on an annual basis for carrying out the operations;

9. provide for the monitoring of movements of sheep and goats;

10. provide for the immediate and adequate compensation for the owners of sheep and goats which have been slaughtered because they have reacted positively to an official brucellosis test or because they were suspected of being infected by the competent authority.

11. ensure that the official competent authorities carry out investigations where a holding contains an animal suspected of having brucellosis, as soon as possible to confirm or rule out the presence of disease.

    Pending the outcome of these investigations, the official competent authorities shall order:

    — the holding to be placed under official surveillance,

    — the prohibition of all movements into or out of the holding unless authorized by the official competent authorities for the purpose of slaughter without delay,

    — isolation within the holding of the suspect animals;

12. ensure that the orders referred to in paragraph 11 are not lifted until the presence or suspected presence of brucellosis in the holding concerned has been officially ruled out;

13. ensure that where the presence of brucellosis is officially confirmed in a holding, the official competent authority shall take appropriate measures to prevent any spread of the disease and shall ensure in particular that:

    — all movement into or out of the herd in question is forbidden, unless in the case of outward movement authorized by the official competent authorities for the purpose of slaughter without delay,

    — animals in which the presence of brucellosis has been officially confirmed, and animals which may have been infected by them, are isolated within the herd,

    — the remaining animals are without delay submitted to an official brucellosis test,

    — animals in which the presence of brucellosis has been officially confirmed, animals which have been examined as stipulated in the third indent with unfavourable results, and animals considered by the competent authorities as infected are isolated and marked until their slaughter pursuant to Article 4,

    — milk from infected animals may only be fed to animals on the same holding after suitable heat treatment,

    — milk from non-infected animals in an infected holding cannot be removed outside the infected holding except to undergo suitable heat treatment,

    — if milk from non-infected animals in an infected holding is to be made into cheese on the holding then it must be subjected to suitable heat treatment prior to processing,

    — carcases, half-carcases, quarters, pieces and offal from infected animals intended for use as feed for animals are treated in such a way as to avoid contamination,

    — foetuses, still born offspring or young animals which have died from brucellosis or placentae are carefully disposed of and destroyed immediately, unless they are to be examined,

    — straw, litter or any other matter and substance which has come into contact with the infected animal(s) or with the placentae is destroyed immediately, burnt or buried after soaking in disinfectant,

    — official regulations for the control of establishments such as carcase disposal plants ensure that there is no danger of the material produced spreading brucellosis,

    — manure from sheeds or other quarters used by the animals is stored in a place inaccessible to farm animals, treated with a suitable disinfectant and stored for at least three weeks. Use of disinfectant is

not required if the manure is covered with a layer of earth. Liquid waste from sheds or other quarters used by the animal must be disinfected if it is not collected at the same time as the manure.

Article 4

Member States' plans shall ensure that animals in which the presence of brucellosis has been confirmed by an official brucellosis test and those considered by the official competent authorities following a bacteriological, pathological or allergic examination are slaughtered under official supervision as soon as possible and not later than 30 days after their owner or person in charge has been officially notified of the results of the test or examinations and of his obligations, under the eradication plan, to deliver for slaughter the sheep and/or goats concerned within that time limit.

Article 5

The plans referred to in Article 1 shall additionally ensure that:

1. after the slaughter of the animals referred to in Article 4 and prior to restocking, sheds and other herd quarters, and all containers, equipment and other articles used for the animals are cleaned and disinfected under official supervision, in accordance with the instructions given by the official veterinarian. Reuse of pastures which have contained these animals must not take place for 60 days after their removal from such pastures;

2. all means of transport, containers and equipment are cleaned and disinfected after the transport of animals from an infected holding, or of materials from such animals, or of materials or substances which have been in contact with such animals. Loading areas for such animals must be cleaned and disinfected after use;

3. the disinfectant to be used and its concentrations are authorized by the official competent authority;

4. after the slaughter of animals referred to in Article 4 and prior to restocking, no animals may leave the infected holding concerned unless authorization has been given by the official competent authority for the purpose of slaughter without delay;

5. official brucellosis tests are carried out on the infected holding concerned to confirm that the disease has been eliminated;

6. the infected holding is not restocked with animals for breeding until the animals over six months old remaining in it for this purpose have passed one or more official brucellosis tests. However, for sheep and goats which have been vaccinated in accordance with the provisions of Council Regulation (EEC), these tests need not be carried out until they are 18 months old;

7. should brucellosis be diagnosed in a sheep or goat which
   - had returned from transhumance,
   - mixes with sheep and goats from other holdings on a regular basis for grazing, milking or other purposes.

   then all of the holdings which had supplied animals for transhumance or for grazing, milking or other purposes shall be regarded as one large infected holding and shall be subjected to official brucellosis tests to confirm that the disease has been eliminated.

Article 6

The Commission shall examine the plans drawn up by the concerned Member States' authorities in order to ascertain whether they meet the conditions for their approval or whether they should be amended in any way. The plans including any amendments to them, shall be approved in accordance with the procedure provided for in Article 12.

Article 7

The measure provided for in this Decision shall qualify for financial aid from the Community.

Article 8

1. Community financial assistance shall be granted for compensation to the owners of animals slaughtered in accordance with Article 4 for a period of three years from the date fixed by the Commission in its decision approving the plans referred to in Article 1.

2. The estimated assistance to be charged to the Community budget under the chapter covering expenditure relating to agriculture shall be ECU 15 million for the duration of the period provided for in paragraph 1.

Article 9

1. On condition that all the measures laid down are applied and are in compliance with the plan approved pursuant to Article 12, the expenditure incurred by the Member States under Article 4 shall qualify for Community financial aid within the limits laid down in Article 8.

2. The Community shall reimburse the Member States ECU 40 per sheep and goat slaughtered under the eradication plan and the measures mentioned in Article 4.

3. Detailed rules for the application of this Article shall be adopted, as required, in accordance with the procedure laid down in Article 12.

Article 10

1. Applications for payment shall relate to slaughterings by the Member States during the calendar year and shall be submitted to the Commission before 1 July of the following year.

2. The Commission shall decide on aid after consulting the Committee referred to in Article 12.

3. Detailed rules for the application of this Article shall be adopted, as required, in accordance with the procedure laid down in Article 12.

Article 11

Articles 8 and 9 of Council Regulation (EEC) No 729/70 [1] shall apply *mutatis mutandis*.

Article 12

1. The Commission shall be assisted by the Standing Veterinary Committee (hereinafter referred to as 'the Committee'), set up by Council Decision 68/361/EEC [2].

2. Where the procedure laid down in this Article is to be followed, the provisions set out below shall apply.

3. The representative of the Commission shall submit to the committee a draft of the measures to be taken. The Committee shall deliver its opinion on the draft within a time limit which the chairman may lay down according to the urgency of the matter. The opinion shall be delivered by the majority laid down in Article 148 (2) of the Treaty in the case of decisions which the Council is required to adopt on a proposal from the Commission. The votes of the representatives of the Member States within the Committee shall be weighted in the manner set out in that Article. The chairman shall not vote.

4. The Commission shall adopt the measures envisaged if they are in accordance with the opinion of the Committee.

5. If the measures envisaged are not in accordance with the opinion of the Committee, or if no opinion is delivered, the Commission shall, without delay, submit to the Council a proposal relating to the measures to be taken. The Council shall act by a qualified majority.

Article 13

1. The Commission shall follow developments with regard to brucellosis in sheep and goats in the Member States and the implementation of the eradication plans.

The Commission shall inform the Member States within the Committee of developments regularly, at least once a year, in the light of the information provided by the Member States' authorities, who shall submit a progress report to the Commission together with the applications for payment and any reports from experts who, acting on behalf of the Community and appointed by the Commission, have made on-the-spot visits.

2. Should the eradication plan require amendment in the course of its execution, a new decision approving it shall be taken in accordance with the procedure laid down in Article 12.

Article 14

This Decision is addressed to the Member States.

Proposal for a Council Decision on financial aid from the Community for the eradication of African swine fever in Sardinia

COM(89) 499 final

(Submitted by the Commission on 30 October 1989)

(89/C 327/09)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 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 African swine fever appeared in Sardinia in 1978; whereas the Community has already provided for financial assistance to Italy under Council Decision

[1] OJ No L 94, 28. 4. 1970, p. 13.
[2] OJ No L 255, 18. 10. 1968, p. 23.