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II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DIRECTIVE

of 11 November 1980

laying down conditions designed to render and keep the territory of the Community free from classical swine fever

(80/1095/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 43 and 100 thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the opinion of the European Parliament ⁽²⁾,

Having regard to the opinion of the Economic and Social Committee ⁽³⁾,

Whereas one of the Community's tasks in the veterinary field is to improve the state of health of livestock, in order to increase the profitability of stock farming;

Whereas this improvement must ensure that the state of health of livestock is brought to the most satisfactory level for the Community as a whole and maintained at that level;

Whereas the action to be taken under an accelerated eradication plan must be gradual and be based upon the varying situations in the Member States or parts thereof; whereas this plan may, subject to certain conditions, be implemented on a regional basis;

Whereas, if the disease accidentally recurs in a Member State or a part thereof previously cleared of the disease, suitable measures must be taken for the immediate

elimination of the disease so that the disease-free classification may be restored as soon as possible;

Whereas action of this kind should serve to eliminate obstacles to trade in live animals between Member States caused by differences in their animal health situations;

Whereas the free movement of live pigs between Member States or parts thereof will be aided by making and keeping Member States or parts thereof free from classical swine fever;

Whereas provision should be made for close cooperation between the Member States and the Commission for this purpose,

HAS ADOPTED THIS DIRECTIVE:

Article 1

This Directive defines the measures which the Member States must apply in order to eradicate swine fever from their territories so as to achieve and retain officially swine fever-free status.

Article 2

For the purposes of this Directive the definitions given in Article 2 of Council Directive 80/217/EEC of 22 January 1980, introducing Community measures for the control

⁽¹⁾ OJ No C 187, 25. 7. 1979, p. 2.

⁽²⁾ OJ No C 72, 24. 3. 1980, p. 6.

⁽³⁾ OJ No C 300, 18. 11. 1980, p. 17.

of classical swine fever ⁽¹⁾, and in Article 2 of Council Directive 64/432/EEC of 26 June 1964 on animal health problems affecting intra-Community trade in bovine animals and swine ⁽²⁾, as last amended by Directive 80/219/EEC ⁽³⁾, shall apply.

Furthermore, for the purposes of this Directive the following definitions shall apply:

1. 'officially swine fever-free holding' means a holding in which:

- no swine fever has been detected for at least the preceding 12 months,
- there are no pigs which have been vaccinated against swine fever,
- vaccination against swine fever has not been authorized for at least the preceding 12 months,

in addition, no swine fever must have been detected for at least the preceding 12 months at least within a radius of two kilometres around the holding;

2. 'officially swine fever-free Member State' means a Member State in which:

- no swine fever has been detected for at least the preceding 12 months,
- vaccination against swine fever has not been authorized for at least the preceding 12 months,

in which the holdings contain no pigs which have been vaccinated against swine fever and which has been so recognized under Article 3 (2) or 7 (1).

3. 'officially swine fever-free region' means a region in which:

- no swine fever has been detected for at least the preceding 12 months,
- vaccination against swine fever has not been authorized for at least the preceding 12 months,

in which the holdings contain no pigs which have been vaccinated against swine fever and which has been so recognized under Article 7 (2);

4. 'swine fever-free Member State or region' means a Member State or region in which no swine fever has been detected for at least the preceding 12 months.

Article 3

1. Any Member State which is not officially swine fever-free shall prepare a plan for the accelerated eradication of this disease.

2. Not later than six months after the date of notification of this Directive, Member States' status shall be established under the procedure laid down in Article 9 for the purpose of determining those required to submit a plan in accordance with paragraph 1.

3. This plan, which must be carried out over a period of not more than five years, must meet the requirements of Article 4 of this Directive and be approved in accordance with Article 5 (3) of Council Decision 80/1096/EEC of 11 November 1980 introducing Community financial measures for the eradication of classical swine fever ⁽⁴⁾.

Article 4

1. The plan referred to in Article 3 must be designed to ensure that the territory of the Member State concerned will be officially free from swine fever after five years at most.

2. It must specify:

- as appropriate:
 - the date of prohibition of vaccination of breeding pigs,
 - the date of prohibition or, in the first two years of implementing the plan, of restriction of vaccination of fattening pigs,
 - the date of commencement of the swine fever detection campaign, where such has proved necessary;
- the measures, resources and timetable proposed by the Member State in order to attain the objective fixed in paragraph 1.

3. The plan may be implemented on a regional basis if the Member State is able to guarantee that the status of the regions concerned will be protected and maintained.

In that event, the details required under paragraph 2 must relate to each of the regions defined in the plan.

4. The Member State shall notify the Commission of:

- (a) the annual expenditure in connection with swine fever in each of the past three years, with a breakdown of such expenditure;

⁽¹⁾ OJ No L 47, 21. 2. 1980, p. 11.

⁽²⁾ OJ No 121, 29. 7. 1964, p. 1977/64.

⁽³⁾ OJ No L 47, 21. 2. 1980, p. 25.

⁽⁴⁾ See page 5 of this Official Journal.

(b) forecast annual expenditure on the five-year plan.

Article 5

The Commission shall make regular on-the-spot checks to verify from a veterinary viewpoint whether the plans are being applied.

Member States shall take the necessary steps to facilitate these checks and shall in particular ensure that the experts are supplied at their request with all information and documentation needed for assessing the execution of the plans.

The general provisions for implementing this Article, especially as regards the frequency and method of carrying out the checks referred to in the first paragraph, the rules governing the appointment of veterinary experts and the procedure which they must follow when drawing up their report, shall be laid down in accordance with the procedure set out in Article 9.

Article 6

1. Member States shall forward the plans provided for in Article 3 to the Commission, in accordance with Article 5 (1) of Decision 80/1096/EEC.

2. These plans shall be approved in accordance with the procedure set out in Article 5 (3) of that Decision.

3. Should swine fever spread alarmingly in their territories during the implementation of a plan approved under paragraph 2, Member States may review the situation and take the precautionary measures they deem appropriate, including the reintroduction of organized preventive vaccination.

They shall inform the Commission thereof.

4. Plans approved under paragraph 2 may be modified or supplemented by the same procedure in order to keep pace with developments in the situation with regard to swine fever in the Member State or the region concerned, and in particular to take account of possible implementation of the measures provided for in paragraph 3.

Article 7

1. Under the procedure laid down in Article 9, a Member State covered by Article 3 (1) shall be recognized as officially swine fever-free once the following conditions have been fulfilled in that Member State for at least 12 months:

(a) no swine fever has been detected;

(b) vaccination against swine fever has been discontinued.

2. Under the procedure laid down in Article 9, a part of a Member State's territory to which Article 4 (3) applies may be recognized as officially swine fever-free, though not earlier than three months after it has fulfilled the conditions of paragraph 1 of this Article, provided the Member State in question can supply adequate guarantees that the status of that part of its territory will be maintained, in particular by showing evidence of the existence of measures:

- (i) either to prohibit the introduction into the part of its territory concerned of pigs from holdings which are not officially swine fever-free;
- (ii) or to prohibit vaccinated pigs from leaving holdings situated in a part of its territory which is not officially swine fever-free or which is not swine fever-free except for immediate slaughter or for introduction into another holding of the same status.

Article 8

1. Any Member State which during the period laid down in Article 2 (1) of Decision 80/1096/EEC loses its status as officially swine fever-free, may avail itself of Article 3 (1) provided its plan does not extend beyond that period.

2. However, if an outbreak or a number of epizootiologically interrelated outbreaks of swine fever occur within a geographically limited area in a Member State which is officially swine fever-free, the status of that Member State shall not be withdrawn for a period of 15 days if the Member State takes measures to isolate the area in question.

Within the said 15-day period, however a decision may be taken under the procedure in Article 9 to withdraw the status or if the measures taken by the Member State are deemed satisfactory to maintain it for a maximum of three months.

3. Paragraph 2 may be applied by analogy to officially swine fever-free regions.

Article 9

1. Where the procedure laid down in this Article is to be followed, matters shall be referred without delay by the chairman, either on his own initiative or at the request of a Member State, to the Standing Veterinary Committee (hereinafter called 'the Committee') set up by Decision 68/361/EEC of 15 October 1968 ⁽¹⁾.

⁽¹⁾ OJ No L 255, 18. 10. 1968, p. 23.

2. Within the Committee the votes of the Member States shall be weighted as laid down in Article 148 (2) of the Treaty. The chairman shall not vote.

3. The representative of the Commission shall submit a draft of the measures to be adopted. The Committee shall deliver its opinion on these measures within a time limit set by the chairman according to the urgency of the questions under examination. Opinions shall be delivered by a majority of 41 votes.

4. The Commission shall adopt the measures and shall apply them immediately where they are in accordance with the opinion of the Committee. Where they 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 on the measures to be taken. The Council shall adopt the measures by a qualified majority.

If within three months of the date on which the proposal was submitted to it the Council has not adopted any measures, the Commission shall adopt the proposed measures and shall apply them immediately, save where the Council has decided against these measures by a simple majority.

Article 10

Article 9 shall apply until 21 June 1981.

Article 11

After consulting the Member States within the Committee, the Commission shall, before 1 July 1983, submit to the Council a report on the application of this Directive by the Member States and the current situation in the Community in respect of swine fever, together with any relevant proposals.

Article 12

1. Member States shall bring into force the laws, regulations and administrative provisions necessary for the implementation of national plans for accelerated eradication approved in accordance with Article 5 (2) of Decision 80/1096/EEC on the date laid down by the Commission in its Decision approving the plans and, for plans approved during 1981, not later than 31 December 1981.

2. The five-year period of execution provided for in Article 2 (1) of Decision 80/1096/EEC shall run, for each Member State, from the date laid down by the Commission pursuant to paragraph 1; however, Community finance shall in all cases be restricted to slaughterings carried out before 1 January 1987.

3. The Council, acting unanimously on a proposal from the Commission, may, where implementation of the plan on the date laid down would meet with considerable difficulties in some Member States, postpone for such States the dates specified in paragraphs 1 and 2 by not more than one year.

Article 13

This Directive is addressed to the Member States.

Done at Brussels, 11 November 1980.

For the Council
The President
C. NEY

COUNCIL DECISION

of 11 November 1980

introducing Community financial measures for the eradication of classical swine fever

(80/1096/EEC)

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 ⁽¹⁾,

Having regard to the opinion of the European Parliament ⁽²⁾,

Having regard to the opinion of the Economic and Social Committee ⁽³⁾,

Whereas one of the tasks of the Community in the veterinary field is to improve the state of health of livestock and thus to increase the profitability of stock farming;

Whereas such action should help to remove those remaining barriers to trade between Member States in fresh meat or live animals which are caused by differences in animal health situations;

Whereas action to this end has already been taken by the Community with regard to certain bovine diseases;

Whereas other similar initiatives have been taken as regards swine; whereas, in so far as they are intended to achieve the objectives set out in Article 39 (1) (a) of the Treaty, they constitute common measures within the meaning of Article 6 (1) of Council Regulation (EEC) No 729/70 of 21 April 1970 on the financing of the common agricultural policy ⁽⁴⁾, as last amended by Regulation (EEC) No 929/79 ⁽⁵⁾;

Whereas, in as much as the Community contributes to the financing of the common measures, it must be in a position to ascertain that the provisions adopted by the Member States for the implementation of these measures are contributing towards the attainment of the objectives intended; whereas, to this end, provision should be made for a procedure establishing close cooperation between the Member States and the Commission;

Whereas, in order to ensure that the common measures are completely successful, national eradication plans

should be so devised that once embarked upon they can be fully carried out; whereas provision should be made whereby the estimates on which these measures are based can be reviewed in the light of developments, this review to cover both the financial means required for the implementation of the common measures and the duration of such measures,

HAS ADOPTED THIS DECISION:

Article 1

The measures provided for by:

- Council Directive 80/217/EEC of 22 January 1980 introducing Community measures for the control of classical swine fever ⁽⁶⁾, and
- Council Directive 80/1095/EEC of 11 November 1980 laying down conditions designed to render and keep the territory of the Community free from classical swine fever ⁽⁷⁾,

in so far as they are intended to achieve the objectives set out in Article 39 (1) (a) of the Treaty, shall constitute common measures within the meaning of Article 6 (1) of Regulation (EEC) No 729/70.

Article 2

1. The period for carrying out the common measures shall be five years.
2. The contribution of the European Agricultural Guidance and Guarantee Fund, hereinafter called 'the Fund', is fixed at 35 million European units of account.

Article 3

1. Expenditure by Member States in respect of action taken under the common measures shall be eligible for assistance from the Guidance Section of the Fund within the limits stated in Article 2.
2. The Guidance Section of the Fund shall reimburse the Member States under the eradication plan referred to in Article 5:

⁽¹⁾ OJ No C 132, 3. 6. 1980, p. 8.

⁽²⁾ OJ No C 175, 14. 7. 1980, p. 79.

⁽³⁾ OJ No C 300, 18. 11. 1980, p. 17.

⁽⁴⁾ OJ No L 94, 28. 4. 1970, p. 13.

⁽⁵⁾ OJ No L 117, 12. 5. 1979, p. 4.

⁽⁶⁾ OJ No L 247, 21. 2. 1980, p. 11.

⁽⁷⁾ See page 1 of this Official Journal.

- (a) up to 50% of the cost incurred in respect of compensation to owners for the slaughter and destruction of the animals;
 - (b) up to 0.125 European unit of account per dose of vaccine used in the event of emergency vaccination either in a Member State or region recognized as being officially free in accordance with the procedure laid down in Article 7 (2) of Directive 80/1095/EEC, or in a Member State or region where vaccination has been prohibited for at least three months but provided that vaccinated pigs are due to be slaughtered within three months following this vaccination;
 - (c) up to 0.125 European unit of account per dose of vaccine used in the event of vaccination performed in certain specified regions in pursuance of an eradication plan approved in accordance with Article 7 of Directive 80/1095/EEC, it being understood that this repayment would be limited to the first two years of application of the plan;
 - (d) up to one European unit of account per sample examined in a laboratory in connection with detection tests carried out with a view to determining holdings or regions which are officially swine fever-free.
3. Paragraph 2 shall also apply in respect of measures taken immediately following an outbreak of swine fever in a Member State which is officially free from this disease within the meaning of Directive 80/1095/EEC.
4. Detailed rules for applying this Article shall be adopted in accordance with the procedure laid down in Article 13 of Regulation (EEC) No 729/70.
5. Measures adopted by Member States shall not be eligible for financial contribution from the Community unless a favourable decision in accordance with Article 5 (3) has been given in respect of the provisions relating thereto.

Article 4

1. Applications for payment shall relate to expenditure incurred by Member States in the course of a calendar year and shall be submitted to the Commission before 1 July of the following year.
2. Decisions on the granting of aid from the Fund shall be made in accordance with Article 7 (1) of Regulation (EEC) No 729/70.
3. Detailed rules for applying this Article shall be adopted in accordance with the procedure laid down in Article 13 of Regulation (EEC) No 729/70.

Article 5

1. Member States shall forward to the Commission the plan provided for in Article 3 of Directive 80/1095/EEC before implementation of the plan and not later than 31 December 1981.

However, this deadline:

- (a) shall not be applied to a Member State which has been officially swine fever-free but which has lost that status during the period for carrying out the measures provided for in Article 2 (1), following the outbreak and persistence of the disease;
 - (b) may be extended until 31 December 1982, in accordance with the procedure laid down in Article 6, if implementation of the plan by the date laid down is found to be running into considerable difficulties as far as some Member States are concerned.
2. Member States shall inform the Commission as soon as possible of the measures taken under Article 3 (2) or (3) should there be an outbreak of classical swine fever.
3. The Commission shall examine the plans or measures forwarded in accordance with paragraphs 1 and 2 to determine whether, in terms of their conformity with the rules referred to in Article 1 and in the light of the objectives of those rules, the conditions for financial contribution by the Community have been met. Within two months following receipt of the plans or measures, the Commission shall submit a draft decision to the Standing Veterinary Committee. The Committee shall deliver its opinion in accordance with the procedure laid down in Article 6. The Fund Committee shall be consulted on the financial aspects.
4. The Commission shall make regular on-the-spot checks to verify from a veterinary viewpoint whether the plans are being applied.

Member States shall take the necessary steps to facilitate these checks and in particular to ensure that the experts are supplied at their request with all the information and documentation needed for assessing the execution of the plans.

The general provisions for implementing this Article, especially as regards the frequency and method of carrying out the checks referred to in the first subparagraph, the rules governing the appointment of the veterinary experts and the procedure which the latter must follow when drawing up their report, shall be laid down in accordance with the procedure set out in Article 6.

Article 6

1. Where the procedure laid down in this Article is to be followed, matters shall be referred without delay by

its chairman, either on his own initiative or at the request of a Member State, to the Standing Veterinary Committee (hereinafter called 'the Committee') set up by Decision 68/361/EEC ⁽¹⁾.

2. Within the Committee the votes of the Member States shall be weighted as provided for in Article 148 (2) of the Treaty. The chairman shall not vote.

3. The Commission representative shall submit a draft of the measures to be adopted. The Committee shall deliver its opinion on these measures within a time limit which the chairman may set on the basis of the urgency of the questions under examination. Opinions shall be adopted by a majority of 41 votes.

4. The Commission shall adopt the measures and shall apply them immediately where they are in accordance with the opinion of the Committee. Where they are not in accordance with the opinion of the Committee, or if no opinion is delivered, the Commission shall immediately submit to the Council a proposal on the measures to be adopted. The Council shall adopt the measures by a qualified majority.

If the Council has not adopted any measures within three months of the date on which the proposal was referred to

it, the Commission shall adopt the proposed measures and apply them immediately, save where the Council has decided against the measures by a simple majority.

Article 7

Article 6 shall apply until 21 June 1981.

Article 8

Before 1 July 1983, the Commission shall submit to the Council a report on the implementation of this Decision.

The Council shall decide on these proposals before 31 December 1983.

Article 9

This Decision is addressed to the Member States.

Done at Brussels, 11 November 1980.

For the Council

The President

C. NEY

⁽¹⁾ OJ No L 255, 18. 10. 1968, p. 23.

COUNCIL DECISION

of 11 November 1980

on financial aid from the Community for the eradication of African swine fever in Sardinia

(80/1097/EEC)

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 ⁽¹⁾,

Having regard to the opinion of the European Parliament ⁽²⁾,

Having regard to the opinion of the Economic and Social Committee ⁽³⁾,

Whereas African swine fever appeared in Sardinia in 1977; whereas, with a view to ensuring protection against the possible spread of the disease and to contributing to its eradication, the Community has already given financial support to Italy under Council Decision 77/97/EEC of 21 December 1976 on the financing by the Community of certain emergency measures in the field of animal health ⁽⁴⁾;

Whereas the disease persists; whereas the action taken must therefore be reinforced in order to attain the basic objective, which is to eliminate African swine fever from Sardinia;

Whereas the Italian authorities have called upon the Commission to contribute to the expenditure entailed in efficient implementation of a veterinary programme for the total and urgent eradication of the disease and in longer-term measures intended to safeguard the results obtained;

Whereas a new and larger-scale measure which does not fall within the procedures followed so far should provide a favourable response to this request by granting initial aid to Sardinia with a view to meeting the requirements of the present situation;

Whereas this eradication plan must include certain measures which ensure that the action taken is effective; whereas adoption of these measures and their adaptation to developments in the situation must involve a procedure in which the Member States and the Commission are closely associated;

Whereas Member States must be regularly informed in full of the progress of the action taken,

HAS ADOPTED THIS DECISION:

Article 1

The Italian Republic shall prepare an emergency plan for the eradication of African swine fever in Sardinia and the restructuring of pig farming.

This plan, which is to be carried out within a maximum period of five years, must comply with Article 2 and be approved in accordance with Article 3.

Article 2

The plan specified in Article 1 must provide for:

1. rigorous eradication measures including the following:
 - (a) the slaughter of all pigs in the province of Nuoro, where the disease has spread;
 - (b) the destruction or consumption on the spot of all pigmeat on the territory referred to in (a) and all pigmeat products excluding preserves in sterilized tins;
 - (c) the cleansing and disinfection of, and the elimination of insect and rodent pests from, holdings and all places liable to have been contaminated by pigs, pigmeat or pigmeat products;
 - (d) the systematic serological detection of the disease in pigs on holdings situated in neighbouring areas to the territory referred to in (a) or on holdings which could present a contamination risk;
 - (e) the slaughter of pigs which carry antibodies of the disease and the destruction of their meat;
 - (f) immediate and total compensation for owners whose pigs have been slaughtered under the plan;

⁽¹⁾ OJ No C 232, 10. 9. 1980, p. 3.

⁽²⁾ OJ No C 291, 10. 11. 1980, p. 80.

⁽³⁾ Opinion delivered on 29 October 1980 (not yet published in the Official Journal).

⁽⁴⁾ OJ No L 26, 31. 1. 1977, p. 78.

2. preventive measures including:

- (a) control and systematic destruction of all waste from international means of transport;
- (b) control and destruction of all scraps and swill from cooking and industrial processes using pigmeat;
- (c) prohibition on the use for feeding to pigs of scraps and swill from cooking or industrial processes using pigmeat;
- (d) entomological study of the regions where the disease has been found;
- (e) measures to control ectoparasites of animals and in particular to eliminate insect pests on the latter;
- (f) carrying out and checking of the disinfection of, and the elimination of insect pests from, means of transport;
- (g) prohibition of the introduction into the territory of the province where the pigs have been systematically slaughtered of any live pigs, irrespective of their origin and destination, for a period of at least one year after the completion of the measures specified in point 1 (a), (b) and (c);

3. measures for supervising restocking in the province referred to in paragraph 1 (a) where slaughtering has been carried out, including:

- (a) the construction or renovation of piggeries in accordance with specifications appropriate to the purpose and providing satisfactory health protection;
- (b) rules governing the setting up of pig farms so as to prevent their number becoming too great and in particular to prevent a return to small-scale rearing of pigs roaming freely;
- (c) the progressive restocking of approved piggeries by the introduction of breeding animals of sound health, this restocking being conditional on a period of health supervision by the introduction of tested 'sentinel' pigs;
- (d) health supervision of all rearing establishments while they are being set up;
- (e) supervision of all movements of pigs irrespective of their origin and destination;
- (f) during the period of prohibition referred to in point 2 (g), financial aid to pig farmers for whom

the breeding of pigs represents a substantial source of income;

4. restructuring and inspection measures relating to pig-rearing establishments throughout Sardinian territory, including:

- (a) the alteration of existing piggeries to provide satisfactory health protection, the possible regrouping of piggeries, as well as the terms governing the incentive measures, in particular the maximum and minimum size of such establishments;
- (b) health-protection supervision of pig-rearing establishments and the supervision of pig movements;
- (c) serological control by sampling checks on pigs in slaughterhouses;
- (d) inspection by laboratory sampling checks on slaughtered wild swine.

Article 3

After studying the plan proposed by the Italian authorities and any amendments to be made thereto, the Commission shall decide, in accordance with the procedure provided for in Article 8, whether or not to approve it. The Committee of the European Agricultural Guidance and Guarantee Fund shall be consulted on the financial aspects, the Standing Committee on Agricultural Structures on the structural aspects.

Article 4

The action provided for by this Decision, in so far as it aims to attain the objectives set out in Article 39 (1) (a) of the Treaty, shall constitute common measures within the meaning of Article 6 (1) of Regulation (EEC) No 729/70 of 21 April 1970 on the financing of the common agricultural policy ⁽¹⁾, as last amended by Regulation (EEC) No 929/79 ⁽²⁾.

Article 5

1. The period of implementation of the common measures shall be five years from the date set by the Commission in its Decision approving the plan, starting not later than 1 February 1981.

2. The contribution of the Guidance Section of the Fund is fixed at 30 million European units of account.

3. Article 6 (5) of Regulation (EEC) No 729/70 shall apply to this Decision.

⁽¹⁾ OJ No L 94, 28. 4. 1970, p. 13.

⁽²⁾ OJ No L 117, 12. 5. 1979, p. 4.

Article 6

1. Provided that it complies with the plan approved by the Commission in accordance with Article 3, the following expenditure incurred by Italy shall be eligible for assistance from the Guidance Section of the Fund within the limits set in Article 5:

— expenditure under Article 2 (1) (a), (c), (d), (e) and (f), (2) (d), (e) and (f), (3) (a), (c), (d) and (f), and (4) (b), (c) and (d),

— expenditure under Article 2 (4) (a).

2. The Fund shall reimburse 50 % of eligible expenditure up to a limit of 60 million European units of account including a maximum of 20 million European units of account in respect of expenditure incurred under the second indent of paragraph 1.

3. Detailed rules for the application of this Article shall be adopted, as required, in accordance with the procedure laid down in Article 13 of Regulation (EEC) No 729/70.

Article 7

1. Applications for payment shall relate to the expenditure incurred by Italy during a calendar year and shall be submitted to the Commission before 1 July of the following year.

2. The granting of aid from the Fund shall be decided in accordance with Article 7 (1) of Regulation (EEC) No 729/70.

3. Detailed rules for the application of this Article shall be adopted in accordance with the procedure laid down in Article 13 of Regulation (EEC) No 729/70.

Article 8

1. Where the procedure laid down in this Article is to be used, matters shall be referred without delay by the chairman, either on his own initiative or at the request of a Member State, to the Standing Veterinary Committee (hereinafter called 'the Committee') set up by Decision 68/361/EEC ⁽¹⁾.

2. Within the Committee the votes of the Member States shall be weighted as laid down in Article 148 (2) of the Treaty. The chairman shall not vote.

3. The representative of the Commission shall submit a draft of the measures to be adopted. The Committee shall deliver its opinion on such measures within a time limit set by the chairman according to the urgency of the questions under consideration. Opinions shall be delivered by a majority of 41 votes.

4. The Commission shall adopt the measures and shall apply them immediately where they are in accordance with the opinion of the Committee. Where they 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 on the measures to be taken. The Council shall adopt the measures by a qualified majority.

If within three months from the date on which the proposal was submitted to it the Council has not adopted any measures, the Commission shall adopt the proposed measures and shall apply them immediately, save where the Council has decided against these measures by a simple majority.

Article 9

Article 8 shall apply until 21 June 1981.

Article 10

1. The Commission shall keep under review the situation with regard to African swine fever in Sardinia and the implementation of the eradication plan. It shall inform the Member States of developments regularly and within the Committee, at least once a year, in the light of the information given by the Italian authorities and of any reports from experts who, acting on behalf of the Community and appointed by the Commission, have visited the area.

2. Should it prove necessary to amend the eradication plan during its implementation, a new decision approving it shall be taken in accordance with the procedure laid down in Article 8.

Article 11

^{*} This Decision is addressed to the Italian Republic.

Done at Brussels, 11 November 1980.

For the Council
The President
C. NEY

⁽¹⁾ OJ No L 255, 18. 10. 1968, p. 23.

COUNCIL DIRECTIVE

of 11 November 1980

amending Directive 64/432/EEC with regard to swine vesicular disease and classical swine fever

(80/1098/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 43 and 100 thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the opinion of the European Parliament ⁽²⁾,

Having regard to the opinion of the Economic and Social Committee ⁽³⁾,

Whereas Directive 64/432/EEC ⁽⁴⁾, as last amended by Directive 80/219/EEC ⁽⁵⁾, lays down the health requirements which must be fulfilled by live bovine animals and swine intended for intra-Community trade;

Whereas the existence of swine vesicular disease in the Community represents a danger for the Community stock of swine; whereas, accordingly, steps should be taken to ensure that the disease is not spread;

Whereas the persistence of classical swine fever in certain parts of the Community represents a danger for the stock of swine of those Member States which are free from the disease; whereas until such time as classical swine fever has been eliminated in the parts where it still exists, the Member States should be authorized to take additional measures with a view to preventing any contamination in the course of trade,

HAS ADOPTED THIS DIRECTIVE:

Article 1

With effect from 1 November 1980, Directive 64/432/EEC is hereby amended as follows:

1. In Article 2 (j) (ii) the words 'swine vesicular disease' shall be inserted between the words 'swine fever' and 'or contagious swine paralysis';

2. In Article 3 (2):

- (a) at (b) the words 'swine vesicular disease' shall be inserted between the words 'foot-and-mouth disease' and 'swine fever';
- (b) at (b) (i) and (ii), the words 'or swine vesicular disease' shall be inserted after the words 'foot-and-mouth disease';
- (c) at (c) (ii) the words 'swine vesicular disease' shall be inserted between the words 'foot-and-mouth disease', and 'bovine and porcine brucellosis';

3. In Article 2, the following points shall be added:

- (p) "officially swine fever-free holding" means a holding in which:

- no swine fever has been detected for at least the preceding 12 months,
- there are no pigs which have been vaccinated against swine fever,
- vaccination against swine fever has not been authorized for at least the preceding 12 months,

in addition, no swine fever must have been detected for at least the preceding 12 months within a radius of two kilometres around the holding;

- (q) "officially swine fever-free Member State or region" means a Member State or region which:

- no swine fever has been detected for at least the preceding 12 months,
- vaccination against swine fever has not been authorized for at least the preceding 12 months,

and in which the holdings contain no pigs which have been vaccinated against swine fever;

- (r) "swine fever-free Member State, region or holding" means a Member State, region or holding in which no swine fever has been detected for at least the preceding 12 months.;

4. In Article 3 (4) the following words shall be inserted after 'brucellosis-free stock': 'and from an officially

⁽¹⁾ OJ No C 130, 31. 5. 1980, p. 6.

⁽²⁾ OJ No C 175, 14. 7. 1980, p. 79.

⁽³⁾ OJ No C 300, 18. 11. 1980, p. 20.

⁽⁴⁾ OJ No 121, 29. 7. 1964, p. 1977/64.

⁽⁵⁾ OJ No L 47, 21. 2. 1980, p. 25.

swine fever-free holding or a swine fever-free holding, provided that in the latter case the animals are accompanied by a certificate testifying that they have not been vaccinated.';

5. In Article 4b, the following penultimate paragraph shall be inserted:

'Until 31 December 1982 and subject to compliance with the general provisions of the Treaty, the Member States referred to in the first subparagraph may also make the introduction into their territory of swine for breeding or production conditional upon a negative result when tested for antibodies of swine vesicular disease during the 30 days preceding shipment.';

6. The following Article shall be inserted:

'Article 4c

1. Member States which have availed themselves of the authorization laid down in Directive 80/218/EEC and which are officially swine fever-free may not oppose the introduction into their territories of swine which come from:

- (a) either a Member State the territory of which is officially swine fever-free;
- (b) or a Member State:

- which has not allowed vaccination against swine since at least 12 months previously,
- in which during the same period there have not been any cases of swine fever,
- but which does not allow the introduction of vaccinated pigs into its territory unless they are slaughter pigs or fattening pigs weighing less than 25 kg and destined for fatstock holdings which they may not leave except to go for slaughter,

provided that the animals intended for the Member States referred to at the beginning of this paragraph have been born and reared on officially swine fever-free holdings and, in the case of animals for breeding or production, they have shown a negative result in the test for the antibody produced by swine fever;

- (c) or a part of a territory made up of a region or of several adjacent regions, that part being recognized as officially swine fever-free for the purpose of intra-Community trade by the Council acting unanimously on a proposal from the Commission within three months following the date on which the proposal was referred to it.

This status shall, without prejudice to the possibility of recourse to Article 9 of this

Directive, be suspended by the Commission for a period of 15 days upon the occurrence of an outbreak or of several epizootiologically linked outbreaks of swine fever within a geographically limited area.

A decision may be taken within this period in accordance with the procedure provided for in Article 12 either to reconfirm or to withdraw the status of the part of the territory in question.

In the event of withdrawal, that status may be granted afresh to the part of the territory in accordance with the same procedure only after a period of:

- three months, if there has been no vaccination,
- six months, if there has.

2. However, subject to compliance with the general provisions of the Treaty, the Member States which have availed themselves of the authorization laid down in Directive 80/218/EEC shall be authorized to retain their national regulations on protection against swine fever as regards the introduction into their territories of animals for breeding, production or slaughter from the Member States other than those referred to in paragraph 1 (a) and (b) above and, until such time as the decision referred to in the first subparagraph of paragraph 1 (c) has been taken, from the parts of territories concerned.';

7. In Article 7 (1) the following point shall be added:

'F. In the case of swine for breeding or production, by way of derogation from Article 3 (4) and until 31 December 1985, those animals which have been vaccinated against swine fever.';

8. In Annex E paragraph (b), the fifth indent shall be deleted and the following three indents added:

- '— swine fever,
- swine vesicular disease,
- African swine fever';

9. Annex F, Model III, point V shall be amended as follows:

1. the following point shall be inserted:

'(c) they come from:

- an officially swine fever-free holding ⁽²⁾,
- a swine fever-free holding ⁽²⁾, and

- (i) have not been vaccinated against swine fever ⁽²⁾;

- (ii) have been vaccinated against swine fever; the vaccination has been authorized by the country of destination ⁽²⁾;

2. points (c) to (f) shall become points (d) to (g).
3. in the second paragraph of point (e), the words 'swine vesicular disease', shall be inserted between the words 'foot-and-mouth disease', and 'bovine and swine brucellosis,'.

Article 2

Article 4 c of Directive 64/432/EEC shall apply until 31 December 1985.

Before 1 July 1985, the Commission shall submit to the Council a report on developments in the situation with particular regard to trade, together with appropriate proposals as regards swine fever.

The Council shall take a decision on these proposals not later than 31 December 1985.

Article 3

The Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive not later than 1 July 1981 and shall forthwith inform the Commission thereof.

Until the date on which the Member States are able to comply, and until 1 July 1981 at the latest, Denmark, Ireland and the United Kingdom are authorized to retain their national rules relating to protection against swine fever upon introduction into their territory of swine for breeding, production and slaughter, subject to compliance with the general provisions of the Treaty.

Article 4

This Directive is addressed to the Member States.

Done at Brussels, 11 November 1980.

For the Council

The President

C. NEY

COUNCIL DIRECTIVE
of 11 November 1980
amending Directive 72/461/EEC with regard to swine vesicular disease and classical
swine fever
(80/1099/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 43 and 100 thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the opinion of the European Parliament ⁽²⁾,

Having regard to the opinion of the Economic and Social Committee ⁽³⁾,

Whereas Directive 72/461/EEC ⁽⁴⁾, as last amended by Directive 80/213/EEC ⁽⁵⁾, lays down the animal health requirements which must be fulfilled by animals from which meat is obtained;

Whereas the existence of swine vesicular disease in the Community represents a danger for the Community stock of pigs; whereas, accordingly, steps should be taken to ensure that the disease is not spread in the course of trade in fresh pigmeat;

Whereas the persistence of classical swine fever in certain parts of the Community represents a danger for the stock of swine of those Member States which are free from the disease; whereas until such time as classical swine fever has been eliminated in parts where it still exists, such Member States should be authorized to take additional measures with a view to preventing any contamination in the course of trade,

HAS ADOPTED THIS DIRECTIVE:

Article 1

With effect from 1 November 1980, Directive 72/461/EEC is hereby amended as follows:

- (a) in Article 3 (b) and (c), the words 'swine vesicular disease' shall be inserted between the words 'swine fever' and 'or contagious swine paralysis';

- (b) the second paragraph of Article 13 shall be deleted;

- (c) the following Article shall be inserted:

'Article 13a

1. Member States which have availed themselves of the authorization laid down in Directive 80/218/EEC and which are officially swine fever-free may not oppose the introduction of fresh pigmeat into their territory from another Member State if such meat has been obtained from:

- (i) pigs which satisfy the requirements of Article 4 c (1) of Directive 64/432/EEC; or,
- (ii) unvaccinated pigs reared in officially swine fever-free holdings situated in a part of a Member State's territory made up of a swine fever-free region or of several adjacent swine fever-free regions, and slaughtered in that part of the territory,

and, where point (b) of the said Article 4 c (1) applies or where (ii) above applies, the meat comes from pigs slaughtered in slaughter-houses in which vaccinated pigs have either not been slaughtered or have been slaughtered at a different time or in a separate place, provided that in the latter instances the meat is stored separately.

2. Acting unanimously on a proposal from the Commission, within three months of the date on which the proposal was submitted to it, the Council shall draw up the list of the Member States and parts of territories referred to in paragraph 1 (ii) which are swine fever-free.

The status of the Member States and the parts of territories on this list shall, without prejudice to the possibility of recourse to Article 8, be suspended by the Commission for a period of 15 days upon the occurrence of an outbreak or of several epizootiologically linked outbreaks of swine fever within a geographically limited area.

A decision may be taken within this period in accordance with the procedure provided for in Article 9 either to reconfirm or to withdraw the status of the Member State or the part of the territory in question.

⁽¹⁾ OJ No C 130, 31. 5. 1980, p. 8.

⁽²⁾ OJ No C 175, 14. 7. 1980, p. 79.

⁽³⁾ OJ No C 300, 18. 11. 1980, p. 20.

⁽⁴⁾ OJ No L 302, 31. 12. 1972, p. 24.

⁽⁵⁾ OJ No L 47, 21. 2. 1980, p. 1.

In the event of withdrawal, that status may not be granted afresh to the Member State or the part of the territory in accordance with the same procedure except after a period of:

- three months, if there has been no vaccination,
- six months, if there has.

Article 2

1. Acting on the basis of Commission proposals to be submitted before 31 December 1982, the Council shall re-examine the problem of intra-Community trade in fresh meat from vaccinated pigs, with particular regard to the separation of meat in slaughterhouses as referred to in Article 13 a (1) of Directive 72/461/EEC.

2. Article 13 a of Directive 72/461/EEC shall apply until 31 December 1985.

3. Before 1 July 1985, the Commission shall submit to the Council a report on developments in the situation with particular regard to trade, together with appropriate proposals as regards swine fever.

4. The Council shall take a decision on these proposals not later than 31 December 1985.

Article 3

The Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive not later than 1 July 1981 and shall forthwith inform the Commission thereof.

Until the date on which the Member States are able to comply, and until 1 July 1981 at the latest, Denmark, Ireland and the United Kingdom are authorized to retain their national rules relating to protection against swine fever upon introduction into their territory of fresh pigmeat, subject to compliance with the general provisions of the Treaty.

Article 4

This Directive is addressed to the Member States.

Done at Brussels, 11 November 1980.

For the Council

The President

C. NEY

COUNCIL DIRECTIVE
of 11 November 1980
amending Directive 80/215/EEC with regard to swine vesicular disease and classical
swine fever
(80/1100/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 43 and 100 thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the opinion of the European Parliament ⁽²⁾,

Having regard to the opinion of the Economic and Social Committee ⁽³⁾,

Whereas Directive 80/215/EEC ⁽⁴⁾ laid down the animal health requirements which must be fulfilled by meat products intended for intra-Community trade;

Whereas the existence of swine vesicular disease in the Community represents a danger for the Community stock of pigs; whereas, accordingly, steps should be taken to ensure that the disease is not spread in the course of trade in certain pigmeat products;

Whereas the persistence of classical swine fever in certain parts of the Community represents a danger for the stock of pigs of the Member States which are free from the disease; whereas until such time as classical swine fever has been eliminated in the parts where it still exists, such Member States should be authorized to take additional measures with a view to preventing any contamination in the course of trade,

HAS ADOPTED THIS DIRECTIVE:

Article 1

With effect from 1 November 1980, Directive 80/215/EEC is hereby amended as follows:

- (a) in Article 4 (1) (b), the following phrase shall be inserted in (ii) before the word 'treatment': 'provided that, in addition, the disease in question is not swine vesicular disease';

- (b) in Article 7 (1) (a), the words 'swine vesicular disease' shall be inserted between the words 'classical swine fever' and 'or Teschen disease';

- (c) Article 10 shall be replaced by the following:

'Article 10

With regard to swine fever, Member States which have availed themselves of the authorization laid down in Directive 80/218/EEC and which are officially classical swine fever-free may not oppose the introduction into their territory of meat products which, although they have not undergone one of the forms of treatment referred to in Article 4 (1), have been prepared in whole or in part from fresh pigmeat which satisfies the requirements laid down in Article 13 a of Directive 72/461/EEC, or from fresh pigmeat obtained from pigs vaccinated against swine fever more than three months prior to slaughter.'

Article 2

The Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive not later than 1 July 1981 and shall forthwith inform the Commission thereof.

Until the date on which the Member States are able to comply, and until 1 July 1981 at the latest, Denmark, Ireland and the United Kingdom are authorized to retain their national rules relating to protection against swine fever upon introduction into their territory of pigmeat products, subject to compliance with the general provisions of the Treaty.

Article 3

This Directive is addressed to the Member States.

Done at Brussels, 11 November 1980.

For the Council
The President
C. NEY

⁽¹⁾ OJ No C 130, 31. 5. 1980, p. 9.

⁽²⁾ OJ No C 175, 14. 7. 1980, p. 79.

⁽³⁾ OJ No C 300, 18. 11. 1980, p. 20.

⁽⁴⁾ OJ No L 47, 21. 2. 1980, p. 4.

COUNCIL DIRECTIVE

of 11 November 1980

relating to the date of entry into force of Directive 80/217/EEC introducing Community measures for the control of classical swine fever

(80/1101/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 80/217/EEC of 22 January 1980 introducing Community measures for the control of classical swine fever ⁽¹⁾, and in particular Article 19 thereof,Having regard to the proposal from the Commission ⁽²⁾,Having regard to the opinion of the European Parliament ⁽³⁾,Having regard to the opinion of the Economic and Social Committee ⁽⁴⁾,

Whereas Directive 80/217/EEC forms part of the Community programme for the eradication of classical swine fever; whereas its entry into force should

therefore coincide with the implementation of that programme,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with Directive 80/217/EEC not later than 1 July 1981, and shall immediately notify the Commission thereof.

Article 2

This Directive is addressed to the Member States.

Done at Brussels, 11 November 1980.

*For the Council**The President*

C. NEY

⁽¹⁾ OJ No L 47, 21. 2. 1980, p. 11.

⁽²⁾ OJ No C 132, 3. 6. 1980, p. 6.

⁽³⁾ OJ No C 175, 14. 7. 1980, p. 79.

⁽⁴⁾ OJ No C 300, 18. 11. 1980, p. 17.

COUNCIL DIRECTIVE
of 11 November 1980
amending Directive 64/432/EEC with regard to enzootic bovine leukosis
(80/1102/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 43 and 100 thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the opinion of the European Parliament ⁽²⁾,

Having regard to the opinion of the Economic and Social Committee ⁽³⁾,

Whereas one of the tasks of the Community in the veterinary field is to improve the state of health of livestock, and thus to make stock-breeding more profitable;

Whereas there is a need to protect the Community against enzootic bovine leukosis; whereas the Community, by Council Directives 77/391/EEC ⁽⁴⁾ and 78/52/EEC ⁽⁵⁾, has already taken measures to eradicate this disease;

Whereas such measures must contribute to the abolition of barriers to trade in live animals between Member States, which are due to differences in health situations;

Whereas the measures for protection against enzootic bovine leukosis should accordingly be incorporated in Council Directive 64/432/EEC of 26 June 1964 on animal health problems affecting intra-Community trade in bovine animals and swine ⁽⁶⁾, as last amended by Directive 80/1098/EEC ⁽⁷⁾;

Whereas provision should be made for certain special temporary measures and for the possibility of applying these measures on a regional basis in order to facilitate the introduction of such protection measures;

Whereas the special health guarantees applicable in intra-Community trade in bovine animals for breeding or production must be equivalent at most to those which the Member States apply within the framework of their national programmes for the prevention of enzootic bovine leukosis;

Whereas the risk of the spread of enzootic bovine leukosis must be assessed according to categories of animals; whereas provision should therefore be made for derogations in the case of animals for meat production, and whereas animals for slaughter should not be included in the system provided for,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Directive 64/432/EEC is hereby amended as follows:

1. the following point shall be added to Article 3 (2):

‘(j) in the case of pure-bred breeding bovine animals, as defined in Article 1 of Directive 77/504/EEC, which are intended solely for reproductive purposes and are highly valuable, come from a herd:

(i) in which no facts have been brought to the notice of the official veterinarian which would lead him to conclude that a case of enzootic bovine leukosis has occurred within the three preceding years;

(ii) the owner of which has declared that he has no knowledge of such facts and has further declared in writing that the animal or animals intended for intra-Community trade have either been born and reared in the said herd or have remained an integral part of it for the previous 12 months.’;

2. the following subparagraph shall be added to Article 3 (3):

‘(e) come from a herd in which there has been no evidence of enzootic bovine leukosis during the preceding three years and, if they are more than 12 months of age, have reacted negatively to a

⁽¹⁾ OJ No C 86, 2. 4. 1979, p. 1.

⁽²⁾ OJ No C 140, 5. 6. 1979, p. 128.

⁽³⁾ OJ No C 133, 28. 5. 1979, p. 30.

⁽⁴⁾ OJ No L 145, 13. 6. 1977, p. 44.

⁽⁵⁾ OJ No L 15, 19. 1. 1978, p. 34.

⁽⁶⁾ OJ No 121, 29. 7. 1964, p. 1977/64.

⁽⁷⁾ See page 11 of this Official Journal.

serological test carried out in accordance with Annex G during the 30 days before they are loaded.

However, this test will not be required in the case of male bovine animals and bullocks less than 30 months of age intended for meat production, provided that such animals are indentified by a special mark when they are loaded and that the Member State takes all measures to prevent contamination of indigenous herds.';

3. the following point shall be added to Article 7 (1):

'G. female bovine animals less than 30 months of age intended for meat production which, by way of derogation from Article 3 (3) (e), have not been subjected to a serological test. Such animals must bear a special mark. The Member State of destination shall take all measures to prevent contamination of indigenous herds.';

4. the following paragraph shall be added to Article 8 (2):

'With particular regard to enzootic bovine leukosis and in the case of the animals referred to in Article 3 (2) (j), Member States are authorized to require in addition, subject to compliance with the general provisions of the Treaty, that all members of the herd from which the animals come and more than 24 months of age at the date of the test have in the previous 12 months reacted negatively to a serological test carried out in accordance with Annex G. However, such guarantees shall not be required upon the introduction of animals from a Member State which, in accordance with the procedure laid down in Article 12, is recognized as providing adequate guarantees as regards enzootic bovine leukosis.';

5. the following Article shall be inserted:

'Article 8 a

1. Member States which, on the date of implementation of this Directive, are applying a compulsory national programme for the eradication of enzootic bovine leukosis, may make the introduction into their territory of bovine animals for breeding or production intended for combining with bovine herds not suspected of having leukosis, conditional upon the production of a certificate issued on the day of loading by a competent official veterinarian and drawn up, as a minimum requirement, in the language or languages of the country of destination, certifying:

- (a) that the veterinarian has no knowledge of facts which would lead him to conclude that a case of enzootic bovine leukosis has occurred within the

three preceding years in the herd from which they come, and that the owner of this herd has declared that he has no knowledge of such facts and that he has further declared, in writing, that the animal or animals intended for intra-Community trade have been born and reared in the said herd or have remained an integral part of it for the previous 12 months;

- (b) that during the previous 12 months all the bovine animals over 24 months of age on the date of the test and forming part of the herd from which they come have reacted negatively to a serological test carried out in accordance with Annex G.

2. In accordance with the procedure laid down in Article 12, Member States other than those referred to in paragraph 1 may be authorized to apply the same requirements for their territory or, in the case of the United Kingdom, for Northern Ireland, if a plan for the eradication of enzootic bovine leukosis is being implemented therein pursuant to Directive 77/391/EEC, or if it can be proved that on the date on which the matter is referred to the Standing Veterinary Committee, the minimum conditions laid down in Article 2 of Directive 80/1102/EEC have been complied for at least two years.

The additional conditions to which this extension to each Member State or part thereof concerned may be subject may be specified in the decision provided for in the first subparagraph.';

6. the following words shall be added at the end of point (a) of Annex E:

— enzootic bovine leukosis';

7. Annex F, Model I:

(a) point V:

- (aa) the following point shall be added after point (d):

'(e) — for the previous 12 months ⁽⁵⁾ or, if less than 12 months of age, since birth, they have been kept in a herd in which, to the knowledge of the undersigned and as declared by their owner, no cases of enzootic bovine leukosis have been diagnosed,

— on the date of their examination, all the animals more than 24 months old had undergone ⁽²⁾ ⁽¹²⁾ a serological test ⁽¹³⁾ within the

- previous 12 months ⁽⁵⁾ the result of which proved negative,
- within the prescribed 30 days ⁽⁵⁾, they have given a negative reaction ⁽⁸⁾ ⁽¹¹⁾ ⁽²⁾ to a serological test for enzootic bovine leukosis,
 - they are intended for fattening ⁽²⁾ ⁽¹¹⁾.’;
- (bb) points (e) to (i) shall become (f) to (j) respectively;
- (b) the following footnotes shall be added after footnote ⁽¹⁰⁾:
- ‘⁽¹¹⁾ This exception is permitted only in the case
8. the following Annex shall be added:
- of male animals less than 30 months of age intended for fattening, and provided that the animals are marked in a different manner and undergo a special check in the country of destination.
- ⁽¹²⁾ This is unnecessary except in the case of pure-bred breeding animals intended solely for reproductive purposes and which are highly valuable.
- ⁽¹³⁾ The serological test was carried out in accordance with Annex G to Directive 64/432/EEC.’;

‘ANNEX G

A. Agar gel immuno diffusion test for enzootic bovine leukosis

1. The antigen to be used in the test must contain bovine leukosis virus glycoproteins. The antigen must be standardized against a standard serum (EI serum) supplied by the State Veterinary Serum Laboratory, Copenhagen.
2. The official institutes indicated below must be made responsible for calibrating the standard working antigen of the laboratory against the official EEC standard serum (EI serum) provided by the State Veterinary Serum Laboratory, Copenhagen.

(a) Germany:	Bundesforschungsanstalt für Viruskrankheiten der Tiere, Tübingen
(b) Belgium:	Institut national de recherches vétérinaires, Bruxelles
(c) France:	Laboratoire des Médicaments Vétérinaires, Fougères
(d) Grand Duchy of Luxembourg:	—
(e) Italy:	Istituto Zooprofilattico Sperimentale, Perugia
(f) Netherlands:	Centraal Diergeneeskundig Instituut, Afdeling Rotterdam
(g) Denmark:	Statens Veterinære Serum Laboratorium, Copenhagen
(h) Ireland:	Veterinary Research Laboratory, Abbotstown, Dublin
(i) United Kingdom:	<ol style="list-style-type: none"> 1. Great Britain: The Central Veterinary Laboratory, Weybridge, England 2. Northern Ireland: The Veterinary Research Laboratory, Stormont, Belfast
3. The standard antigens used in the laboratory must be submitted at least once a year to the EEC reference laboratories listed in paragraph 2 above for testing against the official EEC standard serum. Apart from this standardization the antigen in use can be calibrated in accordance with B.
4. The reagents for the test shall consist of:
 - (a) antigen: the antigen must contain specific glycoproteins of enzootic bovine leukosis virus which has been standardized against the official EEC serum;
 - (b) the test serum;
 - (c) known positive control serum;

(d) Agar gel,

0.8 % agar,

8.5 % NaCl,

0.05 M Tris-buffer pH 7.2,

15 ml of this agar must be introduced into a Petri dish of 85 mm diameter, resulting in a depth of 2.6 mm of agar.

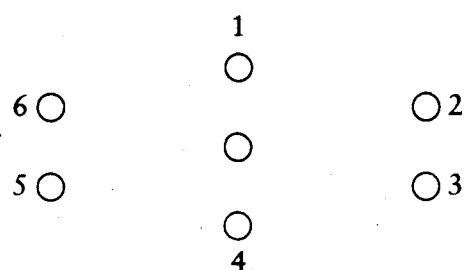
5. A test pattern of seven moisture-free wells must be cut in the agar to the bottom of the plate; the pattern must consist of one central well and six wells in a circle around it.

Diameter of central well: 4 mm

Diameter of peripheral wells: 6 mm

Distance between central and peripheral wells: 3 mm

6. The central well must be filled with the standard antigen. The peripheral wells 1 and 4 (see diagram below) are filled with the known positive serum, the wells 2, 3, 5 and 6 with the test sera. The wells must be filled until the meniscus disappears.



7. This results in the following quantities being obtained:

antigen: 32 µl;

control serum: 73 µl;

test serum: 73 µl.

8. Incubation must be for 72 hours at room temperature (20 to 27 °C) in a closed humid chamber.
9. The test may be read at 24 and 48 hours but a final result may not be obtained before 72 hours:
- (a) a test serum is positive if it forms a specific precipitin line with the BLV antigen and forms a complete line of identity with the control serum;
 - (b) a test serum is negative if it does not form a specific precipitin line with the BLV antigen and if it does not bend the line of the control serum;
 - (c) the reaction cannot be considered conclusive if it:
 - (i) bends the line of the control serum towards the BLV antigen well without forming a visible precipitin line with the antigen; or
 - (ii) if it cannot be read either as negative or as positive.

In inconclusive reactions the test may be repeated and concentrated serum utilized.

B. Method for antigen standardization

Solutions and materials required:

1. 40 ml of 1.6 % agarose in 0.05 % M Tris/HCl buffer, pH 7.2 with 8.5 % NaCl.
2. 15 ml of a bovine leukosis serum, having antibody only to bovine leukosis virus glycoproteins, diluted 1:10 in 0.05 M Tris/HCl buffer, pH 7.2 with 8.5 % NaCl.
3. 15 ml of a bovine leukosis serum, having antibody only to bovine leukosis virus glycoproteins, diluted 1:5 in 0.05 M Tris/HCl buffer, pH 7.2 with 8.5 % NaCl.

4. Four plastic petri dishes with a diameter of 85 mm.
5. A punch with a diameter of 4 to 6 mm.
6. A reference antigen.
7. The antigen which is to be standardized.
8. A water bath (56 °C).

Procedure:

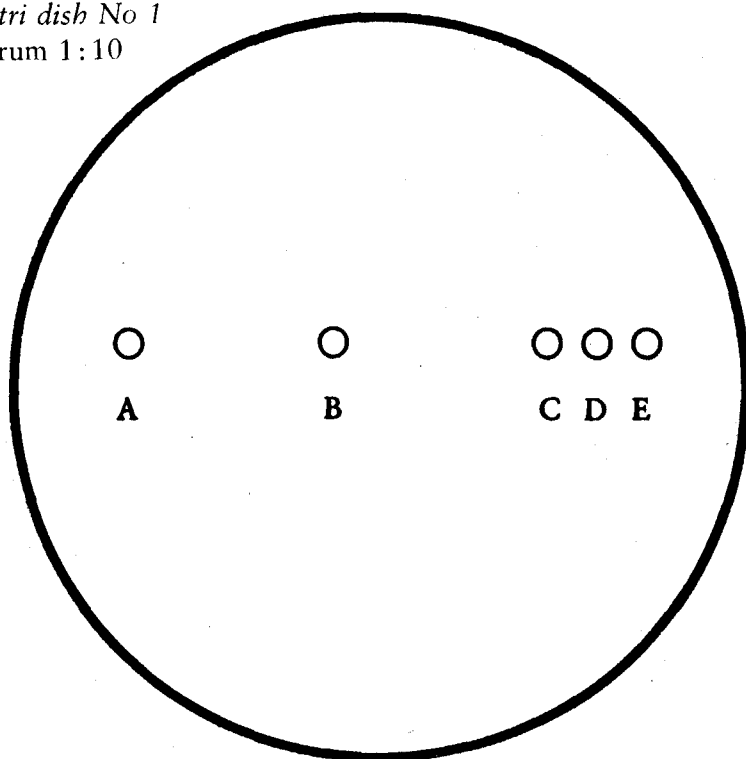
Dissolve the agarose (1.6 %) in the Tris/HCl buffer by carefully heating to 100 °C. Place in 56 °C water bath for approximately one hour. Also, place the bovine leukosis serum dilutions in 56 °C water bath.

Now, mix 15 ml of the 56 °C agarose solution with the 15 ml bovine leukosis serum (1:10), quickly shake and pour 15 ml into each of two petri dishes.

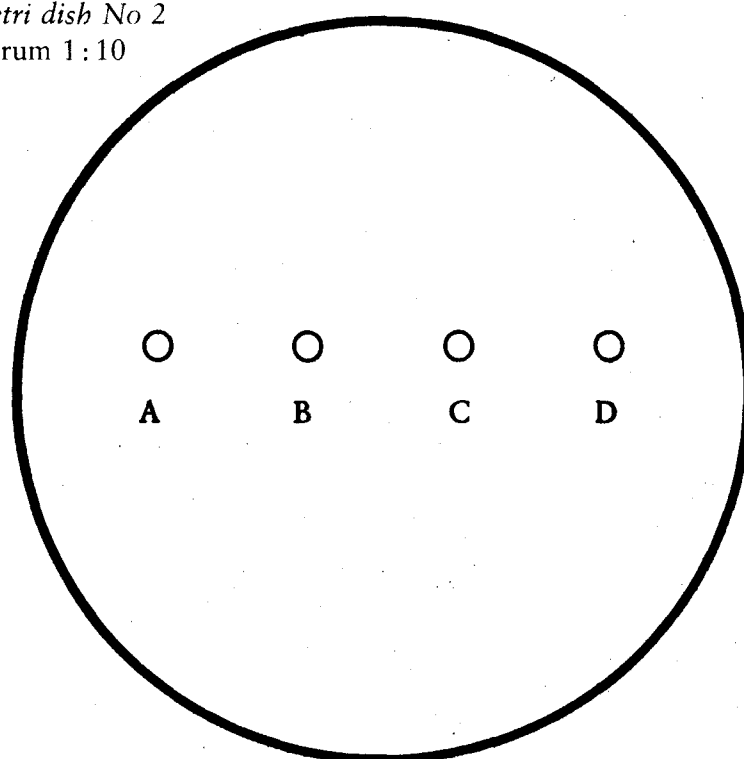
Repeat this procedure with the bovine leukosis serum diluted 1:5.

When the agarose has hardened, holes are made in it as follows:

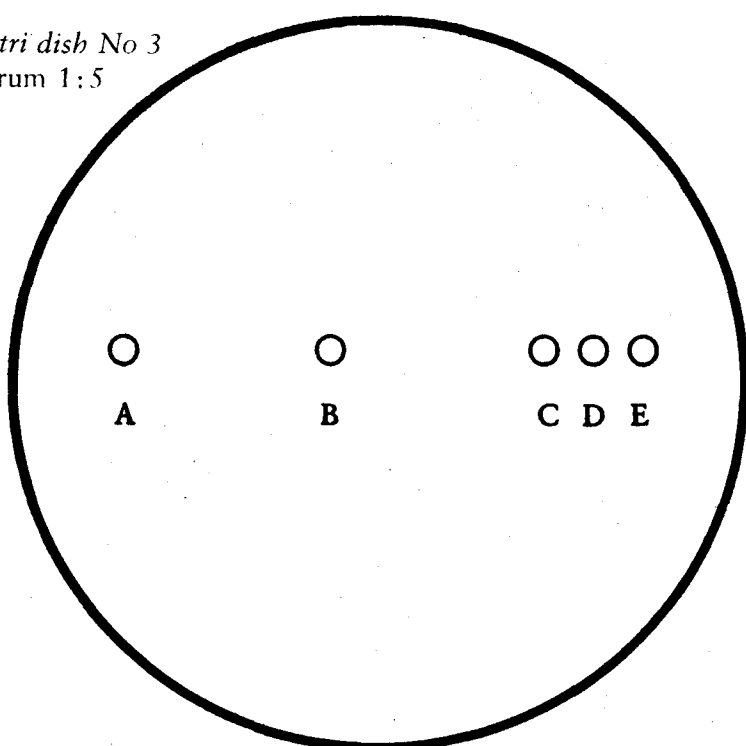
Petri dish No 1
Serum 1:10



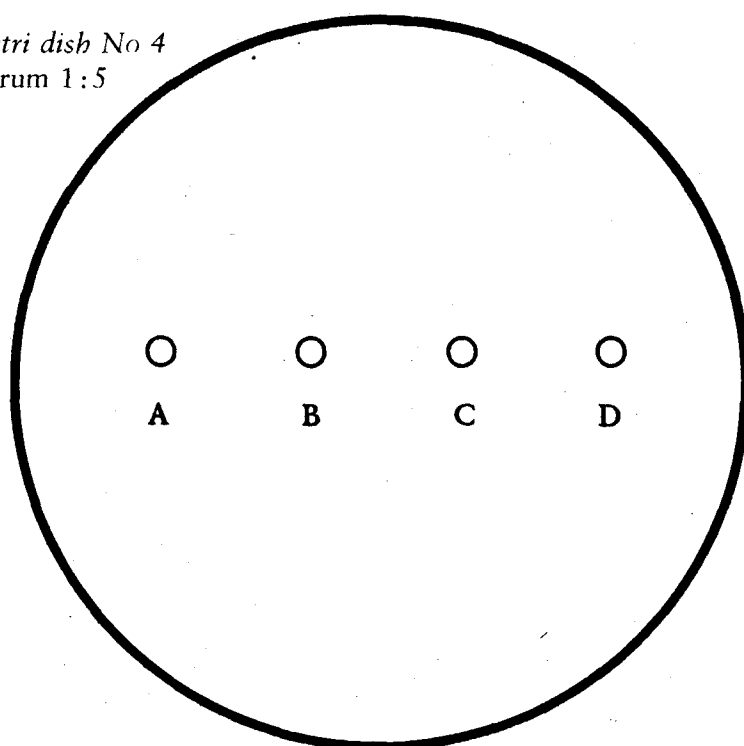
Petri dish No 2
Serum 1:10



Petri dish No 3
Serum 1:5



Petri dish No 4
Serum 1:5



Addition of antigen:

I. Petri dishes 1 and 3

- well A = undiluted reference antigen,
- well B = 1:2 diluted reference antigen,
- wells C and E = reference antigen,
- well D = undiluted antigen to be tested.

II. Petri dishes 2 and 4

- well A = undiluted test antigen,
- well B = 1:2 diluted test antigen,
- well C = 1:4 diluted test antigen,
- well D = 1:8 diluted test antigen.

Additional instructions:

1. The experiment shall be carried out with two serum dilutions (1:5 and 1:10) in order to achieve optimal precipitation.
2. If the precipitation diameter is too small with both dilutions, then the serum must be further diluted.
3. If the precipitation diameter in both dilutions is too large and faint, then a lower serum must be chosen.
4. The final concentration of the agarose must be 0.8 %; that of the sera 5 % and 10 % respectively.
5. Plot the measured diameters in the following coordinate system. The dilution of the antigen to be tested with the same diameter as the reference antigen is the working dilution.

Diameter

mm

13

12

11

10

9

8

7

6

5

4

3

2

1

1:1

1:2

1:3

1:4

1:5

1:6

1:7

1:8

Dilutions of antigens

Article 2

Member States which, on the date of implementation of this Directive, are not applying a compulsory national or regional programme for the prevention of enzootic bovine leukosis, shall introduce a minimum programme for the eradication of this disease including at least the following requirements:

- all tumours in the organs and the lymphatic system of bovines must be notified and must be examined

histologically by a veterinary laboratory which is directly supervised by a laboratory mentioned in Annex G,

- all cattle in herds which have had contagious contact with an animal found to be suffering from leukotic tumours shall be subjected to a test for enzootic bovine leukosis carried out in accordance with the requirements of Annex G and in a laboratory directly supervised by a laboratory mentioned in Annex G,

— in a herd in which an animal is found to be afflicted with a leukotic tumour and the diagnosis of enzootic bovine leukosis has been confirmed, infected animals may be removed only for slaughter under the supervision of the veterinary authorities. The herd should remain under official control until such time as it has shown a negative reaction to at least three tests carried out at six-monthly intervals on all the cattle over 24 months of age and in accordance with the requirements of Annex G in a laboratory directly supervised by a laboratory mentioned in Annex G.

Article 3

Article 1 shall apply until 31 December 1985.

The Commission shall submit to the Council before 31 December 1984 a report on the application of this Directive accompanied by proposals concerning the definitive arrangements.

The Council shall take a decision on these proposals before 1 July 1985.

Article 4

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive not later than 1 January 1981. They shall forthwith inform the Commission thereof.

Article 5

This Directive is addressed to the Member States.

Done at Brussels, 11 November 1980.

For the Council

The President

C. NEY
