

II

(Preparatory Acts)

COMMISSION

Proposal for a Council Directive amending Directives 64/432/EEC and 72/461/EEC as regards certain measures relating to foot-and-mouth disease, Aujeszky's disease and swine vesicular disease

(Submitted by the Commission to the Council on 13 September 1982)

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 Council Directive 64/432/EEC⁽¹⁾, as last amended by Directive 82/61/EEC⁽²⁾, lays down the conditions to be met as regards health by live cattle and pigs intended for intra-Community trade;

Whereas Aujeszky's disease represents a danger to the Community pig herd; whereas there should therefore be guarantees to prevent the spread of the disease;

Whereas, in view of the development of foot-and-mouth disease and swine vesicular disease in the Community, only Community measures to which Member States which have been free of foot-and-mouth disease for over two years, which do not practise vaccination against that disease and which do not allow the presence of vaccinated animals on their territory may subject the entry to their territory of cattle and pigs from other Member States should be retained for an additional period; whereas, in addition, if foot-and-mouth disease occurs accidentally in a defined part of the territory of those Member States the right to apply the provisions in question must be retained if the disease is eliminated by the slaughter and destruction of all animals of the susceptible species at the places where the outbreaks occur without recourse to vaccination;

Whereas Council Directive 72/461/EEC⁽³⁾, as last amended by Directive 81/476/EEC⁽⁴⁾, lays down the conditions to be met as regards health by animals whose meat is intended for intra-Community trade;

Whereas the favourable trend of foot-and-mouth disease in the Community makes it possible gradually to lay down Community measures to replace the special arrangements which some Member States were authorized to apply in trade in fresh meat,

HAS ADOPTED THIS DIRECTIVE:

Article 1

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

1. In Article 3:

(a) in paragraph 2 (c) (iii) the term 'Aujeszky's disease' is inserted between the words 'swine fever' and 'contagious porcine paralysis';

(b) in paragraph 4, the following clause is added to the first sentence:

'also from a holding in which vaccination is not carried out against Aujeszky's disease or is only carried out with a dead vaccine'.

2. In Article 4b:

(a) in the first and penultimate paragraphs '31 December 1982' is replaced by '31 December 1985';

(b) the following paragraph is added:

'The Member States defined in the first paragraph continue to qualify for application of this Article when foot-and-mouth disease has occurred in a defined part of their territory and has been eliminated by slaughter and destruction of all animals of susceptible species

⁽¹⁾ OJ No 121, 29. 7. 1964, p. 1977/64.

⁽²⁾ OJ No L 29, 6. 2. 1982, p. 13.

⁽³⁾ OJ No L 302, 31. 12. 1972, p. 24.

⁽⁴⁾ OJ No L 186, 8. 7. 1981, p. 20.

at the places where the outbreaks occur without recourse to vaccination.'

3. The following is added to Annex E at point (b):
'Aujeszky's disease'.
4. In Annex F, Model III, point V:
- (a) under (c) the two following indents are added:
- from a holding in which vaccination against Aujeszky's disease is not carried out (?),
 - from a holding in which vaccination against Aujeszky's disease is only carried out using a dead vaccine (?).
- (b) under (e), last line, the term 'Aujeszky's disease' is inserted between the words 'swine fever' and 'and contagious swine paralysis'.

Article 2

Article 13 of Directive 72/461/EEC is hereby replaced by the following:

Article 13

Until 31 December 1985 Ireland and the United Kingdom in respect of Northern Ireland may oppose, on the grounds of protection against foot-and-mouth disease, the introduction into

their territory of fresh meat of animals not coming from:

- another Member State on the territory of which no outbreak of foot-and-mouth disease has been recorded for at least one year and where national rules require the slaughter and destruction of all animals of species susceptible to foot-and-mouth disease in the places where the outbreaks occur, or from
- another Member State having satisfied the above conditions on whose territory foot-and-mouth disease had been detected in a limited area and was eliminated more than six months previously by the slaughter and destruction of all animals of susceptible species in the places where the outbreaks occurred, without recourse to vaccination.'

Article 3

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive not later than 1 January 1983.

Article 4

This Directive is addressed to the Member States.