

## 2. Conclusions

The Committee agrees with most of the Commission document, but it does not go far enough. In the future, with the increase in air traffic movements, and more crowded skies, air

safety will become a greater problem in the years to come. Therefore the period for revision of the regulation can be shorter than five years. There is also a need to tighten up safety on EU airlines, i.e. the amount of hand luggage allowed to carry on board. Also the proficiency of English of the Air Traffic Controllers, and a proper definition of crew rest periods, etc.

Brussels, 28 September 2005

The President  
of the European Economic and Social Committee  
Anne-Marie SIGMUND

---

### Opinion of the European Economic and Social Committee on the 'Proposal for a Council Directive on Community measures for the control of Avian Influenza' and the 'Proposal for a Council Decision amending Council Decision 90/424 EEC on expenditure in the veterinary field'

(COM(2005) 171 final — 2005/0062 + 0063 CNS)

(2006/C 24/05)

On 14 June 2005 the Council decided to consult the European Economic and Social Committee, under Article 37 of the Treaty establishing the European Community, on the abovementioned proposals.

The Section for Agriculture, Rural Development and the Environment, which was responsible for preparing the Committee's work on the subject, adopted its opinion on 7 September 2005. The rapporteur was Mr Donnelly.

At its 420th plenary session, held on 28 and 29 September 2005 (meeting of 28 September), the European Economic and Social Committee adopted the following opinion by 160 votes to one with 5 abstentions.

## 1. Introduction

1.1 Avian Influenza (AI) is a highly contagious viral disease of poultry, which can also spread to other animals and occasionally to humans. In recent months China has implemented a major vaccination programme after migrating wild geese were found killed by the virus in the western Qinghai province.

1.2 During recent outbreaks of the highly pathogenic form of the disease which occurred in several parts of the world, including some EU Member States, more than 200 million poultry have died or have been killed and destroyed with the aim to control the disease. This mass killing and destruction of animals has raised major ethical, animal welfare, economic, social and environmental concerns particularly among EU citizens.

1.3 The Influenza virus' ability to rapidly mutate and adapt poses a particular threat to animal and human health. Although current knowledge indicates that the health risks posed by the so-called Low Pathogenic AI (LPAI) viruses are inferior to the ones posed by the Highly Pathogenic AI (HPAI) viruses, the

latter originate from a mutation of certain LPAI viruses, namely those of types H5 and H7, and can cause a disease in poultry with a very high mortality rate. Data available indicates that HPAI viruses of types H5 and H7 have been responsible for the vast majority of the cases of AI reported in humans and all cases of human deaths due to AI viruses. Although there is evidence regarding the transmission to humans of LPAI virus of type H9 arising from pigs and poultry, the actual threat to human health remains unclear.

1.4 Uncontrolled Avian Influenza outbreaks have the potential to lead to the emergence of a virus fully adapted to humans and ultimately leading to an Influenza pandemic with devastating health and socio-economic consequences for the world.

## 2. Gist of Commission proposal

2.1 The first proposal sets out to repeal Directive 92/40/EEC on Avian Influenza and to replace it by a new Directive updating existing provisions.

2.2 The proposal includes a change in the definition of Avian Influenza to encompass LPAI as well as HPAI viruses. Control measures however will vary reflecting the different risks posed by LPAI and HPAI viruses.

2.3 The proposal introduces compulsory surveillance and control measures for LPAI. It is proposed that Member States be required to submit LPAI surveillance plans for early detection of LPAI for Commission approval so that the disease control measures can be rapidly applied and mutation of LPAI to HPAI is prevented.

2.4 It is proposed that positive identification of LPAI would prompt control measures, which would include the option of controlled slaughter when the risks are judged negligible. Stamping out would however not be excluded as a control measure when it would be deemed appropriate.

2.5 New and flexible provisions on the vaccination of poultry and other birds are envisioned. This includes the possibility of the use of both 'emergency' and 'protective' vaccination.

2.6 It is proposed to include domestic birds other than poultry such as those kept in zoos in provisions for the control of both LPAI and HPAI. It is proposed however that it would be a matter for Member States to decide on whether to adopt a vaccination or stamping out approach on the basis of risk analysis.

2.7 Provisions regarding the co-operation between veterinary and public health authorities in the case of detection of AI are proposed as a public health protection measure.

2.8 It is proposed to adopt a provision to introduce a rapid decision-making process by means of the Comitology procedures.

2.9 It is proposed in the second proposal to include the Community financial assistance provision to eradication measures relating to LPAI carried out by Member States.

2.10 It is also proposed that the Commission may examine the possibility of establishing an avian influenza vaccine bank.

### 3. General comments

3.1 The EESC welcomes this proposal as an important response to increasing outbreaks of Avian Influenza, the

presence of the virus in wild birds, experience gained from the management of outbreaks and new knowledge on the ability of the influenza virus to mutate including LPAI virus.

3.2 The EESC is also very conscious of the potential risk to public health and animal health if new measures to control the disease are not adopted.

3.3 The EESC regards the new definition of Avian Influenza and the requirement of surveillance and control of LPAI as an important step in the battle against the virus and its potential negative impacts.

3.4 The EESC accepts the negative public reaction to a policy of mass slaughter of birds as the sole means of controlling Avian Influenza.

3.5 The EESC recognises the knowledge gained in relation to vaccination and welcomes the introduction of an emergency and protective vaccination policy as an additional tool in the control of Avian Influenza.

3.6 The EESC welcomes the proposal for the mandatory notification of Avian Influenza to public health authorities.

### 4. Specific comments

4.1 The EESC recognises the potential risks in the area of animal health particularly as a consequence of the EU's new borders following enlargement; the EESC therefore recommends that sufficient resources are made available by the Commission for the inspection and auditing of the implementation and transposition of relevant Directives.

4.2 The EESC understands the international dimensions of Avian Influenza and requests the Commission to seek equivalent control worldwide regarding Avian Influenza Controls.

4.3 While the EESC welcomes the financial package and the EU contribution when using stamping out as a means of controlling LPAI, it proposes that the compensation figure should increase from 30 % to 50 %.

### 5. Conclusions

5.1 The EESC supports the Commission's proposal, in the interests of the protection of animal and human health arising out of the rapidly mutating and adapting avian influenza virus.

Brussels, 28 September 2005.

The President  
of the European Economic and Social Committee  
Anne-Marie SIGMUND