



AMENDMENTS

to the

RULES FOR

PREVENTION AND CONTROL

(Delegated Regulation (EU) 2020/687)

Animal Health Advisory Committee

10 November 2023

European Commission,
DG Health and Food Safety
Unit G2 – Animal Health

Last amendment

Commission Delegated Regulation (EU) 2023/751

- published in the OJ of the EU on 20 February 2023
- in force since 12 March 2023

Amendments concerned by DR (EU) 2023/751

Article 21 – Establishment of a restricted zone, to include derogation in case of outbreak in establishment keeping **up to 50 captive birds**

Articles 28 and 43 - General conditions to grant derogations, to include cooperation between competent authorities of origin and destination when **designating establishment of destination**

Articles 30 and 46 - Movements of ready-to-lay poultry from protection/surveillance zones, to add **possibility to move in an epidemiological unit**

Articles 39 and 55 – Duration of disease control measures, to clarify the **starting point of counting** the minimum period to maintain the protection and surveillance zones

Article 46 (1) – Movements of day-old chicks, to include derogation to move DOC from establishments in the surveillance zone if hatched from eggs **originating in the restricted zone**

Annex VII – Risk mitigating treatments for products of animal origin, **enabling treatments** for ASF and SPGP

New amendments

- under discussion in the Expert group
- are based on:

a) EFSA scientific opinions (SO) published:

- in 2021: 15 SO on assessment of control measures for all category A diseases:
 - ✓ sampling procedures,
 - ✓ monitoring period,
 - ✓ minimum radius of restricted zone,
 - ✓ minimum duration of measures
- in 2022: SO for prohibitions in restricted zones and risk-mitigating treatments for products of animal origin and other materials

b) comments from stakeholders as per experience with implementation

Terrestrial animals

Compartments

Changes in Articles 28(1) and 43(1)

- to include possibility for CA to derogate from prohibitions in PZ and SZ for movements from establishments part of compartments approved in accordance with Delegated Regulation (EU) 2024/....
- to add reference to Art. 53 and 54 in Article 43(1)

RATIONAL

The draft Delegated Regulation on compartments (for poultry) is under development by the Commission and discussed with experts.

Changes - to open the grounds for approved compartments to benefit from the special health status

Day-old chicks

Change in **Article 46(1) point (b)**

to enable movement of DOC from RZ to any establishment, if they were hatched from eggs originating outside the restricted zone

RATIONAL

Such derogation was provided by Directive 2005/94/EC and it is DEEMED TO BE SAFE.

Young turkeys

Changes in **Article 30 and 46**

to enable movement of young turkeys from RZ as it is the case for ready to lay poultry, where movement prohibition may create animal welfare problems

Manure, including litter and used bedding

Changes to Art. 35 and 51

- **to add treatment for manure from PZ when moved to a landfill**
and
- **to clarify scope of Art. 51 (only for movements to landfill)**

Duration of the control measures

Change of Article 55:

- to **add the condition to complete final cleaning and disinfection before lifting disease control measures**

RATIONAL

Add clarity and ensure consistence with Article 68 of AHL

Repopulation and lifting of measures

Changes to:

- **clarify title of the Chapter**, to refer to measures in case of repopulation and disease control measures in the affected establishment

- **add possibility** to lift measures even when repopulation is not intended

Monitoring period

Changes in ANNEX II :

Increase in the monitoring period for:

- Contagious bovine pleuropneumonia (**CBPP**) from 45 days **to 90 days**
- Classical swine fever (**CSF**) from 15 days **to 25 days**

MINIMUM RADIUS OF RESTRICTED ZONE

Changes in ANNEX V :

Category A diseases	Protection Zone	Surveillance Zone
Foot and mouth disease	3 km	10 km
Infection with rinderpest virus	34 km	10 km
Infection with Rift Valley fever virus	20 km	50 km
Infection with lumpy skin disease virus	20 km	50 km
Infection with <i>Mycoplasma mycoides subsp. mycoides SC</i> (Contagious bovine pleuropneumonia)	Establishment 1 km	3 km
Sheep pox and goat pox	35 km	1020 km
Infection with peste des petits ruminants virus	35 km	1020 km
Contagious caprine pleuropneumonia	Establishment 1 km	3 km
African horse sickness	100 km	150 km

RATIONAL

Increase recommended by EFSA as the **current radiuses** were assessed as **not effective** to sufficiently contain the spread to outside the zone.

RISK-MITIGATING TREATMENTS

ANNEXES VII and VIII are revised to:

- **Remove** treatments considered **not-effective** based on EFSA assessment
- **Clarify description** of certain treatments
- **Add** treatments:
 - ✓ included in **WOAH** Terrestrial code, or
 - ✓ assessed by EFSA as **effective alternative** treatment

MARKING OF FRESH MEAT

ANNEX IX revised to:

Changes in:

- **revise the shape of the special health mark for fresh meat** not intended to other Member State or third country due animal health reasons
 - from poultry originating in the protection zone
 - from animals kept in the restricted zone established based on AHL (safeguard acts)

RATIONAL: to ensure consistency of the same special health mark to be used for all species for the same type of movement

- **Transitional period** (until 1 January 2035) **for the square mark** to continue to be used for fresh meat of poultry from PZ + **clarification of description** for the format and content of that mark

DURATION OF MEASURES IN PZ and SZ

ANNEXES X and XI are revised:

Category A diseases	Minimum period of duration of measures in the protection zone (Art 39.1)	Additional period of duration of surveillance measures in the protection zone (Art. 39.3)
Foot and mouth disease	15 days	15 days
Infection with rinderpest virus	21 days	9 days
Infection with Rift Valley fever virus	30 days	15 days
Infection with lumpy skin disease virus	28 days	17 days
Infection with <i>Mycoplasma mycoides subsp. mycoides SC</i> (Contagious bovine pleuropneumonia)	45-90 days	Not applicable
Sheep pox and goat pox	21 days	9 days
Infection with peste des petits ruminants virus	21 days	9-12 days
Contagious caprine pleuropneumonia	45 days	Not applicable
African horse sickness	12 months	Not applicable
Infection with <i>Burkholderia mallei</i> (Glanders)	6 months	Not applicable
Classical swine fever	15-25 days	15 days
African swine fever	15 days	15 days
Highly pathogenic avian influenza	21 days	9 days
Infection with Newcastle disease virus	21 days	9 days

Category A diseases	Minimum period of duration of measures in the surveillance zone
Foot and mouth disease	30 days
Infection with rinderpest virus	30 days
Infection with Rift Valley fever virus	45 days
Infection with lumpy skin disease virus	45 days
Infection with <i>Mycoplasma mycoides subsp. mycoides SC</i> (Contagious bovine pleuropneumonia)	45-90 days
Sheep pox and goat pox	30 days
Infection with peste des petits ruminants virus	30-33 days
Contagious caprine pleuropneumonia	45 days
African horse sickness	12 months
Infection with <i>Burkholderia mallei</i> (Glanders)	Not applicable
Classical swine fever	30-40 days
African swine fever	30 days
Highly pathogenic avian influenza	30 days
Infection with Newcastle disease virus	30 days

RATIONAL

Increase recommended by EFSA as the **current durations** were assessed as **not effective** to detect infected establishments and to prevent movement of animals from restricted zone.

Aquatic animals

in Article 75

point (b) is replaced by the following:

‘(b) the movement of aquatic animals in the vicinity of the suspected establishment;’

RATIONAL

To specify that one of the elements to be considered when a temporary restricted zone is established around an establishment which is suspected to be infected, is the movement of ‘aquatic animals’

Article 78

10. in Article 78(1), point (f) is replaced by the following:

‘(f) all potentially contaminated materials or substances shall be isolated until:

- (i) cleaning and disinfection measures have been completed in accordance with the provisions in Article 80, in the case of materials and substances which are fit for cleaning and disinfection; and
- (ii) they are removed from the establishment and disposed of under the supervision of official veterinarians, in the case of feeding stuff and other materials for cleaning and disinfection.’;

11. in Article 78, paragraph (5) is deleted;

RATIONAL

It is proposed to delete:

- the word ‘products’ from the introductory sentence of point (f) of Article 78(1) and
- points (f)(i) and (ii) of the same Article

because points (f)(i) and (ii) contain provisions concerning animal by-products and products of animal origin which are already covered in paragraphs 1(b) and 3 of that Article. As a consequence, paragraph 5 of that Article should also be deleted.

Article 83

12. is replaced by the following:

‘1. When granting a derogation pursuant to **Article 78(3)**, the competent authority may allow the placing on the market of products of animal origin from aquatic animals only if the following conditions are fulfilled:

- (a) fish must be slaughtered and eviscerated before dispatch;
- (b) molluscs and crustaceans must be fully traceable and processed to non-viable products unable to survive if returned to the water, before dispatch.

When purification is required before processing and placing on the market, it shall be conducted at a disease control aquatic food establishment.

2. The products of animal origin referred to in paragraph 1 shall be intended for:

- (a) direct supply to the final consumer; or
- (b) for further processing in a **disease control aquatic food establishment**.’;

RATIONALE

- A cross reference to **Article 78(3)** is introduced, to take account of the amendments described in previous slide
- To ensure consistency throughout the Regulation, reference to ‘bio-secure purification centre’ should be deleted. Molluscs from establishments which are infected with a Cat A disease should only be purified in **a disease control aquatic food establishment**

Article 90

13. in (2), point (a) is replaced by the following:

‘(a) all movements must be carried out exclusively via designated routes, agreed with the competent authority, without unloading;’;

RATIONALE

Article 90(2), point (a) of CDR (EU) 2020/687 stipulates that when movements are authorised within the protection zone, they must be carried out exclusively via designated routes, without unloading or stopping. Logistically, it may however, be necessary to stop, for instance to exchange or discharge water. It is therefore, proposed that the **reference to stopping should be deleted** from that Article.

Article 99 (1)

14. paragraph (1) is replaced by the following:

‘1. The competent authority shall prohibit any movements of aquaculture animals from establishments within the surveillance zone for slaughter, **further keeping** or release into the wild outside the surveillance zone.’;

RATIONALE:

To be consistent with the terminology used in Regulation (EU) 2016/429, ‘further farming’ should be changed to ‘further keeping’

Article 99(4)

15. in, paragraph (4) is replaced by the following:

‘4. By way of derogation from paragraph 1, and in agreement with the competent authority at the place of destination, the competent authority may authorise movements of aquaculture animals, **other than for release into the wild**, provided that appropriate biosecurity measures to prevent the spread of the category A disease, are applied.’

RATIONALE:

Article 99, paragraph (4) allows the CA, in agreement with the CA at the place of destination, to authorise movements of aquaculture animals, provided that appropriate biosecurity measures are applied to prevent the spreading of the category A disease. While this derogation is appropriate for many types of movement, it is not appropriate for animals which are to be released into the wild, where such release may result in the infection of natural waters, from which eradication may be very difficult. The derogation set out in Article 99, paragraph (4) should therefore, be limited to movements, other than for the purpose of release into the wild.

Annex XII

25. in Annex XII, point (1)(a) and (b) are replaced by the following:

- (a) the clinical examination and the sampling for laboratory examinations must include, **as relevant**:
- (i) aquaculture animals of listed species showing clinical signs of the relevant category A disease;
 - (ii) aquaculture animals likely to have recently died from the suspected or confirmed category A disease; **or**
 - (iii) aquaculture animals suspected of being infected due to an epidemiological link to a suspected or confirmed case of a category A disease, or based on other circumstances;
- (b) the minimum number of samples to be collected is:

	Scenario		
Type of animals	Report of increased mortality	Post-mortem or clinical signs observed	Suspicion based on epidemiological link or other circumstances
Molluscs (the whole animal)	30	—	150
Crustaceans	30	10	150
Fish	30	10	150

Annex XII

RATIONALE :

22. in

- Para 1(a) of Annex XII is amended to clarify that the relevant scenarios which necessitate clinical examination and sampling may arise independently of each other (rather than being linked)
- Para 1(b) of Annex XII has some errors and omissions. Therefore:
 - sample sizes have been adjusted based on information from the EURL
 - the column entitled ‘Introduction of infected animals’ has been deleted as the remaining 3 columns adequately cover possible scenarios

Annex XV

26. Table 2 of Annex XV is amended by:

- differentiating the table into points 1. (*Specific scheme for surveillance comprising health visits and sampling in establishments for epizootic haematopoietic necrosis (EHN) in aquatic animals*), and 2. (*Duration of the control measures in the surveillance zone*). Currently the number ‘1’ has been omitted, while ‘2’ is present.
- changing ‘health inspections’ to ‘health visits’
- deleting redundant text i.e. deleting ‘(2 years)’ from the heading of the second and third columns of the table entitled (*Specific scheme for surveillance comprising health visits and sampling in establishments for epizootic haematopoietic necrosis (EHN) in aquatic animals*), as this information is already set out in the table entitled ‘2. *Duration of the control measures in the surveillance zone.*’
- **RATIONALE:**
- Improve the readability of Table 2
- Avoid confusion between terminology used in the AHL (‘visits’) versus terminology used in the OCR (‘inspections’)

Corrections

- A number of errors have been detected which should be corrected
- Proposed corrections are set out in points 1-7 of Article 2

Thank you