



EUROPEAN
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COMMISSION IMPLEMENTING DECISION

of 12.6.2015

**on the adoption of a financing decision regarding the Union contribution to emergency
measures to combat African swine fever in Hungary and in Slovakia in 2014**

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THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) No 652/2014 of the European Parliament and of the Council of 15 May 2014 laying down provisions for the management of expenditure relating to the food chain, animal health and animal welfare, and relating to plant health and plant reproductive material, amending Council Directives 98/56/EC, 2000/29/EC and 2008/90/EC, Regulations (EC) No 178/2002, (EC) No 882/2004 and (EC) No 396/2005 of the European Parliament and of the Council, Directive 2009/128/EC of the European Parliament and of the Council and Regulation (EC) No 1107/2009 of the European Parliament and of the Council and repealing Council Decisions 66/399/EEC, 76/894/EEC and 2009/470/EC¹, and in particular Articles 6 and 36(4) thereof,

Having regard to Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union and repealing Council Regulation (EC, Euratom) No 1605/2002², and in particular Article 84(2) thereof,

Whereas:

- (1) African swine fever (ASF) is an infectious disease with a severe impact on the profitability of farming, causing disturbance to trade within the Union and export to third countries.
- (2) In the event of an occurrence of ASF in a Member State, there is a risk that the disease agent spreads to other holdings within that Member State, but also to other Member States and to third countries through trade in live animals or their products.
- (3) Council Directive 2002/60/EC³ introducing Union measures for the control of ASF sets out measures which, in the event of an occurrence of the disease, have to be immediately implemented by Member States, as a matter of urgency to prevent further spread of the virus.
- (4) In accordance with Article 84 of Regulation (EU, Euratom) No 966/2012, the commitment of expenditure from the Union budget shall be preceded by a financing decision setting out the essential elements of the action involving expenditure and adopted by the institution or the authorities to which powers have been delegated by

¹ OJ L 189, 27.6.2014, p. 1.

² OJ L 298, 26.10.2012, p. 1.

³ Council Directive 2002/60/EC of 27 June 2002 laying down specific provisions for the control of African swine fever and amending Directive 92/119/EEC as regards Teschen disease and African swine fever (OJ L 192, 20.7.2002, p. 27).

the institution. Article 94 of Commission Delegated Regulation (EU) No 1268/2012⁴ establishes detailed rules on financing decisions.

- (5) Pursuant to Article 6(3) of Regulation (EU) No 652/2014, grants may be awarded to Member States, in respect of protection measures taken in the case of a direct threat to the health status of the Union as a result of the occurrence or development, in the territory of a third country, of one of the animal diseases and zoonoses listed pursuant to Articles 7 or 10 of same Regulation.
- (6) In January 2014 the disease has been reported in the wild boar population in Ukraine and it is still spreading in Belarus and in the Russian Federation. Therefore, the ASF situation in countries bordering the European Union represents a persistent threat to pig holdings within the Union, due to the fact that the virus may be introduced into Member States bordering the infected third countries through wild boar entering Union territory from infected areas, but also through vehicles which have transported live animals or through the unauthorised introduction into the Union of products derived from animals of the porcine species.
- (7) The risk of ASF introduction into the Union is higher for Hungary and Slovakia due to the occurrence and the evolution of this disease in the bordering territory of Belarus, the Russian Federation and Ukraine. Under these circumstances, according to Article 6(3) of Regulation (EU) No 652/2014, Hungary and Slovakia have requested a Union financial contribution towards the implementation of protective measures against ASF in their territories, such as early detection and disinfection of vehicles at the border to prevent the occurrence of the disease, in accordance with Council Directive 2002/60/EC.
- (8) The Commission has been informed on 30 April 2014 by the authorities of Hungary, and on 24 June 2014 by the authorities of Slovakia, of the protective measures applied in accordance with Union veterinary legislation.
- (9) According to Article 5(2)(b) of Regulation (EU) No 652/2014, the maximum rate of the Union financial contribution may be increased to 75 % of the eligible costs in respect of Member States whose gross national income per inhabitant, based on the latest Eurostat data, is less than 90 % of the Union average.
- (10) Article 3(2) of Regulation (EU) No 652/2014 lays down that when grants are awarded to the competent authorities of the Member States, these competent authorities shall be considered to be identified beneficiaries within the meaning of Article 128(1) of Regulation (EU, Euratom) No 966/2012. Such grants may be awarded without a call for proposals.
- (11) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

⁴ Commission Delegated Regulation (EU) No 1268/2012 of 29 October 2012 on the rules of application of Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council on the financial rules applicable to the general budget of the Union (OJ L 362, 31.12.2012, p. 1).

HAS DECIDED AS FOLLOWS:

Article 1
Objectives and expected results

1. The objectives of the actions implemented by Hungary and Slovakia are to implement protective measures against the threat of ASF, taking into account the presence of the disease in neighbouring third countries.
2. The results expected by the Commission are to support the proper implementation of the control measures against ASF in the Member States.

Article 2
Financial contribution by the Union

1. A maximum financial contribution by the Union of EUR 238 000 for emergency measures to combat ASF in:
 - Hungary (EUR 211 000 indicatively);
 - Slovakia (EUR 27 000 indicatively);shall be granted to these Member States for the costs listed in paragraph 3 for the period from 1 January 2014 to 31 December 2014.

It shall be financed from the following line of the general budget of the European Union for 2015: budget line 17.04.04: EUR 20 000 000,00.
2. This Decision constitutes a financing decision in the meaning of Article 84 of Regulation (EU, Euratom) No 966/2012.
3. The financial contribution by the Union shall be at the rate of 50% from 1 January 2014 to 29 June 2014, and of 75% from 30 June 2014 to 31 December 2014 of the following eligible costs incurred in the category of other essential costs in accordance with Article 8(1)(h) of Regulation (EU) No 652/2014:
 - (a) for Hungary:
 - sampling of wild boars;
 - ELISA laboratory tests;
 - PCR laboratory tests;
 - purchase of equipment for disinfection; and
 - purchase of disinfectants.
 - (b) for Slovakia:
 - ELISA laboratory tests; and
 - PCR laboratory tests.
4. The final amount of the financial contribution of the Union shall be fixed after assessment by the Commission of the payment application submitted by the Member States.

Article 3
Award criteria

The award criteria are:

- compliance with the requirements of Union veterinary legislation,
- relevance of the planned activities in view of the prevention of the disease.

Article 4
Flexibility Clause

Cumulated changes not exceeding 20% of the maximum contribution set in Article 2 of this Decision shall not be considered to be substantial within the meaning of Article 94(4) of Delegated Regulation (EU) No 1268/2012, where those changes do not significantly affect the nature of the actions and the objective of the actions. The increase of the maximum contribution set in Article 2 of this Decision shall not exceed 20 %.

The authorising officer responsible may adopt the changes referred to in the first paragraph in accordance with the principles of sound financial management and proportionality.

Done at Brussels, 12.6.2015

For the Commission
Vytenis ANDRIUKAITIS
Member of the Commission