



Brussels, 7.7.2015  
C(2015) 4556 final

**COMMISSION IMPLEMENTING DECISION**

**of 7.7.2015**

**on the adoption of a financing decision regarding the Union contribution to emergency  
measures to combat African swine fever in Estonia, in 2015**

## COMMISSION IMPLEMENTING DECISION

of 7.7.2015

### on the adoption of a financing decision regarding the Union contribution to emergency measures to combat African swine fever in Estonia, in 2015

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<sup>1</sup>, 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 1605/2002<sup>2</sup>, 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/EC<sup>3</sup> introducing Union measures for the control of that disease 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 the institution. Article 94 of Commission Delegated Regulation (EU) No 1268/2012<sup>4</sup> establishes detailed rules on financing decisions.
- (5) Pursuant to Article 6 of Regulation (EU) No 652/2014, grants may be awarded to Member States in respect of the measures taken as a result of the confirmation that one

---

<sup>1</sup> OJ L 189, 27.6.2014, p. 1.

<sup>2</sup> OJ L 298, 26.10.2012, p. 1.

<sup>3</sup> 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).

<sup>4</sup> 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).

of the animal diseases listed pursuant to Article 7 of that Regulation has occurred, provided that the measures have been applied immediately and the applicable provisions laid down in the relevant Union law have been complied with. Article 3(2) of that Regulation 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.

- (6) According to Article 5(2)(b) of Regulation (EU) No 652/2014, the maximum rate of the Union financial contribution may be increased up 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.
- (7) Cases of ASF occurred in Estonia and were notified on 2 January 2015. The Member State took measures in accordance with Council Directive 2002/60/EC to prevent the spread of the disease.
- (8) The authorities of Estonia, have therefore fulfilled their obligations with regard to the measures provided for in Article 6 of Regulation (EU) No 652/2014.
- (9) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

HAS DECIDED AS FOLLOWS:

#### *Article 1*

##### *Objectives and expected results*

1. The objectives of the actions implemented by Estonia are to contain the spread of ASF by application of surveillance and early response by the competent authorities in the perspective of the eradication of the disease.
2. The results expected by the Commission are to enhance the support for the proper implementation of the control measures against ASF in the Member State.

#### *Article 2*

##### *Financial contribution by the Union*

1. A maximum financial contribution by the Union of EUR 790 000,00 for emergency measures to combat ASF in Estonia shall be granted to this Member State for the costs listed in paragraph 3, for the period from 1 January 2015 to 31 December 2015.  
It shall be financed from the following line of the general budget of the European Union for 2015: budget line 17.04.04: EUR 27 113 181,75.
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 75% of the following eligible costs incurred:
  - (a) Costs of compensation, to owners for the value of their animals slaughtered or culled: (none)
  - (b) Costs of slaughtering and culling the animals and related transport: (none)
  - (c) Costs of compensation to owners for the value of their destroyed products of animal origin: (none)

- (d) Costs of cleaning, desinsectisation and disinfection of holdings and equipment, based on the epidemiology and characteristics of the pathogen: (none)
  - (e) Costs for the transport and the destruction of the contaminated feeding stuffs and, where it cannot be disinfected, contaminated equipment: (none)
  - (f) Costs of purchase, storage, administration or distribution of vaccines and baits as well as the costs of inoculation itself, if the Commission decides or authorises such actions: (none)
  - (g) Costs of transport and disposal of carcasses
  - (h) Other essential costs, in accordance with Article 8(1)(h) of Regulation (EU) No 652/2014: sampling of domestic pigs; ELISA laboratory tests; PCR laboratory tests; and purchase of equipment for disposal of carcasses and laboratory testing.
4. The final amount of the financial contribution of the Union, which will not exceed the amount mentioned in paragraph 1, shall be fixed after assessment by the Commission of the payment application submitted by Estonia.

*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 eradication of the disease.

*Article 4*  
*Flexibility clause*

Cumulated changes not exceeding 20% of the maximum contribution set in Article 1 of this Decision shall not be considered to be substantial within the meaning of Article 94(4) of Delegated Regulation (EU) N° 1268/2012, where those changes do not significantly affect the nature and the objective of the action. 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, 7.7.2015

*For the Commission*  
*Vytėnis ANDRIUKAITIS*  
*Member of the Commission*