

Minutes of the meeting of the expert group to discuss the delegated act on surveillance, eradication programmes and disease free status according to the Animal Health Law

23 April 2018, Brussels

1. APPROVAL OF THE AGENDA

A preliminary agenda was circulated and agreed at the beginning of the meeting. The working document (called hereinafter 'the document') to be discussed was provided in advance.

2. NATURE OF THE MEETING

The meeting was non-public. The Member States' and EEA countries' representatives from the competent veterinary authorities were participating in the meeting. The Chair noted that the Council and the European Parliament were not represented in the meeting.

3. DISCUSSION

3.1. Introduction, opening

The Commission exposed the forthcoming of organisation of meetings and exchanges of information.

This second meeting focussed on eradication programmes and disease free status. Revised chapters on notification and surveillance, discussed during the previous meeting were included in the document, but were not discussed at the meeting.

The Commission delivered a presentation of the inclusion of listed species according to disease categories.

3.2. Exchange of views with experts on the document

The Commission presented the document, and experts were invited to express their comments or concerns, the below issues were discussed. The provisions for eradication programme against infection with rabies virus were not discussed.

3.2.1 General comments

(i) The measures in the eradication programmes should balance the need of flexibility, to avoid unnecessary burden, and the need of legal certainty, particularly important in views of international movements of animals and products thereof. Certain disease-specific details could be developed in guidelines.

(ii) The document should be checked as regards consistency in nomenclature of species, diseases, internal or external references and terms used in the text. The wording of certain provisions needs to be clarified.

3.2.2 General provisions of eradication programmes

(i) Eradication programme may, as an option, apply in disease free Member State or zones thereof where the presence of disease in wild animals is a threat to the maintenance of the disease free status. It should also be possible to apply measures outside the borders of the concerned Member State.

(ii) Caution is needed when creating a link between the epidemiological situation in wild animals and the measures in the eradication programme or the granting and maintenance of the disease free status in kept animal populations. In many circumstances the presence of the disease in wild animals is compatible with disease free status of kept animals, provided the relevant biosecurity measures are implemented. In addition, the control of disease in wild animals is very challenging. Therefore the epidemiological situation in wild animals should be taken into account on a risk-based approach so that adequate measures in kept animals and, if relevant, in wild animals are adopted, taking into account the principles laid down in the OIE codes and the outcome of the ongoing CVO discussions on wild animals.

(iii) The size and delimitation of the zones covered by eradication programme or by the approved disease free status should be such to ensure the stability of the status. Some experts expressed the importance to take into account administrative units, which size can vary a lot. Minimum size should not be an absolute constraint, it may depend on a disease. Preferably it should be defined and should be justified as it was when adopting the 2,000 km² limit included in Directive 64/432/EEC.

(iv) Experts raised concern that the submission and approval process of the eradication programme should not generate unnecessary burden and should be coordinated with the procedure for co-financing veterinary programmes. The Commission confirmed that relevant units work together on this matter so that joint procedures can be developed.

3.2.3. *Specific provisions of certain eradication programmes*

(i) The possibility to use vaccines to be foreseen for BVD and should be considered for tuberculosis if a DIVA vaccine is approved in the future was discussed. The restriction on the use of therapeutic treatment will likely need to be transferred in the Regulation based on part III of the Animal Health Law (AHL), with a more specific definition of what is forbidden. The need for record keeping information on vaccinated animals should be reformulated so it is not creating confusion with registers of animals kept by the competent authority.

(ii) The inclusion of wild animals as additional animal population of the eradication programme should be more flexible, e.g. risk based. Taking into account the epidemiological situation of wild animals should not systematically mean that they should be included in the measures of the eradication programmes. Some experts questioned the possibility to suspend the status of establishment keeping animals of targeted animal population when there is an epidemiological link with a confirmed case in wild animals.

(iii) The measures prescribed after the lifting of the disease control measures to prevent re-infection should not introduce a doubt on the efficiency of the disease control measures that have been applied.

(iv) The possibility to extend the authorisation of channelled movements of certain animals to other destination than slaughterhouse should be considered for certain diseases such as enzootic bovine leucosis.

(v) The validation of the concentration of disinfectants for the cleaning and disinfection of infected establishment should be based on Regulation (EU) 528/2012 (i.e. biocides regulation).

(vi) The restriction on the use of pastures where infected animals have grazed should be considered with proportionality, taking into account that certain species may not be authorised to graze in contaminated pastures whereas their status is unknown.

3.2.4 *Disease free status and transitional rules*

(i) The criteria for the granting and maintenance of disease free statuses should be coherent with the existing legislation and OIE internationally recognised criteria.

(ii) The fact to grant disease free status in the absence of listed species raises question but it may have certain practical applications and it is preferable to have the provisions specified.

(iii) The Commission should verify that the provisions for the suspension, withdrawal and restauration of the disease free status are not in contradiction with those laid down in Article 42(4) of the AHL.

(iv) The transitional rules for the approval of the eradication programmes approved before the entry in application of the AHL should specify if and when the eradication programmes should reflect the new provisions.

4. **CONCLUSIONS/RECOMMENDATIONS/OPINIONS AND NEXT STEPS**

The Commission obtained a valuable preliminary feedback on the developed approach and some useful information from experts in relation to eradication programmes and disease free statuses. Such inputs are important for the Commission in this phase of drafting of the future delegated act.

The Commission invited experts to provide written comments on the entire document by **11th of May 2018**.

The Commission invited experts to share information on national programmes on diseases not yet subjected to EU eradication programme and views on difficulties encountered with the existing provisions.

5. **NEXT MEETING**

The next meeting is scheduled for 11th and 12th of June 2018 to discuss a revised version of the document, disease-specific provisions and to start the discussion on the aquatic animals specific provisions.