

Minutes of the meeting of the expert group to discuss the delegated acts on Parts II and IV of Regulation (EU) 2016/429 (Animal Health Law), as they apply for certain diseases of terrestrial animals

28 January 2019, Brussels

1. APPROVAL OF THE AGENDA

A preliminary agenda was circulated and agreed at the beginning of the meeting.

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 European Parliament and the Council were not represented in the meeting.

3. INTRODUCTION

The Commission presented the following provisions of the draft delegated acts on Parts II and IV of Regulation (EU) 2016/429:

- an overview of the main changes introduced concerning infection with bluetongue (BTV) eradication programmes and a presentation as regards risks posed by transit of animals. The transit provisions are to be addressed both in the delegated act on Part II of Regulation (EU) 2016/429 and in the delegated act on Part IV of Regulation (EU) 2016/429;
- all provisions concerning terrestrial animals in the provisions of the draft delegated act on Part II of Regulation (EU) 2016/429 and the corresponding Annexes were reviewed.

4. CONCLUSIONS/RECOMMENDATIONS/OPINIONS

4.1 Concerning infection with BTV:

- The Commission clarified the interpretation of certain provisions and confirmed its positions on the following issues:
 - Animals properly vaccinated in line with the provisions of the draft are BTV safe and therefore, they will only be subject to testing before their movement if they have been vaccinated less than 60 days before the moment of the movement. They will not be subject to any additional testing as requested by some delegations.
 - Derogations for movements shall be based on animal health requirements independently of the Member State of origin.
- The Commission explained the different risks of infection with BTV associated with transit of animals of listed species, either for the place of transit or for the animals in transit. It presented principles of corresponding risk mitigating measures to be laid down respectively in delegated act on Part II of Regulation (EU) 2016/429 and in delegated act on Part IV of Regulation (EU) 2016/429. The need for specific provisions for assembly operations in that context was discussed. The Commission

took note that requirements have to be sufficiently clear for operators, including transporters.

- The Commission will circulate a revised proposal for the transit to be included in the delegated act on Part IV to receive written comments from Member States.

4.2. Concerning provisions in Articles from the draft delegated act related to Part II, the Commission presented changes introduced since the previous meeting and provided some clarifications.

- Concerning provisions on Annex I on case definition, the Commission presented final wording on Newcastle disease for better alignment with the OIE and provided some clarifications.
- Concerning provisions on Annex II on Union surveillance programme for avian influenza the Commission presented the changes introduced since the previous working document and clarified issues on the use of serological tests.
- Concerning provisions in the Annex III on diagnostic methods
 - The Commission clarified the rationale for listing tests for infection with *Brucella abortus*, *B. melitensis* and *B. suis* and will consider alternative wording to the naming of one test.
 - Regarding the diagnostic methods laid down for IBR, the Commission referred to the 'diagnostic cascade' to be followed. In the case of IBR, the diagnostic methods are in line with what is laid down in the current IBR chapter of the OIE diagnostic manual.
- Concerning provisions in the Annex IV on disease free statuses based on establishment freedom:
 - The Commission provided explanations on the provisions for infection with *Brucella abortus*, *B. melitensis* and *B. suis* and presented a new version of provisions for infection with *Mycobacterium tuberculosis* complex addressing concerns from one Member States on conditions for the introduction of animals. This alternative version did not trigger comments during the meeting; the Commission invited Member States to provide written comments.
 - The Commission clarified that the current EBL-free Member States would have to establish EBL surveillance in accordance with the new provisions laid down in the delegated act by the date of its entry into application. The period from now to this date serves as transitional period.
 - The Commission proposed a further option regarding the testing for granting the status free from IBR to establishments to allow for more flexibility. Two delegates raised concerns that the provisions on the testing regimes were still not far-reaching enough.
 - The Commission has stated that the provisions set out in Part II on the introduction of animals and the provisions on the movement of animals that are not yet in line, as set out in Part IV, will be adapted accordingly.
 - The Commission presented changes to the provisions for infection with Aujeszky's disease virus addressing concerns of one Member State regarding the interval and frequency of testing.

- The Commission explained the changes to the draft BVD provisions based on the outcome of the previous meeting. The current discussion focussed on diagnostic regimes, in particular the proposed design prevalence. Member States were invited to confirm their views regarding this issue in their written comments.
- The Commission raised the question for the need of derogations from vaccination prohibitions related to the disease-free status for 'C-diseases' for animals intended for exports.
- Concerning provisions in the Annex V on disease free statuses not based on establishment freedom:
 - The Commission presented a revision to the provisions for status free from infestation with *Varroa* spp, to be also reflected on delegated act related to Part IV.
 - The Commission presented a revision to the non-vaccination status against infection with Newcastle disease virus. In relation to discussions raised during the last expert group meeting on a delegated act related to Part IV, it was concluded to include captive birds of Galliformes species in the scope of this status.

5. NEXT STEPS

The Commission invited experts to send written comments by 15 February 2019.

6. NEXT MEETINGS

This expert group meeting was the last meeting planned for the provisions on terrestrial animals for the delegated acts on Part II and Part IV of AHL. For aquatic animals, if necessary, specific requirements for the delegated act on Part II of AHL may be discussed during the meeting scheduled for 28 February 2019.