



EUROPEAN
COMMISSION

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COMMISSION IMPLEMENTING DECISION

of 30.1.2015

**on the adoption of a financing decision regarding the Union contribution to emergency
measures to combat African swine fever in Estonia, Latvia, Lithuania and Poland 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 material¹, 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 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 1268/2012⁴ establishes detailed rules on financing decisions.

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).

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).

- (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 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 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) Article 8(2) of Regulation (EU) No 652/2014 provides that, as referred to in Article 130(1) of Regulation (EU, Euratom) No 966/2012, costs shall be eligible from the date of notification of the occurrence of the disease by the Member States to the Commission. Such costs may also include costs incurred as a result of a suspected occurrence of such a disease, provided that that occurrence is subsequently confirmed.
- (8) Outbreaks of ASF occurred in Latvia, Lithuania and Poland in 2014 and were notified on 26 of June 2014 by Latvia, on 24 of January 2014 by Lithuania, and on 17 of February 2014 by Poland. Taking into account the presence of the disease in neighbouring third countries, protective measures according to Article 6(3) of Regulation 652/2014 have been taken by Estonia. The Member States took measures in accordance with Council Directive 2002/60/EC to combat the disease. Commission Implementing Decision 2014/236/EU granted a Union financial contribution towards surveillance and other emergency measures implemented in Estonia, Latvia, Lithuania and Poland against ASF.
- (9) The authorities of Estonia, Latvia, Lithuania and Poland informed the Commission and the other Member States in the framework of the Standing Committee on Plants, Animals, Food and Feed of the measures applied in accordance with Union legislation on notification and eradication of the disease and the results thereof.
- (10) Taking into account the persistence of cases of ASF in wild boars in Estonia, Latvia, Lithuania and Poland, and the threat posed by the epidemiological situation in neighbouring countries, the Member States have revised their plans and estimated costs to strengthen the prevention, surveillance and other emergency measures in their territory.
- (11) The authorities of Estonia, Latvia, Lithuania and Poland have therefore fulfilled their obligations with regard to the measures provided for in Article 6 of Regulation (EU) No 652/2014.
- (12) 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, Latvia, Lithuania and Poland 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 four Member States.

Article 2

Financial contribution by the Union

1. A maximum financial contribution by the Union of EUR 6 836 700 for emergency measures to combat ASF in:
 - Estonia (EUR 322 200 indicatively);
 - Latvia (EUR 1 405 700 indicatively);
 - Lithuania (EUR 1 937 800 indicatively);
 - Poland (EUR 3 171 000 indicatively);

shall be granted to these Member States for the costs listed in paragraph 3 for the period from 1 July 2014 to 31 December 2014.

It shall be financed from the following line of the general budget of the European Union for 2014: budget line 17.04.04: EUR 20 000 000.

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) for Estonia:

- costs of cleaning, desinsectisation and disinfection of holdings and equipment, based on the epidemiology and characteristics of the pathogen;
- costs of transport and disposal of carcasses;
- other essential costs, in accordance with Article 8(1)(h) of Regulation (EU) No 652/2014: awareness campaign; sampling of domestic pigs; sampling of wild boars; ELISA laboratory tests; PCR laboratory tests; and purchase of equipment for disposal of carcasses, in accordance with Article 8(1)(h) of Regulation (EU) No 652/2014;

(b) for Latvia:

- costs of compensation to owners for the value of their animals slaughtered or culled;
- costs of cleaning, desinsectisation and disinfection of holdings and equipment, based on the epidemiology and characteristics of the pathogen;

- costs of transport and disposal of carcasses;
 - other essential costs, in accordance with Article 8(1)(h) of Regulation (EU) No 652/2014: awareness campaign; sampling of domestic pigs; sampling of wild boars; ELISA laboratory tests; PCR laboratory tests; and purchase of equipment for disposal of carcasses and laboratory testing;
- (c) for Lithuania:
- costs of compensation to owners for the value of their animals slaughtered or culled;
 - costs of cleaning, desinsectisation and disinfection of holdings and equipment, based on the epidemiology and characteristics of the pathogen;
 - other essential costs, in accordance with Article 8(1)(h) of Regulation (EU) No 652/2014: awareness campaign; sampling of domestic pigs; sampling of wild boars; ELISA laboratory tests; PCR laboratory tests; and purchase of equipment for disposal of carcasses and laboratory testing;
- (d) for Poland:
- costs of compensation to owners for the value of their animals slaughtered or culled;
 - costs of slaughtering and culling the animals and related transport;
 - costs of cleaning, desinsectisation and disinfection of holdings and equipment, based on the epidemiology and characteristics of the pathogen;
 - costs of transport and disposal of carcasses;
 - other essential costs, in accordance with Article 8(1)(h) of Regulation (EU) No 652/2014: awareness campaign; sampling of domestic pigs; sampling of wild boars; ELISA laboratory tests; PCR laboratory tests; destruction of products; and purchase of equipment for killing and disposal of carcasses.
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, Latvia, Lithuania and Poland.

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 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.

Article 5
Amendments to Implementing Decision 2014/236/EU

In Article 1 of Implementing Decision 2014/236/EU, paragraph 1 is replaced by the following:

- "1. In the framework of the emergency measures for the protection against ASF taken by Estonia, Latvia, Lithuania and Poland in 2014, those Member States shall be entitled to a specific contribution from the Union to the expenditure incurred for the implementation of the activities described in paragraphs 2 and 3, and planned for the period from 1 January 2014 to 30 June 2014."

Done at Brussels, 30.1.2015

For the Commission
Vytenis ANDRIUKAITIS
Member of the Commission