

Minutes of the meeting of the expert group held on 12 April 2019 to discuss draft delegated acts as they apply to aquatic animals

1. APPROVAL OF THE AGENDA

A preliminary agenda was circulated in advance and agreed at the beginning of the meeting. The following working documents were circulated to Member States ahead of the meeting:

- two draft working documents regarding delegated acts under Part IV of the Animal Health Law (concerning aquaculture establishments and movements of aquatic animals in the Union),
- draft working document on Annex XI of Part III of the Animal Health Law (disease control measures).

2. NATURE OF THE MEETING

The meeting was non-public. The Member States' and EEA countries' representatives from competent veterinary authorities participated in the meeting. The Chair noted that neither the European Parliament nor the Council were represented in the meeting.

3. INTRODUCTION

Two power point presentations were made by the Commission. Those were as follows:

- a. Presentation of a draft delegated act concerning approval and registration of aquaculture establishments under Part IV, Title II, Chapter 1 of the Animal Health Law. This working document covers registration/approval of aquaculture establishments, establishments' registers and record keeping obligations by the operators.
- b. Presentation of a working document of a draft delegated act under Part IV, Title II, Chapter 2 of the Animal Health Law concerning intra Union movements. This draft delegated act covers requirements for movements of aquatic animals, animal health certificates, self-declaration documents, movement notification and requirements for movements of products of animal origin from aquatic animals, other than live aquatic animals.

In addition to the two presentations, the circulated Annex XI of Part III of Animal Health Law was discussed.

4. CONCLUSIONS/RECOMMENDATIONS/OPINIONS

The main outcome of discussions is as follows:

4.1 The first power point presentation from the Commission regarding the draft delegated act concerning approval and registration resulted in comments and requests for clarification:

- a. One Member State disagreed with the scope of the proposed derogation from the requirement of approval for certain extensive ponds claiming that the scope of the derogation is too narrow. These ponds are however currently authorised under the existing legislation but are classified as 'low risk' establishments. The Commission

noted the comments, mentioned the possibility to approve groups of establishments under the Animal Health Law as a part of the solution for extensive ponds, and undertook to consider this issue further.

- b. Some Member States had concerns regarding the approval of ornamental establishments. They thought that trade with third countries and the discharge of wastewater from establishments keeping ornamental animals to open waters, are the main factors to be considered in determining which establishments present a significant risk and which do not. Only those posing a significant risk should be approved.
- c. There was some discussion in relation to the surveillance and animal health visits carried out by the operators, *vis-a-vis* to the surveillance carried out by the competent authority in the context of the risk based surveillance. Although some Member States had doubts, the majority supported the need of the health visits including the review of health and mortality records, which will give a better overview of the health situation in the establishment.
- d. There were some queries related to information to be kept in registers of registered or approved aquaculture establishments, especially in terms of the quantity of animals in the establishments. The Commission will reflect further on this issue and seek to find an appropriate solution.
- e. A possible approach for carrying out risk-based surveillance for a group of establishments was discussed. The Commission requested feedback on this issue from Member States to ensure that a practical solution can be found whilst still ensuring that the surveillance, which is carried out at group level, is epidemiologically meaningful.

4.2 The discussion regarding the draft Annex XI of the delegated act under Part III of the Animal Health Law resulted in some comments and request for clarifications:

- a. Some Member States noted a lack of consistency as regards sampling for different category A diseases in surveillance zones. This applies primarily to the sampling size set out for Epizootic Haematopoietic Necrosis Virus. It was suggested that the sampling size should ensure 95% confidence that the pathogen will be detected if it is present at a prevalence at 2% in the population. The Commission will provide the necessary changes in the surveillance scheme.
- b. The Commission emphasized that the design of the Annex XI will probably be changed based on input from Legal Service. This change will however not imply any change in its contents.

4.3 The second power point presentation from the Commission comprised a working document on the draft delegated act on Part IV, Title II, Chapter 2 of the Animal Health Law as regards intra Union movements of aquatic animals and products of animal origin thereof.

- a. The Commission presented working document with very preliminary draft text for several articles. The Commission also highlighted some empowerments in the Animal Health Law which could be used in relation to certain types of movements some animal categories, certain types of certification as well as the possibility to derogate from the requirement for certification. The Commission requested written feedback from Member States in relation to each of these empowerments.
- b. There was some discussion as regards the suggested provisions for health certification, specifically in relation to extending the period for pre-movement clinical inspection and in some cases, dispensing with it altogether. Member States largely supported increased flexibility for the future.

5. NEXT STEPS

The Commission invited experts to provide written comments by 26 April, 2019. Presentations given in the meeting have been circulated.

6. NEXT MEETING

The next meeting of aquatic experts is scheduled for 6 June 2019.