Directive (EU) 2018/597 of the European Parliament and of the Council of 18 April 2018 amending Council Directive 92/66/EEC introducing Community measures for the control of Newcastle disease (Text with EEA relevance)

DIRECTIVE (EU) 2018/597 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

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amending Council Directive 92/66/EEC introducing Community measures for the control of Newcastle disease

(Text with EEA relevance)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 43(2) thereof,

Having regard to the proposal from the European Commission,

After transmission of the draft legislative act to the national parliaments,

Having regard to the opinion of the European Economic and Social Committee[(1)],

Acting in accordance with the ordinary legislative procedure[(2)],

Whereas:

(1) Council Directive 92/66/EEC[(3)] lays down the Union control measures to be taken in the event of an outbreak of Newcastle disease in poultry, racing pigeons and other birds kept in captivity.

(2) Article 15 of Directive 92/66/EEC provides that the European Union reference laboratory for Newcastle disease is referred to in Annex V to that Directive. Annex V to that Directive duly refers to that laboratory and lists its functions and duties.

(3) Article 19 of Directive 92/66/EEC lays down control measures to be taken by Member States in the event that carrier pigeons or birds kept in captivity are suspected of being infected with Newcastle disease. It provides that, to the extent required for the proper application of those control measures, Member States are to furnish the Commission with information on the disease situation and the control measures applied in accordance with the model form set out in Annex VI to that Directive.

(4) Article 21 of Directive 92/66/EEC provides that each Member State is to draw up a contingency plan, specifying the national measures to be implemented in the event of an outbreak of Newcastle disease. It provides that the criteria to be applied for drawing up that plan are set out in Annex VII to that Directive.

(5) Article 24 of Directive 92/66/EEC provides that the Annexes thereto are to be amended, as and when required, by the Council acting by a qualified majority on a proposal from

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the Commission, in particular to take into account developments in research and in diagnostic procedures.

(6) Annexes V, VI and VII to Directive 92/66/EEC set out respectively: (i) the name and address of the European Union reference laboratory for Newcastle disease as well as its functions and duties; (ii) the model form to be used by Member States in order to report on the disease situation and the control measures applied; and (iii) the minimum criteria to be applied by Member States for drawing up contingency plans specifying the national measures to be implemented in the event of an outbreak of Newcastle disease.

(7) In order to simplify and streamline the procedures regarding the control of Newcastle disease, in particular taking into account the new rules in relation to the designation of European Union reference laboratories provided for by Article 93 of Regulation (EU) 2017/625 of the European Parliament and of the Council[(4)], as well as the new system of implementing acts provided for in Article 291 of the Treaty on the Functioning of the European Union, and to ensure uniform conditions for the implementation of Directive 92/66/EEC, Annexes V, VI and VII to Directive 92/66/EEC should be deleted and implementing powers in the fields covered by those Annexes should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council[(5)].

(8) For reasons of clarity, the functions and duties of the European Union reference laboratory for Newcastle disease should be laid down in Article 15 of Directive 92/66/EEC, and the criteria for the contingency plans should be laid down in Article 21 of that Directive.

(9) For reasons of consistency and efficiency, Member States should ensure timely transposition of the provisions of this Directive.

(10) Directive 92/66/EEC should therefore be amended accordingly,

HAVE ADOPTED THIS DIRECTIVE:

Article 1

Amendments to Directive 92/66/EEC

Directive 92/66/EEC is amended as follows:

(1) Article 15 is replaced by the following:

Article 15

1 The Commission shall, by means of implementing acts, designate a European Union reference laboratory for Newcastle disease. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 25.

2 The functions and duties of the European Union reference laboratory for Newcastle disease shall be:

a to coordinate, in consultation with the Commission, the methods employed in the Member States for diagnosing Newcastle disease, specifically by:

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(i) typing, storing and supplying strains of Newcastle disease virus for serological tests and the preparation of antisera;

(ii) supplying standard sera and other reference reagents to the national reference laboratories in order to standardise the tests and reagents used in the Member States;

(iii) building up and retaining a collection of Newcastle disease virus strains and isolates;

(iv) organising periodical comparative tests of diagnostic procedures at Union level;

(v) collecting and collating data and information on the methods of diagnosis used and the results of tests carried out in the Union;

(vi) characterising isolates of Newcastle disease viruses by the most up-to-date methods available to promote a greater understanding of the epidemiology of Newcastle disease;

(vii) keeping abreast of developments in Newcastle disease surveillance, epidemiology and prevention throughout the world;

(viii) retaining expertise on Newcastle disease virus and other pertinent viruses to enable a rapid differential diagnosis;

(ix) acquiring a thorough knowledge of the preparation and use of the products of veterinary immunology used to eradicate and control Newcastle disease;

b to actively assist in the diagnosis of outbreaks of Newcastle disease in Member States by receiving virus isolates for confirmatory diagnosis, characterisation and epidemiology studies;

c to facilitate the training or retraining of experts in laboratory diagnosis with a view to the harmonisation of techniques throughout the Union.;

(2) Article 19 is amended as follows:

(a) paragraph 5 is replaced by the following:

5. To the extent that it is required for the proper application of the measures laid down in this Article, the Member States shall submit to the Commission, within the framework of the Standing Committee on Plants, Animals, Food and Feed, information on the disease situation and the control measures applied.;

(b) the following paragraph is added:

6. The Commission may, by means of implementing acts, lay down rules regarding the information to be submitted by the Member States to the Commission as provided for in paragraph 5 of this Article. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 25.;

(3) Article 21 is replaced by the following: