Council Directive 2000/75/EC of 20 November 2000 laying down specific provisions for the control and eradication of bluetongue

COUNCIL DIRECTIVE 2000/75/EC

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laying down specific provisions for the control and eradication of bluetongue

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 92/119/EEC of 17 December 1992 introducing general Community measures for the control of certain animal diseases and specific measures relating to swine vesicular disease[(1)], and in particular the second indent of Article 15 thereof,

Having regard to the proposal from the Commission,

Whereas:

(1) In accordance with Article 15 of Directive 92/119/EEC, specific measures to control and eradicate bluetongue should be introduced.

(2) The epidemiological characteristics of bluetongue are comparable to those of African horse sickness.

(3) The Council has adopted Directive 92/35/EEC laying down control rules and measures to combat African horse sickness[(2)].

(4) To combat bluetongue, therefore, the overall measures laid down by Directive 92/35/EEC to combat African horse sickness should be used as a model, making appropriate adjustments due to the characteristics of the rearing of species susceptible to bluetongue.

(5) Rules should be laid down on the movement of susceptible species and their semen, ova and embryos from areas subject to restrictions arising from an outbreak of the disease.

(6) Article 3 of Council Decision 90/424/EEC of 26 June 1990 on expenditure in the veterinary field[(3)], applies in the event of an outbreak of bluetongue.

(7) A procedure for close cooperation between the Member States and the Commission must be introduced,

HAS ADOPTED THIS DIRECTIVE:

Article 1

This Directive lays down control rules and measures to combat and eradicate bluetongue.

Article 2

For the purposes of this Directive, the following definitions shall apply:

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(a) 'holding'	:	agricultural or other establishment where animals of species susceptible to bluetongue are permanently or temporarily reared or kept;
(b) 'susceptible species'	:	all ruminants;
(c) 'animal(s)'	:	animal(s) belonging to a susceptible species, excluding wild animals with regard to which specific provisions may adopted in accordance with the procedure laid down in Article 20(2);
(d) 'owner' or 'holder'	:	the natural or legal person(s) owning the animals or responsible for their upkeep, whether in return for payment or not;
(e) 'vector'	:	an insect of the species *Culicoides imicola* or any other insect of the genus *Culicoides* capable of transmitting bluetongue, to be identified according to the procedure laid down in Article 20(2), on the advice of the Scientific Veterinary Committee;
(f) 'suspicion'	:	appearance of any clinical sign suggesting bluetongue in a susceptible species, together with a set of epidemiological data enabling such a possibility to be reasonably envisaged;
(g) 'confirmation'	:	the declaration by the competent authority, based on laboratory results, that the bluetongue virus is circulating in a specific area; however, in the event of an epidemic, the competent authority may also confirm the presence of the disease on the basis of clinical and/or epidemiological results;
(h) 'competent authority'	:	the central authority of the Member State competent to conduct veterinary checks, or any other veterinary authority to which it has delegated this competence;
(i) 'official veterinarian'	:	the veterinarian designated by the competent authority**[F1;]**
[F2(j) 'live attenuated vaccines'	:	vaccines which are produced by adapting bluetongue virus field isolates through serial passages in tissue culture or in embryonated hens' eggs.**]**

Textual Amendments

F1 Substituted by Directive 2012/5/EU of the European Parliament and of the Council of 14 March 2012 amending Council Directive 2000/75/EC as regards vaccination against bluetongue.

F2 Inserted by Directive 2012/5/EU of the European Parliament and of the Council of 14 March 2012 amending Council Directive 2000/75/EC as regards vaccination against bluetongue.

Article 3

Member States shall ensure the immediate, compulsory notification to the competent authority if circulation of the bluetongue virus is suspected or confirmed.

Article 4

1 If a holding located in a region not subject to restrictions within the meaning of this Directive has one or more animals suspected of being infected with bluetongue, Member States shall ensure that the official veterinarian immediately implements official methods of investigation to confirm or rule out the presence of the disease.

2 As soon as notification is given of suspected presence, the official veterinarian:

a shall place the suspect holding or holdings under official surveillance;

b shall:

(i) compile an inventory of the animals, indicating for each species the number of animals already dead, infected or likely to be infected, and update this inventory to take account of the animals which are born or die during the period in which the disease is suspected; the data from this inventory must be produced on request and may be checked during each visit;

(ii) compile an inventory of places likely to facilitate the survival of or to harbour the vector and, in particular, of the sites conducive to its reproduction;

(iii) carry out an epidemiological survey in accordance with Article 7;

c shall make regular visits to the holding or holdings and, on each occasion, conduct a detailed clinical examination or an autopsy of animals that are dead or suspected of infection and confirm the disease, if necessary by means of laboratory tests;

d shall ensure that:

(i) any movement of animals from or to the holding or holdings is prohibited;

(ii) the animals are confined at times when the vectors are active, where he considers that the means required for implementing this measures are available;

(iii) the animals, the buildings used to house them and their surroundings (in particular habitats in which the *Culicoides* populations thrive) are regularly treated with authorised insecticides. To prevent infestations by the vectors as far as possible, the rate of treatment shall be fixed by the competent authority, taking account of the persistence of the insecticide used and the climatic conditions;

(iv) the carcases of the dead animals at the holding are destroyed, eliminated, incinerated or buried in accordance with Council Directive 90/667/EEC of 27 November 1990 laying down the veterinary rules for the disposal and processing of animal waste, for its placing on the market and for the prevention of pathogens in feedingstuffs of animal or fish origin and amending Directive 90/425/EEC[(4)].

3 Pending implementation of the measures referred to in paragraph 2, the owner or the holder of any animal suspected of being infected with the disease shall take all precautionary measures to comply with the provisions of paragraph 2(d)(i) and (ii).

4 The competent authority may apply the measures referred to in paragraph 2 to other holdings in the event that their location, geographical situation or contacts with the holding where the disease is suspected provides grounds for suspecting the possibility of contamination.

5 In addition to the provisions of paragraph 2, specific provisions may be laid down, according to the procedure provided for in Article 20(2), for nature reserves in which animals live freely.

6 The measures referred to in this Article shall not be lifted by the official veterinarian until the suspected presence of bluetongue has been ruled out by the competent authority.

I[F1] Article 5

1 The competent authority of a Member State may decide to allow the use of vaccines against bluetongue provided that:

a such decision is based on the result of a specific risk assessment carried out by the competent authority;

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b the Commission is informed before such vaccination is carried out.

2 Whenever live attenuated vaccines are used, Member States shall ensure that the competent authority demarcates:

a a protection zone, consisting of at least the vaccination area;

b a surveillance zone, consisting of a part of the Union territory with a depth of at least 50 kilometres extending beyond the limits of the protection zone.**]**

Textual Amendments

F1 Substituted by Directive 2012/5/EU of the European Parliament and of the Council of 14 March 2012 amending Council Directive 2000/75/EC as regards vaccination against bluetongue.

Article 6

1 When the presence of bluetongue is officially confirmed, the official veterinarian shall:

a proceed, informing the Commission thereof, with the slaughter deemed necessary to prevent extension of the epidemic;

b order the destruction, elimination, incineration or burial of the carcases of those animals, in accordance with Directive 90/667/EEC;

c extend the measures provided for in Article 4 to holdings located within a radius of 20 kilometres (including the protection zone defined in Article 8) around the infected holding or holdings;

[F1d implement the measures adopted in accordance with the procedure laid down in Article 20(2), in particular with regard to the introduction of any vaccination programme or other alternative measures;**]**

e carry out an epidemiological survey in accordance with Article 7.

However, by way of derogation from subparagraph (c), provisions applicable to movements of animals in the zone may be adopted in accordance with the procedure laid down in Article 20(2).

2 The zone referred to in paragraph 1(c) may be extended or reduced on the basis of epidemiological, geographical, ecological or meteorological circumstances by the competent authority which shall notify the Commission thereof.

3 Where the zone referred to in paragraph 1(c) is located on the territory of more than one Member State, the competent authorities of the Member States concerned shall cooperate in order to demarcate the zone. If necessary, the zone shall be demarcated according to the procedure laid down in Article 20(2).

Textual Amendments

F1 Substituted by Directive 2012/5/EU of the European Parliament and of the Council of 14 March 2012 amending Council Directive 2000/75/EC as regards vaccination against bluetongue.

Article 7

1 The epidemiological survey shall concern:

a the duration of the period for which bluetongue may have been present at the holding;

b the possible origin of bluetongue at the holding and the identification of other holdings which have animals that may have been infected or contaminated from the same source;

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c the presence and distribution of vectors of the disease;

d movements of animals from or to the holdings in question or any departure of animal carcases from those holdings.

2 A crisis unit shall be established to carry out the overall coordination of all the measures necessary for ensuring the eradication of bluetongue as soon as possible and to conduct the epidemiological survey.

General rules concerning the national crisis units and the Community crisis unit shall be laid down according to the procedure provided for in Article 20(2).

Article 8

1 Member States shall ensure that, in addition to the measures referred to in Article 6, the competent authority demarcates a protection zone and a surveillance zone. Demarcation of the zones must take account of geographical, administrative, ecological and epizootiological factors connected with bluetongue and of the control arrangements.

2

a

The protection zone shall consist of a part of the Community territory having a radius of at least 100 kilometres around the infected holding.

[[F1]b The surveillance zone shall consist of a part of the Union territory with a depth of at least 50 kilometres extending beyond the limits of the protection zone and in which no vaccination against bluetongue with live attenuated vaccines has been carried out during the previous 12 months.**]**

c Where the zones are located on the territory of more than one Member State, the competent authorities of the Member States concerned shall cooperate for the purpose of demarcating the zones referred to in subparagraphs (a) and (b).

d However, the protection and surveillance zones shall if necessary be demarcated according to the procedure laid down in Article 20(2).

3 On receipt of a duly substantiated request from a Member State, a decision may be taken, in accordance with the procedure laid down in Article 20(2), to change the demarcation of the zones defined in paragraph 2, in the light of:

a their geographical location and ecological factors;

b meteorological conditions;

c the presence and distribution of the vector;

d the results of epizootiological studies carried out pursuant to Article 7;

e the results of laboratory tests;

f the application of countermeasures, in particular disinsectisation.

Textual Amendments

F1 Substituted by Directive 2012/5/EU of the European Parliament and of the Council of 14 March 2012 amending Council Directive 2000/75/EC as regards vaccination against bluetongue.

Article 9

1 Member States shall ensure that the following measures are applied in the protection zone:

a the identification of all holdings with animals inside the zone;