Council Directive of 21 December 1982 on the notification of animal diseases within the Community (82/894/EEC)

COUNCIL DIRECTIVE

of 21 December 1982

on the notification of animal diseases within the Community

(82/894/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 43 and 100 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament[(1)],

Having regard to the opinion of the Economic and Social Committee[(2)],

Whereas the Community has issued regulations in respect of the health requirements for intra-Community trade in bovine animals and swine, fresh meat, fresh poultry meat and meat products;

Whereas the appearance or presence of certain contagious animal diseases presents a risk to the Community herd, notably by their spread as a result of intra-Community trade; whereas rapid and accurate information is essential for the application of the various protection measures provided for in Community regulations;

Whereas it is for each Member State to notify each other Member State and the Commission of the outbreak and disappearance of certain animal diseases on its territory, in accordance with Article 9 of Council Directive 64/432/EEC of 26 June 1964 on animal health problems affecting intra-Community trade on bovine animals and swine[(3)], as last amended by Council Directive 80/1274/EEC[(4)]; Article 11 of Council Directive 71/118/EEC of 15 February 1971 dealing with health problems affecting trade in fresh poultrymeat[(5)], as last amended by Council Directive 80/216/EEC[(6)]; Article 7 of Council Directive 72/461/EEC of 12 December 1972 on health problems affecting intra-Community trade in fresh meat[(7)], as last amended by Council Directive 80/1099/EEC[(8)] and Article 7 of Council Directive 80/215/EEC of 22 January 1980 on animal health problems affecting intra-Community trade in meat products[(9)], as last amended by Council Directive 80/1100/EEC[(10)];

Whereas the method of notification and the diseases to be notified require to be specifically laid down; whereas, in particular, there should be a periodic review of the disease situation in each Member State;

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Whereas, in the light of the experience gained from the aforesaid notification, adaptation to technical needs will be in line with a procedure calling for close cooperation between the Member States and the Commission,

HAS ADOPTED THIS DIRECTIVE:

Article 1

1 This Directive refers to the notification of:

— outbreaks of any of the diseases listed in Annex I,

— removal — after eradication of the last outbreak — of restrictions in relation to the outbreak of any diseases listed in Annex I.

2 This Directive shall apply without prejudice to the particular provisions for information in respect of the harmonization of eradication and/or prophylaxis of animal disease.

Article 2

For the purposes of this Directive:

(a) ‘holding’ means any establishment (agricultural or other) situated in the territory of a Member State, in which animals are reared or kept;

(b) ‘case’ means the official confirmation of any of the dieseases listed in Annex I in any animal or carcase;

(c) ‘outbreak’ means the holding or place situated in the territory of the Community where animals are assembled and where one or more cases has or have been officially confirmed;

(d) ‘primary outbreak’ means an outbrake not epizootiologically linked with a previous outbreak in the same region of a Member State as defined in Article 2 of Directive 64/432/EEC or the first outbreak in a different region of the same Member State.

Article 3

1 Each Member State shall notify directly to both the Commission and the other Member States within 24 hours:

— the primary outbreak of any of the diseases listed in Annex I which is confirmed in its territory;

— the removal — after the eradication of the last outbreak — of restrictions from its territory in relation to the outbreak of any of the diseases listed in Annex I;

2 The notifications referred to in paragraph 1 shall include the information featured in Annex II and shall be communicated by telex.

3 In the case of classical swine fever, the information provided under Council Directive 80/217/EEC of 22 January 1980 introducing Community measures for the control of classical swine fever[(11)], as last amended by Directive 80/1274/EEC[(12)], shall be considered to be sufficient.

Article 4

1 Without prejudice to the provisions referred to in Article 1 (2), each Member State shall notify directly to the Commission, at least on the first working day of each week, the secondary outbreaks of any of the diseases listed in Annex I which are confirmed in its territory.

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The aforesaid notification shall cover the week ending at midnight on the Sunday prior thereto.

The Commission shall correlate the various information, which it shall transmit to the veterinary headquarters of each Member State.

2 The receipt of no information by the Commission shall be considered to mean that no secondary outbreaks have occurred during the period referred to in the second subparagraph of paragraph 1.

3 The notifications referred to in paragraph 1 shall contain the information featured in Annex II and shall be communicated by telex.

Article 5

1 The codified form by which the information featured in Annex II is to be transmitted shall be established according to the procedure laid down in Article 6 and before the date of implementation of this Directive.

2 In accordance with the procedure laid down in Article 6, it may be decided:

— to supplement or amend the Annexes,

— that, notwithstanding Article 4, the scope, content and frequency of the notification may be temporarily modified in the light of the disease concerned and its particular epizootiological development.

[F1 Article 6

1 The Commission shall be assisted by the Standing Committee on the Food Chain and Animal Health set up by Article 58 of Regulation (EC) No 178/2002[13].

2 Where reference is made to this Article, Articles 5 and 7 of Decision 1999/468/EC[14] shall apply.

The period laid down in Article 5(6) of Decision 1999/468/EC shall be set at three months.

3 The committee shall adopt its rules of procedure.**]**

Textual Amendments

F1 Substituted by Council Regulation (EC) No 807/2003 of 14 April 2003 adapting to Decision 1999/468/EC the provisions relating to committees which assist the Commission in the exercise of its implementing powers laid down in Council instruments adopted in accordance with the consultation procedure (unanimity).

Article 7

The Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive not later than 1 January 1984 and shall forthwith inform the Commission thereof.

Article 8

This Directive is addressed to the Member States.

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[F2 ANNEX I

Diseases which are subject to notification

Textual Amendments

F2 Substituted by Commission Implementing Decision of 27 November 2012 amending Annexes I and II to Council Directive 82/894/EEC on the notification of animal diseases within the Community (notified under document C(2012) 8518) (Text with EEA relevance) (2012/737/EU).

A. *Diseases of terrestrial animals*

List A.1:

- African horse sickness
- African swine fever
- Anthrax
- Avian influenza (HPAI in poultry, captive birds and wild birds and LPAI in poultry and captive birds)
- Bluetongue
- Bovine spongiform encephalopathy
- Classical swine fever
- Contagious bovine pleuropneumonia
- Dourine
- Equine encephalomyelitis of the following types:
  - Eastern equine encephalomyelitis
  - Japanese encephalitis
  - Venezuelan equine encephalomyelitis
  - West Nile fever
  - Western equine encephalomyelitis
- Equine infectious anaemia
- Foot-and-mouth disease
- Glanders
- Lumpy skin disease
- Newcastle disease
- Peste des petits ruminants
- Infection with rabies virus
- Rift Valley fever
- Rinderpest
- Sheep pox and goat pox
- Small hive beetle infestation (*Aethina tumida*)
- Swine vesicular disease
- *Tropilaelaps* infestation of honey bees
- Vesicular stomatitis

List A.2:

- Bovine brucellosis
- Bovine tuberculosis
- Enzootic bovine leukosis
- Caprine and ovine brucellosis (excluding *Brucella ovis*).