COUNCIL DIRECTIVE

of 19 June 1979

prolonging, in respect of swine fever, tuberculosis and brucellosis, certain derogations granted to Denmark, Ireland and the United Kingdom

(79/580/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 (1),

Having regard to the opinion of the European Parliament (2),

Having regard to the opinion of the Economic and Social Committee (3),

Whereas, under points 1 and 3 of Article 104 of the Act of Accession, Denmark, Ireland and the United Kingdom were authorized to retain until 31 December 1977 their national provisions for ensuring protection against swine fever and the methods applied for declaring a herd of cattle officially free of tuberculosis or free of brucellosis; whereas these authorizations were extended until 30 June 1979 by Council Directive 79/111/EEC (4);

Whereas, as regards swine fever, Community rules offer the only final solution to the problems caused by this disease; whereas, however, the work in connection with such rules has not yet been completed; whereas, as regards tuberculosis and brucellosis, the Commission has not yet completed its studies into a solution to the basic technical problems involved;

Whereas, therefore, the derogations granted to Denmark, Ireland and the United Kingdom in respect of swine fever should be extended, so as to enable the Council to adopt common rules in this area; whereas the derogations granted to these countries in respect of tuberculosis and those granted to Ireland and the United Kingdom in respect of brucellosis should also be extended for the same period; whereas, in order not to interrupt the traditional trade in live animals between Ireland and the United Kingdom, it is likewise necessary to extend certain special derogations granted in respect of such trade,

(1) OJ No C 96, 12. 4. 1979, p. 4.
(2) OJ No C 140, 5. 6. 1979, p. 95.
(3) Opinion delivered on 22 and 23 May 1979 (not yet published in the Official Journal).
(4) OJ No L 29, 3. 2. 1979, p. 26.

HAS ADOPTED THIS DIRECTIVE:

Article 1

By way of derogation from Directive 64/432/EEC (5), as last amended by Directive 79/111/EEC, and from Directive 72/461/EEC (6), as last amended by Directive 78/54/EEC (7), Denmark, Ireland and the United Kingdom are authorized to retain their national rules relating to protection against swine fever upon introduction into their territory of swine for breeding, store and slaughter and to imports of fresh meat, subject to compliance with the general provisions of the Treaty.

Article 2

By way of derogation from Directive 64/432/EEC, Denmark, Ireland and the United Kingdom are hereby authorized to retain the methods applied in their territory whereby a herd of cattle becomes considered to be officially tuberculosis-free within the meaning of Article 2 of that Directive.

The provisions relating to the tests laid down for animals traded within the Community shall continue to apply, subject to Article 4 (b) of this Directive.

Article 3

By way of derogation from Directive 64/432/EEC, Ireland and the United Kingdom are hereby authorized to retain the methods applied in their territory whereby a herd of cattle becomes considered to be brucellosis-free within the meaning of Article 2 of the aforesaid Directive, subject to the application of the provisions of that Directive relating to the presence of animals vaccinated against brucellosis.

The provisions relating to the tests laid down for animals traded within the Community shall continue to apply, subject to Article 4 (a) of this Directive.

(5) OJ No 121, 29. 7. 1964, p. 1977/64.
(6) OJ No L 302, 31. 12. 1972, p. 24.
(7) OJ No L 16, 20. 1. 1978, p. 22.