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COUNCIL DIRECTIVE

of 17 May 1977

introducing Community measures for the eradication of brucellosis, tuberculosis and leucosis in cattle

(77/391/EEC)

(OJ L 145, 13.6.1977, p. 44)

Amended by:

		Official Journal		
		No	page	date
►**M1**	Council Directive 81/476/EEC of 24 June 1981	L 186	20	8.7.1981
►**M2**	Council Directive 82/400/EEC of 14 June 1982	L 173	18	19.6.1982
►**M3**	Council Regulation (EEC) No 3768/85 of 20 December 1985	L 362	8	31.12.1985

Amended by:

►**A1**	Act of Accession of Greece	L 291	17	19.11.1979
►**A2**	Act of Accession of Austria, Sweden and Finland	C 241	21	29.8.1994
	(adapted by Council Decision 95/1/EC, Euratom, ECSC)	L 1	1	1.1.1995

NB: This consolidated version contains references to the European unit of account and/or the ecu, which from 1 January 1999 should be understood as references to the euro — Council Regulation (EEC) No 3308/80 (OJ L 345, 20.12.1980, p. 1) and Council Regulation (EC) No 1103/97 (OJ L 162, 19.6.1997, p. 1).

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introducing Community measures for the eradication of brucellosis, tuberculosis and leucosis in cattle

(77/391/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 one of the tasks of the Community in the veterinary field is to improve the state of health of livestock, and thus to make stock-breeding more profitable, while also protecting man against certain diseases which are communicable to him;

Whereas such measures must contribute to the abolition of barriers to trade in fresh meat or live animals between Member States, which are due to differences in health situations;

Whereas Community initiatives to this effect must initially concentrate on certain diseases against which immediate action is possible; whereas this is true of brucellosis, tuberculosis and leucosis;

Whereas in so far as the proposed measures are intended to achieve the objectives set out in Article 39 (1) (a) of the Treaty they shall constitute common measures within the meaning of Article 6 (1) of Council Regulation (EEC) No 729/70 of 21 April 1970 on the financing of the common agricultural policy [3];

Whereas, in as much as the Community contributes to the financing of the common measures, it must be in a position to ascertain that the provisions adopted by Member States for the implementation of those measures will contribute towards achievement of the objectives thereof; whereas, to this end, provision should be made for a procedure establishing close cooperation between Member States and the Commission within the Standing Veterinary Committee, set up by Decision 68/361/EEC [4],

HAS ADOPTED THIS DIRECTIVE:

Article 1

The purpose of this Directive is to improve the state of health of cattle in the Community by means of Community action to accelerate or intensify the eradication of brucellosis and tuberculosis and to eradicate leucosis.

CHAPTER I

Technical provisions relating to brucellosis, tuberculosis and leucosis

Article 2

1. For the purpose of this Directive, Member States in which the cattle population is infected by bovine brucellosis shall draw up plans

(1) OJ No C 6, 10. 1. 1977, p. 13.
(2) OJ No C 56, 7. 3. 1977, p. 28.
(3) OJ No L 94, 28. 4. 1970, p. 13.
(4) OJ No L 255, 28. 10. 1968, p. 23.

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for accelerating the eradication of this disease in their national territories, under the conditions laid down in paragraphs 2 and 3.

2. (a) The plans for accelerating the eradication of bovine brucellosis shall be so devised that on their completion herds are classed as 'officially brucellosis-free', in accordance with Community provisions in this field, and in particular Council Directive 64/432/EEC of 26 June 1964 on animal health problems affecting intra-Community trade in bovine animals and swine [1], as last amended by Directive 75/379/EEC [2].

(b) The plan must list the measures to be taken to accelerate and intensify the eradication of bovine brucellosis and must specify the measures to combat and prevent this disease.

3. The Member States shall report to the Commission:

(a) the percentage and total number of herds subject to control measures, and of herds with confirmed bovine brucellosis;

(b) the total numbers:

— of animals subject to control measures,

— of animals with suspected brucellosis or considered to be infected,

— of infected animals,

— of animals slaughtered;

(c) the scheduled duration of the initial eradication programmes and of the accelerated plans;

(d) the method applied for checking on the effective application of the accelerated plans;

(e) the national budgetary allocation for the eradication of bovine brucellosis and the breakdown by items of these allocations.

The information referred to under (a), (b) and (e) shall be provided for the three years preceding the application of the acceleration measures, and annually thereafter.

4. Member States with bovine brucellosis-free cattle populations shall inform the Commission of all the measures taken to prevent the resurgence of this disease.

Article 3

1. For the purposes of this Directive, Member States in which the cattle populations are infected with bovine tuberculosis shall draw up plans for accelerating the eradication of this disease in their national territories, under the conditions laid down in paragraphs 2 and 3.

2. (a) The plans for accelerating the eradication of bovine tuberculosis shall be so devised that on their completion herds are classed as 'officially tuberculosis-free', in accordance with Community provisions in this field and Directive 64/432/EEC in particular.

(b) The plans must list the measures to be taken to accelerate, intensify or carry through the eradication of bovine tuberculosis and must specify the measures to combat and prevent this disease.

3. The Member States shall report to the Commission:

(a) the percentages and total numbers of herds subject to control measures, and of herds with confirmed bovine tuberculosis;

(b) the total numbers:

— of animals subject to control measures,

— of animals with suspected tuberculosis or considered to be infected,

— of infected animals,

(1) OJ No 121, 29. 7. 1964, p. 1977/64.
(2) OJ No L 172, 3. 7. 1975, p. 17.