

EUROPEAN PARLIAMENT

1999



2004

Session document

FINAL
A5-0141/2003

30 April 2003

REPORT

on the proposal for a Council directive on Community measures for the control of foot-and-mouth disease and amending Directive 92/46/EEC (COM(2002) 736 – C5-0029/2003 – 2002/0299(CNS))

Committee on Agriculture and Rural Development

Rapporteur: Wolfgang Kreissl-Dörfler

Symbols for procedures

- * Consultation procedure
majority of the votes cast
- **I Cooperation procedure (first reading)
majority of the votes cast
- **II Cooperation procedure (second reading)
*majority of the votes cast, to approve the common position
majority of Parliament's component Members, to reject or amend
the common position*
- *** Assent procedure
*majority of Parliament's component Members except in cases
covered by Articles 105, 107, 161 and 300 of the EC Treaty and
Article 7 of the EU Treaty*
- ***I Codecision procedure (first reading)
majority of the votes cast
- ***II Codecision procedure (second reading)
*majority of the votes cast, to approve the common position
majority of Parliament's component Members, to reject or amend
the common position*
- ***III Codecision procedure (third reading)
majority of the votes cast, to approve the joint text

(The type of procedure depends on the legal basis proposed by the Commission)

Amendments to a legislative text

In amendments by Parliament, amended text is highlighted in ***bold italics***. Highlighting in *normal italics* is an indication for the relevant departments showing parts of the legislative text for which a correction is proposed, to assist preparation of the final text (for instance, obvious errors or omissions in a given language version). These suggested corrections are subject to the agreement of the departments concerned.

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PROCEDURAL PAGE

By letter of 7 February 2003 the Council consulted Parliament, pursuant to Article 37 of the EC Treaty, on the proposal for a Council directive on Community measures for the control of foot-and-mouth disease and amending Directive 92/46/EEC (COM(2002) 736 – 2002/0299(CNS)).

At the sitting of 10 February 2003 the President of Parliament announced that he had referred the proposal to the Committee on Agriculture and Rural Development as the committee responsible and the Committee on the Environment, Public Health and Consumer Policy for its opinion (C5-0029/2003).

The Committee on Agriculture and Rural Development had appointed Wolfgang Kreissl-Dörfler rapporteur at its meeting of 23 January 2003.

It considered the Commission proposal and draft report at its meetings of 18 March 2003 and 29 April 2003.

At the last meeting it adopted the draft legislative resolution by 32 votes to 1, with no abstentions.

The following were present for the vote: Joseph Daul, chairman; Friedrich-Wilhelm Graefe zu Baringdorf, Albert Jan Maat and María Rodríguez Ramos, vice-chairmen; Wolfgang Kreissl-Dörfler (for Vincenzo Lavarra), rapporteur; Gordon J. Adam, Danielle Auroi, Alexandros Baltas (for António Campos), Carlos Bautista Ojeda, Reimer Böge (for von Lutz Goepel), Niels Busk, Arlindo Cunha, Avril Doyle (for Michl Ebner), Christel Fiebiger, Francesco Fiori, Christos Folias, Jean-Claude Fruteau, Georges Garot, Liam Hyland, María Izquierdo Rojo, Elisabeth Jeggle, Hedwig Keppelhoff-Wiechert, Heinz Kindermann, Dimitrios Koulourianos, Véronique Mathieu, Xaver Mayer, Karl Erik Olsson, Neil Parish, Ioannis Patakis (for Salvador Jové Peres), Mikko Pesälä, Encarnación Redondo Jiménez, Agnes Schierhuber and Robert William Sturdy.

The opinion of the Committee on the Environment, Public Health and Consumer Policy is attached.

The report was tabled on 30 April 2003.

DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

**on the proposal for a Council directive on Community measures for the control of foot-and-mouth disease and amending Directive 92/46/EEC
(COM(2002) 736 – C5-0029/2003 – 2002/0299(CNS))
(Consultation procedure)**

The European Parliament,

- having regard to the Commission proposal to the Council (COM(2002) 736)¹,
 - having regard to Article 37 of the EC Treaty, pursuant to which the Council consulted Parliament (C5-0029/2003),
 - having regard to Rule 67 of its Rules of Procedure,
 - having regard to the report of the Committee on Agriculture and Rural Development and the opinion of the Committee on the Environment, Public Health and Consumer Policy (A5-0141/2003),
1. Approves the Commission proposal as amended;
 2. Calls on the Commission to alter its proposal accordingly, pursuant to Article 250(2) of the EC Treaty;
 3. Calls on the Council to notify Parliament if it intends to depart from the text approved by Parliament;
 4. Asks the Council to consult Parliament again if it intends to amend the Commission proposal substantially;
 5. Instructs its President to forward its position to the Council and Commission.

Text proposed by the Commission

Amendments by Parliament

Amendment 1
Recital 1, sentence 2 a (new)

(1) One of the Community's tasks in the veterinary field is to improve the state of health of livestock, thereby increasing the profitability of livestock farming and facilitating trade in animals and animal products.

(1) One of the Community's tasks in the veterinary field is to improve the state of health of livestock, thereby increasing the profitability of livestock farming and facilitating trade in animals and animal products. ***At the same time the Community is also a Community of values, and its policies to combat animal diseases must not***

¹ Not yet published in OJ.

be based purely on commercial interests but must also take genuine account of ethical principles, including respect for life.

Justification

The Community's task of improving the health of livestock should not only be determined by economic interests but should also take account of what is ethically acceptable.

Amendment 2

Recital 6

(6) Preventive measures are necessary to avoid the incursion of foot-and-mouth disease onto Community territory and into Community livestock from neighbouring countries or through the introduction into the Community of live animals and products of animal origin. There is no indication that any of the outbreaks of foot-and-mouth disease reported since the prohibition of prophylactic vaccination can be attributed to imports in accordance with Community legislation and subject to veterinary checks at border inspection posts established in accordance with Council Directive 91/496/EEC of 15 July 1991 laying down the principles governing the organisation of veterinary checks on animals entering the Community from third countries and amending Directives 89/662/EEC, 90/425/EEC and 90/675/EEC 8 , and Council Directive 90/675/EEC of 10 December 1990 laying down the principles governing the organisation of veterinary checks on products entering the Community from third countries .

(6) Preventive measures are necessary to avoid the incursion of foot-and-mouth disease onto Community territory and into Community livestock from neighbouring countries or through the introduction into the Community of live animals and products of animal origin. There is no indication that any of the outbreaks of foot-and-mouth disease reported since the prohibition of prophylactic vaccination can be attributed to imports in accordance with Community legislation and subject to veterinary checks at border inspection posts established in accordance with Council Directive 91/496/EEC of 15 July 1991 laying down the principles governing the organisation of veterinary checks on animals entering the Community from third countries and amending Directives 89/662/EEC, 90/425/EEC and 90/675/EEC 8, and Council Directive 90/675/EEC of 10 December 1990 laying down the principles governing the organisation of veterinary checks on products entering the Community from third countries. ***However, the European Parliament's Temporary Committee on Foot and Mouth Disease found that, in practice, border inspections are failing to prevent significant quantities of illegal meat and meat products from entering the EU.***

Justification

This was a major conclusion of Parliament's Temporary Committee on Foot and Mouth

Disease and should be emphasised.

Amendment 3
Recital 6 a (new)

(6a) Nevertheless, strict application of the Community rules on imports of animal products aimed at reducing risks must be strongly emphasised, if for no other reason than the increase in trade and movement of persons worldwide. The Member States should ensure that this legislation is implemented in its entirety and make enough personnel and resources available to provide strict controls at the external borders.

Justification

Self-explanatory.

Amendment 4
Recital 12

(12) The resolution of the European Parliament on the foot-and-mouth disease epidemic in 2001 in the European Union¹⁵, and the conclusions of *the* Temporary Committee on Foot-and-Mouth Disease ***of the European Parliament*** should be taken into account in this Directive.

(12) The resolution of the European Parliament on the foot-and-mouth disease epidemic in 2001 in the European Union¹⁵, and ***the resolution of the European Parliament of 17 December 2002^{15a}, based on*** the conclusions of *its* Temporary Committee on Foot-and-Mouth Disease, should be taken into account in this Directive.

(15a P5_TA-PROV (2002)0614)

Justification

Parliament's resolution of 17 December 2002 had not yet been adopted when the Commission drew up its proposal. However, the directive should take account of this resolution in particular.

Amendment 5
Recital 14

(14) This Directive should also take into account the changes made in the Animal Health Code and the Manual of Standards for Diagnostic Tests and Vaccines of the OIE.

(14) This Directive should also take into account the changes made in the Animal Health Code and the Manual of Standards for Diagnostic Tests and Vaccines of the OIE. ***The Member States will, on the basis of scientific research to improve marker vaccines and accompanying test methods, submit joint proposals to the OIE to reduce trade sanctions after emergency vaccination until these are equivalent to sanctions after stamping out (i.e. a period of three months).***

Justification

Self-explanatory.

Amendment 6
Recital 14 a (new)

(14a) Regular inspections should be introduced in the Member States to ensure that farmers are in fact familiar with and are applying the general rules on disease control and biosecurity.

Justification

Farmers are a crucial link in action to prevent and combat epidemics.

Amendment 7
Recital 19

(19) It is necessary to integrate environment protection aspects in the event of a foot-and-mouth disease outbreak, in particular by establishing close co-operation between the veterinary and environment competent authorities. Council Directive 96/61/EC of 24 September 1996 concerning integrated pollution prevention and control requires an integrated environmental permit for

(19) It is necessary to integrate ***public health and*** environment protection aspects in the event of a foot-and-mouth disease outbreak, in particular by establishing close co-operation between the veterinary, ***health*** and environment competent authorities. Council Directive 96/61/EC of 24 September 1996 concerning integrated pollution prevention and control requires an integrated environmental permit for

installations for the disposal or recycling of animal carcasses and animal waste with a specified treatment capacity.

installations for the disposal or recycling of animal carcasses and animal waste with a specified treatment capacity. ***A risk to public health from burning animal carcasses on pyres or burying them at mass burial sites should at all events be avoided.***

Justification

Burning animal carcasses on open pyres can pose a health risk owing to the emissions released. Burying them can pose a risk to groundwater and hence to the drinking water used by the local population, and these methods of disposing of carcasses should therefore be avoided.

Amendment 8
Recital 19 a (new)

The action taken to control the FMD epidemics which struck certain Member States in 2001 has shown that international and Community rules and the ensuing practices have not taken sufficient account of the possibility offered by the use of emergency vaccination and subsequent tests to distinguish between vaccinated and infected animals. Too much importance was attached to the trade-policy aspects, with the result that protective vaccination was not carried out even when it had been authorised.

Justification

Self-explanatory.

Amendment 9
Recital 19 b (new)

In the event of an epidemic, the choice of strategy to control the disease must likewise take account of which strategy causes the least possible economic damage for non-agricultural sectors of the economy.

Account must also be taken of the social and psychological impact on people affected by disease-control measures.

Justification

The work 'likewise' has been added.

Amendment 10
Recital 19 c (new)

Various strategies are available for controlling FMD. A control strategy which consists solely of stamping-out takes too little account of scientific advances and is ethically unacceptable.

By means of emergency vaccinations and subsequent testing it is possible to distinguish between vaccinated and infected animals. Animals in a protection zone around a site of FMD infection need not be culled, therefore, but may remain alive after vaccination.

Justification

FMD must not only be combated on the basis of veterinary law but also in a way which takes into consideration the ethical aspect of our actions and the psychological and social impact, as the findings of the inquiry by the Temporary Committee on Foot and Mouth Disease showed.

Amendment 11
Recital 28

(28) The application of the principles of regionalisation should allow the implementation of strict control measures, including emergency vaccination, in a defined part of the Community without endangering general Community interests.

(28) The application of the principles of regionalisation should allow the implementation of strict control measures, including emergency vaccination, in a defined part of the Community without endangering general Community interests.
Dairy and meat products from vaccinated animals can be sold throughout the EU provided the requirements of the relevant

directive are fulfilled.

Justification

Since products from vaccinated animals pose no threat to public health, their sale should be possible throughout the European Union.

Amendment 12
Recital 34

(34) The presence of an entirely non-immune population of susceptible livestock in Member States requires permanent disease awareness and preparedness. The need for detailed contingency plans has been proven once more during the 2001 foot-and-mouth disease epidemic. At present, all Member States have contingency plans approved by Commission Decision 93/455/EEC of 23 July 1993 approving certain contingency plans for the control of foot-and-mouth disease . Such contingency plans should be reviewed regularly, among other things, in the light of the results of real-time alert exercises carried out in the Member States, the experience of the 2001 epidemic and in order to include measures to protect the environment. Member States should be encouraged to organise and carry out such exercises in close co-operation and across borders.

(34) The presence of an entirely non-immune population of susceptible livestock in Member States requires permanent disease awareness and preparedness. The need for detailed contingency plans has been proven once more during the 2001 foot-and-mouth disease epidemic. At present, all Member States have contingency plans approved by Commission Decision 93/455/EEC of 23 July 1993 approving certain contingency plans for the control of foot-and-mouth disease . Such contingency plans should be reviewed regularly, among other things, in the light of the results of real-time alert exercises carried out in the Member States, the experience of the 2001 epidemic and in order to include measures to protect the environment. Member States should be encouraged to organise and carry out such exercises in close co-operation and across borders. ***Further, the Commission should be encouraged, in cooperation with the Member States, to make provision for the setting-up of technical assistance which could be made available to Member States affected by an epidemic.***

Justification

Member States may face particular difficulties in the event of an epidemic; technical support from the Commission, or indeed from the other Member States, may prove necessary. During the recent FMD crisis, the United Kingdom, which was in the process of restructuring its veterinary services, called on veterinarians from other Member States and from third countries to carry out on-the-spot surveillance.

Amendment 13
Recital 36 a (new)

In parallel with combating foot-and-mouth disease, the Community must also review the legislation on compensation for affected farmers, in order to avoid a situation where the farmers affected make their support for the control measures dependent on which measures are linked to the highest compensation. In addition, rules on compensation should lessen its impact on the European budget, for example by introducing insurance schemes or a European animal health fund.

Justification

Self-explanatory.

Amendment 14
Recital 36 b (new)

If, on the basis of this directive, preventive vaccination is carried out, this will lead to fewer demands being made on the Community's stamping-out budget. A Member State that applies preventive vaccination will, however, be confronted with costs arising from marketing measures for products of vaccinated animals and a longer period during which international trade will be at a standstill. The rules on compensation for affected farmers should therefore be applied so that the savings effected through preventive vaccination can be used to offset these additional costs.

Justification

Preventive vaccination results in lower financial demands on the Community budget, but often in higher national costs. The rules on compensation should be adjusted accordingly.

Amendment 15
Recital 36 c (new)

The rules on compensation for affected farmers should also be reviewed, because farms which are affected as a result of the lengthy transport ban imposed on the basis of this directive should also receive compensation.

Justification

The rules on compensation should be adjusted in order to offset costs that arise as a result of the lengthy transport ban.

Amendment 16
Article 2, point (ja) (new)

(ja) “rare breeds” means any animal in a Member State deemed by that Member State to be sufficiently valuable to the overall gene pool as to be a recognised exception to any culling policy.

Justification

Instead of disputing definitions of rare breeds, owners of these breeds should have the right to apply for special consideration, including vaccination and/or increased biosafety measures, for any animal he or she considers of particular genetic value (whether kept in a zoo or on a farm).

Amendment 17
Article 11, paragraph 3

3. Member States shall endeavour to ensure that any disinfectants used, in addition to being able to disinfect effectively, also have the lowest possible adverse impacts on the environment and public health in accordance with ***best available technology***.

3. Member States shall endeavour to ensure that any disinfectants used, in addition to being able to disinfect ***reliably and*** effectively, also have the lowest possible adverse impacts on the environment and public health in accordance with ***the current state of scientific knowledge***.

Justification

Self-explanatory.

Amendment 18
Article 15, paragraph 1

1. Where an outbreak of foot-and-mouth disease threatens to infect animals of susceptible species in a laboratory, zoo, wildlife park, and fenced area or in bodies, institutes or centres approved in accordance with Article 13 (2) of Directive 92/65/EEC and where animals are kept for scientific purposes or purposes related to conservation of species or rare breeds, the Member State concerned shall ensure that all appropriate bio-security measures are taken to protect such animals from infection. Those measures may include restricting access to public institutions or making such access subject to special conditions.

1. Where an outbreak of foot-and-mouth disease threatens **rare breeds on farm holdings or** to infect animals of susceptible species in a laboratory, zoo, wildlife park, and fenced area or in bodies, institutes or centres approved in accordance with Article 13 (2) of Directive 92/65/EEC and where animals are kept for scientific purposes or purposes related to conservation of species or rare breeds, the Member State concerned shall ensure that all appropriate bio-security measures are taken to protect such animals from infection. Those measures may include restricting access to public institutions or making such access subject to special conditions.

Justification

This amendment is needed to allow for rare breed collections on agricultural holdings to qualify under this Article.

Amendment 19
Article 25, paragraph 5, point (e) (new)

(e) Meat produced in the protection zone after 30 days does not have to be treated or stamped, provided it is confined to the domestic market.

Justification

In 2001, the UK had been allowed to market meat produced in the protection zone on the domestic market without treatment or cross-stamping. A provision for a similar derogation from the prohibition in paragraph 1 of Article 25 is sought here.

Amendment 20
Article 27, paragraph 2 a (new)

2a. By way of derogation, the prohibition provided for in paragraphs 1 and 2 shall not apply to milk and milk products

packed at least 21 days before the assumed date of the first FMD outbreak in the protection zone.

Justification

It should be possible to market milk and milk products packed before the start of the incubation period without restriction.

Amendment 21

Article 27, paragraph 5, point (c)

(c) ***the*** milk shall be clearly identified and transported and stored separately from milk and milk products which are not destined for dispatch outside the protection zone;

(c) ***raw*** milk shall be clearly identified and transported and stored separately from milk and milk products which are not destined for dispatch outside the protection zone;

Justification

Clarification.

Amendment 22

Article 33, paragraph 2, points (c) and (d) (new)

***(c) produced on arable farms not keeping animals of susceptible species; or
(d) produced in establishments not keeping animals of susceptible species and sourcing the raw material from premises referred to in paragraph (c).***

Justification

There is no risk of infection from feed materials originating from holdings not keeping animals of susceptible species such as feedmills.

Amendment 23

Article 33, paragraph 3, point (c)

(c) it has been stored in package or bales under shelter at premises situated not closer than 2 km to the nearest outbreak of foot-and-mouth disease and is not released from the protection zone before at least ***three months have elapsed*** following the completion of cleansing and disinfection measures provided for in Article 11.

(c) it has been stored in package or bales under shelter at premises situated not closer than 2 km to the nearest outbreak of foot-and-mouth disease and is not released from the protection zone before at least ***the end of the restrictions in the protection zone and*** following the completion of cleansing and disinfection measures

provided for in Article 11.

Justification

There is no reason for the additional period of three months after the restrictions in the protection zone have been lifted.

Amendment 24
Article 40, paragraph 2 a (new)

2a. By way of derogation, the prohibition provided for in paragraphs 1 and 2 shall not apply to milk and milk products packed at least 21 days before the assumed date of the first FMD outbreak in the protection zone.

Justification

It should be possible to market milk and milk products packed before the start of the incubation period without restriction.

Amendment 25
Article 40, paragraph 5, point (b)

(b) all milk used in the establishment shall either comply with paragraph 3 or be obtained from animals outside the surveillance and protection zone;

(b) all **raw** milk used in the establishment shall either comply with paragraph 3 or be obtained from animals outside the surveillance and protection zone;

Justification

Clarification.

Amendment 26
Article 50, paragraph 3

3. The decision to introduce emergency vaccination shall be adopted in accordance with the procedure referred to in Article 89 (3), either on request of the Member State directly affected or at risk, or on the Commission's own initiative.

3. The decision to introduce emergency vaccination shall be adopted in accordance with the procedure referred to in Article 89 (3), either on request of the Member State directly affected or ***of the neighbouring Member State*** at risk, or on the Commission's own initiative ***in***

cooperation with the Member State concerned.

Justification

This addition makes it clear that there must be a specific risk to the Member State not yet affected. For example, Sweden should not be entitled to make such a request if Italy is affected.

Amendment 27
Article 53, paragraph 1

1. Member States shall notify the Commission if they decide to introduce suppressive vaccination and shall provide details of the control measures to be taken which shall include at least those provided for in Article 21.

1. Member States shall notify the Commission if they decide to introduce suppressive vaccination ***authorised in accordance with Article 50(3)*** and shall provide details of the control measures to be taken which shall include at least those provided for in Article 21. ***Full account should be taken of the economic and psychological and social circumstances if suppressive vaccination is to be authorised.***

Justification

Protective vaccination to live is preferable to suppressive vaccination to slaughter, but Member States should be given the flexibility to decide on the appropriateness of action.

Amendment 28
Article 54, paragraph 2, third subparagraph (new)

By further way of derogation, milk may be taken from inside the vaccination zone to dairies outside the vaccination zone for heat treatment.

Justification

There needs to be provision for milk to be treated outside the vaccination zone as there might not be milk processing facilities within a vaccination zone.

Amendment 29
Article 55, paragraph 6

6. Fresh meat produced from vaccinated porcine animals slaughtered during the period referred to in paragraph 1 shall bear

6. Fresh meat produced from vaccinated porcine animals slaughtered during the period referred to in paragraph 1 shall bear

the stamp provided for in Article 5a of Directive 72/461/EEC (cross stamp) and shall be stored and transported separately from meat not bearing that stamp and subsequently be transported in sealed containers to an establishment designated by the competent authorities for treatment in accordance with Annex VII.

the stamp provided for in Article 5a of Directive 72/461/EEC (cross stamp) and shall be stored and transported separately from meat not bearing that stamp and subsequently be transported in sealed containers to an establishment designated by the competent authorities for treatment in accordance with Annex VII.

However, if checks on the entire herd based on a 3-ABC-test or another equivalent test show that the herd is disease-free, it shall also be possible to market meat produced from vaccinated porcine animals if it has not first been subjected to heat treatment.

Justification

The 3-ABC-test provides a reliable indication of whether a herd is infected with FMD. Consequently, this test also makes it possible to avoid subjecting the pigmeat to the heat treatment which would otherwise be required and which would in practice mean that the meat could no longer be marketed.

Amendment 30 Article 55, paragraph 8 a (new)

8a. An information programme shall be put in place in the Member States to inform the public about the safety of meat, milk and dairy products from vaccinated animals for human consumption.

Justification

Experience from the 2001 epidemic has shown that major food retailers/ producers and consumer groups should be involved in planning how meat and milk from vaccinated animals is presented and communicated to consumers as safe for human consumption.

Amendment 31 Article 58, paragraph 4, point (e) (new)

(e) by derogation from subparagraphs (b) and (c), fresh meat produced from vaccinated large and small ruminants may be placed on the market in the Member

State concerned without the treatment detailed in subparagraph (b) and the health mark detailed in subparagraph (c). Member States shall take all necessary measures to ensure that such meat does not leave its territory or the region concerned.

Justification

During phase three of emergency vaccination, meat from vaccinated animals of any species should be able to be marketed within the Member State without any treatment or cross-stamp.

Amendment 32
Article 61, point 1(b)(iv) (new)

(iv) at least three months have elapsed since the last outbreak of foot-and-mouth disease or since the completion of emergency vaccination, where this was later, and, in accordance with the OIE guidelines, a serological examination on the basis of detection of antibodies to non-structural proteins of the foot-and-mouth virus in the case of each individual ruminant and a sufficiently large spot-check in the case of pigs, has shown that vaccinated animals are disease-free.

Justification

If examination of all ruminants and a sufficiently large spot-check in the case of pigs (vaccinated pigs cannot, after all, be carriers) show that there are no longer any viruses present, there is sufficient reason to lift the restrictions on trade. It is important to set down this possibility in the legislation in order to give those concerned enough security in taking decisions on the policy to be adopted in fighting the virus.

Amendment 33
Article 64

MOVEMENT OF VACCINATED
ANIMALS OF SUSCEPTIBLE SPECIES
AFTER THE RECOVERY OF THE FOOT-
AND-MOUTH DISEASE AND
INFECTION FREE STATUS

The dispatch from one Member State to

MOVEMENT OF VACCINATED
ANIMALS OF SUSCEPTIBLE SPECIES
AFTER THE RECOVERY OF THE FOOT-
AND-MOUTH DISEASE AND
INFECTION FREE STATUS

The dispatch from one Member State to

another Member State of animals of susceptible species vaccinated against foot-and-mouth disease shall be prohibited.

another Member State of animals of susceptible species vaccinated against foot-and-mouth disease shall be prohibited.

However, movement of vaccinated zoo animals or rare breeds to another Member State may be allowed, subject to any OIE rules that may apply.

Justification

The prohibition in Article 64 would prevent zoo animals moving if they had been vaccinated against FMD in an outbreak. However, breeding programmes for zoo animals require movements between Member States and so for conservation reasons it is proposed that such movements should be allowed, subject to any OIE rules.

Amendment 34
Article 72, paragraph 10

10. In any case, every **five** years each Member State shall update its contingency plan in particular in the light of real-time alert exercises referred to in Article 73, and submit it to the Commission for approval in accordance with the procedure referred to in Article 89 (2).

10. In any case, every **three** years each Member State shall update its contingency plan in particular in the light of real-time alert exercises referred to in Article 73, and submit it to the Commission for approval in accordance with the procedure referred to in Article 89 (2).

Justification

The review process should be on a more regular basis.

Amendment 35
Article 72, paragraph 10 a (new)

10a. Each contingency plan shall be approved by the Commission as a matter of urgency.

Justification

The European Parliament's 2001 Resolution on FMD was critical of the Commission's inability to approve Member States' contingency plans within an appropriate period, therefore they should be approved as a priority.

Amendment 36

Article 74, paragraph 3, point (d)

(d) providing information to the Commission, to the competent authorities of other Member States and other national authorities including competent environmental authorities and bodies, as well as veterinary, agricultural, and trading organisations and bodies;

(d) providing information to the Commission, to the competent authorities of other Member States and other national authorities including competent environmental authorities and bodies, as well as veterinary, agricultural, **consumer, retailing** and trading organisations and bodies;

Justification

In any future outbreak it is essential that nationally recognised consumer bodies, and food retailers are kept informed about the development of the disease and the measures used to eradicate it in accordance with the Member State's contingency plan.

Amendment 37

Article 77, paragraph 2, point (e)

(e) up-to-date lists of persons and local organisations in each region who shall be contacted and may be involved in the event of an outbreak of foot-and-mouth disease;

(e) up-to-date lists of persons, **including private veterinarians**, and local organisations in each region who shall be contacted and may be involved in the event of an outbreak of foot-and-mouth disease;

Justification

On a recommendation from its Temporary Committee on Foot and Mouth Disease, Parliament called, in its report of December 2002, for provision to be made for the use of private veterinarians when preparing contingency plans.(1)

(1) Paragraph 116, European Parliament resolution on measures to control foot and mouth disease in the European Union in 2001 and future measures to prevent and control animal diseases in the European Union (2002/2153 (INI)); P5_TA-PROV(2002)0614

Amendment 38

Article 77, point 2(e a) (new)

(ea) accessible phone lines where farmers and other rural residents can obtain recent, accurate information about the measures taken;

Justification

Communication with those affected is extremely important and did not always work perfectly in the 2001 crisis. The Member States must ensure that farmers and other residents of the countryside can give and receive information.

Amendment 39
Article 78, paragraph 1

EXPERT GROUP

1. Member States shall create a permanently operational expert group to maintain expertise in order to assist the competent authority in ensuring preparedness against an outbreak of foot-and-mouth disease.

EXPERT GROUP

1. Member States shall create a permanently operational expert group, ***which is composed of epidemiologists, veterinary scientists and virologists in a balanced way***, to maintain expertise in order to assist the competent authority in ensuring preparedness against an outbreak of foot-and-mouth disease.

Justification

The so-called 'Science Group' established in the UK to advise on the 2001 epidemic was incorrectly constituted (according to the UK government's own guidelines) with a considerable majority of mathematical modellers overshadowing a small minority of veterinary scientists with any expertise in FMD, and no virologists at all; this was sharply criticised in the report of the subsequent 'Lessons Learned' official inquiry.

Amendment 40
Annex IV, point 1.9.1 (new)

1.9.1 premises which cannot be cleansed and disinfected due to dilapidation or historic value to be left in quarantine for 12 months.

Justification

Due to the condition/age of some farm buildings it is not always possible to completely cleanse and disinfect them in accordance with the requirements of this Annex. It is suggested that in such cases, the buildings should be left quarantined for 12 months.

Amendment 41
Annex V, point 2.1 (new)

2.1 Uncontrolled restocking may only recommence if premises have been kept

free of animals for four months after final cleansing and disinfection.

Justification

Once four months have elapsed following final cleansing and disinfection, veterinary advice is that no FMD virus would have survived and so uncontrolled restocking should be allowed.

Amendment 42
ANNEX VI , point 2.1

2.1. the emergency must be documented by ***the*** veterinary surgeon,

2.1. the emergency must be documented by ***a*** veterinary surgeon, ***on call 24 hours per day, 7 days per week,***

Amendment 43
ANNEX VI , point 2.3

2.3. the transport must be authorised by the competent authorities,

2.3. the transport must be authorised by the competent authorities, ***who must be contactable 24 hours per day, 7 days per week,***

Amendment 44
ANNEX VI , point 2.5

2.5. the official veterinarian must be informed about the route prior to departure,

2.5. the ***on-call*** official veterinarian must be informed about the route prior to departure,

Amendment 45
ANNEX VI , point 4.2

4.2. the competent authorities may in exceptional cases authorise the transport of equidae in dedicated ***and registered*** equine transport from a holding not keeping animals of susceptible species to another holding keeping animals of susceptible species situated in the protection zone, subject to cleansing and disinfection of the transport prior to loading of the animals and before leaving the holding of destination.

4.2. the competent competent authorities may in exceptional cases authorise the transport of equidae in dedicated equine transport from a holding not keeping animals of susceptible species to another holding keeping animals of susceptible species situated in the protection zone, subject to cleansing and disinfection of the transport prior to loading of the animals and before leaving the holding of destination.

Amendment 46
Annex X, point 1

CRITERIA FOR THE DECISION TO
INTRODUCE EMERGENCY
VACCINATION

1. Taking into account the additional criteria in point 2, emergency vaccination shall be **introduced, if for more than two consecutive days:**

(a) infected herds on holdings referred to in Article 10 cannot be stamped out within 24 hours after the confirmation of the disease, and

(b) the pre-emptive killing of animals likely to be infected or contaminated cannot be safely carried out within less than 48 hours.

CRITERIA FOR THE DECISION TO
INTRODUCE EMERGENCY
VACCINATION

1. Taking into account the additional criteria in point 2, emergency vaccination shall be **considered the first choice in case an outbreak of FMD is suspected or confirmed.**

Justification

Emergency vaccination should be the first choice after any outbreak.

Amendment 47
Annex X, point 2

Text proposed by the Commission:

Criteria	Decision	
	For vaccination	Against vaccination
Population density of susceptible animals	High	Low
<i>Clinically affected species</i>	<i>Predominantly pigs</i>	<i>Predominantly ruminants</i>
Movement of potentially infected animals or products out of the protection zone	Evidence	No evidence
Predicted airborne spread of virus from infected holdings	High	Low or absent
Suitable vaccine	Available	Not available
Origin of outbreaks (traceability)	Unknown	Known
Incidence slope of outbreaks	Rising rapidly	Shallow or slow rise
Distribution of outbreaks	Widespread	Restricted

<i>Public reaction to total stamping out policy</i>	<i>Strong</i>	<i>Weak</i>
Acceptance of regionalisation after vaccination	Yes	No

Amendment by Parliament:

Criteria	Decision	
	For vaccination	Against vaccination
Population density of susceptible animals	High	Low
Movement of potentially infected animals or products out of the protection zone	Evidence	No evidence
Predicted airborne spread of virus from infected holdings	High	Low or absent
Suitable vaccine	Available	Not available
Origin of outbreaks (traceability)	Unknown	Known
Incidence slope of outbreaks	Rising rapidly	Shallow or slow rise
Distribution of outbreaks	Widespread	Restricted
<i>Significant social and psychological public impact of total stamping out policy</i>	<i>Yes</i>	<i>No</i>
Acceptance of regionalisation after vaccination	Yes	No

Justification

The 2001 FMD outbreak in the United Kingdom mainly affected sheep and cattle, and the negative economic and social and psychological impact of the stamping-out strategy is well known. Drawing a distinction based on whether pigs or cattle are affected as a criterion for the control strategy should therefore be abandoned.

The decision cannot be made dependent on whether there is a strong public reaction, i.e. whether culls would be hindered by resistance to them. Instead, the decision must be based on the principle that, in future, a serious social and psychological impact such as that seen in the United Kingdom in 2001 should be avoided.

Amendment 48
Annex XVII, point 11 a (new)

11a. The Member State shall ensure that farmers, the rural populace and the population in general are kept informed. Direct and accessible contact shall be

provided for the inhabitants of affected areas (inter alia via helplines), as well as information through the national and regional media.

Justification

Communication with those affected is extremely important and did not always work perfectly in the 2001 crisis. The Member States must ensure that farmers and other residents of the countryside can give and receive information.

EXPLANATORY STATEMENT

Introduction

There were repeated outbreaks of FMD in Europe in the past century, but with few exceptions (Italy, Greece), EU countries had escaped such outbreaks for several decades. However, the speed at which FMD of the Pan-Asia 0 type spread in 2001, particularly in the United Kingdom, was unprecedented in the history of FMD, as was the scale of the outbreaks.

The measures to tackle the epidemic caused major social dislocation in the countries affected and in other parts of the European Union and had a massive economic impact on the areas concerned. Particularly farmers whose livestock was not slaughtered and the upstream and downstream sectors of food production, as well as other sectors of the economy, especially tourism, suffered serious financial losses. A review of policy on FMD control and the underlying Community rules, on the basis of this experience, was clearly necessary.

The European Parliament adopted a resolution on 17 December 2002, based on the report of its temporary committee on FMD (A5-405/2002), which called for a review of the policy for preventing and controlling FMD followed hitherto by the EU and the Member States (P5_TA-PROV(2002)0614). Immediately afterwards, the Commission submitted a comprehensive proposal for a new set of rules on FMD control in the EU, which is the subject of the present report.

Parliament's basic recommendations on FMD control

Of Parliament's many recommendations to the Commission on the subject of disease control (leaving aside import controls and compensation questions), the following should be briefly highlighted:

- The disease-control objective (motivated by trade considerations) of eradicating the disease as quickly as possible while culling the minimum number of animals should not entail an absolute non-vaccination policy, and must always be offset against other politically relevant objectives such as avoiding excessive economic losses in upstream and downstream sectors of food production and in other sectors of the economy and avoiding traumatic psychological and social consequences in the regions concerned.
- A return to systematic prophylactic vaccination against FMD is not yet at this stage an option to aspire to, particularly because there are seven different serotypes, which cannot be tackled by a single vaccination, and 80 known subtypes exist within them, which likewise cannot be fully covered by a vaccination.
- In future, when an outbreak occurs, emergency vaccination with the aim of allowing animals to live for normal further use should no longer be regarded as a last resort for controlling FMD but must be considered as a first-choice option from the outset.
- The division of a country into FMD-free and FMD-infected zones ought in future to play an essential part in the event of a major outbreak, inter alia in deciding the control strategy. If animals are vaccinated, such a division should always be carried out.

- The Commission should immediately designate a Community reference laboratory for vesicular virus diseases, which should maintain contact with the officially designated national laboratories and assist them.
- The Commission and Member States should provide more funding and coordination for research into livestock diseases which figure in the OIE's A list and occur or are likely to occur in the EU.

The Commission proposal

The Commission proposal responds to a series of Parliament's demands, even though the Commission is clearly not in a position to act on all the aspects raised in Parliament's resolution, particularly in respect of certain calls made on the Member States or aspects falling within the area of compensation payments.

The structure of the proposal is based on the sequence of events should an outbreak occur and contains in its final part the measures to be taken in order to prepare for an outbreak.

The core of the Commission's proposal for a directive is the chapter on the measures to be taken by the Member States in order to control FMD outbreaks. It contains sections on the (obligations in respect of) notification of suspected cases, and in particular the control measures in case of suspicion or an outbreak of FMD (notably isolation, movement restrictions, stamping-out, the establishment of protection and surveillance zones and the measures to be taken in those zones, cleansing and disinfection, epidemiological inquiries, etc.).

A key point of the Commission proposal is the upholding of the ban on prophylactic vaccination against FMD. This decision takes account of the fact that there is currently no vaccine which covers the seven FMD serotypes and at least 80 subtypes, whilst at the same time the large scale and fast pace of international trade – some of it illegal – means that there is a risk that vaccine strains not covered might be brought in. This decision is also supported by Parliament, as long as suitable vaccines are not yet available. However, Parliament has also called for more efforts and coordination as regards research aimed at developing FMD vaccines. Prophylactic vaccination has not been cast aside permanently.

It is gratifying to see that the Commission has also adopted, at least in principle, the new approach to the question of emergency vaccination called for by Parliament. In future, emergency vaccination is no longer to be considered as the final option for controlling FMD but is to be regarded as a disease-control measure on an equal footing with measures to prevent the virus from being brought into Community territory and from coming into contact with susceptible species (see, for example, Article 14(3)). In particular, in accordance with Annex X, emergency vaccination should be carried out – albeit not on a mandatory basis – if (alongside other criteria) infected herds on holdings referred to in Article 10 cannot be stamped out within 24 hours after the confirmation of the disease, and the pre-emptive killing of animals likely to be infected or contaminated cannot be safely carried out within less than 48 hours.

On the question of the permitted scale of stamping-out, the proposal makes it clear that, where there is reason to suspect that the virus has spread to adjoining holdings, susceptible animals

on those holdings may also be killed (a policy which gave rise to particularly heated debate in the United Kingdom in 2001). This is an especially controversial point. In the United Kingdom, culls on neighbouring farms led to serious problems, as demonstrated by burning pyres and mass burial sites for slaughtered animals. The proposal provides that the Member State affected may make use of such culls on adjoining holdings without defining what is to be considered as adjoining. If the Member State wishes to carry out such culls, it is merely required to notify the Commission beforehand. Some improvements need to be made here in order to clarify that extensive culls are ruled out where they might have a negative impact on health or the environment or lead to particularly high losses in non-agricultural sectors such as tourism.

The proposal also incorporates the 'regionalisation' called for in Parliament's resolution, i.e. the division of an area of the Member State affected into one or more restricted zones and a free zone. Regionalisation is to be applied where the disease spreads over a large area despite the control measures taken and in any case where emergency vaccination is carried out. This limits the trade restrictions applied under international rules and EU law in the event of an FMD outbreak.

A key aspect concerns the possibility of using products produced from vaccinated animals. The Commission lays down clear conditions in its proposal under which milk and milk products or meat may be placed on the intra-Community market.

On the whole, the Commission proposal is extremely positive. It covers the key aspects of FMD control and lays down comprehensive and clear rules for all the circumstances which need to be taken into account insofar as they relate to strategy and measures to prepare for, control and subsequently follow up an outbreak of the disease.

The question of who should receive compensation under what conditions in the event of losses caused by FMD and FMD control is not dealt with in the proposal. For the time being, Decision 424/90/EEC will continue to apply. The Commission should submit a proposal on this subject as a matter of urgency in order to remove the inconsistencies affecting the current Decision.

The only aspect which really deserves to be criticised is the over-cautious approach to the use of emergency vaccination. The criteria laid down for control methods in Article 50(1) and in the list of criteria set out in Annex X pay too little attention to the non-disease-control aspects: the economic interests of non-agricultural businesses and the psychological and social impact on the public. The 2001 FMD crisis in the United Kingdom provided a clear demonstration of the negative consequences which a stamping-out strategy can have in the event of an extensive and rapidly spreading FMD outbreak.

It might also be questioned whether there is any point in suppressive vaccination, i.e. vaccination where the vaccinated animals are subsequently killed. The only (trade-policy) argument in favour of suppressive vaccination is that 'FMD-free without vaccination' status can be regained three months earlier than in the case of vaccination without subsequent slaughter. This argument must be seen against the background that emergency vaccination is likely to be carried out only in the event of extensive outbreaks in areas with high livestock density, and that they would then cover a large area. Suppressive vaccination (with the

subsequent killing of all FMD-susceptible animals in this area) would have the same undesired psychological and social impact on the local communities affected as seen, for example, in Cumbria in the United Kingdom in 2001.

The 2001 FMD epidemic showed that there is a lack of sufficient laboratory capacity and expert advice. The Commission is proposing the designation of a reference laboratory whose functions and duties are described in detail in Annex XVI. Finally, the proposal contains rules on contingency plans and the necessary equipment for national and local disease control centres, which are to be welcomed.

There is also a significant and urgent need for research in the field of FMD diagnosis and prophylaxis. Even though this problem does not fall within the scope of the present directive, it must be taken into account at Community level as part of research and development programmes and through increased coordination of national research.

The question of who should have the right of initiative in respect of a decision on the implementation of emergency vaccination is a delicate matter. The proposal provides that this initiative can be taken by another Member State or by the Commission, as well as by the Member State affected. This right of initiative should be restricted. Only Member States adjoining the affected Member State have a justified interest in a decision on emergency vaccination, and they should therefore be able to demand such a decision. The Community interest, on the other hand, is upheld by the Commission, which should have its own right of initiative.

OPINION OF THE COMMITTEE ON THE ENVIRONMENT, PUBLIC HEALTH AND CONSUMER POLICY

for the Committee on Agriculture and Rural Development

on the proposal for a Council directive on Community measures for the control of foot-and-mouth disease and amending Directive 92/46/EEC (COM(2002) 736 – C5-0029/2003 – 2002/0299(CNS))

Draftsman: Phillip Whitehead

PROCEDURE

The Committee on the Environment, Public Health and Consumer Policy appointed Phillip Whitehead draftsman at its meeting of 28 January 2003.

It considered the draft opinion at its meetings of 25 March and 22 April 2003.

At the last meeting it adopted the following amendments unanimously.

The following were present for the vote: Caroline F. Jackson (chairman), Phillip Whitehead (draftsman), María del Pilar Ayuso González, Jean-Louis Bernié, Hans Blokland, David Robert Bowe, John Bowis, Martin Callanan, Dorette Corbey, Cristina Gutiérrez Cortines, Avril Doyle, Anne Ferreira, Francesco Fiori (pursuant to Rule 166(3)), Karl-Heinz Florenz, Laura González Álvarez, Robert Goodwill, Jutta D. Haug (for Torben Lund), Hedwig Keppelhoff-Wiechert (for Raffaele Costa), Eija-Riitta Anneli Korhola, Bernd Lange, Caroline Lucas (for Alexander de Roo), Minerva Melpomeni Malliori, Eluned Morgan (for Béatrice Patrie), Rosemarie Müller, Riitta Myller, Ria G.H.C. Oomen-Ruijten, Neil Parish (for Marialiese Flemming), Marit Paulsen, Dagmar Roth-Behrendt, Karin Scheele, Ursula Schleicher (for Cristina García-Orcoyen Tormo), Renate Sommer (for Françoise Grossetête), Bart Staes (for Hiltrud Breyer), Dirk Sterckx (for Chris Davies), Catherine Stihler, Robert William Sturdy (for Christa Klab), Charles Tannock (for Peter Liese), Peder Wachtmeister.

SHORT JUSTIFICATION

2001 epidemic and lessons learnt

The foot-and-mouth disease (FMD) epidemic of 2001 was of exceptional severity, with over 2000 recorded outbreaks in the UK alone. It devastated the UK, where this strain of the virus first appeared and posed major problems for three adjacent Member States. The FVO annual report from 2001 describes it concisely. *"The initial delay in identifying the first outbreak, and the high number of sheep movements around that time allowed the disease to spread widely before it was detected. This was exacerbated by insufficient control over livestock dealers and markets...The scale of the epidemic caused considerable problems in the implementation of the necessary control and eradication efforts, since the resources required*

could not immediately be mobilised." As they were, the sheer scale of the cull required raised public misgivings about its extent, its environmental consequences, the human and animal distress in badly affected areas. This in turn led to legal challenges to the cull in some parts of the UK, and a passionate debate on the alternative of vaccination - either as a general long-term alternative to the EU's ten-year prohibition of prophylactic vaccination or for emergency ring vaccination of animals subsequently killed. The Netherlands employed the latter strategy, *in extremis* with the Commission's agreement.

The issues involved were extensively discussed immediately the epidemic subsided, at a public symposium in Brussels, by a number of national and local enquiries in the UK, and by the Temporary Committee on foot and mouth disease of the European Parliament. All reached broadly similar conclusions about prevention, but varied the approaches to cure. Those who object strongly that large concentrations of non-vaccinated livestock will always be at unacceptable risk of received infection will contest the Commission's determination to recover and maintain the OIE status "free of foot-and-mouth disease without vaccination". It remains very much the majority view of the Community institutions and the member states. Your draftsman shares it, with the proviso that *emergency* vaccination should be seen as a realistic option in containing future epidemics, rather than as a desperate last resort. The more effective the methods of diagnosis set out here become, the better the information will be for a targeted "vaccinate to live" strategy.

Draftsman's position on the Commission proposal

The Commission has produced a considered response to the proposal of the Temporary Committee which draws on the experience of the affected Member States; the UK, Ireland, France and the Netherlands, and on subsequent deliberations. Your draftsman generally welcomes the Commission proposal. It is not rigidly prescriptive, but Member States may take more stringent action beyond the necessary minima setting up Temporary Control Zones (TCZ) around suspect premises. Your draftsman believes that it must be made clear that the 72 hours movement ban in a TCZ (which could be the entire territory of a Member State) can and should be extended, if required, for effective testing. The Directive allows (Article 15) for the protection of animals in laboratories, zoos, wildlife parks and rare breeds centres by preventive vaccination. It should be clearly set out that the public interest is best served by the preservation of rare bloodlines and the retention of the animal gene pool.

The establishment of Protection Zones (3 km) and Surveillance Zones (10 km), and the special precautionary measures for meat and milk products derived from the latter are to be welcomed. The more effective they are, the greater the flexibility with which they can be used. Equally, a regionalised approach, based on epidemiological assessment of the restricted areas, will assist the best use of resources which are always likely to be overstretched in an emergency. Adjacent Member States' assent will be needed if border areas are declared "FMD free".

There remains the issue of what kind of emergency vaccination would be permitted in a Member state stricken with a fresh outbreak of foot-and-mouth disease. Suppressive vaccination in the Protection Zones would be introduced in densely populated areas of susceptible animals (especially pigs) if the disease cannot be stamped out by slaughter within 24 hours of confirmation, and by culling of animals at risk within 48 hours. Member states

will need to make a balanced judgement on the appropriate methods, including the use of "vaccination to live" in the Surveillance Zones. The draftsman believes that all stakeholders, producers, consumers and citizens alike will need to be fully informed and consulted about the further testing of vaccinated animals, and the entry and labelling of meat products derived from them into the food chain.

Conclusion

We have not seen the last of foot-and-mouth disease within the EU. But the response to the 2001 epidemic has provided new rules of engagement if it returns. Vigilance is paramount, even if some of the controls are irksome for producers. So is research, so the most effective use of vaccination as a supplementary defence can be achieved. Most of all we need to understand that the more intensive the concentrations of animals, the greater care must be taken over both their movements and the products derived from them. The Commission's proposals are sensible. They follow the line of the European Parliament's own Temporary Committee. It should be the opinion of this committee that they be endorsed.

AMENDMENTS

The Committee on the Environment, Public Health and Consumer Policy calls on the Committee on Agriculture and Rural Development, as the committee responsible, to incorporate the following amendments in its report:

Text proposed by the Commission¹

Amendments by Parliament

Amendment 1

Recital 1, sentence 2 a (new)

(1) One of the Community's tasks in the veterinary field is to improve the state of health of livestock, thereby increasing the profitability of livestock farming and facilitating trade in animals and animal products.

(1) One of the Community's tasks in the veterinary field is to improve the state of health of livestock, thereby increasing the profitability of livestock farming and facilitating trade in animals and animal products. ***At the same time the Community is also a Community of values, and its policies to combat animal diseases must not be based purely on commercial interests but must also take genuine account of ethical principles, including respect for life.***

Justification

The Community's task of improving the health of livestock should not only be determined by economic interests but should also take account of what is ethically acceptable.

Amendment 2

Recital 18 a (new)

All measures to contain and eradicate Foot and Mouth Disease shall have as a prime concern the protection and safety of the physical environment.

Justification

Self-explanatory.

Amendment 3

Recital 19 a (new)

¹ Not yet published in OJ.

(19a) When an outbreak occurs, the strategy selected for controlling it must be the most ethically acceptable. It must take account of the psychological and social impact on people affected by the control measures.

Justification

FMD must not only be combated on the basis of veterinary law but also in a way which takes into consideration the ethical aspect of our actions and the psychological and social impact, as the findings of the inquiry by the Temporary Committee on Foot and Mouth Disease showed.

Amendment 4
Recital 19 b (new)

(19b) Various strategies are available for controlling FMD. A control strategy which consists solely of stamping-out takes too little account of scientific advances and is ethically unacceptable.

By means of emergency vaccinations and subsequent testing it is possible to distinguish between vaccinated and infected animals. Animals in a protection zone around a site of FMD infection need not be culled, therefore, but may remain alive after vaccination.

Justification

FMD must not only be combated on the basis of veterinary law but also in a way which takes into consideration the ethical aspect of our actions and the psychological and social impact, as the findings of the inquiry by the Temporary Committee on Foot and Mouth Disease showed.

Amendment 5
Recital 20

(20) It is necessary to prevent any spread of the disease as soon as an outbreak occurs by carefully monitoring movements of animals and the use of products liable to be

(20) It is necessary to prevent any spread of the disease as soon as an outbreak occurs by carefully monitoring movements of animals and the use of products liable to be

contaminated, and ***where appropriate, in particular in densely populated livestock areas***, by emergency vaccination.

contaminated, and by emergency vaccination.

Justification

It is absolutely essential to prevent the spread of the disease. Emergency vaccination (vaccination to live) is not just an option here but by far the safest strategy.

Amendment 6
Recital 36 a (new)

(36a) Member States which opt for protective vaccination save the Community the costs associated with culls and destruction of animals. Part of the savings should be used to market products from vaccinated animals. The remainder should be used to cover the costs of protective vaccination.

Member States which decide to vaccinate livestock should not be placed at a disadvantage as regards the compensation payments they receive from the Community.

Justification

A Member State's decision on what control strategy to adopt must not be influenced by the size of compensation payments. Here as elsewhere, a level playing field is called for.

Amendment 7
Article 2, point (j) a (new)

(ja) 'rare breeds' means any animal(s) in a Member State deemed by that Member State to be sufficiently valuable to the overall gene pool as to be a recognised exception to any culling policy.

Justification

Article 15 (1) refers to specific precautionary measures to be taken in relation to 'rare breeds'. A definition of this category of animal should therefore be given.

Amendment 8
Article 7, paragraph 3

3. The measures applied in the temporary control zone may be supplemented by a temporary ban on movements of all animals in a larger area or on the whole of the territory of a Member State for up to 72 hours.

3. The measures applied in the temporary control zone may be supplemented by a temporary ban on movements of all animals in a larger area or on the whole of the territory of a Member State for up to 72 hours ***or longer if necessary.***

Justification

Experience in the 2001 epidemic showed that a temporary ban on movements may need to be extended beyond 72 hours to ensure the completion of laboratory tests

Amendment 9
Article 50, paragraph 3

3. The decision to introduce emergency vaccination shall be adopted in accordance with the procedure referred to in Article 89 (3), either on request of the Member State directly affected or at risk, or on the Commission's own initiative

3. The decision to introduce emergency vaccination shall be adopted in accordance with the procedure referred to in Article 89 (3), either on request of the Member State directly affected or at risk, or on the Commission's own initiative ***in collaboration with the Member State concerned.***

Justification

This amendment reflects the provisions of the existing Directive on Foot and Mouth Disease and gives the Member State concerned flexibility in deciding what action to take to eradicate the disease.

Amendment 10
Article 55, paragraph 8 a (new)

8a. An information programme shall be put in place in the Member States to inform the public about the safety of meat, milk and dairy products from vaccinated animals for human consumption.

Justification

Experience from the 2001 epidemic has shown that major food retailers/ producers and

consumer groups should be involved in planning how meat and milk from vaccinated animals is presented and communicated to consumers as safe for human consumption

Amendment 11
Article 55, paragraph 8 b (new)

8b. Products as referred to in paragraphs 5, 6 and 7 which are fit for human consumption shall be identifiable to traders as products from vaccinated animals.

Justification

Products from vaccinated animals are no more or less safe than products from unvaccinated animals, particularly once they have undergone the prescribed processing. However, products from vaccinated animals would be placed at a disadvantage if they were to be labelled as such. This would give the impression that the products concerned were inferior to products from unvaccinated animals. Yet before the non-vaccination policy was introduced in 1991, consumers consumed these products for years without being aware of the fact.

Amendment 12
Article 72, paragraph 10

10. In any case, every **five** years each Member State shall update its contingency plan in particular in the light of real-time alert exercises referred to in Article 73, and submit it to the Commission for approval in accordance with the procedure referred to in Article 89 (2).

10. In any case, every **three** years each Member State shall update its contingency plan in particular in the light of real-time alert exercises referred to in Article 73, and submit it to the Commission for approval in accordance with the procedure referred to in Article 89 (2).

Justification

The review process should be on a more regular basis.

Amendment 13
Article 72, paragraph 10 a (new)

Each contingency plan shall be approved by the Commission as a matter of urgency.

Justification

The European Parliament's 2001 Resolution on FMD was critical of the Commission's inability to approve Member States' contingency plans within an appropriate period, therefore they should be approved as a priority.

Amendment 14
Article 74, paragraph 3, point (d)

(d) providing information to the Commission, to the competent authorities of other Member States and other national authorities including competent environmental authorities and bodies, as well as veterinary, agricultural, and trading organisations and bodies;

(d) providing information to the Commission, to the competent authorities of other Member States and other national authorities including competent environmental authorities and bodies, as well as veterinary, agricultural, **consumer, retailing** and trading organisations and bodies;

Justification

In any future outbreak it is essential that nationally recognised consumer bodies, and food retailers are kept informed about the development of the disease and the measures used to eradicate it in accordance with the Member State's contingency plan.