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Committee on the Environment, Public Health and Food Safety

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DRAFT OPINION

of the Committee on the Environment, Public Health and Food Safety

for the Committee on Agriculture and Rural Development

on the proposal for a Council Decision amending Council Decision
90/424/EEC on expenditure in the veterinary field
(COM(2005)0171 – C6-0196/2005 – 2005/0063(CNS))

Draftsman: Robert Sturdy

SHORT JUSTIFICATION

Avian Influenza (AI) is an infectious disease that affects poultry and other birds and is caused by type A strains of the influenza virus. First identified in Italy more than 100 years ago AI occurs worldwide.

All birds are thought to be susceptible to AI, though some species are more vulnerable to infection than others. AI can also be spread to mammals, including humans, usually following direct contact with infected birds. During the ongoing AI epidemic in some parts of Asia the fatality rate among humans has been very high.

The occurrence of AI in birds causes a wide spectrum of symptoms, ranging from mild illness to a highly aggressive, fatal disease that can lead to severe epidemics. "Low Pathogenic Avian Influenza" (LPAI) is not dangerous. Birds with LPAI are safe to eat and not contagious. On the other hand "highly pathogenic avian influenza" (HPAI) is characterized by severe illness and rapid death, with a mortality rate that can reach 90%.

The potential danger of LPAI, highlighted by recent research, shows that viruses of low pathogenicity can, after circulation for short periods in a poultry population, mutate into highly pathogenic viruses. This would suggest that the spread of LPAI in domestic poultry, therefore, is a major factor for the mutation of the virus into HPAI, which then causes devastating outbreaks. The Commission has reacted to this by proposing to revise and update existing Community legislation.

First of all, the Commission puts forward a proposal for a directive that introduces control measures for both HPAI and LPAI. It would repeal Directive 92/40/EEC which establishes compulsory disease control measures only in case of disease in poultry caused by HPAI.

To ensure adequate financial provisions for the new package of control measures, it is proposed that **Council Decision 90/424/EEC** should be amended in parallel.

Council Decision 90/424/EEC provides financial assistance from the Community to Member States for the eradication of certain animal diseases. Currently this assistance is only available for HPAI and not LPAI.

The Draftsman fully endorses the proposed changes to align Decision 90/424/EEC to the new, wider definition of AI that includes both HPAI and LPAI. He does, however, not agree with the proposed financial contribution of 30% to Member States for costs which they incur in the event of a stamping out policy being applied following outbreaks of LPAI. The Commission argues that this reduced contribution, in comparison with the proposed 50% for costs related to an outbreak of HPAI, is justified due to the reduced risk from LPAI. They believe that Member States should maintain the option not to apply a stamping-out policy in event of a LPAI outbreak if they so wish, and suspect that a higher percentage contribution might influence the decision making process of Member States.

Although the Draftsman fully understands the reasoning of the Commission, he feels that an equal Community contribution of 50%, to both HPAI and LPAI is appropriate for two reasons:

1) The risks of sending an unclear, confusing message to the public outweighs any potential cost saving in the Commission's argument. If the point of amending Council Decision 90/424/EEC is to acknowledge that LPAI is potentially dangerous it is surely illogical to assert, through a proposed difference in financial assistance, that LPAI is 20% less dangerous than HPAI. Either it is dangerous or it is not. In dealing with public reaction following an outbreak every possible effort must be taken to minimise inconsistency and misleading information.

2) As an outbreak of LPAI might, depending on the circumstances, also necessitate a stamping out of the animals concerned, the Commission's argument only applies to a limited number of cases. In these cases, where Member States will have to decide whether to kill or to slaughter, they should be encouraged to take a rapid, but considered, decision based on animal and human health concerns rather than being influenced by incentives of an economic nature.

AMENDMENTS

The Committee on the Environment, Public Health and Food Safety 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 4

(4) In the light of the adoption of Directive xxx it is appropriate to modify Decision 90/424/EEC so that Community financial assistance may also be granted for those eradication measures carried out by the Member States to combat avian influenza virus strains of low pathogenicity that may mutate into highly pathogenic strains.

(4) In the light of the adoption of Directive xxx it is appropriate to modify Decision 90/424/EEC so that Community financial assistance may also be granted for those eradication measures carried out by the Member States to combat avian influenza virus strains of low pathogenicity that may mutate into highly pathogenic strains. ***Due to this risk of mutation, it is appropriate to provide for the same level of Community financial contribution for cases of both highly pathogenic avian influenza (HPAI) and low pathogenic avian influenza (LPAI).***

Justification

¹ Not yet published in OJ.

The risk of sending an unclear, confusing message to the public outweighs any potential cost saving in the Commission's argument. Every possible effort must be taken to minimise inconsistency and misleading information. In cases where Member States will have to decide whether to kill or to slaughter the decision should be based on health concerns rather than economic incentives.

Amendment 2

ARTICLE 1, POINT 2

Article 3a, paragraph 3, indent 1 (Decision 90/424/EEC)

- in the case of highly pathogenic avian influenza 50% and in the case of low pathogenic avian influenza **30%** of the following costs, incurred by the Member State in compensating livestock owners for the killing, the destruction of animals, the destruction of animal products, the cleaning and disinfection of holdings and equipment, the destruction of the contaminated feedingstuffs and for the destruction of contaminated equipment, where such equipment cannot be disinfected,
- in the case of highly pathogenic avian influenza 50% and in the case of low pathogenic avian influenza **50%** of the following costs, incurred by the Member State in compensating livestock owners for the killing, the destruction of animals, the destruction of animal products, the cleaning and disinfection of holdings and equipment, the destruction of the contaminated feedingstuffs and for the destruction of contaminated equipment, where such equipment cannot be disinfected,

Justification

The risk of sending an unclear, confusing message to the public outweighs any potential cost saving in the Commission's argument. Every possible effort must be taken to minimise inconsistency and misleading information. In cases where Member States will have to decide whether to kill or to slaughter the decision should be based on health concerns rather than economic incentives.