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**COUNCIL DECISION**  
**of 26 June 1990**  
**on expenditure in the veterinary field**  
 (90/424/EEC)  
 (OJ L 224, 18.8.1990, p. 19)

Amended by:

		Official Journal		
		No	page	date
► <b><u>M1</u></b>	Council Decision 91/133/EEC of 4 March 1991	L 66	18	13.3.1991
► <b><u>M2</u></b>	Council Regulation (EEC) No 3763/91 of 16 December 1991	L 356	1	24.12.1991
► <b><u>M3</u></b>	Council Decision 92/337/EEC of 16 June 1992	L 187	45	7.7.1992
► <b><u>M4</u></b>	Council Decision 92/438/EEC of 13 July 1992	L 243	27	25.8.1992
► <b><u>M5</u></b>	Council Directive 92/117/EEC of 17 December 1992	L 62	38	15.3.1993
► <b><u>M6</u></b>	Council Directive 92/119/EEC of 17 December 1992	L 62	69	15.3.1993
► <b><u>M7</u></b>	Commission Decision 93/439/EEC of 30 June 1993	L 203	34	13.8.1993
► <b><u>M8</u></b>	Commission Decision 94/77/EC of 7 February 1994	L 36	15	8.2.1994
► <b><u>M9</u></b>	Council Decision 94/370/EC of 21 June 1994	L 168	31	2.7.1994
► <b><u>M10</u></b>	Council Regulation (EC) No 1258/1999 of 17 May 1999	L 160	103	26.6.1999
► <b><u>M11</u></b>	Council Decision 2001/12/EC of 19 December 2000	L 3	27	6.1.2001
► <b><u>M12</u></b>	Council Decision 2001/572/EC of 23 July 2001	L 203	16	28.7.2001
► <b><u>M13</u></b>	Council Regulation (EC) No 806/2003 of 14 April 2003	L 122	1	16.5.2003
► <b><u>M14</u></b>	Directive 2003/99/EC of the European Parliament and of the Council of 17 November 2003	L 325	31	12.12.2003
► <b><u>M15</u></b>	Council Decision 2006/53/EC of 23 January 2006	L 29	37	2.2.2006
► <b><u>M16</u></b>	Council Decision 2006/782/EC of 24 October 2006	L 328	57	24.11.2006
► <b><u>M17</u></b>	Council Regulation (EC) No 1791/2006 of 20 November 2006	L 363	1	20.12.2006
► <b><u>M18</u></b>	Council Decision 2006/965/EC of 19 December 2006	L 397	22	30.12.2006
► <b><u>M19</u></b>	Commission Decision 2008/685/EC of 20 August 2008	L 224	11	22.8.2008

Corrected by:

- **C1** Corrigendum, OJ L 304, 1.11.1990, p. 99 (90/424/EEC)

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).

**COUNCIL DECISION****of 26 June 1990****on expenditure in the veterinary field**

(90/424/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission <sup>(1)</sup>,

Having regard to the opinion of the European Parliament <sup>(2)</sup>,

Having regard to the opinion of the Economic and Social Committee <sup>(3)</sup>,

Whereas live animals and products of animal origin appear on the list in Annex II to the Treaty; whereas livestock farming and the placing on the market of products of animal origin constitute a source of income for a large part of the agricultural population;

Whereas the rational development of this sector and an improvement in its productivity may be achieved by the initiation of veterinary measures aimed at protecting and raising the level of public and animal health in the Community;

Whereas the pursuit of that objective necessitates the provision of Community aid for actions undertaken or intended to be undertaken;

Whereas the Community is to adopt measures designed to establish the internal market progressively over a period expiring on 31 December 1992;

Whereas, within that framework, the Community should make a financial contribution towards the eradication, as quickly as possible, of any outbreak of a serious infectious disease;

Whereas it is also necessary to prevent and reduce, by appropriate control measures, the appearance of zoonoses which pose a threat to human health;

Whereas the new control strategy postulates the suppression of internal frontier controls and the harmonization of the control system for products coming from third countries; whereas it seems appropriate to facilitate the implementation of that strategy by providing for a financial contribution by the Community towards the initiation and the development of the new strategy;

Whereas the harmonization of essential requirements concerning the protection of public health, the protection of animal health and the protection of animals presupposes the designation of Community liaison and reference laboratories and the undertaking of technical and scientific actions; whereas it seems appropriate to provide for a Community financial contribution; whereas, in the field of animal protection in particular, it is desirable to create a database to gather, store and disseminate any information necessary;

Whereas Community measures for the eradication of certain animal diseases already qualify for financial aid from the Community; whereas the provisions concerned include those adopted by way of

<sup>(1)</sup> OJ No C 84, 2. 4. 1990, p. 1.

<sup>(2)</sup> OJ No C 149, 18. 6. 1990.

<sup>(3)</sup> OJ No C 168, 10. 7. 1990, p. 5.

**▼B**

Council Directive 77/391/EEC of 17 May 1977 introducing Community measures for the eradication of brucellosis, tuberculosis and leucosis in cattle <sup>(1)</sup>, as last amended by Regulation (EEC) No 3768/85 <sup>(2)</sup>, Council Directive 82/400/EEC of 14 June 1982 amending Directive 77/391/EEC and introducing a supplementary Community measure for the eradication of brucellosis, tuberculosis and leucosis in cattle <sup>(3)</sup>, as last amended by Regulation (EEC) No 3768/85, Council Decision 89/145/EEC of 20 February 1989 introducing a Community financial measure for the eradication of contagious bovine pleuropneumonia (CBPP) in Portugal <sup>(4)</sup>, Council Decision 80/1096/EEC of 11 November 1980 introducing Community financial measures for the eradication of classical swine fever <sup>(5)</sup>, as last amended by Decision 87/488/EEC <sup>(6)</sup>, Council Decision 86/649/EEC of 16 December 1986 introducing a Community financial measure for the eradication of African swine fever in Portugal <sup>(7)</sup>, as last amended by Decision 89/577/EEC <sup>(8)</sup>, Council Decision 86/650/EEC of 16 December 1986 introducing a Community financial measure for the eradication of African swine fever in Spain <sup>(9)</sup>, Council Decision 89/455/EEC of 24 July 1989 introducing Community measures to set up pilot projects for the control of rabies with a view to its eradication or prevention <sup>(10)</sup>; whereas it is advisable that financial contributions from the Community which are intended for the eradication of the diseases referred to above continue to be governed by the Decision relating thereto; whereas, nevertheless, as concerns the additional measure for the eradication of brucellosis, tuberculosis and leucosis in cattle, as provided for in Decision 87/58/EEC <sup>(11)</sup>, there would appear to be justification, in the interests of consistency, for providing for the possibility of increasing the level of the Community's financial contribution up to 50 % of the costs incurred by Member States for the slaughter of cattle;

Whereas provision should be made for a Community financial measure for the eradication and monitoring of certain animal diseases; whereas all Community financial measures for the eradication and monitoring of animal diseases which involve compulsory Community budget expenditure should be brought together under one head;

Whereas it is appropriate to confer upon the Commission the task of taking the necessary applicatory measures,

HAS ADOPTED THIS DECISION:

*Article 1*

This Decision lays down the procedures governing the Community's financial contribution towards:

— specific veterinary measures,

<sup>(1)</sup> OJ No L 145, 13. 6. 1977, p. 14.

<sup>(2)</sup> OJ No L 362, 31. 12. 1985, p. 9.

<sup>(3)</sup> OJ No L 173, 19. 6. 1982, p. 18.

<sup>(4)</sup> OJ No L 53, 25. 2. 1989, p. 55.

<sup>(5)</sup> OJ No L 325, 1. 12. 1980, p. 5.

<sup>(6)</sup> OJ No L 280, 3. 10. 1987, p. 26.

<sup>(7)</sup> OJ No L 382, 31. 12. 1986, p. 5.

<sup>(8)</sup> OJ No L 322, 7. 11. 1989, p. 21.

<sup>(9)</sup> OJ No L 382, 31. 12. 1986, p. 9.

<sup>(10)</sup> OJ No L 223, 2. 8. 1989, p. 19.

<sup>(11)</sup> OJ No L 24, 27. 1. 1987, p. 51.

**▼B**

— inspection measures in the veterinary field,

**▼M18**

— programmes for the eradication, control and monitoring of animal diseases and zoonoses.

**▼B**

This Decision shall not affect the option enjoyed by certain Member States of being eligible for a financial contribution by the Community of more than 50 % under Council Regulation (EEC) No 2052/88 of 24 June 1988 on the Tasks of the Structural Funds and their effectiveness and on coordination of their activities between themselves and with the operations of the European Investment Bank and the other existing instruments <sup>(1)</sup>.

## TITLE 1

## SPECIFIC VETERINARY MEASURES

*Article 2*

Specific veterinary measures shall include:

- emergency measures;
- the campaign against foot-and-mouth disease,
- measures for the protection of animals,
- contribution to national schemes for the eradication of certain diseases,
- technical and scientific measures.

## Chapter 1

## Emergency measures

*Article 3*

1. The provisions of this Article shall apply in the event of the occurrence of one of the following diseases in the territory of a Member State:

- rinderpest cattle plague,
- sheep and goat plague,
- swine vesicular disease,
- blue tongue,
- Teschen disease,

**▼M15**

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**▼B**

- sheep pox or goat pox,
- Rift Valley fever,
- lumpy skin disease,
- African horse sickness,
- vesicular stomatitis,

<sup>(1)</sup> OJ No L 185, 15. 7. 1988, p. 9.

**▼B**

— Venezuelan equine viral encephalomyelitis,

**▼M6**

— haemorrhagic disease of deer,

**▼M7**

— classical swine fever,

**▼M9**

— African swine fever,

— contagious bovine pleuropneumonia,

**▼M16**

— epizootic haematopoietic necrosis in fish (EHN),

— epizootic ulcerative syndrome in fish (EUS),

— infection with *Bonamia exitiosa*,

— infection with *Perkinsus marinus*,

— infection with *Microcytos mackini*,

— Taura syndrome in crustaceans,

— yellowhead disease in crustaceans.

**▼B**

2. The Member State concerned shall obtain a financial contribution from the Community for the eradication of the disease, on condition that the measures applied immediately comprise at least the isolation of the holding from the time of suspicion and, following official confirmation of the disease:

**▼M15**

— the slaughter of animals of susceptible species which are affected or contaminated or suspected of being affected or contaminated, and their destruction,

**▼B**

— the destruction of contaminated feedingstuffs and contaminated equipment, where the latter cannot be disinfected in accordance with the third indent,

— the cleaning, disinsectization and disinfection of the holdings and of the equipment on the holdings,

— the establishment of protection zones,

— the imposition of suitable measures to prevent the risk of the spread of infection,

— the establishment of a waiting period to be observed after slaughter before re-stocking of the holding,

— swift and adequate compensation of the livestock farmers.

**▼M6**

2a. The Member State concerned shall also qualify for a Community financial contribution where, on the outbreak of one of the diseases listed in paragraph 1, two or more Member States collaborate closely to control the epidemic, particularly in carrying out an epidemiological survey and disease surveillance measures. Without prejudice to the measures provided for under the common organization of markets concerned, the specific Community financial contribution shall be decided on in accordance with the procedure laid down in Article 41.

**▼B**

3. The Member State concerned shall, without delay, inform the Commission and the other Member States of the measures applied in accordance with Community legislation on notification and eradication and the results thereof. The situation shall be examined as soon as possible within the Standing Veterinary Committee, hereinafter referred to as the 'Committee', set up by Decision 68/361/EEC<sup>(1)</sup>.

<sup>(1)</sup> OJ No L 255, 18. 10. 1968, p. 23.

**▼B**

The specific financial contribution by the Community shall be decided in accordance with the procedure laid down in Article 41, without prejudice to the measures provided for in the context of the common organization of markets concerned.

**▼M15**

4. If, in view of the development of the situation in the Community, it proves necessary to continue the measures provided for in paragraph 2 and Article 3a, a new decision concerning the financial contribution by the Community, which might exceed the figure of 50 % laid down in the first indent of paragraph 5, may be adopted in accordance with the procedure laid down in Article 41. When this decision is adopted, any measures which the Member State concerned must take in order to ensure the success of the action may be laid down, and in particular measures other than those mentioned in paragraph 2.

**▼B**

5. Without prejudice to market support measures to be taken as part of the common organization of markets, the financial contribution by the Community, divided if necessary into several tranches, must be:

- 50 % of the costs incurred by the Member State in compensating owners for the slaughter, destruction of animals and, where appropriate, their products, for the cleaning, disinsectization and disinfection of holdings and equipment and for the destruction of the contaminated feedingstuffs and contaminated equipment referred to in the second indent of paragraph 2,
- where vaccination has been decided upon in accordance with paragraph 4, 100 % of the cost of supply of the vaccine and 50 % of the costs incurred in carrying out that vaccination.

**▼M15***Article 3a*

1. This Article and Article 3(3) and (4) shall apply in the event of the occurrence of avian influenza in the territory of a Member State.

2. The Member State concerned shall obtain a financial contribution from the Community for the eradication of avian influenza if the minimum control measures provided for in Council Directive 2005/94/EC of 20 December 2005 on Community measures for the control of avian influenza <sup>(1)</sup> have been fully and efficiently implemented in compliance with relevant Community legislation and, in the case of killing of animals of susceptible species which are affected or contaminated or suspected of being affected or contaminated, livestock owners have been compensated swiftly and adequately.

3. The financial contribution by the Community, divided if necessary into several tranches, shall be:

**▼M18**

- 50 % of the costs incurred by the Member State in compensating livestock owners for the killing of poultry or other captive birds and the value of the eggs destroyed;

**▼M15**

- 50 % of the costs incurred by the Member State for, 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;
- where emergency vaccination is decided upon in accordance with Article 54 of Directive 2005/94/EC, 100 % of the cost of supply of

<sup>(1)</sup> OJ L 10, 14.1.2006, p. 16.

**▼M15**

the vaccine and 50 % of the costs incurred in carrying out that vaccination.

**▼M16***Article 3b*

Member States may allocate funds within the operational programmes drawn up in accordance with Article 17 of Council Regulation (EC) No 1198/2006 of 27 July 2006 on the European Fisheries Fund <sup>(1)</sup> for the eradication of the exotic diseases in aquaculture animals referred to in Article 3(1) of this Decision, under the procedures laid down in Article 3(3), (4) and (5) of this Decision, provided that the minimum control and eradication measures laid down in Section 3 of Chapter V of Directive 2006/88/EC of 24 October 2006 on animal health requirements for aquaculture animals and products thereof, and on the prevention and control of certain diseases in aquatic animals <sup>(2)</sup> are complied with.

**▼B***Article 4***▼M9**

1. The provisions of Article 3 shall be applicable where the control of grave health risks for the Union is involved, which are caused by the diseases referred to in Article 3 (1), even if the territory where the disease occurs is subject to an eradication programme in accordance with Article 24.

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2. In the event of the occurrence of Newcastle disease in the territory of a Member State, Article 3 shall apply.

However, except where the Commission takes a decision in accordance with the procedure provided for in Article 41, authorizing, on certain conditions and for a limited period and a limited area, recourse to vaccination, no financial contribution by the Community will be granted for the supply of the vaccine or the carrying out of the vaccination.

**▼M5**

3. The provisions of Article 3, with the exception of the fourth indent of paragraph 2 and the second indent of paragraph 5, shall apply when a zoonosis listed in Directive 92/117/EEC occurs, provided that this occurrence is an immediate risk to human health. This condition will be fulfilled when the decision provided for in Article 3 (3) is taken.

**▼B***Article 5*

1. In accordance with the procedure laid down in Article 41, the Commission, at the request of a Member State, shall add to the list in Article 3 (1) an exotic disease for which declaration is mandatory and which is likely to constitute a danger for the Community.

**▼M16**

2. In accordance with the procedure laid down in Article 41, the list in Article 3(1) may be supplemented in line with developments in the situation, to include diseases which must be notified in accordance with Council Directive 82/894/EEC of 21 December 1982 on the notification of animal diseases within the Community <sup>(3)</sup> and diseases which can be transmitted to aquaculture animals. The list may also be amended or

<sup>(1)</sup> OJ L 223, 15.8.2006, p. 1.

<sup>(2)</sup> OJ L 328, 24.11.2006, p. 14.

<sup>(3)</sup> OJ L 378, 31.12.1982, p. 58. Directive as last amended by Commission Decision 2004/216/EC (OJ L 67, 5.3.2004, p. 27).

**▼M16**

shortened to take account of progress made with the measures decided at Community level to control certain diseases.

**▼B**

3. Article 3 (2) may be supplemented or amended in accordance with the procedure laid down in Article 41, in particular to take account of the inclusion of new diseases in the list in Article 3 (1), of experience acquired or of the adoption of Community provisions concerning disease control.

*Article 6***▼M18**

1. Where a Member State is directly threatened by the occurrence or the development, in the territory of a third country or Member State, of one of the diseases referred to in Article 3(1), 3a(1), 4(1) and (2), 11(1) or in the Annex, it shall inform the Commission and the other Member States of the measures which it intends to adopt for its protection.

**▼B**

2. As soon as possible, the situation shall be examined within the Committee referred to in Article 41. In accordance with the procedure laid down in that Article, it may be decided to adopt any measures appropriate to the situation including, in particular, the establishment of a vaccination buffer zone, and to grant a financial contribution by the Community towards the measures deemed particularly necessary for the success of the action undertaken.

3. The decision referred to in paragraph 2 shall set out the eligible costs and the level of the financial contribution by the Community.

*Article 7*

1. The Community may decide, at the request of a Member State, that the Member States should establish stocks of biological products intended for the control of the diseases referred to in Article 3 (1), ►**M15** Article 3a (1), ◀ Article 4 (1) (vaccines, standardized virus serotypes, diagnostic sera) and, without prejudice to the decision provided for in Article 14 (2) of Directive 85/511/EEC, Article 11 (1) of this Decision.

2. The action referred to in paragraph 1, and the rules for its implementation, particularly concerning the choice, production, storage, transport and use of such stocks, and the level of financial contribution by the Community, shall be decided in accordance with the procedure laid down in Article 41.

*Article 8*

1. If the occurrence or the development in a third country of one of the diseases referred to in Article 3 (1), ►**M15** 3a (1), ◀ 4 (1), 5 (1) or 11 (1) may constitute a danger to the Community, the Community may give its support to control measures against that disease by supplying vaccine or by financing the acquisition of vaccine.

2. The action referred to in paragraph 1, the rules for its implementation, the conditions to which it may be subject and the level of financial contribution by the Community shall be decided in accordance with the procedure laid down in Article 41.



**▼B***Article 9*

1. The Commission shall carry out, with the cooperation of the national competent authorities, on-the-spot checks to ensure, from a veterinary point of view, that the measures adopted have been applied.
2. Member States shall take all necessary steps to facilitate these checks, and shall, in particular, ensure that the experts have access to all information and documents necessary for assessing whether the measures have been carried out.
3. General rules for the application of this Article, particularly concerning the frequency and methods of carrying out the checks referred to in paragraph 1, the appointment of veterinary experts and the procedure which they must follow in drawing up their report, shall be adopted in accordance with the procedure laid down in Article 41.

*Article 10*

The appropriations required for measures as referred to in this chapter shall be decided each year as part of the budgetary procedure.

**▼M9***Article 10a*

The financial contribution of the Community shall not be granted where the total amount of the measure is less than ECU 10 000.

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## Chapter 2

**The campaign against foot-and-mouth disease***Article 11*

1. The provisions of this Article shall apply in the event of the occurrence of foot-and-mouth disease in the territory of a Member State.
2. The Member State concerned shall obtain a financial contribution from the Community for the eradication of foot-and-mouth disease, on condition that the measures provided for in Article 3 (2) and the appropriate provisions of Council Directive 85/511/EEC of 18 November 1985 introducing Community measures for the control of foot-and-mouth disease<sup>(1)</sup>, as amended by Directive 90/423/EEC<sup>(2)</sup>, are applied immediately.
3. Article 3 (3) shall apply.
4. Without prejudice to the measures to be taken in the context of the common organization of the market to support the market, the specific financial contribution under this Decision shall be equal to 60 % of the costs incurred by the Member State in:
  - (a) compensating owners for:
    - (i) the slaughter and destruction of animals,
    - (ii) the destruction of milk,
    - (iii) the cleaning and disinfection of holdings,
    - (iv) the destruction of contaminated feedingstuffs and, where it cannot be disinfected, contaminated equipment,

<sup>(1)</sup> OJ No L 315, 26. 11. 1985, p. 11.

<sup>(2)</sup> See p. 13 of this Official Journal.

**▼B**

- (v) losses incurred by farmers as a result of restrictions imposed on the marketing of livestock and pasture-fattened animals as a result of the reintroduction of emergency vaccination, in accordance with the penultimate subparagraph of Article 13 (3) of Directive 85/511/EEC;
- (b) Where applicable, the transport of carcasses to processing plants;
- (c) any other measures which are essential for the eradication of the outbreak of the disease.

The Commission shall, in accordance with the procedure provided for in Article 41, define the nature of the other measures referred to in (c) which may be eligible for the same financial contribution by the Community and the cases in which point (a) (v) shall apply.

5. For the first time not later than 45 days after official confirmation of the first outbreak of foot-and-mouth disease, and subsequently as and when required by the turn of events, the situation shall be re-examined within the Committee referred to in Article 42. This examination shall cover both the veterinary situation and the estimated expenditure already incurred or committed. Following this examination, a new decision concerning the financial contribution by the Community, which may exceed the figure of 60 % laid down in paragraph 4, may be adopted in accordance with the procedure laid down in Article 42. This decision shall set out the eligible costs and the level of the financial contribution by the Community. In addition, when this decision is adopted, any measures which the Member State concerned must take in order to ensure the success of the action may be adopted, in particular measures other than those referred to in paragraph 2.

6. However, by way of derogation from paragraph 4, the specific financial contribution by the Community for the measures referred to in that paragraph shall be 70 % until ►**M9** 1 January 1998 ◀.

*Article 12*

Any measure decided by the Community to assist the campaign against foot-and-mouth disease outside the Community, in particular measures taken pursuant to Article 6 and 8, may receive a Community financial contribution.

*Article 13*

The measures and the rules for the implementation of the measures referred to in Article 12, the conditions to which they may be subject and the level of financial contribution by the Community shall be decided in accordance with the procedure laid down in Article 42.

*Article 14*

Community aid may be granted to set up a Community reserve of anti-foot-and-mouth disease vaccines as provided for in Article 14 (2) of Directive 85/511/EEC.

The level of Community participation and the conditions to which such participation may be subject shall be determined in accordance with the procedure provided for in Article 42.

*Article 15*

The appropriations required for measures as specified in Articles 12, 13 and 14 shall be decided each year as part of the budgetary procedure.

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Should a serious outbreak of foot-and-mouth disease necessitate expenditure under the provisions of this chapter in excess of the appropriations determined in accordance with the first subparagraph, the Commission will take the necessary measures within its existing powers or put forward to the budgetary authority the necessary proposals to ensure that the financial commitments in relation to Article 11 are fulfilled.

**▼M10****▼B**

## Chapter 3

**▼M18****Information policy for animal health, animal welfare and food safety***Article 16*

The Community shall make a financial contribution to the establishment of an information policy in the field of animal health, animal welfare and food safety in products of animal origin, including:

- (a) the installation and development of information tools, including an appropriate database for:
  - (i) gathering and storing all information relating to Community legislation concerning animal health, animal welfare and food safety in products of animal origin;
  - (ii) disseminating the information referred to in point (i) to the competent authorities, producers and consumers, taking into account interfaces with national databases where appropriate;
- (b) the performance of studies necessary for the preparation and development of legislation in the field of animal welfare.

**▼B***Article 17*

The measures referred to in Article 16, the rules for their implementation and the level of financial contribution by the Community shall be decided in accordance with the procedure laid down in Article 41.

*Article 18*

The appropriations required for measures as specified in this chapter shall be decided each year as part of the budgetary procedure.

## Chapter 4

**Technical and scientific measures***Article 19***▼M18**

The Community may undertake, or assist the Member States or international organisations in undertaking, the technical and scientific measures necessary for the development of Community veterinary legislation and for the development of veterinary education or training.

**▼B***Article 20*

►**C1** The measures referred to in Article 19, the rules for ◀ their implementation and the level of financial contribution by the Community shall be decided upon in accordance with the procedure laid down in Article 41.

*Article 21*

The appropriations required for the measures provided for in this chapter shall be decided each year as part of the budgetary procedure.

## TITLE II

**▼M18****Programmes for the eradication, control and monitoring of animal diseases and zoonoses****▼B***Article 22*

1. Community financial participation in the eradication of bovine brucellosis, tuberculosis and leucosis shall — without prejudice to the provisions of Article 25 (1) — be fixed by:

- Directive 77/391/EEC,
- Directive 82/400/EEC,
- Decision 87/58/EEC.

2. The Community financial contribution towards the eradication of bovine contagious pleuropneumonia shall be fixed by Decision 89/145/EEC.

*Article 23*

1. The Community financial contribution towards the eradication of classical swine fever shall be fixed by Decision 80/1096/EEC.

2. The Community financial contribution towards the eradication of African swine fever shall be fixed by:

- Decision 86/649/EEC,
- Decision 86/650/EEC,
- Council Decision 90/217/EEC of 25 April 1990 on Community financial aid for the eradication of African swine fever in Sardinia <sup>(1)</sup>.

3. The Community financial contribution towards the eradication of ovine brucellosis shall be fixed by Council Decision 90/242/EEC of 21 May 1990 introducing a Community financial measure for the eradication of brucellosis in sheep and goats <sup>(2)</sup>.

4. The Community financial contribution towards the eradication of infectious hematopoietic necrosis shall be fixed, before 31 December 1990, under a Council Decision introducing a Community financial measure for the eradication of infectious salmonid hematopoietic necrosis in the Community.

<sup>(1)</sup> OJ No L 116, 8. 5. 1990, p. 24.

<sup>(2)</sup> OJ No L 140, 1. 6. 1990, p. 123.

▼ **M18***Article 24*

1. A Community financial measure shall be introduced to reimburse the expenditure incurred by the Member States for the financing of national programmes for the eradication, control and monitoring of the animal diseases and zoonoses listed in the Annex (programmes).

The list in the Annex may be amended in accordance with the procedure referred to in Article 41, in particular with regard to emerging animal diseases which pose a risk for animal health and, indirectly, to public health, or in the light of new epidemiological or scientific evidence.

2. Each year, by 30 April at the latest, Member States shall submit to the Commission the annual or multi-annual programmes starting in the following year for which they wish to receive a financial contribution from the Community.

Programmes submitted after 30 April shall not be eligible for financing the following year.

The programmes submitted by the Member States shall contain at least the following:

- (a) a description of the epidemiological situation of the disease before the date of the beginning of the programme;
- (b) a description and demarcation of the geographical and administrative area in which the programme is to be applied;
- (c) the likely duration of the programme, the measures to be applied and the objective to be attained by the completion date of the programme;
- (d) an analysis of the estimated costs and the anticipated benefits of the programme.

The detailed criteria including those involving more than one Member State, shall be adopted in accordance with the procedure laid down in Article 41.

In each multi-annual programme submitted by the Member State, the information required in accordance with the criteria referred to in this paragraph shall be provided for each year of duration of the programme.

3. The Commission may invite a Member State to submit a multi-annual programme or to extend the duration of a submitted annual programme as appropriate where multi-annual programming is deemed necessary in order to ensure a more efficient and effective eradication, control and monitoring of a particular disease, in particular with regard to potential threats to animal health and, indirectly, to public health.

The Commission may coordinate the regional programmes involving more than one Member State in cooperation with the Member States concerned.

4. The Commission shall assess the programmes submitted by the Member States from both the veterinary and the financial angle.

The Member States shall communicate to the Commission relevant additional information the latter requires for its assessment of the programme.

The period for gathering all the information regarding the programmes shall end on 15 September each year.

5. Each year by 30 November at the latest, the following shall be approved in accordance with the procedure referred to in Article 42:

- (a) the programmes, where appropriate amended to take account of the assessment provided for in paragraph 4;
- (b) the level of the financial contribution from the Community;

**▼M18**

- (c) the upper limit of the financial contribution from the Community;
- (d) any conditions to which the financial contribution from the Community may be subject.

Programmes shall be approved for no longer than six years.

6. Amendments of the programmes shall be approved in accordance with the procedure referred to in Article 42.

7. For each approved programme the Member States shall submit the following reports to the Commission:

- (a) intermediate technical and financial reports;
- (b) by 30 April each year at the latest, an annual detailed technical report including the assessment of the results achieved and a detailed account of expenditure incurred for the previous year.

8. Payment applications relating to the expenditure incurred by a Member State in respect of a given programme for the previous year shall be submitted to the Commission by 30 April at the latest.

In case of late payment applications, the Community financial contribution shall be reduced by 25 % on 1 June, 50 % on 1 August, 75 % on 1 September and 100 % on 1 October of that year.

By 30 October each year at the latest, the Commission shall decide on the Community payment taking account of the technical and financial reports submitted by the Member State in accordance with paragraph 7.

9. Commission experts may carry out on-the-spot checks in cooperation with the competent authority, in so far as it is necessary to ensure uniform application of this Decision in accordance with Article 45 of Regulation (EC) No 882/2004 of the European Parliament and of the Council of 29 April 2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules <sup>(1)</sup>.

In carrying out such checks, Commission experts may be assisted by a group of experts set up in accordance with the procedure referred to in Article 41.

10. Detailed rules for the application of this Article shall be adopted in accordance with the procedure referred to in Article 41.

11. Member States may allocate funds within the operational programmes drawn up in accordance with Article 17 of Regulation (EC) No 1198/2006 <sup>(2)</sup> for the eradication of the diseases in aquaculture animals referred to in the Annex.

The funds shall be allocated in accordance with the procedures laid down in this Article, with the following adjustments:

- (a) the rate of aid shall be in accordance with the rate laid down in Regulation (EC) No 1198/2006;
- (b) paragraph 8 of this Article shall not apply.

The eradication shall be carried out in accordance with Article 38(1) of Council Directive 2006/88/EC of 24 October 2006 on animal health requirements for aquaculture animals and products thereof, and on the prevention and control of certain diseases in aquatic animals <sup>(3)</sup>, or under an eradication programme.

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13. For the programmes to be implemented by Bulgaria and Romania during 2007 the dates of 1 June mentioned in paragraph 3, 15 July and

<sup>(1)</sup> OJ L 165, 30.4.2004, p. 1; corrected version in OJ L 191, 28.5.2004, p. 1.

<sup>(2)</sup> Council Regulation (EC) No 1198/2006 of 27 July 2006 on a European Fisheries Fund (OJ L 223, 15.8.2006, p. 1).

<sup>(3)</sup> OJ L 328, 24.11.2006, p. 14.

**▼M17**

1 September mentioned in paragraph 4 and 15 October mentioned in paragraph 5, are not applicable.

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13. Member States may allocate funds within the operational programmes drawn up in accordance with Article 17 of Regulation (EC) No 1198/2006 for the eradication of the diseases in aquaculture animals referred to in the Annex.

The funds shall be allocated in accordance with the procedures laid down in this Article, with the following adjustments:

- (a) the rate of aid shall be in accordance with the rate laid down in Regulation (EC) No 1198/2006;
- (b) paragraphs 8 and 9 of this Article shall not apply.

The eradication shall be carried out in accordance with Article 38(1) of Directive 2006/88/EC, or under an eradication programme drawn up, approved and carried out in accordance with Article 44(2) of that Directive.

**▼B***Article 25*

1. Notwithstanding Articles 22, 23, and 24, the level of Community financial participation for programmes relating to the diseases referred to in the said Articles shall be fixed by the Commission, according to the procedure provided for in Article 41, at 50 % of the costs incurred in the Member State by way of compensation for owners for the slaughter of cattle because of the disease concerned.

2. At the request of a Member State, the Commission shall, within the Standing Veterinary Committee, re-examine the situation with regard to the diseases covered by Articles 22, 23 and 24. This re-examination shall cover both the veterinary situation and the estimate of expenditure already committed or to be committed. Following this re-examination, any new decision on the Community's financial contribution, which may be in excess of 50 % of the costs incurred in Member States to compensate owners for slaughtering animals for the disease concerned, shall be adopted in accordance with the procedure provided for in Article 42.

When this decision is adopted, any measures which the Member State concerned must take in order to ensure the success of the action may be adopted.

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3. However, for programmes to be financed which will be approved in 1994, the financial contribution from the Community may be less than 50 %.

4. The Council, acting by a qualified majority on a proposal from the Commission, shall review this Article before 31 December 1995 at the latest, in the light of experience gained and of the objectives of completing the internal market.

**▼M18***Article 26*

The Community budget commitments for the co-financing of the programmes shall be effected annually. The commitments of the expenditure for the multi-annual programmes shall be adopted in accordance with Article 76(3) of Council Regulation (EC, Euratom) 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Union <sup>(1)</sup>. For multi-annual programmes, the first budget commitment shall be made after their approval. Each subsequent commitment shall be made by the Commission on the basis of the decision to grant a contribution referred to in Article 24(5).

<sup>(1)</sup> OJ L 248, 16.9.2002, p. 1.

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TITLE III  
VETERINARY INSPECTION

*Article 27*

The Community shall contribute towards improving the efficiency of veterinary inspection by:

- granting financial aid to liaison and reference laboratories,
- making a financial contribution towards carrying out inspections aimed at the prevention of zoonoses,
- making a financial contribution towards implementing the new inspection strategy consequent upon the completion of the internal market.

Chapter 1

**Liaison and reference laboratories**

*Article 28*

1. Any liaison or reference laboratory designated as such in accordance with Community veterinary legislation and fulfilling the duties and requirements laid down therein, may receive Community aid.
2. Arrangements for granting the aid provided for in paragraph 1, the conditions to which it may be subject and its amount, shall be determined in accordance with the procedure laid down in Article 41.
3. The appropriations required for the measures provided for in this chapter shall be decided upon each year as part of the budgetary procedure.

Chapter 2

**Checks aimed at the prevention of zoonoses**

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Chapter 3

**New control strategy**

*Article 34*

1. Each Member State shall draw up a programme for exchanges of officials working in the veterinary sector.
2. ►**C1** Within the Standing Veterinary Committee, the Commission shall ◀, along with the Member States, coordinate the programmes for exchange.
3. The Member State concerned shall take all the measures necessary for the implementation of the coordinated programmes for exchange.



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4. Each year, on the basis of reports by the Member States, the implementation of the programmes for exchange shall be examined within the Committee.
5. Member States shall take account of experience acquired in order to improve and extend the exchange programmes.
6. Community financial aid may be granted with a view to promoting the smooth operation of exchange programmes notably through the further training courses referred to in Article 36 (1). The level of financial contribution by the Community, and any conditions to which it may be subject, shall be determined in accordance with the procedure laid down in Article 41.
7. For the purposes of this Article, Articles 20 and 21 shall apply.

*Article 35*

Article 34 (6) and (7) shall apply in respect of programmes to be established under the decision provided for in Article 19 of Council Directive 89/662/EEC of 11 December 1989 on the veterinary checks applicable in intra-Community trade with a view to the completion of the internal market <sup>(1)</sup>, with a view to organizing veterinary inspections at external frontiers on products introduced into the Community from third countries.

*Article 36*

1. The Commission may, either directly or through the competent national authorities, organize refresher courses or meetings for personnel in the Member States, in particular, personnel responsible for the checks referred to in Article 35.

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Such refresher courses or meetings may, according to availability, be open, at the request of the competent authorities and after the Commission has agreed, to personal from third countries which have concluded cooperation agreements with the Union in the field of veterinary inspections and to veterinary science graduates to extend their training in the area of Community rules.

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2. Arrangements for organizing the measures provided for in paragraph 1 and the level of the Community's financial contribution shall be established by the Commission in accordance with the procedure laid down in Article 41.

*Article 37*

1. The introduction of systems for identifying animals and notifying diseases under legislation concerning veterinary checks in intra-Community trade in live animals, with a view to the completion of the internal market, may receive Community financial assistance.
2. Arrangements for organizing the measure provided for in paragraph 1 and the level of the Community's financial contribution shall be established by the Commission after consultation of the Committee.

<sup>(1)</sup> OJ No L 395, 30. 12. 1989, p. 13.

**▼M4***Article 37a***▼M18**

1. Community financial contribution may be granted for the computerisation of the veterinary procedures relating to:

- (a) intra-Community trade in and imports of live animals and products of animal origin;
- (b) hosting, management and maintenance of integrated computerised veterinary systems, including interfaces with national databases, where appropriate.

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2. Organizational arrangements for financing under paragraph 1 and the level of the Community's contribution shall be determined in accordance with the procedure laid down in Article 41.

**▼B***Article 38*

1. Should a Member State experience, from a structural or geographical point of view, staffing or infrastructure problems in implementing the new control strategy brought about by the completion of the internal market for live animals and products of animal origin, it may, for a transitional period, obtain Community financial assistance which is progressively reduced.

2. The Member State concerned shall submit to the Commission a national programme, accompanied by all the appropriate financial information, designed to improve its control system.

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3. For the purposes of this Article, the provisions of Article 24 (3) to (11) shall apply.

**▼B***Article 39*

The appropriations required for measures provided for in this chapter shall be decided each year as part of the budgetary procedure.

## TITLE IV

## FINAL PROVISIONS

**▼M10****▼M11***Article 40a*

Expenditure subject to funding under the terms of this Decision shall be managed directly by the Commission in accordance with the second paragraph of Article 98 of the Financial Regulation of 21 December 1977 <sup>(1)</sup>.

<sup>(1)</sup> OJ L 356, 31.12.1977, p. 1. Regulation as last amended by Regulation (EC, Euratom) No 1150/2000 (OJ L 130, 31.5.2000, p. 1).

**▼M13***Article 41*

1. The Commission shall be assisted by the Standing Committee on the Food Chain and Animal Health set up pursuant to Article 58 of Regulation (EC) No 178/2002 <sup>(1)</sup>.
2. Where reference is made to this Article, Articles 5 and 7 of Decision 1999/468/EC <sup>(2)</sup> shall apply.  
The period laid down in for in Article 5(6) of Decision 1999/468/EC shall be set at three months.
3. The Committee shall adopt its Rules of Procedure.

*Article 42*

1. The Committee shall be assisted by the Standing Committee on the Food Chain and Animal Health.
2. Where reference is made to this Article, Articles 5 and 7 of Decision 1999/468/EC shall apply.  
The period laid down in Article 5(6) of Decision 1999/468/EC shall be set at 15 days.

**▼B***Article 43*

1. Council Decision 77/97/EEC of 21 December 1976 on the financing by the Community of certain emergency measures in the field of animal health <sup>(3)</sup>, as last amended by Regulation (EEC) No 3768/85 is hereby repealed with effect from the date of notification of this Decision.  
In accordance with the procedure laid down in Article 41, the Commission shall determine the arrangements for defraying the measures for vaccination against African horse sickness from 1 September 1989.
2. However, decisions adopted under Decision 77/97/EEC shall remain in force.

**▼M18***Article 43a*

Every four years, the Commission shall submit to the European Parliament and to the Council a report on the animal health situation and cost-effectiveness of the implementation of programmes in the various Member States, including details of the criteria adopted.

**▼B***Article 44*

This Decision is addressed to the Member States.

<sup>(1)</sup> OJ L 31, 1.2.2002, p. 1.

<sup>(2)</sup> OJ L 184, 17.7.1999, p. 23.

<sup>(3)</sup> OJ No L 26, 31. 1. 1977, p. 78.

**▼M19***ANNEX***Animal diseases and zoonoses**

- Bovine tuberculosis
- Bovine brucellosis
- Ovine and caprine brucellosis (*B. melitensis*)
- Bluetongue in endemic or high risk areas
- African swine fever
- Swine vesicular disease
- Classical swine fever
- Anthrax
- Contagious bovine pleuropneumonia
- Avian influenza
- Rabies
- Echinococcosis
- Transmissible spongiform encephalopathies (TSE)
- Campylobacteriosis
- Listeriosis
- Salmonellosis (zoonotic salmonella)
- Trichinellosis
- Verotoxigenic *E. coli*
- Viral haemorrhagic septicaemia (VHS)
- Infectious haematopoietic necrosis (IHN)
- Koi herpes virus disease (KHV)
- Infectious salmon anaemia (ISA)
- Infection with *Marteilia refringens*
- Infection with *Bonamia ostreae*
- White spot disease in crustaceans