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Committee on Sanitary and Phytosanitary Measures

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NEW ANIMAL HEALTH LAW OF THE EUROPEAN UNION

COMMUNICATION FROM THE EUROPEAN UNION

The following communication, dated 10 June 2016, is being circulated at the request of the delegation of the European Union.

1 THE REGULATION

1.1. Regulation (EU) No 2016/429 on transmissible animal diseases ("Animal Health Law") was adopted on 9 March 2016.¹ It constitutes a **new European Union (EU) legal framework for animal health** providing comprehensive, simple and clear rules for the prevention and control of transmissible animal diseases. These new rules will apply from 21 April 2021.

1.2. The Animal Health Law is a key output of the EU Animal Health Strategy 2007-2013 "Prevention is better than cure".² The European Commission proposed and presented this Regulation in May 2013 as part of the "Animal and Plant Health Package: Smarter rules for safer food"³ aiming to strengthen the enforcement of health and food safety standards for the whole agri-food chain. The Commission proposal was notified under the WTO SPS Agreement as G/SPS/N/EU/45 on 21 May 2013. The final Regulation was notified as G/SPS/N/EU/45/Add.2 on 2 May 2016.

1.3. The principles and rules of the new Regulation **apply to** kept and wild terrestrial, aquatic and other animals, germinal products and products of animal origin. The Regulation lays down rules for the **prevention, control and eradication of transmissible animal diseases**, including emergency measures, and for **intra-EU movements and entry into the EU of animals and products of animal origin**. The current EU legislation on animal health, scattered across numerous legal acts, is replaced by this single and comprehensive legal framework.

1.4. With respect to the **conditions for entry into the EU** of animals, germinal products and products of animal origin, the current system remains largely unchanged. Nonetheless, the Regulation provides for more transparent international trade requirements aligned with the international standards set out by the World Organisation for Animal Health (OIE). The Regulation tallies the relevant animal health requirements for entry of animals, germinal products and products of animal origin into the EU with those applicable for the movement of such commodities within the EU. It also provides that the EU animal health requirements are to be respected for goods intended for export to non-EU countries, while taking into account the animal health status of the importing country (Article 243).

¹ Regulation (EU) 2016/429 of the European Parliament and of the Council of 9 March 2016 on transmissible animal diseases and amending and repealing certain acts in the area of animal health ("Animal Health Law") (OJ L 84, 31.3.2016, p. 1).

² COM(2007)539 final: Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of Regions on A new Animal Health Strategy for the European Union (2007-2013) where "Prevention is better than cure" of 19 September 2007.

³ COM(2013) 264 final: Communication from the Commission to the European Parliament Healthier Animals and Plants and a Safer Agri-Food Chain; A modernised legal framework for a more competitive EU of 6 May 2013.

1.5. Compared to current legislation, this Animal Health Law also introduces a number of **important new elements**, such as:

- clear **responsibilities** of operators, including farmers, animal keepers and owners, veterinarians, laboratories, competent authorities and others dealing with animals or their products;
- more **prevention driven** rules, promoting biosecurity and contributing to better husbandry practices, improving the level of knowledge and awareness with regard to animal health, streamlining surveillance systems, and strengthening capacities for early detection and reporting of animal diseases;
- greater use of **new technologies** for animal health activities, e.g. surveillance of animals, animal health certification, and identification and registration of animals;
- more **risk based and proportionate control measures**, targeted on the diseases listed as relevant for EU intervention;
- improved **response to emerging issues** by introducing more and flexible tools to deal with emerging diseases and other emerging threats which demand a holistic "One health" approach, such as antimicrobial resistance or the protection of biodiversity.

2 FURTHER STEPS

2.1. The new legal framework for animal health will be complemented by a series of regulatory acts detailing a number of implementing measures. The European Commission will be in the lead of this task. During the drafting of these regulatory acts, the European Commission, in accordance with good regulatory principles, will duly consult experts, EU member States and other stakeholders. Any measure potentially affecting international trade will be notified to the WTO SPS Committee.

2.2. In addition, the European Commission will systematically review the list of animal diseases and list them for EU intervention in line with the provided criteria. Appropriate measures will be assigned to each of the listed diseases according to the new Regulation. While completing this task, the European Commission will also seek scientific advice from the European Food Safety Authority.

2.3. The deadline to develop the priority implementing measures as well as to list animal diseases is set to April 2019 in order to make the new rules fully applicable by 2021.

2.4. More information about the new Animal Health Law is available on the European Commission website: http://ec.europa.eu/food/animals/health/regulation/index_en.htm.
