

Proposal for a Council Directive amending Directive 93/53/EEC introducing minimum Community measures for the control of certain fish diseases

(1999/C 342 E/05)

(Text with EEA relevance)

COM(1999) 437 final — 1999/0191(CNS)

(Submitted by the Commission on 9 September 1999)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 37 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

Having regard to the opinion of the Economic and Social Committee,

Whereas:

- (1) Council Directive 93/53/EEC ⁽¹⁾ lays down that, in order to control an outbreak of *inter alia* infectious salmon anaemia (ISA), all fish in an infected farm are to be immediately withdrawn.
- (2) In May 1998, an outbreak of this disease occurred in Scotland, involving a number of sites that are infected or are suspected of being infected.
- (3) Experience gained has shown that it is possible to spread the withdrawal over a period of time, without impairing the efforts to eradicate the disease.
- (4) A vaccination policy may offer a new tool for controlling and containing ISA after an outbreak; at present no such option is provided for under Community legislation;
- (5) Directive 93/53/EEC should therefore be amended accordingly,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Directive 93/53/EEC is hereby amended as follows:

1. The first indent of point (a) of Article 6 is replaced by the following text:

‘— all fish shall be withdrawn in accordance with a scheme to be approved by the official service.’

2. Paragraph 1 of Article 14 is replaced by the following text:

- ‘1. Vaccination against list II diseases in approved zones, in approved farms situated in non-approved zones or in zones or farms which have already begun the approval procedures laid down by Directive 91/67/EEC shall be forbidden. The procedures for vaccination in case of an outbreak of list I diseases shall be specified in the contingency plans referred to in Article 15(1).’

Article 2

Member States shall bring into force the laws, regulations and administrative provisions to comply with this Directive by 31 December 1999. They shall forthwith inform the Commission thereof.

They shall apply those provisions from 1 January 2000.

When Member States adopt those provisions, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.

Member States shall communicate to the Commission the text of the provisions of national law which they adopt in the field covered by this Directive. The Commission shall inform the other Member States thereof.

Article 3

This Directive shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Communities*.

Article 4

This Directive is addressed to the Member States.

⁽¹⁾ OJ L 175, 19.7.1993, p. 23; Directive as amended by the Act of Accession of Austria, Finland and Sweden.