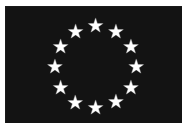


EUROPEAN PARLIAMENT

1999



2004

Committee on Agriculture and Rural Development

27 March 2003

PE 322.174/21-69

AMENDMENTS 21-69

Draft report

Wolfgang Kreissl-Dörfler

Foot-and-mouth disease

(PE 322.174)

Proposal for a directive (COM(2002) 736 – C5-0029/2003 – 2002/0299(CNS))

Text proposed by the Commission

Amendments by Parliament

Amendment by Albert Jan Maat, Elisabeth Jeggle, Neil Parish, Encarnación Redondo Jiménez and Robert William Sturdy

Amendment 21 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

(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

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the principles governing the organization 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 organization of veterinary checks on products entering the Community from third countries .

the principles governing the organization 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 organization 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.***

Or. en

Justification

This was a major conclusion of Parliament's Temporary Committee on Foot and Mouth Disease and should be emphasised.

Amendment by Jan Mulder

Amendment 22
Recital 6 a (new)

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.

Or. nl

Justification

Self-explanatory.

Amendment by Jan Mulder

Amendment 23

Recital 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.

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).***

Or. nl

Justification

Self-explanatory.

Amendment by Joseph Daul

Amendment 24

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.

Or. fr

Justification

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

Amendment by Jan Mulder

Amendment 25
Recital 19 a (new)

19a The choice of preventive vaccination will only be able to count on sufficient support if the consequences of this choice are not disproportionately great in relation to those of alternative strategies such as stamping out. One of the major consequences will be that products from vaccinated animals will not be easy to market. This does not only depend on legal considerations, which are covered by this directive, but also on a good free-market system.

In order to continue to guarantee such a free-market system in the future, the Community must agree on additional regulations which take account of the following aspects:

- the role of the Community in providing Europe-wide information on products from vaccinated animals,***
- the possibility of entering into negotiations on a European Code of Practice for the relevant market sectors in order to provide guarantees when marketing products from vaccinated animals,***
- the possibility for the Community of preventing such products, through marketing, from placing intervention mechanisms and agricultural incomes under too much pressure,***
- the possibility, via vaccination, of reducing the overall negative impact of an outbreak on European and national budgets.***

Or. nl

Justification

Self-explanatory.

Amendment by Albert Jan Maat, Elisabeth Jeggle, Neil Parish and Encarnación Redondo Jiménez

Amendment 26
Recital 19 a (new)

19 a. 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.

Or. de

Justification

The work 'likewise' has been added.

Amendment by Albert Jan Maat, Elisabeth Jeggle, Neil Parish and Encarnación Redondo Jiménez,

Amendment 27
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.

Or. nl

Justification

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

Amendment by Joseph Daul

Amendment 28

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.***

Or. fr

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 by Jan Mulder

Amendment 29
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.

Or. nl

Justification

Self-explanatory.

Amendment by Albert Jan Maat, Elisabeth Jeggle, Neil Parish and Encarnación Redondo Jiménez

Amendment 30
Recital 36 a (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 by Albert Jan Maat, Elisabeth Jeggle, Neil Parish and Encarnación Redondo Jiménez

Amendment 31
Recital 36 b (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 by Albert Jan Maat, Elisabeth Jeggle and Neil Parish

Amendment 32
Recital 36 c (new)

In addition, Member States must be able to establish national or regional emergency funds designed to offset damage not compensated by the EU, for example by means of bridging loans or temporarily subsidised loans.

Justification

National or regional emergency funds must be able to compensate for additional costs.

Amendment by Eurig Wyn and Caroline Lucas

Amendment 33
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.

Or. en

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 by Robert William Sturdy

Amendment 34
Article 2, point (ja) (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.

Or. en

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 by Eurig Wyn and Caroline Lucas

Amendment 35
Article 2, point (x)

(x) “catering waste” means **all** waste food **originating in** restaurants, catering facilities **and** kitchens, including **central** kitchens and **household kitchens**.

(x) “catering waste” means **any** waste **from** food **intended for human consumption from** restaurants, catering facilities **or** kitchens, including **industrial** kitchens and **the households of the farmer or of persons tending animals of a susceptible species**.

Or. en

Justification

The definition of catering waste should as far as possible be identical in the relevant pieces of legislation. The new definition corresponds more closely to the directive on classical swine fever (2001/89/EC).

Amendment by Gordon J. Adam

Amendment 36
Article 7

TEMPORARY CONTROL ZONE

1. The Competent Authority **shall** establish a temporary control zone, where required by the epidemiological situation, and in particular when that situation involves a high density of animals of susceptible species, intensive movement of animals or persons in contact with animals of susceptible species, delays in suspect status notifications, or insufficient information on the possible origin and ways of introduction of the foot-and-mouth disease virus.
2. The measures provided for in Articles 4 and 5 shall be applied to holdings in the temporary control zone where animals of susceptible species are kept.
3. The measures applied in the temporary

TEMPORARY CONTROL ZONE

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2. The measures provided for in Articles 4 and 5 shall be applied to holdings in the temporary control zone where animals of susceptible species are kept.
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**.

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 **as long as is deemed necessary**.

Or. en

Justification

Member States should have discretion to decide whether to impose restrictions on holdings other than the suspect holding. Likewise, there should be discretion on how long any wider movement ban – possibly national – can last, depending on the epidemiological situation.

Amendment by Eurig Wyn and Caroline Lucas

Amendment 37
Article 8

PREVENTIVE ERADICATION PROGRAMME

Deleted

The competent authority may, where epidemiological information or other evidence indicates, implement a preventive eradication programme, including preventive depopulation of holdings of animals of susceptible species likely to be contaminated and, if considered necessary, of epidemiologically linked production units or adjoining holdings.

In that event, the taking of samples and clinical examinations of animals of susceptible species shall be carried out in accordance with Annex III.

The Competent Authority shall notify the Commission prior to the implementation of the measures provided for in this Article.

Or. en

Justification

Preventative slaughter is not necessary, desirable, economic or efficient and should, after the

experiences in the UK, not be permitted by the directive; especially not before any outbreak is confirmed.

Amendment by Gordon J. Adam

Amendment 38
Article 15

MEASURES TO BE APPLIED IN CASE
OF AN OUTBREAK OF FOOT-AND-
MOUTH DISEASE IN THE VICINITY OR
WITHIN CERTAIN NON-FARMING
PREMISES

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.

MEASURES TO BE APPLIED IN CASE
OF AN OUTBREAK OF FOOT-AND-
MOUTH DISEASE IN THE VICINITY OR
WITHIN CERTAIN NON-FARMING
PREMISES

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.

Or. en

Justification

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

Amendment by Gordon J. Adam

Amendment 39
Article 25, paragraph 5, point (e) (new)

5. By way of derogation, the

5. By way of derogation, the

prohibition provided for in paragraph 2, shall not apply to fresh meat, minced meat or meat preparations obtained from establishments situated in the protection zone under the following conditions:

- (a) the establishment shall be operated under strict veterinary control;
- (b) only fresh meat, minced meat or meat preparations as described in paragraph 4, or fresh meat, minced meat or meat preparations obtained from animals reared and slaughtered outside the protection zone shall be processed in the establishment;
- (c) all such fresh meat, minced meat or meat preparations must bear the health mark in accordance with Chapter XI of Annex I to Directive 64/433/EEC or in the case of meat from other biungulates the health mark provided for in Chapter III of Annex I to Directive 91/495/EEC, or in the case of minced meat and meat preparations the health mark as provided for in Chapter VI of Annex I to Directive 95/65/EC;
- (d) all such fresh meat, minced meat or meat preparations must be clearly identified, and transported and stored separately from fresh meat, minced meat or meat preparations which are not eligible for dispatch outside the protection zone in accordance with this Directive.

prohibition provided for in paragraph 2, shall not apply to fresh meat, minced meat or meat preparations obtained from establishments situated in the protection zone under the following conditions:

- (a) the establishment shall be operated under strict veterinary control;
- (b) only fresh meat, minced meat or meat preparations as described in paragraph 4, or fresh meat, minced meat or meat preparations obtained from animals reared and slaughtered outside the protection zone shall be processed in the establishment;
- (c) all such fresh meat, minced meat or meat preparations must bear the health mark in accordance with Chapter XI of Annex I to Directive 64/433/EEC or in the case of meat from other biungulates the health mark provided for in Chapter III of Annex I to Directive 91/495/EEC, or in the case of minced meat and meat preparations the health mark as provided for in Chapter VI of Annex I to Directive 95/65/EC;
- (d) all such fresh meat, minced meat or meat preparations must be clearly identified, and transported and stored separately from fresh meat, minced meat or meat preparations which are not eligible for dispatch outside the protection zone in accordance with this Directive;

(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.

Or. en

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 by Robert William Sturdy and Neil Parish

Amendment 40

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).*

Or. en

Justification

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

Amendment by Eurig Wyn and Caroline Lucas

Amendment 41

Article 35

ADDITIONAL MEASURES APPLIED BY MEMBER STATES IN THE PROTECTION ZONE Deleted

In addition to the measures applicable in the protection zone in accordance with this Directive, Member States may take additional national measures which are deemed necessary and proportionate to contain the foot-and-mouth disease virus taking into account the particular epidemiological, animal husbandry, commercial and social conditions prevailing in the affected area.

Or. en

Justification

This provision could be misused to enforce massive pre-emptive slaughter without scientific or

economic justification.

Amendment by Gordon J. Adam

Amendment 42
Article 39, paragraph 3 (new)

MEASURES TO BE APPLIED TO FRESH MEAT OF ANIMALS OF SUSCEPTIBLE SPECIES ORIGINATING IN THE SURVEILLANCE ZONE AND MEAT PRODUCTS PRODUCED FROM SUCH MEAT

1. Member States shall prohibit the placing on the market of fresh meat, minced meat and meat preparations derived from animals of susceptible species originating in the surveillance zone and of meat products produced from such meats unless:

(a) the fresh meat complies with Annex VIII and minced meat and meat preparations are produced from fresh meat complying with Annex VIII;

(b) the meat products comply with Annex VII.

2. Derogation from the prohibition provided for in paragraph 1 may be granted subject to specific conditions adopted in accordance with the procedure referred to in Article 89 (3), in particular with regard to the health marking of meat produced from animals of susceptible species originating in surveillance zones maintained for more than 30 days.

MEASURES TO BE APPLIED TO FRESH MEAT OF ANIMALS OF SUSCEPTIBLE SPECIES ORIGINATING IN THE SURVEILLANCE ZONE AND MEAT PRODUCTS PRODUCED FROM SUCH MEAT

1. Member States shall prohibit the placing on the market of fresh meat, minced meat and meat preparations derived from animals of susceptible species originating in the surveillance zone and of meat products produced from such meats unless:

(a) the fresh meat complies with Annex VIII and minced meat and meat preparations are produced from fresh meat complying with Annex VIII;

(b) the meat products comply with Annex VII.

2. Derogation from the prohibition provided for in paragraph 1 may be granted subject to specific conditions adopted in accordance with the procedure referred to in Article 89 (3), in particular with regard to the health marking of meat produced from animals of susceptible species originating in surveillance zones maintained for more than 30 days.

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

Or. en

Justification

In 2001, the UK had been allowed to market meat produced in the surveillance zone on the domestic market without treatment or cross-stamping. A provision for a similar derogation from

the prohibition in paragraph 1 of Article 39 is sought here.

Amendment by Jan Mulder

Amendment 43
Article 50, point 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 **recommend and authorise** 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.

Or. nl

Justification

In order to avoid a situation where a Member State is forced to implement emergency vaccination, it is better to speak in terms of 'authorising' emergency vaccination. Since in the case of such a decision the implementation of emergency vaccination is of great importance, the directive should speak in terms of a strong 'recommendation'.

Amendment by Robert William Sturdy

Amendment 44
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 on the Commission's own initiative **in collaboration with the Member State concerned**.

Or. en

Justification

This gives the affected Member State flexibility.

Amendment by Gordon J. Adam

Amendment 45
Article 50, paragraph 3

DECISION ON INTRODUCING
EMERGENCY VACCINATION

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*.

DECISION ON INTRODUCING
EMERGENCY VACCINATION

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

A decision to introduce emergency vaccination on the Commission's own initiative may be taken only when the conditions in paragraphs 1(a) and 1(b) both apply and only in respect of the Member State in which such an outbreak is occurring.

Or. en

Justification

The circumstances in which the Commission can initiate emergency vaccination need to be defined and limited to those where other Member States and so wider Union interests are at risk; it should also be clarified that the Commission cannot initiate vaccination in a Member State that has no outbreak.

Amendment by Robert William Sturdy

Amendment 46
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.***

Or. en

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 by Gordon J. Adam

Amendment 47
Article 54, paragraph 2, third subparagraph (new)

MEASURES APPLICABLE IN THE VACCINATION ZONE DURING THE PERIOD FROM THE BEGINNING OF EMERGENCY VACCINATION UNTIL AT LEAST 30 DAYS HAVE ELAPSED FOLLOWING THE COMPLETION OF SUCH VACCINATION (PHASE 1)

1. Member States shall ensure that the measures provided for in paragraphs 2 to 6 are applied in the vaccination zone during the period from the beginning of the emergency vaccination until at least 30 days have elapsed following the completion of such vaccination.

2. Movement of live animals of susceptible species shall be prohibited

MEASURES APPLICABLE IN THE VACCINATION ZONE DURING THE PERIOD FROM THE BEGINNING OF EMERGENCY VACCINATION UNTIL AT LEAST 30 DAYS HAVE ELAPSED FOLLOWING THE COMPLETION OF SUCH VACCINATION (PHASE 1)

1. Member States shall ensure that the measures provided for in paragraphs 2 to 6 are applied in the vaccination zone during the period from the beginning of the emergency vaccination until at least 30 days have elapsed following the completion of such vaccination.

2. Movement of live animals of susceptible species shall be prohibited

within and out of the vaccination zone.

By way of derogation from the prohibition provided for in the first subparagraph, and after clinical inspection of such live animals and the herds of origin or dispatch of those animals, the competent authorities may authorise their direct transport for immediate slaughter in a slaughterhouse designated by the competent authority and situated within the vaccination zone or in exceptional cases close to that zone.

within and out of the vaccination zone.

By way of derogation from the prohibition provided for in the first subparagraph, and after clinical inspection of such live animals and the herds of origin or dispatch of those animals, the competent authorities may authorise their direct transport for immediate slaughter in a slaughterhouse designated by the competent authority and situated within the vaccination zone or in exceptional cases close to that zone.

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

Or. en

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 by Albert Jan Maat, Elisabeth Jeggle, Neil Parish and Encarnación Redondo Jiménez

Amendment 48
Article 54, point 4

4. Milk and milk products produced from vaccinated animals may be placed on the market within or outside the vaccination zone, provided that such milk and milk products have undergone at least one of the treatments specified in Parts A or B of Annex IX depending on the intended use.

4. Milk and milk products produced from vaccinated animals may be placed on the ***national, intra-Community and extra-Community*** market within or outside the vaccination zone, provided that such milk and milk products have undergone at least one of the treatments specified in Parts A or B of Annex IX depending on the intended use.

Or. nl

Justification

Since products from vaccinated animals pose no threat to public health, their sale should be

possible throughout the European Union, and elsewhere.

Amendment by Albert Jan Maat, Elisabeth Jeggle, Neil Parish and Encarnación Redondo Jiménez

Amendment 49
Article 55, point 4, first paragraph

4. Fresh meat, excluding offal, produced from vaccinated large and small ruminants during the period referred to in paragraph 1, may be placed on the market within and outside the vaccination zone under the following conditions:

4. Fresh meat, excluding offal, produced from vaccinated large and small ruminants during the period referred to in paragraph 1, may be placed on the ***national, intra-Community and extra-Community*** market within and outside the vaccination zone under the following conditions:

Or. nl

Justification

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

Amendment by Jan Mulder

Amendment 50
Article 55, point 6

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.

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.

However, if checks on the herd, in accordance with Annex III, based on a 3ABC 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.

Or. nl

Justification

It can be reliably ascertained using the 3ABC test whether a herd is infected with FMD. Since vaccinated pigs are not carriers of the virus, a similar level of safety can be achieved with a serological examination carried out in accordance with Annex III. On the basis of such a test, therefore, heat-treatment of the pigmeat, which in other cases is obligatory and which means in practice that the meat can no longer be put on the market, can be dispensed with.

Amendment by Neil Parish

Amendment 51
Article 55, point 6

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.

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. ***However, if checks on the entire herd based on an internationally validated 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.***

Or. en

Justification

It is important to know whether or not the differential serological tests are internationally validated. If the Directive was in place and an outbreak was to occur tomorrow, would vaccination go ahead and how would one distinguish infected animals from others by serology?

Amendment by Albert Jan Maat, Elisabeth Jeggle, Neil Parish and Encarnación Redondo Jiménez

Amendment 52
Article 55, point 7

7. Milk and milk products produced from vaccinated animals may be placed on the market within or outside the vaccination zone, provided that depending on the final use for either human consumption or non-human consumption it has undergone at least one of the treatments referred to in Parts A and B of Annex IX. Such treatment shall have been undergone, in an establishment located in the vaccination zone or, in exceptional cases and subject to authorisation by the competent authorities, close to that zone. The competent authorities shall certify such treatment.

7. Milk and milk products produced from vaccinated animals may be placed on the ***national, intra-Community and extra-Community*** market within or outside the vaccination zone, provided that depending on the final use for either human consumption or non-human consumption it has undergone at least one of the treatments referred to in Parts A and B of Annex IX. Such treatment shall have been undergone, in an establishment located in the vaccination zone or, in exceptional cases and subject to authorisation by the competent authorities, close to that zone. The competent authorities shall certify such treatment.

Or. nl

Justification

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

Amendment by Albert Jan Maat, Elisabeth Jeggle, Neil Parish and Encarnación Redondo Jiménez

Amendment 53
Article 58, point 4, first paragraph

4. Fresh meat produced from vaccinated large and small ruminants may be placed on the market within and outside the vaccination zone under the following conditions:

4. Fresh meat produced from vaccinated large and small ruminants may be placed on the ***national, intra-Community and extra-Community*** market within and outside the vaccination zone under the following conditions:

Justification

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

Amendment by Gordon J. Adam

Amendment 54

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

4. Fresh meat produced from vaccinated large and small ruminants may be placed on the market within and outside the vaccination zone under the following conditions:

- (a) the establishment shall be operated under strict veterinary control;
- (b) only fresh meat which has undergone a treatment set out in Annex VIII or fresh meat obtained from animals reared and slaughtered outside the vaccination zone are processed in the establishment;
- (c) all such fresh meat shall bear the health mark in accordance with Chapter XI of Annex I to Directive 64/433/EEC or in the case of meat from other biungulates the health mark provided for in Chapter III of Annex I of Directive 91/495/EEC, or in the case of minced meat and meat preparations the health mark provided for in Chapter VI of Annex I of Directive 94/65/EC;
- (d) the fresh meat shall be clearly identified, and transported and stored separately from meat which is not eligible for dispatch outside the vaccination zone in accordance with this Directive.

4. Fresh meat produced from vaccinated large and small ruminants may be placed on the market within and outside the vaccination zone under the following conditions:

- (a) the establishment shall be operated under strict veterinary control;
- (b) only fresh meat which has undergone a treatment set out in Annex VIII or fresh meat obtained from animals reared and slaughtered outside the vaccination zone are processed in the establishment;
- (c) all such fresh meat shall bear the health mark in accordance with Chapter XI of Annex I to Directive 64/433/EEC or in the case of meat from other biungulates the health mark provided for in Chapter III of Annex I of Directive 91/495/EEC, or in the case of minced meat and meat preparations the health mark provided for in Chapter VI of Annex I of Directive 94/65/EC;
- (d) the fresh meat shall be clearly identified, and transported and stored separately from meat which is not eligible for dispatch outside the vaccination zone in accordance with this Directive.

(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.

Or. en

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 by Albert Jan Maat, Elisabeth Jeggle, Neil Parish and Encarnación Redondo Jiménez

Amendment 55
Article 58, point 6

6. Fresh meat produced from vaccinated porcine animals may be placed on the market within and outside the vaccination zone without restrictions.

6. Fresh meat produced from vaccinated porcine animals may be placed on the ***national, intra-Community and extra-Community*** market within and outside the vaccination zone without restrictions.

Or. nl

Justification

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

Amendment by Albert Jan Maat, Elisabeth Jeggle, Neil Parish and Encarnación Redondo Jiménez

Amendment 56
Article 58, point 7

7. Milk and milk products produced from vaccinated animals may be placed on the market within and outside the vaccination zone, provided that depending on the final use for either human consumption or non-

7. Milk and milk products produced from vaccinated animals may be placed on the ***national, intra-Community and extra-Community*** market within and outside the vaccination zone, provided that

human consumption it has undergone at least one of the treatments referred to in Parts A and B of Annex IX. Such treatment shall have been undergone in an establishment located in the vaccination zone or, in exceptional cases and subject to authorisation by the competent authorities, close to that zone. Such treatment shall be certified by the competent authority.

depending on the final use for either human consumption or non-human consumption it has undergone at least one of the treatments referred to in Parts A and B of Annex IX. Such treatment shall have been undergone in an establishment located in the vaccination zone or, in exceptional cases and subject to authorisation by the competent authorities, close to that zone. Such treatment shall be certified by the competent authority.

Or. nl

Justification

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

Amendment by Reimer Böge, Elisabeth Jeggle and Albert Jan Maat

Amendment 57

Article 61, paragraph 1, point (b)(iii)

(iii) at least **six** months have elapsed since the last outbreak of foot-and-mouth disease or the completion of emergency vaccination, what ever event occurred later, and in accordance with the guidelines of the OIE a serological survey based on the detection of antibodies against non-structural proteins of the foot-and-mouth disease virus has demonstrated the absence of infection in vaccinated animals.

(iii) at least **three** months have elapsed since the last outbreak of foot-and-mouth disease or the completion of emergency vaccination, what ever event occurred later, and in accordance with the guidelines of the OIE a serological survey based on the detection of antibodies against non-structural proteins of the foot-and-mouth disease virus has demonstrated the absence of infection in vaccinated animals.

Or. de

Justification

A period of three months is sufficient to obtain a sound result from the survey. The Commission should make every effort to ensure that this period is reduced from six to three months at OIE level too.

Amendment by Jan Mulder

Amendment 58
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.

Or. nl

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 by Gordon J. Adam

Amendment 59
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 another Member State of animals of susceptible species vaccinated against foot-and-mouth disease shall be prohibited.

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.
However, movement of vaccinated zoo

animals or rare breeds to another Member State may be allowed, subject to any OIE rules that may apply.

Or. en

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 by Eurig Wyn and Caroline Lucas

Amendment 60
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 **year** 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).

Or. en

Justification

The contingency plans should be reviewed more regularly to reflect the scientific progress.

Amendment by Albert Jan Maat, Elisabeth Jeggle, Neil Parish, Encarnación Redondo Jiménez and Robert William Sturdy

Amendment 61
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 by Jan Mulder

Amendment 62

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;

Or. nl

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 by Eurig Wyn and Caroline Lucas

Amendment 63

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 by Albert Jan Maat, Elisabeth Jeggle, Neil Parish, Encarnación Redondo Jiménez and Robert William Sturdy

Amendment 64
Article 78, paragraph 1 a (new)

The expert group shall include individuals with direct and relevant experience with Foot and Mouth Disease, the handling of an outbreak and associated problems. It shall also include representatives from farmers' organisations, consumer groups, the retail sector and the tourism industry.

Justification

The composition of the expert group needs to be defined more clearly and there is a need for a broad range of viewpoints to be represented.

Amendment by Gordon J. Adam

Amendment 65
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 by Gordon J. Adam

Amendment 66
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.

Or. en

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 by Gordon J. Adam

Amendment 67
Annex X, point 1, introductory part

1.CRITERIA FOR THE DECISION TO
INTRODUCE EMERGENCY
VACCINATION

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

1.CRITERIA FOR THE DECISION TO
INTRODUCE EMERGENCY
VACCINATION

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

Or. en

Justification

There are various criteria that would need to be taken into account in deciding to pursue an emergency vaccination programme, other than those listed in part 1 of Annex X. The criteria in parts 1 and 2 of Annex X are helpful but should only be indicative. Veterinary and epidemiological judgement would also be important.

Amendment by Eurig Wyn and Caroline Lucas

Amendment 68
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.*

Or. en

Justification

Emergency vaccination should be the first choice after any outbreak.

Amendment by Jan Mulder

Amendment 69
Annex XVII, point 11 a (new)

11 a. 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.

Or. nl

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.