

Mr Bernard Van Goethem  
Head of Animal Health Unit  
DG SANCO  
Commission of the European Communities  
Rue de la Loi, 200  
Brussels,

Paris, 20 September 2005

Dear Mr Van Goethem,

I should first of all like to thank you, on behalf of the FESASS Management Board, for Mr Eric Marin's attendance at its meeting. This was a sign of the excellent working relationship we have established in the interests of animal health.

Mr Marin's extremely detailed but very clear presentation gave the management Board an overview of the main thrusts of the Commission's work concerning the future of Community animal health policy (CAHP) and of the evaluation exercise. It also allowed FESASS to pursue in more detail its discussions on this subject.

In the light of those discussions, the FESASS Management Board has adopted a formal position that you will find enclosed. This is a vital issue for livestock farmers and will be decisive for the health of European livestock over the next decade and for the competitiveness of each and every holding. We shall therefore be available throughout this process to answer the questions put by the evaluators and then make an active contribution to the definition of the general lines and priorities of the future CAHP.

We are, of course, pleased to give our permission for you to put our position on the Commission website.

Yours sincerely,

[signature]

Bernard Terrand

President

**European Federation for Animal Health and Sanitary Security (FESASS)**  
30, Boulevard Simon Bolivar, 1000 Brussels, Belgium  
149, rue de Bercy, 75 595 Paris Cedex 12

## **THE POSITION OF THE EUROPEAN FEDERATION FOR ANIMAL HEALTH AND SANITARY SECURITY (FESASS) ON THE EVALUATION AND FUTURE OF COMMUNITY ANIMAL HEALTH POLICY**

*FESASS welcomes the fact that the European Union is willing to evaluate and discuss the future of Community animal health policy (CAHP). Developed to operate within the Single Market, the policy has had to be adapted to deal with a series of health crises over the last decade and with the successive enlargements of the Union, to the detriment of its long-term coherence. Despite this event-driven management, the policy has enabled crises to be overcome and the health status of European livestock to be improved. However, notwithstanding these successes, or perhaps because of them, the idea that the overall financial and social cost of this policy is no longer acceptable appears to be taking root. An examination and discussion of the policy is therefore necessary and FESASS would like to make an active contribution.*

*This document therefore aims to pinpoint the main elements that appear to the professional bodies in the agricultural sector responsible for animal health to be essential and those that are posing problems and therefore need to be improved. It is divided into three main parts, corresponding to the three areas of investigations laid down by the Commission: the efficiency of the CAHP, its financing and simplification of the legal framework.*

\*

\*            \*

The CAHP is made up of all the regulatory, technical and financial provisions adopted by the European Institutions to guarantee the health of European livestock and to help ensure the smooth operation of the Single Market in the field of livestock farming and the trade in animal products. For FESASS, the CAHP must therefore aim to meet scientific, economic, commercial and social expectations as regards health guarantees and to protect and improve the health status of European livestock by seeking to establish a common core of health provisions, while not infringing the principle of freedom of movement within the Single Market. Achieving these objectives requires, on the one hand, a collective health organisation structured around the three principal groups involved, i.e. stockfarmers, practising veterinarians and the veterinary services, and, on the other, a preventive approach designed to control risks at both national and European level. These are genuine preconditions that must be taken into account when evaluating the different aspects of the CAHP and setting priorities for the 2007-13 period.

### **The efficiency of Community animal health policy**

The efficiency of the CAHP cannot be evaluated solely on the basis of its capacity to manage and overcome major health crises. Its ability to control risks and improve the overall health status of the Union's livestock as regards regulated diseases must also be examined.

Against this background, one aspect of CAHP where the rules need to be examined and where improvements seem to be required is the control of the major zoonoses (tuberculosis and brucellosis). The support provided by the EU has made an enormous contribution to eradicating these enzootic diseases in several Member States, which have consequently managed to obtain (or are currently on the way to obtaining) officially free status. However, the diseases concerned are still widespread in several other Member States, for example, bovine tuberculosis is spreading in the UK. We must therefore ask how appropriate have been the measures implemented in those countries or regions. It would be useful to look at local situations and, particularly, the extra resources that need to be mobilised. At the same time, targets to be achieved in accordance with a detailed

timetable could be imposed. Regular and more frequent inspections need to be carried out by the authorities of the Member States concerned and by the FVO to guarantee the effectiveness of programmes and the meeting of objectives throughout their application on livestock holdings.

Other zoonoses, such as salmonellosis or fowl pest, also constitute a threat to public health. These diseases pose a growing challenge to animal health policy, particularly as their potential for poisoning large groups of people mean they often make a strong impact in the media. The EU's position and strategy on these diseases must therefore be clarified. This involves analysing the real nature of the risk and adapting Community policy accordingly. It is essential that the study evaluate the impact of the measures already being implemented in this area. The recasting of all the regulations on food hygiene has certainly improved the overall legibility of the legislation but there is still an urgent need to define objectives and the means to be employed against these diseases.

The evaluation of Community animal health policy cannot ignore the vital issue of the control of TSEs. In view of the serious consequences of these diseases for the Union's policy on food security and of the considerable sums that have been committed, there must be a more detailed discussion on the existing mechanism in the light of the very satisfactory development of the epidemiological situation. In the spirit of the road map recently adopted by the Commission, FESASS asks that possible adjustments to the mechanism be evaluated in order to allow it to be made significantly less burdensome. The aim must be to move from a crisis-management mechanism to routine monitoring. For example, the usefulness of systematic testing could be reassessed once again, as could the slaughter of cohorts, because alternative measures at slaughterhouses would offer equivalent guarantees. In addition, incidence thresholds below which further amendments to lessen the burden can be adopted could be looked at.

As a result of the outbreak of CSF in 1997 and foot-and-mouth disease in 2001, the mechanism to combat epizootic diseases was examined within both the Commission and the other Community Institutions and comprehensive amendments were made to the Directives on these two diseases.

Today, greater priority is being given to the new diseases hovering at the gates of the Union or already present on European territory, such as blue tongue. For FESASS, the control of epizootic diseases in general (including FMD and CSF) requires a very rapid reaction based on a firm "preventive" policy to prevent propagation and immediate treatment measures to eliminate potential sources of contamination. Within this general framework, four aspects require further analysis, since they are decisive for the effectiveness of any campaign:

- The preventive policy implemented by the Union and Member States' should be evaluated, in particular, measures to raise the awareness of and provide health training for stock farmers, who act as permanent look-outs on livestock holdings.
- The application of the principles of regionalisation and compartmentalisation should also be evaluated. The usefulness of these measures in guaranteeing the smooth operation of the Single Market and ensuring the continuation of trade without compromising the effectiveness of disease control (in terms of health but also economically) is fully appreciated, but their application needs to be clarified in the light of the recent outbreaks of FMD and blue tongue.
- An assessment should also be carried out of the drafting of national and local disease-control plans and their application.

- The use of emergency vaccination against epizootic diseases is an *ad hoc* solution and it must comply with IOED rules. The conditions for its use have not been fully clarified. This study should also look at this question.

Against this background, it would also be valuable to assess the value of the exchange between Member States of experience in the control of epizootic diseases and to establish the form this should take.

Finally, it should be borne in mind that current work within both the Member States and FESASS on the control of blue tongue is likely to bring concrete results that can also be taken into account.

FESASS attaches great importance to the specific character of “border” areas between Member States and would like the overall objectives of the CAHP to take account of the specific needs of these areas. We ask that the different measures financed in these areas over recent years, in particular under Intereg programmes, be evaluated.

Regarding the Union’s external borders, it is essential to evaluate the effectiveness of the current mechanisms and the advantages to be gained from a degree of “sanitary interference” (such as the vaccination campaigns in certain countries bordering on the Union, such as Turkey). Similarly, it would be useful to measure the impact of campaigns to raise awareness among travellers.

### **Financing of Community animal health policy**

In the light of the experience gained by its members in improving animal health, FESASS considers that the effectiveness of the control of animal diseases is largely determined by the effectiveness of the mechanisms for providing compensation to stock farmers, as shown by the example of the opposite approach adopted against bird flu in South-East Asia. Against this background, the European Union must continue to make a contribution to financing the fight against major epizootic diseases, such as foot-and-mouth disease and classical swine fever. In view of the serious nature of the risk to society as a whole and the need to guarantee collective health security and the effectiveness of control measures, stock farmers cannot be left to assume the responsibility for and the cost of measures to control these diseases and their consequences. In addition, stock farmers are faced with a threat over which they have little, and in most cases no, control. The principle of a collective approach should therefore be reaffirmed, led and financed by the public authorities and, where necessary, supplemented by a joint approach by the trade organisations. The advantage of this approach, implemented until now in the Member States with a certain degree of latitude depending on national sensitivities, should also be evaluated.

FESASS fears that the creation of a financing instrument, based on a mechanism managed by insurance companies, is not a suitable response given the nature of the risk. At the very least, an independent evaluation of the feasibility and cost of the following is required:

- The extent and management of the health risk within the Single Market requires the immediate mobilisation of significant financial, human and technical resources to guarantee rapid and fair compensation. Could a private law system mobilise these resources at a lower cost for stock farmers and the public authorities, which would have to guarantee the mechanism?
- From the legal point of view, such a system would, by its very nature, have to be much more demanding and precise as regards the responsibility for introducing a disease and its spread. How could this be administered without compromising the effectiveness of control measures?

- How can the coexistence of a system based on insurance and compliance with the strict rules of an aggressive prevention policy be ensured?
- The financial cost involved in constituting very significant compulsory reserves needs to be evaluated.

In addition, such a mechanism would necessarily raise the question of the obligation on the stock breeder to take out insurance. If there is an obligation, then the risk of stock farmers failing to take responsibility is increased. If there is no obligation, then the system might not be viable and might result in a two-speed health regime. These questions should therefore also be examined.

### **Simplification of Community legislation**

FESASS concentrated its discussion of the simplification of Community legislation on the following three areas: identification and traceability, livestock status and animal movements. The comments made above about the efficiency of the CAHP are also relevant for simplifications of the rules in force.

First of all and as a general point, FESASS takes the view that:

- the regulatory requirements must be adapted to the actual nature of the health risk faced,
- fuller and, above all, more uniform application of Community law requires that the normative level of health legislation be increased, by replacing, as far as possible, the current directives by regulations. Of course, this would make health legislation more rigid for Member States, but would have the double advantage of simplifying the legal morass resulting from incorporating EU law into national law and increasing harmonisation of health guarantees within the Single Market. The advantages and feasibility of this should be evaluated by both the Commission and the Member States.

With a view to greater simplification at international level and, in line with FESASS policy, to promoting exports by the European stockfarming sector, a study should be made of whether it would be useful and feasible, where appropriate, to align Community standards on IOED standards.

#### **(a) Identification and traceability**

European legislation on identification should be revised, adapted, simplified and brought together in general Regulation (EC) No 178/2002 and the species-specific texts, since Directive 92/102/EEC no longer appears to serve any purpose. If the sections on the identification of bovine, ovine and caprine animals were removed, it could be repealed in the interests of simplification. Its remaining provisions could be incorporated into the other relevant texts and a separate text could be adopted for those species for which there is not a suitable set of rules.

The practicality and effectiveness of the rules on retagging in the event of a lost tag, which are essential to guarantee traceability, should be examined and more flexible solutions and ways of improving the quality and resistance of tags need to be looked at.

Regarding accompanying documents, FESASS wonders whether both an identification document and a health document will be necessary over the 2007-13 period. National databases have been set up in the Member States to gather and manage on computer all identification data and a single accompanying document alone still appears to be justified because of potential changes in the health status of animals and the holdings on which they are held. This simplification also impacts on the rules on movements (cf. section on animal movements below).

Given the various legislative requirements related, to a greater or lesser extent, to identification, electronic means appear to provide useful solutions at the practical level. However, electronic identification will really be of interest only if it can be carried out by the stock farmers themselves at a reasonable cost. This is why FESASS is encouraging the competent authorities to carry out trials and adapt the Community mechanism accordingly. The simplification of the rules that the generalised use of electronic identification would bring, subject to fulfilment of the above preconditions, should be evaluated.

### **(b) Health status of herds**

FESASS would, first of all, like to reiterate its view that the different levels of health status should have the same value throughout the Union. It also considers that this exercise could allow simplification of Community law without compromising the requirements for obtaining and granting a particular health status. Thus, the mechanism laid down in Directive 64/432/EEC for zoonoses could be simplified beyond what has been proposed, on the one hand, by adapting the various levels of status according to the general progress made with regard to the epidemiologic situation and, on the other, by improving diagnostic tools. The EU could therefore support scientific work on diagnostic tools in order to reduce the time necessary to obtain the results of requalification tests. The requalification procedures could thus be improved and shortened.

The European Commission should therefore study whether it would be possible and advantageous to amend the rules on preventive measures so as to provide for testing 20% of animals in herds rather than 20% of herds. This would appear to provide better risk control. At the same time, when they are sure that a disease has disappeared, the national authorities should take effective steps significantly to reduce the preventive measures applied. Community legislation should be more prescriptive in this area.

The policy on additional guarantees should be applied sparingly and the Community situation with regard to IBR needs to be clarified. We ask that the Community definition of IBR-free herd be amended to recognise the different qualification protocols, provided they offer at least equivalent guarantees.

### **(c) Animal movements**

FESASS takes the view that the procedures relating to trade must be simplified but that this should not undermine risk control. This is why it considers that there is no longer any point in having health accompanying documents in each Member State for national movements and certificates as provided for by Directives 64/432/EEC and 91/68/EEC for trade between Member States. There are two possible solutions:

- either abolishing the certificates for intra-Community trade provided for by these Directives. However, questions could then be raised about the effectiveness of a system that recognised 25 different certificates in trade within the Single Market;
- or introducing a single EU certificate valid for both types of trade (national and intra-Community), but this raises the problem of the satisfaction of local needs and of additional levels of health status for national purposes.

It would therefore be particularly useful to carry out an evaluation of such an amendment to Community legislation.

Similarly, FESASS considers that the Commission should take account in its simplification measures of the consequences of placing increased responsibility on all those involved in the sector. For example, it could evaluate the relevance and actual usefulness of the particularly strict measures on information from those involved in the

food chain. In the opinion of FESASS, only in the event of serious problems need information be transmitted to a single competent veterinary authority.