The EU Veterinarian

By Howard Batho, Hans Bendixen, Hinrich Meyer-Gerbaulet and Jørgen Westergaard with additional contributions by Henrik Bendixen, Brian Marchant, Alastair Porter, John Williams and Mary Brown

Animal health, welfare & veterinary public health developments in Europe since 1957

European Commission

THE EU VETERINARIAN

Health & Consumer Protection
Directorate-General

Manuscript completed in August 2007

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Luxembourg: Office for Official Publications of the European Communities, 2008

ISBN-978-92-79-06997-0

Printed in Belgium

The EU Veterinarian

While this book was written by veterinarians, it can be read – and indeed is targeted at – anyone interested in the history of animal health and welfare in the EU over the last half-century. It chronicles the pioneering days of the Commission's Veterinary Service, setting the narration in the broader context of the search for safety and quality throughout the food chain.

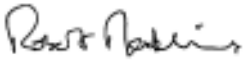
This significant survey tells the story behind the massive expansion of trade in animals and animal products, within Europe and globally, over the last 50 years. Importantly, it highlights the challenges and achievements in animal health and welfare, in hygiene and food safety during those years.

Those who link animal health exclusively to the "mad cow crisis" will discover in these pages a broader and much more positive picture of sustained and diligent pursuit of animal health across the disease challenges, throughout the expanding European Union and beyond its borders, over half a century. Despite setbacks large and small, the long view shows that we are winning vital battles. In recent years, with the threat of the global influenza pandemic triggered potentially by avian influenza, the EU has given a lead at global level to surveillance, and prevention, in cooperation with veterinarian services worldwide.

The story of animal welfare is also well covered: not only the progressive upgrading of animal standards in Europe, but the successful export of a welfare culture, in cooperation with partners across the world, developing and developed countries alike.

At a time when the animal health and welfare strategy of the European Union is under review, this will be a valuable contribution to the understanding of veterinary students, veterinary practitioners, policy makers and the general public. I hope that it will appeal, too, to two groups of adventurers particularly dear to me: the non-veterinarians (including the odd historian) whom European vets have admitted to work on the sacred business of animal health; and the equally courageous veterinarians whose careers have taken them to new and sometimes very different realms of endeavour, including international trade policy, and internal audit, to name but two.

It is a sign of the constant modernity of veterinarian practice that this publication is available not only on paper, but also in electronic version, offering in addition to this historic text full access to Community legislation in the veterinary and related public health fields, on the data bases that will be updated regularly.



Robert Madelin
Director General
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Authors

Howard Lawrence BATHO, BVSc., MRCVS, MAMI is from the UK and is head of the import sector in Directorate D (animal health and welfare), Unit D1 (animal health and the Committees), in the Directorate-General for Health and Consumer Protection based in Brussels. He qualified from Liverpool University in 1972 as a Bachelor of Veterinary Science. He is a member of the Royal College of Veterinary Surgeons, the British Veterinary Association, the Association of Meat Inspectors, the OiE ad hoc epidemiology group and is an ISO 9000 accredited auditor.

He joined the Commission in January 1989 as a veterinary inspector in the European Commission from the Ministry of Agriculture, Fisheries and Food (now Department for Environment and Rural Affairs) where he worked from 1977–1986 as a Veterinary Officer at the Hertford Divisional Office and then from 1985–1988 as Senior Veterinary Officer in Tolworth. During 1983 to 1985 he was seconded to the Commission legislative services specifically to set up an EC animal disease notification system. In 1999 he moved to the veterinary animal health legislative services in DG SANCO. He worked as an assistant in veterinary practice in the UK between 1972 and 1977.

Howard Batho is responsible for innumerable EU Regulations, Directives and Decisions on animal health and many presentations, including contributions to the OiE, FAO and EU training courses for Member States and Third Countries' representatives and a paper on an emergency evaluation of the foot and mouth situation in Southern Africa.

He is an avid rugby supporter, and plays tennis, indoor football and golf.

Hans Jørgen BENDIXEN Dr med. vet. et hc., Hon. Assoc. RCVS, R.Dbg. is from Denmark and was Head of Division (now retired), EC Commission, Directorate-General for Agriculture, European Commission, Brussels between 1973 and 1986.

He qualified from the Royal Veterinary and Agricultural University, Copenhagen (KVL) in 1951 with a veterinary diploma. In 1964 he obtained Doctor medicinae veterinariae (habil) at KVL for his thesis on enzootic bovine leucosis: diagnosis, epidemiology and eradication, then in 1967 he was recognised as Professor for Internal Medicine, Special Pathology and Therapeutics at KVL.

He joined the Commission in 1973 as Head of Division at the EC Commission, Brussels with the responsibility for planning, development and implementation of all sectors of the EC veterinary legislation, animal welfare and zootechnics until he retired in 1986 when he became an assistant Professor for Epidemiology and State Veterinary Medicine at the Royal Veterinary and Agricultural University, Copenhagen (KVL) and acted as veterinary consultant to the Danish Veterinary Service on matters relating to the EU and to environmental hygiene until 1996.

During 1962–1973 he was Head of Section, at the National Veterinary Laboratory, Denmark, responsible for laboratory diagnosis and control measures in the national scheme for eradication of Enzootic Bovine Leukosis (EBL); epidemiologic studies in EBL; research into the epidemiology of Aujeszky's disease (AD) and a pilot scheme for systematic AD eradication in Danish pedigree pig herds. From 1959–1962

he was an assistant veterinary officer in the Danish Veterinary Service, responsible for planning and implementing the national scheme for eradication of EBL. Between 1956 and 1959 he was Assistant Professor in the KVL department for special pathology and internal medicine and during 1955–1956 he was a scientific assistant in the department for special pathology and internal medicine. Between 1953 and 1954 he was a scientific assistant, in the KVL department for biochemistry and physiology. Additionally, he worked in veterinary practice for about a year in 1954/1955.

Hans is a prolific writer; indeed he has his own printing press. He has published more than 140 books and scientific articles on the control and eradication of EBL and AD, on animal health in intensive animal production units, on a common European veterinary policy, and on reduction of pathogens in slurry and organic waste by fermentation in biogas plants.

Dr med. vet. Hinrich MEYER-GERBAULET is from Germany and was Principal Administrator, Directorate-General Enlargement, based in Brussels and Head of Unit at the German Federal Ministry of Food, Agriculture and Consumer Protection. Since July 2007 he has been an appointed personal adviser and assistant on veterinary and food safety matters to the Bulgarian Minister of Agriculture and is a member of his cabinet.

He qualified in 1977 with a Diploma in Veterinary Medicine from the University of Giessen and Hanover and has a postgraduate Degree in Public State Administration, a postgraduate Degree in Virology and a Doctor's Degree in Veterinary Medicine with his thesis on 'Classical Swine Fever'.

He joined the Commission in 1997 as a TAIEX & PHARE expert in Brussels and from 2001–2006 in DG Enlargement, where he was Deputy Head of the TAIEX UNIT; then in the Bulgaria Unit he was in charge of the agriculture dossier, including the veterinary, phytosanitary, fisheries, environment, and consumer and health protection sectors. This was followed by an assignment to the General Secretariat of the Commission in 2007 assisting in establishment of the verification and monitoring mechanism for Bulgaria and Romania.

Between 1988 and 1997 he worked as an Official for the Federal Ministry of Food, Agriculture & Forestry, Bonn. From 1991–1995 he was seconded as a national expert, to DG Agriculture, Brussels. Prior to that he was Head of Department, Regional Government Weser-Ems, Oldenburg (1982–1988), Veterinary Assessor, Regional Government Hanover (1980–1982) and High School Assistant, School of Veterinary Medicine Hanover, Institute for Virology & EU liaison laboratory for Classical Swine Fever (1977–1980).

He has published more than 40 books and scientific articles since 1977, mainly on virology and during the fifth enlargement round of the EU on the development of the veterinary and food safety sector in the new Member States in German and English.

His special interests include agriculture, zootechnics and equestrian sports.

Dr Jørgen Mejsen WESTERGAARD, from Denmark, is Director, ADC-Consult, Mikkelborg Allé 7, 2970 Hørsholm, Denmark. He qualified in 1964 with a Degree in Veterinary Medicine, from the Royal Veterinary and Agricultural University, Copenhagen, Denmark. He obtained a Diploma in Tropical Veterinary Medicine, Faculty of Veterinary Medicine, University of Edinburgh, UK and is a Doctor of Philosophy (Microbiology), at the School of Veterinary Medicine, Auburn University, USA.

He joined the Commission in 1987 and was Deputy Head of Unit, DG Agriculture and DG Health and Consumer Protection, based in Brussels. He retired in 2001 and is now Director of a veterinary consultancy.

Prior to joining the Commission he was Veterinary Officer, Senior Veterinary Officer and Head of Division, State Veterinary Services, Denmark during 1977–1987.

He was a Doctoral Candidate/Instructor and Assistant Professor, Auburn University, USA (1973–1977), the Dairy Education and Livestock Officer, FAO HQs of the United Nations, Rome, Italy (1970–1973) and an Associate Director, FAO Regional Dairy Training Centre, Entebbe, Uganda (1966–1969).

During 1965–1966 he was a Postgraduate student, at the Large Animal Clinic, Royal Veterinary and Agricultural University, Copenhagen. He worked as an assistant veterinarian, in a large animal veterinary practice, Denmark.

He has published about 35 scientific and technical articles as well as a number of presentations and reports on animal disease control measures and veterinary legislation.

His special interests, apart from his family, include epidemiology, lecturing to veterinary students and various sporting activities.

Contributors

Henrik BENDIXEN cand. mag. is from Denmark and is the Deputy Head of Unit, European Commission, Directorate-General Enlargement, Croatia Unit. He qualified from the University of Copenhagen, with a Masters degree in History and Literature, in 1982.

He joined the Commission in 1993 as a coordinator of PHARE assistance, he was the political desk officer for relations to Estonia and Latvia; between 1995 and 1997 he was the coordinator of accession negotiations in the field of agriculture, DG Enlargement and then in 2005 he became Deputy Head of Croatia Unit, DG Enlargement.

Before joining the Commission, between 1990 and 1993 he worked in the Ministry of Education and Science, Copenhagen, during 1987–1990 the Ministry of Labour, and prior to that between 1984 and 1987 he worked in the National Museum, Copenhagen.

Brian Alexander MARCHANT is a veterinarian from Scotland. He joined the Commission in 1985 on secondment from the UK in DGVI (veterinary legislation) where part of his duties covered BSE. He then went to the Nature Conservation Unit in DG Environment for a short time and is now Deputy Head of DG TRADE Unit C1 – Sustainable Development and Sanitary and Phytosanitary (SPS) issues. He qualified in 1970 as a Bachelor of Veterinary Medicine and Surgery at the Royal (Dick) School of Veterinary Studies, Edinburgh and in 1980 obtained a Master of Science (Animal Health), Royal (Dick) School of Veterinary Studies, Edinburgh. Before joining the Commission he worked in practice for six years before joining Ministry of Agriculture, Fisheries and Food (now Department for Environment and Rural Affairs) where he became a Divisional Veterinary Officer.

Alastair PORTER is from the UK. A lawyer by training, he was for many years Registrar and Secretary of the Royal College of Veterinary Surgeons of the UK. He became active in the Veterinary Liaison Committee of the EEC even before accession of the UK in 1973, when the Liaison Committee evolved into the Federation of Veterinarians of the EEC in 1975; he was the first Secretary General.

John M. WILLIAMS is from the UK. He was for over 20 years a veterinary manager in the UK Government Veterinary Services and is now Veterinary Director of an international veterinary consultancy. He was elected as a UK delegate to FVE in 1995 and was an FVE Vice-President from 2003–2007.

Mary BROWN is from the UK. The editorial board was supported throughout by Mary, who also contributed to the chapter on globalisation. Mary has worked in the EU Commission's Agriculture and Rural Development Directorate-General since 1981.

Acknowledgements

The authors would like to acknowledge their families, in particular Kate, Jytte, Beata and Ebba, for their understanding of the authors' interest in veterinary medicine and for their patience and understanding during the preparation of *The EU Veterinarian*.

Dedication

This book is dedicated to all the veterinarians throughout the EU who have worked over the last 50 years to put in place an effective and efficient European Veterinary Service in the fields of animal health, animal welfare and food safety, in the context of a growing single market. A special dedication to George Adelbrecht (Council 1971–2007) who, sadly, died of cancer before being able to contribute to this book. George worked tirelessly with the Member States' Chief Veterinary Officers and the Commission, to develop and steer through the Council the major part of the primary legislation of the EU veterinary acquis.

Abbreviations

ABP	Animal by-products
ACP	Africa, the Caribbean and the Pacific
AD	Aujeszky's disease
ADNS	Animal Disease Notification System
AGS	Annual general session
AGID	Agar-gel-immuno-diffusion test
AGoFCo	Advisory Group on the Food Chain and on Animal and Plant Health
AHS	African horse sickness
AI	Avian influenza
ANIMO	Animal Movement Control System
ASF	African swine fever
BIP	Border inspection post
BKD	Bacterial kidney disease
BLV	Bovine leukaemia virus
BRT	Brucella milk ring test
BSE	Bovine spongiform encephalopathy
BR-ab	Brucellosis in cattle
BT	Bluetongue
BVD	Bovine viral diarrhoea
CAEV	Caprine arthritis and encephalitis virus
CAHP	Community Animal Health Policy
CAP	Common Agriculture Policy
CARDS	Community Assistance for Reconstruction, Development and Stabilisation
CBPP	Contagious bovine pleuropneumonia
CCEURO	Co-ordinating Committee for Europe
CCP	Critical control points
CDR	Case detail reporting
CIS	Customs information system
CITES	International Convention on Trade in Endangered Species
CJD	Creutzfeld-Jacob disease
CLWP	Commission legislative and work programme
COCEGA	Comité Général des Coopératives Agricoles de la CEE
CODEX	Codex Alimentarius Commission
COM	Common organisation of agricultural markets
COPA	Committee of Professional Agricultural Organisations in the EEC
COREPER	Committee of Permanent Representatives
CP	Contingency plan
CP	Sheep and goat pox (capripox)
CPD	Continuing professional development
CRL	Community Reference Laboratory
CSF	Classical Swine Fever
CTMO	European Community Trademark Office

CVED	Common Veterinary Entry Document
CVMP	Committee for Medicinal Products for Veterinary Use
CVO	Chief Veterinary Officer
DAS	Déclaration d'Assurance (Statement of Assurance)
DC	Document check
DFD	Dry, firm and dark
DG	Directorate-General
DG AGRI	Directorate-General for Agriculture and Rural Development
DG DEV	Directorate-General for Development and Humanitarian Aid
DG INFSO	Directorate-General for Information Society and Media
DG RELEX	Directorate-General for External Relations
DG SANCO	Directorate-General for Health and Consumer Protection
DG TAXUD	Directorate-General for Taxation and Customs Union
DIVA	Differentiating Infected from Vaccinated Animals
DO	Dourine
DOM	Departement d'Outre Mer (France)
DSP	Diarrhetic shellfish
EAFRD	European Agricultural Fund for Rural Development
EAGGF	European Agricultural Guidance and Guarantee Fund
EAPHP	Executive Agency for the Public Health Programme
EAEVE	European Association for the Evaluation of Veterinary Establishments
EBL	Enzootic bovine leukosis
EBRD	European Bank of Reconstruction and Development
ECC-FMD	European Commission for Control of Foot and Mouth Disease
EC	European Community
ECDC	Centre for Disease Prevention and Control
ECOSOC	European Economic and Social Committee
ECSC	European Coal and Steel Community
EDF	European Development Fund
EEA	European Economic Area
EEC	European Economic Community
EEM	Equine
EFB	European foul brood
EFFAB	European Forum of Farm Animal Breeders
EFSA	European Food Safety Agency
EFTA	European Free Trade Association
EHO	Environmental health officers
EIA	Equine infectious anaemia
EIB	European Investment Bank
ELISA	Enzyme-Linked Immunosorbent Assay
EMCDDA	European Monitoring Centre for Drugs and Drug Addiction
EMEA	European Medicines Agency
EMPRES	Emergency Prevention System
ENGL	European Network of GMO Laboratories
ENP	European Neighbourhood Policy

EP	European Parliament
EPO	European Patent Office
EPSO	European Communities Personnel Selection Office
ET	Embryo transfer
ETS	European Treaty Series
EU	European Union
EU-15	15 EU Member States before May 2004
EUFMD	European Commission for the Control of Foot and Mouth Disease
EURATOM	European Atomic Agency
FAO	Food and Agriculture Organisation
FCEC	Food Chain Evaluation Consortium
FMD	Foot and mouth disease
FP	Framework Programme
FS	Food Safety
FSIS	Food Safety and Inspection Service
FVE	Federation of Veterinarians in Europe
FVO	Food and Veterinary Office
GATT	General Agreement on Trade Tariffs
GBR	Geographical BSE Risk
GDR	German Democratic Republic
GFP	Good farming practice
GHP	Good husbandry practice
GL	Glanders
GM	Genetically modified
GME	Gelatine Manufacturers of Europe
GMM	Genetically modified micro-organism
GMO	Genetically modified organism
GMP	Good manufacturing practice
GPAD	Groups for Protection against Animal Diseases
GPAI	Global Programme for Avian Influenza and Human Pandemic Preparedness and Response
GREP	Global Rinderpest Eradication Campaign
HACCP	Hazard Analysis Critical Control Points
HIV/AIDS	Human immunodeficiency virus/Acquired immune deficiency syndrome
HPAI	Highly pathogenic avian influenza
IARC	International Agency for Research on Cancer
IATA	International Airline Travel Association
IBAR	InterAfrican Bureau for Animal Resources
IBR	Infectious bovine rhinotracheitis
IBRD	International Bank for Reconstruction and Development
IC	Identity check
I/C	Intra-Community
ICPI	Intracerebral pathogenicity index
ID	Identity
IDA	International Development Association

IDES	Interactive data entry systems
IHN	Infectious Hematopoietic Necrosis
ILT	Infectious Laryngothracheitis
IMSD	Internal Management System for Decisions
IPN	Infectious pancreatic necrosis
IPPC	International Plant Protection Convention
ISA	Infectious salmon anaemia
ISPA	Instrument for Structural Policies for Pre-Accession
JIVET	Juvenile in vitro embryo transfer
JMC	Joint Management Committee
JRC	Joint Research Centre
LPAI	Low pathogenic avian influenza
LMI	Lay meat inspector
LSD	Lumpy skin disease
MA	Market authorisation
MBM	Meat and bone meal
MEP	Member of the European Parliament
MEUR	Million euros
MRL	Maximum residue level
MS	Member State
MSM	Mechanically separated meat
ND	Newcastle disease
NGO	Non-governmental organisation
NRL	National reference laboratories
NSAID	Non-steroidal anti-inflammatory drugs
NSP	Non-structural protein
NTA	New Transatlantic Agenda
NZ	New Zealand
OAU	Organisation for African Unity
OCT	Overseas Countries and Territories
OECD	European Organisation for Cooperation and Development
OEEC	Organisation for European Economic Co-operation
OiE	World Organisation for Animal Health
OJ	Official Journal of the European Union
OLAF	Office européen de Lutte antifraude
OLAP	Own Level of Protection
OPOCE	Office for Official Publications of the European Communities
OSCE	Organization for Security and Co-operation in Europe
OV	Official Veterinarian
OVPIC	Office of Veterinary Inspection and Control
OVS	Official Veterinary Surgeons
P	Poultry
PACE	Pan African Programme for the Control of Epizootics
PAH	Polycyclic aromatic hydrocarbons
PARK	Pan African rinderpest campaign

PC	Physical check
PCBs	Polychlorinated biphenyls
PCR	Polymerase chain reaction
PDO	Protection of geographic origin
PEE	Porcine enterovirus encephalomyelitis (was Teschen disease)
PGI	Protection of geographical indication
PGO	Protected geographical origin
PHARE	Pologne, Hongrie Assistance à la Reconstruction Economique
PMWS	Post-weaning multisystemic wasting syndrome
POAO	Products of animal origin
PPD	Purified protein derivative
PPR	Peste des petits ruminants
PRC	People's Republic of China
PRRS	Porcine Reproductive and Respiratory Syndrome
PSE	Pale, soft and exudative
PSP	Paralytic shellfish poison
PVC	Porcine circovirus
PVS	Performance, vision and strategy
RASFF	Rapid Alert System for Feed and Food
RBT	Rose Bengal test
RCU-SEAFMD	Regional Co-ordination Unit of the South-East Asia Foot and Mouth Disease Campaign
Reg	Regulation
RNA	Ribonucleic acid
RP	Rinderpest (cattle plague)
RSPCA	UK Royal Society for the Prevention of Cruelty to Animals
RVF	Rift valley fever
SAPARD	Special Accession Programme for Agriculture and Rural Development
SAP	The Stabilisation and Association Process
SARS	Suspected adverse reaction syndrome
SAT	South African Type (FMD)
SBO	Specific bovine offals
SCA	Special Committee on Agriculture
SCAW	Standing Committee on Animal Welfare
SCOFCAH	Standing Committee of the Food Chain and Animal Health
SEA	Single European Act
SEFABAR	Sustainable European Farm Breeding and Production
SH	Small hive beetle (Aethina tumida)
SHIFT	System for the Harmonisation of Imports at the Frontiers from Third Countries
SME	Small and medium enterprises
SMS	Short message service
SPC	Service de Protection des Consommateurs
SPS	Sanitary and Phytosanitary Agreement
ScVC	Scientific Veterinary Committee
SVC	Standing Veterinary Committee

SVC	Spring viraemia of carp
SVD	Swine vesicular disease
TAIEX	Technical Assistance Information Exchange
TADs	Transboundary Animal Diseases
TACD	Transatlantic Consumer Dialogue
TEP	New Economic Partnership
TB	Tuberculosis
TBT	Technical Barriers to Trade Agreement
TCI	Temporary Committee of Inquiry
TGE	Transmissible gastroenteritis
TM	Tropilaelaps mite
TRACES	Trade and Control Expert System
TRT	Turkey rhinotracheitis
TSE	Transmissible spongiform encephalopathy
TSG	Traditional specialities guaranteed
TVI	Temporary veterinary inspector
UHT	Ultrahigh treatment
UK	United Kingdom
UN	United Nations
USA	United States of America
USSR	Union of Soviet Socialist Republics
vCJD	Variant Creutzfeldt-Jakob disease
VCM	Vinylchloridemonomer
VHS	Viral hemorrhagic septicemia
VI	Veterinary inspector
VMP	Veterinary medicinal product
VPH	Veterinary public health
VS	Vesicular stomatitis
WB	Wild birds
WHO	World Health Organisation
WNF	West Nile fever
WTO	World Trade Organisation

Table of Contents

On 25 March 1957, six European nations signed the Treaties of Rome, so founding the EEC and the European Atomic Community (EURATOM). To mark this half-centenary, The EU Veterinarian traces the development of the EU's veterinary sector over the 50 years since the Treaty on the EEC provided the legal basis for its existence.

Over this period, EU intervention has grown from very basic attempts to harmonise trade rules between the Member States on a few selected commodities, to the full regulation of procedures and standards for placing livestock and animal products on the market, their transportation and trade. It is an appropriate moment to review the EU's legal and institutional framework and to explain the key components of the current system and its evolution, from the EU point of view.

In setting out to be a guide to EU veterinary development and legislation, The EU Veterinarian also provides the background needed to understand why and how policies have developed – from the requirements laid down by the EEC's founder members through all the subsequent developments, including the several enlargements.

It provides a timely description of the Common Veterinary Policy: animal and veterinary public health and welfare, including zootechnics, in the EU over the last 50 years and the mechanisms for transposing and implementing EU rules.

This is information that concerns everyone involved in the production, collection and processing of feed and food of animal origin and the monitoring and supervision of these processes, especially in view of the EU's "Farm to Fork" (or "Stable to Table") food safety concept. Similarly, it concerns everyone responsible for measures to prevent and control serious epizootics and the eradication of zoonoses, with the ambition of ensuring a high level of livestock health worldwide and facing up to the new challenges posed by globalisation.

This printed edition of *The EU Veterinarian* contains selected content, focusing on the policy framework and institutional structure for the veterinary sector, the EU veterinary acquis, internal market controls, the evolution of veterinary services at EU level, the establishment of the federation of veterinarians in Europe, and the future of the sector.

Located at the end of the book, the CD-ROM includes the full content, together with hyperlinks to the legislation cited in the text.

2

THE LEGAL AND POLICY FRAMEWORK FOR THE EUROPEAN COMMUNITY VETERINARY SECTOR

25 March 1957: Signing of the Treaty of Rome
Ricardo Oliveira, Portuguese Prime Minister's Cabinet

2.1 THE TREATIES OF ROME 1957

In the 1950s there was a spirit of European enthusiasm and sense of solidarity in six of the countries in Western Europe, i.e. France, Belgium, the Netherlands, Luxembourg, Italy and West Germany. They were recovering from the damages of World War II. Production and trade were increasing. Distribution systems were modernised and extended. Closer international planning and coordination of large-scale production and marketing within Europe was required. Removal of national barriers to trade was necessary.

Their prominent statesmen belonged to the generation that had lived through the years of crises in the 1930s. And their countries had suffered heavily during World War II. It is thanks to their initiative and enthusiasm that it was possible to create a new European organisation, and their names deserve to be remembered when the 50th anniversary is celebrated. Most prominent among them was Jean Monnet, a French political economist and diplomat, who worked untiringly all his life for the European cause and is regarded as 'the father of European unification'. Other European-minded statesmen were Robert Schuman, French Prime Minister and founder of the European Coal and Steel Community, Paul-Henri Spaak, Belgian Prime Minister, Jean Rey, Belgian Minister for Economic Affairs, Sicco Mansholt, Dutch Minister for Agriculture, Konrad Adenauer, West German Chancellor, Joseph Bech, Prime Minister and Minister for Foreign Affairs in Luxembourg, Walter Hallstein, West German professor and leading public servant, and Alcide De Gasperi, Italian Prime Minister. They were of the opinion that the nationalistic regimes in Europe had definitively demonstrated their incapability to ensure a peaceful and prosperous future for the European people. They wanted to bind the countries so closely together that severe confrontations and war would not be possible anymore. The instrument to be used was a system of common laws.

The EEC was established in 1957, when the Treaty of Rome was signed by France, Belgium, the Netherlands, Luxembourg, Italy and West Germany. The aim was to create a single market in Western Europe with free movement of goods, people, services and capital. To achieve this, the Member States were obliged to adopt a single economic and agricultural policy, and to establish a common commercial policy toward Third Countries. Trade barriers between the Member States should be removed, and transportation systems in the Community coordinated. The Treaty prescribed that a law system should be designed covering almost all economic and technical aspects, and an important principle was introduced – i.e. common conditions and criteria for the manufacture and distribution of products.

The desire to establish the Treaty of Rome should also be seen in light of the cooperation between States in the 1950s in the European Coal and Steel Community (ECSC) and the European Atomic Energy Community (EURATOM); the latter designed to promote and supervise the peaceful use of nuclear and atomic energy.

There were no veterinarians among the fathers of the Treaty of Rome. European politicians and administrators had not yet realised that it was necessary to adopt veterinary animal health requirements in the EEC legislation to ensure a high health level of domestic livestock. Only a few were aware of the importance of adopting veterinary public health requirements to ensure that wholesome food of animal origin was produced for the European consumer.

When the Treaty had been adopted the Member States continued using their national veterinary legislation and control systems to obtain the necessary trade guarantees relating to healthy animals and safe food, when these products were imported from other Member States. The animal health and public health requirements were laid down by bilateral negotiations between the competent authorities of the importing and exporting countries. As a general principle the criteria corresponded to those used in the importing country, although deviations occurred induced by economic or political factors. The health guarantees differed from one country to another, depending on the particular disease situation in the animal population and the hygienic standards in the food sectors, which depended on old traditions for handling and preparing food. National protectionist attitudes influenced these criteria. The control systems were confusing for producers and traders, and for the veterinary inspectors.

In the Treaty the legal basis for veterinary issues and disease control measures were modest, but four Articles – 43, 30, 36 and 100 – were of particular importance for the veterinary sector.

Article 43 provided the broad lines for the Common Agricultural Policy (CAP) including a Common Veterinary Policy. The first Community documents adopted within this context were Council Resolution of 12 March 1968 laying down the principles for the Common Veterinary Policy and Council Decision of 15 October 1968 setting up a Standing Veterinary Committee (see Chapter 6).

Article 30 of the Treaty prohibited quantitative import restrictions or measures with equivalent impact on trade between Member States, while Article 36 permitted the use of prohibitions or restrictions on the movement of goods if justified on certain grounds, i.e. protection of health and life of people and animals, on condition that these grounds were not used as a means of arbitrary discrimination or disguised restrictions on trade. Freedom of trade should not include freedom of spread of infectious agents and toxic substances spread by animals and food of animal origin, which are considered 'goods'.

Article 100 dealt with approximation of laws. It outlined that the Council should, acting unanimously on a proposal from the Commission and after consulting the European Parliament and the Economic and Social Committee, issue Directives and administrative provisions directly affecting the establishment or functioning of the common market.

The Treaty provided the basis for a Standing Veterinary Committee to be set up.

2.2 FURTHER MILESTONES FOR EUROPEAN INTEGRATION

2.2.1 SINGLE EUROPEAN ACT 1986

The Single European Act (SEA)(1) was signed by 12 Member States in 1986 and was the first major amendment of the Treaty establishing the EEC; it came into force in 1987. Basically it was a result of a summit in 1985 where the European Council agreed that it was time to refocus on one of the objectives of the Treaty of Rome: elimination of trade barriers. In 1957 the intention was to have a single market without barriers between the six countries that comprised the original Community. With a Community of 12 members (meanwhile Denmark, Greece, Ireland, Spain, Portugal and the UK had joined the EEC) it became increasingly clear that a number of physical and technical barriers remained as obstacles to free movement of goods, services and people. To promote the process the Commission published a comprehensive White Paper *Completing the internal market* (2); it identified 279 legislative measures needed to complete the internal market. It outlined a timetable for achieving a European Community without frontiers and specified the changes required for a truly integrated single market. The deadline proposed for a Community without frontiers was 31 December 1992.

The SEA restated the long-held Community objective of a high status for animal and public health, and with the major programme to establish the internal market it took the concept of removing obstacles to trade a step further. Evidently, it was impossible to eliminate all animal disease problems by 1993, but priorities could be established with regard to diseases which should be eradicated or controlled with Community assistance, and diseases which the farmer, assisted by his veterinarian, should control at herd level (see Chapter 5.4).

The single market programme significantly extended the scope of veterinary legislation and led to the completion of a comprehensive set of legislation covering the sectors of animal and public health, zootechnics and animal welfare. Over 75 legislative proposals were made to address the needs of the various animal production and processing sectors in the Community and imports from other countries. The extension of the legislation resulted in the inclusion of horses, sheep, goats, fish and bivalve molluscs, and the animal products derived from them. New proposals were drafted on the veterinary checks on live animals and animal products for trade within the Community following the abolition of checks at internal borders, and on imports from Third Countries.

Some institutional changes were made to facilitate the establishment of the internal market. The act provided for increasing the number of cases in which the Council could take Decisions by qualified majority voting instead of unanimity. This facilitated decision-making and the frequent delays inherent to the search for a unanimous agreement among the 12 Member States were avoided. Unanimity was no longer required for measures designed to establish the single market, with the exception of certain defined measures including taxation. The SEA established the European Council, which formalises the summits of the Heads of States and government. The competence of this body was not specified, and the European Council had no decision-making powers or powers of constraint. The SEA reinforced the position of the European Parliament in inter-institutional dialogue by requiring parliamentary assent when concluding association agreements and introducing the cooperation procedure, with the possibility of two readings of the proposed legislation.

(1) The Single European Act OJ L 169 of 29.06.1987

(2) *Completing the Internal Market.* White Paper from the Commission to the European Council (Milan, 28–29 June 1985). COM (85) 310 final, 14 June 1985.

2.2.2 MAASTRICHT 1992

The Treaty on EU (3) was signed in 1992 and came into force in November 1993. The Treaty was the result of external and internal events. At external level, the collapse of communism in Eastern Europe and the outlook of German reunification led to a commitment to reinforce the Community's international position. At internal level, the Member States wished to supplement the progress achieved by the SEA with additional reforms. The goal was to create an ever-closer union among the peoples of Europe. The common provisions and the preamble of the Treaty set out aims which include:

- establishment of an economic and monetary union, ultimately including a single currency
- establishment of a common citizenship
- reinforcement of environmental protection
- a common foreign and security policy
- development of closer cooperation in justice and home affairs.

With regard to the Institutions of the Community the Treaty gave the Parliament the right to approve the body of Commissioners prior to their appointment. On legal issues the Parliament became further involvement in enacting legislation through a 'Codecision' procedure (see Chapter 3.1) with the power to refuse Council Decisions in certain areas. The Treaty also gave the Parliament the power to establish temporary committees of inquiry to examine allegations, including negligence, mistakes or infringements under the competence of EU law. This power has been used to examine activities in the veterinary sector, e.g. in relation to the BSE epidemic in the 1990s and the FMD epizootic in 2001.

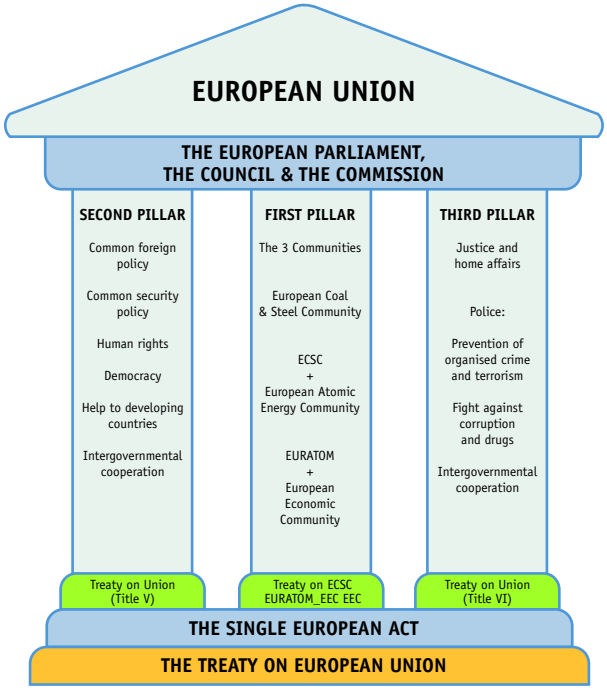
This Treaty provides that the European Council shall meet at least twice a year, so giving more impetus to the Union. Reports should be issued to the European Parliament after each European Council meeting and annually.

Within the framework of the adoption of the Maastricht Treaty the name EEC was changed to 'European Community' (EC). Thus, when trade issues are discussed between Member States they should refer to the EC, while discussions on matters relating to foreign policy and security policy fall within the Treaty of the Union and a reference should be made to the EU.

(3) The Treaty on European Union (Maastricht Treaty) OJ C 191 of 29.07.1992

Figure 2.1

The EU based on the Treaties. The three 'pillars' represent the elements or areas of activity. The European Commission administers and coordinates the veterinary activities under the first pillar.



In legal and Community parlance people talk about 'the three pillars' of the Treaty of the EU. This terminology refers to the addition of new conditions for cooperation between Member States which can be illustrated by the pillars in an ancient Greek or Roman temple (see Figure 2.1). The first pillar embraces all existing veterinary policies adopted under the Treaty of Rome and the Single European Act.

The second pillar covers cooperation within the areas of foreign policy and security policy; details on the cooperation are given in Title V of the Treaty on issues such as democracy, human rights and promotion of international cooperation.

The third pillar deals with cooperation between Member States in terms of justice and home affairs: Title VI of the Treaty outlines the goals to be reached with regards to prevention and fight against organised crime, terrorism, drugs and corruption.

In general, under the first pillar the Commission has the right to submit proposals and initiate legislation, while under pillars two and three this right is shared with the Member States. Legislation covering the veterinary sector belongs to the first pillar.

2.2.3 AMSTERDAM 1997

The Amsterdam Treaty (4) was signed formally in October 1997 in Amsterdam and had to be ratified by all the 15 national parliaments of the Member States, (Austria, Sweden and Finland joined in 1994). The ratification was completed in March 1999. The main aspects of the Treaty relate to (a) bringing the EU closer to its citizens, (b) making the institutions more democratic and effective and (c) strengthening the capacity of the Union with regard to external action.

With regard to the veterinary sector, the Amsterdam Treaty introduced new provisions for raising the standard of living and quality of life and guidelines for applying the precautionary principle. By introducing Article 152 – a specific article on public health – wider scope was established for cooperation in this field. The article refers not only to diseases and major health scourges but also, more generally, to all causes of danger to human health, as well as the general objective of improving health. While the European Parliament had previously only had the right to be consulted on the adoption of veterinary and plant health measures linked to agriculture, the Amsterdam Treaty introduced the principle of veterinary and plant health measures directly aimed at protecting public health, and that proposals under Article 152 should be adopted by the codecision procedure. For the European consumer the Treaty of Amsterdam also gave greater scope for adopting preventive measures: the objectives of a new article, Article 153, were directed at ensuring a higher level of consumer protection, rather than simply contributing to such protection. In general, the two new articles, 152 and 153, provided a good basis for Community food safety measures.

In the area of animal welfare a special protocol was established to ensure improved protection and respect for the welfare of animals as sentient beings. The following text was annexed in a protocol to the Treaty:

> In formulating and implementing the Community's agriculture, transport, internal market and research policies, the Community and the Member States shall pay full regard to the welfare requirements of animals, while respecting the legislative or administrative provisions and customs of the Member States relating in particular to religious rites, cultural traditions and regional heritage.

This protocol became a cornerstone for the development of policies and legislation concerning animal welfare in the Community.

(4) The Treaty of Amsterdam OJ C 340 of 10.11.1997.

2.2.4 NICE 2001

The Treaty of Nice entered into force in February 2003 (5). It completed to some extent the work initiated under the Treaty of Amsterdam. The adoption of the Treaty of Nice facilitated the enlargement to new Member States in Central and Eastern Europe. It established new rules for the weighting of votes in the Council. In addition to the number of votes cast by Member States, two new conditions should be considered for a proposal to be accepted: the majority of the Member States must approve the proposal and the States in favour must represent at least 62% of the EU population. The same rules for weighting votes apply to the voting in the Standing Committee of the Food Chain and Animal Health (SCOFCAH – see Chapter 3.2) where proposals for Commission Decisions affecting the veterinary sector are discussed.

2.2.5 PROPOSAL FOR A CONSTITUTION AND THE LISBON TREATY

In 2004 the Heads of State or governments of 25 countries signed the Treaty establishing a Constitution for Europe (Treaty of a Constitution for Europe OJ C 310 of 16.12.2004). The text of the Treaty was based on a document prepared by the European Convention which was created within the frame of the Treaty of Nice. The European Convention had 105 members, including representatives of the national parliaments and governments of the Member States, the European Parliament, the candidate countries, and the EU institutions. The Treaty was drawn up in order to respond to the expectations of European citizens and to make the EU more democratic, transparent and efficient. It expresses a determination to act together and reflects not only common values of the EU, but also the desire to preserve individual identities.

The EU had been built in different stages and was based on several treaties. The use of the term 'constitution' took into account the integration of the Charter for Fundamental Rights into the text, together with the clear acknowledgement of the Union's values and objectives. The Constitution should form a single foundation for the Union. In legal terms, however, the Constitution remains a Treaty. It will only enter into force if and when all Member States have ratified it.

The Treaty establishing the Constitution consists of a large number of parts, chapters, sections, protocols, annexes and declarations. It is a voluminous document of about 480 pages. The text of particular veterinary interest is given in Part III, Chapter V, section 1, Article III – 278. It deals with measures in the areas of veterinary and plant health, which directly have the aim to protect human health. With regard to the institutional framework the Constitution clarifies the respective roles of the European Parliament, the Council and the Commission. It recognises the different functions of the Commission, including its near monopoly of legislative initiatives, its executive function and its function of representing the Union externally, except in the fields of common foreign policy and security policy. The Constitution extends very substantially the scope of the codecision procedure for the adoption of proposals in the veterinary field.

At the end of 2006 the ratification of the Constitution was at a standstill in several Member States, since in 2005 the citizens of two Member States, France and the Netherlands, were unable to support its ratification. However in 2007 the discussions were re-activated during the German and the Portuguese presidencies. On 13 December 2007, EU leaders were able to sign the Treaty of Lisbon and thereby

(5) Treaty of Nice OJ C 80 of 10.03.2001

bringing to an end several years of negotiation about institutional issues. The Treaty of Lisbon amends the current EU and EC treaties, without replacing them and the EU will be more democratic and its core values will be better served. The Lisbon Treaty will not apply until and unless it is ratified by each of the 27 members. It is up to each Member State to choose the procedure for ratification, in line with its own national constitution. The target date for ratification set by member governments is 1 January 2009.

2.3 THE COMMON AGRICULTURAL POLICY

BEGINNINGS TO THE PRESENT DAY

Agriculture sat high on the agenda of European policy-makers, especially at the time when the Treaty of Rome was being negotiated. The memory of post-war food shortages was still vivid and thus agriculture constituted a key element from the outset of the European Community.

The Treaty of Rome defined in Article 39 the objectives of a CAP; they were:

(a) to increase agricultural productivity by promoting technical progress and by ensuring the rational development of agricultural production and the optimum utilisation of the factors of production, in particular labour;
(b) to ensure a fair standard of living for the agricultural community, in particular by increasing the individual earnings of persons engaged in agriculture;
(c) to stabilise markets;
(d) to assure the availability of supplies;
(e) to ensure that supplies reach consumers at reasonable prices.

The principles of the CAP were set out at the Stresa Conference in July 1958, and in 1960 the CAP mechanisms were adopted by the six founding Member States. Two years later, in 1962, the CAP came into force.

The CAP is comprised of a set of rules and mechanisms, which regulate the production, trade and processing of agricultural products in the EU, with attention being focused increasingly on rural development.

Among the EU's policies, the CAP is regarded as one of the most important policy areas. Not only because of its share of the EU budget (almost 50%, decreasing over the years), the vast number of people and the extent of the territory directly affected, but also because of its symbolic significance, and the extent of sovereignty transferred from the national to the European level. The significance of the CAP, nowadays, is also portrayed by the fact that it is directly related to the single market and the European Monetary Unit, two key areas in achieving European integration.

The CAP has been the biggest, the most contentious and the one with the largest budget of all the Union's policy areas. The EU has more power in agricultural policy than it has in any other policy area and it has passed more legislation on agriculture than in any other single policy area. The number of farmers and the cultivated area of the EU have grown considerably with the accession of the 10 new Member States. The EU now includes some 11 million farmers. With enlargement, farmland has increased by around 30%.

In the early 1960s steps were taken to adopt common measures to replace the national regulations for marketing and trading animals and animal products between the Member States.

In order to attain these objectives, Article 34 of the EC Treaty provided for the creation of the common organisation of the agricultural markets (COM) which, depending on the product, shall take one of the following forms:

- common rules on competition, which include the veterinary sector
- compulsory coordination of the various national market organisations and a European market organisation.

The COMs were introduced gradually and now exist for most EU agricultural products. They are the basic instruments of the common agricultural market in so far as they eliminate the obstacles to the intra-Community trade of agricultural products and maintain a common customs barrier with respect to Third Countries.

Three main principles, defined in 1962, characterise the common agricultural market and thus the COMs:

- *a unified market* – this denotes the free movement of agricultural products within the area of the Member States; for the organisation of the unified market, common means and mechanisms should be used throughout the EU;
- *Community preference* – this means that EU agricultural products are given preference and a price advantage over imported products; also, the protection of the internal market from products imported from Third Countries at low prices and from considerable fluctuations in the world market;
- *financial solidarity* – all expenses and spending which result from the application of the CAP are borne by the Community budget.

A Community competence in this sector was indispensable to introduce and maintain freedom of trade. The CAP was now developed as provided for under Article 43 of the EEC Treaty. It was to become the basis for a Common Veterinary Policy, which was adopted stepwise during the following years, and Article 43 remained the legal base for veterinary legislation until 1993.

In 1963 the Council adopted the first marketing regulations for pig meat, poultry, eggs, cereals, fruit and vegetables. Later on followed beef, dairy products and sugar. The Commission assigned the responsibility for administration in these sectors to Directorate-General VI – Agriculture. Division VI.C.1 was in charge of live animals and meat, Division VI.C.2 for marketing of milk and milk products and Division VI.C.3 for marketing of eggs and poultry. For the legislative and administrative work the Commission needed professional expertise from the Member States, and it arranged consultations with representatives from the organisations of the agricultural and food industries, and grouped together at Community level.

Detailed technical and economic matters were dealt with in ad hoc meetings with representatives from the competent authorities of the Member States and with experts nominated by the organisations of farmers, agricultural cooperatives, trade, agricultural and food industries and the workers' unions. In this way the Commission could propose usable legislative texts to deal with the new, common marketing systems in the food sector, and ensure full support from the Member States.

The three marketing divisions introduced and implemented price-regulating mechanisms in the Community, including sluice gate prices for imports from non-member countries. Each of the divisions was assisted by a Management Committee, in which competent people, who were familiar with the national and international marketing systems, advised the Commission before important decisions were taken to regulate marketing and trade.

The Commission's way of organising and handling the CAP in the early 1960s is interesting from a veterinary point of view. When the Commission in 1963 established a special unit for veterinary matters, it was integrated in DG VI in Directorate F responsible for agricultural legislation. Here the new veterinary unit F.3 was close to the divisions in charge of marketing of agricultural products and adopted the same legislative and administrative procedures.

The veterinary unit established a close cooperation with the competent veterinary authorities in the Member States and invited experts, who could give technical advice, when the Commission drafted veterinary proposals. In addition, a formal procedure was established to meet representatives of the producers, traders and consumers, who were invited to give advice on practical animal health and public health matters. The first task of the veterinary unit was to harmonise the national regulations for trade of animals and products of animal origin, in particular when veterinary barriers to free trade were adopted by the Member States to stop serious animal diseases. The first steps were taken to adopt a Common Veterinary Policy.

The CAP is financed from the European Agricultural Guidance and Guarantee Fund (EAGGF), which accounts for a substantial part of the Community budget. The EAGGF was set up in 1962 and separated in two sections in 1964:

- the Guidance Section, one of the structural funds, contributes to the structural reforms in agriculture and the development of rural areas (e.g. investing in new equipment and technology including aspects of animal health and welfare as well as food quality and safety);
- the Guarantee Section funds expenditure concerning the common organisation of the markets (e.g. to buy or store surplus and to encourage agricultural exports) and expenditures related to activities and programmes within the areas of animal health, public health and animal welfare (see Chapter 6.13).

The Commission has now simplified the funding system through the creation of a single instrument for funding and programming: the European Agricultural Fund for Rural Development (EAFRD).

The CAP succeeded in reaching its initial goals: it encouraged both production and productivity, stabilised the markets, secured supplies and protected farmers from fluctuations in world markets. Nevertheless, along with the success came undesirable side-effects and problems: EU farmers were producing more than the market could bear, creating excessive surplus and EU spending in agriculture increased exponentially.

As a result, in its four-decade existence, the CAP has undergone several reforms with the objectives to modernise the agriculture, make it competitive for the world market, bring supply and demand for agriculture products in balance and seal the CAP expenses. Major milestones in 1968 (Mansholt plan), 1972 (CAP reform regarding production structure), 1983 (CAP future alternatives and reduction of production), 1988 (CAP package), 1992 (MacSharry reform) brought the cutback of agricultural prices to render them more competitive on the internal and world market and the provision of compensation to farmers for loss of income as well as other measures relating to market mechanisms and the protection of the environment.

In 1992 steps were taken within the CAP by Council Regulation (EEC) 2082/92 to enhance diversification of agricultural products with the aim to promote the use of traditional products with specific characteristics. The programme was established to benefit rural areas, particularly in less-favoured or remote areas, both by improving the income of farmers and by retaining the rural population in these areas. The Regulation introduced the 'Certificate of specific character' to meet consumer demand for certain traditional products. The initiative taken in 1992 has been further developed by Regulation (EC) 509/2006. It allows agricultural products and foodstuffs with a traditional composition and/or produced according to a traditional production method, to be classified as 'Traditional speciality guaranteed' (see Chapter 10.2.11.2). For the consumer it was important that the CAP by the above initiative extended the controls established in the veterinary field on food safety as well as to controls on food quality of well-specified traditional products.

A new reform, Agenda 2000, took into account the enlargement of the EU to the east and world trade issues. It has been the most radical and comprehensive reform of the CAP since its inception. It built on the process begun in 1992 and it provided a sound basis for the future development of agriculture in the Union, covering all functions of the CAP: economic, environmental and rural.

As far as the veterinary and environmental aspects are concerned the reform comprises measures for the integration of more environmental and structural considerations into the CAP and the improvement of food quality and safety.

In line with this, the June 2003 CAP reform includes the decoupling and single farm payments. It alters the basis of direct aid to producers, paid to farmers or producers' associations, progressively phasing it out and decoupling it from production. Through the single farm payment scheme farmers can decide what to produce while still receiving income aid; however, there will no longer be Community price support for the products through market intervention mechanism and export refunds. Decoupling is intended to eliminate surplus overproduction and thereby balance supply and demand, leaving farmers' incomes unaffected.

However, the remaining direct payments are subject to compliance with certain food safety and environmental standards. In particular, the traceability of animals, animal health and welfare requirements, as well as principles of food safety in the context of the EU 'farm to fork' concept, are the prerequisites for the direct payments to the farmers. Veterinary services in the Member States since 2006 have been directly involved in the process of checking those criteria on the spot, which are otherwise known as Cross Compliance checks.

3

THE INSTITUTIONAL AND LEGAL STRUCTURE FOR VETERINARY ACTIVITIES

Justus Lipsius, Council building, Brussels

3.1 THE EU INSTITUTIONS

Cooperation between Member States of the EU is to a large extent based on the acceptance of a number of EU institutions, each of which has been given specific duties and plays an important role for fulfilling the objectives outlined in the Treaties. Since the adoption of the Treaty of Rome the developments have gradually led to a transfer of authority in certain selected policy areas from the Member States to the institutions of the EU; such areas include animal health, public health and animal welfare. Most Decisions taken within these areas are based on discussions and negotiations between national veterinary administrations and the relevant services in the Commission before the Commission prepares new legislation; thus at the time the European Commission submits a proposal for new legislation to the European Parliament and to the Council of the European Union, major parts of the proposal will be known to the Member States. There are eight EU institutions, of which five are of particular importance to policy-making and enforcement in the veterinary sector:

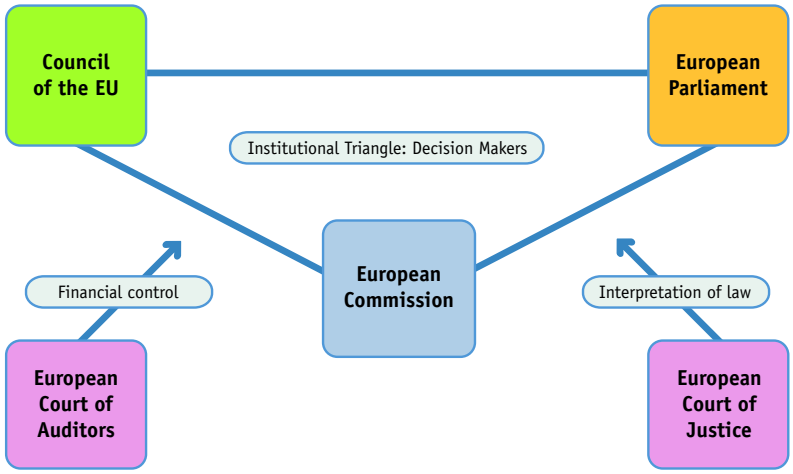
1. the Council of the European Union
2. the European Commission
3. the European Parliament
4. the Court of Justice of the European Communities
5. the European Court of Auditors.

Reference is often made to the 'Institutional Triangle'. This refers to the fact that the European Parliament, the Council of the EU and the European Commission together produce the laws that transform policies to be applied throughout the European Union.

The way the five institutions interact and comply with the authority transferred to them, illustrated in Figure 3.1, is described in brief below.

Figure 3.1

Interaction of the five institutions



3.1.1 THE COUNCIL OF THE EUROPEAN UNION

The Council of the European Union brings together the ministers of Member States and it is the EU institution in which the governments of the Member States are represented. Depending on the agenda each Member State will be represented by the minister responsible for the topic being discussed; it may be agriculture, health and consumers or transport etc. The headquarters of the Council is in Brussels and each Member State in turn presides over the Council for six months.

The Presidency plays an important role in the planning of the work of the institution and promoting legislative and political decisions. A Member State will, during its Presidency, chair all meetings of working groups and meetings of ministers and seek compromises where required. A timetable showing the order of Presidency for the period 2007–20 is given in Table 3.2.

The Council is heavily involved in decision-making and the coordination of Community activities. Its functions are:

- to pass laws, usually legislation, together with the European Parliament
- to coordinate the economic policies of the Member States
- to implement the common foreign policy of the EU
- to conclude international agreements between one or more countries or international organisations
- to constitute together with the European Parliament the budgetary authority which adopts the Community budget.

With regard to legislative matters the Council will usually act on proposals prepared by the European Commission. The Council will examine a proposal with the assistance of the Member States and modify and adopt the legislation as appropriate. A broad range of Community legislation is adopted jointly by the Parliament and the Council.

The weighting of the votes is shown in Table 3.1. The number of votes given to a Member State in connection with the adoption of legislation is set out by the Treaties. The Treaties also indicate cases where a simple majority, qualified majority or unanimity is required.

Since January 2007, a qualified majority can be obtained if the following conditions are met:

- a minimum of 255 votes are in favour of the proposal, i.e. 73.9% of the total number of votes, and
- a majority of the Member States approve, in some situations, by a two-thirds majority.
- In addition to the above requirements a Member State may ask for confirmation that the votes cast in favour of the proposal represent at least 62% of the total population of the Union.

Table 3.1

Number of votes cast by each Member State

Member States (MS)	Votes cast by each MS
France, Germany, Italy and the UK	29
Spain and Poland	27
Romania	14
The Netherlands	13
Belgium, Czech Republic, Greece, Hungary and Portugal	12
Austria, Sweden and Bulgaria	10
Denmark, Finland, Ireland, Lithuania, Slovakia and Slovenia	7
Cyprus, Estonia, Latvia and Luxembourg	4
Malta	2
Total votes	345
Favourable opinion	255

Table 3.2

Periods of Presidency 2007–2020

Year	Presidency
2007 /1. half /2. half	Germany Portugal
2008 /1. half /2. half	Slovenia France
2009 /1. half /2. half	Czech Republic Sweden
2010 /1. half /2. half	Spain Belgium
2011 /1. half /2. half	Hungary Poland
2012 /1. half /2. half	Denmark Cyprus
2013 /1. half /2. half	Ireland Lithuania
2014 /1. half /2. half	Greece Italy
2015 /1. half /2. half	Latvia Luxembourg
2016 /1. half /2. half	Netherlands Slovakia
2017 /1. half /2. half	Malta United Kingdom
2018 /1. half /2. half	Estonia Bulgaria
2019 /1. half /2. half	Austria Romania
2020 /1. half /2. half	Finland

The agendas for Council meetings attended by the ministers of the Member States are prepared by the Committee of Permanent Representatives (COREPER). The COREPER comprises the ambassadors of the Member States to the EU (Permanent Representatives) and is chaired by the Member State which holds the Council Presidency. COREPER deals with all areas of the Council's work.

Agricultural and veterinary issues, i.e. legal documents and proposals, are dealt with by the Special Committee on Agriculture (SCA).

Furthermore, the Chief Veterinary Officer (CVO) of the Member State holding the Presidency will usually, during the Presidency, organise and chair at least two CVO meetings. One meeting will be held at the beginning of the Presidency where the chair will explain the programme of the Presidency and highlight the priorities and activities of the programme within the areas of animal health, animal welfare and veterinary public health. Another CVO meeting will be held shortly before the end of the six-month Presidency where the documents on veterinary issues to be submitted to COREPER will undergo a final scrutiny by the CVOs.

The European Council is more a forum than a formal institution. It consists of the Heads of State or governments of the EU Member States, their foreign ministers and the President and Vice-Presidents of the Commission. It was created in 1974 and given legal recognition by the Single European Act. In 1992 it was given the official status by the Treaty of the EU. The European Council meets at least twice a year and it is chaired by the Member State holding the presidency of the Council of the European Union. The main purpose of the European Council is:

- to give political impetus to the development of the Union
- to start cooperation in new policy areas
- to define general political guidelines
- to resolve outstanding issues which their ministers have been unable to resolve.

The European Council has played a very important role for the enlargement of the EU from 15 to 25 Member States, and the EU summit in 1993 in Copenhagen stipulated guidelines for future Membership of the candidate countries (Copenhagen criteria). To ensure equal treatment of all candidate countries it was outlined that an applicant should have:

- stable institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities;
- a functioning market economy and the capacity to cope with competitive pressure and markets forces within the Union;
- the ability to take on the obligations of membership, including adherence to the aims of political, economic and monetary union.

The Heads of State give directions for policy but do not issue legislation in the meetings of the European Council. In the area of the Common Foreign and Security Policy the TROIKA has been established comprising the Member State holding the presidency supported by the Member State of the past and next presidency.

3.1.2 THE EUROPEAN COMMISSION

The European Commission is an independent political institution; it is the executive branch of the Community and the main civil service of the Community. The headquarters of the European Commission is located in Brussels, but it has representations in all Member States and delegations in many capitals around the world. The term 'Commission' refers to the college of Commissioners who are appointed for a five-year term by the Council acting by qualified majority. Furthermore, the Commission is subject to a vote of appointment by the European Parliament, to which it is answerable. The names of the Commissioners are initially proposed by the national governments. When appointed they are not national representatives; thus the Commissioners must swear an oath of office saying that they will renounce any defence of national interests. The Commission is headed by the President who is the spokesman of the Commission and has considerable authority within the Commission with regard to appointment of Commissioners, distribution of portfolios, launching of new political initiatives and dealings with national governments and the other EU institutions.

As an executive institution, the European Commission is divided into a number of directorates-general (DGs), which are similar to the ministries in national governments. Each DG is responsible for a given policy area, has a director-general and is tied to a Commissioner. The main tasks of the European Commission include:

- drafting legislation for submission to the European Parliament and the Council
- ensuring that the Member States comply with Community legislation
- managing the Community budget and programmes
- drafting and adopting secondary legislation
- representing the EU in international negotiations.

The Commission's responsibility for the veterinary sector – animal health, veterinary public health, animal welfare and zootechnics – was in 1999 delegated to DG Health and Consumer Protection. The acronym SANCO (from the French Santé des Consommateurs – Consumer Health) is widely used. More details are given in Chapter 11.1.4.

3.1.3 THE EUROPEAN PARLIAMENT

The European Parliament is the assembly of representatives of the EU's citizens and is elected every five years by direct universal suffrage. Currently the Parliament has 785 Members representing about 490 million citizens living in 27 Member States. Strasbourg is the official seat of the Parliament, but many activities such as committee and political group meetings are held in Brussels. The General Secretariat of the Parliament is based in Luxembourg. The main functions of the Parliament relate to:

- *Legislative power* – in most areas the Parliament shares the legislative power with the Council.
- *Supervisory power* – this power includes control over the Union's institutions, in particular the Commission; thus it has the power to dismiss the Commission as a body by passing a motion of censure, as it did in 1999, bringing about the downfall of the Santer Commission. It is worth highlighting that the fall of the Santer Commission was initiated by the BSE crisis. Furthermore, at the time of the appointment of a new Commission it has the power to give or withhold approval for the designation of Commissioners. By the establishment of committees of inquiry it can examine activities taken by Member States and Community institutions on implementation of Community policies and legislation.
- *Budgetary power* – the Parliament shares with the Council the power to approve the annual budget. In principle it can reject or approve the proposed budget. The budget cannot be approved and put into use without the signature of the President of the Parliament; the Parliament also oversees the spending of the budget.

With the aim of carrying out preparatory work for the plenary sittings of the Parliament, the Members work a number of committees. A legislative proposal submitted by the Commission will often be examined by several committees. In this situation the appropriate representative of the Commission will appear before the committees to explain the Commission's position. For proposals covering animal health and public health issues the Committees involved may be: the Environment, Public Health and Food Safety Committee; the Internal Market and Consumer Protection Committee; and the Budget Committee.

The Parliament has, through the right to put forward questions, an opportunity to obtain detailed information on particular topics. Three procedures exist: written questions, questions for oral answer (with debate) and questions at question time. The written questions may be tabled by any Member of Parliament. During 2003, 2004 and 2005 the questions presented to the Commission within the areas of animal health, animal welfare and zootechnics were 44, 43 and 18, respectively. The questions and the replies are published in the Official Journal.

3.1.4 THE COURT OF JUSTICE OF THE EUROPEAN COMMUNITIES

The Court of Justice of the European Communities is the judicial institution of the Community. It is made up of three courts: the Court of Justice, the Court of First Instance and the Civil Service Tribunal (see Table 3.3). The Court is located in Luxembourg. The main task of the Court is to examine the legality of Community measures and to ensure a uniform interpretation and application of Community law.

The Court of Justice is composed of Judges and Advocates-General; the Advocates-General assist the Court. They review cases and present, with complete impartiality and independence, an 'opinion' in the case allocated to them. The judges are not required to agree with the opinion submitted by the Advocate-General, or even to refer to it, but it gives them a point of reference from which to make a decision. The Court of First Instance and the Civil Service Tribunal were created to ease the workload of the Court and the jurisdiction of the two institutions is well defined.

The cases submitted to the Court of First Instance include: cases on actions brought by the Member States against the Commission; actions seeking compensation for damage caused by Community institutions or their staff; actions based on contracts made by the Communities which expressly give jurisdiction to the Court of First Instance; and actions related to Community trade marks. The Civil Service Tribunal shall exercise at first instance jurisdiction in disputes between Communities and their civil servants. Certain rulings made by the Court of First Instance may be subject to an appeal to the Court of Justice.

Table 3.3

The organisational structure of the Court of Justice of the European Communities

Institutions	Established by	Number of chambers and judges
The Court of Justice	The Treaty of Rome 1957	Six chambers and 25 judges
The Court of First Instance	The Single European Act 1987	Five chambers and 25 judges
The Civil Service Tribunal	The Treaty of Nice 2003	Seven judges

While the European Parliament, the European Council, the Council of the European Union and the European Commission are the EU institutions which attract most media and public attention concerning European issues, the Court has for years quietly performed its work concerning interpretation of Community law and thereby enhanced European integration. The workload of the Courts with regard to new, completed and pending court cases is illustrated in Table 3.4.

Table 3.4

General activity of the Court of Justice and of the Court of First Instance

Court institution	Year	New cases	Cases pending	Cases completed
The Court of Justice	2003	561	974	494
	2004	531	840	665
	2005	424	740	564
The Court of First Instance	2003	466	999	339
	2004	536	1 174	361
	2005	469	1 033	610
Total 2003–05		3 031	5 760	3 033

The workload of the Court of First Instance was reduced with the creation in 2003 of the Civil Service Tribunal. In 2004 out of 361 completed cases, 101 were staff cases while in 2005 the completed number of staff cases was 236.

3.1.5 THE EUROPEAN COURT OF AUDITORS

The European Court of Auditors was established in 1975 and since 1977 it has been working with its headquarters in Luxembourg. The Treaty of Maastricht made the Court an institution of the European Communities, enhancing its independence and authority. Furthermore, the Treaty introduced the requirement of the Court to publish an annual Statement of Assurance. The Statement – known as the DAS, from the French term 'déclaration d'assurance' – outlines the reliability of the Communities' accounts, and the legality and regularity of the transactions underlying those accounts.

One of the many tasks of the Court is to audit independently the collection and spending of EU funds and, through this, to assess the way the European institutions discharge these functions. The auditors have the right to visit all the premises of the Community and to examine all records and documents. With regard to the Member States the audit will carry out its work in cooperation with the national audit authority.

In the context of its main tasks the Court:

- may submit observations on specific topics of its choice at any time, particularly in the form of Special Reports;
- reports on cases of irregularity or suspected fraud detected in the course of its audit work;
- provides formal opinions on proposals for EU legislation of a financial nature;
- assists, through publication of audit reports and opinions, the European Parliament in exercising its powers of control of the implementation of the budget of the EU.

The Court has on three occasions – i.e. the numerous outbreaks of BSE, CSF and FMD – provided valuable assistance to the veterinary sector by auditing special animal disease situations. Information on access to the Court's findings is given in Table 3.5.

The Court does not have judicial powers and thus neither its reports nor its opinions are legally binding. The Court's work however is important for improving the financial management by those responsible for legislation for and managing EU programmes and finances. Based on the Treaty of Nice the Court shall compose of one member from each Member State.

Table 3.5

Special reports on the animal disease situation issued by the European Court of Auditors

Special Report	Topic covered	Official Journal
No. 19/98	Community financing of certain measures taken as a result of the BSE crisis	98/C 383/01
No. 1/2000	Classical swine fever	2000/C 85/01
No. 8/2004	Commission's management and supervision of the measures to control FMD and of the related expenditure	2005/C 54/01

3.2 THE COMMITTEES OF THE EU COMMISSION

The three institutions forming the Institutional Triangle – the European Commission, the Council of the European Union and the European Parliament – all make use of committees or working groups during preparation of legislative documents. Since the Commission for many years had the 'monopoly of the right of initiative' the Committees have played a major role in the legislative preparatory work carried out by this institution. The Commission has used Committees as forums for exchange of views and discussions with the national administrations before adopting and implementing measures. The rules for using committees were standardised in 1987 in connection with the adoption of the Single European Act with the aim of strengthening the Commission's executive power.

By a Council Decision ('Comitology Decision') of 13 July 1987, replaced by a Council Decision of 28 June 1999, committees were categorised as shown below:

- *Advisory committees* – the Commission listens to the view expressed by the Committee and takes account of them during the preparation of policies and legislation.
- *Management committees* – the Committee delivers an opinion on measures drafted by the Commission. In the event the Commission adopts measures not consistent with the opinion of the Committee, the Commission must communicate them to the Council which can take different decisions.
- *Regulatory committees* – the Commission can only adopt proposed measures if it obtains a favourable opinion by the Committee.

In the veterinary sector the Commission has to a great extent relied on assistance from Advisory Committees and Regulatory Committees as defined in the comitology Decisions. A Regulatory Committee which during the years has played a major role in the development of veterinary policies is the Standing Veterinary Committee, established in 1968 (see Chapter 7.2). No use is made of Management Committees in the veterinary sector, but from the early days advice was sought from Scientific Committees.

3.2.1 SCIENTIFIC COMMITTEES

The first Scientific Committee dealing with veterinary issues was informally established in 1961 and formally by Commission Decision 81/651/EEC in 1981. Members of the Committee were selected by the Commission in a list of candidates presented by each Member State. The chairman of the Committee was nominated by the Commission. In 1997 the Commission established by Decision 97/579/EC additional provisions for obtaining scientific advice in the food safety sector by nominating a: Scientific Steering Committee; Scientific Committee on Food; Scientific Committee on Animal Nutrition; Scientific Committee on Veterinary Measures relating to Public Health; and a Scientific Committee on Animal Health and Animal Welfare. All Committees were composed of independent scientific experts.

The opinions delivered by the Committees were used by the Commission during preparation of new policies and drafting of primary and secondary legislation. In the interest of transparency in the work carried out by the Committees the Commission made available to the public the agendas, minutes of meetings, lists of members of the Committees and the opinions delivered by the experts.

With the adoption of Regulation (EC) No 178/2002, the references in Community legislation to the Scientific Committees have been replaced by reference to the European Food Safety Authority (EFSA) as a scientific committee. Scientific panels have been created within EFSA.

Experts for the Scientific Committee and the Scientific Panels are appointed for a period of three years. EFSA launches call for expression of interest in membership of the Committee or one of the nine Scientific Panels. In the call made in 2005 the selection criteria for experts included:

- experience in carrying out scientific risk assessment and/or providing scientific advice in fields related to food and feed safety
- proven scientific excellence in one, or preferably several, fields linked to the area covered by the Scientific Committee and Scientific Panel
- experience in peer-reviewing scientific work and publications
- the ability to analyse complex information and dossiers, often from a wide range of scientific disciplines and sources and to prepare draft scientific opinions and reports
- professional experience in a multidisciplinary environment, preferably in an international context
- experience in project management related to scientific matters
- proven communication skills.

At the deadline of the call EFSA had received 874 applicants. Applications were received from 22 Member States and from some Third Countries (see Table 3.6).

Upon receipt of applications, EFSA arranges that they are validated for basic requirements:

- a university degree in a relevant scientific area, preferably at postgraduate level
- at least 10 years' professional experience at a level to which these qualifications give admission
- an adequate knowledge of English, as this is the working language of all scientific expert groups.

Table 3.6

Applications received by the European Food Safety Authority in 2006 in response to a call for members to the Scientific Committee and the Panels

Member States	Female	Male	Total
Austria	2	5	7
Belgium	6	18	24
Cyprus	1	2	3
Czech Republic	2	5	7
Denmark	9	13	22
Estonia	—	—	—
Finland	8	7	15
France	20	65	85
Germany	15	51	66
Greece	14	20	34
Hungary	6	6	12
Ireland	4	12	16
Italy	75	172	247
Latvia	1	1	2
Lithuania	0	4	4
Luxembourg	—	—	—
Malta	—	—	—
Netherlands	10	55	65
Poland	5	10	15
Portugal	18	13	31
Slovakia	10	10	20
Slovenia	1	3	4
Spain	14	43	57
Sweden	7	14	21
UK	12	50	62
Other	21	34	55
Total	**261 (28.86%)**	**613 (70.14%)**	**874**

Following the initial validation EFSA will be implementing a comprehensive evaluation procedure resulting in a proposal of nominated experts for appointment by the Management Board. The Scientific Committee has 15 Members and each Panel about 21 Members; it means close to 200 scientists will be involved in the work of the Committee and the Panels.

Independent of information on risk assessments and opinions on scientific issues the Commission receives from EFSA, the Commission may obtain scientific opinions from three Scientific Committees established in 2004 with the fields of competence of: (a) Consumer Products, (b) Health and Environmental Risks, and (c) Emerging and Newly Identified Health Risks.

3.2.2 REGULATORY COMMITTEES

In 2002 a number of regulatory committees – the Standing Veterinary Committee, the Standing Committee on Foodstuffs and the Standing Committee on Animal Nutrition – were replaced by the Standing Committee on the Food Chain and Animal Health (SCOFCAH), which assists the European Commission in the development of food safety measures.

The Committee consists of representatives of the Member States and is chaired by a European Commission representative. The mandate of the Committee covers the entire food supply chain; it means the 'Farm to Fork' approach where the areas covered include food and feed safety, animal health, animal welfare and plant health. The Committee has eight sections:

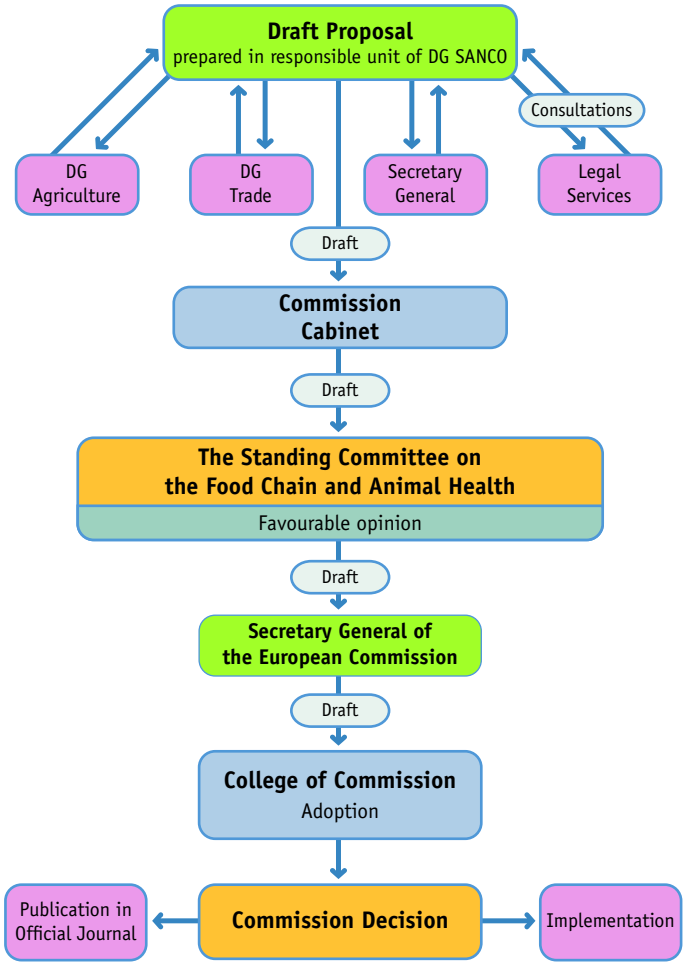
- General Food Law
- Biological Safety of the Food Chain
- Toxicological Safety of the Food Chain
- Control and Import Conditions
- Animal Nutrition
- Genetically Modified Food and Feed and Environmental Risk
- Animal Health and Animal Welfare
- Phytopharmaceuticals.

The intervals between the meetings held by the different sections vary. The sections on 'Animal Health and Animal Welfare' and on 'Control and Import Conditions' have joint meetings at least once a month and during a crisis situation more frequently, perhaps even twice or three times per week.

The Commission presents all proposals on measures to be introduced as secondary legislation to the Committee for an opinion. The weighting of the votes in the Committee is similar to the one used by the Council. The Committee may on a proposal express a favourable or an unfavourable opinion, or may fail to deliver an opinion. The opinion delivered by the Committee is binding on the Commission, which cannot adopt the measure unless the Committee's opinion is favourable. The diagram in Figure 3.2 illustrates the role of the SCOFCAH in the decision-making process. It is very rare that a proposal (draft Decision) presented by the Commission does not receive a favourable opinion by the SCOFCAH. In the absence of an opinion or the presence of an unfavourable opinion on a proposal, the proposed measure is referred to the Council. The Council can take a decision by a majority vote, unless the Council wants to modify the proposal, in wich case unanimity is required. An example where the decision-making process was referred to the Council took place in 1988 when the measure proposed by the Commission with regard to regionalisation of Spain during the African swine fever campaign was unable to obtain a favourable opinion by the Standing Veterinary Committee. The proposed measure however was adopted by the Council by a majority vote and the preamble to Decision, Council Decision 89/21/EEC, carries the added sentence 'Whereas the Standing Veterinary Committee has not delivered a favourable opinion'.

Figure 3.2

Preparation and adoption of a Commission Decision.
The diagram shows that the proposal is made by the Directorate-General for Health and Consumer Protection.



The agenda of the SCOFCAH meetings are published on the Internet. The agenda of the meetings on animal health, animal welfare and import controls has three main sections:

(a) Items for information and discussion
(b) Proposals presented for an opinion
(c) Proposals for discussions.

The agenda for the monthly meeting may include about 20–40 items on the agenda, and the Committee will often deliver opinions on 8–12 different issues.

In the veterinary sector the Standing Committee on the Food Chain and Animal Health should be considered unique. By using the opinion delivered by the Committee, when preparing Community implementing measures, the politicians have delegated the responsibility for the development and adoption of measures to the Commission services and veterinary experts employed by the national veterinary administrations.

The 'comitology' Decision adopted in 1999 enhanced the transparency of the activities carried out by the committees; thus most committee documents are made available to the public on the Internet.

3.2.3 ADVISORY COMMITTEES

For a number of years the European Commission has consulted Advisory Committees representing trade, industry and consumer groups on issues within the area of animal health, public health, food stuff, animal welfare etc. These consultations are considered important for ensuring that proposals prepared by the Commission are technically viable, practically applicable and acceptable to the stakeholder involved. The requirements for consultations were reviewed in connection with the adoption of Regulation (EC) 178/2002 dealing with food safety and resulted in 2004 in the creation of an advisory group on the food chain and animal and plant health. The group has around 45 members who come from representative European bodies working in the areas of food and feed safety, human nutrition, animal health and welfare and plant protection.

More details can be found at: *http://ec.europa.eu/food/committees/advisory/index_en.htm*

3.2.4 OTHER EU INSTITUTIONS AND BODIES

In addition to the five main institutions, a number of other institutions and bodies have an important role in the further development and management of the EU and play a supporting role to the veterinary sector.

- European Economic and Social Committee (ECOSOC) represents civil society, trade unions and professional bodies and gives opinions on Commission proposals.
- Committee of the Regions represents local and regional authorities and must be consulted on regional policies and certain other matters.
- European Central Bank is responsible for European monetary policy.
- European Investment Bank grants loans and give guarantees for investment projects (see Chapter 4.5.9).
- European Data Protection Supervisor safeguards the privacy of personal data.
- European Ombudsman investigates complaints from people residing in a Member State concerning instances of maladministration in the activities of EU institutions and bodies.

3.3 EU AGENCIES AND OFFICES

The European Commission has created a number of specialised agencies and offices to improve interactions between the Member States and the Commission, and furthermore to assist the Commission in its day-to-day work. The agencies and offices considered being of particular interest for persons working in the field of veterinary medicine are briefly described below and listed in Table 3.7.

The Publication Office is the Office for Official Publications of the European Communities (OPOCE). It was set up in 1969 with the responsibility for producing and distributing EU publications on all media and by all means. A newsletter is issued twice a year free of charge online and as a paper subscription; it contains information on the latest EU publications and on policy developments.

The European Patent Organisation (EPO) was founded in 1973 to create a harmonised patent law and practice; thus it was established in the same spirit as the EEC. The European Patents Convention is the legal basis for the work of the EPO. Practically all Member States of the EU are also represented in the EPO. An applicant can apply for a patent in a number of European countries by submitting an application to EPO. The European Commission is developing legislation concerning the Community Patent system.

The European Medicines Agency (EMEA) was created in 1995 when a European system was introduced for authorising medicinal products and provided for a centralised and a mutual recognition procedure. EMEA is responsible for the protection and improvement of public and animal health through the evaluation and supervision of medicines. A Committee for Medicinal Products for Veterinary Use (CVMP) is responsible for preparing the Agency's opinions on questions concerning veterinary medicinal products (see Chapter 10.2.1).

Table 3.7

Specialised agencies and offices

Name of agency, authority, office	Main tasks and activities	Year established	Geographical location
Publication Office (OPOCE)	Publishing house of the EU institutions	1969	Luxembourg
European Patent Organisation (EPO)	Grants European patents to contracting states	1977	Munich, Germany
European Medicines Agency (EMEA)	Evaluation and supervision of medicines for human and veterinary use	1996	London, UK
Food and Veterinary Office (FVO)	Evaluation of compliance with EU standards in food, veterinary and plant sectors	1996	Grange, Ireland
European Community Trademark Office (CTMO)	Protection of intellectual property rights	2000	Alicante, Spain
European Food Safety Authority (EFSA)	Providing scientific advice on food and feed safety matters	2002	Parma, Italy
European Personnel Selection Office (EPSO)	Recruitment of suitably qualified staff to all EU institutions	2002	Brussels, Belgium
Executive Agency for the Public Health Programme (EAPHP)	Management of the Community Programme in the Public Health sector	2004	Luxembourg
European Centre for Disease Prevention and Control (ECDC)	Epidemiological Surveillance, Early Warning and Response System	2004	Solna, Sweden

The FVO replaced the veterinary and phytosanitary inspections office established in 1991. Its main responsibility is, through on-the-spot evaluations, to promote effective control systems covering food safety, animal health, plant health and animal welfare in the EU and in Third Countries exporting to the EU. In 1997 the FVO was integrated into the Directorate-General for Health and Consumer Protection and in 1999 became Directorate F of SANCO (see Chapters 11.1.3 and 11.1.4).

The European Community Trademark Office (CTMO) was created in the framework of the European Community Trademark Act. This Act allowed trademark owners to secure trademark protection in all Member States, by submitting only one application to the CTMO. The CTMO will grant registration upon payment of a registration fee.

The European Food Safety Authority (EFSA) was established within the framework of Regulation (EC) 178/2002. The main tasks are to provide advice based on scientific data on all matters with direct or indirect impact on food and feed safety. A Scientific Committee and nine Scientific Expert Panels made up of world-class scientists from all over Europe have been established to facilitate the work of the Agency.

The European Communities Personnel Selection Office (EPSO) was created in 2002 to provide free access for the public to information on the procedures for recruitment of staff to the EU institutions. It organises open competitions to select suitably qualified staff and ensures common selection standards and principles across all institutions.

The Executive Agency for the Public Health Programme (EAPHP) was created by Commission Decision 2004/858/EC. The Agency was set up with the aim to obtain a clear separation between the project programming stage, which is the task of the Commission, and the project implementation stage entrusted to the agency (see Chapter 11.1.4).

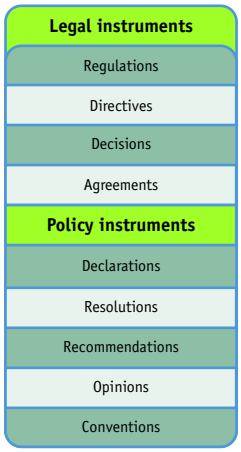
The European Centre for Disease Prevention and Control (ECDC) was established in accordance with the provisions of Regulation (EC) 851/2004 of the European Parliament and of the Council and became operational in 2005. The objectives of the centre are to identify, assess and communicate current and emerging threats to human health from communicable diseases (see Chapter 11.1.4).

3.4 COMMUNITY LEGAL INSTRUMENTS

The EU has a number of instruments to establish law and policies whereby the Community Institutions can carry out their tasks under the Treaty. The instruments are shown in Figure 3.3 and described below.

Figure 3.3

EU legal and policy instruments



- *Regulations* – these are binding and directly applicable laws in their entirety in all Member States. It means they need not be approved by national parliaments, and that no national measures or laws need to be passed for enforcement unless the Member States are specifically empowered to do so by the Regulation for certain technical details or to provide for sanctions.
- *Directives* – these bind the Member States as regards the objectives to be achieved within a given period. The Member States shall transpose Directives into national legislation; the transposition allows for a margin of manoeuvre as to form and means of implementation. When a Member State fails to transpose, implement or enforce a Directive the Commission may – if other approaches are unsuccessful – refer the matter to the Court of Justice.

DECISIONS

These are fully binding on those to whom they are directed. Decisions are used when the Commission orders measures to be implemented in a separate or individual case. Decisions are addressed to Member States, or to a legal entity (a company) or to an individual and are binding on the addressee. The Council can adopt Decisions addressed to the Commission, e.g. Council Decision of 15 October 1968 on setting up a Standing Veterinary Committee (see Figure 7.2).

AGREEMENTS

These can be established between the EU and other countries and may often refer to trade. The EU has negotiated several Association, Trade, specific Veterinary (e.g. Canada, Chile, New Zealand and USA) and also SPS agreements with Third Countries which have veterinary parts (see Chapter 10.2.5).

DECLARATIONS

A declaration is a feature of European political cooperation. It is the general expression of a political line and is issued by the Presidency of the Council. The Laeken Declaration in 2001 committed the Union to become more democratic, transparent and effective.

RESOLUTIONS

A resolution will usually concern matters directly connected with the Community. They are often used by the Council or the Council and the Representatives of the governments of the Member States. A resolution may constitute a political commitment for future work, e.g. Resolution of 12 March 1968 on the Community measures to be taken in the veterinary sector (see Chapter 7.1).

RECOMMENDATIONS AND OPINIONS

These are instruments which simply state the views of the institution that issues them. They may have considerable political influence. Examples are recommendations issued by the European Ombudsman and opinions issued by the European Medicines Agency on veterinary medicinal products and scientific opinions issued by the European Food Safety Agency.

Declarations, resolutions, recommendations and opinions are not legally binding; they do not formally constitute part of EU law. The Court of Justice, however, has occasionally referred to them, so their legal status is not always completely clear. They are regarded as 'soft' acquis, as opposed to 'core' acquis.

CONVENTIONS

Conventions are not Community law as such, but are effective in the EU countries signing and ratifying them. A convention of importance to the veterinary sector is the Bonn Convention on the Conservation of Migratory Species of Wild Animals (3).

The Community veterinary acquis is the body of common rights and obligations in the veterinary field which is applicable to all the Member States. It is constantly evolving and comprises:

- the content, principles and political objectives of the Treaties
- the veterinary legislation
- the case law of the Court of Justice
- the declarations and resolutions covering veterinary issues adopted by the EU
- international agreements in the area of animal and public health concluded by the Community.

3.5 THE PREPARATION AND ADOPTION OF EU LEGISLATION

The term 'primary legislation' is frequently applied to EU legislation adopted at the level of the Council or jointly by the Council and the European Parliament, while legislation adopted by the Commission is referred to as 'secondary legislation' or implementing legislation. The methods for the preparation and the procedures for adoption of the two types of legislation are described below, together with some of the main characteristics of the adopted legislation.

(3) OJ L 210/ 10 1982.

PRIMARY LEGISLATION

The Commission usually takes the initiative to prepare a legislative proposal. The preparation of texts is made by officials and experts in the relevant DGs. Most proposals relevant to the veterinary sector are drafted by veterinarians employed by the Directorate-General for Health and Consumer Protection. An Interservice Group of officials from other concerned DGs may be set up when appropriate. Input in the form of opinions may be obtained from stakeholders, from the appropriate scientific and advisory committees and from ad hoc expert groups. The latter will be composed of experts on the topic in question and be drawn from all or from a selected number of Member States (see Figure 3.4). With the establishment of EMEA, EFSA and the ECDC, opinions on scientific and technical issues are also delivered by these bodies.

All proposals for primary legislation must now follow a 'roadmap' and be accompanied by an impact assessment and a detailed financial statement.

The draft proposal will be passed upwards through the hierarchy of the competent DG and circulated for comment (interservice consultation) to other DGs which have an interest in the proposal, as well as the Commission's Legal Service. When agreement has been reached on the text, the proposal will be submitted to the responsible Commissioner. The Commissioner, assisted by cabinet staff, will examine the proposal. If approved, it will be forwarded to the Secretary General with a request that the draft proposal be submitted to the College of Commissioners. Upon approval by the College of Commissioners, the draft becomes an official proposal of the Commission and will be:

- published in the *Official Journal of the European Communities*
- transmitted to other EU institutions in accordance with established procedures.

Several procedures are available for the adoption of primary legislation:

- consultation
- cooperation
- codecision.

Directives affecting the veterinary sector and adopted prior to the Single European Act, based on Article 43 (agriculture measures) and Article 100 (procedures) of the Treaty of Rome (see Figure 3.4), were adopted in accordance with the *consultation procedure*. This meant that the European Parliament and Economic and Social Committee were consulted and that the opinions delivered by the two institutions would be taken into account when the proposal was adopted by the Council. However, suggested amendments to the text of the proposal would not necessarily be accepted. The Council should adopt the proposal by unanimity.

Figure 3.4

Adoption of a Council Directive by the consultation procedure

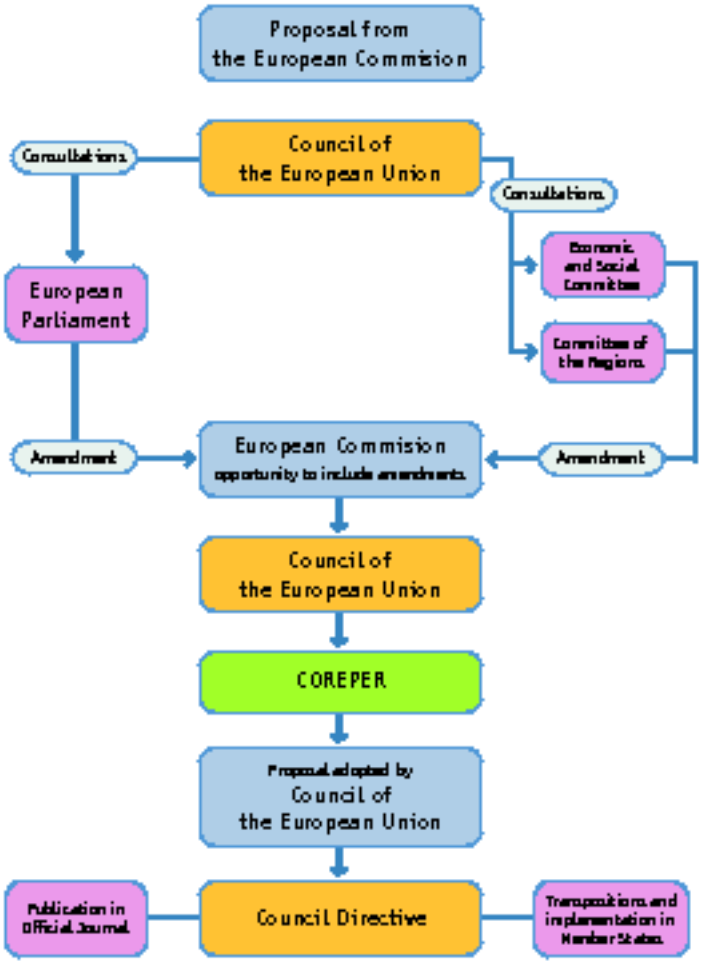


Figure 3.5

The codecision procedure

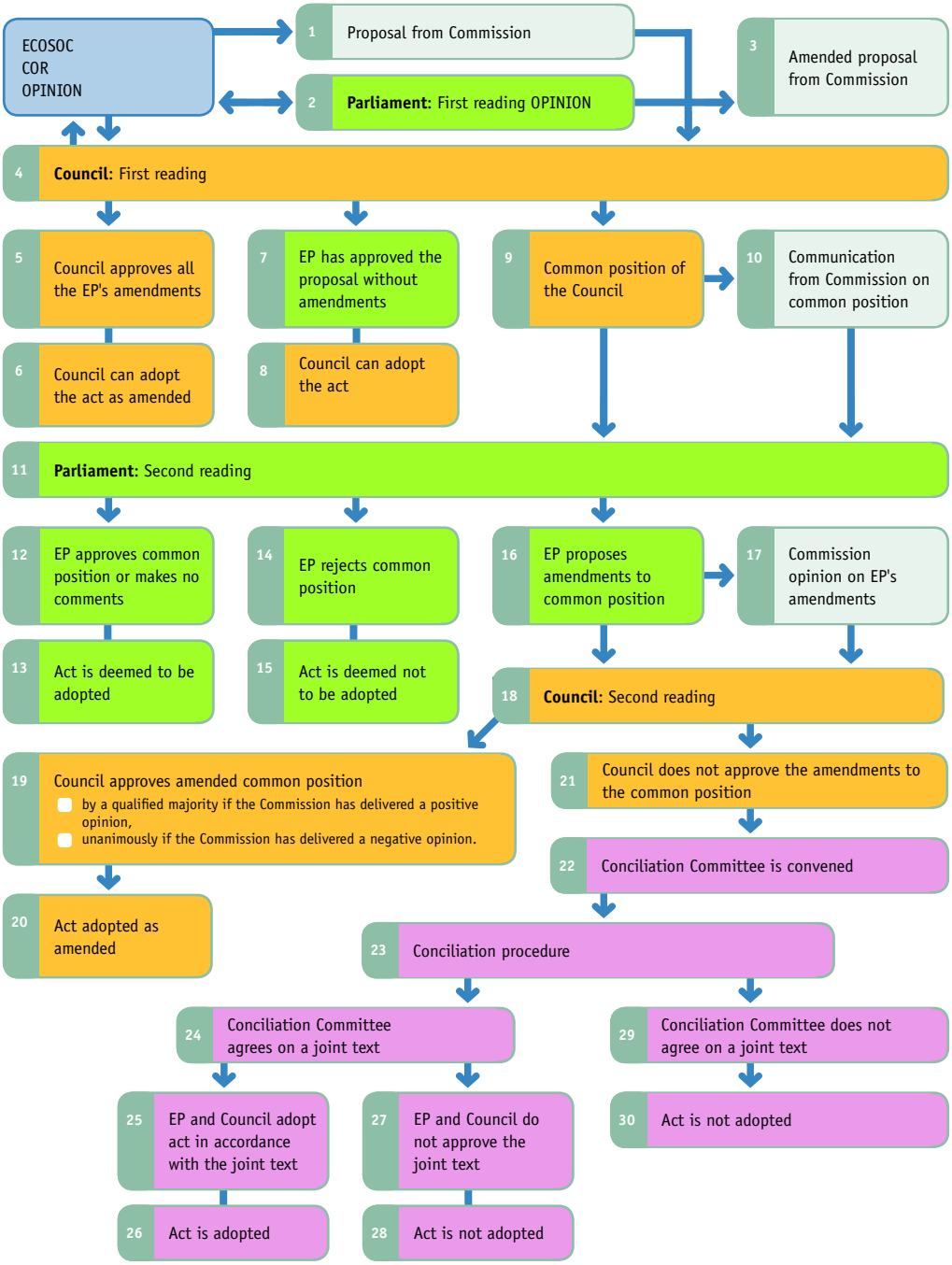
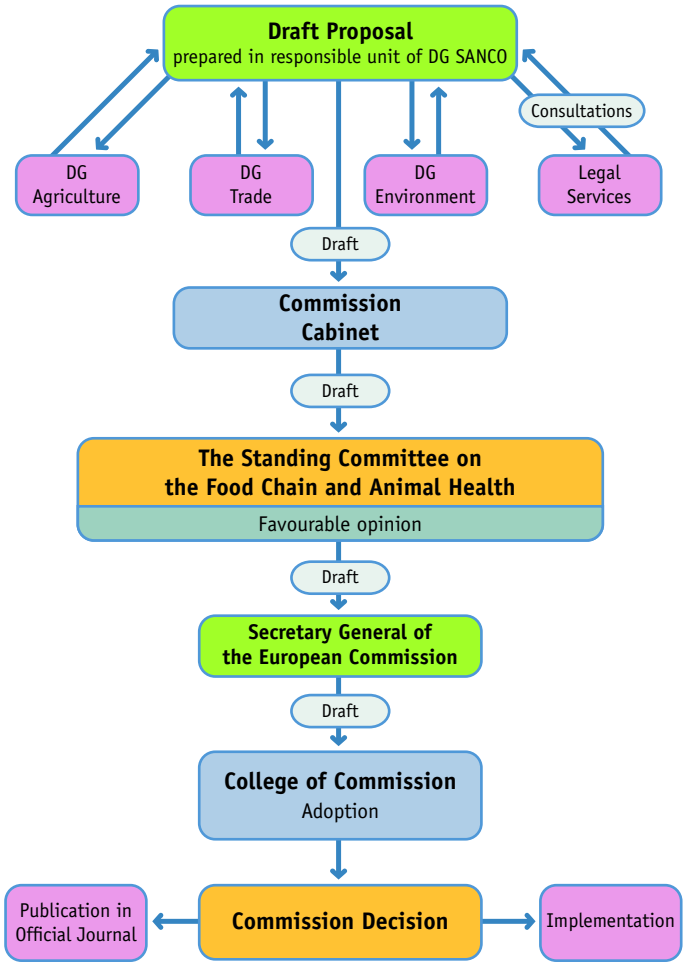


Figure 3.6

Preparation and adoption of a draft proposal



The measures put forward by the Commission in the proposal influence the procedure to be followed next.

For legislation on veterinary public health measures to be adopted within the context of Article 152 (public health) and Article 251 (procedures) of the present Treaty, the road for adoption of legislation would be the *codecision procedure* (see Figure 3.5). By applying this procedure the Parliament shares with the Council real legislative powers, and many acts are no longer designated as 'Council Regulations or Directives', but as 'Regulations or Directives of the European Parliament and the Council'. The codecision procedure, for example, has been used during the adoption of a major piece of primary legislation on food safety – i.e. the Regulation of the European Parliament and the Council laying down the general principles and requirements of food law, establishing the EFSA and laying down procedures in matters of food safety, (EC) 178/2002.

SECONDARY LEGISLATION

Most legislation adopted by the Council and by the Council and European Parliament provides the legal base for supplementary legislation (secondary legislation) to be prepared by and adopted by the Commission. By using secondary legislation the Commission can ensure that adopted measures fit to particular circumstances or refer to technical details and that updating can be made rapidly if necessary. The vast bulk of EU legislation is the secondary or implementing legislation made by the Commission. Table 3.8 gives an indication of the number of Commission Decisions and Council proposals in 2003–05 in the sectors of animal health, welfare and zootechnics. The main steps related to the adoption of a Commission Decision in DG SANCO are shown in Figure 3.6.

Table 3.8

Primary and secondary legislation on animal health, feeding stuffs, welfare, veterinary public health and zootechnics

Year	Commission Decisions* and Regulations** on animal health, feeding stuffs, welfare, veterinary public health and zootechnics (secondary legislation)	Legislative proposals submitted to the Council and adopted (proposals for primary legislation) [NB Other documents submitted to the Council e.g. Reports and Commission staff working documents are not included.]
2003	218* + 42**	24
2004	228* + 45**	13
2005	192* + 51**	5
2006	201* + 64**	6

4

THE GEOGRAPHICAL SCOPE OF THE COMMUNITY AND THE VETERINARY POLICIES

Europe 1957 - Europe 2007

4.1 INTRODUCTION

The geographical area in 1957 covered by the six founding members of the European Community was about 1.1 million km². Since then, with the entry of new Member States into the Community, the initial area covered by the Treaty of Rome has gradually been enlarged. In 2007 the geographical area covered by all EU Member States is about 4 million km², with a population of about 490 million.

This chapter describes the areas of the Member States, the overseas territories with a special relationship to certain Member States and the enlargement rounds, when the conditions for integration of new Member States are negotiated, in particular with regard to the disease situation and veterinary policies (see map – Figure 4.1).

4.1.1 THE AREA OF THE EEC

Article 227 of the Treaty of Rome, signed in 1957, specified that the Treaty should apply to the Kingdom of Belgium, the Federal Republic of Germany, the French Republic, the Italian Republic, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands. Furthermore the Treaty stated that special provisions should apply for:

- Algeria and the French Overseas Departments
- overseas countries and territories with a special association with the Member States and listed in an annex to the Treaty
- the European territories for whose external relations a Member State is responsible.

Since 1957 the Treaty has been amended several times, the number of Member States has increased and the relationship between certain Member States and their overseas territories and countries has changed, but the principles initially adopted remain the same. By 2007 a Community consisting of 27 Member States had been created. These Member States are listed in Table 4.1, which also provides information about the geographical area, population and year of entry of each Member State.

Three Member States (France, Portugal and Spain) have regions which are part of the EU, known as the 'Outermost Regions'. These are characterised by their low population density and considerable distance from mainland Europe. With reference to the Treaty of Amsterdam, Article 299, their distinctive characteristics qualify them for special treatment in various sectors. The 'Outermost Regions' (see Figure 4.1 and Table 4.2) share many of the physical and socio-economic characteristics of the overseas countries and territories described below.

Figure 4.1

The Member States of the European Union are shown on the map; the candidate countries are shown in blue. ***The insert maps in Figure 4.1 show the Outermost Regions. Overseas departments of France (F) are: Guyana, Guadeloupe, Martinique and Réunion. Portugal's (P) overseas territories are: The Azores and Madeira, while Spain (E) has the Canaries.***

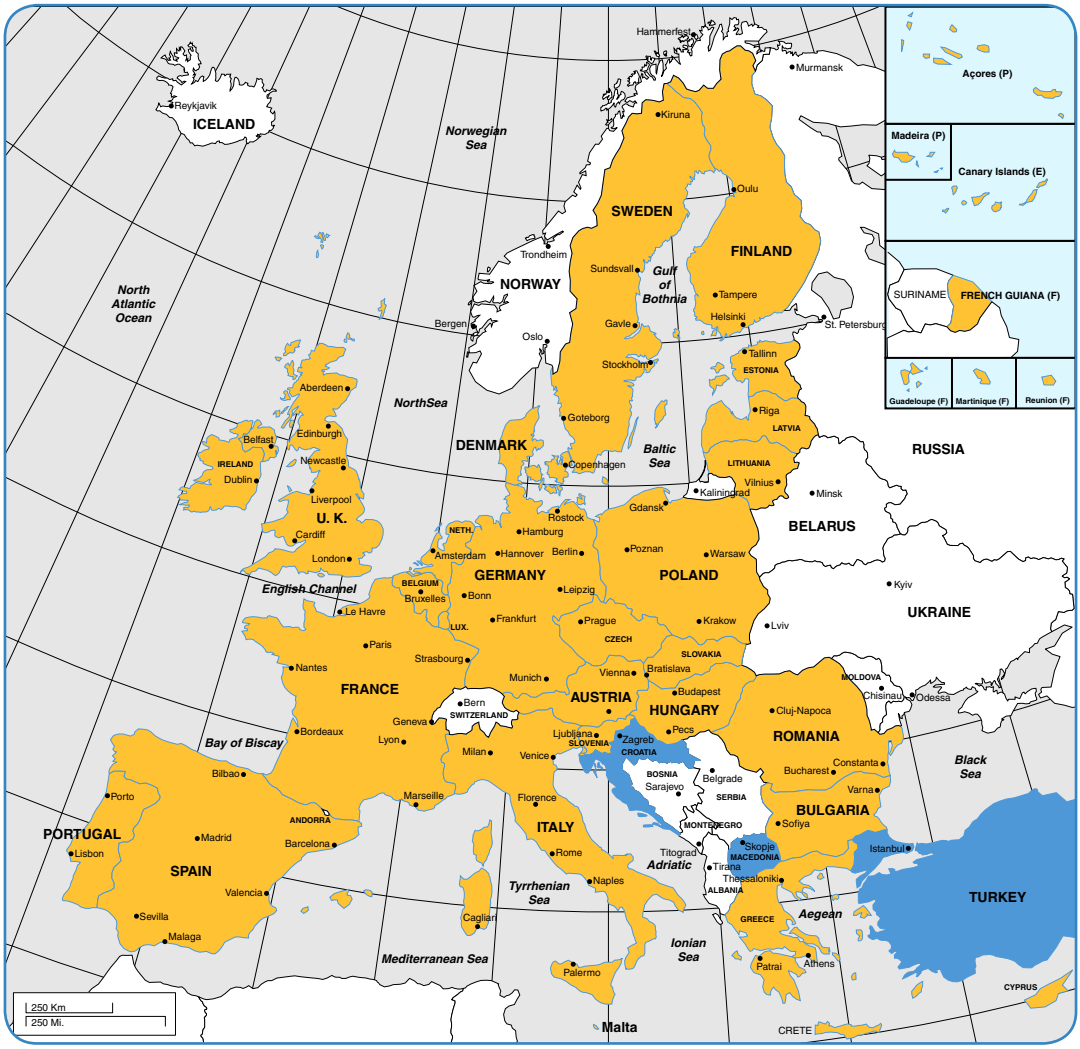


Table 4.1

The Member States of the European Union size in km², human population, year of entry and acronyms

Member States	Acronyms	Size in km²	Human population (million)	Year of EU entry
Austria	AT	83 858	8.3	1995
Belgium	BE	30 158	10.5	Founding member
Bulgaria	BG	111 000	7.7	2007
Cyprus	CY	9 000	0.8	2004
Czech Republic	CZ	79 000	10.3	2004
Denmark	DK	43 094	5.4	1973
Estonia	EE	45 000	1.3	2004
Finland	FI	338 000	5.3	1995
France	FR	550 000	60.4	Founding member
Germany	DE	356 854	82.5	Founding member
Greece	GR	131 957	11.0	1981
Hungary	HU	93 000	10.1	2004
Ireland	IE	70 000	4.2	1973
Italy	IT	301 263	57.3	Founding member
Latvia	LV	65 000	2.3	2004
Lithuania	LT	65 000	3.4	2004
Luxembourg	LU	2 586	0.4	Founding member
Malta	MT	316	0.4	2004
Netherlands	NL	41 864	16.3	Founding member
Poland	PL	313 000	38.2	2004
Portugal	PT	92 072	10.6	1986
Romania	RO	238 000	21.6	2007
Slovakia	SK	49 000	5.4	2004
Slovenia	SI	20 000	2.0	2004
Spain	ES	504 782	43.8	1986
Sweden	SE	450 000	9.0	1995
United Kingdom	UK	242 500	60.4	1973

4.1.2 THE OVERSEAS COUNTRIES AND TERRITORIES

In 2001 the Council adopted the 'Overseas Association Decision' (Decision 2001/822/EC) which clarifies the association of the Overseas Countries and Territories (OCTs) with the EU. The OCTs depend constitutionally on four Member States (Denmark, France, the Netherlands and the United Kingdom) but are not part of the Community territory. They may benefit from the European Development Fund (EDF) and the European Investment Bank (EIB) and participate in certain Community programmes in specific areas such as education. The OCTs are listed in the annex to Council Decision 2001/822/EC and are shown in Table 4.3. Most of the OCTs take part in the cooperation between the countries of sub-Saharan Africa, the Caribbean and the Pacific (the ACP countries) and the European Community and have become ACP countries (see Chapter 4.4). In the Treaty specific rules defining the Territory of the Acceding country are laid down together with minor derogations such as small islands or even towns and villages.

Table 4.2

Geographical areas defined as 'Outermost Regions of the European Union'

Member States with Outermost Regions	Geographical areas of the Outermost Regions
France	Guadeloupe, French Guiana, Martinique and Réunion (the four French overseas departments)
Portugal	The Azores and Madeira
Spain	The Canaries

Table 4.3

Non-European countries and territories (OCTs) which have special relations with France, the Netherlands, the United Kingdom and Denmark

Member States with special relationship to certain overseas territories	Overseas territories with special relationship to EU Member States
France	French Polynesia, French Southern and Antarctic Territories, Mayotte, New Caledonia, St Pierre and Miquelon, Wallis and Futuna islands *Total area: 463.065km² - Human population: 644.942*
The Netherlands	The Netherlands Antilles (Bonaire, Curaçao, Saba, Saint Eustatius, Saint Martin) and Aruba *Total area: 1.153 km² - Human population: 297.226*
The United Kingdom	Anguilla, Cayman Islands, Falkland Islands, South Georgia and the South Sandwich Islands, Montserrat, Pitcairn, St Helena, Ascension Island, Tristan da Cunha, British Antarctic Territory, British Indian Ocean Territory, Turks and Caicos Islands, and British Virgin Islands *Total area: 17.787 km² - Human population: 105.905*
Denmark	Greenland *Total area: 2.166.086 km² - Human population: 60.000*

4.2 ENLARGEMENT OF THE EU: ROUNDS I–V INCLUDING GERMAN UNIFICATION

The EEC launched the Common Agricultural Policy in 1962 and introduced regulations for marketing of livestock and animal products within the Community. This led in 1964 to the adoption of the first EEC veterinary legislation on health requirements for intra-Community trade in animals and fresh meat. From a veterinary point of view it is significant that a plan for a Common Veterinary Policy was adopted in 1968 introducing the basic principles and technical criteria for the veterinary functions in the EEC.

4.2.1 ENLARGEMENT ROUND I IN 1973: DENMARK, IRELAND, THE UNITED KINGDOM, NORWAY AND WITH REFERENCE TO GIBRALTAR, CHANNEL ISLANDS, ISLE OF MAN, GREENLAND AND THE FAROES

In the late 1960s Denmark, Ireland, Norway and the United Kingdom initiated discussions with the EEC on the feasibility of membership. These countries had close commercial relations with the Member States, but their trade was hampered by administrative procedures and payment of sluice gate fees. They wanted the conditions for exporting to and importing from the Community to be facilitated.

Before the EEC was established, European countries settled the veterinary animal and public health requirements for importing and exporting live animals and food of animal origin on a bilateral basis, by negotiations between the national veterinary services. Now the Member States of the EEC had veterinary Directives with common criteria for importing animals and animal products from Third Countries. The Commission had to examine whether the candidate countries were ready to adopt Community rules, if they joined. Staff from the Commission's veterinary unit had consultations with veterinary representatives from the four countries. In 1972 they got observer status and participated in meetings in the Commission and the Council, where they followed the work to complete new Directives. It might appear that it would have been simple for them to adopt the rules of the then limited number of Directives.

With regard to animal health requirements the Council had in 1964 adopted Council Directive 64/432/EEC on animal health problems affecting intra-Community trade in bovine animals and swine. And in 1972 the Council adopted Council Directive 72/461/EEC on health problems affecting intra-Community trade in fresh meat. These Directives constituted the formal basis for the negotiations between Denmark, Ireland, Norway, the United Kingdom and the EEC. At this time Council Directive 72/462/EEC on health and veterinary inspection problems upon importation of bovine, ovine and caprine animals and swine, and fresh meat or meat products from Third Countries, better known as the 'Third Country Directive', had been adopted, but not yet implemented.

It was disclosed that the Directives contained animal health criteria, which presented fundamental problems to the candidate countries. This was due to the animal health status in the EEC Member States. One serious reason was that Denmark, Ireland, the United Kingdom and Norway were free from Foot and Mouth Disease (FMD), i.e. Denmark since 1970, Ireland since 1941 and the United Kingdom since 1968. They were also free from CSF – i.e. Denmark since 1933, Ireland since 1958 and the United Kingdom since 1971. To protect themselves they banned imports of cattle, sheep, goats and pigs, as well as fresh meat of these animals from countries where these diseases existed. When acute outbreaks of FMD were notified, they immediately eliminated all animals in infected herds by the 'stamping-out' strategy.

This line of action had been developed in the United Kingdom during the great epizootic of 1967–68 and their veterinary services were organised and equipped to go into action without delay. Preventive vaccinations against FMD were banned, but stores of vaccine were maintained and ready for use, if necessary.

In the 1960s and 1970s there were few years without outbreaks of FMD and CSF in the six Member States. The two diseases sometimes developed into epizootics lasting two to three years. The control and eradication strategy against FMD and CSF was based on establishment of regional veterinary barriers around outbreaks and the adoption of trade restrictions to stop the spread of infection by the movement of animals and fresh meat. The national control schemes were based on annual preventive vaccinations. Although this system could not fully prevent FMD and CSF, the veterinary services of the Member States saw no possibility for changing their strategy.

If Denmark, Ireland and the United Kingdom adopted directives on intra-Community trade, the two diseases would undoubtedly invade them. The EEC accepted that they needed protection, and in their Act of Accession they were – by derogations valid for a period of three years – allowed to apply import restrictions. Consequently, a veterinary trade barrier would separate the three new Member States from the 'old six'. It was evident that this had to be temporary. A permanent solution had to be found to allow free trade in the Community.

In accordance with the plan for a Common Veterinary Policy adopted in 1968, the EEC's long-term policy would involve control and eradication of serious animal diseases. Only in this way free intra-Community trade for live animals and fresh meat could be ensured. The EEC decided, therefore, to fight and eliminate FMD and CSF in the Community. 15 years later FMD was eliminated in the Community, and the occurrence of CSF was markedly reduced.

Thus, the negotiations with the first new Member States in 1970–73 resulted in the adoption of EEC plans to improve the animal health situation in the Community. This illustrates perfectly how progress is induced in the EEC, when the veterinary services of the Member States cooperate to improve the common systems of disease control and eradication.

In the veterinary public health sector the negotiations with Denmark, Ireland and the United Kingdom were based on two Directives: Council Directive 64/433/EEC, which dealt with health conditions for the production and marketing of fresh meat and Council Directive 71/118/EEC on health problems affecting trade in fresh poultry meat, the 'Poultry Meat Directive'. The important 'Third Country Directive' had been adopted but the Member States still used their national regulations.

In the meat hygiene sector the situation differed in the six Member States and the candidate countries. The United Kingdom imported large quantities of meat, mainly from Denmark, Ireland, Australia, New Zealand and Argentina, and exported fresh meat to the EEC Member States. Ireland exported large quantities of beef and pork, mainly to the United Kingdom and France, and live cattle to Northern Ireland, Libya and Egypt. And Denmark exported large quantities of bacon to the United Kingdom and beef, pork and slaughter animals to the EEC Member States.

During the negotiations with the Commission it was clarified that the hygiene standards and technology in many slaughterhouses in the United Kingdom had to be upgraded, before they could be approved for the production of meat for intra-Community trade. Large sums were contributed through the European Agricultural Guidance and Guarantee Fund (EAGGF) for this purpose.

Traditionally, meat inspection in the United Kingdom was the competence of the Local Authority, which employed lay meat inspectors (LMIs) and environmental health officers (EHOs) to carry out day-to-day meat inspection in slaughterhouses producing for the home market.

In England and Wales the Central Veterinary Meat Inspection Service was responsible for meat inspection in slaughterhouses approved for export. It registered the meat export premises and sent advisers on meat hygiene and inspection to monitor them. They did not participate in the daily supervision in the export plants, where Official Veterinary Surgeons (OVS) were employed to issue the export certificates, while the LMIs carried out the day-to-day meat inspection supervised by a senior LMI. This inspection system was not in accordance with the veterinary inspection system in the EEC meat Directives and had to be changed. It would be necessary to reorganise and reinforce the national veterinary meat inspection service, when the fresh meat Directive was adopted and implemented. More veterinary meat inspection staff would be needed.

In Northern Ireland the situation was different. The veterinary meat inspection service was centralised and well organised, and most slaughterhouses were approved for export. The permanent veterinary staffing levels were inadequate. The situation in Scotland was similar.

The Central Veterinary Meat Inspection Service sent veterinary meat inspectors to countries from where the United Kingdom imported fresh meat, mainly Australia, New Zealand and Argentina. Based on their observations the government permitted imports from the countries concerned, and approved slaughterhouses for export to the UK. The Central Veterinary Meat Inspection Service had extensive experience from many years of inspection in foreign countries. This knowledge was used when the EEC later established veterinary inspection (see Chapter 11.1.1).

For Ireland it was easier to adopt and implement the rules of the fresh meat Directives. Ireland had for many years exported fresh meat to the Member States and complied with the criteria for intra-Community trade. Furthermore, many slaughterhouses were approved for export to the USA. A major concern for Ireland was the widespread occurrence of bovine tuberculosis. According to EEC rules, meat from animals in which tuberculous lesions were found by meat inspection, and animals that reacted positively to tuberculin testing, were forbidden entry into intra-Community trade. It was cumbersome work for the Irish veterinary service to ensure that this rule was respected.

If the export of livestock and animal products were to increase when Ireland became an EEC Member State, there would have hardly been enough staff in the animal health and veterinary public health sectors in the Irish veterinary service to ensure that the guarantees given in the veterinary certificates could be met.

For Denmark it appears to have been simple to adopt and implement the EEC veterinary Directives. The animal health situation was in general very good. Most classical epizootic diseases rarely occurred,

and bovine tuberculosis and brucellosis had been eliminated. This had been achieved by systematic disease control and eradication schemes and by a strict import policy. Live animals were imported in small numbers and strict quarantine measures applied. Imports of food of animal origin were only permitted if no animal health risks were involved.

A major concern was FMD. At short intervals FMD epizootics penetrating continental Europe reached Denmark and caused serious disease outbreaks, mainly in the southern regions. Preventive regional vaccinations had been organised in case of emergency. However, the official Danish FMD policy was now to perform the 'stamping-out strategy' and avoid vaccination.

When Denmark adopted veterinary Directives on intra-Community trade, the regional and district veterinary offices had to be restructured and the staffing reinforced. The emergency measures to control and eradicate outbreaks of exotic diseases had to be strengthened. The derogations in the Treaty of Accession with regard to FMD and CSF would give Denmark time to strengthen its veterinary defence systems. But in the long term the EEC had to consider that Denmark would lose the possibility of exporting large surplus quantities of beef and pork to the USA and Japan, when it imported from countries with FMD and CSF.

The Danish veterinary public health service was well organised and adapted to the large production and export of meat and meat products. Since World War II the structures, hygienic operations and the veterinary supervision and inspection in the establishments had been dictated by the importing countries such as USA, Japan, Canada and West Germany. Consequently, the establishments had been modernised according to international and EEC standards.

The enlargement to these three countries made trade more complicated: the principles of free trade could not be realised. It was not until the creation of the single market that these problems were resolved. At the end of the first enlargement round Norway did not join following a negative referendum.

The enlargement with the United Kingdom and Denmark included that some considerations were given to the areas of Gibraltar, Channel Islands, Isle of Man, Greenland and the Faeroes

Gibraltar

Gibraltar is part of the EU, as in 1973 it joined the EEC together with the UK. Under the Treaty of Rome special provisions apply to any European Territories (Gibraltar) for whose affairs a Member State (the UK) is responsible. At the request from Gibraltar's government certain EU legislation does not extend to Gibraltar. This includes legislation governing the EU agricultural policies (Gibraltar has no agriculture) and VAT harmonisation. Gibraltar is outside the EU customs territory and no parts of Gibraltar's customs revenue go to the EU. The EU legislation applicable to Gibraltar is transposed into Gibraltar's laws by legislation passed in the House of Assembly in Gibraltar.

The unratified Treaty establishing a constitution for Europe (see Chapter 2.2.5) has annexed a declaration (No. 45) by Spain and the UK with the text 'The Treaty establishing the Constitution applies to Gibraltar as a European territory for whose external relations a Member State is responsible. This shall not imply changes in the respective positions of the Member States concerned'.

Channel Islands and Isle of Man

The Channel Islands and the Isle of Man are not Member States nor are they part of the UK. The relationship of the Islands to the European Community is governed by the Treaty of Rome and by a Protocol to the UK's Act of Accession to the Community. This provides that Community rules on custom matters and quantitative restrictions apply to the Islands under the same conditions as they apply to the UK; the Islands are inside the Community Customs Territory and certain aspects of the Common Agricultural Policy are applicable in order to allow free movement in agricultural products. The Islands neither contribute to nor are eligible to benefit from Community funds. Community provisions on the free movement of persons do not apply to the Islands. Islanders can only benefit from these provisions within the rest of the Community if they have defined close ties with the UK.

Greenland

Greenland joined the EEC as part of Denmark. By the Home Rule Act of 1979 Greenland obtained a special status within the Kingdom of Denmark and the Greenland government has exclusive competence for fishing and agriculture. Following a consultative referendum in 1982 Greenland withdrew in 1985 from the European Community. The relationship between Greenland and the EU has since 1985 been governed by the Greenland Treaty which grants Greenland the status applicable to the Overseas Countries and Territories (see Table 4.3). Community financial assistance to Greenland has during a number of years been channelled through a Fisheries Agreement between the Community and Greenland. Since January 2007 Community financial assistance to Greenland has also covered a non-fisheries component. The Danish Veterinary and Food Administration acts as the Competent Authority in Greenland although Greenland is listed as a Third Country.

The Faeroes

Whilst the Faeroe Islands are part of the Kingdom of Denmark the islands did not become part of the EEC in 1973. The islands have, since 1948, been granted more and more Home Rule and in 1974 the Faroese Parliament voted unanimously against applying for membership. A trade agreement between the Faeroe Islands and the EU was established in 1992; it is a mutual free trade agreement similar to the type made by the EU and EFTA countries (see Chapter 4.3). Instead of membership, the islands have a trade agreement with the EU. In the Treaty of Accession of Denmark it is stipulated that Danish nationals residing in the Faeroe Islands are not to be considered as Danish nationals within the meaning of the Treaties.

4.2.2 ENLARGEMENT ROUND II IN 1981: GREECE

In the late 1970s negotiations were initiated with Greece on membership of the EEC. Due to its geographical position Greece was exposed to serious contagious diseases originating from the Near East, i.e. FMD, rinderpest, peste des petits ruminants, sheep and goat pox and Bluetongue. The veterinary services in the Member States were familiar with the Greek situation and the EEC had for many years cooperated with Greece to protect Europe against these exotic diseases.

Greece imported cattle for fattening from countries in Eastern Europe, mainly from Yugoslavia and Hungary. Fresh meat and meat products were imported from EEC Member States and from approved Third Countries. Apart from horses, exports of livestock and animal products were insignificant.

In 1963 south-east Europe had been threatened by an FMD epizootic caused by a SAT-1 virus. It penetrated Turkey and reached Trace, where it invaded border villages in Greece. Buffer-zone vaccinations in Turkey, Bulgaria and Greece were organised by FAO and the European Commission for Control of FMD (ECC-FMD) (see Chapter 4.5.2). The scheme was supported financially by the EEC. The action was repeated in 1964, when another FMD epizootic caused by a Type A22 virus spread in the same regions. Annual vaccinations were continued in the late 1960s. The schemes were planned and organised by the FAO/OiE/EEC tri-partite group, in which the veterinary division in the EEC was represented. Thus, the Greek FMD control and eradication schemes were adapted to the strategy applied by the EEC Member States.

Other serious animal diseases were Bluetongue, which occurred among sheep on the island of Lesbos, and sheep and goat pox, which were observed in the mountainous border regions of Evros.

Brucella melitensis infections were widespread among sheep and goats in the continental regions of the country. In 1975 herd investigations were initiated and measures taken to isolate infected flocks and slaughter sero-positive animals. Lambs and kids selected for reproduction were vaccinated with REV.1 vaccine.

In 1977 eradication schemes were started to eliminate bovine tuberculosis and brucellosis. The herd testing programmes were gradually extended and an increasing number of herds were screened. Reactor animals were slaughtered.

Echinococcus-hydatidosis was considered a serious zoonosis. Several hundred cases were found in humans every year. Pathologic lesions due to parasitic infestations were found at meat inspection in about 80% of sheep carcasses, in 50% of bovine, in 12% of caprine and in 2% of porcine carcasses. Greece had – and still has – enormous numbers of stray dogs. Many dogs live wild in the countryside but most are in urban and suburban areas. Control of echinococcosis in stray dogs was impossible and they constitute a serious reservoir for the parasite. Measures were taken to break the link of recycling the parasite by treating dogs with anti-parasitic medicaments, and special attention was given to sheep dogs. However, any echinococcus campaign is fruitless if stray dogs are not removed.

Greece had a few large abattoirs and numerous small slaughterhouses, in many of which slaughtering only occasionally took place. Specialised pig slaughterhouses were built in the centre of the country, although a large part of the pig population was kept in the northern regions. Slaughtering of sheep and goats took place mainly during the winter and spring. There were a few big and several small poultry slaughterhouses, most of which were located in the central part of the country. Meat processing plants were located in almost every district. Most meat production was intended for national consumption and buildings, technology and equipment had to be upgraded to conform to the requirements of the EEC Directives.

The Greek veterinary public health services needed reinforcement. The veterinary field service was not staffed or equipped to cover the needs of effective food surveillance and meat inspection. It would be necessary to organise continued education and specialist training of a large number of veterinarians to provide qualified veterinary meat inspectors, once Greece adopted the EEC Directives.

As a result of the negotiations with Greece, the EEC decided to assist the Greek veterinary services in their activities to protect the country against the exotic types of FMD. The buffer zone vaccinations in Trace organised by the FAO would be supported by financial contributions from the EEC. In order to reduce the danger of FMD epizootics penetrating into Trace, the EEC decided to give financial support to buffer zone vaccination schemes in western regions of Turkey.

During spot visits to border regions and frontier posts where veterinary inspection and control of animal imports from Third Countries took place, the Commission observed that better buildings, installations and equipment were needed. Measures had to be taken to prevent animals from areas in neighbouring countries with exotic diseases, from crossing the border.

When Greece became a member of the EEC, financial support would be available to the national eradication schemes for tuberculosis, brucellosis, enzootic leukosis and CSF.

The accession of Greece was problematic from the veterinary point of view. However, the political will to bring Greece into the Community was strong and, as Greece remains primarily an importer of animals and products of animal origin, the risks to the rest of the Community were considered manageable.

4.2.3 ENLARGEMENT ROUND III IN 1986: SPAIN AND PORTUGAL

In the early 1980s Spain and Portugal sought membership of the EEC. The Commission's veterinary division had consultations with representatives from the veterinary services of the two countries to identify problems that had to be solved in case of membership. The Commission was familiar with the animal health problems on the Iberian Peninsula, as it had for several years cooperated with the national veterinary services on the control and eradication of serious epizootics, e.g. FMD and ASF.

In the 1960s Spain and Portugal had been heavily affected by FMD epizootics penetrating from North Africa. They had managed to bring them under control in the 1970s, but a new epizootic had recently appeared and had particularly hit Portugal.

A major concern was, however, ASF, which was brought to Portugal in 1957 via pig meat from Angola present in waste food. The infection propagated among the Iberian pigs in the oak woods of the border areas along the frontier to Spain. The infection spread by direct contact between pigs or via contaminated premises and was transmitted by vectors such as soft ticks. Pigs surviving the disease might be virus carriers and the persisting virus might be present in meat and blood from slaughtered animals. ASF soon spread to populations of Iberian pigs in Estremadura in Spain, and was eventually transferred to ordinary pig holdings in eastern Andalusia. From here it was brought by transport of weaned piglets to the areas of intensive pig production in Catalonia. ASF had become enzootic in Portugal and Spain, and hundreds of outbreaks were reported in the 1970s. This serious, infectious disease threatened the European pig population (see Chapter 5.1.4).

The EEC was worried and decided in 1981 to give financial support to the eradication of ASF in Portugal and Spain, hoping that infections from the heavily affected regions on the Iberian Peninsula did not invade France or spread by long-distance transport to other regions in the Mediterranean, i.e. Italy and Malta.

The restrictions adopted to control and eliminate the disease were damaging to pig production and interrupted free trade in live pigs, fresh pig meat and many pig meat products. Any export of these products to the EEC Member States was impossible. This was particularly unfortunate for Spain, which was in the process of building up a large, modern pig production in the north-eastern regions. ASF blocked the production of an important Spanish export commodity, the famous Serrano ham, a delicacy produced in Estremadura that was much demanded at home and abroad. In Portugal the consequences of the ASF enzootic were the same. Pig production in Portugal was also expanding, mainly in the southern region of Algarve. Thus, the eradication of ASF was given high priority in both countries.

In 1984 members of the Commission's veterinary staff visited the two countries to study the measures taken by the national veterinary services to control and eradicate ASF. The national plans for Portugal and Spain and the possibility to accelerate the ASF eradication schemes were discussed. It would be necessary to coordinate the measures taken by the two countries. Both countries should be divided into ASF-affected and ASF-free regions, and movements of live pigs and fresh pig meat from the affected into the free regions forbidden. All ASF-infected pig herds should be isolated and the animals eliminated, before they were repopulated. Pedigree sow herds and sow herds used for reproduction should be tested and declared ASF-free before they could be permitted to deliver weaned piglets for breeding or for fattening to the large-scale units in Catalonia. In Estremadura a new population of ASF-free Iberian pigs should not be established until contact with the soft ticks in the environment had been cut.

The Commission asked the Scientific Veterinary Committee to establish an ASF working group of experts from the Member States and specialists from Spain and Portugal. The 'Centro de Investigación en Sanidad Animal' in Madrid functioned as coordinator for research to improve the diagnostic methods. The experts set up the technical criteria for heat treatment of hams and improved the diagnostic methods for ASF. They also proposed a strategy for ASF control and eradication which was used later, when the EEC adopted the plans for national schemes to eliminate ASF.

The result of the veterinary negotiations with Spain and Portugal before their entry into the Community had the effect that the eradication of ASF was accelerated and intensified. Furthermore, it was valuable that the Commission and the Member States gained knowledge of ASF control and eradication.

The two countries were aware that diseases like bovine TB and brucellosis would impede intra-Community trade in live cattle and meat, when they adopted the EEC Directives.

In Spain bovine TB was prevalent in certain regions, where 20–40% of the tested herds contained reactor animals. In other regions the percentage was 1–2%. A national eradication scheme was organised, but needed reinforcement. A national brucellosis control programme was organised, and an increasing number of herds were tested. When brucella infections were detected, reactor animals were slaughtered and heifers vaccinated. The national eradication schemes for TB and brucellosis could be supported financially by the Community, provided the control was intensified and eradication measures accelerated.

The veterinary staff in the animal health service had to be reinforced to supervise the schemes and verify that the measures were fully accomplished. The structure of the Spanish veterinary service had been modified to allow more autonomy in the regions. It was necessary to reinforce the internal command structures between the central office and the 17 autonomous regional veterinary services to ensure efficient functions in relation to disease control.

In Portugal TB had been spread among cattle in certain regions in a period when agricultural reforms were introduced and cattle herds restructured. Bovine TB was still a problem, and systematic herd monitoring and tuberculin-testing of all cattle was needed. The structural changes of the cattle herds caused dissemination of brucellosis in many villages, where spread of infections between the herds was a daily hazard.

The Portuguese eradication schemes for TB and brucellosis could receive financial support from the Community, provided they were accelerated. To achieve this it was necessary that the veterinary animal health service was reinforced and that internal command structures between the central and regional veterinary offices were improved. Veterinary staff should be trained to supervise the schemes and ensure that the disease control measures were fully implemented.

The Spanish veterinary public health service was considered sufficient to cover the current needs of veterinary control and inspection at abattoirs and frontier control posts. When the EEC legislation was adopted and veterinary public health criteria were adjusted to intra-Community trade, it was necessary to reinforce the official veterinary supervision and inspection by employing more qualified veterinary inspection staff, in particular when it was possible to increase the production for intra-Community trade after the elimination of diseases like ASF, TB and brucellosis.

In Portugal the official veterinary meat inspection service was weakened by the lack of direct command and communication lines between the central veterinary public health office and the regional veterinary services. In many slaughterhouses the official veterinary meat inspection service was not fully staffed. In some establishments private veterinarians were paid by the owners. In many slaughterhouses modern technological installations were lacking, which made it impossible to follow EEC norms for processing of meat. The Portuguese representatives were encouraged to adopt development schemes to establish modern slaughterhouses, cutting premises and meat product establishments and cold stores to be able to produce meat for intra-Community trade.

As a result of the accession of Spain and Portugal, fresh legislation on ASF eradication schemes and controls was introduced to counteract the new problems posed (see Chapter 5.1.3).

4.2.4 THE RE-UNIFICATION OF GERMANY IN 1990

An acceleration of reforms in the German Democratic Republic ('East Germany'), the fall of the Berlin wall in November 1989 and the subsequent opening of the border between East Germany and the Federal Republic of Germany ('West Germany') lead in October 1990 to the re-unification of Germany; the territory of the former German Democratic Republic was incorporated into the Federal Republic of Germany.

The re-unification also influenced the veterinary sector. Mainly in the eastern part substantial changes had to take place. Despite many technical similarities, there were important differences between East and West Germany, mainly with regard to:

- the organisation of the veterinary service
- the structure of livestock production
- the level of eradication of certain animal diseases
- the legal framework
- structures, e.g. rendering facilities.

Great efforts were made to harmonise veterinary legislation, based on the EU acquis, to re-organise the veterinary service and to improve animal health conditions. The professional veterinary associations in particular carried out intensive training programmes and study visits. The tremendous increase in animal movements and trade shortly after the fall of the Iron Curtain and re-unification resulted in the spread of diseases within Germany, such as enzootic bovine leucosis (from East to West) and Aujeszky's disease (from West to East). This temporary situation was soon rectified thanks to the improvement in the veterinary services and the better supervision of trade. The medium-term harmonisation process included heavy investments in new border inspection posts, the construction of new plants and the reconstruction of existing plants for processing risk material.

4.2.5 ENLARGEMENT ROUND IV IN 1995: AUSTRIA, FINLAND, SWEDEN AND NORWAY

The enlargement round IV included the three Nordic countries – Finland, Norway and Sweden – plus Austria. The four countries were all members of EFTA, but they decided in the late 1980s and the early 1990s to apply for membership of the EC. The factors which stimulated the submission of application to the EU for full membership appear to have included:

- The four countries found that the EC–EFTA relationship was less and less satisfactory and that the EC was collectively much stronger than EFTA. Furthermore, they felt that the EC frequently presented them with more or less de facto situations and that the Members of EFTA had few options.
- For Austria and Sweden the end of the Cold War reduced the importance of their attachment to neutrality.
- For Finland the geographical position and close links to the Scandinavian countries were strengthening while the special position in relation to the Soviet Union was withering.

The negotiations between the four countries and the Commission went relatively smoothly (see Table 4.4). The whole process was concluded with the entry on 1 January 1995 of Austria, Finland and Sweden into the Community; Norway decided again not to join but to remain a Member of EFTA.

Table 4.4

The timetable used for the enlargement process of the EU with regard to Austria, Finland, Norway and Sweden

Countries seeking EU membership	Application for membership	Start of negotiations	Negotiations concluded	National referenda
Austria	Jul. 1989	Feb. 1993	Mar. 1994	Jun. 1994*
Finland	Mar. 1992	Feb. 1993	Mar. 1994	Oct. 1994*
Norway	Nov. 1992	Apr. 1993	Mar. 1994	Nov. 1994**
Sweden	Jul. 1991	Feb. 1993	Mar. 1994	Nov. 1994*

** The majority in favour of accession ** Referendum rejects accession to the EU*

All four countries had good infrastructure with regard to the veterinary sector and well-established veterinary schools, services and laboratories (see Table 4.5). The national veterinary administrations were experienced in international veterinary medicine activities carried out under the auspices of international organisations such as OiE, FAO, WHO and EFTA.

Table 4.5

Information on the start of veterinary institutions and services of importance for a well-functioning administration in the veterinary sector

Countries seeking EU membership	Start of veterinary services	Establishment of veterinary schools	Establishment of national veterinary laboratory
Austria	1850*	1765	1910
Finland	1860	1945	1908
Norway	1883	1935	1891
Sweden	1830	1775	1911
** started as a military veterinary service*			

The animal health situation was favourable with regard to the OiE former list A diseases. Many former list A diseases had never been recorded in the Nordic countries, namely African horse sickness, African swine fever, avian influenza, Bluetongue, lumpy skin disease, Rift Valley fever, peste des petits ruminants, swine vesicular disease and vesicular stomatitis. Two animal diseases – FMD and CSF – which during the 1970s and 1980s caused major problems in several EEC Member States had been absent in the Nordic countries for many years (see Table 4.6) and other diseases, i.e. CBPP, Newcastle disease and rinderpest, which had occurred in some of the countries did not cause problems for the accession negotiations. With regard to the control of Newcastle disease the three Nordic countries did not allow the use of vaccination while in Austria vaccination was carried out on a voluntary basis.

Table 4.6

Last year of occurrence of CBPP, CSF, FMD, Newcastle disease, rinderpest, sheep pox and goat pox as recorded in 1994 by Austria, Finland, Norway and Sweden

Countries seeking EU membership	CBPP	CSF	FMD	Newcastle disease	Rinderpest	Sheep pox and goat pox
Austria	1921	1994	1981	1993	1881	1954
Finland	1920	1917	1959	1971	1877	N.R.
Norway	1860	1963	1952	N.R.*	N.R.	1882
Sweden	1856	1944	1966	1956	1700	1934
N.R. = Never recorded; N.R. = Never until 1997*						

The animal health situation in the Nordic countries was also favourable with regard to the classical livestock diseases belonging to the OiE former list B diseases such as bovine tuberculosis, bovine brucellosis and enzootic bovine leucosis. This relatively good overall animal disease situation in the Nordic countries appears to be related to:

- the geographical situation of the countries
- the presence of self-sufficiency with regard to cattle, beef, pigs, pig meat and poultry. Imports of live animals and products of animal origin were negligible
- a good veterinary infrastructure and close cooperation between the farmers' organisations and the public veterinary administration
- the tradition amongst farmers to work together through cooperative movements. All dairies and slaughterhouses were by and large owned by the farmers.

At the time of negotiations it was recognised that in Finland, Norway and Sweden the level of tolerance to zoonotic diseases caused by pathogens in food – in particular salmonella bacteria – was much lower than the tolerance accepted by a number of the Member States of the Community and that this low tolerance had been established in connection with the implementation of comprehensive national control and eradication programmes. The achievements made by Finland and Sweden with regard to the protection of consumers with regard to salmonella infections were reflected in the Treaty of Accession for both countries as special trade guarantees were granted by the Community within this area.

The excellent animal health situation with regard to transmissible gastro enteritis, turkey rhinotracheitis, egg drop syndrome, spring viraemia in carp, Aujeszky's disease and Infectious Bovine Rhinotracheitis resulted in certain additional trade guarantees to Finland and Sweden; some of the guarantees granted were of a temporary nature.

4.2.6 ENLARGEMENT ROUND V(A) IN 2005: THE CZECH REPUBLIC, ESTONIA, HUNGARY, LATVIA, LITHUANIA, POLAND, SLOVAKIA, SLOVENIA, CYPRUS AND MALTA

The fall of the Berlin wall in 1989 started a process of democratic reform in Central and Eastern Europe. The new democracies were confronted with a huge challenge in building up open market economies based on the respect for human rights and it was clear already in the early 1990s that they were looking at membership of the EU as their long-term perspective.

The EU summit in Copenhagen in June 1993 confirmed their membership perspective but at the same time made clear that comprehensive economic and political reforms would first be necessary and that the candidate countries must be able to take on all the obligations following from membership; that is, bring their legislation into full compliance with the EU acquis and to ensure the administrative capacity that would be necessary for its correct implementation and enforcement. The Copenhagen summit conclusions included a list of the countries that were invited into this process: Bulgaria, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia and Slovenia. The list also included two countries with a very different background: the two small island states of Cyprus and Malta.

For all these 12 countries the taking over of all obligations under the EU's veterinary acquis represented a substantial challenge. The magnitude of this task can only be understood if it is remembered that the countries at the same time had to prepare for EU accession in all the other fields of the acquis: customs union, internal market, environment, justice and home affairs etc. and also other fields related to agriculture such as the direct payments system and the phytosanitary requirements.

Accession negotiations opened in 1998 with six of the candidate countries and with the other six in 2000. The veterinary field turned out to be one of the more complicated parts of the negotiations. A number of transition periods were agreed in this field as will be explained below. In 2002 Bulgaria and Romania decided that they would not be ready to accede in 2004 (see Chapter 4.2.6).

During the negotiations and all the way until the day of accession, the EU, and in particular the European Commission, followed closely the gradual progress of the transposition of the EU acquis into national law as well as the process of implementation and enforcement. All 10 countries became members of the EU on 1 May 2004.

Assistance from the EU

Compared with earlier rounds of enlargements it was an important characteristic of the fifth round that the candidate countries received substantial assistance from the EU and in many cases also from the individual Member States on a bilateral basis. The assistance from the EU was given as grant aid, often with a requirement of a certain share of national co-financing. The EU's PHARE programme started already in 1991 and mainly supported the strengthening of the administrative capacity of the national authorities. In particular it provided training of staff, support for approximation of legislation and help for major investments such as modernisation of laboratories or upgrading of border inspection points.

An important activity financed under PHARE was the horizontal TAIEX programme that organised training and study visits of officials from candidate countries, as well as short-term missions of experts from the EU Member States to the candidate countries. In this way it was made possible for experienced EU experts to assist the candidate countries in the drafting of new laws or the reorganisation of administrative structures to better meet the new requirements.

Another PHARE-financed measure was twinning, which allowed for experts from the EU-15 to be seconded for long-term missions to assist the authorities of a candidate country. In this way, an expert from the French or the Danish Ministry of Agriculture, for example, could work for one or two years inside the Ministry of Agriculture in Poland and assist with the preparations for accession.

Besides the PHARE programme, the EU used the SAPARD programme to give assistance targeted specifically at agriculture, such as investments in farms or processing plants. This would often include initiatives directed at the veterinary field, for instance in order to improve conditions as regards animal health or hygiene standards.

Further EU assistance was given through the ISPA programme, which provided support in the fields of environment and regional development. Of particular relevance for the veterinary field, ISPA helped to improve water supplies and waste water facilities for food processing plants.

The internal market control system

One of the EU requirements that was most demanding for the candidate countries was the introduction of the internal market control system. This system had been introduced in the EU around 1992–93 and meant first of all that all veterinary controls at the internal borders of the EU were abolished. The emphasis in the internal market control system was instead at the point of production or processing, while controls could also take place during transport or at the point of destination as long as this happened in a non-discriminatory way.

This meant that the participation of any of the candidate countries in the internal market would require that the old Member States could have full confidence in the national veterinary control systems in any of the candidate countries. This often required comprehensive changes in the systems of veterinary controls in the candidate countries and was often put forward during the negotiations as a serious concern by representatives of the existing Member States.

In addition, a particularly demanding element of the internal market control system was the setting up of a system of veterinary checks at the future external EU borders. As the controls at the internal borders had been abolished any live animal or animal product that has been imported into any Member State could thus in principle circulate freely in the whole of the EU. It therefore had to be a concern of all Member States that the external border inspection posts were upgraded to meet EU requirements, in particular as the candidate countries would become responsible for the EU's external controls towards areas where the veterinary situation was problematic, for instance Ukraine, Russia and the eastern and southern shores of the Mediterranean.

In 1998 the European Commission TAIEX office undertook an exploratory mission along the future Eastern border of the EU in order to assess the state of the border control posts. The main problems observed were the lack of adequate facilities and infrastructure for carrying out veterinary checks at the border because the countries previously had a different system of veterinary checks on imports carried out mainly inside their countries. It was clear that substantial investments in the infrastructure of these posts would be necessary, and upgrading plans were developed that could form the basis for the national efforts as well as for the EU support. The strategy proposed by TAIEX for each new Member State was realised by the date of Accession and proper veterinary checks were installed at the new outer frontiers of the EU.

In Cyprus and Malta the situation regarding external border controls was different from the candidate countries of Central Europe. Being small islands they had traditionally given an important emphasis to their veterinary controls on strict controls with imports. In their preparations for membership they had to develop their veterinary controls to allow imports from other EU Member States on the basis of the principles of the internal market but in a way that ensured continued effective controls.

Animal health

In the candidate countries of Central Europe a substantial part of animal production had, at the time of the communist system, been based on large farms with very high numbers of animals. This system could be vulnerable to the spread of animal diseases and strong centralised veterinary control systems had therefore been established that had the power to take severe measures in case of problems. Veterinarians in these countries were in general capable of addressing the issues related to the fight against animal diseases.

After the democratic reforms this system of centralised power to a large degree disintegrated. In many cases animals were taken out of the large state or collective farms and spread throughout the many small family farms that came into existence. The situation in the early 1990s was therefore a cause for serious concern and the fact that the situation with regard to animal diseases in general remained comparable with that of the EU-15 is an indication of the robustness and professionalism of the veterinary system in these countries. The systems to control the animal health systems in these countries were, however, in need of fundamental reform since they could no longer be based on a strong centralised power but instead had to function in a market economy. A major problem was the lack of an animal health trust fund which could be used for the compensation of the animal owners in case stamping out measures were imposed.

In general the animal health situation concerning the OiE former list A diseases was favourable compared with the situation in the EU-15 (see Table 4.7) and the issue of animal diseases did not play any major role in the accession negotiations.

Table 4.7

Disease outbreaks reported during the period 1998–2002 in the 10 candidate countries and in EU-15

Candidate countries (CC)	FMD	SVD	CBPP	BT	CP	ASF	CSF	AI	ND
Estonia	1982	NR	NR	NR	NR	NR	1994	NR	1962
Latvia	1987	NR	1922	NR	NR	NR	996	NR	NR
Lithuania	1982	NR	NR	NR	NR	NR	1992	NR	1989
Poland	1971	1072	1936	NR	1950	NR	1994	NR	1974
Czech Republic	1975	NR	1902	NR	1950	NR	(b)	NR	3
Slovakia	1973	NR	1902	NR	1950	NR	28	NR	1980
Hungary	1973	NR	1901	NR	1957	NR	1993	NR	1992
Slovenia	1968	NR	NR	NR	NR	NR	1996	NR	1991
Malta	1978	1978	NR	NR	NR	1978	1967	NR	1993
Cyprus	1964	NR	NR	NR	1989	NR	1967	NR	1992
CC-10	**0**	**0**	**0**	**(a)**	**0**	**0**	**28**	**0**	**3**
EU-15	**2078**	**225**	**1886**	**15505**	**1897**	**72**	**163**	**456**	**420**

(a) *No outbreaks of disease recorded, but serologically positive animals have been detected.*
(b) *Since 1998 CSF has only been confirmed in wild boar.*
*The symbol **NR** indicates that the disease has not been recorded. The year indicates when the disease was last recorded.*

The most important exception was the measures against TSE that were gradually sharpened in the EU during the pre-accession period. As a consequence the candidate countries had to implement the same measures, in particular regarding the testing of animals, removal of particular parts of the carcasses, and increased requirements to the rendering system. As in the old Member States, these requirements could often be demanding and expensive. Other issues which had to be addressed involved individual candidate countries. These included the occurrence of Bluetongue in Cyprus and the practice of vaccination against CSF in Slovenia, Bulgaria and Romania. With regard to rabies, Cyprus and Malta had based their approach on their insular position and enforced strict controls on the import of pets. In the accession negotiations they achieved the right to continue this policy along the lines that had earlier been granted to the UK and Ireland.

The enlargement to the 10 candidate countries increased the EU cattle and swine populations by about 13% and 24%, respectively (see Table 4.8).

Table 4.8

Information on the cattle and swine population and the average herd size in the 10 candidate countries and in the EU-15

Candidate countries (CC)	CATTLE Population / average herd size	SWINE Population / average herd size
Estonia	261 000 / 12	329 785 / 27
Latvia	402 260 / 4	393 476 / 18
Lithuania	751 700 / 3	1 010 800 / 5
Poland	5 262 088 / 5	16 966 000 / 17
Czech Republic	1 582 027 / 294	3 593 717 / 630
Slovakia	644 908 / 377	1 469 397 / 887
Hungary	783 000 / 20	4 822 000 / 13
Slovenia	447 075 / 9	599 895 / 17
Malta	14 519 / 9	72 489 / 405
Cyprus	53 000 / .154	414 000 / 3.09
CC-10	10 201 577 / 7	29 671 559 / 18
EU-15	75 518 766 / 55	121 626 412 / 342

On integration of the new Member States the total number of veterinarians in the EU increased from about 112 000 to about 136 000. Of these, about 12 000 are employed at universities and laboratories, about 28 000 in veterinary administration and about 77 500 in private practice.

Food safety and public health

In the field of food safety and public health the standards in the candidate countries were at a much lower level than in the EU-15. The EU acquis laid down detailed requirements for hygiene, physical structures and inspection in establishments producing food of animal origin. In the candidate countries a number of slaughterhouses, dairies and processing plants that were producing for export met international and EU requirements. These plants played a certain role, in particular in Hungary and Poland, but never represented more than a small proportion of the food establishments.

The overwhelming majority of plants that produced for the domestic market had problems meeting even very basic standards. One would find floors, walls and ceilings that were difficult to clean, rusty pipes, insufficient cleaning facilities, inefficient separation of clean and unclean parts of the process etc. Often the result of imperfect construction exacerbated by long-time underinvestment and lack of resources for maintenance and repairs.

A particular problem was the collection system for milk. Farms often did not have cooling equipment for milk and this – together with other shortcomings – meant that when milk arrived at the dairies it had much higher somatic cell and bacteria counts than permitted by the EU. The improvement of the milk collection systems represented a major task in the preparations for accession.

The situation in the public health and food safety field called for a comprehensive upgrading of procedures and controls at virtually all stages of the food chain. This happened in close cooperation with the European Commission and with the involvement of experts from the EU-15. Substantial amounts of PHARE (e.g. for inspection systems and laboratory capacity) and SAPARD aid (e.g. for farms and establishments) were granted for improvements in this field. There was first of all a need to change the basic approach to food safety controls in each of the countries. This required training of staff at all levels, a new approach to the cooperation between the veterinary inspection and the processing industry, as well as huge, mostly private, investments in the modernisation of the plants.

Starting with the TAIEX strategy from around 1999–2000, lists were drawn up of all food-processing establishments in each of the candidate countries with an indication of the main problems that needed to be addressed, as well as an assessment of whether each particular establishment could be in a state of full EU compliance at accession. In reality this meant that many establishments would have to close since it was often more commercially reasonable to build a new plant than to renovate an old one. This development was supported by the fact the food-processing establishments in the candidate countries often had a serious over-capacity but could lead to difficult situations in local regions where the local dairy plant or slaughterhouse was sometimes the most important employer.

During the last 2–3 years before accession, the candidate countries were regularly visited by groups of Commission and Member State experts ('peer review' missions organised by the TAIEX office) that would meet the national veterinary authorities to discuss the progress in taking over EU rules for food safety or other parts of the veterinary acquis. In this context, they would also visit establishments and compare the assessment given by the national authorities with their own findings. It sometimes became clear that the national authorities were not always fully aware of the detailed EU requirements or had not been efficient in enforcing them. The peer reviews could thus give indications of where there was need to further strengthen the accession preparations.

Due to the strategy developed by the TAIEX office in 2000 with the candidate countries very early in the pre-accession process, it had been clear that not all food-processing establishments could be in compliance for the day of accession. Sometimes too substantial investments were needed or the establishment was in such a bad state that modernisation did not make commercial sense. On this basis transitional measures were agreed for all candidate countries, but to different degrees; for Poland, for instance, the transitional measures agreed were very comprehensive, whereas for Slovenia they were quite limited.

The transitional measure allowed establishments to continue production for 2–3 years after accession while they were gradually bringing themselves into compliance with the acquis. In order not to disturb the general functioning of the internal market the provisions of the transitional measures were strict and clearly defined. They only applied to a clearly defined list of establishments that were mentioned with name in the annexes to the Accession Treaty and they clearly defined the specific structural requirements that required attention. The derogations are mostly granted for such physical structures as flooring, walls, doors, equipment and cleaning facilities. In no case was a derogation agreed for requirements relating to hygiene or veterinary inspection. Products coming from an establishment with such a transitional measure could not be marketed in other EU Member States. To this effect the products had to carry a special health mark, different from the oval stamp that normally indicates that a product is approved for circulation in the internal market.

Animal welfare

Animal welfare had in general been given very little attention in the candidate countries before the accession negotiations started. EU animal welfare rules apply for animals on the farm, during transport and at slaughter. It was clear that a comprehensive upgrading of the facilities and practices was needed before the countries could comply with EU requirements. However, within the EU-15 there was strong resistance against granting comprehensive transitional measures in this field. Firstly, because the awareness of animal welfare issues was strong in the population and secondly, because such measures would risk distorting the competition in the internal market with regard to those establishments in the EU-15 that already had to comply with all requirements. No transitional measures were possible for welfare during transport as this had a direct cross-border impact. In the event, the only transitional measures granted were with regard to the dimensions of the cages of laying hens. Such measures were agreed for the Czech Republic, Hungary, Latvia, Malta, Poland and Slovenia.

General observations

During the last few years before the accession on 1 May 2004, preparations intensified in order to ensure that the 10 new Member States would be able to fulfil their acquis obligations on the day of accession. Legislative work was accelerated in order to transpose the many veterinary Directives into national legislation, inspection bodies and laboratories were strengthened and important public and private investments were made in infrastructures and establishments. At the same time, the Commission intensified its monitoring of the progress. The main issues that were a source of some concern in the last few months before accession were those related to the internal market control system: would the new Member States be able to control the new external borders effectively? How would they function when the internal

border controls were removed? On the day of accession it became clear that preparations had in fact been adequate. The control system functioned both at the external borders and in the internal market and no major problems have been observed in this respect to date. It must however be emphasised that this success is the result of the comprehensive efforts in the candidate countries to prepare for accession in the veterinary field. The huge challenge of taking over all obligations under the EU's veterinary acquis should not be underestimated.

Never before has the Commission made such efforts to prepare new Member States in the transposition of the veterinary acquis to national legislation, the implementation and enforcement of EU standards, in terms of financial and technical assistance. It goes without saying that the TAIEX office, headed at the time by Mrs Bridget Czarnota, had a major input into the development of the veterinary systems in the new Member States. Moreover, it was the first time that the whole veterinary sector, beginning with education and training of veterinary students and approach to postgraduate professional development, the organisation of the private veterinary profession, the functioning of the state veterinary services and ending with the role and responsibilities of the farming and processing sectors, in this context, had been approached systematically. Three years after accession it seems that these efforts were absolutely justified. There has been a seamless shift in our external border towards the east, with no ill effects to our internal market.

The one blot on the horizon remains Cyprus, where the EU acquis is not yet applied in the northern part.

4.2.7 ENLARGEMENT ROUND V(B) IN 2007: BULGARIA AND ROMANIA

In 2002, the European Council announced its aim of welcoming Bulgaria and Romania into the EU in 2007, provided they made sufficient progress in fulfilling the membership criteria. Accession negotiations were completed in December 2004. The Accession Treaty was signed in April 2005. The Treaty was ratified by Bulgaria, Romania and all 25 Member States, and the two countries acceded on 1 January 2007.

However, during the monitoring phase up to accession it emerged that neither country was in a position to fully enforce the EU acquis in the field of animal health, as regards CSF and the traceability of animals. In the field of public health, the upgrading of the establishments could not be completed before accession. Therefore, at the date of accession neither country could fully participate in intra-Community trade in animals or products of animal origin.

The Commission identified a number of areas of concern, and also areas where the Commission had to initiate appropriate measures to ensure the proper functioning of the EU. In the veterinary sector actions had to be taken to protect the EU against Classical Swine Fever, present in both countries, and TSEs in the context of a fully operational rendering system in the two countries. Not all agri-food establishments were in full compliance with the EU rules and are excluded from participation in the internal market until they have reached the EU status. In both countries, milk is still collected in very small farms which do not fulfil the EU conditions as regards the hygiene standards nor the raw milk quality standards. Both countries were therefore granted a three-year transitional period in which the non-compliant raw milk can only be marketed locally. In addition, the countries also have to complete their traceability systems for livestock. Thus a number of safeguard measures were taken immediately prior to Accession to ensure the protection of the internal market.

4.2.8 FUTURE ENLARGEMENT – CANDIDATE AND ASSOCIATED COUNTRIES

The EU officially launched accession negotiations with Croatia and Turkey at the General Affairs Council in Luxembourg on 3 October 2005. In addition, all the Western Balkans have a European perspective with the future prospect of becoming EU members.

In December 2005, the European Council decided to grant candidate country status to the former Yugoslav Republic of Macedonia, with whom accession negotiations have not started yet.

Future enlargements will go at the pace dictated by each country's performance in meeting the rigorous standards, to ensure the smooth absorption of eventual new members.

Dates of application for EU membership were:

- Croatia: 21 February 2003
- the former Yugoslav Republic of Macedonia: 22 March 2004
- Turkey: 14 April 1987.

The Stabilisation and Association Process (SAP) is the EU's policy framework for the Western Balkan countries, along the path to their eventual accession. The partnership between the EU and the Western Balkans is in the interest of all partners: peace, stability, freedom, security and justice, prosperity, quality of life, for the EU and the Western Balkan countries.

SAP pursues three aims, namely stabilisation and a swift transition to a market economy, the promotion of regional cooperation, and the prospect of EU accession. It helps the countries of the region to build their capacity to adopt and implement European standards, including the Community acquis, as well as international standards.

The SAP is based on a progressive partnership, in which the EU offers a mixture of trade concessions (Autonomous Trade Measures), economic and financial assistance (CARDS Programme) and contractual relationships (Stabilisation and Association Agreements). Each country moves forward on the basis of the fulfilment of its commitments in the framework of the SAP. Annual progress reports assess the readiness of the Western Balkan countries to move closer to the EU.

Following the EU Regional Approach for the Western Balkans of 1997, the European Commission set out, in 1999, the rationale for moving to a more ambitious vision for the region's development – the Stabilisation and Association Process. Its instruments were formulated at the Zagreb summit in November 2000. The Thessaloniki Summit in June 2003 enriched the SAP with elements inspired by the enlargement process, so that it can better meet the new challenges. The Thessaloniki Agenda introduced an array of new instruments to support the reform process in the Western Balkan countries and to bring them closer to the EU. The most far-reaching of these new instruments are the European Partnerships, inspired by the Accession Partnerships. The first set of European Partnerships was approved in 2004; by identifying short- and medium-term priorities which the countries need to address, the European Partnerships will help the Western Balkan countries with their reforms and preparations for future membership.

All the countries of the Western Balkans have the prospect of future membership of the EU, an objective endorsed by the European Council in Feira in June 2000 and confirmed by the European Council in Thessaloniki in June 2003. The European Council in June 2005 clearly reconfirmed these existing commitments.

Croatia and the former Yugoslav Republic of Macedonia, which have been granted candidate country status, remain part of the SAP.

The other countries of the Western Balkans are potential candidate countries: Albania, Bosnia and Herzegovina, Montenegro and Serbia, including Kosovo under United Nations Security Council Resolution 1244.

In January 2006, the European Commission adopted Communication on *The Western Balkans on the road to the EU: consolidating stability and raising prosperity*. The Communication assesses progress made since the Thessaloniki Summit and sets out concrete measures to reinforce the EU policy for the Western Balkans and its instruments.

On 8 November 2006 the Commission approved the Strategy Paper and the candidate countries' (Croatia, the former Yugoslav Republic of Macedonia and Turkey) and potential candidate countries' (Albania, Bosnia and Herzegovina, Montenegro, Serbia and Kosovo under UN Security Council Resolution 1244) progress reports on their road towards the EU.

The report concluded that compliance with EU veterinary and phytosanitary requirements, vital to successfully using SAP and interim agreement trade conditions, remains poor and at an early stage in all countries, except for Croatia where good progress had been achieved.

SECTIONS 4.3–4.5 CAN BE FOUND ON THE CD-ROM.

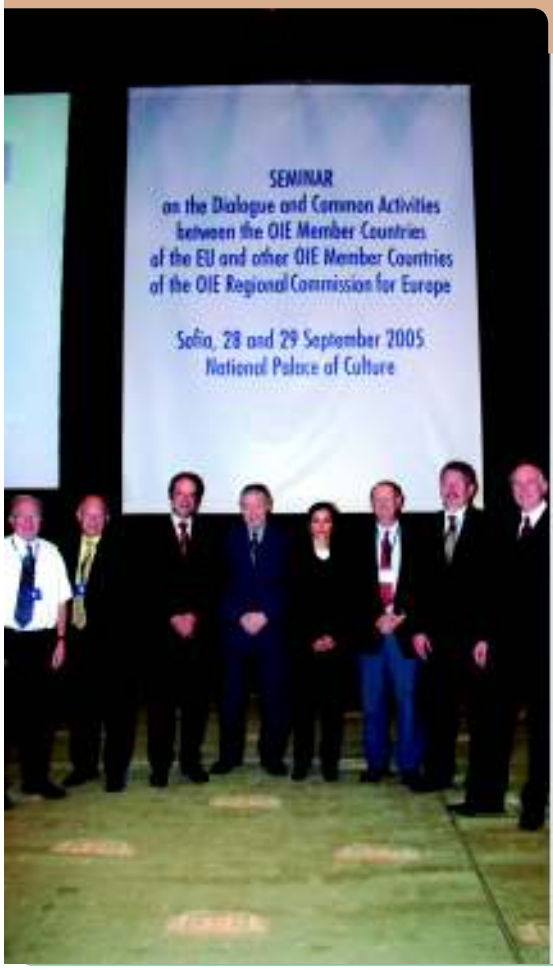
5

THE ANIMAL DISEASE SITUATION FROM 1957 TO 2006

CHAPTER 5 CAN BE FOUND ON THE CD-ROM.

6

STRATEGIC MEASURES IN THE VETERINARY SECTORS OF ANIMAL HEALTH, VETERINARY PUBLIC HEALTH, ANIMAL WELFARE AND ZOOTECHNICS



CHAPTER 6 CAN BE FOUND ON THE CD-ROM.

7

THE DEVELOPMENT OF THE EU VETERINARY ACQUIS

Berlaymont, Commission building, Brussels

7.1 THE INITIAL PHASE 1957–1968

Veterinary activities in the EEC Commission were first formalised in 1963, when Directorate-General VI – Agriculture – established a new Directorate F – Agricultural Legislation – with Division F.3 in charge of harmonisation of the legislative, regulatory and administrative matters in the Member States. The first veterinary Directives were prepared in Division F.3. The background for these initiatives was the adoption of the Common Agricultural Policy.

Based on Article 39 and 43 of the Treaty of Rome, the plan for a Common Agricultural Policy was adopted in 1962. Over the following years the legislative instruments were established to create an open market for agricultural products within the Community (see Chapter 2.2). It was, however, soon evident that free movement of live animals and meat between the Member States was often hampered and sometimes totally blocked by restrictions issued by the national veterinary authorities to prevent the spread of serious diseases carried by infected animals, and contaminated meat.

The Commission had already anticipated these difficulties in 1960 and had set up a working group 'veterinary legislation', in which DG VI staff met with the Chief Veterinary Officers (CVOs) from the six Member States to discuss the veterinary obstacles to free trade. The CVOs felt that a coordinated veterinary policy was needed in Europe and that the EEC would constitute a good structure for veterinary cooperation. They agreed that harmonisation of the national veterinary legislation was necessary to solve problems related to intra-Community trade. Plans for coordination within the veterinary sector were discussed. It was agreed that Community criteria for veterinary control procedures and methods for protection of health in man and animals, should be based on adequate technical and scientific standards. The Commission, therefore, held meetings with veterinary scientists from the Member States to get their advice and established working groups, in which veterinary experts assisted them to draft proposals for veterinary Directives.

In 1961 a Scientific Veterinary Commission was established, in which scientists from various veterinary sectors advised the Commission on specific problems. Members of the Scientific Veterinary Commission prepared several reports on diagnostic methods and criteria for control of pathogens causing animal diseases.

When Division F.3 started the work on veterinary projects it was assisted by invited specialists from the veterinary institutes in the Member States to deal with specific technical problems. They used their experience from the national work to develop common technical solutions, e.g. for diagnostic procedures and methods of analysis. The methods of choice were often based on comparative trials, which they organised together and carried out in their laboratories. A 'Community trial' resulted often in improved methods and techniques, which were later adopted in the EEC legislation.

The first veterinary Directives were adopted in 1964. The demand for fresh meat increased dramatically in Europe in the 1950s and 1960s and induced rapid growth in trade of animals and meat. It was, therefore, decided to harmonise the veterinary requirements for trade in live cattle and swine and in fresh meat, between the Member States. In 1964 the Council adopted the first veterinary Directives:

- Council Directive 64/432/EEC on animal health problems affecting intra-Community trade in bovine animals and swine;
- Council Directive 64/433/EEC on health conditions for granting temporary and limited derogations from Community health rules on the production and marketing of fresh meat.

This was the first step – modest, but very important – to harmonise veterinary legislation in the Member States. The general principles for veterinary legislation were laid down for the first time (e.g. the responsibility of the exporting Member State, the control procedure, the importance of certification, the safety clause). Its scope was 'partial harmonisation', i.e. the rules were limited to products traded between the Member States. National rules were maintained for production and trade within the country. Considering the limited range it might seem simple for the Member States to implement the EEC rules in their national control systems. It turned out to be difficult. Slaughterhouses and food processing plants had to be reconstructed and technical installations modified. The veterinary meat inspection staffs had to be trained in the new criteria and control methods. It took time.

The main purpose was to prevent serious infectious diseases being spread by trade in cattle and pigs, and by distribution of fresh meat. Predominant diseases were FMD, CSF, ASF, TB and bovine and ovine brucellosis. Considerable numbers of disease outbreaks were notified in the Member States, and veterinary restrictions caused disturbing hindrances to trade. The two Directives had too narrow a scope to reduce the general distribution of these diseases, and they contributed little to their eradication.

In 1965 the Commission adopted two Directives modifying the 1964 Directives on intra-Community trade regarding the procedure for rendering opinions with regard to (a) official licensing of slaughterhouses and carcass-cutting rooms and (b) intra-Community trade in cattle, pigs and fresh meat (6).

Right from the beginning the Commission drafted proposals as Regulations. This was an efficient form to ensure full implementation in the national legislation. But the Council was hesitant to accept this. The Member States preferred Directives, as this allowed for flexibility, when the Community text was transformed to national law. They wanted to preserve their well-worn control procedures, which were suitable for the national production methods. The Council, therefore, always converted the Commission's draft Regulations to Directives. But the Commission ensured full implementation by attaching annexes to the Directives containing precise technical specifications on all important criteria and control methods mentioned in the main text. The annexes were usually transformed into national law without modifications.

(6) OJ No 93, 29.05.1965

In the 1960s the Commission prepared several texts for harmonisation in the meat sector. In 1963 two important proposals were sent to the Council, one on health requirements for intra-Community trade in fresh poultry meat, and later another on health requirements for intra-Community trade in meat products. In 1965 a proposal was submitted to the Council on animal health and public health requirements for imports of cattle and swine and of fresh meat from Third Countries.

Veterinary legislation should be based on Article 43 of the Treaty. At that time the Council did not want full harmonisation, and the Commission accepted a compromise. Veterinary Directives were, therefore, based on two articles, Articles 43 and 100. But the Commission reserved its right to return to this question later and maintained this principle over the many years to follow. Veterinary proposals were always formed as Regulations, and the Council converted them to Directives before they were adopted.

In the Council the proposals were treated by a panel of agricultural and veterinary experts representing the competent authorities in the Member States. In this working group national and common interests were confronted. The drafted texts were thoroughly discussed. Some Member States were reluctant to introduce common veterinary measures. Behind the official and formal difficulties were hidden the simple facts that agricultural producers and traders were not yet ready to comply with the technical requirements as specified in the Directives. They needed time and money to modernise the animal holdings, slaughterhouses, food manufacturing industries and transport systems. And the commercial interests in the exporting and importing Member States were often controversial as mentioned before.

The negotiations in the Council on the veterinary meat Directives went on for several years. Texts were modified, new requirements for guarantees introduced and technical details adjusted. But the simple presence of these texts in the Council had an influence on the food industrialists. They took initiatives to conform to the proposed technical criteria. And during the following 10–15 years slaughterhouses and meat processing plants in the Member States were stepwise modernised and upgraded to Community standards.

Figure 7.1

The Council Resolution of 12 March 1968 laying down the principles for the Common Veterinary Policy

Original version in French

RESOLUTION DU CONSEIL
du 12 mars,
sur les mesures communautaires à prendre dans le domaine vétérinaire
Journal officiel no C 32 du 25/03/1968 p. 16 – 20

LE CONSEIL DES COMMUNAUTES EUROPEENNES
considérant que des progrès ont pu déjà être réalisés en ce qui concerne l'harmonisation graduelle et la coordination de l'action des Etats membres dans le domaine vétérinaire;
considérant que, toutefois, la mise en place d'un véritable marché unique pour les produits qui sont soumis aux dispositions vétérinaires ne pourra être pleinement réalisée que lorsque, dans le domaine vétérinaire, auront été prises des mesures plus complètes qu'il n'a été possible de le faire jusqu'à présent;
considérant que l'intensification du trafic, à la faveur d'une concentration de plus en plus poussée de la production, d'une part, et de la distribution, d'autre part, comportant, notamment, le rassemblement d'animaux et de produits d'origine animale de diverses provenances dans des établissements à caractère industriel et sur les marchés, ainsi que s'accroissement des échanges dû à l'établissement d'un marché unique, ont pour conséquence d'augmenter les risques sanitaires;
considérant que les principes de base des mesures communautaires à prendre dans le domaine vétérinaire sont les suivants:

- garantie d'une protection suffisante de la santé des hommes et des animaux à l'intérieur de la Communauté;
- application de règles communautaires précises en matière vétérinaire limitant les obstacles à la circulation des animaux et produits d'origine animale;
- application de mesures de lutte contre les épizooties afin de limiter les pertes qu'elles entraînent pour l'agriculture de la Communauté et les dépenses publiques qu'elles occasionnent;

considérant que l'Assemblée et le Comité économique et social ont précédemment traité, dans leur avis relatifs aux propositions de Directives qui leur ont été soumises, sur la nécessité d'accélérer l'harmonisation en matière vétérinaire;
considérant que les objectifs précités ne peuvent être atteints que par l'adoption et l'application uniforme de mesures communautaires; que cela ne peut être réalisé que progressivement et qu'il convient, dès lors, de fixer un calendrier des priorités,

1. CONVIENT
que les mesures communautaires dans le domaine vétérinaire doivent tendre, notamment, à la réalisation du programme exposé ci-après:

1. La réalisation d'un marché unique pour les animaux et les produits d'origine animale impose d'urgence la mise en œuvre progressive de mesures communautaires dans le domaine vétérinaire, l'harmonisation des dispositions en vigueur dans les Etats membres et la coordination des mesures à prendre pour protéger la santé des hommes et des animaux.
2. La réglementation communautaire dans le domaine vétérinaire doit permettre la circulation des animaux et des produits d'origine animale à l'intérieur de la Communauté, qu'ils proviennent de la Communauté ou des pays tiers.
   L'introduction de ces animaux ou de ces produits dans la Communauté ne doit pas faire l'objet de mesures plus favorables que celles qui sont applicables à l'intérieur de la Communauté.
3. Cette réglementation doit notamment permettre:
   - l'accomplissement progressif des contrôles à leurs frontières lors des échanges entre les Etats membres et, notamment, des contrôles à leurs frontières en vue d'aboutir aussitôt que possible à l'abolition de ces derniers;
   - le développement ultérieur du régime communautaire applicable aux échanges entre les Etats membres en matière de police sanitaire et remplaçant les régimes actuellement en vigueur dans les Etats membres, dont certains portent parfois interdiction de principe des importations;
   - sans tenir compte des frontières nationales, l'application uniforme des mesures de police sanitaire dans une partie du territoire de la Communauté où apparaît une maladie contagieuse, sur la base des dispositions communautaires existantes et à prendre en cette matière, pour permettre le maintien de la circulation des animaux et produits d'origine animale dans le reste de la Communauté.
4. Pour atteindre ces résultats, il faut, notamment, accélérer les travaux en cours, dans le domaine de l'harmonisation, de telle manière que
   - le Conseil adopte, avant le 31 mars 1968, les propositions de la Commission citées en annexe sous A et qui lui sont déjà soumises;
   - la Commission présente en première urgence, des propositions pour les matières les plus importantes, reprises en annexe sous B;
   - la Commission présente dans les meilleurs délais des propositions pour les autres matières citées en annexe sous C et D.
5. Il est nécessaire que des mesures puissent être prises d'une manière suffisamment rapide et efficace pour faire face aux nécessités de l'agriculture et pour s'adapter à l'évolution de la situation sanitaire en cours; une collaboration étroite et pratique entre les organes communautaires et les Etats membres doit être assurée; dès lors, il faut prescrire le recours à la procédure d'un comité vétérinaire permanent.
6. Les Etats membres sont tenus de fournir à la Commission les renseignements que celle-ci pourrait leur demander en vue de l'accomplissement des tâches qui lui sont imparties dans le cadre des mesures communautaires à prendre dans le domaine vétérinaire. Les demandes de renseignements ainsi que les réponses à ces demandes sont adressées par écrit.
7. La Communauté suit de près l'évolution technique et scientifique dans le domaine vétérinaire en vue de l'évaluer et d'adapter, le cas échéant, les dispositions et mesures communautaires; dans ce but, il faut, notamment, poursuivre et intensifier l'échange d'informations scientifiques des Etats membres entre eux et avec la Commission, dans le cadre de la commission scientifique vétérinaire créée en 1961. En outre, la Commission maintient des contacts avec l'Office International des épizooties et avec d'autres organismes internationaux s'occupant des questions vétérinaires, tels que la F.A.O., l'O.M.S. et l'O.C.D.E.
8. Si le cheptel communautaire est menacé, notamment, par des épizooties dangereuses se déclarant soit dans la Communauté, soit dans les pays tiers, la Communauté peut entreprendre ou soutenir toute action appropriée, en particulier pour lutter contre ces épizooties. En tout cas, la Commission entreprend une étude à cet égard.

II. INVITE
la Commission à lui soumettre des propositions appropriées pour réaliser ce programme.

Fait à Bruxelles, le 12 mars 1968

7.2 THE COMMON VETERINARY POLICY I – PARTIAL HARMONISATION 1969–74

In April 1967 the Council discussed the veterinary situation in the Community. The Member States were worried. At that time intra-Community trade in cattle and fresh meat was interrupted by outbreaks of FMD in the Netherlands and ASF in Italy. After a long debate the Council of Ministers for Agriculture decided that the Community should coordinate the measures to control and eradicate serious epizootic diseases in the Member States. The Commission agreed that harmonisation of the veterinary measures in the Member States was an essential part of the Common Agricultural Policy, and that it would be necessary to harmonise all veterinary legislation. Only in this way could adequate disease control be fully effective, unjustified hindrances to trade be prevented, and free movement of animals and animal products be ensured within a common market.

The Common Veterinary Policy for the EEC was launched on 12 March 1968, when the Council adopted a Resolution on a common policy in the veterinary sector (7). The Community measures should serve the following purposes:

- safeguard the protection of the health of man and animals in the Community;
- apply well-defined Community rules and regulations in the veterinary sector, by which barriers to trade in animals and products of animal origin are reduced to a minimum;
- implement measures to fight animal diseases in order to reduce losses in the agricultural sector and to introduce expenditures borne by the authorities of the Community.

The original French version of the Council Resolution of 12 March 1968 is shown in Figure 7.1 above. The principles for the Common Veterinary Policy are laid down in points 1 to 4, the Standing Veterinary Committee was constituted in point 5, and Scientific Veterinary Commission established in point 7. The EEC can take action to fight epizootics inside and outside the EEC in point 8. In the Annexes to this resolution the Council laid down a detailed working programme for the Commission.

(7) OJ No C 22, 18.03.1968, p.18

In a publication from the EEC Press and Information Service the Commission gave an account of the programme for the Common Veterinary Policy (8) including a survey of the priority, which should be given to the veterinary initiatives and the legal and technical principles to be followed in the future EEC veterinary Directives. The main subjects are described in the following:

- Common definitions of criteria, terms and methods of examination should be laid down.
- The Member State of origin carries the responsibility for issuing the common veterinary guarantees, which the Member State of destination recognises.
- An official veterinary control system and procedure must be organised to ensure that declarations on health and safety of the animal and product are reliable.
- An official veterinary control system and procedure must be organised to ensure that the health status in the herd and region of origin is reliable.
- In order to assure that all guarantees are respected an official veterinarian in the Member State of origin must issue a health certificate for animals and a veterinary public health certificate for animal products which must accompany the consignment from the points of origin to destination.
- A protection clause should be included in all Directives, to permit the veterinary authority of a Member State to restrict or block immediately imports of animals and products of animal origin from another Member State, if there is a risk of spread of animal diseases. This could include all relevant animals and animal products from a region or the whole Member State. These measures should be communicated to the Commission and the other Member States.
- Common rules for arbitration in case of conflicts on veterinary matters should be included in all trade Directives.

During the following years these basic principles were followed in all veterinary Directives harmonising trade, when they were limited to 'partial harmonisation'. The publications from 1969 also brought a list of initiatives which were urgently needed to implement harmonised functions in the veterinary sector:

- A Directive harmonising the rules for import of animals and products of animal origin from Third Countries corresponding with the Directives for intra-Community trade.
- Control of meat for trichinella, antibiotics, estrogens and thyreostatics was regarded as so important that national methods should be accepted, until full harmonisation was achieved within the Community.
- The criteria should be laid down for declaration of TB-free cattle and for the officially TB-free cattle herd. Specifications should be laid down for production and calibration of tuberculins, which are approved for diagnostic purpose.
- The criteria should be laid down for declaration of brucellosis-free cattle and pigs and for the officially brucellosis-free cattle and brucellosis-free pig herd. The diagnosis should be based on uniform, calibrated methods for examination of blood or milk samples.
- A list of notifiable diseases should be established. Animals infected, or suspected of being infected, with these diseases should not be allowed to cross intra-Community borders. The health criteria for breeding and slaughter animals are different.

(8) Die Harmonisierung des Veterinärrechtes – Stand der Arbeiten vom April 1968. Veröffentlichungsdienst der Europäischen Gemeinschaften, 15, 441/1/69/1.

THE STANDING VETERINARY COMMITTEE ESTABLISHED IN 1968

One of the first consequences of the adoption of a Common Veterinary Policy was the establishment of the Standing Veterinary Committee (SVC). It was set up in 1968, when Council Decision 68/361/EEC was adopted. As already described above the SVC would be composed of experts from the Member States under the chairmanship of a representative from the Commission. It would be assigned to deal with veterinary matters in provisions laid down by the Council. It would assist the Commission in giving opinions on matters specified in Council Directives before Commission Decisions were taken.

During the following many years the SVC turned out to be a very useful group, in particular, when emergency actions were needed. Its procedure made it possible to pass Commission Decisions quickly without the time-consuming Council procedure. With this the Council demonstrated its confidence in the way the veterinary services in the Member States and in the Commission treated important common matters. The same procedure was not made possible in the management committees.

The Commission also used the SVC to examine important professional questions arising from the provisions in the veterinary sector. Subjects for the agenda were put forward by the chairman acting on his own initiative or at the request of a Member State. In practice, the SVC served as a forum to discuss the general veterinary and public health situation in the EEC and the strategy and priority of common initiatives. Draft legislation was usually evaluated before it was submitted to the Council to ensure that legal and technical procedures were adequate.

During 1969 the Commission transmitted proposals to the Council: on health standards for fresh meat, on veterinary inspection standards for cattle and pigs in transit across the territory of one Member State to another Member State, a draft resolution on Community measures to combat exotic foot and mouth disease, and a proposal for a Decision taking action to protect Community herds against FMD.

On 6 October 1969 Council Directive 69/349/EEC amending Council Directive 64/433/EEC was adopted, whereby the opinion of the SVC was used for urgent Decisions in the Commission. It was the first Directive, in which the procedure of the SVC was integrated. It was later introduced for all relevant Commission Decisions.

In 1971 Council Directive 71/118/EEC on health problems affecting trade in fresh poultry meat was adopted on 15 February 1971. It followed the general outlines of the Council Directive 64/433/EEC. It covered processing of poultry meat of domestic birds of the species: domestic fowl, turkeys, guinea-fowl, ducks and geese. It set adequate health standards for the new processing systems and strict hygienic criteria and control rules for the products. It was the first veterinary Directive covering both intra-Community trade and import from Third Countries.

The implementation of the agreed measures caused many problems for Member States and Third Countries, and it took years of time-consuming discussions, meetings and negotiations on formal and technical matters, before final agreements were achieved. The Commission asked meat hygiene experts to study various methods of water chilling and propose criteria to ensure proper hygiene. The methods were adopted in Council Directive 78/50/EEC amending Council Directive 71/118/EEC with regard to chilling of poultry meat and the microbiological methods to check the level of hygiene.

Figure 7.2

The Standing Veterinary Committee was set up in 1968, when Council Decision 68/361/EEC was adopted. *It was composed of experts from the Member States under the chairmanship of a representative from the Commission. It assisted the Commission in giving opinions on matters specified in Council Directives, before Commission Decisions were taken. Over the years the Committee has had an important task, in particular, when emergency Decisions were needed.*

English version

COUNCIL DECISION
of 15 October 1968
setting up a Standing Veterinary Committee
(68/361/EEC)
Official Journal L 255, 18/10/1968 p. 0023

THE COUNCIL OF THE EUROPEAN COMMUNITIES

Having regard to the European Economic Community;
Having regard to the draft Decision submitted by the Commission;
Whereas it is desirable that, for cases where the Council delegates powers to the Commission in the veterinary field, a Committee should be set up, consisting of experts from the Member States, for the purpose of ensuring close cooperation between Member States and the Commission and enabling the latter to consult experts;
Whereas it is furthermore desirable that such cooperation extend to all fields covered by Community rules on these matters; whereas that Committee should accordingly be empowered to consider any question relating to such fields;

HAS DECIDED AS FOLLOWS:

Article 1
A Standing Veterinary Committee (hereinafter called the 'Committee') is hereby set up and shall consist of representatives of the Member States with a representative of the Commission as Chairman.

Article 2
The Committee shall, in the cases and under the conditions provided for therein, carry out the duties devolving upon it under the instruments adopted by the Council in the veterinary field.
It may, moreover, consider any other question arising under such instruments and referred to it by the Chairman either on his own initiative or at the request of a Member State.

Article 3
The Committee shall adopt its own rules of procedure.
Done at Luxembourg, 15 October 1968.

For the Council
The President
G. SCHEL

On 21 December 1972 Council Directive 72/461/EEC on health problems affecting intra-Community trade in fresh meat was adopted. It amended Council Directives 64/432/EEC and 64/433/EEC. The aim was to ensure that fresh meat from cattle, swine, sheep, goats and horses was only entered into intra-Community trade, when it originated from healthy animals from disease-free herds. Furthermore, the animals must have stayed for more than 21 days in the Community. Only if these criteria were fulfilled could the meat be marked with an official EEC meat inspection stamp, which would replace the official health certificate.

THE THIRD COUNTRY DIRECTIVE IS IMPLEMENTED

On 12 December 1972 Council Directive 72/462/EEC on health and veterinary inspection problems on importation of bovine, ovine and caprine animals and swine, fresh meat or meat products from Third Countries was adopted. The veterinary control of imports of animals and meat from Third Countries could now be harmonised and made more efficient.

In Council Directive 72/462/EEC the Commission obtained the formal basis to negotiate on behalf of the Member States with the competent authorities of a Third Country on the particular health criteria required for exports of live animals and food of animal origin to the Community. Evidently, the common criteria and guarantees determined the state of health of domestic livestock within the Community. In 1974 the Commission was ready to send the first mission team to Third Countries in order to verify whether the criteria of Council Directive 72/462/EEC were properly implemented. The team was composed of veterinary officers from the veterinary division (DG VI.H.2) and animal health and public health veterinary experts from the Member States. The team was led by a representative from the Commission.

Some of the team were already familiar with the veterinary situation in the country, as their country had for many years imported animals or meat. The mission report presented by the team was studied in the SVC, who gave its advice, before a Commission Decision was adopted with regard to the suitability of the Third Country to export animals and fresh meat to the EEC.

When all criteria were complied with, animals, meat and meat products imported from the Third Countries could be traded inside the EEC on the same terms as products from the Member States. To inspire full confidence in these imports it was agreed that EEC veterinary experts could at regular intervals visit Third Countries to study how the official veterinary service in the Third Country ensured that the criteria of Council Directive 72/462/EEC were implemented.

7.3 THE COMMON VETERINARY POLICY II – FURTHER HARMONISATION 1974–85

TRICHINELLA CONTROL OF FRESH PIG MEAT FROM THIRD COUNTRIES

On 21 December 1976 the Council adopted Council Directive 77/96/EEC on examination for trichinae upon importation from Third Countries of fresh pig meat. All slaughterhouses approved for export to the EEC had to carry out trichinella control according to the criteria mentioned in this Directive. EEC consumers were now protected against trichinoses in meat imported from Third Countries.

ADVISORY VETERINARY COMMITTEE

In 1976 the Commission adopted Commission Decision 76/599/EEC setting up an Advisory Veterinary Committee. The purpose was to establish a formal group, in which representatives from the organisations of the farmers (COPA, COCEGA), animal food producers and food traders could meet staff from the Commission to present their comments and give advice on technical matters relating to development and implementation of veterinary projects. Later representatives from the FVE, consumers and trade unions also were included. On 13 March 1981 the Commission adopted Commission Decision 81/156/EEC amending Commission Decision 76/599/EEC as the legal basis for the establishment of this committee.

INTRA-COMMUNITY TRADE IN MEAT PRODUCTS

Another important step forward in the veterinary public health sector was taken on 21 December 1976, when the Council adopted Council Directive 77/99/EEC on health problems affecting intra-Community trade in meat products. The discussions on this Directive had lasted 13 years. At intervals the text was revised to modernise the technical standards and hygiene criteria for processing and treatment of the products.

Veterinary public health supervision and control of meat products was now clearly dissociated from food quality legislation. In this way it was possible to combine and coordinate properly the meat products Directive and the Directives on fresh meat (Council Directive 64/433/EEC), fresh poultry meat (Council Directive 71/118/EEC) and fresh meat from Third Countries (Council Directive 72/462/EEC). An official veterinarian was responsible for compliance with the veterinary public health requirements.

On 22 January 1980 the Council adopted Council Directive 80/215/EEC on animal health problems affecting intra-Community trade in meat products. This Directive and Council Directive 77/99/EEC were both designed to be extended to imports from Third Countries and production and trade within the Member States, when full harmonisation was possible.

THE STANDING VETERINARY COMMITTEE

On 24 June 1981 the Council adopted Council Directive 81/476/EEC amending Council Directives 64/432/EEC, 64/433/EEC, 71/118/EEC, 72/461/EEC, 72/462/EEC, 77/96/EEC, 77/99/EEC, 77/391/EEC, 80/215/EEC, 80/217/EEC and 80/1095/EEC. And on 24 June 1981 the Council also adopted Council Directive 81/477/EEC amending Council Directives 73/88/EEC, 77/97/EEC, 79/509/EEC, 77/510/EEC, 80/877/EEC, 80/1096/EEC and 80/1097/EEC. These two amending texts introduced the delegation of powers to Commission by way of the Standing Veterinary Committee procedures horizontally into the 18 Council Directives mentioned above. This was an historic moment with the Council delegating a lot of power to the Commission in order that decisions could be taken much more efficiently and rapidly, (see Chapter 3.2.2).

THE SCIENTIFIC VETERINARY COMMITTEE IS FORMALLY ESTABLISHED AND EXTENDED

On 30 July 1981 the Commission established by Commission Decision 81/651/EEC a Scientific Veterinary Committee. It was divided into three sections for animal health, veterinary public health and animal welfare. A Scientific Veterinary Commission had existed on an informal basis since the 1960s. Now it was formally established, structured and reinforced to cover the increasing demands for scientific advice in the specific professional sectors (9).

ANIMAL WELFARE

In 1974 the Council had adopted Council Directive 74/577/EEC on stunning of animals before slaughter. The responsibility for supervision of stunning belonged to the duties of the veterinary meat inspector.

In 1977 the Council adopted Council Directive 77/489/EEC on protection of animals during international transport. On 12 May 1981 the Council adopted Council Directive 81/389/EEC establishing measures necessary for the implementation of Council Directive 77/489/EEC. This Directive was later modified, when Council Regulation (EEC) 3768/85 was adopted following the ratification by the Community of the Council of Europe Convention on the transport of animals.

On 19 June 1978 the Council adopted Council Directive 78/923/EEC (10) with Council Decision on Community accession to the Convention on protection of animals kept for farming purposes. Minimum requirements for calves, pigs and hens kept in battery cages. During the following years the EEC took part in the various working groups organised by the Council of Europe, in which animal welfare experts prepared minimum standards for the protection of animals.

On 3 December 1982 the Council adopted Council (EEC) 3626/82 on conclusion of the European Convention on international trade in endangered wild animals and plants.

On 7 March 1988 the Council adopted Council Directive 88/166/EEC laying down minimum standards for the protection of laying hens kept in battery cages. This was to replace Council Directive 86/113/EEC, which was nullified by the Court of Justice in Case 131/86.

On 16 May 1988 the Council adopted Council Directive 88/306/EEC relating to the conclusion of the European Convention on protection of animals at slaughter.

ZOOTECHNOLOGY

On 25 July 1977 the Council adopted Council Directive 77/504/EEC on pure-bred breeding animals of the bovine species.

On 19 December 1988 the Council adopted Council Directive 88/661/EEC on the zootechnical standards applicable to breeding animals of the porcine species.

(9) 94/C 245/03

(10) OJ No L 323, 17.11.1978, p.12.

EEC MEASURES TO ERADICATE BRUCELLOSIS, TUBERCULOSIS AND VIRAL LEUCOSIS IN CATTLE

In 1977 the Council adopted Council Directive 77/391/EEC introducing Community measures for eradication of brucellosis, tuberculosis and viral leucosis in cattle. Common criteria for control procedures were introduced, and approved diagnostic methods were established. The Member States could now adapt their national eradication scheme to Community standards and thereby qualify for receiving financial support from the EEC. In 1978 the Council adopted Council Directive 78/52/EEC establishing common criteria, principles and requirements for the national eradication schemes and for Community funding.

EEC MEASURES TO CONTROL CLASSICAL SWINE FEVER

On 22 January 1980 the Council adopted Council Directive 80/217/EEC introducing Community measures for control of classical swine fever. Later in 1980 it was amended by Council Directive 80/1101/EEC and by Council Directive 80/1095/EEC laying down conditions designed to render and keep the territory of the Community free from classical swine fever, which was amended on 24 June 1981 by Council Directive 81/476/EEC and by Council Directive 80/1096/EEC introducing financial measures for the eradication of classical swine fever.

On 15 May 1981 the Commission adopted Commission Decision 81/400 on the official CSF status of the Member States. Denmark, Ireland, Luxembourg and the United Kingdom were declared officially free of CSF. Belgium, France, West Germany, Italy and the Netherlands were required to present their national eradication plans. The Virology Institute of the Tierärztliche Hochschule in Hanover was designated Community Liaison Laboratory for CSF on 19 October 1981, when the Council adopted Council Directive 81/859/EEC.

NOTIFICATION OF ANIMAL DISEASES WITHIN THE COMMUNITY

Member States were obliged to notify each other and the Commission about outbreaks or disappearance of certain animal diseases. This was laid down in several Directives, and the provisions had been used for many years. On 21 December 1982 the Council adopted Council Directive 82/894/EEC on notification of animal diseases within the Community. The procedures were completed, reinforced and adapted to technical needs and equipment. The Directive included as a first list of notifiable diseases: foot and mouth disease, rinderpest, contagious bovine pleuropneumonia, bluetongue, swine vesicular disease, classical swine fever, Teschen disease, fowl plague and Newcastle disease. It also was specified how the notification should be carried out, and the information to be communicated. This was the start of the ADNS (see Chapter 9.1).

STRICTER MEASURES TO CONTROL CLASSICAL SWINE FEVER

On 25 May 1983 the Council adopted Council Directive 83/254/EEC amending Council Directive 80/1096/EEC on financial EEC actions to eradicate CSF, and on 31 August 1983 the Council by Council Decision 83/453/EEC adopted a plan designed to reinforce the control measures in case of emergency. Stricter measures were introduced in delimited zones to be designated 'infected areas', in which movements of livestock were controlled, epidemiological investigations enhanced, and pathways of spread of pathogens strictly supervised. Emergency vaccination was permitted in selected areas. As CSF epizootics continued in 1984, the Council adopted Council Directive 84/675/EEC introducing stronger emergency measures in zones designated 'high risk areas', including improved disease surveillance and serological testing in suspect herds. This appeared to give results. By 1985, the incidence of CSF began to decrease.

DIRECTIVES ON EEC VETERINARIANS ADOPTED IN 1978

In 1978 the Council adopted three Directives in order to ensure freedom of establishment and services for veterinarians within the EEC. In Council Directive 78/1026/EEC of 18 December 1978 the criteria for issuing a certificate as veterinary surgeon were specified. The purpose was to harmonise the national rules to ensure freedom of movement of veterinary surgeons within the Community. On 18 December 1978 another Council Directive 78/1027/EEC was adopted to harmonise minimum requirements for the training of veterinary students. The disciplines, which should be included in the veterinary curriculum, were stated in the annex. On 18 December 1978 the Council also adopted Council Directive 78/1028/EEC establishing an advisory committee for veterinary education. The EEC Commission had an interest in the professional qualifications of veterinarians in the Community, as the responsibility for official control of animals and food of animal origin was entrusted to veterinarians.

EEC RULES FOR FINANCING VETERINARY HEALTH INSPECTION AND CONTROL OF MEAT

In several Member States the EEC slaughterhouses lacked veterinary meat inspecting staff to perform the inspections in accordance with the EEC Directives. Some of them employed and paid private veterinarians and technical staffs to ensure a minimum control of the meat. This was not acceptable. They were not qualified, worked outside the official veterinary service, and had no right to issue EEC health certificates. Adequate financial resources were apparently not allocated for this purpose on the national budgets of the public meat inspection service.

On 29 January 1985 the Council, therefore, adopted Council Directive 85/73/EEC on financing of health inspections and controls of fresh meat and poultry meat. It was agreed that the person on whose behalf the animal is slaughtered and the meat imported should contribute to the cost of inspection.

USE OF SUBSTANCES HAVING A HORMONAL ACTION AND A THYREOSTATIC EFFECT PROHIBITED

On 31 July 1981 the Council adopted Council Directive 81/602/EEC prohibiting the use of certain substances having a hormonal action and a thyreostatic effect. This was the first step to control the use of growth promoters for livestock. Two proposals were sent to the Council on common rules for checking for hormonal substances in live animals and meat, and for control of the production and distribution of such substances. They were withdrawn to be adjusted to the recent scientific findings. After long technical preparations a report from an expert working group was sent to the Council, and on 16 September 1985 Council Directive 85/649/EEC on methods to detect residues of growth promoting substances in animals and fresh meat was finally adopted. One year later the Council adopted Council Directive 86/469/EEC concerning the examination of animals and fresh meat for the presence of residues.

EEC RULES FOR INTRA-COMMUNITY TRADE IN HEAT-TREATED MILK

On 5 August 1985 the Council adopted Council Directive 85/397/EEC on health and animal health problems affecting intra-Community trade in heat-treated milk. The Commission had prepared two proposals, one for production of unheated milk, and one for heat-treated milk. The Council combined them into one Directive, as the main purpose was to harmonise EEC rules for intra-Community trade.

7.4 PREPARATIONS FOR THE INTERNAL MARKET 1986–92

The principle of a free internal market was politically accepted in 1986 by the Single European Act and there was no exception for the veterinary sector. The political decision required a large number of modifications to existing practices in the livestock and in the veterinary sector and the application of new measures to reduce the risk related to free movement of livestock and their products.

The veterinarians working in the division 'Veterinary Legislation and zootechnics' of the Commission established rapidly certain principles and objectives as guidelines for new legislation to be prepared and adopted before 31 December 1992 in the areas of animal health, veterinary public health, animal welfare and zootechnics.

A GENERAL PRINCIPLE FOR MOVEMENTS

For the internal market it was agreed that animals and their products should move freely within the Community, except if subject to Community restrictions. This implied that all Member States should have a uniform approach to the problems of animal health, hygiene, zootechnics and animal welfare. Common principles should be agreed for the health conditions and controls, which should be satisfied before animals and their products could move freely. These conditions and controls should relate to or be done at the place of origin. No further, more detailed, conditions would be required, unless there were particular health reasons which might justify additional measures; such measures might be taken following the involvement of the Standing Veterinary Committee.

OBJECTIVES TO BE ACHIEVED

The overall objective for livestock and food production should be to achieve a uniformly high standard of health and hygiene in all Member States before 1993, to reduce the risk attached to free movement of animals and products. Consequently it would be necessary to develop Community rules for all movements of all animals and their products which broadly should be in line with those being applied to national movements. The following general provisions were proposed:

(a) animals and products should be subjected to appropriate inspections and/or controls before moving, as necessary;
(b) animals should be identifiable as to herd of origin under a system agreed at Community level, and be subject to occasional spot-checks for animal health, hygiene, zootechnical and welfare purposes;
(c) breeding and production animals should be accompanied by a 'movement document' issued at the place of origin;
(d) semen and embryos should be identifiable as to herd and collection point of origin under a system agreed at Community level and be accompanied by a 'movement document' issued at the place of origin;
(e) animal products should bear appropriate Community marks, or other suitable identification in the case of certain products, which were obtained under specific production methods and restricted to a specific locality. For the later products certain controls should be in place, with the possibility of supervision by the Commission.

IMPORTS FROM THIRD COUNTRIES

The existing rules for imports had to be updated and extended to take account of the change in rules for the movements in the Community, and apply to all animals and their products. It implied that imports could only take place from countries of a similar health status or which were able to provide health guarantees which would allow free movement throughout the Community of the animals or their products.

It would be essential to reinforce control measures at the Community's external frontiers. And it would be necessary to enhance the role of the inspectorate to ensure that the Member States implemented the control measures effectively and cooperated closely with the other Member States and with the Commission.

DRAFTING AND ADOPTION OF VETERINARY LEGISLATION

At an early stage of the planning of the internal market it was concluded that the dismantling of existing trade barriers between the Member States would require a major input from the Commission with regard to new legislation. About 300 proposals were identified of which 77 were in the veterinary field: animal health, public health, zootechnics and animal welfare. During the preparation of the proposals the 'Division for Veterinary legislation and Zootechnics' was reinforced by 6–8 experts made available from the Member States. This reinforcement of staff contributed greatly to the progress of the work and the possibility to comply with established targets and deadlines. However, the rapid progress made by the EU

Institutions concerning the preparation and adoption of EU legislation created major problems for certain Member States in 'catching-up' with transposition of new legislation. With the aim to step up the rate of implementation of the Single Market legislation in the Member States, the Commission examined and published frequently the progress made within this area. A study carried out in 1990 by the Commission showed that out of 23 animal health-related Directives only eight (35%) had been implemented in all 12 Member States and most Member States were facing infringement procedures (see Table 7.1). In response to pressure from the Commission concerning better compliance with the EU legislation several Member States established new efficient administrative procedures at government level to clear these backlogs.

Table 7.1

Implementation of single market veterinary legislation in 1990 in relation to 23 animal health-related Directives

Member State	Directives implemented	Facing infringement procedures
Belgium	15	5
Denmark	23	0
Fed. Rep. Germany	21	1
France	21	1
Greece	18	4
Ireland	18	3
Italy	13	9
Luxembourg	20	2
Portugal	18	2
Spain	18	2
The Netherlands	20	2
United Kingdom	20	2

The provisions of most of the legislation adopted from 1986–92 are elucidated in the relevant chapters in this publication, but to illustrate the diversity of the legislation adopted prior to 1993 a few examples are listed in Table 7.2.

Table 7.2

Examples of legislation adopted in preparation for the internal market within the areas of animal health, foodstuffs, trade, animal welfare and zootechnics

Veterinary legislation	EU Directives
1. Areas of animal health	
Foot and mouth disease	90/423/EEC
African Horse Sickness	92/35/EEC
Avian influenza	92/40/EEC
Newcastle disease	92/66/EEC
Exotic diseases	92/119/EEC
2. Foodstuffs	
Food inspection	89/397/EEC
Residues of pesticides in food	90/642/EEC
Fishery products	91/494/EEC
Rabbit and game meat	91/495/EEC
General food safety	92/59/EEC
3. Trade	
Bovine semen	89/437/EEC
Horses	90/426/EEC
Poultry and hatching eggs	90/539/EEC
Aquaculture products	91/67/EEC
Sheep and goats	91/68/EEC
4. Animal welfare	
Laboratory animals	86/609/EEC
Laying hens in battery cages	88/166/EEC
Transport – general	91/629/EEC
Keeping of calves	91/629/EEC
Keeping of pigs	91/630/EEC
5. Zootechnical aspects	
Bovines	87/328/EEC
Pigs	88/661/EEC
Sheep and goats	89/361/EEC
Equides	90/427/EEC
Other animals	91/174/EEC

The completion of the large number of proposals by the end of 1989 was celebrated by the staff in the 'Division for Veterinary Legislation and Zootechnics', situated at Rue de la Loi 86. All were proud of the success in harmonising veterinary legislation within the given deadline and each staff member received on this occasion from the head of Division, Dr Jan Jansen, a bottle of wine (see Figure 7.3).

Figure 7.3

The bottle of wine was presented by Jan Jansen, head of the veterinary legislation and zootechnics division to staff members on the occasion of completing the proposals for creating the internal market. Each bottle was initialed with a capital J.

The bottle carried the following text on the blue label with 12 stars:

MARCHE INTERIEUR
31.12.1992
APPELLATION: DIVISION LEGISLATION VETERINAIRE.
MISE EN BOUTEILLE DANS LA REGION DE PRODUCTION: RUE DE LA LOI 86.

It is important to note that the horizontal principles concerning the veterinary control instruments for the movement, including imports/transit of live animals and products thereof, were kept when the legislation under the new food chain concept was adopted in 2002–04. The details concerning these instruments are given in Chapter 10.1.

7.5 THE FOOD CHAIN ('FARM TO FORK') CONCEPT 1992 TO DATE

In the aftermath of the BSE and the Dioxin crisis the confidence of the EU consumer in the EU's food safety policy was rocked. In addition, the experience of the Commission's own inspection service, which visited Member States on a regular basis, had shown that there were wide variations in the manner in which Community legislation was being implemented and enforced. This indicated that consumers could not be sure of receiving the same level of protection across the Community. Furthermore, over the last decade enormous developments in both methods of food production and processing had been made, thus also requiring an update on control methods to ensure that acceptable safety standards were being met.

The new concept for the controls needed to be based on continuous risk assessment, in particular to new foods, technologies and hazards. Taking into consideration the cause of the different crises it also became evident that the new concept had to cover the whole of the food chain, starting at the farm and including animal feed production, in order to establish a high level of consumer health protection. The primary responsibility for safe food production had to be attributed to industry, producers and suppliers too.

A key to the transparent production of safe food was to be able to monitor the production chain up-and downstream, thus leading to the traceability requirement.

All of those issues were reflected in the White Paper of the EC in 2000. The EC's answer to the different problems was expressed by proposing 80 separate actions which were to be accomplished over the next few years.

One of the core actions was a new legal framework for food including feed with the ability to trace products through the whole food chain. Empowerment to take rapid and effective safeguard measures in response to health emergencies throughout the food chain will be an important key issue. In addition, to foster closer cooperation with the Member States, a Community framework for the development and operation of national control systems will be developed based on existing best practices and the experience of the Commission's inspection services. The cooperation with the Member States in case of hazards would be supported by a community-wide electronic rapid alert system.

The establishment in 2002 of the European Food Safety Authority advising the Commission on new or necessary food standards as well as collecting and analysing risks will likewise promote a dialogue with consumers and keep them better informed about emerging food safety concerns. This also applies for food quality and constituents as regards the food labelling requirements.

Being the world's largest importer/exporter of food products the EU's new concept and rules have an effect on the Union's trading partners in the world. An active role for the Community in international bodies will be an important element in explaining European developments in food safety but also assist the partners if they still need to reach the EU standards.

The implementation of all the measures proposed in the White Paper will enable food safety to be organised in a more coordinated and integrated manner with a view to achieving the highest possible level of health protection.

Legislation will be reviewed and amended as necessary in order to make it more coherent, comprehensive and up-to-date. Enforcement of this legislation at all levels will be promoted.

Greater transparency at all levels of food safety policy is the thread running through the whole White Paper and will contribute fundamentally to enhancing consumer confidence in EU food safety policy.

This approach takes into account that, with the new production procedures of modern agricultural production and processing, biological and/or chemical contamination and/or residues in food find their origin at the farm or may be introduced at any stage of the production and processing chain. Undesirable substances or pathogens should not find their way onto the consumer's plate.

The details of the food hygiene package are presented in Chapter 10.2.7.

8

PRINCIPLES OF CONTROLS FOR THE INTERNAL MARKET

The Farm to Fork approach requires a comprehensive set of veterinary standards, controls and checks. The systems established to ensure the protection of consumers, animals and the environment are illustrated by Figure 8.1 below.

The first system (A in Figure 8.1) applies to the internal market and concerns the standards and norms applicable for the trade and exchange of goods between MS. Harmonisation has progressed further in the area of VPH than in the animal health domain. The process of harmonisation in VPH within the EU now covers and includes all production, distribution and sales activities, or any other form of supplying the Community market, now called placing on the market. The current rules for all these activities are agreed at supranational level, even those linked with production for the local or domestic market. Consequently, norms and standards for the whole production chain have been adopted. The only difference between production for the Community market and the local domestic market is the variation in technical standards and not in the hygiene requirements and standards. For example, less strict requirements concerning building structures, production facilities and other technical standards apply to industries producing exclusively for the local market, but they also face restrictions concerning the quantities they are allowed to produce daily, weekly, monthly and annually.

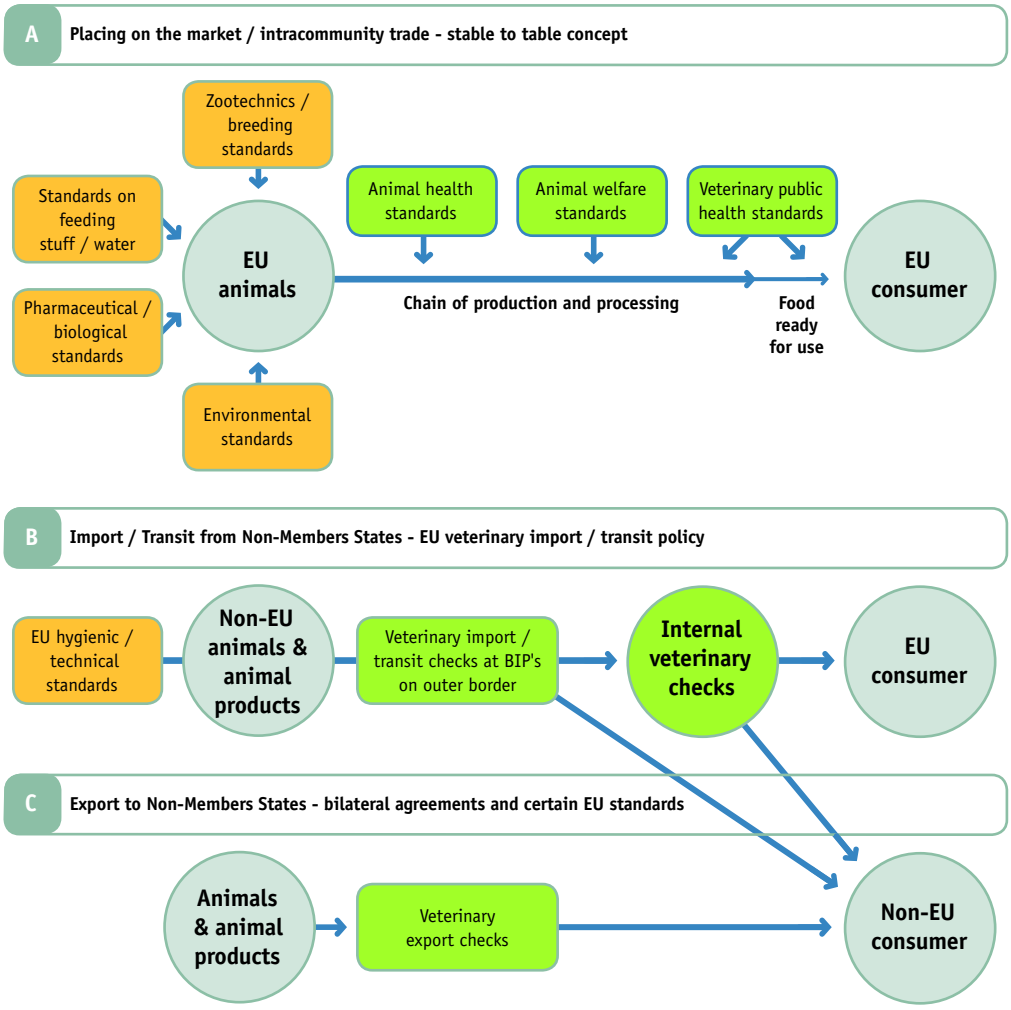
In this context, the Member State in which a product is produced or processed has full responsibility for the product's compliance with all the veterinary requirements, conditions and guarantees laid down by Community legislation. Establishments have to register with their competent veterinary authority and must be approved, if required by EU legislation. The competent authority has to supervise the product processing and check that controls are adequately performed. If consignments are sent to another Member State these checks apply to both sides: as well as checks at the consignment's place of origin, non-discriminatory, random checks may be carried out at the place of destination. For operators of establishments the obligation to carry out constant verification (self-supervision) was added to – but in no way replaces or reduces — the existing official controls. Although this reinforced system has been in place since January 2005, self-supervision appears so far to have made little impact on the industry.

To enhance communication between the competent authorities in the Member States, an electronic network was set up in 1992 and has been further developed since. More than 2 000 offices are now linked by the 'TRACES' (formerly ANIMO) and 'Rapid Alert' systems (see Chapters 8.2 and 8.4). Whereas TRACES and the former system allow information to be communicated on the consignment prior to its arrival, the latter is used to inform Member States about problems or risks concerning food which does not meet food safety requirements or which is improperly labelled and so may pose a risk to consumers. The objective is to prevent those foodstuffs being placed on the market, or to recall them or avoid the introduction of with the same risk into the EU from Third Countries.

MS have to report the results of their checks to the EC annually, on both the dispatched consignments and the consignments received from other MS. Commodities introduced from Third Countries have to be entered into the TRACES system at the moment of their presentation to the Veterinary BIP.

Figure 8.1

The EU veterinary systems on the protection of consumers, animals and the environment



The second system (B in Figure 8.1) concerning the common import and transit policy is described in Chapters 10.2.3 and 10.2.4 and 8.3 on 'The EU Veterinary Import and Transit Checks System'. The basic principle in VPH is that the EU does not require more from its trading partners outside the Community than what is required internally. In this context the important criteria – which are described in detail in Chapter 8.3 – are that:

- the exporting Third Country is listed and its residue control plan is approved by the EU;
- the Third Country establishments are approved for exporting to the EU, meet the listed technical and hygiene approval conditions of the Community and have a permanent inspection and monitoring system, installed and run by the competent veterinary authority of the exporting country;
- each consignment must be accompanied by the relevant EU health certificate, which has been issued by the competent service of the exporting country, guaranteeing that the consignment is in full compliance with the EU import or transit conditions and requirements.

The third system (C in Figure 8.1) is the export system, which up till now is only harmonised if the Community has agreed veterinary export conditions and rules bilaterally with its trading partners, also taking into account veterinary checks and production systems. See also Chapter 10.2.5 on 'International Veterinary Agreements with Third Countries'. In principle, a Member State cannot export to a Third Country any product that is not eligible to be marketed within the EU. According to the legislation, an exception can be made if the Third Country's relevant authorities explicitly agree that the product can be imported, in full knowledge of the circumstances that prevent it being placed on the EU market.

Completion of the internal market entailed suspension of veterinary checks at the Community's internal frontiers. In the legislation, the emphasis has been placed on the checks to be carried out at the place of origin and in the organisation of those that could be carried out at the place of destination. These provisions imply increased confidence in the veterinary checks carried out by the state of origin. The latter must ensure that such veterinary checks are carried out in an appropriate manner. In the state of destination veterinary checks may be carried out at the place of destination. However, in the event of a serious presumption of irregularity (suspicion), veterinary checks can also be carried at any place during transport between the place of origin and the place of destination. Furthermore, provision must be made for protective measures in this area, especially for reasons of effectiveness. Whilst the responsibility rests firstly with the Member State of origin, the Commission must be able to act speedily and is empowered to take safeguard measures as described in more detail below.

CHECKS AT ORIGIN

Concerning veterinary checks to be carried out on live animals and products it is clearly defined that they are no longer carried out at frontiers between the MSs. Council Directives 90/425/EEC and 89/662/EEC apply respectively for live animals and animal products.

Concerning products of animal origin the check points at origin are the approved or registered establishments. They are subject to constant 'self-supervision' by the responsible of the establishments and to regular official 'checks' of the 'authority' competent to carry out checks in order to satisfy it that animals and 'products' intended for intra-Community trade or placing on the market are compliant with the EU requirements.

Basic principles concerning the control of intra-Community trade are laid down in Article 4 paragraph 1 of Directive 89/662/EEC, first indent of the Directive: "products are checked in a same way, from a veterinary point of view, whether they are intended for the national market". Appropriate measures to penalise any infringement of legislation must be taken.

To authorise the move from one to another Member State, products must satisfy the requirements of the relevant Directives and in particular those concerning marking and labelling, health certificates and/or any other documents.

Because of the particular situation of Iceland or in cases where animals and products from other EEA States may be brought into the territory of the EU, places such as ports and airports are mostly border inspection posts with Third Countries at the same time. In this case, Art. 7, para 1, a) indicates that 'certificates or documents accompanying the animals and products' are checked' in order to determine the origin of the consignment. This is the only complete contradiction to the principle of 'checks are no longer carried out at frontiers'. However, according to Art. 7, para 2, this disposition is no longer valid when all animals or products are transported by means of transport providing a regular and direct link between two geographical points of the EEA. Experience shows that, in the case of islands, the documentary checks still applied for a large part of live animals and products moved.

CHECKS ON ARRIVAL AT DESTINATION

While checks are no longer carried out at frontiers they 'may' be carried out at the places of destination and are not compulsory. Established in a non-discriminatory principle, some Member States give them a certain importance.

The consignees have been given a lot of responsibility in the efficiency of these checks. They shall keep a register, in which the deliveries are recorded, with the health certificates or documents in addition, they must report the arrival of products to the competent authority in advance and notify the competent authority of any irregularity or anomaly in particular concerning the identification, marks, certificates or documents.

8.1 PLACING ON THE MARKET

Placing on the market simply means that the rules for production and movement inside a Member State are the same as those required for intra-Community trade, i.e. placing on the single market. There are no rules for the placing on the market of live animals, except for aquaculture and circus animals.

The new Hygiene Regulations (Hygiene Package of 2002 – see Chapter 10.2.7) do not really change the situation as regards placing on the market as all the old Directives concerning public health already catered for the placing of products on the single market. Indeed Council Directive 71/118/EEC on health problems affecting the production and placing on the market of fresh poultry meat was the first to cater for this concept and was already in force in 1971. The others were changed during the lead-up to the single market to allow for this. For example Council Directive 64/433/EEC on health conditions for the production and marketing of fresh meat was only amended to allow for the single market by Council Directive 91/497/EEC amending and updating Council Directive 64/433/EEC on health problems affecting intra-Community trade in fresh meat to extend it to the production and marketing of fresh meat and amending Council Directive 72/462/EEC only a few months before the completion of the single market. Council Directive 77/99/EEC concerned health problems affecting the production and marketing of meat products and certain other products of animal origin which laid down health rules for the production and placing on the market of meat products and other products of animal origin intended, after treatment, for human consumption or for the preparation of other foodstuffs.

On the animal health side for products of animal origin, Council Directive 2002/99/EC lays down harmonised animal health rules for the single market by replacing the requirements previously laid down in a number of Directives concerning health problems in intra-Community trade such as Council Directives 79/461/EEC and 80/215/EEC (see Chapter 10.2.2).

In addition there were other Directives such as Council Directive 74/409/EEC on the harmonisation of the laws of the Member States relating to honey. As can be seen from the title, this approximated laws between Member States and so in practice fulfilled the placing on the market requirements.

8.2 INTRA-COMMUNITY TRADE

Live animals (except for aquaculture) are not placed on the market as described earlier and the internal rules (during peace time) for their movement inside a Member State are legislated under their own national rules. Certain requirements to sustain the single market are laid down at Community level, such as animal identification, farm registration etc. Traceability is a key component of animal health control. Hence animals must be appropriately identified to ensure that when animals are presented for dispatch to another Member State, they can be subsequently accounted for on arrival at the place of destination and traced back if necessary.

Because there are no border controls for movements between Member States, non-discriminatory spot checks are carried out at the point of origin and at the destination according to Council Directive 90/425/EEC, as last amended, to ensure that consignments are in compliance with the guarantees provided by the health certificate. Thus in contrast to meat and other products a health certificate must still accompany

all animals being moved between Member States (intra-Community trade). This makes the Animal Health Certificate a very important part of the legislation as it puts the onus for ensuring that requirements are met for trade on the veterinarian signing the certificate and on the veterinary administration in the Member State of origin. Veterinary frontier controls relating to intra-Community trade in live animals and animal products were phased out in 1993 and replaced by the following measures, implemented by the Member States:

- traceability, registration and identification of holdings and animals (see Chapter 9.3);
- application of harmonised control and eradication measures in relation to diseases of major economic importance (see Chapter 6.1);
- checks on, and controls at the farm of origin or place of dispatch in line with current legislation governing the pre-movement tests and examinations to be carried out;
- rapid communication systems between Member State veterinary services, enabling notification of the movements of animals and certain of their products, so allowing random checks at destination. ANIMO and TRACES were developed for this purpose (see Chapter 9.2).
- If assembly centres or markets are involved, additional veterinary certification is required.

The Commission has drafted proposals to the Council to include live animals in placing on the market legislation but this has so far not been accepted by the Member States.

8.3 IMPORTS FROM THIRD COUNTRIES

The general health requirements applicable to imports of animals are laid down in a number of Council Directives and Regulations. In order to be able to import into the Community a Third Country must be approved and listed for the commodity concerned (see also Chapter 10.2.3 Third Countries). In addition to the general health requirements laid down in the Community legislation for animal and public health aspects specific requirements for individual animal species and their products are also required which take into account such issues as the evolving disease situation in exporting countries that may pose a risk to animal health in the EU.

The basic import requirements for live animals basically mean that, for animals, the country must have been free of those diseases to which the animals are susceptible:

- for the previous 12 months, in respect of cattle plague, contagious pleuro-pneumonia, bluetongue, ASF and contagious porcine paralysis (Teschen disease), peste des petits ruminants, epizootic haemorrhagic disease, sheep pox, goat pox, Rift Valley Fever, AHS;
- for the previous 12 months ND;
- for the previous three years AI;
- for the previous six months, in respect of contagious vesicular stomatitis.

and in which, during the preceding 12 months, vaccination against the diseases referred to above to which these animals are susceptible has not been carried out.

Similarly, the import requirements for meat and certain meat products not fully treated, basically mean that the country must have been free of those diseases to which the animals are susceptible:

- for the previous 12 months, those of the following diseases to which the animals from which the meat has come are susceptible: rinderpest, ASF, classical swine fever, contagious porcine paralysis (Teschen disease), AI and ND;
- and in which no vaccinations have been carried out for the previous 12 months against these diseases, except Newcastle disease and in some cases avian influenza.

These requirements and more specific ones are set out in the health certificate which must accompany consignments into the EU and which must be signed by the competent authorities – usually an official of the veterinary services (veterinary surgeon) in the Third Country – to signify that the consignment complies with all the requirements in the health certificate prior to dispatch. Furthermore, Member States may require additional guarantees for certain diseases e.g salmonellae for meat (Sweden for public health purposes) or Infectious Bovine Rhino-tracheatis (Italy – one specific zone – for animal health purposes). These are all laid down in EC legislation (see Chapter 6.4).

A number of guidance documents have been prepared by DG SANCO:

- on certain key questions related to import requirements and the new rules on food hygiene and on official food control: *http://ec.europa.eu/food/international/trade/interpretation_imports.pdf*
- for Third Country authorities on procedures to be followed when importing live animals and animal products into the EU: *http://ec.europa.eu/food/international/trade/guide_thirdcountries2006_en.pdf*
- on the implementation of the main General Food Law requirements: *http://ec.europa.eu/food/food/foodlaw/guidance/index_en.htm*
- on Council Regulations (EC) 178/2002, 852/2004, 853/2004 and on flexibility with regard to HACCP-based systems: *http://ec.europa.eu/food/food/foodlaw/guidance/index_en.htm*

It is important to highlight that Regulation (EC) 882/2004 authorises the Commission to request Third Countries to provide accurate and up-to-date information on their sanitary and phytosanitary regulations, control procedures and risk assessment procedures with regard to products exported to the EU. This is fully in line with Article 7 and Annex B of the World Trade Organisation's Agreement on the Application of Sanitary and Phytosanitary Measures (15 April 1994). In future, the Commission might request Third Countries to present such information. However, to assist Third Countries, the Commission is establishing guidelines on how such information shall be presented.

EU food law requires mandatory submission of information on:

- residues of veterinary medicinal products and other pharmacological active substances used to treat animals;
- zoonotic diseases.

As already mentioned, EC approval may cover either all, or part, of a Third Country (regionalisation or zoning) reflecting the animal health situation and the nature of the animals/products for which approval for export to the EU is sought. The EU is the world leader in this area and many Third Countries have been regionalised. Further details are given in Chapter 6.2 on regionalisation.

In most cases, an on-the-spot inspection by the Commission's services – the FVO – is required before approval can be considered. This is designed to evaluate whether the animal health situation, the official services, the legal provisions, the control systems and production standards meet EU requirements and the certification guarantees to be given to safeguard the EU are reliable.

For most commodities, the national authorities must demonstrate that the following fundamental principles are satisfied, before approval can be considered:

- The animal health situation satisfies EU import requirements of the animals/products in question.
- They can provide rapid, regular, information on the existence of certain infectious or contagious animal diseases on their territory, in particular those diseases mentioned in the list of the OiE (in particular the old list A); concerning live animals the country must be a member of the OiE.
- There is effective legislation on the use of substances, in particular those with pharmaceutical effects, concerning the prohibition or authorisation of substances, their distribution, release onto the market and their rules covering administration and inspection.
- There is an acceptable programme to monitor for the presence of certain substances and the residues thereof in the live animals and animal products for which export approval is sought.
- Their veterinary services are capable of enforcing the necessary health controls.
- There are effective measures to prevent and control certain infectious or contagious animal diseases.

These requirements for listing a country are laid down in a number of Directives including the basic animal health Council Directives 2002/99/EC (in particular Article 8) and 2004/68/EC (in particular Article 4), and Regulation of the European Parliament and of the Council (EC) 854/2004 (in particular Article 11).

In addition, for animal products intended for human consumption, the national authorities must guarantee that the processing establishments proposed for approval satisfy EU requirements.

For most commodities, where a request for approval is received by the Commission, a preliminary questionnaire, relating to the animals/products in question, will be sent to the national authorities. This is designed to assess whether the requirements outlined in this document can be satisfied and to gather information prior to a possible on-the-spot inspection by the FVO.

Where the information provided by the national authorities is considered satisfactory, and the FVO's inspection leads to a favourable recommendation, the Commission will adopt the necessary legislation to grant approval for imports after receiving a favourable opinion of the SCOFCAH.

Again, the Third Country should be a member of the OiE, and have systems in place for the rapid detection, reporting and confirmation of OiE-listed diseases. It will have to give a formal undertaking to notify the European Commission of outbreaks of these diseases within 48 hours of confirmation.

The Third Country must either have its own laboratory facilities that will allow this detection and confirmation to take place, or have agreements in place with suitable laboratories in other countries.

The extent to which the animal disease situation will affect whether approval can be considered, or what conditions are linked to the approval, varies according to the type of animal or product concerned. For example, imports of live domestic biungulate animals have not been authorised from countries which vaccinate against FMD, or where the disease is present. On the other hand, for fully treated milk and meat products, this would not cause a problem. Further details are given in the Annexes dealing with specific imports.

Animal disease control systems, whose operation and outcome must be recorded and demonstrable, must be in place. These would, for example, have to include the registration of holdings, animal identification and movement controls, so that compliance with EU health certification requirements can be confirmed.

Contingency plans for the control and/or eradication of OiE former list A disease outbreaks should be in place and operational (the nature and extent of these plans will depend upon the nature of the animals or products for which approval is sought).

For live animal imports, a range of supplementary disease control/eradication programmes, as well as testing to demonstrate freedom from certain diseases, and reflecting the type of animals concerned, will have to be in place.

It should also be noted that for some animal products, additional animal health controls may be required. For example, meat from countries where FMD vaccination is practised may have to undergo additional maturation procedures (including de-boning) to ensure virus destruction, whilst minimum treatment requirements are established for meat products to reflect the animal disease situation in the country concerned. The Third Country's import policy, including controls, and the animal health situation in neighbouring countries, will be taken into account.

Before a request to allow imports into the EU can be accepted, the animal health situation for the animals/products concerned must have been assessed as acceptable. Details of animal health import requirements for existing countries and animals/products can be found in the certification attached to the relevant EU legislation in their Annexes.

The EU has detailed legislative controls in place over the use of, and monitoring for, a wide range of veterinary drugs and other substances in all classes of animals and products intended for human consumption. Legal controls over prohibited substances in respect of the animals and products intended for export must be in place in the Third Country.

It is a fundamental requirement for all Third Countries wishing to export to the EU that they have in place a monitoring programme for these substances that meets the requirements of this legislation in respect of the animals and/or animal products concerned. This programme must be submitted to the European Commission for initial approval.

Subsequently the results of each year's programme, together with an updated programme for the coming year, must be submitted to the European Commission on an annual basis. Laboratory facilities, meeting the standards in EU legislation, must be available. It may be acceptable for the monitoring programme, and controls over prohibited substances, to be limited to the sector supplying products for export to the EU.

This would require effective registration, control, tracing and identification procedures, with a reliable, transparent, monitoring system in place, to be established. These procedures and system would be the subject of special evaluation as part of the approval process carried out by the EU.

It is essential that the national authority (often referred to as the 'competent authority') is able to deliver the level of veterinary controls required. Any shortfall would mean that approval could not be considered, or that an existing approval might have to be revoked.

As mentioned above and as part of the approval process, a detailed questionnaire, relating to the sector for which approval is sought, is sent to the national authority. Amongst the various issues raised, the following are of particular importance in evaluating the authority's performance:

- *Management structure* – this must ensure that there are adequate communication links between central, regional and local official services. The central authorities, who are answerable for standards, must be able to exercise control over regional and local services.

- *Independence* – the official services must be independent of outside pressures, and be able to carry out their duties without undue restrictions. Individual officials must enjoy a status that ensures their independence from commercial concerns, and must not be dependent upon them for their livelihood.
- *Resources* – all levels of the official services, including border controls and laboratories, must have sufficient personnel, financial and equipment resources to allow them to carry out their control functions.

- *Personnel* – all staff must enjoy an independent status within the official services. Where external staff is used, arrangements must be in place to ensure that they have the same degree of independence and accountability as full-time officials.

- *Recruitment and training* – the competent authority must be able to show that vacancies are promptly filled, and that the operation of the official services is not damaged by shortages of suitably qualified personnel. Training programmes, so that the staff carries out their duties properly, should be in place, and properly recorded.

- *Legal/enforcement powers* – these must be available to, and used by, the official services. The powers must be enshrined in national legislation and allow these services to carry out their control functions in an effective manner.

- *Prioritisation and documentation of controls* – official services should have written systems in place to prioritise their control activities, reflecting the risks posed by the different stages of the production chain. The planning, performance and outcome of these controls at central, regional and local levels should be recorded so that compliance with EU standards can be demonstrated. Ideally, internal audit systems should be in place to monitor the operation of these controls.

- *Laboratory services* – there should be a properly resourced laboratory network, including a central reference laboratory, enjoying a status independent from producers/processors, and covering the whole country. It might, however, be acceptable to use laboratory facilities in other countries where these can be shown to offer the same level of service. Specific EU rules governing the operation and capabilities of these laboratories for particular production sectors must be respected. The duties of the laboratory network should be clearly established, as should reporting procedures when non-compliant results are detected. Links with international or EU reference laboratories should be established. The central competent authority must be able to direct the activities of the laboratory service which are relevant to the production sector concerned, even where it is not part of the same management structure.

- *Import controls* – there must be effective import controls in place at the points of entry to the Third Country. These must be properly staffed and resourced, and provided with the necessary legal powers to take control and enforcement action. In particular, the reception, handling, storage and onward transmission of animals and products intended for despatch to the EU, or for use in the production of EU-status products, must meet EU requirements and avoid risk of cross-contamination by non-eligible animals and products.

- *Animal health controls (general)* – there must be an effective system for the detection and notification of animal diseases relevant to the animals/products for export. This should include epidemiosurveillance measures, farm registration, animal identification and movement controls, so that the eligibility of animals used in the manufacture of EU status products can be demonstrated. It may also require disease monitoring, control or eradication programmes to be in place.

- *Food safety controls (general)* – details of the zoonoses covered by national legislation, and the control action taken, should be provided. Coordination procedures between animal and public health authorities should be in place. Systems should be in place to record the actions taken, and their outcome, when zoonotic pathogens are identified.

Standards in individual establishments proposed for approval must be at least equivalent to the requirements of the relevant EU legislation. These are the same as those laid down for establishments in Member States. The main legislation for each production sector is given in the relevant annexes to this document.

It is particularly important that the national authority is confident that the above standards are met before an establishment is put forward to the Commission for approval. If this is found not to be the case at any subsequent on-the-spot inspection, this will reflect unfavourably on the evaluation of the authority's ability to deliver EU standards.

Particular attention must be paid to the installation and operation of an effective official control system, including documented records of control actions and their outcome, as this is essential if confidence is to be established in the establishment's ability to comply with EU standards.

Officials in processing establishments must be able to act independently of operators. There must be supervisory systems over these officials at regional and central levels.

As a general principle, establishments must meet EU standards during EU production runs, and can meet national standards at other times. In all cases, this issue should be clarified during inspection visits by the FVO.

Third Countries applying for authorisation to export live bovines, or products of bovine, ovine or caprine origin have to apply for determination of their BSE status. The current import measures regarding all forms of TSE are transitional awaiting the final categorisation of countries according to their BSE status. These transitional measures are based on the Geographical BSE Risk (GBR) assessment procedure.

No TSE-related import requirements apply for GBR I countries listed in point 15 of Annex XI to Regulation (EC) 999/2001 laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies, as last amended. Those countries have to certify that the products of bovine, ovine and caprine origin are derived from animals born, continuously reared and slaughtered in the listed countries.

Non-GBR I countries have to comply with the following TSE-related import conditions.

- For the import of products from bovine, ovine and caprine origin:

  the countries will have to certify the absence of specified risk material, and that the animals are not stunned by pithing or gas injection, and the products do not contain mechanically recovered meat from ruminant bones.

- For the import of live bovine animals from those countries:

  those countries will have to certify the implementation of a feed ban (mammalian to ruminants) and a system for permanent identification of the animals exported to EU.

A new simplified procedure for categorisation of countries has been adopted by the OiE. The simplified categorisation system has three categories and will be based on a risk assessment and an active surveillance programme, including for countries with a negligible BSE risk. Countries are being categorised according to these criteria.

The following sequence is generally followed to add a country to a list for a particular commodity (although it may vary according to the animal/product concerned):

- The national authority submits a formal request for approval to the Commission services. This should include at least the following information:

  (a) type of animal/product for which approval is sought. Full details of all animal-origin products should be given
  (b) anticipated volume of trade and main importing EU countries
  (c) class of animals (e.g. breeding, fattening, slaughter) involved
  (d) description of minimum treatment (heat, maturation, acidification etc.) applied to the products
  (e) number and type of establishments considered to meet EU requirements. It should also include confirmation that all proposed establishments satisfy EU requirements.

- The Commission acknowledges request and sends the relevant questionnaires.
- The national authority submits completed questionnaire, with the proposed residues monitoring programme for approval, and with copies of the national legislation applicable to the animals/products concerned (if English or French translations are provided this will speed up the processing of the dossiers).
- Bilateral contacts are undertaken between the national authorities and the Commission to resolve outstanding issues.
- If the Commission is satisfied with the information provided, an on-the-spot inspection is (in most cases) organised by the FVO.
- Following completion of the FVO inspection, a copy of its report is sent to the national authorities, the relevant Commission services, the European Parliament and the Member States.
- If the outcome of the mission is satisfactory, and any other outstanding issues have been resolved, the Commission prepares draft legislation:

  (a) to approve the residues monitoring programme;
  (b) to add the Third Country to the list of Third Countries from which imports of the animal/product are approved;
  (c) to draw up the necessary animal health certification based on the country or part of the country's health situation to accompany imports (generic public health certificates are already laid down in Community legislation);
  (d) to set up an initial list of approved establishments where necessary.

- The proposed legislative texts are adopted by the Commission, and published in the Official Journal, after a favourable opinion of the Standing Committee on the Food Chain and Animal Health has been received.
- If an implementation date is not specified in the legislative text, it will be the date the text is officially notified to the Member States by the Commission.

Information on import of meat is given in the Tables 8.1- 8.4.

Table 8.1

Bovine meat by trade partner

Main trade partners	EU imports				Avg annual growth
	million Euro		% of total		
	1995	2005	1995	2005	
Extra-EU	**1 021**	**1 440**	**100%**	**100%**	**3.5%**
Brazil	247	790	24%	55%	12.3%
Argentina	405	389	40%	27%	-0.4%
Uruguay	72	104	7%	7%	3.8%
Namibia	34	45	3%	3%	2.9%
Australia	30	37	3%	3%	2.0%
Rest	235	77	23%	5%	-10.6%

Source: Eurostat COMEXT 20 September 2006 (S.R. 4)

Table 8.2

Pig meat by trade partner

Main trade partners	EU imports				Avg annual growth
	million Euro		% of total		
	1995	2005	1995	2005	
Extra-EU	**47**	**47**	**100%**	**100%**	**-0.1%**
USA	2	17	5%	37%	22.1%
Chile	0	11	0%	24%	122.6%
Australia	8	10	17%	22%	2.4%
Norway	0	4	0%	8%	39.6%
Japan	0	1	0%	3%	—
Rest	37	3	78%	7%	-21.6%

Source: Eurostat COMEXT 20 September 2006 (S.R. 4)

Table 8.3

Sheep and goat meat by trade partner

Main trade partners	EU imports				Avg annual growth
	million Euro		% of total		
	1995	2005	1995	2005	
Extra-EU	**528**	**1 087**	**100%**	**100%**	**7.5%**
New Zealand	462	899	88%	83%	6.9%
Australia	41	81	8%	7%	6.9%
Bulgaria	4	29	1%	3%	20.6%
Argentina	3	23	0%	2%	24.1%
Uruguay	9	17	2%	2%	7.0%
Rest	9	38	2%	4%	16.0%

Source: Eurostat COMEXT 20 September 2006 (S.R. 4)

Table 8.4

Poultry meat by trade partner

Main trade partners	EU imports				Avg annual growth
	million Euro		% of total		
	1995	2005	1995	2005	
Extra-EU	**557**	**1 220**	**100%**	**100%**	**8.2%**
Brazil	90	731	16%	60%	23.3%
Thailand	46	305	8%	25%	20.9%
Bulgaria	22	60	4%	5%	10.5%
Chile	5	45	1%	4%	24.2%
Argentina	2	28	0%	2%	28.3%
Rest	392	51	70%	4%	-18.4%

Source: Eurostat COMEXT 20 September 2006 (S.R. 4)

8.4 EXPORTS FROM THE EU

The first rules affecting exports were laid down by Commission Decision 93/444/EEC of 2 July 1993 on detailed rules governing intra-Community trade in certain live animals and products intended for exportation to Third Countries. This was foreseen as part of the needs for the single market if consignments of animals had to transit another Member State or Member States with the correct guarantees and to ensure that the point of customs exit was aware of the consignment. In addition if the animals were not admitted to a Third Country and had to be returned to the EU then allowance had to be made to ensure the appropriate additional guarantees were available to ensure the safe slaughter in the Member State where the slaughtering occurs.

For the purposes of this Decision, (a) exist point means any place situated in close proximity to the external frontier of one of the territories listed in Annex I to Council Directive 90/675/EEC (5) (now Council Directive 97/78/EC) offering customs supervision facilities; (b) Member State of destination means the Member State where the exist point is situated.

The Member States of origin shall ensure that each consignment of animals is accompanied by health certificates, as provided for in Article 3(1) (d) of Council Directive 90/425/EEC, which contain, where necessary, the additional guarantees provided for by Community legislation for animals intended for slaughter.

Where incidents occur during transport or where the consignee Third Country refuses a consignment, the Member States of transit or destination, where they enjoy additional guarantees under Article 3(1) (e) (iv) of Council Directive 90/425/EEC, may adopt all the measures provided for in Article 8(1) (b) of Council Directive 90/425/EEC or may require that the animals be dispatched to the nearest slaughterhouse with a view to their slaughter.

The Member State of origin shall ensure that each consignment of animals or products is accompanied by veterinary documents and/or veterinary certificates meeting the veterinary requirements of the Third Countries of destination.

However, where the competent authorities of the Member State of origin do not have the requisite information available, and particularly where there is no bilateral agreement between the Member State of origin and the Third Country of destination, the competent authority of the Member State of origin shall complete the certificates referred to in Article 4 of Decision 93/444/EEC by adding the entry 'Animals or products exported to (name of Third Country)'.

The certificates must be drawn up in at least one of the languages of the Member State of origin and at least one of the languages of the Member State of destination indicating the consignee, the natural or legal person actually carrying out the exit formalities at the exit point, and the place of destination, the exit point from the EU. These notifications were carried out using in the past the ANIMO and later on the TRACES system.

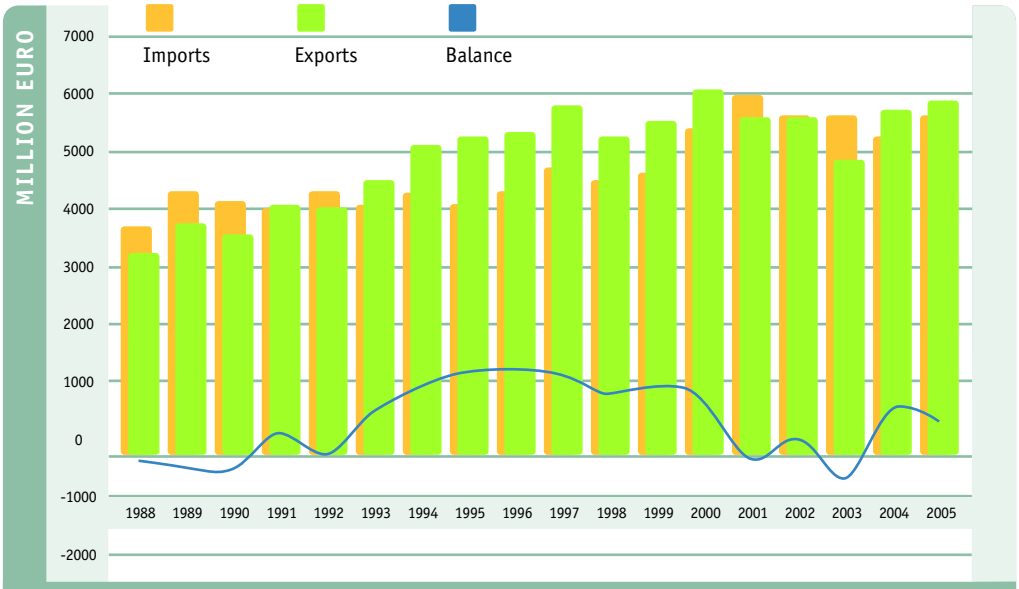
The main responsibilities for exports stayed with the individual Member State in spite of the legal powers given to the Commission under the Treaty as the Commission was not in a position to undertake this very large area of work. However, over the years specific agreements began to be laid down giving the responsibility jointly with the Council and the Commission in these negotiations (see Chapter 10.2.5).

In addition Member States often asked the Commission for help in renegotiating export requirements and this often proved to be very useful as many Third Countries were concerned with the application of the EC control systems of the single market and wanted additional safeguards and explanations which the Commission was best placed to give, e.g. the Memoranda with the Russian Veterinary Services.

EU trade in livestock is relatively balanced, with a surplus of €0.3 billion in 2005 resulting from imports worth €5.6 billion and exports worth €5.9 billion, see Table 8.5. Additional information on exports from the EU is given in Figure 8.2 and the Tables 8.6 – 8.9.

Figure 8.2

EU imports and exports of livestock (beef and veal, pigs, sheep, poultry) EU-25, 1988–2005



Source: Eurostat COMEXT 20 September 2006 (S.R. 4)

Table 8.5

EU livestock trade figures

	EU imports				EU exports				Trade balance		
	million Euro			% total	million Euro			% total	million Euro		
	1995	2004	2005	2005	1995	2004	2005	2005	1995	2004	2005
Bovine meat	1 021	1 358	1 140	26%	1 124	370	331	6%	103	-988	-1 109
Pork meat	47	88	47	1%	1 624	2 510	2 540	43%	1 577	2 422	2 493
Sheep & goat meat	528	955	1 087	19%	21	20	19	0%	-507	-935	-1 067
Poultry meat	557	1 083	1 220	22%	783	833	826	14%	226	-250	-394
Other livestock	1 953	1 766	1 810	32%	1 677	1 992	2 184	37%	-276	226	374
Total livestock	**4 106**	**5 251**	**5 603**	**100%**	**5 229**	**5 726**	**5 900**	**100%**	**1 122**	**475**	**297**

Table 8.6

Bovine meat exports by trade partner

Main trade partners	EU exports				Avg annual growth
	million Euro		% of total		
	1995	2005	1995	2005	
Extra-EU	**1 124**	**331**	**100%**	**100%**	**-11,5%**
Russia	247	151	22%	46%	-4,8%
Angola	6	16	1%	5%	9,5%
Switzerland	12	15	1%	5%	2,6%
For. Yugo. Mac	1	15	0%	4%	29,8%
Tunisia	7	13	1%	4%	7,1%
Rest	851	121	76%	37%	-17,7%

Source: Eurostat COMEXT 20 September 2006 (S.R. 4)

Table 8.7

Pig meat exports by trade partner

Main trade partners	EU exports				Avg annual growth
	million Euro		% of total		
	1995	2005	1995	2005	
Extra-EU	**1 624**	**2 540**	**100%**	**100%**	**4,6%**
Japan	689	892	42%	35%	2,6%
Russia	225	346	14%	14%	4,4%
USA	172	268	11%	11%	4,6%
Romania	5	223	0%	9%	47,4%
South Korea	53	214	3%	8%	15,0%
Rest	481	596	30%	23%	2,2%

Source: Eurostat COMEXT 20 September 2006 (S.R. 4)

Table 8.8

Sheep and goat meat experts by trade partner

Main trade partners	EU exports				Avg annual growth
	million Euro		% of total		
	1995	2005	1995	2005	
Extra-EU	**21**	**19**	**100%**	**100%**	**-0,7%**
Switzerland	11	9	52%	49%	-1,2%
Tunisia	0	2	0%	10%	—
Andorra	1	2	3%	8%	8,7%
Norway	0	1	2%	4%	8,5%
Russia	1	1	3%	3%	-2,0%
Rest	8	5	40%	26%	-5,0%

Source: Eurostat COMEXT 20 September 2006 (S.R. 4)

Table 8.9

Poultry meat exports by trade partner

Main trade partners	EU exports				Avg annual growth
	million Euro		% of total		
	1995	2005	1995	2005	
Extra-EU	**783**	**826**	**100%**	**100%**	**0,5%**
Russia	127	124	16%	15%	-0,3%
Switzerland	54	101	7%	12%	6,4%
Saudi Arabia	113	85	14%	10%	-2,8%
Hong Kong	56	38	7%	5%	-3,7%
Benin	8	35	1%	4%	15,8%
Rest	425	443	54%	54%	0,4%

Source: Eurostat COMEXT 20 September 2006 (S.R. 4)

9

COMPUTERISED SYSTEMS IN THE EU ANIMAL DISEASE NOTIFICATION SYSTEM AND INTERNAL MANAGEMENT SYSTEM FOR DECISIONS

CHAPTER 9 CAN BE FOUND ON THE CD-ROM.

10

CURRENT EU ACQUIS AND COMPONENTS FOR THE IMPLEMENTATION OF THE FOOD CHAIN ('FARM TO FORK') CONCEPT

CHAPTER 10 CAN BE FOUND ON THE CD-ROM.

11

THE EVOLUTION OF THE VETERINARY SERVICES AT EU HEADQUARTERS

1st Community Veterinary Mission to a 'Third Country', Canada, 11-30 November 1975.(Front row): Dr J Rivière (F), B Hogben (COM), Dr R Berti (I), L Green (UK), Dr S Van der Meijs (NL); Directorate F(FVO), Grange, Ireland

11.1 THE COMMISSION

11.1.1 FROM 1957–81: THE DEVELOPMENT OF LEGISLATION WITHIN THE COMMISSION'S DIRECTORATE-GENERAL FOR AGRICULTURE

When the Common Agricultural Policy was adopted in 1962, Sicco L. Mansholt, Member of the EEC Commission, was responsible for Agriculture, and Louis George Rabot, Director General, was head of DG.VI.B Agriculture. It was under their leadership that the Commission established and developed administrative structures for the purpose of preparing and implementing Regulations to create a single market for agricultural products. Directorate C headed by Berend Heringa was responsible for Marketing of Animal Products. It was divided into three units: Division C.1 being responsible for live animals and meat, Division C.2 for milk and milk products, and Division C.3 for poultry and poultry products. Their duties were to regulate the production and marketing of animal products in the Member States.

In 1963 a new Directorate F, headed by H.-B. Krohn, was established within DG.VI to take care of agricultural legislation. Within Directorate F a special office, Division F.3, got the responsibility for harmonising the legislative, regulatory and administrative matters in the Member States. It was headed by Heinrich Steiger, a German lawyer, who after several years in the Commission, was familiar with the agricultural situation within the Community. When the EEC decided to harmonise the sector of national veterinary legislation, Steiger took up this pioneering work and drafted the texts for the first EEC veterinary Directives. It was in this period that the Commission's veterinary activities became closely linked with the plans for the open inner market.

Steiger had in his unit two lawyers, Gaston Wanzeele from Belgium and Hans Hoffmann from W. Germany. He needed manpower and expert advice when he was dealing with the many technicalities in the veterinary sector. The Commission had already in 1961 established a Scientific Veterinary Commission to get professional advice from experts representing the veterinary services and institutes in the Community. Among the first chairmen of this Commission were Professors Réné Willems and Henri Drieux. The first veterinary Directives on animal health criteria for trade in cattle and pigs and for production and marketing of fresh meat were prepared in Division F.3 by Steiger and his staff.

In 1963 the Commission organised regular consultations with the CVOs, i.e. the heads of the veterinary services and the veterinary public health services in the Member States. This cooperation turned out to be very useful. The CVOs felt that time had come to improve and coordinate the functions of the national veterinary services and veterinary public health services in the European countries.

The CVOs already cooperated internationally. Since 1927 they met regularly in the International Commission of the OiE based in Paris to coordinate the functions of the national veterinary services, in particular with regard to control and eradication of serious livestock diseases and standardisation of international animal health certificates.

The CVOs also met regularly at meetings organised by the FAO. When the FAO in 1951 moved its headquarters to Rome, an Animal Health Department was set up within the Agricultural Division. In 1953, when the European Commission for Control of Foot-and-Mouth Disease (ECC-FMD) was established, its secretariat was affiliated to the Animal Health Department of the FAO. The CVOs from the six Member

States were early members of the ECC-FMD, where they took part in the work to plan and organise the measures to prevent, control and eradicate FMD in Europe. In the 1960s the CVOs were convinced that the EEC would constitute an effective infrastructure for common measures to control animal diseases and produce safe food in Europe.

In 1967 Division F.3 was transferred to Directorate A within DG.VI and split into two units. Unit 1 headed by Heinrich Steiger got the responsibility for veterinary legislation, and unit 2 headed by Rudolf Graeber for phytosanitary legislation. Their work was given high priority, and the two units had direct reference to the Director General.

In 1966 the first veterinarian, Faustino Contardo from Italy, was appointed to Steiger's unit. There were four secretaries. The office was situated at 12, Avenue Broqueville. The CVOs were aware of the lack of veterinary staff in a period when many legislative projects were in preparation. They appointed veterinarians from their own office staff to take part in the meetings of the working groups 'veterinary legislation'. In addition, Division F.3 invited many experts to join ad hoc working groups, which were set up to produce technical documentation for the drafting of veterinary legislation. This explains how it was possible for Steiger and his little group within a few years to draft a number of important veterinary Directives, e.g. on intra-Community trade in cattle and pigs, and in fresh meat.

The structure of the legal veterinary texts followed the general frame of EEC legislation, but the composition followed as far as possible the principles of the national veterinary legislation. Detailed technical methods, criteria and rules were gathered in annexes attached to each Directive. In the animal health sector the annexes contained the recognised methods of diagnosis, and the procedures for control of diseases. In the veterinary public health sector the annexes included rules on veterinary supervision and inspection in slaughterhouses, criteria for construction of buildings, function of installations and machinery, and requirements for processing and treatment of food.

The work in the veterinary unit was intensified in 1968, when the Council adopted a Resolution on the Common Veterinary Policy for the EEC, see figure 7.1. The basic principles for the veterinary legislation were outlined, and the first veterinary working programme issued.

In 1968 the Council adopted Council Decision 68/361/EEC setting up a SVC (see Figure 7.2). In the SVC veterinary experts from the Member States met under chairmanship of a representative from the Commission. The veterinary unit in Division DG.VI.F.3 functioned as the secretariat of the SVC. The SVC gave opinions on matters, which were specified in Council Directives, before Commission Decisions were taken. The SVC was a very useful group, in particular for Decisions on emergency actions. Commission Decisions could be taken quickly without the time-consuming Council procedure. In accepting this, the Council demonstrated its confidence in the way the joint veterinary services of the Member States and the Commission treated common matters. A similar procedure was not possible in the management committees. The Commission also used the SVC as a forum to discuss the general veterinary and public health situation in the EEC and the strategy and priority of common initiatives. Draft legislation was evaluated, before it was submitted to the Council to ensure that legal and technical procedures were adequate. Subjects for the agenda were put forward by the chairman acting on his own initiative or at the request of a Member State.

Steiger retired in 1970. The following year a new head of the veterinary legislation unit, Gero Daleiden, a German lawyer, was appointed. There was an extension of staffs, when Jean Paul Bourjac, a French lawyer, was appointed. In Daleiden's period the veterinary legislative work was expanded to new sectors. In 1971 the Council adopted a Directive on trade in poultry meat, and in 1972 it was followed by two Directives. One was on health problems affecting intra-Community trade in fresh meat, the other on health and veterinary inspection problems upon importation of bovine animals, swine, and fresh meat from Third Countries. The implementation of these texts took several years.

In 1972 DG VI.F.3 entered into negotiations with three countries, United Kingdom, Ireland and Denmark, applying for membership. Their representatives participated as observers in the Commission meetings. When they entered the Community, Daleiden could recruit more veterinary staff, Brian Hogben, a British veterinarian, and Joseph Caffrey, an Irish veterinarian. Gero Daleiden left the veterinary unit on 1 June 1973.

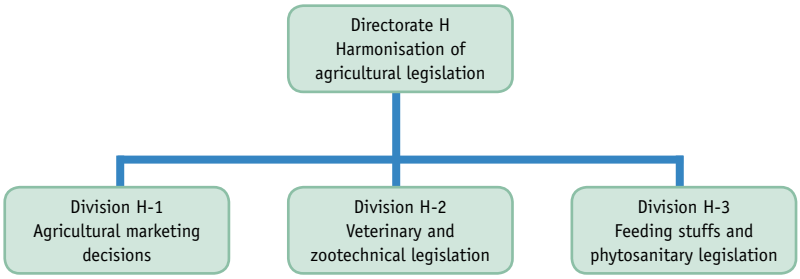
The Commission now reorganised DG.VI. On 1 October 1973 a new directorate, Directorate H, - Harmonisation of agricultural legislation was established. The head of DG.VI, Maurice Barthelemy, a French lawyer, had worked several years in DG.VI. Hans Jørgen Bendixen, a Danish veterinarian, headed Division DG.VI.H.2 - Harmonisation of veterinary and zootechnical legislation. Division DG.VI.H.3 headed by Rudolf Graeber, a German lawyer, took care of harmonisation of feeding stuffs and phytosanitary legislation (see Figure 11.1).

Right from the beginning the DG.VI.H.2 had to deal with a number of animal health problems related to the enlargement. The animal health status in the old six and the three new Member States differed, in particular with regard to FMD and CSF. If the EEC insisted on maintaining the principle of free intra-Community trade between all nine Member States, the consequence would be a deterioration of the animal health status in the United Kingdom, Ireland and Denmark. Nobody wanted that, and a solution had to be found. The negotiations on their Treaty of Accession resulted in a short-term solution based on a set of temporary derogations with regard to intra-Community trade. The three new Member States were allowed to keep their national rules for import of live cattle and fresh meat. But a veterinary barrier to trade now separated them from the old six, and the Commission had to find a satisfactory long-term solution. It was evident that it was necessary to introduce Community measures to control and eradicate some serious animal diseases, before the internal market for live animals and animal products could be fully achieved. This became a major part of the work in Division DG.VI.H.2 over the coming years. This is dealt with in Chapter 5.

The Commission was also responsible for introduction of common measures to protect the EEC against animal diseases and harmful substances in food of animal origin imported from countries outside the Community. It was with this in mind that the 'Third Country Directive' was adopted. The animal health and veterinary public health guarantees issued by the authorities of the Third Countries should be equivalent to those of the relevant EEC Directives. However, until common rules were introduced, the Member State continued negotiating the import conditions with the exporting Third Country on a bilateral basis.

Figure 11.1

Organigram showing the establishment in 1973 of Division H-2: Harmonisation of veterinary and zootechnical legislation.



The Commission got the right to contact and visit the competent veterinary authorities in the Third Countries to ensure that they respected the requirements of Council Directive 72/462/EEC. In 1973 DG.VI.H.2 started preliminary discussions with some of the important meat exporting Third Countries, e.g. Australia, New Zealand, Argentina, Uruguay and Brazil. Several Member States had imported from them for many years. It appeared that the current criteria and animal health and veterinary public health guarantees were quite different. The Commission now entered further negotiations with each Third Country, and it was decided to establish formal contact with the veterinary authority and pay fact-finding visits to veterinary offices and institutes, meat production plants and animal holdings. The information would then be discussed in the SVC to draw up common health requirements.

The first delegation from the EEC Commission to a Third Country went to Australia and New Zealand in 1974. As Commission representative, Dr. Hans Bendixen was leader and spokesman of the delegation. The other members were experts from the Member States: Dr. Werner Eckerskorn, CVO, Germany; Graham Wight, senior veterinary inspector, United Kingdom; Evans Dexter, senior veterinary inspector, Ireland; and Gjulio Massa, senior veterinary meat inspector, Italy. The experts had experience in national control of imports from Third Countries. In this way the EEC had access to a wide range of background knowledge, when visitations were carried out on the spot. Back in Brussels the observations were reported to the SVC, who gave its advice on a proposal for a Commission Decision on the suitability and criteria for imports to the EEC.

During the following years DG.VI.H.2 sent delegations to Third Countries from which Member States imported live animals and fresh meat. In 1976 the Commission drew up the first list of Third Countries from which imports of live animals and meat could be authorised. It was submitted to the Council, where the negotiations took time. It was finally adopted by Council Decision 79/542/EEC and the Commission could organise the work programme for implementation of the Third Country Directive.

In 1980 the Commission sent a veterinary delegation to the People's Republic of China (PRC). The PRC slaughtered about 90 million pigs annually, and wanted to export surplus pig meat to countries in Europe. Some Member States were interested, and it was the task of the delegation to gather information about the animal health and the veterinary public health situation in PRC. Leader of the delegation was Dr. Hans Bendixen, EEC Commission. Members were N. Benimeo, senior veterinary officer, Italy; Arno Geissler, senior veterinary officer, W. Germany; Robert S. Hedger, senior veterinary scientist, United Kingdom; G. Vallier, veterinary inspector, France; L. Zegers, senior veterinary inspector, the Netherlands; W. Daelman, veterinary officer, EEC Commission; and J. Niederberger, veterinary officer, EEC Commission. The delegation visited veterinary offices, laboratories, field stations and faculties in the four provinces of Hupei, Kiangsu, Chekiang and Shantung and the municipality of Shanghai, where pig production was especially intensive. The health situation among the pigs in the establishments and holdings visited appeared to be good. The Chinese authorities assured that PRC was free from exotic types of FMD, ASF and Teschen disease, and that CSF only occurred sporadically.

Figure 11.2

The first veterinary delegation from the EEC Commission to Third Countries went to Australia and New Zealand in 1974.

From the left Gjulio Massa, senior veterinary meat inspector, Italy; Evans Dexter, senior veterinary inspector, Ireland; Dr. Hans Bendixen, Commission representative and leader of the delegation; Dr. Werner Eckerskorn, CVO, W. Germany; and Graham Wight, senior veterinary inspector, United Kingdom. The delegation visited slaughterhouses, cutting premises and cold stores and studied in particular the veterinary meat inspection service and certification system for export to the Member States.

Figure 11.3

The next EEC veterinary delegation to the Third Countries went to Argentina, Uruguay and Brazil.
The delegation is here on an air trip into the interior of Uruguay to study the veterinary FMD surveillance system and the practices of field vaccination. From the left: The pilot, Dr Hans Bendixen, EEC Commission; Professor Louis Dhennin, France; Arno Geissler, senior veterinary officer, W. Germany; and Dr. Enzo Caporale, Italy. The procedures for deboning and maturation of meat were discussed with the veterinary meat inspection services of the three countries.

Figure 11.4

An EEC veterinary delegation visited People's Republic of China in 1980 and is here received by the staff of the veterinary institute in Shanghai.
Delegates from the EEC are (No. from left) are Arno Geissler (1), G. Vallier (4), W. Daelman (6), L. Zegers (11), Bob Hedger (12), J. Niederberger (13), Hans Bendixen (14) and N. Benimeo (16).

Figure 11.5

The EEC delegation visited the canning factory Ma Ling in Shanghai and had a conference with chief veterinary inspectors about meat inspection, facilities and techniques in slaughterhouses, cutting plants and cold stores, where meat and meat products for export were processed.
The delegates seated on the left are G. Vallier, Arno Geissler, Mr. Ho Chonpei (interpreter), Hans Bendixen, L. Zegers and J. Niederberger.

A new Regulation for meat hygiene and veterinary meat inspection in conformity with Council Directive 72/462/EEC was in preparation. Some slaughterhouses could be upgraded to EEC standards. The delegation concluded that imports of fresh, deboned pig meat from certain regions of PRC would be possible, if the meat was transported directly to a manufacturer, where it was heat-treated. It was an understanding that the animal health situation in the regions mentioned remained satisfactory, that any serious diseases were immediately reported, and that the veterinary diagnostic laboratories applied internationally recognised methods for control of viral, bacterial and parasitic infections, and checked regularly for presence of residues of pesticides and other toxic substances in meat.

DG.VI.B.4 – Harmonisation of Veterinary and Zootechnical Legislation – was established in 1979. In 1979 the activities of DG VI - Agriculture - were extended. The title of DGVIH was changed to DG.VI.B Agricultural Legislation. Maurice Barthelemy continued as director. Division DG.VI.H.2 changed title to DG.VI.B.4 Harmonisation of Veterinary and Zootechnical Legislation. Head of division was still Hans Jørgen Bendixen. The staff was extended, with three more veterinarians: Evans Dexter, Roland Masia, and Fritz Wolff. Later on two more veterinarians were appointed: Brian Marchant and Thomas Golden. Legal matters were dealt with by Jean-Jacques Bouflet, who was later succeeded by Jean Guegan.

In 1981 the Commission decided to establish a Scientific Veterinary Committee. The old scientific veterinary commission had functioned informally since 1961 and had been very useful to the Commission. Now the range of the work in DG.VI.B.4 was widened, and the panel of scientific experts was extended. A restructured Scientific Veterinary Committee was constituted by Commission Decision 81/651/EEC. It had three sections; one was dealing with animal health, one with veterinary public health, and one with animal welfare matters. The chairman of each section was nominated by the Commission, while the members were appointed based on proposals from the Member States.

The animal health section dealt with the many problems related to the epizootics of FMD, CSF and ASF, which were propagating in several Member States, in particular the many questions concerning the value of the vaccination schemes for prevention of FMD and CSF. And there were many technical questions to solve in relation to the national eradication schemes for tuberculosis, brucellosis and leukosis in cattle.

The veterinary public health section was involved in problems caused by the increasing use of growth promoters for fattening of animals. Substances with hormonal or thyreostatic effect were implanted in the animals or added to feeding stuffs. Residues and metabolites of these substances were found in meat and other animal products. Some hormones were similar to those produced by the animal organism, other were synthetic like diethylstilbestrol, or foreign to mammals like zeranol and trenbolone. The section gave advice on health risks related to the use of these substances, and a working group was established to study this. The problem of residues of antibiotics and pesticides in animal products was also taken up. The fundamental principles for Community legislation prohibiting the use of the most dangerous substances were laid down in Council Directive 81/602/EEC. It was a first step into a sector, which received increasing public attention.

Figure 11.6

Picture of a meeting in the Scientific Veterinary Committee.
Chairman is Dr. J. Leunen, Belgium. Dr. Bendixen represents the Commission assisted by Evans Dexter (left) and F. Contardo (right). Behind the chairman Maurice Barthelemy, director of DG.VI.H, appears to learn whether progress has been made. The subject is probably vaccination against FMD.

Figure 11.7

The EEC veterinary delegation visited Botswana to study the animal health situation and the possibility of export of fresh bovine meat to the Community.
From the left (No.): Louis Dhennin (1), Graham Wight (2), Mr Falconer, CVO in Botswana (5), Jan Jansen (8), F. Contardo (9) and T. Gaede (10). Botswana had a large production of cattle. 'Exotic' FMD occurred, and Botswana organised a control scheme dividing the country into zones separated by heavy, double-fenced barriers to control movements of wildlife and cattle. FMD was prevented by systematic vaccination, and cattle raised in FMD-free zones were processed in a modern slaughterhouse with installations for correct maturation and deboning of meat. The FMD situation in Botswana was satisfactory, and the SVC came to the conclusion that fresh meat could be imported from Botswana.

The new animal welfare section was soon faced with several problems, which reflected increasing public interest: the treatment of animals during the long transports within the Community and the welfare of livestock in the modern, intensive production establishments. In 1981 a working group was established to deal with the problem of laying hens kept in battery cages. Later on came systems for intensive rearing of calves, fattening of pigs and production of broilers.

DG.VI.B.4. was secretariat for the SVC and summoned emergency meetings, when common Decisions relating to control and eradication of diseases were taken. This work was facilitated, when the Council in 1982 adopted Council Directive 82/894/EEC introducing the EEC ADNS. The Division was now responsible

for organising and managing the ADNS. It was essential for the free flow of animals and animal products within the Community that the Member States informed each other immediately about outbreaks, or suspected outbreaks of the serious contagious diseases. Now the ADNS made it possible to act quickly and eliminate a disease, before secondary outbreaks developed and, thereby, to limit the restrictions to a minimum. In the early 1980s the refined IT was not yet available in the veterinary offices of the Member States and the Commission. Instead, the telefax systems were used to send coded communications. The fax system was replaced by a computerised technique as soon as possible.

In the early 1980s the DG.VI.B.4 drafted plans for ANIMO. The purpose was to ensure that the origin and identity of all livestock in the Community was always controllable. This was regarded necessary for the veterinary control functions in relation to intra-Community trade and EEC eradication schemes for serious animal diseases. It took years before ANIMO legislation was adopted and implemented.

At that time the limiting factor for DG.VI.B.4 was manpower. The division had scarcely enough staff to prepare and follow up the many proposals for new legislation. Commission representatives were chairmen in the meetings of the SVC and the working groups; and a Commission representative had to participate in all meetings in the Council, the Parliament and its working committees, and the Social and Economic Committee, when veterinary matters were on the agenda. The national plans for eradication of contagious diseases were supervised by the Commission, and veterinary staff went on missions in all parts of the Community. Each veterinary staff member in the Division was in charge of at least two main disciplines. It was modest manning in a Community of 10 Member States.

DG.VI.B.5 – Veterinary Inspection – was established in 1979. The regular EEC visiting service was a large enterprise for the DG. VI.H.2, even when additional, veterinary staff was employed. In 1979 the Council accepted that a new veterinary division, DG.VI.B.5 - Veterinary Inspection was established in the Commission. The activities will be described in the following. It was also decided that all shipments of animals and animal products should be passed through EEC licensed frontier stations with an examination centre, where official EEC veterinarians checked the identity and inspected the products.

The new Division DG.VI.B.5 headed by Jean-Paul Bourjac was in charge of veterinary visitations in Third Countries and Member States. It was the beginning of a new veterinary function at the Commission. The duty of the Division was to ensure that Community legislation was properly implemented. High priority was given to veterinary animal health and public health visitations in Third Countries according to Council Directive 72/462/EEC. Later on veterinary visitations in the Member States were included, and also extended to a wider range of Community legislation, e.g. animal welfare.

The Commission had requested nine permanent A grade officials and 12 temporary A grade officials. However, the Council only granted 12 temporary posts and authorised the Commission to recruit agents on short-term contracts only. Thus, a veterinary inspection regime was set up with a reduced number of veterinary inspectors. Five were recruited in the autumn of 1979: Wilem Daelman, Carlo Berlingeri, Ivo Filipinni, Patric Dewevre and John Wilson and another two in January 1980: Jurgen Baumer and Joerg Niederberger.

Council Decision 80/15/EEC established a set of rules for the veterinary inspections, defining the circumstances under which inspections would take place and their frequency. It was also stated that the Commission should only carry out inspections in the presence of experts from the Member States, and that reports should be submitted to the SVC. The Decision was to apply for a period of three years. The Veterinary Inspectorate would carry out checks on the implementation of the main Council Directives, i.e. 72/462/EEC (importation of cattle, swine and fresh meat from Third Countries), 71/118/EEC (fresh poultry meat), 64/433/EEC (red meat establishments) and 77/96/EEC (meat products). Checks were also planned to supervise the disease control and eradication schemes (TB, BR and EBL). Due to limited staffing these actions were postponed to 1984.

The inspectors underwent a three-month training period, which was coordinated by experts from the United Kingdom, Denmark and Italy. The training focused on veterinary inspections in Third Countries. It dealt with animal health problems related to bovine animals and swine, and public health issues of fresh meat. As part of their training they visited the Member States. Then, the initial inspections were carried out outside the Community. The missions started in 1980 with a visit to South America. It was soon evident that the Member States had applied the rules of the Third Country Directive differently, when they imported from these countries. The Commission, therefore, proposed amendments to Council Directive 72/462/EEC to clarify the text and to alter certain criteria taking account of technological advances and special types of production, while health protection standards were maintained. In certain specific cases alternative arrangements were allowed, provided they yielded equivalent results. The same modifications were proposed in the Directives on intra-Community trade.

When authorisation of imports from a particular Third Country was considered, the animal health situation in the country was taken into account. Further safeguards could be required, e.g. adoption of the concept of regionalisation, and modification of schemes for vaccination. Regarding exports of fresh meat the structure and function of the national veterinary public health administration was evaluated, in particular the veterinary meat inspection system. Establishments producing meat for export to the EEC were visited to check, whether they met specific criteria with regard to facilities, operation and veterinary inspection. The follow-up activities after the missions were rather time-consuming, i.e. writing reports, discussion with Member States and the competent authorities of Third Countries, and the formal procedure of a Commission Decision.

By May 1982, after two years of activity, the Commission inspectors, together with the experts from the Member States, had carried out public health inspections in 24 countries. This fell short of the target set in Council Decision 79/542/EEC, according to which all Third Countries on the list should be visited. The reasons for this were lack of funding and inspection staff. It had not been possible to start inspections in the Member States of establishments producing meat for intra-Community trade, i.e. in accordance with Council Directives 64/433/EEC (red meat), 71/118/EEC (poultry meat) and 77/99/EEC (meat products).

In a report to the Council the Commission summarised the status of the inspection activities. It proposed that the staffing of the EEC veterinary inspection service should now be completed, which required the necessary budgetary measures. The report included guidelines for future developments of the service, provisions of sufficient staff and facilities to allow 100 days of inspection per year (excluding travelling time). The future use of temporary staff was endorsed, but requests were made for permanent staff. It was understood that veterinary experts from the Member States would still be involved in the inspections.

11.1.2 FROM 1982–91: FURTHER HARMONISATION OF VETERINARY LEGISLATION AND THE INTRODUCTION OF SYSTEMATIC VETERINARY INSPECTION

In 1980 the Commission took initiatives to complete the original idea of the Treaty of Rome: the establishment of a single market. In June 1985 it published a White Book addressed to the Council explaining the strategy to be followed to achieve a free internal market in the Community. A timetable was included for the initiatives, which had to be taken to achieve a free market in 1992. It appeared that the veterinary sector had plenty of work to do.

All Member States had a well-organised state veterinary service. But the adaptation to the EEC Directives meant that the national working procedures had to be harmonised in a number of veterinary key sectors, particularly the animal health and veterinary public health criteria in relation to trade. The strategies for control of serious animal epizootics like FMD, CSF and ASF had to be better coordinated and the schemes for eradication of the zoonoses TB and BR accelerated. Full harmonisation made it necessary to apply common control methods in the veterinary field services and use standardised diagnostic methods in the national veterinary laboratories. And in a future free internal market all animal species and products of animal origin had to be covered by Community legislation.

In the veterinary public health sector the EEC had introduced Directives covering production of fresh meat and fresh poultry meat of domestic animal species destined for intra-Community trade. The application of the Directives had forced the Member States to adapt the national veterinary meat inspection systems to EEC standards and introduce new methods to detect harmful organisms and invisible substances in slaughter animals and meat of animal origin. Now time had come to adopt EEC veterinary public health requirements in the other sectors of food of animal origin.

In the internal market the veterinary health guarantees should be issued by the authority of the exporting Member State. Valid guarantees must be based on veterinary control and inspection carried out by an official veterinarian at the place of primary production, for live animals in the herd of origin, for meat in the slaughterhouse. With these guarantees there would be no need for additional control in the Member State of destination. Systematic veterinary controls at border posts between Member States were no longer tolerated. Control and inspection during transport should be reduced to random checks and cases of suspicion and should be carried out in such a way that it caused a minimum of inconvenience to the trade. Additional checks might be made in the receiver country close to the destination The Commission followed these principles, when veterinary texts for the open internal market were prepared.

The veterinary division had established the technical basis for many requirements, when the key Directives were adopted for intra-Community trade. DG.VI.B.4 could now give first priority to proposals introducing full harmonisation in the existing veterinary Dire-ctives. Next priority was allotted to 17 proposals for new Directives, which had been dealt with for years in the Council, e.g. animal health and veterinary public health criteria for import of meat-based products from Third Countries, veterinary requirements for production and trade in milk, medicated animal feeding stuffs, control of residues of antibiotics, pesticides and heavy metals in meat, microbiological control of meat and poultry meat, veterinary inspection staff and residues of antibiotics. All these proposals had to be adapted to the principle of 'full harmonisation'. They were supposed to be adopted in 1985-86.

11 Directive proposals were prepared in the Commission to be sent to the Council in 1986 and adopted in 1987, e.g. creation of a veterinary fund for EEC financing of emergency actions to eradicate contagious animal diseases, animal health requirements for production and trade in live poultry, poultry meat and hatching eggs, and animal health requirements for trade and movement of dogs and cats. There were also proposals for new veterinary inspection and certification procedures to be applied in the open inner market trade, at veterinary border control posts, and in veterinary actions against fraud.

The Commission's work programme for 1987 and 1988 included nine texts to be adopted by the Council in 1988–89, and in the Commission's working programme for 1990 and 1991 six texts were scheduled for Council adoption in 1992.

In June 1982 the EEC Veterinary Inspection Service was established. It was organised as a Specialised Service affiliated to Directorate B in DGVI. The inspectorate had initially 1 A grade official, 12 temporary Veterinary Inspectors (TVIs), 1 B grade official, and 2.5 other members of staff. The inspectors were originally given temporary fixed-term contracts, but after three years these were extended indefinitely.

The Commission's first annual report to the Council about the Veterinary Inspection Service included a proposal for the budget of the following year, but the Council was reluctant to accept it. The 1982 budget was even lower than that of the previous year. Instead of extending the inspection scheme, some missions had to be postponed.

The inspectors' work to prepare reports was rationalised and made suitable for computerised processing by use of uniform format, standard questions and multiple-choice-type answers. The reports could be completed more promptly, and the accompanying translation effort into all Community languages reduced. It was soon evident that the inspectors needed space to add free texts to clarify or elaborate their answers.

In 1985 Guy Legras became Director General of DG.VI with Fernando Mansito-Caballero as Deputy Director General. Directorate DG.VI.B was directly responsible to him. It was in 1986 divided into two directorates: Directorate DG.VI.B.I Agri-economic legislation, and Directorate DG.VI.B.II Quality and Health.

11.1.3 FROM 1992–98: INTERNAL MARKET LEGISLATION & THE CREATION OF THE COMMUNITY OFFICE FOR VETERINARY AND PLANT INSPECTION

Creation of the OICVP

In October 1990 the Council adopted a resolution calling for measures to be taken to strengthen veterinary structures in Member States and in the Commission. It also called for the setting up of a separate and more independent Commission Veterinary Inspection Service.

On 18 December 1991, the Commission adopted an unpublished Decision creating a veterinary and phytosanitary inspection office. This new office, the Office d'Inspection et de Contrôles Vétérinaires et Phytosanitaires (OICVP), remained part of Directorate General VI and was directly responsible to the Director General.

The Commission considered that, in the light of the impending new single market, such an office was necessary to ensure effective controls on animal, plant and human health. The office would be responsible for organising and implementing inspection, control and monitoring in the veterinary (including fishery products) and plant health fields as laid down in Community legislation.

Veterinary legislation remained the responsibility of unit B2.2. Phytosanitary legislation remained the responsibility of unit B2.1.

The mission statements of the OICVP were:

- intra- and extra-Community control of the application of Community legislation in the veterinary field (animal health and public health) and in the field of animal welfare;
- control of the application of Community legislation in the phytosanitary field (plant quarantine and phytosanitary inspection) both within and outside of the Community and phytosanitary surveillance within the territory of the Community.

As an inspection service, the main functions of the OICVP involved the inspection and monitoring of the implementation of Community legislation in Member States and in Third Countries.

Unit 1 dealt primarily with inspections and checks relating to public health; in addition, through inspections of the structure, operation and hygiene of premises, it determined if those premises complied with Community meat hygiene requirements.

These inspections were carried out within the Community as well as in Third Countries. With the establishment of OICVP, it was anticipated that inspectors would carry out up to 100 days of inspection per annum (excluding travelling time). At this time the inspectors from Unit 1 spent up to 50% of their time away from Brussels.

The aim was to inspect 10% of approved establishments producing fresh meat, poultry meat and meat products in Member States annually. The conditions for the production of fish and fish products were also subject to inspection.

Unit 2 carried out mainly animal health inspections and reported the findings from such missions to the Commission and to Member States, via the SVC. Unit 2 was also responsible for advising on animal health matters and proposing amendments to countries' animal health import conditions and certification including regionalisation and country listings.

With the completion of the single market in 1992, Council Directives 89/662/EEC and 90/425/EEC covering veterinary inspection rules on trade in and imports of live animals were adopted. Since the completion of harmonisation in this area the Commission introduced a number of Decisions for the implementation of the Directives especially with regard to specific conditions governing the import of animals from Third Countries, e.g. certification requirements.

Checks at internal frontiers between Member States were no longer permitted, unless there was a strong suspicion of irregularities. The competent authorities in the Member State of origin are obliged to ensure that animals and animal products comply with Community health requirements. Member States of destination could carry out spot checks, but could not impose any extra requirements unless disease was either strongly suspected or had been confirmed.

The veterinary checks on Third Country trade at BIPs were supervised by a group of veterinarians from OICVP Unit 2. These veterinarians comprise the BIP team and they inspected facilities and procedures at BIPs. There were approximately 240 BIPs in the Community at this time. Commission Inspectors were empowered to conduct spot checks to ensure uniform application of Community legislation at BIPs. Council Directives 90/675/EEC, 91/189/EEC and 91/496/EEC laid down the principles for the veterinary checks on products and animals. Community Decision 92/525/EEC laid down requirements for the approval of BIPs and Community Decision 93/13/EEC laid down the procedures for veterinary checks on products at BIPs.

Inspectors also carried out general animal health missions to both Member States and Third Countries to monitor the implementation of animal health legislation.

For Third Countries wishing to export to the Community, initial missions were carried out to assess the animal health conditions and veterinary services with a view to determining if approval for export could be granted. Such missions were general or more specific in nature, e.g. to consider approval for exports of equines or poultry to the Community.

Once approved, routine monitoring visits to Third Countries were carried out. These missions ensured that the Community was aware of any changes in the animal health situation in the approved country and also of any changes in the country's administrative services.

Missions also took place to investigate specific disease problems in both Member States and Third Countries. The aim was not only to check on the full implementation of the Community legislation, but also to give advice to the relevant authorities. Third Countries were obliged to inform the Community of any outbreaks of notifiable disease affecting trade.

Following all missions, reports were compiled and presented to Member States at the Standing Veterinary Committee. Such reports detailed the Commission findings and recommendations. Discussion on the findings took place and proposals for any necessary legislative changes made. Unit 2 prepared rules for the authorities in Third Countries, i.e. legislation laying down animal health conditions and veterinary health certificates for imports from Third Countries. OICVP is responsible for proposing any changes required in these procedures. However, safeguard measures relating to Member States, such as draft Commission Decisions, were proposed by the Veterinary Legislation unit of DGVI, BII.2.

In response to the requirements of the World Trade Organization and the General Agreement on Tariffs and Trade (GATT), attention turned to the negotiation of equivalency agreements between the Community and Third Countries. Negotiations on such agreements took place both in Brussels and in the negotiating country. The mutual recognition of legislation and controls is central to such agreements. During these negotiations, veterinary inspectors liaised with officials from the veterinary legislation unit (BII.2) as well as with officials from DGVI H (International Affairs concerning Agriculture), DGs I and IA (External Affairs) and DG III (Trade). OICVP staff attended meetings with industry representatives and embassy staff to discuss trade in animals and animal products.

Financing for a PHARE (Commission of the European Communities Programme of Assistance for Economic Restructuring in the Countries of Central and Eastern Europe) veterinary multinational assistance programme for the improvement of the diagnosis, certification and control of notifiable animal diseases in certain Eastern European countries was agreed. Missions were carried out to determine how this funding would be allocated. Again, there was close liaison with other Commission staff, in particular with DGs 1 and 1A.

Irregularities in the trade of meat and meat products, especially in relation to fraudulent certification for imports from Third Countries and of meat in transit, were detected by veterinary inspectors during the course of a mission. Hence veterinary inspectors became involved with these investigations. This was done in close contact with DG XXI (Imports, Levies, Customs Duties), DG III (Trade) and DG VI units dealing with the FEOGA (the European Agricultural Guidance and Guarantee Fund).

The Commission was represented by veterinarians from OICVP and unit BII.2 at international meetings and conferences. This included committees of the Office International des Epizooties (OiE) and the World Health Organization (WHO) and other conferences on diseases of economic importance (foot and mouth disease, swine fever, etc.). Attendance at such meetings allowed the Commission to keep up-to-date with scientific and veterinary developments, as well as allowing the views of the Commission to be aired.

The Food and Veterinary Office (FVO)

The routine organisation of veterinary inspection missions gave rise to many administrative challenges. When missions involved a large number of Commission inspectors and Member State experts, good planning and coordination was needed to ensure that experts from different Member States arrived in the right country at the same time. Even with the increased availability and reliability of international flights, this was often very difficult to achieve. On many occasions baggage was lost and sometimes only turned up on departure!

Language posed an ongoing problem for inspectors, particularly when carrying out missions in some Third Countries. Interpreters were not always available and negotiations were therefore difficult. In countries such as China, the profusion of dialects may have led to problems with translation even when several interpreters were present.

Work was carried out to try to find an inspection format that could use already translated phrases – the idea being to list all the possible faults that could be found during an inspection of an approved establishment e.g. a slaughterhouse. These could be translated and listed. Then a report, based on an inspector's findings listing the faults in one language, could easily be generated in any other Community language automatically. Unfortunately this system was never brought into general use.

Missions too are not always without risk to the inspectors. Although international travel has been made reasonably safe with modern reliable aircraft and crew, internal air travel in some countries is not always hazard-free. On one mission in South America the pilot of a four-seater plane carrying one inspector forgot to drop his landing gear before touch down. Fortunately both inspector and pilot survived the ensuing crash with only minor injuries. On another occasion goats on the runway in a southern African country nearly caused a serious accident to the small plane carrying an inspector who was assessing the fences separating the foot-and-mouth-free areas from the buffer or infected zones. Only quick action by the pilot prevented disaster.

Following a Ministerial Council meeting where discussions were held on moving various agencies from Brussels and where to establish the new ones, at the last minute Ireland protested that they had not been given anything. In fact, Dublin already had the European Foundation for the Improvement of Living and Working Conditions (EUROFOUND). This was not enough, however, so after further deliberations the OICVP was mentioned as a possibility; a deal was made on a package of moves but the exact location of OICVP was not mentioned, only that it was to be situated in a town in Ireland.

The OICVP moved to Ireland in the latter half of 1996. Initially based in Dublin it then moved to Blackrock to the south of Dublin and then to an interim office in Dublin prior to its establishment in 1999 at its finally agreed permanent base. This was situated in Grange to the north of Dublin in a purpose-built building in Grange, in County Meath on land which was part of an experimental farm run by the Irish Ministry of Agriculture. It became the Food and Veterinary Office but as Directorate F of the new DG for Health and Consumer Protection. It is interesting to note that this was in the constituency of Ireland's Prime Minister at the time. It is also surprising that it was based on an experimental farm with large numbers of animals, bearing in mind that the inspectors based there travel all over the world, perhaps visiting countries and indeed farms where exotic disease such as foot and mouth could be seen.

The Commission's proposal to establish an inspection agency was agreed by the Council and the European Parliament. This was seen as a possible way to increase the inspection staff which were needed for the single market and also for imports from Third Countries so as to cover the very wide area of items of veterinary and phytosanitary concern.

The role of the FVO was consolidated in 2002 by the adoption of Regulation (EC) 1782/2002. Since then the mission of FVO has been to:

- promote effective control systems in the food safety and quality, veterinary and plant health sectors;
- check on compliance with the requirements of EU food safety and quality, veterinary and plant health legislation within the EU and in Third Countries exporting to the EU;
- contribute to the development of EU policy in the food safety and quality, veterinary and plant health sectors;
- inform stakeholders of the outcome of evaluations.

Inspections are the principal means by which the FVO performs its duties and functions, and FVO inspectors carry out inspections in Member States and in Third Countries. Information on such inspections carried out from 2003–2006 is given in Table 11.1.

Table 11.1

Missions carried out by the Food and Veterinary Office from 2003–06

Year	Total number of missions	Missions in Member States	Missions in Third Countries*	Food safety	Animal health	Animal welfare	Plant health
2003	224	102	122	64%	21%	7%	8%
2004	232	144	88	61%	26%	6%	7%
2005	223	154	69	64%	23%	7%	6%
2006	255	159	96	68%	14%	13%	5%

*The number of missions refers to missions carried out in Accession Countries, Candidate Countries and Third Countries worldwide

The findings and conclusion of the inspections carried out are presented in reports that are, in general, made public by the European Commission on the website of the Health and Consumer Protection Directorate-General.

In the event that an inspection team identifies an immediate threat to consumer, animal or plant health, the Commission may take emergency, or safeguard, measures. These may include legal action to prevent trade in, or imports of, animals, plants and their products. In situations, where serious, but less urgent, problems are identified, the Commission may use the inspection report as one element in deciding to start infringement proceedings against a Member State or, in the case of a Third Country, to refuse, withdraw or modify authorisations for exports to the EU.

The FVO actively follows up the findings of each inspection and usually requests the national competent authority to submit an action plan to remedy the shortcomings identified in the mission report.

A liaison office was set up to act as a link between the FVO in DG SANCO and the rest of the veterinary area still under the responsibility of DG AGRI. This was not an easy role to carry out but as it reported directly to the Director General of DG SANCO it did have a certain amount of credibility and responsibility. The three veterinarians and one plant health official who worked there were extremely experienced and competent people. However, it was difficult to ensure cooperation and efficient work flows between the two different DGs, each of which felt threatened or was still trying to find its feet – there was an element of distrust between the two. The Liaison Office was caught between a rock and a hard place! It was also difficult with the actual physical separation; in the past problems were discussed and often solved over a coffee in the cafeteria or by popping down the corridor to discuss the problem face to face. Obviously this was no longer possible. This was a challenging time that involved a lot of travelling between the two sites.

Concerning the introduction of the single market in 1992 all necessary primary legislation had been adopted; thus in theory everything of veterinary concern was harmonised. However, in practice many of the animal health import conditions and veterinary certificates remained to be harmonised. This meant that where a list of Third Countries and certification was not established Member States should legally not authorise imports. The main difficulties here arose around Council Directive 92/68/EEC concerning all the 'other' live animals not included in specific EC legislation, e.g. certain ungulates such as deer, apes, zoo animals, leoporidae, bees, dogs and cats etc. Obviously all such imports could not suddenly be stopped, so pragmatic solutions were found. Although in some cases, e.g. in the case of cervidae, the Commission clearly stated no imports could occur because of the problems with TSEs. Over the years more and more import certificates were laid down.

The public health import certificates were in general mainly laid down in the various vertical Directives; however, there were also gaps in certain areas, e.g. composite products and casings. In addition it was not possible to carry out inspections and lay down lists of approved EC establishments for all the product areas in all Third Countries at the same time. This had been foreseen in the primary legislation so that in general, until a country had been listed and all elements were complete, then Member States could authorise imports of products into their territory based on the principles laid down in the vertical legislation, i.e. conditions as strict as laid down in Community law until full EC harmonisation had been adopted. Member States needed to work closely together to allow this to work properly.

11.1.4 FROM 1999 TO DATE: SWITCH OF LEGISLATIVE COMPETENCE TO THE DIRECTORATE-GENERAL FOR HEALTH AND CONSUMER PROTECTION AND THE ESTABLISHMENT OF THE FOOD AND VETERINARY OFFICE IN IRELAND

Following the BSE crisis it was decided that the responsibilities of the veterinary area should be moved completely from DG AGRI to DG SANCO, so bringing animal health, veterinary public health and animal welfare in closer alignment to the consumer and further from agriculture and farmers. This was necessary to try to regain the confidence of consumers whose faith in the general safety of food had been severely shaken by a number of food scares and crises such as BSE.

The adoption of the EU's Lisbon Strategy in 2000 and its revision (2004) with its agenda for the promotion of economic growth, employment and competitiveness also played a part in the changing circumstances and affected the veterinary area.

As did the changes in the CAP; direct payments to farmers are now closely linked to the proper application of veterinary legislation and respect for animal welfare.

With the ever-increasing volume of trade between the Community and Third Countries and the ever-expanding variety of animals and animal products being traded, the work of the Commission's inspectors has continued to increase. Work on equivalency agreements with Eastern European countries, followed by pre-Accession missions, not only created more work but opened up new areas of trade and eventually led to further expansion of the Community. Although only one agreement with the Czech Republic was achieved it was of great help to all the countries concerned to better understand EU legislation and was greatly appreciated by them.

There was great concern that such expansion would bring with it certain increased risks. Diseases such as classical swine fever and foot and mouth disease, present in countries adjacent or near to the Community, posed a threat. Continued vigilance is necessary to protect the animal health status of the Community and safeguard public health while allowing trade to develop. The Commission's veterinary inspectorate had to face and overcome these challenges.

As a first step, in the new planning to create better consumer confidence, the FVO was transferred to DG SANCO from DG AGRI, followed by the rest of the veterinary sectors in 1999. The veterinary inspection service, the Food and Veterinary office, then became Directorate F of SANCO. Now, as opposed to its past role, it only carries out inspection or audit missions, after which a report is prepared and passed to other parts of SANCO for any necessary management action to be taken, e.g. drafting of new Decisions or amending existing ones. The inspection was separated from the management function.

The types of inspection evolved as general review missions, new horizontal types of inspections, were introduced in 2005. Their objective is to carry out an overall review of follow-up to FVO report recommendations and to assist in completing country profiles for all Member States by mid-2007. In addition these audits and inspections will be supplemented by several desk analyses. However, new general audits are being started in Member States to cover 11 main control systems:

- animal health
- food of animal origin
- import of animals and food of animal origin
- feeding stuffs and animal nutrition
- TSE/BSE
- veterinary medicines and residues
- imports of food of plant origin
- plant protection products
- animal welfare
- plant health.

This will involve 11 specific on-the-spot missions for each general audit and will be a rolling programme carried out over three years, so a Member State, after a three-year period, would have had all its main control systems, as indicated in the above list, fully audited.

The organisation of DG SANCO evolved over these last years, greatly expanding the numbers of veterinary and technical staff. Much more emphasis was placed on the whole food chain. A lot more work has gone into laying down procedures and trying to improve management, management systems and training (see Figure 11.8).

A new management system was put in place at Commission level, including an Annual Management Programme (AMP) which maps out the planning of main areas of work in the Commission with timescales. The Annual Management Plan is the key instrument for integrating priorities, objectives and resource allocation at the level of each service. The AMP, on the one hand, translates the overall political priorities of the Commission into concrete actions, and ensures the monitoring and reporting of those actions, and on the other hand provides a means to better organise and improve the management of activities and resources on the basis of an established set of objectives.

In the planning cycle, the AMP follows the adoption of the Annual Policy Strategy (in February), the Annual Policy Strategy (adopted in August), and the Commission Legislative and Work Programme (CLWP) adopted in October. The CLWP is the annual legislative and political programme of the Commission. It translates the Annual Policy Strategy into specific policy objectives and an operational programme of initiatives for adoption by the Commission. It sets out major political priorities and identifies legislative initiatives, executive and other acts, that the Commission intends to adopt for the realisation of these priorities. The four priorities for 2007 were prosperity, solidarity, security and Europe as a world partner.

The Commission legislative and work programme (CLWP) for 2007 was adopted on 24 October 2006 (11). The CLWP 2007 is a short document accompanied by an Annex listing all Commission initiatives. The Annex is divided into four separate lists of initiatives. The first list 'Strategic initiatives' contains 21 highly

(11) COM [2006] 629 final.

political items with a firm commitment to deliver in 2007. The second list 'Priority initiatives' contains 60 actions to be adopted in 2007 or early 2008 with a rolling programme aspect. The third list 'Simplification initiatives' contains 47 actions and the fourth list 'Withdrawals of pending proposals' contains 10 actions.

Each Directorate-General has its own part of these plans. There are other helpful management and planning tools e.g. media planning.

A new staff reporting system (CDR) was introduced and this in the view of the writer and many colleagues, including senior managers, had a marked negative motivating effect on the staff in general; however, more emphasis was placed on continuous personal professional development (CPD). Now in order to be promoted for the first time, members of staff have to have a certain level of proficiency in a third language.

In the process of drafting new primary legislation, scoping papers and impact assessments involving all stake-holders have to be drafted and a road map developed. This had been done to a certain extent in the past but was not fully documented. Recently an impact assessment board in the DG Secretary General has been set up and this body has to agree all impact assessments before the dossier can progress further in the system.

In addition, certain committees were renamed and new committees were set up. The old Standing Veterinary Committee was replaced by the Standing Committee for the Food Chain and Animal Health (SCOFCAH). SCOFCAH is a Regulatory Committee of the Commission, to which the Council has delegated its power (see Chapter 3.2).

SCOFCAH enables the Commission to formally consult the Member States by a vote before adopting and implementing measures, thus ensuring that the latter are effectively adapted to the legal and administrative reality in each country.

Of the eight SCOFCAH sections, the three sections – Animal Health and Welfare, Controls and Import Conditions and Biological Safety of the Food Chain – are responsible for a very wide spectrum of food safety and other veterinary issues; thus these three sections meet very frequently and issue the vast majority of legislation, Commission Decisions, of importance for the application of veterinary measures.

Over this period a number of key events occurred. The BSE crisis, which is described in detail in a separate chapter, eventually improved. The Dioxin scandal brought about significant changes in the legislation for animal feed, with much more stringent controls in Member States. The foot and mouth epizootic in 2001 acted as another catalyst that helped to bring about many changes in management practices, including changes in filing procedures and increased transparency. The avian influenza epizootic, which started in Asia with the spread from birds to humans, with the possibility that a human pandemic might arise has had a big effect on the work of the animal health unit and has resulted in close cooperation not only with the human public health part of DG SANCO but with other DGs and international organisations, such as the OiE, WHO, FAO and the World Bank.

A number of new, independent bodies have been set up:

- the European Food Safety Authority (EFSA), based in Palma, Italy, took over and expanded the role and functions of the Scientific Committees and provides independent scientific advice on food safety – *www.efsa.org*
- the European Communicable Disease Prevention and Control (ECDC) based in Solna, Sweden, works with Member States to prevent (human) disease outbreaks and to react quickly and effectively to minimise their impact – *http://ecdc.europa.eu/*
- the Plant Variety Office based in Angers, France supports the innovative patenting of new plant varieties throughout the EU – *www.cpvo.eu.int*
- the Executive Agency for Public Health, based in Luxembourg, manages the delivery of the EU's public health work programme 2003–08 – *http://ec.europa.eu/phea/*

In addition, in 2005 an Advisory Committee was set up, similar to DG AGRI's, involving consumer, industry and professional representatives to give advice to DG SANCO on all aspects of its work in the veterinary area. Its first meeting took place on 5-6 July 2005 when its rules of procedure were agreed (see Chapter 3.2). There are two other advisory committees covering public health and consumer areas.

In addition the Commission, through Commission Decision 2004/210/EC, has set up Scientific Committees in the field of consumer safety (Scientific Committee on Consumer Products), public health (Scientific Committee on Emerging and Newly Identified Health Risks) and the environment (the Scientific Committee on Health and Environmental Risks); their mandates are being renewed for a further three years at least until the establishment of the European Chemical Agency.

DG SANCO is now well established and has become one of the most important DGs. Its mission statement is:

'Making Europe's citizens healthier, safer and more confident.'

Community citizens expect to live safe, healthy and full lives. They expect their health and their rights to be effectively protected at the same high level throughout the EU so DG SANCO's goal is to meet its citizens' expectations. It aims to:

- protect and empower consumers;
- ensure the effective application of consumer protection rules;
- provide a single, simple set of rules to ensure markets are open, transparent and fair;
- protect and improve human health;
- ensure food is safe and wholesome;
- protect the health of animals and plants;
- promote the humane treatment of animals.

In the food safety area the mission statement is:

> The EU integrated approach to food safety aims to assure a high level of food safety, animal health, animal welfare and plant health within the EU through coherent farm-to-table measures and adequate monitoring, while ensuring the effective functioning of the internal market.

The implementation of this approach involves the development of legislative and other actions:

1. to assure effective control systems and evaluate compliance with EU standards in the food safety and quality, animal health, animal welfare, animal nutrition and plant health sectors within the EU and in Third Countries in relation to their exports to the EU;
2. to manage international relations with Third Countries and international organisations concerning food safety, animal health, animal welfare, animal nutrition and plant health;
3. to manage relations with the European Food Safety Authority (EFSA) and ensure science-based risk management.

DG SANCO's main functions cover three main areas:

- public health relating to human health
- consumer affairs relating to protection of consumers in the EU
- food safety in relation to the whole food and feed chain encompassing animal health, veterinary public health and animal welfare.

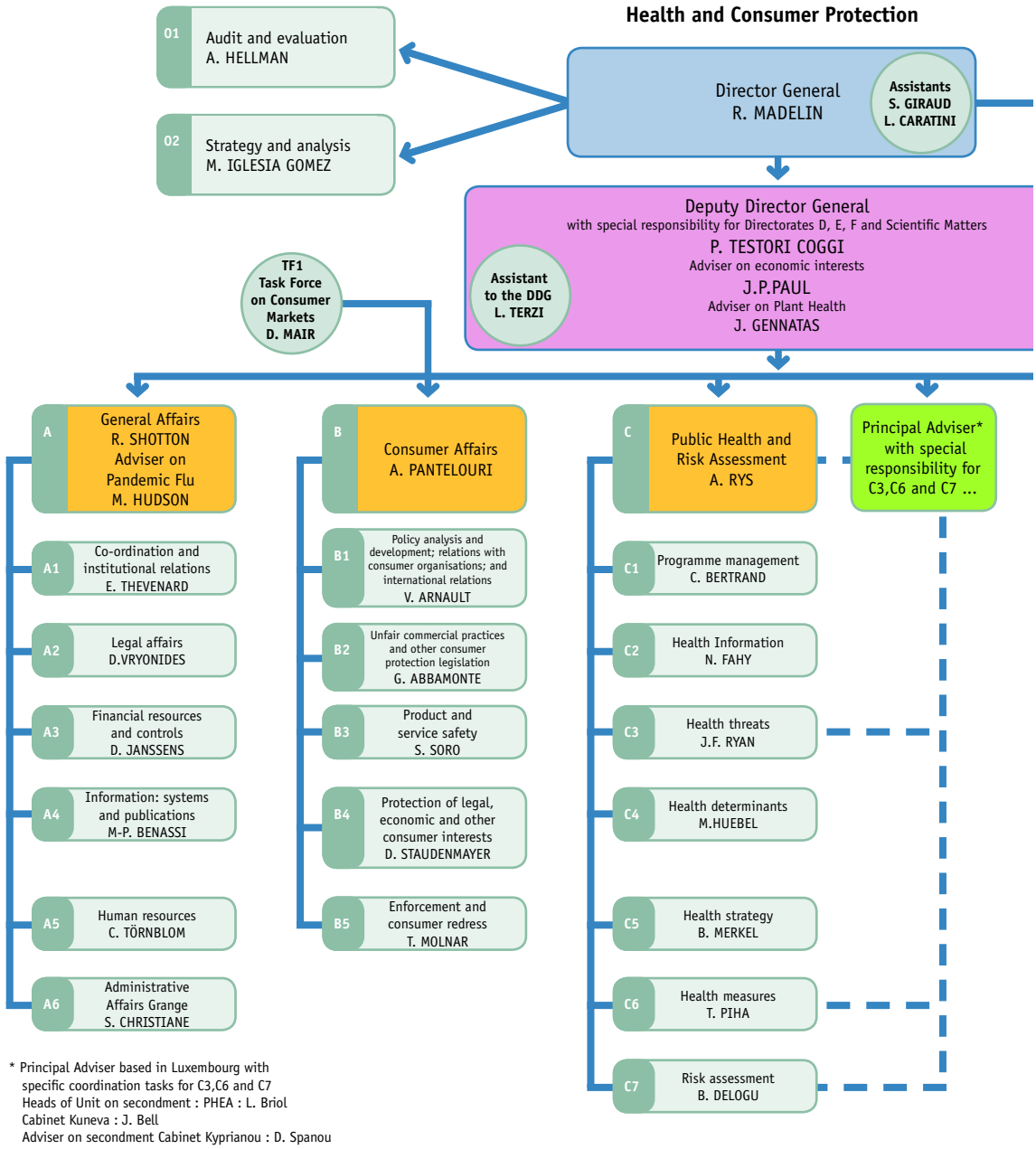
The structure of DG SANCO gradually developed during the initial years, becoming more structured by 2001, but the organisation chart and terminology used were not particularly clear to outsiders. Because of the need to make the Commission more accountable and transparent it was restructured in 2006. The overall reform of the Commission necessitated a change in functions every five years for staff in posts deemed to be 'sensitive'. This applies not only to senior management – including the Director General – but also other staff in posts generally related to responsibilities concerning expenditure or particularly sensitive areas of work. While the recent restructuring produced a clearer organisational framework, 'public health' is used to describe both human medical and veterinary aspects that impinge on human as well as animal health. This might lead to confusion.

Former Deputy Director General Dr. Jaana Husu-Kallio (ex-CVO of Finland) achieved the highest position ever reached by a veterinarian in the EU institutions; however, she left in 2006 to return to Finland to head the Finnish Food Safety Authority.

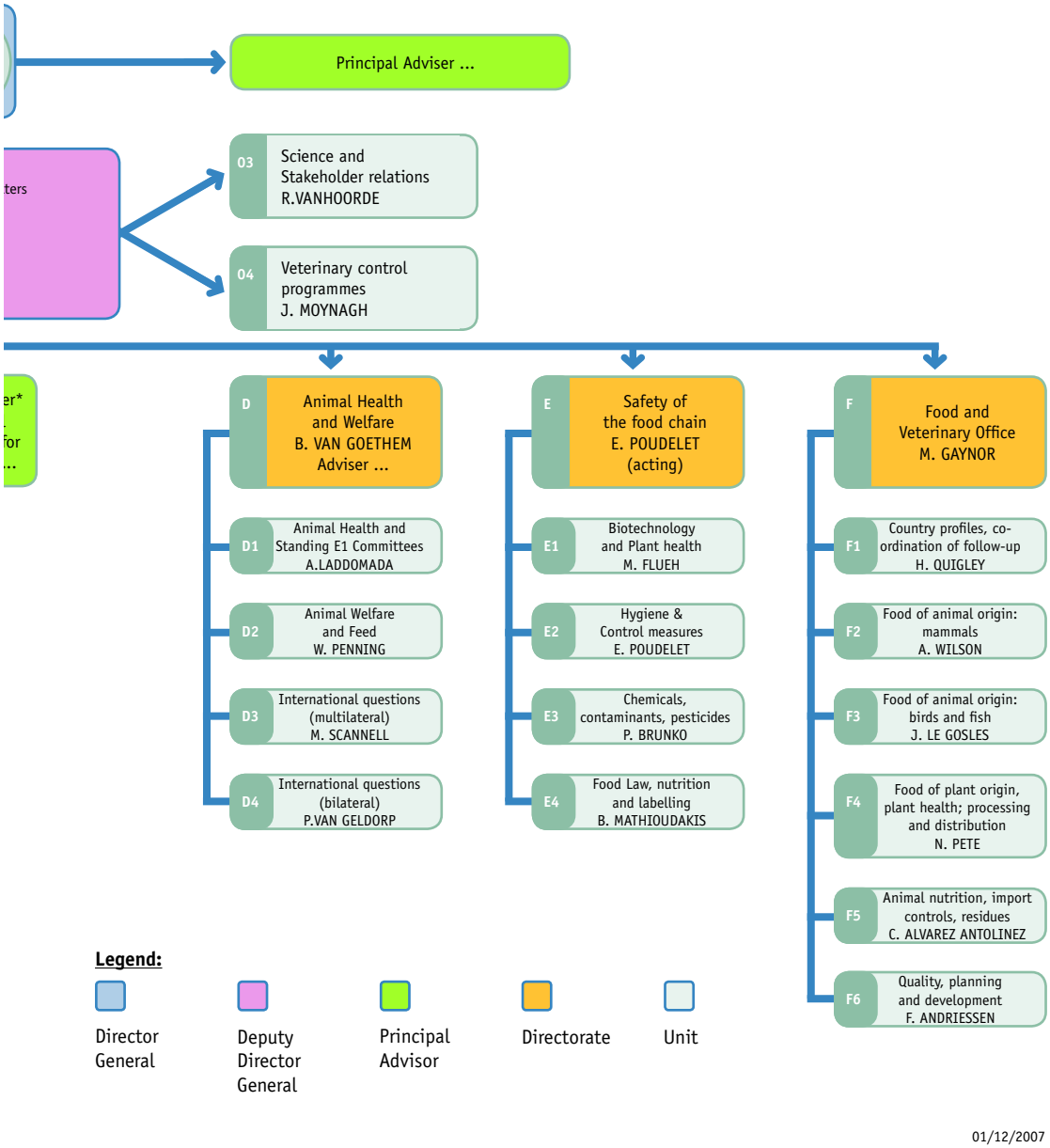
DG SANCO has around 896 staff members, of which about 85 are veterinarians. Its budget for 2007 was around EUR 475 million, excluding payments for veterinary crises made from DG AGRI's EAGGF budget, under the Veterinary Fund (see Chapter 6.13). The amount varies from year to year, depending on the disease situation in the EU. DG SANCO has six Directorates as shown in Figure 11.9

Figure 11.8

DG SANCO detailed organigram (December 2007)



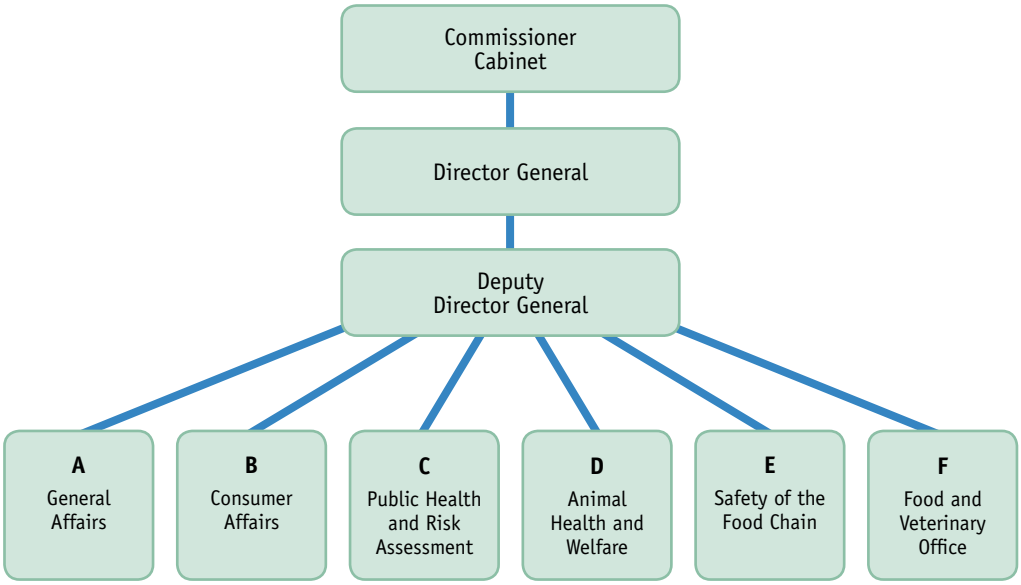
* Principal Adviser based in Luxembourg with specific coordination tasks for C3,C6 and C7
Heads of Unit on secondment : PHEA : L. Briol
Cabinet Kuneva : J. Bell
Adviser on secondment Cabinet Kyprianou : D. Spanou


Principal Adviser ...
03 Science and Stakeholder relations R.VANHOORDE
04 Veterinary control programmes J. MOYNAGH
D Animal Health and Welfare B. VAN GOETHEM Adviser ...
D1 Animal Health and Standing E1 Committees A.LADDOMADA
D2 Animal Welfare and Feed W. PENNING
D3 International questions (multilateral) M. SCANNELL
D4 International questions (bilateral) P.VAN GELDORP
E Safety of the food chain E. POUDELET (acting)
E1 Biotechnology and Plant health M. FLUEH
E2 Hygiene & Control measures E. POUDELET
E3 Chemicals, contaminants, pesticides P. BRUNKO
E4 Food Law, nutrition and labelling B. MATHIOUDAKIS
F Food and Veterinary Office M. GAYNOR
F1 Country profiles, co-ordination of follow-up H. QUIGLEY
F2 Food of animal origin: mammals A. WILSON
F3 Food of animal origin: birds and fish J. LE GOSLES
F4 Food of plant origin, plant health; processing and distribution N. PETE
F5 Animal nutrition, import controls, residues C. ALVAREZ ANTOLINEZ
F6 Quality, planning and development F. ANDRIESSEN
Legend:
Director General
Deputy Director General
Principal Advisor
Directorate
Unit

01/12/2007

Figure 11.9

Organigram DG SANCO and its six Directorates



The organisation chart can be found at:

http://ec.europa.eu/dgs/health_consumer/chart.pdf

From the veterinary point of view the most important Directorates are D, E and F.

'D' is made up of four units:

- D1 Animal Health and the Committees covers animal health matters in Member States including animal health legislation (both primary and secondary) concerning trade, imports and eradication of diseases including notification of animal diseases and TRACES, coordination of OiE matters and is responsible for all the Standing Committees in DG SANCO and their documentation including translations and appropriate follow-up to ensure their adoption by the Commissioners or passage to the Council and European Parliament etc.
- D2 Animal welfare and feed.
- D3 International questions – multinational, i.e. CODEX, WTO/SPS matters, including SPS contact point, horizontal import controls concerning BIPS and listing of Third Country establishments and maintaining the list of Third Countries approved under the annual residue programmes.
- D4 International questions (Bi-lateral) – responsible for individual Third Countries, including enlargement and veterinary agreements.

'E' also has four units:

- E1 Biotechnology and plant health.
- E2 hygiene and control measures – this is basically the veterinary public health area responsible for the hygiene Regulations covering the public health aspects all items of veterinary concern including hygiene of establishments, meat inspection, traceability, BSE and zoonoses controls.
- E3 chemicals, contaminants and pesticides and also covering Rapid Alerts where a possible health risk has been identified.
- E4 Food Law and labelling requirements – food in this case comprises vegetables, fruit and drinks etc, i.e. all food of non-animal origin.

'F' commonly called the Food and Veterinary Office is composed of six units:

- F1 country profiles and follow-up – the intention of the profiling is to build up an overall picture of all countries in particular so as to avoid the need for a permission questionnaire to be completed before each FVO mission is undertaken and it also ensures the follow-up of mission recommendations to the competent authorities in both Member States and Third Countries.
- F2 covers food of animal origin, mammals; this includes live mammalian animals and products thereof even if not for human consumption.
- F3 food of animal origin, birds and fish; again this includes live animals and products thereof.
- F4 food of plant origin, plant health, processing and distribution.
- F5 animal nutrition, import controls and residues; this includes the inspection of BIPs and the examination of Third Country residue control plans.
- F6 quality planning and procedures.

In addition there are a number of extraneous units and advisers to the Director General covering specific topics.

More information about DG SANCO can be found on its website:

http://ec.europa.eu/dgs/health_consumer/index_en.htm

DG SANCO newsletter is also available:

http://ec.europa.eu/dgs/health_consumer/dyna/press_room/index_en.cfm

Via an online mailbox, questions on animal health, public health, animal welfare and food safety can be submitted by any person directly to DG SANCO at:

http://ec.europa.eu/dgs/health_consumer/mailbox/index_en.htm

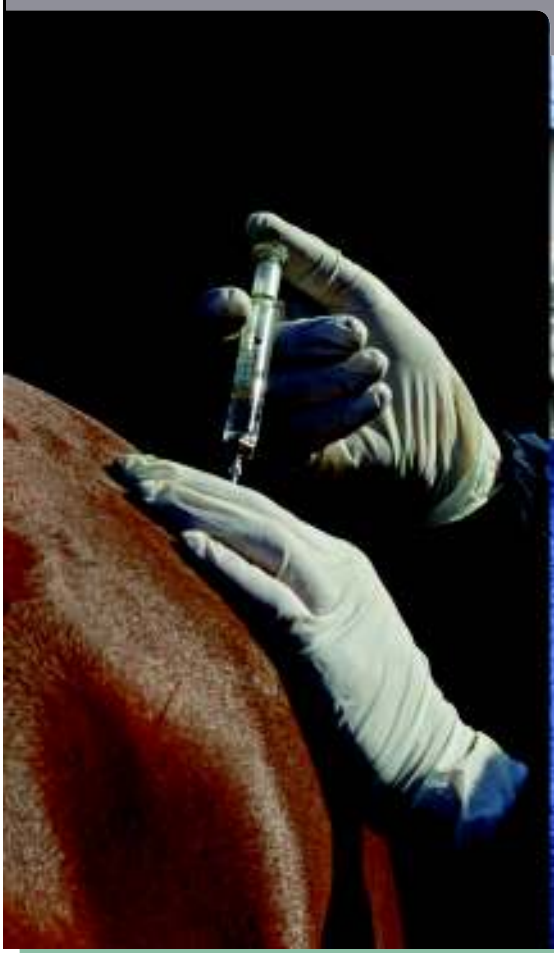
12

DEVELOPMENTS IN THE MEMBER STATES

CHAPTER 12 CAN BE FOUND ON THE CD-ROM.

13

ESTABLISHMENT OF THE FEDERATION OF VETERINARIANS IN EUROPE – ITS FUNCTIONS AND RELATIONS WITH ITS MEMBERS AND THE COMMISSION



HISTORICAL BACKGROUND

It is always instructive, when considering the present-day role and influence of an organisation, to look back and see where it has come from, how it has developed since its creation, what lessons were learned along the way and what other lessons can be learned with hindsight.

The FVE (to use its well-established acronym) had its origins in the old Veterinary Liaison Committee which was established in 1961 by representatives of the profession in the six Member States which then made up the EEC – Belgium, France, Germany, Italy, Luxembourg and the Netherlands. The first President came from France and it was agreed that the Presidency should change every four years. Thus, in 1964 the Presidency moved to Germany and in 1969 to Belgium. The United Kingdom assumed the Presidency in 1973 following the accession of Denmark, Ireland and the UK to the Community in that year.

It may be difficult for those who were not involved at that time to appreciate the difficulties under which the Liaison Committee operated. It had no permanent staff, a very small amount of money for the most basic of expenses, had to conduct its meetings wherever a spare room could be found and interpretation had to be consecutive and repetitive.

BIRTH OF THE FEDERATION

It was in 1975, only two years into the UK Presidency, that the Liaison Committee was converted into the Federation of Veterinarians of the EEC, thus producing the acronym which continues to the present day although 'Europe' has now replaced 'EEC' in the full title. The UK retained the Presidency for the first four years of the new organisation.

The change was not, however, simply a change of title. The Federation had, from the outset, a Constitution whereas the old Liaison Committee had none. It chose the title 'Federation' because, whereas the Liaison Committee consisted solely of representatives of the national veterinary organisations of the Member States (with observers from European non-member countries), the new Constitution provided for membership of the Federation of a specified number of professional associations representing practitioners, food hygienists, state veterinary officers, veterinarians in industry and research, veterinarians working overseas and academics. The overseas group never became a reality and the academics did not then have a European body representing individuals – only one representing institutions. The reason behind the creation of a federal structure was that it was hoped that, through dialogue and cooperation, all views advanced on behalf of the profession in Europe would come forward through a single body, the FVE, thus avoiding the possibility of conflicting advice and pressure from sectional interests.

WORKING TOWARDS PROFESSIONAL DIRECTIVES

The major concerns of the Liaison Committee had centred on seeking to ensure comparable standards of veterinary training throughout the EEC and thus facilitating the free movement of veterinarians between the Member States. The FVE continued this work and soon perceived that the way forward would be through Directives which would oblige Member States to agree to the mutual recognition of veterinary qualifications and facilitate the rights of establishment throughout the EEC of holders of these qualifications. It was no easy matter to reach agreement on the harmonisation of veterinary training in all nine countries, but it was vital that it should be achieved if there was to be any hope of the Commission being prepared to draft legislation. The situation was not made less difficult by virtue of the fact that there were many other professions working towards the same objectives. The medical profession was the first to achieve its sectoral Directives, and much hard work and constant pressure by the FVE ensured that the veterinary professional Directives were the next to be achieved in 1978.

BROADENING THE SCOPE OF THE WORK

Following the Directives being agreed, there were some who considered that the work of the Federation was now at an end, since so much time and effort had been devoted to their achievement. Fortunately, others realised that there was a great deal of work yet to be done on a wide variety of matters affecting animal health and the veterinary profession. It was, perhaps, only at this point that the Federation was able to pause and take stock of all the work which was already underway and could now be built upon in more significant ways. Submissions had already been made to the Commission on veterinary medicines (with particular emphasis on distribution), on food hygiene issues, on animal welfare and certification. Plans had been laid for the role to be played in the Advisory Committee on Veterinary Training, which was established at the same time as the professional Directives. A Working Party on Specialisation had produced criteria for the recognition of specialists and their qualifications. Approaches to the Council of Europe contributed to the setting up of an Ad Hoc Group of Experts to look at animal welfare matters and led indirectly to the Convention on the protection of Pet Animals. As part of the professions' programme of self-regulation, a Code of Professional Ethics was produced, including the Nine Principles of Certification (later amplified and extended) which were widely quoted and adopted.

BUILDING UP THE INFRASTRUCTURE

With increasing levels of activity being required if the FVE was to influence the thinking and drafting of the Commission on the ever-increasing flow of consultation papers and potential legislation, the burden on the officers of the Federation was enormous and much more was expected than could be financed by the modest subscriptions paid by the constituent members. The problem was that delegations wanted proof that higher subscriptions would be justified in terms of additional work done and results secured – and the work and results could not be demonstrated until the money was there to fund it. The dilemma was resolved by generous funding from certain pharmaceutical companies which subsidised the FVE for an agreed period and enabled the results of new initiatives to be seen; as a result, the national delegations agreed to increase subscriptions.

Even then, it was becoming clear that there were limits to what could be achieved if the FVE had to rely on the commitment of successive Presidents and Secretaries General, the administrative support provided by the national associations from which these officers were drawn and the benevolence of the European institutions such as the Commission and the Economic and Social Committee in providing suitable meeting rooms and interpretation. The questions of permanent staff for the FVE and an office in Brussels were discussed frequently and discounted solely on the question of cost. It was to be some considerable time before the offer of office space from the Belgian Veterinary Association provided the way forward and a solution to both problems.

ESTABLISHING CONTACTS AND EXERCISING INFLUENCE

It is important to place on record the fact that the contacts made with the many other organisations in Brussels, both official and unofficial, led to individuals being borne in mind for appointment in other areas where they could bring their FVE knowledge and experience to bear and, in addition, keep FVE informed of developments. Thus the first President of the FVE Peter Storie-Pugh was appointed a member of the Economic and Social Committee. Dr Hans Bendixen of Directorate General VI, being himself a veterinarian, turned to the FVE for advice on certification. When the Advisory Committee on Veterinary training got underway, many of the delegates were FVE colleagues, several of whom served a period of office as President of that committee. Some FVE delegates found themselves nominated as representatives of their countries to SEPLIS, the European Inter-Professional Group. The platform was established for the influence of the FVE to grow, particularly as the Community admitted more and more countries to membership.

EXPANSION AND CONSOLIDATION

As the 1990s progressed, more member countries became active in FVE and, to accommodate growing interest in its activities by countries outside the EEC, the organisation first amended its constitution to allow the participation of member countries of EFTA and then, in 1998, made a further change, so that the emerging democracies of Eastern and Central Europe became eligible for membership. Throughout this period, the range of FVE's activities and interests broadened and its influence, particularly in the corridors of the European Commission and the Council of Europe, became greater.

But despite the commitment of its many active members, the FVE was too often trying to achieve modifications to already proposed or existing European policies affecting the veterinary profession, rather than being involved from the outset in the formulation of policy. Many within FVE recognised that this was primarily because of the inevitable limitations imposed by reliance on the ability of its officers – most of whom were also involved in veterinary politics and/or administration in their own countries – to act as the FVE's external representatives. But because of the financial implications, the organisation was at first reluctant to take the huge step towards employing a permanent secretariat.

The decision to appoint a veterinarian as a permanently employed Executive Director was soon followed by a move to more spacious office accommodation. The benefits of having individuals who were located in Brussels and readily identifiable as representatives of FVE were rapidly apparent. Contact both with the FVE membership and with European institutions was facilitated and its stature and reputation is now established as an umbrella organisation representing the views of the European veterinary profession.

THE DEVELOPMENT OF REGIONALISATION

With its membership now standing at 36 countries, FVE needed a coherent strategic plan, backed up by realistic and achievable targets, to focus and guide its activities. This was achieved by holding a series of regional meetings to facilitate a 'bottom upwards' approach and ensure that the Strategic Plan, once finalised, would genuinely reflect the aspirations and ambitions of the whole membership.

The regional meetings also highlighted the fact that the diversity of FVE's current membership – from the emerging democracies of Central and Eastern Europe to the 'old' democracies of Western Europe – requires the targeting of FVE's activities so that all members derive support from being part of the 'club' and can contribute to the formulation and dissemination of its policies. The priorities of a member country which is only now beginning to establish private veterinary practice, veterinary institutions and a professional disciplinary code are quite different from those of a country whose citizens are looking critically at the profession's use of medicinal products, cosmetic surgery and the perceived 'monopoly' for vets in prescribing veterinary medicines.

THE FUTURE

The FVE now represents about a quarter of a million veterinarians in Europe. But the veterinary profession is small, even by comparison with the other liberal professions, so it will always be a struggle to make itself heard amongst the whole range of interest groups. By contrast, the work of the veterinary profession has an enormous impact on the daily lives of the human and animal population of Europe – reinforced by the emphasis placed on the agri-food sector by EU legislation – so it is important that its corporate voice – represented by the FVE – should be as clear and coherent as possible. The FVE considers that its present structure (of national members and specialist groups representing practitioners, government veterinarians, food hygienists and veterinarians in education, research and industry) enables it to speak authoritatively on behalf of the profession in Europe, but it recognises that it will need to evolve continuously so that it can retain that ability, especially given its limited budget.

14

GLOBALISATION OF AGRICULTURAL FOOD PRODUCTION, PROCESSING AND DISTRIBUTION – RISKS IN THE LIGHT OF EU HYGIENE STANDARDS AND FOOD SAFETY CONCERNS

CHAPTER 14 CAN BE FOUND ON THE CD-ROM.

15

THE FUTURE OF THE EU VETERINARY SECTOR

The many new Community veterinary bodies referred to in this book were set up to improve transparency and ensure impartiality in the veterinary sectors. This description of the developments within the past 50 years demonstrates – admittedly – that the term 'veterinary' has little by little become unfashionable and is disappearing from regular use, e.g. the SVC has been replaced by SCOFCAH. Moreover, veterinarians have often tended to be seen as difficult to satisfy, when they demand:

- strict rules respected in case of emergency
- high hygienic standards in food processing
- active surveillance for an infectious disease which was last recorded more than 12 months ago.

Perhaps that is the nature of the beast?

However, vets are trained to solve problems in a fast and practical way. They may be impatient and don't tend to like to follow the more bureaucratic procedures of large organisations, especially civil services. A farmer expects that when a veterinarian is called to a sick animal, he/she has diagnosed the disease and given the appropriate treatment within 30 minutes. In the past they have been seen as too fond of prohibiting or inhibiting trade. However, a study of this book shows that this is not true. In the main, over the years the veterinarians working in the Commission services have achieved amazing and impressive results starting from ground zero and arriving now to be responsible for an extensive, albeit sometimes complex, set of legislation covering the huge area of live animals and products thereof for both intra-Community trade and imports. All this has been achieved in the context of a progressively enlarging EU and covering the whole food chain aiming at safeguarding livestock production in the EU to ensure safe food for its citizens and to protect animal welfare. Further challenges concerning the continued expansion of the EU need to be met.

One can argue that there have been serious and damaging epidemics and therefore that the veterinary system appears to have failed. On closer examination this is not the case. The problems have arisen due to a variety of reasons such as significantly increased trade and movements, globalisation and lack of implementation of the legislation in Member States; either because of political or economic factors or illegal and fraudulent practices. Over the last 50 years the volume of trade and imports has grown out of all proportion to the measures which were first drawn up. Traders will do practically anything to make a few extra cents on a consignment. Our policies must, therefore, be continuously developed to be able to respond to changing conditions, climatic changes, emerging new diseases and technological advancement. There will be many challenges to overcome, and the Commission and the Member States must ensure that the institutional infrastructure is expanded, including the levels of proper staffing and experienced or well-trained personnel. This does not mean that only veterinarians are employed. Competent multidisciplinary teams need to be established or expanded. But they should continuously be driven and led by veterinarians whose competency in these areas cannot be questioned. They are the ones trained to a very high level in animal health, veterinary public health and animal welfare with the required qualifications. If this be the case the prospects for the future 50 years will be encouraging and the challenges, which surely will arise, will be met, as they have been in the past, in a dedicated and very professional way.

The role of the EU veterinarians will still be to facilitate imports and trade without introducing disease, to ensure the integrity of the whole food chain and to ensure the welfare of animals.

However, in the face of the problems highlighted above there will be a cost to pay in order to invest in a better system for identification of animals, e.g. electronic identification of animals, improved traceability including tracking of individual containers and livestock lorries, better computer systems including GIS and electronic certification, enhanced border controls and improvements in the detection of fraud. Research should be intensified to improve the methods of disease diagnoses and to improve the efficiency of vaccines and medicaments. The industry and the farmers should be encouraged to take over more responsibilities and commitments to adopt efficient biosecurity measures and establish animal welfare conditions in the production systems – just to name some of the areas which should be developed or implemented shortly.

15.1 THE NEW COMMUNITY ANIMAL HEALTH POLICY

A new EU Animal Health Strategy to improve the prevention and control of animal disease in the EU was announced on 21 December 2004 by European Health and Consumer Protection Commissioner Markos Kyprianou at the Agriculture Council. The Commission plans to propose a Communication in 2007 setting out actions for 2007–13. This followed on from the devastating social and economic consequences of diseases like foot and mouth disease (2001 epidemic in the EC) and the worldwide spread (with human deaths) of avian influenza demonstrated the importance of a strong and effective animal health policy at EU level.

The Commission intends to develop a new and improved animal health strategy for the EU, to go beyond what has already been achieved with the existing animal health policy. Animal disease outbreaks are costly and there are also ethical issues related to the mass culling of animals when controlling an outbreak. Added to this, there is growing concern about the potential impact of certain animal diseases on human health. A disease like avian influenza might even lead to a worldwide pandemic. The new EU animal health strategy therefore aims to develop the policy of disease prevention, make emergency vaccination a more viable option, simplify the legislation and make better use of financial resources.

Animal health policy at the EU level plays a key role in facilitating the trade in animals and animal products, ensuring food safety, preventing the transmission of animal diseases to humans and providing financial support for the control and eradication of many serious diseases.

Therefore in 2005 work began on a 'Proposal for a Commission Communication on the Community Animal Health Policy (CAHP) strategy (2007-2013)' to the European Parliament, the Council, the Economic and Social Committee and the Committee of the Regions. The proposal COM539 (2007) final was adopted on 19 September 2007.

Although the achievements of the CAHP over the years has enabled the EU to implement the internal market system in which animal health inspections are carried out at point of origin and not at internal borders. In addition it has also contributed greatly to the eradication of many serious diseases which represent obstacles to free movement of animals and their products, and allows the single market to function normally.

Nevertheless, the crises experienced by the EU in the livestock sector, caused by the occurrence of widespread diseases or by events calling into question the safety of the food chain, have highlighted the need to consider the adequacy of the certain aspects of CAHP and its financial instrument, namely:

- the development of a policy of disease prevention;
- necessity to finance new actions to ensure a high level of health at the start of the food chain (strengthening of measures to combat zoonoses like salmonella);
- own resources and financial dependence on the Common Agriculture Policy funds (Bovine Spongiform Encephalopathy, foot and mouth disease, classical swine fever and avian influenza) or fisheries structural funds (exotic aquaculture diseases);
- need to improve the competitiveness of Community livestock (international obligations);
- financial responsibility among the operators in the food chain.

The main strategy of the Commission Communication on the CAHP (2007–13) is:

- to present the Community Animal Health Policy (CAHP);
- to present clear objectives reflecting customer priorities;
- to ensure the coherence of CAHP with other EU policies and international agreements (SPS);
- to aim at minimising the regulatory burden – simplification – of animal health legislative package;
- to provide the CAHP with an appropriate budget (Community financial perspectives 2007–13) and an adequate financial instrument.

The Communication includes an action plan for this strategy covering the following 4 main pillars:

- Prioritisation of EU intervention,
- A modern animal health framework,
- Animal related threat prevention, surveillance and crisis prevention,
- Science, innovation and research.

It may be found at: *http://s-sanco-wcm/food/animal/diseases/strategy/index_en.htm*

A proactive option has actually already been chosen with the active support of the Council and the Parliament. Several actions were launched to reflect on the issues raised by the current 'veterinary' policy:

- After the organisation of the foot and mouth disease conference by the Belgian Presidency (12/2001), the Spanish Presidency stimulated a discussion in the Council (2002) on the need for the Community to have a veterinary policy with a financial instrument that would enable it to fulfil the objectives defined in the White Paper on Food Safety (2000) Memoranda 7639/02 and Memorandum 9552/02 of the Spanish Presidency on the EU's Veterinary Fund.
- DG SANCO presented a working document on a multi-annual programme approach on animal diseases eradication, control and monitoring to the Chief Veterinary Officers on the 22 September 2004. The purpose of this document was to outline the future approach for animal disease and zoonoses eradication and control and monitoring programmes co-financed by the Community. The document was well received by all the delegations that supported the proposal in its totality.
- In 2003, the Commission services carried out a first pilot study on the risk financing model for livestock epidemics. With the support of the European Parliament, a complementary study was performed in 2005.

- After the organisation of a conference on emerging zoonotic diseases in September 2004, the Dutch Presidency organised in December 2004 a conference on the material and immaterial costs of animal disease control, with the support of the Commission.
- At the initiative of the Commission, a European Technology Platform for Global Animal Health was set up, which brings together companies, research institutions, the financial world and the regulatory authorities at the European level to define a common research agenda which can mobilise a critical mass of national and European public and private resources. This project is industry-driven to develop and deliver the most up-to-date tools (e.g. new vaccines or tests) to control animal diseases of major importance to Europe and to the rest of the world.
- In 2004, the Commission requested the European Food Safety Agency (EFSA) for a scientific opinion on assessments of the risk of introduction into the EU of major animal diseases from developing countries, as well as an assessment of the reduction of the risk through interventions in these countries. (opinion published 2006)
- A systematic and timely evaluation of its expenditure programmes is an established priority for the European Commission (EC), as a means of accounting for the management of allocated funds and as a way of promoting improved future performance, the Health and Consumer Protection Directorate-General launched an external evaluation of the CAHP in 2005.

This evaluation and assessment of possible options for the future of the CAHP was prepared between July 2005 and July 2006 by a team from the Food Chain Evaluation Consortium (FCEC) headed by Agra CEAS Consulting. It was conducted under the direction of a DG SANCO Steering Committee consisting of representatives from various Commission services, some Community agencies, and Member States (MS). The study covered the period 1995–2004 for the old Member States and after that all the Member States.

From the start of the evaluation process it became clear that what is covered by the term 'Community Animal Health Policy' was not previously seen as a single unified and coherent framework but rather that it had evolved over time as a series of interrelated policy actions founded on a broad range of legislation. Many of the institutional structures involved in different aspects of the policy are relatively new and it was therefore timely to review their functioning and how indeed they related to the objectives which can be attributed to the CAHP.

A methodology was agreed with the Steering Committee which involved a range of tools starting from desk research of existing documentation and literature. At the centre of the evaluation and the major focus of effort has been a substantial stakeholder consultation using a web-based EU stakeholder survey, a survey of 34 Third Countries and, above all, an intensive interview programme at both EU level and in six Member States. It should be noted that while the EU survey is not a survey which seeks to achieve a statistical representation of the sector it is more significantly a survey of the key experts involved with the policy in the public sector (i.e. at EU institution level, at Member-State level and internationally), amongst those representing the commercial/professional interests in the sector and non-governmental organisations (NGOs), and thus represents a very substantial pool of knowledge and experience.

A pre-feasibility study conducted by Civic Consulting on options for harmonised cost-sharing schemes for epidemic livestock diseases was also carried out. This involved a distinct interview programme, a survey of insurers in EU MS, case studies and stakeholder consultation effort.

So there are two main reports covering all these topics and full details can be found on the website at: *http://ec.europa.eu/food/animal/diseases/strategy/index_en.htm*

These reports and conclusions were discussed at a conference held in Brussels on 5 November 2006 with worldwide participation.

In summary the conclusions were:

- *Support of on-farm biosecurity measures*
  Overall there was wide support for the biosecurity measures. Successful biosecurity measures must address the isolation of animals, either animals in good health or sick animals. They should regulate the movement of people, animals, and equipment. They should also include procedures for cleaning and disinfecting facilities in a harmonised way at a European level.

  Stakeholders should play an active role in preparing the guidelines. These guidelines should take into account the different levels of risk which are associated with different types of production system, different animal species and the environment. There is a need to secure appropriate funding to finance and promote on-farm biosecurity measures through existing financial instruments (such as the rural development fund).

- *Enhanced border security*
  With regard to border security, the question is 'does Europe have good borders, enough safe borders?' Current legislation could be improved in order to develop a better risk-based approach for the management of border inspections, in order to target illegitimate routes for freight. The operation of BIPs across the Community must be more harmonised to achieve a uniform level of control. This is important because the entire safety of Europe depends on the weakest link.

  The provision of support to Third Countries in order to upgrade their risk management structures and controls through training continue to be given. A major initiative on training, through which training courses were organised, was launched in 2005. Its aim was to help the authorities of Third Countries to increase their standards. Further financial support can be obtained through the 'External Aid' policy managed by the Commission.

  Travellers must be made more aware of restrictions and of their responsibilities, and proportionate enforcement ensured.

  The coordination of agencies and services regulating imports at national level need to be optimised. This will require an important but necessary effort for harmonisation.

- *Enhancing traceability: IT systems and identification*
  A new system, TRACES, has been introduced, which regulates and controls all movements of animals. The TRACES system aims to become the single interface for all veterinary matters concerning imports and intra-trade. There is a potential added value in creating a framework of interoperability between TRACES and national identification databases, because there are national identification databases which are not linked with TRACES.

  The computerisation of procedures for animal identification and certification is a long term-objective, but it is a means by which better traceability and an improved control of animal movements can be achieved.

- *Science and research support for the Animal Health Strategy*
  Research and development of effective new tools for the prevention, monitoring and control of animal diseases (such as veterinary vaccines and diagnostic tests) remains a key priority. At the European level, the European Technology Platform for Global Animal Health (ETPGAH), with its Strategic Research Agenda, is an important partner to push forward and to develop even more R&D activities.

  Clearly also EFSA with its scientific role can play an important function in this area.

- *Sharing responsibilities, costs and benefits*
  The development of a 'responsibility and cost sharing scheme' was recommended by the evaluation team as an instrument to support the future Community Animal Health Policy. This could contribute to the mitigation of major financial risks for the Member States and the Community budget, and could prove to be an important incentive to promote prevention. There were 11 different positions voiced during the conference but overall there was support for the development of such a scheme.

  Criteria for such a scheme would include:

  - the categorisation of animal diseases according to various factors: a) public health implications and relevance; b) economic impact c) the need for EU coordinated action; and d) relevance of and need for on-farm biosecurity measures;
  - a system by which all incentives should remain compatible, i.e. should not have adverse incentives;
  - finally, the scheme should allow the prevention of any distortion of competition; for this reason it should be developed and applied in a harmonised way at the European level.

Farmer representatives did not always see many benefits from such a scheme and this was the most controversial point raised during the conference.

It is clear that the benefits that can be achieved in practice depend on the details of the operational principles and on implementation at Member State level. This will possibly be the greatest challenge of the future policy – to put in place such an instrument in an enlarging EU. This is a complex and sensitive issue, which must be examined carefully, with all its political, economic and legal implications.

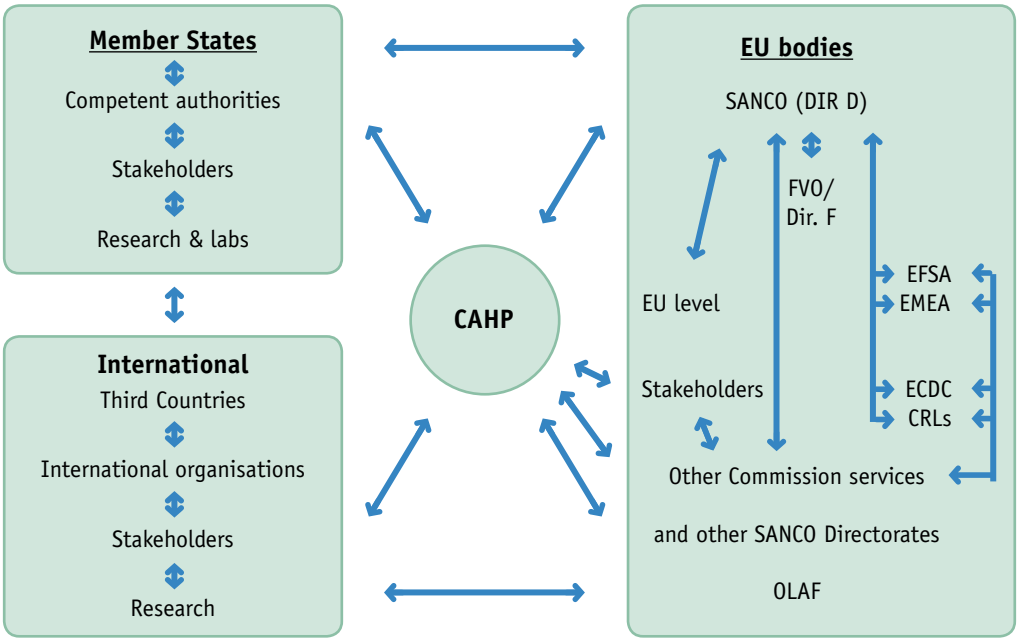
The next steps

Following the adoption of the Communication on the new Animal Health Strategy it is being discussed in the inter-institutional forums of the Council and the European Parliament. In the meeting of CVOs, on the 7th of November 2007, the "Adelbrecht Process" was established in order to provide general guidance to the Commission in the preparation of the action plan, including the definition of key areas for future action in the different areas of the Community Animal Health Strategy. In order to carry this out the Council set up three working groups chaired by two chosen CVOs to tackle three main areas covering:

- *Priorities for disease control* - Strategic objectives and performance indicators;
- *Financing* - Evaluation of the existing and possible sources, financing schemes, procedures and mechanisms and priority criteria;
- *Trade* – Improvement of biosecurity at EU borders by applying risk-based techniques and improvement of tracing tools (animals and animal products, including animal by-products and food).
- The European Parliament is also closely involved and will give its opinion in due course.

Figure 15.1

Network of organisations active in the CAHP



Functions and dates of establishment:

- SANCO incl. FVO/Dir. F (1999): CAHP, risk management, inspection
- EFSA (AHAW/2002): Risk assessment
- ECDC (2004): Human health, risk identification and assessment
- EMEA (1995): Authorisation of VMP
- OLAF (1999): Fight against fraud
- CRLs (1992 to date): Harmonised diagnosis (inter alia)

The input from the Council and the European Parliament will help the Commission determine a number of concrete actions and each concrete action will have to be presented and developed separately following the usual decision-making procedures, which means a proposal for the Commission after involvement of the stakeholders and accompanied by an impact assessment. It is intended to delegate the leadership for some actions to certain partners for example on the biosecurity guidelines.

The timetable for delivery of all the specific actions which will be included in this strategy will depend on the position of the Council and the Parliament, and also on human resources capacity. Overall, the strategy will encompass a challenging six-year programme of work.

It is important to highlight that the main thrust of the strategy for 2007–13 is: 'Prevention is better than cure'.

15.2 ANIMAL WELFARE POLICY/STRATEGY

During the last 40 years European citizens have shown an increasing interest in the animal welfare requirements related to keeping farm, laboratory and pet animals. This interest in animals and their welfare has led to an increased number of activities for improving their welfare by a number of stakeholders such as the farming community, enterprises involved in processing and trade in food of animal origin, NGOs engaged in animal protection and welfare, research institutions and political responsible authorities at national and international level.

The EU has responded in a comprehensive way to this increased interest and adopted animal welfare legislation at the highest possible level and established management tools for improving conditions for animals (see 6.10 and 10.2.8). The EU's achievements have not only improved conditions for keeping animals in the Member States of the EU; but the issue has also been recognised by some Third Countries and international organisations with which the EU has a close relationship, such as the Council of Europe, FAO, OiE and the World Bank.

SHORT- TO MEDIUM-TERM POLICY

It is anticipated that the future will continue to see improved animal welfare conditions for farm animals, animals during transport, laboratory animals and wild animals kept in zoological gardens. However, the improvements will be implemented gradually during a long period of time.
With the aim of promoting animal welfare and ensuring the humane and responsible treatment of farmed animals, the Commission presented in 2006 to the European Parliament and the Council a short-to medium-term Community Action Plan on the protection and welfare of animals (12). The main objectives of the action plan for implementation during the period 2006–2010 include to:

- define more clearly the direction of Community policies on animal protection and welfare
- continue to promote high animal welfare standards in the EU and at international level
- provide greater coordination of existing resources while identifying future needs
- support future trends in animal welfare research and continue to support the 3Rs principle: Replacement, Reduction and Refinement alternative approach to animal testing
- ensure a more consistent and coordinated approach to animal protection and welfare across Commission policy areas, also taking into account such aspects as socio-economic impact of any new measures.

The Action Plan has identified five main areas:

a. Upgrading existing minimum standards for animal protection and welfare in line with new scientific evidence and socio-economic assessment as well as possibly elaborating specific minimum standards for species or issues that are not currently addressed in EU legislation. A particular priority will be designing EU rules in order to secure efficient enforcement and take account of rules governing international trade.

b. Giving priority to promoting policy-oriented future research on animal protection in welfare and application of the 3Rs principle: in order to respect the obligations under the EC Treaty Protocol to pay full regard to the welfare of animals in formulating and implementing these policies in parallel with enhancing the development, validation, implementation and monitoring of alternative approaches to animal testing.

c. Introducing standardised animal welfare indicators: to classify the hierarchy of welfare standards applied (from minimum to higher standards) in order to assist the development of improved animal welfare production and husbandry methods and to facilitate their application at EU and international levels. On this basis, options for EU labelling will be explored in a systematic manner.

d. Ensuring that animal keepers/handlers as well as the general public are more involved and informed on current standards on animal protection and welfare and fully appreciate their role in promoting animal protection and welfare. In respect of farm animals for example this could include working with retailers and producers to facilitate improved consumer trust and awareness of current farming practices, and thus more informed purchasing decisions, as well as developing common initiatives in the field of animal welfare to facilitate the exchange of information and application of best practices.

(12) Communication from the Commission to the European Parliament and the Council. COM (2006)13 final, Brussels, 23.1.2006

e. Continuing to support and initiate further international initiatives to raise awareness and create consensus on animal welfare, including engaging with developing countries to explore trade opportunities based on welfare-friendly production systems. The Community should also actively identify transboundary problems in the area of animal welfare, relating to companion or farm animals, wildlife etc., and develop a mechanism to tackle them in a more timely, efficient and consistent manner.

The plan is accompanied by a number of actions in the areas of research, communication and consultation. Furthermore it is indicated the possible establishment by 2010 of a European Quality Standard for products coming from high animal welfare production systems. The plan does also consider the creation of a specific technical and financial system to promote at European level the application of higher welfare standards both for their technical developments and to market them in Europe and abroad.

LONG-TERM STRATEGY

The results and the impact obtained from the implementation of the 2006–2010 Action Plan will be carefully monitored and the shortcomings and improvements related to animal welfare will be made available to EU civil society, stakeholders and policymakers and used as guidelines for measures to be applied after 2010.

In the first 60–70 years of the 20th century the veterinary profession met a large number of challengers within the areas of animal health and public health. It is evident that in the 21st century the challenges for veterinarians within the context of the 'farm to fork' approach of food safety will cover in addition to animal health and public health issues also a number of animal welfare issues. It is hoped that further research in particular on animal sentience will provide answers to some of the unsolved questions about animal sentience, consciousness and emotions. Progress in this area would give veterinarians a better platform for complying with challengers in the area of animal welfare.

15.3 THE NEW COMMUNITY VETERINARY PUBLIC HEALTH POLICY

The first rules on food safety in the EU date from the early days of work carried out within the area of veterinary public health. The food safety crises of the 1990s showed the need for enhancing the veterinary public health measures applied within the 'farm to fork' strategy. Between 2002 and 2005 a comprehensive piece of 'umbrella' legislation known as the General Food Law was phased in.

With the adoption of the rest of the food hygiene package the EU has already achieved a big part of the overhaul of its veterinary public health policy. However, further elements of the review will also include legislation on residues and food additives and labelling.

With the Review of Council Regulation (EC) 2377/90 concerning maximum residue limits (MRLs) of veterinary medicinal products in foodstuffs of animal origin the EC's corresponding proposal of 17.04.2007 is set to ensure maintenance of a high level of consumer health protection while not compromising availability of veterinary medicinal products in the Community. At the same time, the proposal should contribute to simplification of legislation by improving the readability and clarity of the Regulation in line with the better regulation strategy of the Commission. For more details see:

http://eur-lex.europa.eu/LexUriServ/site/en/com/2007/com2007_0194en01.pdf

With a package of four proposals presented in 2006 the EC intends to improve the regulatory framework for food additives, enzymes, flavourings and common authorisation procedures (COM (2006) 428 final, COM (2006) 425 final, COM (2006) 427 final and COM (2006) 423 final).

As regards labelling Council Directives 2000/13 (general food labelling) and 90/496 (nutrition labelling of food) as well as Council Regulation (EC) 97/258 (novel foods) are subject to review and recast.

In general terms, it is worth noting that the veterinary public health sector is underlying the general strategy of the EU for a Sustainable Development Strategy (EU SDS), already adopted by the Council in 2001, see:

http://eur-lex.europa.eu/Notice.do?val=256348:cs&lang=en&list=256348:cs,256420:cs,&pos=1&page=1&nbl=2&pgs=10&hwords=&checktexte=checkbox&visu=#texte

In June 2006 the European Council renewed the 2001 Strategy, see document at:

http://register.consilium.europa.eu/pdf/en/06/st10/st10117.en06.pdf

Elements of the veterinary public health policy will need to be considered in the context of key challenges listed in the document, in particular sustainable consumption and production, conservation and management of natural resources and public health. For each of the challenges the European Council identified measures to be taken in medium- to longer-term perspectives.

For all of the three areas of challenges, the EUROGROUP for Animals has made 21 concrete suggestions for win–win opportunities linking animal welfare, animal and veterinary public health together; see:

www.eurogroupforanimals.org (Briefing April 2007– Sustainable Development Through Animal Protection).

ANNEXES 1–4 CAN BE FOUND ON THE CD-ROM.

European Commission

The EU Veterinarian
Animal health, welfare & veterinary public health developments in Europe since 1957

Luxembourg: Office for Official Publications of the European Communities, 2008

2008 — 189 pp. — 16.2 x 22.9 cm

ISBN-978-92-79-06997-0