

## ANNOTATED AGENDA FOR STAKEHOLDERS' CONSULTATION

<b>Meta Informations</b>	
Creation date	22-12-2009
Last update date	
User name	null
Case Number	886138939511035609
Invitation Ref.	
Status	N
<b>Questionnaire for stakeholders on possible approaches to a new EU Animal Health Law</b>	
Name of submitting entity: Royal Ministry of Agriculture and Food of Norway	
Contact details: ola-magnus.lomo@lmd.dep.no	
Status of submitting entity:	Other (please specify)
If other, please specify	
<b>1. Introduction and scope</b>	
<b>2. Focus on prevention involving different stakeholders</b>	
<b>2.1 Roles and responsibilities of different actors</b>	
<b>2.1.1 Responsibilities and obligations of animal keepers and owners</b>	
Do you support this preliminary approach?	Neutral
Further remarks on the approach and (if appropriate) alternative proposal: Option 2 is most in line with the opinion of the authorities in Norway. Our principal attitude is that the new law should regulate disease control, based on a minimum list of diseases of overall importance to the Community. These diseases should be controlled through a common set of rules. The legislation should give provisions for reporting, prevention, surveillance, control measures and requirements for intra-community trade. The provisions should meet the ambition to lift the animal health situation in all member states to a certain level, but within realistic limits, and without the risk of lowering the status in countries with a good animal health situation. In our opinion it must be in common interest of the Community to preserve the good situation found in some of its countries and regions. Accordingly, the individual Member States should be given the possibility to regulate and control diseases of national importance based on national regulations as long as these are not in conflict with Community trade rules. Diseases not on the official Community list, or not on the official national list, should be the responsibility, also economically, of the farmers and their organisations.	
Your estimation of likely impacts (economical, social, etc.):	
<b>2.1.2 Training on animal health and welfare for people dealing with animals</b>	
Do you support this preliminary approach?	Neutral
Further remarks on the approach and (if appropriate) alternative proposal: Due to the increased importance at farm level for health and welfare standards of the food chain, the animal health law should give provisions for requiring certified qualifications for personnel handling food producing animals. Knowledge on spreading of infectious agents and acknowledging animal farming as part of the food chain are the most crucial topics. However, because of the different scenarios in the various Member States, we support that the new law at this stage should establish voluntary requirements for training and formal qualifications. Incentives and stimulating measures would be of great importance to reach the ultimate goal. As long as Community legislation has an optional approach to training and competence, we suggest that the individual Member States should have the possibility to regulate requirements for training and competence on national bases.	
Your estimation of likely impacts (economical, social, etc.):	
<b>2.1.3 The role of the veterinary services: clarifying the tasks and duties of official veterinarians and private veterinary practitioners</b>	
Do you support this preliminary approach?	Agree
Further remarks on the approach and (if appropriate) alternative proposal: Basically we are of the opinion that principal Community legislation, also on training and competence should be presented in one law or one Regulation. These main provisions should be in accordance with internationally recognised (OIE) standards. Our first choice would be to use the new law and not Regulation (EC) No 882/2004. Additional requirements should be the duty of the Member States. This means that the Community will only regulate the main provisions as a set of minimum requirements.	
Your estimation of likely impacts (economical, social, etc.):	
<b>2.1.4 Professional qualifications and training for official and approved veterinarians</b>	
Do you support this preliminary approach?	Agree
Further remarks on the approach and (if appropriate) alternative proposal: Basically we are of the opinion that principal Community legislation, also on training and competence should be presented in one law or one Regulation. These main provisions should be in accordance with internationally recognised (OIE) standards. Our first choice would be to use the new law and not Regulation (EC) No 882/2004. Additional requirements should be the duty of the Member States. This means that the Community will only regulate the main provisions as a set of minimum requirements.	
Your estimation of likely impacts (economical, social, etc.):	
<b>2.2 Increased focus on prevention</b>	
<b>2.2.1 Biosecurity measures to prevent outbreaks on farms and not only deal with them when they occur</b>	
Do you support this preliminary approach?	Strongly agree
Further remarks on the approach and (if appropriate) alternative proposal: Appropriate biosecurity measures are one of the most crucial success factors in future animal health legislation. Consequently, our opinion is that Community legislation should have compulsory minimum standards of biosecurity measures in all holdings with commercial food producing animals. The Member States should be given the possibility to establish additional requirements. Our suggestion, therefore, is to give priority to option 2. The level of the minimum standards must reflect the average health situation in the Community. However, the law should set standards that are likely to increase the overall health situation in the EU countries. Increased attention to biosecurity measures must be a prerequisite for legal trade with live animals and animal products.	
Your estimation of likely impacts (economical, social, etc.):	
<b>2.2.2 Animal disease surveillance needs to be improved</b>	
Do you support this preliminary approach?	Strongly agree
Further remarks on the approach and (if appropriate) alternative proposal: Our approach complies with the options 1&2. Additionally, we would like to emphasise the importance of active surveillance programmes at the population level which are sufficient ambitious and based on risk- and cost-benefit-analysis. A regime of evaluation of existing surveillance programmes at regular intervals should be an integrated part of Community surveillance schemes. The compulsory regime of surveillance should be minimum requirements, thereby allowing the Member States to establish national systems as long as these are not in conflict with community rules/intra-community trade. We agree to a compulsory surveillance in territories officially free from certain diseases. However, such programmes must be evaluated at regular intervals to adjust the programmes based on risk assessments and make allowances to reduce costs. The lowest possible level of disease prevalence would not only be to the benefit of food safety and animal health and welfare, but also give the opportunity to use economic resources on other issues. We support the establishment of a network giving adequate disease information as basis for coordinated disease control measures in the various Member States.	
Your estimation of likely impacts (economical, social, etc.):	
<b>2.2.3 Disease control rules and their relation to intra-Community trade</b>	
<b>2.2.3.1 Intra-Community trade / placing on the market concept</b>	
<b>Option 1</b>	
Do you support this preliminary approach?	Strongly disagree
Further remarks on the approach and (if appropriate) alternative proposal: We support the preliminary approach as described in option 2. This alternative should allow the Member States, based on their national status, to have national regimes that are not in conflict with intra-Community trade rules. Improved	

standards on a national level and increased attention to biosecurity measures and surveillance programmes on Community level, are likely to raise the general health status and thereby later give reasons to strengthen Community legislation. In both the short and the long term, our opinion is that the application of placing on the market for trade and movement of live terrestrial animals is in conflict with the overall goals to improve the animal health, and thereby human health standards in the Community. The differences in health standards between the individual countries today are too big. Possible new Member States in Eastern Europe are likely to maintain these differences and even increase them. The idea of free trade, included in the principle of placing on the market, might be in conflict with animal welfare aspects, environmental issues and the overall accepted opinion that movement of live animals, by far, is the most hazardous activity in the spreading of diseases. This is due to long transports and increased contact between regions and countries. The new law should therefore take into consideration the principle of locally produced food, when possible.

Your estimation of likely impacts (economical, social, etc.):

## Option 2:

Do you support this preliminary approach?  Agree

Further remarks on the approach and (if appropriate) alternative proposal:

We support the preliminary approach as described in option 2. This alternative should allow the Member States, based on their national status, to have national regimes that are not in conflict with intra-Community trade rules. Improved standards on a national level and increased attention to biosecurity measures and surveillance programmes on Community level, are likely to raise the general health status and thereby later give reasons to strengthen Community legislation. In both the short and the long term, our opinion is that the application of placing on the market for trade and movement of live terrestrial animals is in conflict with the overall goals to improve the animal health, and thereby human health standards in the Community. The differences in health standards between the individual countries today are too big. Possible new Member States in Eastern Europe are likely to maintain these differences and even increase them. The idea of free trade, included in the principle of placing on the market, might be in conflict with animal welfare aspects, environmental issues and the overall accepted opinion that movement of live animals, by far, is the most hazardous activity in the spreading of diseases. This is due to long transports and increased contact between regions and countries. The new law should therefore take into consideration the principle of locally produced food, when possible.

Your estimation of likely impacts (economical, social, etc.):

## 2.2.3.2 Differentiation or uniformity of trade rules and disease control measures on commercial and non-commercial farming

Do you support this preliminary approach?  Agree

Further remarks on the approach and (if appropriate) alternative proposal:

Rules for notification of diseases should be similar for all holdings. Furthermore, it should be up to the Member States to apply the biosecurity measures which are most suitable and cost-effective. Non-commercial farming seems to be used differently in the respective countries. Therefore, we suggest that the term is defined in the new law.

Your estimation of likely impacts (economical, social, etc.):

## 2.2.3.3 Animal health requirements for trade and import for certain animal species under Directive 92/65/EC

Do you support this preliminary approach?  Strongly agree

Further remarks on the approach and (if appropriate) alternative proposal:

Also on this issue, we suggest that Community legislation should establish minimum standards and that the Member States are given the opportunity to have national rules corresponding to their national health status. Community requirements should be specific for the various species and related to the characteristics of the respective production. Community rules should clarify which species that could be exempted. In the northern part of Europe, this topic is especially relevant for reindeer. The requirements for intra-community trade in reindeer, laid down in Council Directive 92/65/EEC, recognising officially brucellosis and tuberculosis free herds, are not well adjusted to the reality of reindeer production in our northern regions. Reindeer husbandry differs considerably from the farming of other ruminants. We consider our animal health situation regarding contagious diseases in reindeer herds to be well harmonised within the Nordic countries. We have no indications that brucellosis and tuberculosis are relevant problems in these herds, and these countries are all recognised as free in traditional ruminant farms. An option is to adjust the Directives 92/65/EEC and 90/425/EEC so that both the testing requirements and the definition of holding, in the context of reindeer herding, reflect that reindeer are not normally kept on traditional holdings. The way the regulations are structured today, the amendment of Council Directive 92/65/EEC will require only comitology procedure, while the amendment of Council Directive 90/425/EEC will require Council involvement. This solution will allow better adaptations than a mere bilateral agreement, and it will further have the advantage of more transparency for all involved parties. We are aware that the EU Commission is in the process of considering some amendments to Council Directive 92/65/EEC, and this Directive has been highlighted as a specific issue in the public consultation on a new Community Animal Health Law. We propose to differentiate between movement of reindeer as flocks and movement of individual animals. We suggest that the animals are accompanied by a health certificate for the whole flock ascertaining the origin of the animals and that there has been no extra-ordinary disease reports in the herd within the last 30 days. We propose not to require any individual testing of the animals for tuberculosis and brucellosis. We also propose a modified definition of holdings, adjusted for reindeer herds. For reindeer grazing on common pastures on both sides of the border, we would not require any certification. For movement of individual animals either for trade or for competitions/cultural events, we propose to continue requiring individual testing and certification. We must however find a solution to avoid the retesting of these animals for each movement, as some of these animals may be moved many times during one season. A negative brucella and tuberculosis test could have a validity of for example two years. Such a solution would require that these animals have some form of individual marking (i.e. not just a herd mark). We must also expect that when a certificate is issued, information is also entered into TRACES. This is still an important tool for our field officers to be forewarned of relevant movements. Animals grazing on common pastures in the border areas are not relevant to inspect. It is therefore appropriate to exempt these from both certification and from being entered into TRACES. Movement of individual animals should always be entered into TRACES. Finally, we propose to limit the suggested amendments in the regulation to apply only to reindeer herds originating from one of the countries Finland, Sweden or Norway. We are not aware that other reindeer are being introduced into the Nordic herds, but to make sure that we do not leave a judicial loophole, we propose that animals not originating from one of the three Nordic countries must be tested individually and kept isolated from the rest of the herd until negative results are attained.

Your estimation of likely impacts (economical, social, etc.):

## 2.2.3.4 Emerging, re-emerging and exotic diseases

Do you support this preliminary approach?  Strongly agree

Further remarks on the approach and (if appropriate) alternative proposal:

Principally, we support this preliminary approach. Additionally, we would like to underline that the Community in the future should increase their attention to emerging and re-emerging diseases. To intercept new diseases, the Community should establish an appropriate reporting and surveillance system for disease monitoring. Which diseases should be reported? Who should report? How should diseases, including suspicions, be reported? Who should have the responsibility of monitoring reported diseases? The monitoring must be appropriate in size and cost to avoid reduced reporting of disease.

Your estimation of likely impacts (economical, social, etc.):

## 3. Simplification

### 3.1 Review and simplification of current rules on identification and registration of animals

Do you support this preliminary approach?  Agree

Further remarks on the approach and (if appropriate) alternative proposal:

We support this preliminary approach. High traceability standards are crucial for sufficient biosecurity, surveillance etc.

Your estimation of likely impacts (economical, social, etc.):

### 3.2 Specific animal health conditions relating to imports

Do you support this preliminary approach?  Strongly agree

Further remarks on the approach and (if appropriate) alternative proposal:

We support the preliminary approach. Simplification of import/export regulations is likely to facilitate border controls and thereby improve the animal health status in the Community.

Your estimation of likely impacts (economical, social, etc.):

### 3.3 Convergence of EU legislation with international standards

Do you support this preliminary approach?  Strongly agree

Further remarks on the approach and (if appropriate) alternative proposal:

Your estimation of likely impacts (economical, social, etc.):

### 3.4 The definition of 'epidemiological unit' and 'holding' in EU legislation

Do you support this preliminary approach?  Strongly agree

Further remarks on the approach and (if appropriate) alternative proposal:

We support the preliminary approach. However, we suggest that for the purpose of clarity and consistency, all relevant terms describing animal populations are defined in the new law. (See point 4). We recommend that the new law should apply OIE definitions whenever possible.

Your estimation of likely impacts (economical, social, etc.):

## 4. Are there any other issues that you would like to raise?

Is there any other issue that you would like to raise or that you feel that should be addressed by the Animal Health Law and that is not included in the document?  Yes

); Could you briefly describe the problem? REPORTING OF DISEASE AND SYSTEMS FOR REPORTING

In your view, which are the possible solutions to this problem?

Reference is made to the comments on point 2.2.3.4 The Questionnaire is not reflecting a system of disease reporting and the issue of notifiable diseases.

The new law should give provisions on Community level for diseases that should be reported (a list of notifiable diseases, including suspicions), who should have the responsibility to report, and how diseases should be reported and monitored.

The list of notifiable diseases on Community level should reflect the likely average standard in the Member States and allow the individual countries to have national lists. This would be in accordance with the Fish health directive.

II):Could you briefly describe the problem? FREE STATUS AND ADDITIONAL GUARANTEES

In your view, which are the possible solutions to this problem? We recommend that the new law should give provisions for a continuation of the system of "free status and additional guaranties". This system should not be seen as a disadvantage to trade, but rather a possibility for the Community to improve the overall health status, and thereby give opportunity to strengthen Community legislation. The concept of establishing minimum standards in the new law, combined with free status and additional guaranties, should also be seen as a good instrument for maintaining the health status in several EU-countries.

III):Could you briefly describe the problem? PUBLIC COMPENSATION

In your view, which are the possible solutions to this problem?

In your view, which approach would be the most appropriate to solve the problem that you raised?  
The EEA - agreement does not include financial matters. Norway considers it appropriate for the national authorities to continue to do the assessment and executive work concerning public compensation.