



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 09.09.1999  
COM(1999) 437 final

99/0191 (CNS)

Proposal for a

**COUNCIL DIRECTIVE**

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

(presented by the Commission)

## **EXPLANATORY MEMORANDUM**

Council Directive 93/53/EEC introducing minimum Community measures for the control of certain fish diseases<sup>1</sup> defines the measures that must be taken by the Member States in case of a possible outbreak of infectious salmon anaemia (ISA). This disease, affecting Atlantic salmon causes important losses in affected aquaculture sites. These measures prescribed in Directive 93/53/EEC are aimed at eradicating the disease from the territory of the Community if it would appear.

In May 1998, an outbreak of ISA has occurred in Scotland. The implementation of these measures by the competent authority in Scotland have shown that improvements can be made so as to allow efficient control of the disease whilst safeguarding as much as possible the interests of the infected sites. In this context, improvements can be made by introducing the possibility for spreading the obligation to empty affected farms over a period of time to be determined by the competent authority in function of the local situation and under respect of the general obligations contained in Directive 93/53/EEC. This proposal aims to introduce such improvements.

At the same time, it is believed that the control of an ISA outbreak can be better ensured in applying a vaccination policy. At present, such a possibility does not exist. Therefore the requirements laid down in Directive 93/53/EEC must be adapted so as to introduce a procedure which allows vaccination and the definition of the conditions under which such vaccination may take place.

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<sup>1</sup> OJ L 175, 19.7.1993, p. 23.

Proposal for a

## COUNCIL DIRECTIVE

### **amending Directive 93/53/EEC introducing minimum Community measures for the control of certain fish diseases**

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to the proposal from the Commission<sup>1</sup>,

Having regard to the opinion of the European Parliament<sup>2</sup>,

Having regard to the opinion of the Economic and Social Committee<sup>3</sup>,

Whereas:

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

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<sup>1</sup> OJ C

<sup>2</sup> OJ C

<sup>3</sup> OJ C

<sup>4</sup> OJ L 175, 19.7.1993, p. 23; Directive as amended by the Act of Accession of Austria, Finland and Sweden.

HAS ADOPTED THIS DIRECTIVE:

*Article 1*

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

1. The first indent of point (a) of Article 6 is replaced by the following text:
  - “- all fish shall be withdrawn in accordance with a scheme to be approved by the official service.”
2. Paragraph 1 of Article 14 is replaced by the following text:
  - “1. Vaccination against list II diseases in approved zones, in approved farms situated in non-approved zones or in zones or farms which have already begun the approval procedures laid down by Directive 91/67/EEC shall be forbidden. The procedures for vaccination in case of an outbreak of list I diseases shall be specified in the contingency plans referred to in Article 15(1).”

*Article 2*

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

They shall apply those provisions from 1 January 2000.

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

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

*Article 3*

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

*Article 4*

This Directive is addressed to the Member States.

Done at Brussels,

*For the Council*  
*The President*