

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(78) 598 final

PROPOSAL FOR A COUNCIL DIRECTIVE
authorizing the Italian Republic to postpone
the notification and implementation of its
national plans for the accelerated eradication
of brucellosis and tuberculosis in cattle

(Submitted by the Commission to the Council)

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Explanatory Memorandum

Council Directive 77/391/EEC, as supplemented by Directive 78/52/EEC, introduced Community measures for the eradication of brucellosis, tuberculosis and leucosis in cattle, which take the form of the establishment and application of national eradication plans in Member States in which cattle are infected.

Plans for the eradication of brucellosis or tuberculosis must normally be applied by the date fixed by the Commission in its approval decision and in any case before 31 December 1978.

Italy, which is involved in the eradication of brucellosis and tuberculosis, has officially informed the Commission that the drawing up of these plans has met with major legal and administrative obstacles concerned with the complex procedure for the adoption of legislation in Italy, particularly where the regional authorities have to be involved. Italy has therefore asked for the date of implementation of its national plans to be postponed by one year.

The importance of the eradication measures, which help protect cattle, and reduce technical obstacles to intra-Community trade, make their application, even if delayed, essential. For this reason, the aim of this proposal is to extend by one year the deadlines for introducing and completing the Community measures in Italy.

PROPOSAL FOR A Council Directive

of

authorizing the Italian Republic to postpone the notification and implementation of its national plans for the accelerated eradication of brucellosis and tuberculosis in cattle.

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 43 and 100 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

Having regard to the opinion of the Economic and Social Committee,

Whereas Articles 2 and 3 of Council Directive 77/391/EEC of 17 May 1977 introducing Community measures for the eradication of brucellosis, tuberculosis and leucosis in cattle ⁽¹⁾ provide that Member States in which cattle are infected with brucellosis or tuberculosis are to draw up ^{national} plans for accelerating the eradication of these diseases; whereas Article 9(1) of that Directive stipulates that Member States are to forward these plans to the Commission prior to their implementation and not later than 31 March 1978;

Whereas, however, the Italian Republic has officially informed the Commission that it is meeting considerable difficulties in drawing up its national eradication plans, which will therefore be delayed;

Whereas it is desirable and in accordance with the aims of the abovementioned Directive that the deadlines for the preparation of national eradication plans by the Italian Republic and for their communication to the Commission should be extended for as long as is necessary to ensure effective implementation;

(1) O.J. No L 145, 13.6.1977, p. 44

Whereas Article 29(2) and (3) of Council Directive 78/52/EEC (1)

stipulates that the three-year period of execution provided for in Article 6(1) of Directive 77/391/EEC for implementation of national plans for eradication of brucellosis and tuberculosis is to begin not later than 31 December 1978 and is to be restricted to slaughterings carried out before 1 January 1982;

Whereas, if the deadline for notifying the eradication plans submitted by the Italian Republic is extended, then, to ensure full effectiveness of the measures, the deadline for the entry into force of these plans and the deadline for slaughterings qualifying for Community finance should be extended by a maximum of one year;

HAS ADOPTED THIS DIRECTIVE :

Article 1

By way of derogation from Article 9(1) of Directive 77/391/EEC, the Italian Republic shall forward to the Commission the plans provided for in Articles 2 and 3 of that Regulation prior to their implementation and not later than 31 March 1979.

Article 2

1. By way of derogation from Article 29(2) of Directive 78/52/EEC, the Italian Republic shall bring into force the laws, regulations and administrative provisions necessary for implementation of national plans for accelerated eradication adopted in accordance with Article 9(2) of Directive 77/391/EEC on the date laid down by the Commission in its Decision approving the plans, and not later than 31 December 1979.
2. By way of derogation from Article 29(3) of Directive 78/52/EEC, the three-year period of execution provided for in Article 6(1) of Directive 77/391/EEC shall run, for the Italian Republic, from the date laid down by the Commission pursuant to paragraph 1. However, Community finance shall in all cases be restricted to slaughterings carried out before 1 January 1983.

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Article 3

This Directive is addressed to the Italian Republic.

Done at Brussels,

For the Council

The President