

Regulation (EU) 2016/429 of the European Parliament and of the Council of 9 March 2016 on transmissible animal diseases and amending and repealing certain acts in the area of animal health ('Animal Health Law') (Text with EEA relevance)

## PART II

### **DISEASE NOTIFICATION AND REPORTING, SURVEILLANCE, ERADICATION PROGRAMMES, DISEASE-FREE STATUS**

#### *CHAPTER 2*

#### *Surveillance*

#### *Article 24*

#### **Operators' surveillance obligation**

For the purpose of detecting the presence of listed diseases and emerging diseases, operators shall:

- (a) observe the health and behaviour of animals under their responsibility;
- (b) observe any changes in the normal production parameters in the establishments, animals or germinal products under their responsibility that may give rise to a suspicion of being caused by a listed disease or emerging disease;
- (c) look for abnormal mortalities and other signs of serious disease in animals under their responsibility.

#### *Article 25*

#### **Animal health visits**

1 Operators shall ensure that establishments under their responsibility receive animal health visits from a veterinarian when appropriate due to the risks posed by the establishment in question, taking into account:

- a the type of establishment;
- b the species and categories of kept animals on the establishment;
- c the epidemiological situation in the zone or region as regards listed and emerging diseases to which the animals in the establishment are susceptible;
- d any other relevant surveillance, or official controls to which the kept animals and type of establishment are subject.

Such animal health visits shall take place at frequencies that are proportionate to the risks posed by the establishment concerned.

They may be combined with visits for other purposes.

2 The animal health visits provided for in paragraph 1 shall be made for the purpose of disease prevention, in particular through:

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- a the provision of advice to the operator concerned on biosecurity and other animal health matters, as relevant for the type of establishment and the species and categories of kept animals on the establishment.
  - b the detection of, and information on, signs indicative of the occurrence of listed diseases or emerging diseases;
- 3 The Commission may, by means of implementing acts, lay down minimum requirements necessary for the uniform application of this Article.

Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 266(2).

#### Article 26

##### **The competent authority's surveillance obligation**

- 1 The competent authority shall conduct surveillance to detect the presence of listed diseases as referred to in point (e) of Article 9(1) and relevant emerging diseases.
- 2 The surveillance shall be designed in such a way as to ensure the timely detection of the presence of the listed diseases referred to in point (e) of Article 9(1) and emerging diseases by means of the collection, collation and analysis of relevant information relating to the disease situation.
- 3 The competent authority shall, whenever possible and appropriate, make use of the results of the surveillance conducted by operators and the information obtained through animal health visits in accordance with Articles 24 and 25, respectively.
- 4 The competent authority shall ensure that surveillance meets the requirements provided for in Article 27 and in any rules adopted pursuant to point (a) of Article 29.
- 5 The competent authority shall ensure that the information obtained through the surveillance provided for in paragraph 1 is collected and used in an effective and efficient manner.

#### Article 27

##### **Methodology, frequency and intensity of surveillance**

The design, means, diagnostic methods, frequency, intensity, targeted animal population, and sampling patterns of the surveillance provided for in Article 26 shall be appropriate and proportionate to the objectives of the surveillance, taking into account:

- (a) the disease profile;
- (b) the risk factors involved;
- (c) the health status in:
  - (i) the Member State, zone or compartment thereof subject to the surveillance;
  - (ii) the Member States and third countries or territories which either border on, or from which animals and products enter into, that Member State, zone or compartment thereof;

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- (d) surveillance conducted by operators in accordance with Article 24, including animal health visits as referred to in Article 25, or by other public authorities.

#### Article 28

### Union surveillance programmes

1 The competent authority shall undertake surveillance as provided for in Article 26(1) within the framework of a surveillance programme when a disease is relevant for the Union in accordance with point (c) of Article 29.

2 Member States establishing a surveillance programme in accordance with paragraph 1 shall submit it to the Commission.

3 Member States implementing a surveillance programme in accordance with paragraph 1 shall submit regular reports on the results of the implementation of that programme to the Commission.

#### Article 29

### Delegation of powers

The Commission shall be empowered to adopt delegated acts in accordance with Article 264 concerning:

- (a) the design, means, diagnostic methods, frequency, intensity, targeted animal population, and sampling patterns of the surveillance provided for in Article 27;
- (b) the criteria for the official confirmation and case definitions of listed diseases as referred to in point (e) of Article 9(1), and, where relevant, of emerging diseases;
- (c) the criteria used to establish the relevance of a disease which is to be subject to a surveillance programme relevant for the Union for the purposes of point (a) of Article 30(1), taking into account the disease profile and the risk factors involved;
- (d) requirements for surveillance programmes as provided for in Article 28(1) regarding:
  - (i) the contents of surveillance programmes;
  - (ii) the information to be included in the submission of surveillance programmes in accordance with Article 28(2) and regular reports in accordance with Article 28(3);
  - (iii) the period of application of surveillance programmes.

#### Article 30

### Implementing powers

1 The Commission shall, by means of implementing acts, lay down requirements concerning surveillance and surveillance programmes as provided for in Articles 26 and 28 and in the rules adopted pursuant to Article 29, as regards:

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- a establishing which of the listed diseases referred to in point (e) of Article 9(1) are to be subject to surveillance programmes in accordance with Article 28, including the geographical scope of such programmes;
  - b the format and procedure for:
    - (i) the submission of those surveillance programmes for information to the Commission and other Member States;
    - (ii) the reporting to the Commission on the results of the surveillance.
- 2 The Commission may, by means of implementing acts, lay down the criteria to be used for evaluating the surveillance programmes referred to in Article 28.
- 3 The implementing acts referred to in paragraphs 1 and 2 of this Article shall be adopted in accordance with the examination procedure referred to in Article 266(2).

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**Changes and effects yet to be applied to the whole legislation item and associated provisions**

- Art. 17(1A) words substituted by [S.I. 2021/1273 reg. 8Sch. 2 para. \(t\)](#)