

Council Decision of 26 June 1990 on expenditure
in the veterinary field (90/424/EEC) (repealed)

TITLE 1

SPECIFIC VETERINARY MEASURES

Article 2

Specific veterinary measures shall include:

- emergency measures;
- the campaign against foot-and-mouth disease,
- measures for the protection of animals,
- contribution to national schemes for the eradication of certain diseases,
- technical and scientific measures.

Chapter 1

Emergency measures

Article 3

1 The provisions of this Article shall apply in the event of the occurrence of one of the following diseases in the territory of a Member State:

- rinderpest cattle plague,
- sheep and goat plague,
- swine vesicular disease,
- blue tongue,
- Teschen disease,
- [F1]
- sheep pox or goat pox,
- Rift Valley fever,
- lumpy skin disease,
- African horse sickness,
- vesicular stomatitis,
- Venezuelan equine viral encephalomyelitis[F2,]
- [F3 haemorrhagic disease of deer[F4,]]
- [F5 classical swine fever[F6,]]
- [F7 African swine fever,
- contagious bovine pleuropneumonia[F8,]]
- [F9 epizootic haematopoietic necrosis in fish (EHN),
- epizootic ulcerative syndrome in fish (EUS),
- infection with *Bonamia exitiosa*,
- infection with *Perkinsus marinus*,
- infection with *Microcytos mackini*,
- Taura syndrome in crustaceans,

Status: Point in time view as at 01/09/2008.

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— yellowhead disease in crustaceans.]

2 The Member State concerned shall obtain a financial contribution from the Community for the eradication of the disease, on condition that the measures applied immediately comprise at least the isolation of the holding from the time of suspicion and, following official confirmation of the disease:

- [F¹⁰the slaughter of animals of susceptible species which are affected or contaminated or suspected of being affected or contaminated, and their destruction,]
- the destruction of contaminated feedingstuffs and contaminated equipment, where the latter cannot be disinfected in accordance with the third indent,
- the cleaning, disinsectization and disinfection of the holdings and of the equipment on the holdings,
- the establishment of protection zones,
- the imposition of suitable measures to prevent the risk of the spread of infection,
- the establishment of a waiting period to be observed after slaughter before re-stocking of the holding,
- swift and adequate compensation of the livestock farmers.

[F^{32a} The Member State concerned shall also qualify for a Community financial contribution where, on the outbreak of one of the diseases listed in paragraph 1, two or more Member States collaborate closely to control the epidemic, particularly in carrying out an epidemiological survey and disease surveillance measures. Without prejudice to the measures provided for under the common organization of markets concerned, the specific Community financial contribution shall be decided on in accordance with the procedure laid down in Article 41.]

3 The Member State concerned shall, without delay, inform the Commission and the other Member States of the measures applied in accordance with Community legislation on notification and eradication and the results thereof. The situation shall be examined as soon as possible within the Standing Veterinary Committee, hereinafter referred to as the 'Committee', set up by Decision 68/361/EEC⁽¹⁾. The specific financial contribution by the Community shall be decided in accordance with the procedure laid down in Article 41, without prejudice to the measures provided for in the context of the common organization of markets concerned.

[F¹⁰⁴ If, in view of the development of the situation in the Community, it proves necessary to continue the measures provided for in paragraph 2 and Article 3a, a new decision concerning the financial contribution by the Community, which might exceed the figure of 50 % laid down in the first indent of paragraph 5, may be adopted in accordance with the procedure laid down in Article 41. When this decision is adopted, any measures which the Member State concerned must take in order to ensure the success of the action may be laid down, and in particular measures other than those mentioned in paragraph 2.]

5 Without prejudice to market support measures to be taken as part of the common organization of markets, the financial contribution by the Community, divided if necessary into several tranches, must be:

- 50 % of the costs incurred by the Member State in compensating owners for the slaughter, destruction of animals and, where appropriate, their products, for the cleaning, disinsectization and disinfection of holdings and equipment and for the destruction of the contaminated feedingstuffs and contaminated equipment referred to in the second indent of paragraph 2,
- where vaccination has been decided upon in accordance with paragraph 4, 100 % of the cost of supply of the vaccine and 50 % of the costs incurred in carrying out that vaccination.

Status: Point in time view as at 01/09/2008.

Changes to legislation: There are currently no known outstanding effects for the Council Decision of 26 June 1990 on expenditure in the veterinary field (90/424/EEC) (repealed), TITLE 1. (See end of Document for details)

Textual Amendments

- F1** Deleted by Council Decision of 23 January 2006 amending Decision 90/424/EEC on expenditure in the veterinary field (2006/53/EC).
- F2** Substituted by Council Directive 92/119/EEC of 17 December 1992 introducing general Community measures for the control of certain animal diseases and specific measures relating to swine vesicular disease.
- F3** Inserted by Council Directive 92/119/EEC of 17 December 1992 introducing general Community measures for the control of certain animal diseases and specific measures relating to swine vesicular disease.
- F4** Substituted by Commission Decision of 30 June 1993 amending Council Decision 90/424/EEC on expenditure in the veterinary field as regards classical swine fever (93/439/EEC).
- F5** Inserted by Commission Decision of 30 June 1993 amending Council Decision 90/424/EEC on expenditure in the veterinary field as regards classical swine fever (93/439/EEC).
- F6** Substituted by Council Decision of 21 June 1994 amending Decision 90/424/EEC on expenditure in the veterinary field (94/370/EC).
- F7** Inserted by Council Decision of 21 June 1994 amending Decision 90/424/EEC on expenditure in the veterinary field (94/370/EC).
- F8** Substituted by Council Decision of 24 October 2006 amending Decision 90/424/EEC on expenditure in the veterinary field (2006/782/EC).
- F9** Inserted by Council Decision of 24 October 2006 amending Decision 90/424/EEC on expenditure in the veterinary field (2006/782/EC).
- F10** Substituted by Council Decision of 23 January 2006 amending Decision 90/424/EEC on expenditure in the veterinary field (2006/53/EC).

[^{F11} Article 3a

1 This Article and Article 3(3) and (4) shall apply in the event of the occurrence of avian influenza in the territory of a Member State.

2 The Member State concerned shall obtain a financial contribution from the Community for the eradication of avian influenza if the minimum control measures provided for in Council Directive 2005/94/EC of 20 December 2005 on Community measures for the control of avian influenza⁽²⁾ have been fully and efficiently implemented in compliance with relevant Community legislation and, in the case of killing of animals of susceptible species which are affected or contaminated or suspected of being affected or contaminated, livestock owners have been compensated swiftly and adequately.

3 The financial contribution by the Community, divided if necessary into several tranches, shall be:

- [^{F12}50 % of the costs incurred by the Member State in compensating livestock owners for the killing of poultry or other captive birds and the value of the eggs destroyed;]
- 50 % of the costs incurred by the Member State for, the destruction of animals, the destruction of animal products, the cleaning and disinfection of holdings and equipment, the destruction of the contaminated feedingstuffs and for the destruction of contaminated equipment, where such equipment cannot be disinfected;
- where emergency vaccination is decided upon in accordance with Article 54 of Directive 2005/94/EC, 100 % of the cost of supply of the vaccine and 50 % of the costs incurred in carrying out that vaccination.]

Status: Point in time view as at 01/09/2008.

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Textual Amendments

- F11** Inserted by [Council Decision of 23 January 2006 amending Decision 90/424/EEC on expenditure in the veterinary field \(2006/53/EC\)](#).
- F12** Substituted by [Council Decision of 19 December 2006 amending Decision 90/424/EEC on expenditure in the veterinary field \(2006/965/EC\)](#).

[^{F9} Article 3b

Member States may allocate funds within the operational programmes drawn up in accordance with Article 17 of Council Regulation (EC) No 1198/2006 of 27 July 2006 on the European Fisheries Fund⁽³⁾ for the eradication of the exotic diseases in aquaculture animals referred to in Article 3(1) of this Decision, under the procedures laid down in Article 3(3), (4) and (5) of this Decision, provided that the minimum control and eradication measures laid down in Section 3 of Chapter V of Directive 2006/88/EC of 24 October 2006 on animal health requirements for aquaculture animals and products thereof, and on the prevention and control of certain diseases in aquatic animals⁽⁴⁾ are complied with.]

Textual Amendments

- F9** Inserted by [Council Decision of 24 October 2006 amending Decision 90/424/EEC on expenditure in the veterinary field \(2006/782/EC\)](#).

Article 4

[^{F61} The provisions of Article 3 shall be applicable where the control of grave health risks for the Union is involved, which are caused by the diseases referred to in Article 3 (1), even if the territory where the disease occurs is subject to an eradication programme in accordance with Article 24.]

2 In the event of the occurrence of Newcastle disease in the territory of a Member State, Article 3 shall apply.

However, except where the Commission takes a decision in accordance with the procedure provided for in Article 41, authorizing, on certain conditions and for a limited period and a limited area, recourse to vaccination, no financial contribution by the Community will be granted for the supply of the vaccine or the carrying out of the vaccination.

[^{F13} The provisions of Article 3, with the exception of the fourth indent of paragraph 2 and the second indent of paragraph 5, shall apply when a zoonosis listed in Directive 92/117/EEC occurs, provided that this occurrence is an immediate risk to human health. This condition will be fulfilled when the decision provided for in Article 3 (3) is taken.]

Textual Amendments

- F6** Substituted by [Council Decision of 21 June 1994 amending Decision 90/424/EEC on expenditure in the veterinary field \(94/370/EC\)](#).
- F13** Inserted by [Council Directive 92/117/EEC of 17 December 1992 concerning measures for protection against specified zoonoses and specified zoonotic agents in animals and products of animal origin in order to prevent outbreaks of food-borne infections and intoxications](#).

Status: Point in time view as at 01/09/2008.

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Article 5

1 In accordance with the procedure laid down in Article 41, the Commission, at the request of a Member State, shall add to the list in Article 3 (1) an exotic disease for which declaration is mandatory and which is likely to constitute a danger for the Community.

[^{F8} In accordance with the procedure laid down in Article 41, the list in Article 3(1) may be supplemented in line with developments in the situation, to include diseases which must be notified in accordance with Council Directive 82/894/EEC of 21 December 1982 on the notification of animal diseases within the Community⁽⁵⁾ and diseases which can be transmitted to aquaculture animals. The list may also be amended or shortened to take account of progress made with the measures decided at Community level to control certain diseases.]

3 Article 3 (2) may be supplemented or amended in accordance with the procedure laid down in Article 41, in particular to take account of the inclusion of new diseases in the list in Article 3 (1), of experience acquired or of the adoption of Community provisions concerning disease control.

Textual Amendments

F8 Substituted by [Council Decision of 24 October 2006 amending Decision 90/424/EEC on expenditure in the veterinary field \(2006/782/EC\)](#).

Article 6

[^{F12} Where a Member State is directly threatened by the occurrence or the development, in the territory of a third country or Member State, of one of the diseases referred to in Article 3(1), 3a(1), 4(1) and (2), 11(1) or in the Annex, it shall inform the Commission and the other Member States of the measures which it intends to adopt for its protection.]

2 As soon as possible, the situation shall be examined within the Committee referred to in Article 41. In accordance with the procedure laid down in that Article, it may be decided to adopt any measures appropriate to the situation including, in particular, the establishment of a vaccination buffer zone, and to grant a financial contribution by the Community towards the measures deemed particularly necessary for the success of the action undertaken.

3 The decision referred to in paragraph 2 shall set out the eligible costs and the level of the financial contribution by the Community.

Textual Amendments

F12 Substituted by [Council Decision of 19 December 2006 amending Decision 90/424/EEC on expenditure in the veterinary field \(2006/965/EC\)](#).

Article 7

1 The Community may decide, at the request of a Member State, that the Member States should establish stocks of biological products intended for the control of the diseases referred to in Article 3 (1), [^{F11}Article 3a (1),] Article 4 (1) (vaccines, standardized virus serotypes, diagnostic sera) and, without prejudice to the decision provided for in Article 14 (2) of Directive 85/511/EEC, Article 11 (1) of this Decision.

2 The action referred to in paragraph 1, and the rules for its implementation, particularly concerning the choice, production, storage, transport and use of such stocks, and the level of

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financial contribution by the Community, shall be decided in accordance with the procedure laid down in Article 41.

Textual Amendments

F11 Inserted by [Council Decision of 23 January 2006 amending Decision 90/424/EEC on expenditure in the veterinary field \(2006/53/EC\)](#).

Article 8

1 If the occurrence or the development in a third country of one of the diseases referred to in Article 3 (1), [^{F11}3a (1),] 4 (1), 5 (1) or 11 (1) may constitute a danger to the Community, the Community may give its support to control measures against that disease by supplying vaccine or by financing the acquisition of vaccine.

2 The action referred to in paragraph 1, the rules for its implementation, the conditions to which it may be subject and the level of financial contribution by the Community shall be decided in accordance with the procedure laid down in Article 41.

Textual Amendments

F11 Inserted by [Council Decision of 23 January 2006 amending Decision 90/424/EEC on expenditure in the veterinary field \(2006/53/EC\)](#).

Article 9

1 The Commission shall carry out, with the cooperation of the national competent authorities, on-the-spot checks to ensure, from a veterinary point of view, that the measures adopted have been applied.

2 Member States shall take all necessary steps to facilitate these checks, and shall, in particular, ensure that the experts have access to all information and documents necessary for assessing whether the measures have been carried out.

3 General rules for the application of this Article, particularly concerning the frequency and methods of carrying out the checks referred to in paragraph 1, the appointment of veterinary experts and the procedure which they must follow in drawing up their report, shall be adopted in accordance with the procedure laid down in Article 41.

Article 10

The appropriations required for measures as referred to in this chapter shall be decided each year as part of the budgetary procedure.

^{F7}Article 10a

The financial contribution of the Community shall not be granted where the total amount of the measure is less than ECU 10 000.]

Textual Amendments

F7 Inserted by [Council Decision of 21 June 1994 amending Decision 90/424/EEC on expenditure in the veterinary field \(94/370/EC\)](#).

Status: Point in time view as at 01/09/2008.

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Chapter 2

The campaign against foot-and-mouth disease

Article 11

1 The provisions of this Article shall apply in the event of the occurrence of foot-and-mouth disease in the territory of a Member State.

2 The Member State concerned shall obtain a financial contribution from the Community for the eradication of foot-and-mouth disease, on condition that the measures provided for in Article 3 (2) and the appropriate provisions of Council Directive 85/511/EEC of 18 November 1985 introducing Community measures for the control of foot-and-mouth disease⁽⁶⁾, as amended by Directive 90/423/EEC⁽⁷⁾, are applied immediately.

3 Article 3 (3) shall apply.

4 Without prejudice to the measures to be taken in the context of the common organization of the market to support the market, the specific financial contribution under this Decision shall be equal to 60 % of the costs incurred by the Member State in:

- a compensating owners for:
 - (i) the slaughter and destruction of animals,
 - (ii) the destruction of milk,
 - (iii) the cleaning and disinfection of holdings,
 - (iv) the destruction of contaminated feedingstuffs and, where it cannot be disinfected, contaminated equipment,
 - (v) losses incurred by farmers as a result of restrictions imposed on the marketing of livestock and pasture-fattened animals as a result of the reintroduction of emergency vaccination, in accordance with the penultimate subparagraph of Article 13 (3) of Directive 85/511/EEC;
- b Where applicable, the transport of carcasses to processing plants;
- c any other measures which are essential for the eradication of the outbreak of the disease.

The Commission shall, in accordance with the procedure provided for in Article 41, define the nature of the other measures referred to in (c) which may be eligible for the same financial contribution by the Community and the cases in which point (a) (v) shall apply.

5 For the first time not later than 45 days after official confirmation of the first outbreak of foot-and-mouth disease, and subsequently as and when required by the turn of events, the situation shall be re-examined within the Committee referred to in Article 42. This examination shall cover both the veterinary situation and the estimated expenditure already incurred or committed. Following this examination, a new decision concerning the financial contribution by the Community, which may exceed the figure of 60 % laid down in paragraph 4, may be adopted in accordance with the procedure laid down in Article 42. This decision shall set out the eligible costs and the level of the financial contribution by the Community. In addition, when this decision is adopted, any measures which the Member State concerned must take in order to ensure the success of the action may be adopted, in particular measures other than those referred to in paragraph 2.

*Status: Point in time view as at 01/09/2008.**Changes to legislation: There are currently no known outstanding effects for the Council Decision of 26 June 1990 on expenditure in the veterinary field (90/424/EEC) (repealed), TITLE 1. (See end of Document for details)*

6 However, by way of derogation from paragraph 4, the specific financial contribution by the Community for the measures referred to in that paragraph shall be 70 % until [^{F6}1 January 1998].

Textual Amendments

F6 Substituted by [Council Decision of 21 June 1994 amending Decision 90/424/EEC on expenditure in the veterinary field \(94/370/EC\)](#).

Article 12

Any measure decided by the Community to assist the campaign against foot-and-mouth disease outside the Community, in particular measures taken pursuant to Article 6 and 8, may receive a Community financial contribution.

Article 13

The measures and the rules for the implementation of the measures referred to in Article 12, the conditions to which they may be subject and the level of financial contribution by the Community shall be decided in accordance with the procedure laid down in Article 42.

Article 14

Community aid may be granted to set up a Community reserve of anti-foot-and-mouth disease vaccines as provided for in Article 14 (2) of Directive 85/511/EEC.

The level of Community participation and the conditions to which such participation may be subject shall be determined in accordance with the procedure provided for in Article 42.

Article 15

The appropriations required for measures as specified in Articles 12, 13 and 14 shall be decided each year as part of the budgetary procedure.

Should a serious outbreak of foot-and-mouth disease necessitate expenditure under the provisions of this chapter in excess of the appropriations determined in accordance with the first subparagraph, the Commission will take the necessary measures within its existing powers or put forward to the budgetary authority the necessary proposals to ensure that the financial commitments in relation to Article 11 are fulfilled.

[^{F14}]

Textual Amendments

F14 Deleted by [Council Regulation \(EC\) No 1258/1999 of 17 May 1999 on the financing of the common agricultural policy](#).

Status: Point in time view as at 01/09/2008.

Changes to legislation: There are currently no known outstanding effects for the Council Decision of 26 June 1990 on expenditure in the veterinary field (90/424/EEC) (repealed), TITLE 1. (See end of Document for details)

Chapter 3

[^{F12}Information policy for animal health, animal welfare and food safety]

[^{F12}Article 16

The Community shall make a financial contribution to the establishment of an information policy in the field of animal health, animal welfare and food safety in products of animal origin, including:

- (a) the installation and development of information tools, including an appropriate database for:
 - (i) gathering and storing all information relating to Community legislation concerning animal health, animal welfare and food safety in products of animal origin;
 - (ii) disseminating the information referred to in point (i) to the competent authorities, producers and consumers, taking into account interfaces with national databases where appropriate;
- (b) the performance of studies necessary for the preparation and development of legislation in the field of animal welfare.]

Article 17

The measures referred to in Article 16, the rules for their implementation and the level of financial contribution by the Community shall be decided in accordance with the procedure laid down in Article 41.

Article 18

The appropriations required for measures as specified in this chapter shall be decided each year as part of the budgetary procedure.

Chapter 4

Technical and scientific measures

Article 19

[^{F12}The Community may undertake, or assist the Member States or international organisations in undertaking, the technical and scientific measures necessary for the development of Community veterinary legislation and for the development of veterinary education or training.]

Textual Amendments

F12 Substituted by [Council Decision of 19 December 2006 amending Decision 90/424/EEC on expenditure in the veterinary field \(2006/965/EC\)](#).

Article 20

[^{X1}The measures referred to in Article 19, the rules for] their implementation and the level of financial contribution by the Community shall be decided upon in accordance with the procedure laid down in Article 41.

Status: Point in time view as at 01/09/2008.

Changes to legislation: There are currently no known outstanding effects for the Council Decision of 26 June 1990 on expenditure in the veterinary field (90/424/EEC) (repealed), TITLE 1. (See end of Document for details)

Editorial Information

- X1** Substituted by [Corrigendum to Council Decision 90/424/EEC of 26 June 1990 on expenditure in the veterinary field \(Official Journal of the European Communities No L 224 of 18 August 1990\)](#).

Article 21

The appropriations required for the measures provided for in this chapter shall be decided each year as part of the budgetary procedure.

Status: Point in time view as at 01/09/2008.

Changes to legislation: There are currently no known outstanding effects for the Council Decision of 26 June 1990 on expenditure in the veterinary field (90/424/EEC) (repealed), TITLE 1. (See end of Document for details)

- (1) OJ No L 255, 18. 10. 1968. p. 23.
- (2) [^{F11}OJ L 10, 14.1.2006, p. 16.]
- (3) [^{F9}OJ L 223, 15.8.2006, p. 1.
- (4) OJ L 328, 24.11.2006, p. 14.]
- (5) [^{F8}OJ L 378, 31.12.1982, p. 58. Directive as last amended by Commission Decision 2004/216/EC (OJ L 67, 5.3.2004, p. 27).]
- (6) OJ No L 315, 26. 11. 1985, p. 11.
- (7) See p. 13 of this Official Journal.

Textual Amendments

- F8** Substituted by Council Decision of 24 October 2006 amending Decision 90/424/EEC on expenditure in the veterinary field (2006/782/EC).
- F9** Inserted by Council Decision of 24 October 2006 amending Decision 90/424/EEC on expenditure in the veterinary field (2006/782/EC).
- F11** Inserted by Council Decision of 23 January 2006 amending Decision 90/424/EEC on expenditure in the veterinary field (2006/53/EC).

Status:

Point in time view as at 01/09/2008.

Changes to legislation:

There are currently no known outstanding effects for the Council Decision of 26 June 1990 on expenditure in the veterinary field (90/424/EEC) (repealed), TITLE 1.