

Commission Implementing Decision of 30 November 2012 approving annual and multiannual programmes and the financial contribution from the Union for the eradication, control and monitoring of certain animal diseases and zoonoses presented by the Member States for 2013 (notified under document C(2012) 8682) (2012/761/EU)

COMMISSION IMPLEMENTING DECISION

of 30 November 2012

approving annual and multiannual programmes and the financial contribution from the Union for the eradication, control and monitoring of certain animal diseases and zoonoses presented by the Member States for 2013

(notified under document C(2012) 8682)

(2012/761/EU)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to the Treaty of Accession of Croatia, and in particular Article 3(4)<sup>(1)</sup> thereof,

Having regard to Council Decision 2009/470/EC of 25 May 2009 on expenditure in the veterinary field<sup>(2)</sup>, and in particular Article 27(5) thereof,

Whereas:

- (1) Decision 2009/470/EC lays down the procedures governing the Union financial contribution for programmes for the eradication, control and monitoring of animal diseases and zoonoses.
- (2) In addition, Article 27(1) of Decision 2009/470/EC provides that a Union financial measure is to be introduced to reimburse the expenditure incurred by the Member States for the financing of national programmes for the eradication, control and monitoring of the animal diseases and zoonoses listed in Annex I to that Decision.
- (3) Commission Decision 2008/341/EC of 25 April 2008 laying down Community criteria for national programmes for the eradication, control and monitoring of certain animal diseases and zoonoses<sup>(3)</sup> provides that in order to be approved under the Union financial measures, programmes submitted by the Member States must meet at least the criteria set out in the Annex to that Decision.
- (4) Regulation (EC) No 999/2001 of the European Parliament and of the Council of 22 May 2001 laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies<sup>(4)</sup> provides for annual monitoring programmes by Member States for transmissible spongiform encephalopathies (TSEs) in bovine, ovine and caprine animals.

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**Changes to legislation:** There are currently no known outstanding effects for the Commission Implementing Decision of 30 November 2012 approving annual and multiannual programmes and the financial contribution from the Union for the eradication, control and monitoring of certain animal diseases and zoonoses presented by the Member States for 2013 (notified under document C(2012) 8682) (2012/761/EU), Introductory Text. (See end of Document for details)

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- (5) Council Directive 2005/94/EC of 20 December 2005 on Community measures for the control of avian influenza<sup>(5)</sup> also provides for surveillance programmes by Member States to be carried out in respect of poultry and wild birds in order to contribute, *inter alia*, on the basis of regularly updated risk-assessments, to the knowledge on the threats posed by the wild birds in relation to any influenza virus of avian origin in birds. Those annual programmes, and their financing, for monitoring should also be approved.
- (6) Certain Member States have submitted to the Commission annual programmes for the eradication, control and monitoring of animal diseases, programmes of checks aimed at the prevention of zoonoses, and annual monitoring programmes for the eradication and monitoring of certain TSEs for which they wish to receive a financial contribution from the Union.
- (7) For the years 2011 and 2012 certain multiannual programmes submitted by Member States for the eradication, control and monitoring of the animal diseases were approved under Commission Decision 2010/712/EU<sup>(6)</sup> and Commission Implementing Decision 2011/807/EU<sup>(7)</sup>.
- (8) Certain Member States which have been successfully implementing rabies eradication programmes that have been co-financed for several years, share land borders with third countries where that disease is present. In order to finally eradicate rabies, certain vaccination activities need to be carried out in the territory of those third countries adjacent to the Union.
- (9) In order to ensure that all rabies infected Member States shall continue with no interruption the oral vaccination activities foreseen in their programmes, it is necessary to allow for the possibility of paying of advances of up to 60 % of the maximum amount set for each programme, upon the request of the concerned Member State.
- (10) The Commission has assessed the annual programmes submitted by the Member States, as well as the third and second years respectively of the multiannual programmes approved for 2011 and 2012, from both the veterinary and financial point of view. Those programmes comply with the relevant Union veterinary legislation and in particular with the criteria set out in Decision 2008/341/EC.
- (11) Greece and Italy, due to the specific epidemiological situation and the technical problems encountered to properly implement, respectively, the programme for the eradication of ovine and caprine brucellosis and the programme for the control and monitoring of African swine fever, have informed the Commission that, in the current financial situation, additional support for contractual staff is required to ensure the proper implementation of those EU co-financed veterinary programmes.
- (12) The measures eligible for Union financial support are defined within the current Commission Implementing Decision. However, in cases where it was deemed appropriate, the Commission has informed the Member States in writing on limitations to the eligibility of certain measures in terms of maximum numbers of activities carried out or in terms of geographical areas covered by the programmes.

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- (13) In the light of the importance of the annual and multiannual programmes for the achievement of Union objectives in the field of animal and public health, as well as the obligatory application in all Member States in the case of the transmissible spongiform encephalopathies (TSE) and avian influenza programmes, it is appropriate to fix the appropriate rate of the Union financial contribution to reimburse the costs to be incurred by the Member States concerned for the measures referred to in this Decision up to a maximum amount for each programme.
- (14) In accordance with Article 75 of the Financial Regulation and Article 90(1) of the Implementing Rules, the commitment of expenditure from the Union budget shall be preceded by a financing Decision setting out the essential elements of the action involving expenditure and adopted by the institution or the authorities to which powers have been delegated by the institution.
- (15) Verification of individual justifications of eligible costs creates extensive administrative burdens while not notably increasing the efficient use of Union funds or transparency. It is thus more appropriate to fix the Union financial contribution, for each programme, where appropriate, at a level that ensures that costs entailed by the type of measure, if implemented, are adequately covered. Union financial contribution supporting in particular defined activities such as sampling, testing and vaccination should accordingly be specified as lump sum intended to compensate for all costs normally incurred to perform the activity or to produce the respective test result.
- (16) Under Council Regulation (EC) No 1290/2005 of 21 June 2005 on the financing of the common agricultural policy<sup>(8)</sup>, programmes for the eradication and control of animal diseases are to be financed under the European Agricultural Guarantee Fund. For financial control purposes, Articles 9, 36 and 37 of that Regulation are to apply.
- (17) The financial contribution from the Union should be granted subject to the condition that the actions planned are efficiently carried out and that the competent authorities supply all the necessary information within the time limits laid down in this Decision.
- (18) For reasons of administrative efficiency all expenditure submitted for a financial contribution by the Union should be expressed in euro. In accordance with Regulation (EC) No 1290/2005, the conversion rate for expenditure in a currency other than the euro should be the most recent exchange rate set by the European Central Bank prior to the first day of the month in which the application is submitted by the Member State concerned.
- (19) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS DECISION:

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- (1) OJ L 112, 24.4.2012, p. 10.
- (2) OJ L 155, 18.6.2009, p. 30.
- (3) OJ L 115, 29.4.2008, p. 44.
- (4) OJ L 147, 31.5.2001, p. 1.
- (5) OJ L 10, 14.1.2006, p. 16.
- (6) OJ L 309, 25.11.2010, p. 18.
- (7) OJ L 322, 6.12.2011, p. 11.
- (8) OJ L 209, 11.8.2005, p. 1.

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