

Commission Implementing Decision of 13 December 2013 concerning animal health control measures relating to classical swine fever in certain Member States (notified under document C(2013) 8667) (Text with EEA relevance) (2013/764/EU)

COMMISSION IMPLEMENTING DECISION

of 13 December 2013

concerning animal health control measures relating
to classical swine fever in certain Member States

(notified under document C(2013) 8667)

(Text with EEA relevance)

(2013/764/EU)

THE EUROPEAN COMMISSION,

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

Having regard to Council Directive 89/662/EEC of 11 December 1989 concerning veterinary checks in intra-Community trade with a view to the completion of the internal market⁽¹⁾, and in particular Article 9(4) thereof,

Having regard to Council Directive 90/425/EEC of 26 June 1990 concerning veterinary and zootechnical checks applicable in intra-Community trade in certain live animals and products with a view to the completion of the internal market⁽²⁾, and in particular Article 10(4) thereof,

Whereas:

- (1) Council Directive 2001/89/EC⁽³⁾ introduces minimum Union measures for the control of classical swine fever, including the measures to be taken in the event of an outbreak of that disease. Those measures include plans by Member States for the eradication of classical swine fever from a feral pig population and the emergency vaccination of feral pigs under certain conditions.
- (2) The measures provided for in Directive 2001/89/EC have been implemented by Commission Decision 2008/855/EC⁽⁴⁾ that was adopted in response to the occurrence of classical swine fever in certain Member States. That Decision establishes disease control measures concerning classical swine fever in areas of those Member States where that disease is present in feral pigs in order to prevent the spread of the disease to other areas of the Union. The Member States or areas thereof concerned by those measures are set out in the Annex to that Decision.
- (3) Decision 2008/855/EC has been amended several times in response to the evolving classical swine fever epidemiological situation in the Union. In recent years the disease situation has improved significantly in the Union and now few areas with specific problems related to specific common risks for classical swine fever can be identified.

Changes to legislation: *There are currently no known outstanding effects for the Commission Implementing Decision of 13 December 2013 concerning animal health control measures relating to classical swine fever in certain Member States (notified under document C(2013) 8667) (Text with EEA relevance) (2013/764/EU), Introductory Text. (See end of Document for details)*

- (4) It is appropriate that one list sets out the areas of the Member States where the epidemiological situation of classical swine fever is generally favourable in pig holdings and the situation is also improving in the feral pig population.
- (5) In terms of risk and as a general rule, since the movement of live pigs and their semen, ova and embryos from infected areas or areas with an uncertain epidemiological situation poses higher risks than the movement of fresh pigmeat, and meat preparations and meat products consisting of, or containing meat of pigs, movement of live pigs and their semen, ova and embryos from the listed areas should be prohibited. However, it is appropriate to provide for the conditions under which, by way of derogation, live pigs could be dispatched to slaughterhouses or to holdings located outside the listed areas in the same Member State.
- (6) In addition, it is appropriate, in order to prevent the spread of classical swine fever to other areas of the Union, to provide that the dispatch of fresh pigmeat, and meat preparations and meat products consisting of, or containing meat of pigs kept in holdings located in the listed areas is subject to certain conditions. In particular, those pigmeat, meat preparations and products that either do not come from pigs kept in holdings that meet certain additional conditions concerning classical swine fever prevention or are not treated in a way that eliminates the classical swine fever risk in accordance with Article 4 of Council Directive 2002/99/EC⁽⁵⁾ should be obtained, handled, transported and stored separately, or at different times, from products which do not fulfil the same conditions and then marked with special marks which cannot be confused with the identification mark provided for in Regulation (EC) No 853/2004 of the European Parliament and of the Council⁽⁶⁾ and the health mark for fresh pigmeat provided for in Regulation (EC) No 854/2004 of the European Parliament and of the Council⁽⁷⁾.
- (7) In accordance with Article 5 of Directive 2002/99/EC, certain certification requirements should also be laid down for the dispatch of pigmeat, and meat preparations and meat products consisting of, or containing meat of pigs kept in holdings located in the listed areas that were treated in accordance with Article 4 of Directive 2002/99/EC.
- (8) Decision 2008/855/EC has been amended several times. Therefore it is appropriate to repeal that Decision and replace it by this Decision.
- (9) 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 395, 30.12.1989, p. 13.](#)
- (2) [OJ L 224, 18.8.1990, p. 29.](#)
- (3) Council Directive 2001/89/EC of 23 October 2001 on Community measures for the control of classical swine fever ([OJ L 316, 1.12.2001, p. 5.](#))
- (4) Commission Decision 2008/855/EC of 3 November 2008 concerning animal health control measures relating to classical swine fever in certain Member States ([OJ L 302, 13.11.2008, p. 19.](#))
- (5) Council Directive 2002/99/EC of 16 December 2002 laying down the animal health rules governing the production, processing, distribution and introduction of products of animal origin for human consumption ([OJ L 18, 23.1.2003, p. 11.](#))
- (6) Regulation (EC) No 853/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific hygiene rules for food of animal origin ([OJ L 139, 30.4.2004, p. 55.](#))
- (7) Regulation (EC) No 854/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific rules for the organisation of official controls on products of animal origin intended for human consumption ([OJ L 139, 30.4.2004, p. 206.](#))

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