

Council Directive 2005/94/EC of 20 December 2005 on Community measures  
for the control of avian influenza and repealing Directive 92/40/EEC

CHAPTER III

**SUSPECTED OUTBREAKS**

*Article 8*

**Derogations from certain measures to be applied  
on holdings where outbreaks are suspected**

- 1 The competent authority may grant derogations from the measures provided for in Article 7(2) points (c) to (e) on the basis of a risk assessment and taking into account the precautions taken and the destination of the birds and products to be moved.
- 2 The competent authority may also grant derogations from the measures provided for in Article 7(2), point (h) in the case of other captive birds kept on non-commercial holdings.
- 3 With reference to Article 7(2) point (f), the competent authority may authorise the sending of eggs:
  - a directly to an establishment for the manufacture of egg products, as set out in Chapter II of Section X of Annex III to Regulation (EC) No 853/2004, to be handled and treated in accordance with Chapter XI of Annex II to Regulation (EC) No 852/2004; where the competent authority issues such an authorisation, the latter shall be subject to the conditions set out in Annex III to this Directive; or
  - b for disposal.