

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 XI

IMPLEMENTING POWERS AND COMMITTEE PROCEDURE

Article 63

Implementing powers

1 Detailed rules necessary for the implementation of this Directive shall be adopted in accordance with the procedure referred to in Article 64(2) and may include in particular specific rules concerning:

- a the disposal of carcasses, and
- b the movement and treatment of feed, bedding, used litter, manure and slurry contaminated or suspected to be contaminated.

2 Any amendments to the annexes to take account of scientific and technical progress shall be decided in accordance with the procedure referred to in Article 64(2).

3 Detailed rules required by the epidemiological situation to supplement the minimum control measures provided for in this Directive shall be adopted in accordance with the procedure referred to in Article 64(3).

4 Without prejudice to the safeguard measures provided for in Article 9 of 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⁾ or Article 10 of 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⁾, temporary emergency measures required due to a serious health threat caused by influenza viruses of avian origin other than those referred to in point 1 of Article 2, shall be adopted in accordance with the procedure referred to in Article 64(3).

Article 64

Committee procedure

1 The Commission shall be assisted by the Standing Committee on the Food Chain and Animal Health established by Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety⁽³⁾.

2 Where reference is made to this paragraph, Articles 5 and 7 of Decision 1999/468/EC shall apply.

The period laid down in Article 5(6) of Decision 1999/468/EC shall be set at three months.

Status: This is the original version (as it was originally adopted).

3 Where reference is made to this paragraph, Articles 5 and 7 of Decision 1999/468/EC shall apply.

The period laid down in Article 5(6) of that Decision shall be set at 15 days.

4 The Committee shall adopt its Rules of Procedure.

Status: This is the original version (as it was originally adopted).

- (1) [OJ L 395, 30.12.1989, p. 13](#). Directive as amended by Directive 2004/41/EC of the European Parliament and of the Council ([OJ L 157, 30.4.2004, p. 33](#)).
- (2) [OJ L 224, 18.8.1990, p. 29](#). Directive as last amended by Directive 2002/33/EC of the European Parliament and of the Council ([OJ L 315, 19.11.2002, p. 14](#)).
- (3) [OJ L 31, 1.2.2002, p. 1](#). Regulation as last amended by Regulation (EC) No 1642/2003 ([OJ L 245, 29.9.2003, p. 4](#)).