

*Status: Point in time view as at 17/07/2007.*

*Changes to legislation: There are currently no known outstanding effects for the Regulation (EC) No 999/2001 of the European Parliament and of the Council, CHAPTER A. (See end of Document for details)*

## [<sup>F1</sup> ANNEX III

### MONITORING SYSTEM

#### Textual Amendments

- F1** Substituted by [Commission Regulation \(EC\) No 2245/2003 of 19 December 2003 amending Annex III to Regulation \(EC\) No 999/2001 of the European Parliament and of the Council as regards monitoring of transmissible spongiform encephalopathies in ovine and caprine animals.](#)

### CHAPTER A

#### I. MONITORING IN BOVINE ANIMALS

##### 1. General

Monitoring in bovine animals shall be carried out in accordance with the laboratory methods laid down in Annex X, Chapter C, point 3(1)(b).

##### 2. Monitoring in animals slaughtered for human consumption

###### 2.1. All bovine animals over 24 months of age:

- subject to ‘special emergency slaughtering’ as defined in Article 2(n) of Council Directive 64/433/EEC<sup>(1)</sup>, or
- slaughtered in accordance with Annex I, Chapter VI, point 28(c), to Directive 64/433/EEC, except animals without clinical signs of disease slaughtered in the context of a disease eradication campaign,

shall be tested for BSE.

###### 2.2. All bovine animals over 30 months of age:

- subject to normal slaughter for human consumption, or
- slaughtered in the context of a disease eradication campaign in accordance with Annex I, Chapter VI, point 28(c), to Directive 64/433/EEC, but showing no clinical signs of disease,

shall be tested for BSE.

###### <sup>F2</sup>2.3. ....

#### Textual Amendments

- F2** Deleted by [Commission Regulation \(EC\) No 688/2006 of 4 May 2006 amending Annexes III and XI to Regulation \(EC\) No 999/2001 of the European Parliament and of the Council as regards the monitoring of transmissible spongiform encephalopathies and specified risk material of bovine animals in Sweden \(Text with EEA relevance\).](#)

##### 3. Monitoring in animals not slaughtered for human consumption

###### 3.1. All bovine animals over 24 months of age which have died or been killed but which were not:

- killed for destruction pursuant to Commission Regulation (EC) No 716/96<sup>(2)</sup>,

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- killed in the framework of an epidemic, such as foot-and-mouth disease,
- slaughtered for human consumption,

shall be tested for BSE.

3.2. Member States may decide to derogate from the provisions of point 3.1 in remote areas with a low animal density, where no collection of dead animals is organised. Member States making use of this derogation shall inform the Commission thereof, and submit a list of the derogated areas. The derogation shall not cover more than 10 % of the bovine population in the Member State.

[<sup>F3</sup>4. Monitoring in animals purchased for destruction pursuant to Regulation (EC) No 716/96

All animals born between 1 August 1995 and 1 August 1996 killed for destruction pursuant Regulation (EC) No 716/96 shall be tested for BSE.]

#### Textual Amendments

**F3** Substituted by [Commission Regulation \(EC\) No 657/2006 of 10 April 2006 amending Regulation \(EC\) No 999/2001 of the European Parliament and of the Council as regards the United Kingdom and repealing Council Decision 98/256/EC and Decisions 98/351/EC and 1999/514/EC \(Text with EEA relevance\).](#)

#### 5. Monitoring in other animals

In addition to the testing referred to in points 2 to 4, Member States may on a voluntary basis decide to test other bovine animals on their territory, in particular where those animals originate from countries with indigenous BSE, have consumed potentially contaminated feedingstuffs or were born or derived from BSE infected dams.

#### 6. Measures following testing

6.1. Where an animal slaughtered for human consumption has been selected for testing for BSE, the health marking provided for in Chapter XI of Annex I to Directive 64/433/EEC shall not be carried out on the carcase of that animal until a negative result to the rapid test has been obtained.

6.2. Member States may derogate from the provisions of point 6.1 where an official system is in place in the slaughterhouse ensuring that no parts of examined animals bearing the health mark leave the slaughterhouse until a negative result to the rapid test has been obtained.

6.3. All parts of the body of an animal tested for BSE including the hide shall be retained under official control until a negative result to the rapid test has been obtained, unless they are disposed of in accordance with Article 4(2)(a) and (b) of Regulation (EC) No 1774/2002 of the European Parliament and of the Council<sup>(3)</sup>.

[<sup>F4</sup>6.4. All parts of the body of an animal found positive or inconclusive to the rapid test including the hide shall be disposed of in accordance with Article 4(2)(a) and (b) of Regulation (EC) No 1774/2002, apart from material to be retained in conjunction with the records provided for in Chapter B(III).

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### Textual Amendments

- F4** Substituted by [Commission Regulation \(EC\) No 727/2007 of 26 June 2007 amending Annexes I, III, VII and X to Regulation \(EC\) No 999/2001 of the European Parliament and of the Council laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies \(Text with EEA relevance\).](#)

- 6.5. Where an animal slaughtered for human consumption is found positive or inconclusive to the rapid test, at least the carcass immediately preceding and the two carcasses immediately following the tested positive or inconclusive animal on the same slaughter line shall be destroyed in accordance with point 6.4. By way of derogation, Member States may decide to destroy the aforementioned carcasses only if the result of the rapid test is confirmed to be positive or inconclusive by confirmatory examinations referred to in Annex X, Chapter C, point 3.1(b).]
- 6.6. Member States may derogate from the provisions of point 6.5 where a system is in place in the slaughterhouse preventing contamination between carcass.

## [<sup>F5</sup>]<sup>F4</sup>II. MONITORING IN OVINE AND CAPRINE ANIMALS

### 1. General

Monitoring in ovine and caprine animals shall be carried out in accordance with the laboratory methods laid down in Annex X, Chapter C, point 3.2(b).

### 2. Monitoring in ovine and caprine animals slaughtered for human consumption

- (a) Member States in which the population of ewes and ewe lambs put to the ram exceeds 750 000 animals shall test in accordance with the sampling rules set out in point 4 a minimum annual sample of 10 000 ovine animals slaughtered for human consumption;
- (b) Member States in which the population of goats which have already kidded and goats mated exceeds 750 000 animals shall test in accordance with the sampling rules set out in point 4 a minimum annual sample of 10 000 caprine animals slaughtered for human consumption;
- (c) Where a Member State experiences difficulty in collecting sufficient numbers of healthy slaughtered ovine or caprine animals to reach its allotted minimum sample size established in points (a) and (b), it may choose to replace a maximum of 50 % of its minimum sample size by testing dead ovine or caprine animals over the age of 18 months at the ratio of one to one and in addition to the minimum sample size set out in point 3. In addition a Member State may choose to replace a maximum of 10 % of its minimum sample size by testing ovine or caprine animals killed in the framework of a disease eradication campaign over the age of 18 months at the ratio of one to one.

### 3. Monitoring in ovine and caprine animals not slaughtered for human consumption

Member States shall test, in accordance with the sampling rules set out in point 4 and the minimum sample sizes indicated in Table A and Table B, ovine and caprine animals which have died or been killed, but which were not:

- killed in the framework of a disease eradication campaign, or
- slaughtered for human consumption.

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TABLE A

<b>Member State population of ewes and ewe lambs put to the ram</b>	<b>Minimum sample size of dead ovine animals<sup>a</sup></b>
> 750 000	10 000
100 000750 000	1 500
40 000100 000	100 % up to 500
< 40 000	100 % up to 100

**a** Minimum sample sizes are set to take account of the size of the ovine populations in the individual Member States and are intended to provide achievable targets.

TABLE B

<b>Member State population of goats which have already kidded and goats mated</b>	<b>Minimum sample size of dead caprine animals<sup>a</sup></b>
> 750 000	10 000
250 000750 000	1 500
40 000250 000	100 % up to 500
< 40 000	100 % up to 100

**a** Minimum sample sizes are set to take account of the size of the caprine population in the individual Member States and are intended to provide achievable targets.

4. Sampling rules applicable to the animals referred to in points 2 and 3

The animals shall be over 18 months of age or have more than two permanent incisors erupted through the gum.

The age of the animals shall be estimated on the basis of dentition, obvious signs of maturity, or any other reliable information.

The sample selection shall be designed with a view to avoid the over-representation of any group as regards the origin, age, breed, production type or any other characteristic.

The sampling shall be representative for each region and season. Multiple sampling in the same flock shall be avoided, wherever possible. Member States shall aim their monitoring programmes to achieve, wherever possible, that in successive sampling years all officially registered holdings with more than 100 animals and where TSE cases have never been detected are subject to TSE testing.

The Member States shall put in place a system to check, on a targeted or other basis, that animals are not being diverted from sampling.

However, Member States may decide to exclude from the sampling remote areas with a low animal density, where no collection of dead animals is organised. Member States making use of this derogation shall inform the Commission thereof, and shall submit a list of those remote areas where the derogation applies. The derogation shall not cover more than 10 % of the ovine and caprine population in the Member State concerned.

5. Monitoring in infected flocks

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Animals over 18 months of age or have more than two permanent incisors erupted through the gum, and which are killed for destruction in accordance with Annex VII, point 2.3(b)(i) or (ii) or point 5(a), shall be tested based on the selection of a simple random sample, in accordance with the sample size indicated in the following table.

<b>Number of animals over 18 months of age or which have more than two permanent incisors erupted through the gum, killed for destruction in the herd or flock</b>	<b>Minimum sample size</b>
70 or less	All eligible animals
80	68
90	73
100	78
120	86
140	92
160	97
180	101
200	105
250	112
300	117
350	121
400	124
450	127
500 or more	150

## 6. Monitoring in other animals

In addition to the monitoring programmes set out in points 2, 3 and 4, Member States may on a voluntary basis carry out monitoring in other animals, in particular:

- animals used for dairy production,
- animals originating from countries with indigenous TSEs,
- animals which have consumed potentially contaminated feedingstuffs,
- animals born or derived from TSE infected dams.

## 7. Measures following testing of ovine and caprine animals

- 7.1. Where an ovine or caprine animal slaughtered for human consumption has been selected for TSE testing in accordance with point 2, its carcass shall not be marked with the health marking provided for in Section I, Chapter III of Annex I to Regulation (EC) No 854/2004 until a negative result to the rapid test has been obtained.
- 7.2. Member States may derogate from point 7.1. where a system approved by the competent authority is in place in the slaughterhouse ensuring that all parts of an

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animal can be traced and that no parts of the animals tested bearing the health mark can leave the slaughterhouse until a negative result to the rapid test has been obtained.

- 7.3. All parts of the body of a tested animal, including the hide, shall be retained under official control until a negative result has been obtained to the rapid test, except for animal by-products directly disposed of in accordance with Article 4(2)(a), (b) or (e) of Regulation (EC) No 1774/2002.
- 7.4. Except for the material to be retained in conjunction with the records provided for in Chapter B, Part III of this Annex, all parts of the body of an animal found positive to the rapid test, including the hide, shall be directly disposed of in accordance with Article 4(2)(a), (b) or (e) of Regulation (EC) No 1774/2002.
8. Genotyping
- 8.1. The prion protein genotype for the codons 136, 154 and 171 shall be determined for each positive TSE case in sheep. TSE cases found in sheep of genotypes which encode alanine on both alleles at codon 136, arginine on both alleles at codon 154 and arginine on both alleles at codon 171 shall immediately be reported to the Commission. Where the positive TSE case is an atypical scrapie case the prion protein genotype for the codon 141 shall be determined.
- 8.2. In addition to the animals genotyped in accordance with point 8.1, the prion protein genotype for the codons 136, 141, 154 and 171 of a minimum sample of ovine animals shall be determined. In the case of Member States with an adult sheep population of more than 750 000 animals, this minimum sample shall consist of at least 600 animals. In the case of other Member States the minimum sample shall consist of at least 100 animals. The samples may be chosen from animals slaughtered for human consumption, from animals dead-on-farm or from live animals. The sampling should be representative of the entire ovine population.]

#### **Textual Amendments**

- F5** Substituted by [Commission Regulation \(EC\) No 36/2005 of 12 January 2005 amending Annexes III and X to Regulation \(EC\) No 999/2001 of the European Parliament and of the Council as regards epidemic-surveillance for transmissible spongiform encephalopathies in bovine, ovine and caprine animals \(Text with EEA relevance\).](#)

### **III. MONITORING IN OTHER ANIMAL SPECIES**

Member States may on a voluntary basis carry out monitoring for TSEs in animal species other than bovine, ovine and caprine animals.]]

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- (1) [<sup>F1</sup>OJ 121, 29.7.1964, p. 2012/64.]
- (2) [<sup>F1</sup>OJ L 99, 20.4.1996, p. 14.]
- (3) [<sup>F1</sup>OJ L 273, 10.10.2002, p. 1.]

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**Textual Amendments**

- F1** Substituted by [Commission Regulation \(EC\) No 2245/2003 of 19 December 2003 amending Annex III to Regulation \(EC\) No 999/2001 of the European Parliament and of the Council as regards monitoring of transmissible spongiform encephalopathies in ovine and caprine animals.](#)

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