

Regulation (EU) 2016/429 of the European Parliament and of the Council of 9 March 2016 on transmissible animal diseases and amending and repealing certain acts in the area of animal health ('Animal Health Law') (Text with EEA relevance)

PART III

DISEASE AWARENESS, PREPAREDNESS AND CONTROL

TITLE II

DISEASE CONTROL MEASURES

CHAPTER 2

Disease control measures for listed diseases as referred to in points (b) and (c) of Article 9(1)

Section 1

Disease control measures in the event of suspicion of disease in kept animals

Article 74

Preliminary disease control measures by the competent authority for listed diseases as referred to in point (b) of Article 9(1)

1 The competent authority shall, in the event that it suspects a listed disease as referred to in point (b) of Article 9(1) in kept animals, carry out the following preliminary disease control measures, subject to national requirements for gaining access to private residences, pending the results of the investigation provided for in Article 73(1) and the carrying-out of the disease control measures provided for in Article 79:

- a apply disease control measures to limit the spread of that listed disease from the affected territory, establishment, food or feed business, animal by-products establishment or other location;
- b initiate, where necessary, an epidemiological enquiry, taking into account the rules for such enquiry laid down in Article 57(1).

2 In addition to the measures referred to in paragraph 1, the competent authority may, in the cases referred to in that paragraph, take additional preliminary disease control measures, provided that those measures respect the provisions of this Regulation and are in accordance with Union law.

3 The preliminary disease control measures provided for in paragraphs 1 and 2 shall be appropriate and proportionate to the risk posed by the listed disease in question, taking into account the following:

- a the disease profile;

Changes to legislation: There are currently no known outstanding effects for the Regulation (EU) 2016/429 of the European Parliament and of the Council, Article 74. (See end of Document for details)

- b the kept animals affected;
- c the health status of the Member State, zone, compartment or establishment in which the listed disease is suspected;
- d the preliminary disease control measures provided for in Article 55(1) and Article 56 and in any delegated act adopted pursuant to Article 55(2).

4 The Commission shall adopt delegated acts in accordance with Article 264 concerning rules for listed diseases as referred to in point (b) of Article 9(1) supplementing those laid down in paragraph 1 of this Article, while taking into account the matters referred to in paragraph 3, as regards:

- a the preliminary disease control measures to be taken to prevent the spread of the listed disease, as provided for in point (a) of paragraph 1;
- b the application of the preliminary disease control measures provided for in point (a) of paragraph 1 to other establishments, epidemiological units therein, food or feed businesses and animal by-products establishments or other locations;
- c the establishment of temporary restricted zones which are appropriate in light of the disease profile.

Changes to legislation:

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