

Commission Delegated Regulation (EU) 2020/687 of 17 December 2019  
supplementing Regulation (EU) 2016/429 of the European  
Parliament and the Council, as regards rules for the prevention  
and control of certain listed diseases (Text with EEA relevance)

PART III

AQUATIC ANIMALS

CHAPTER I

*Disease control measures for category A diseases in aquaculture animals*

*Section 2*

*Disease control measures in the event of official  
confirmation of A category A disease in aquaculture animals*

*Article 78*

**Disease control measures in the event of official confirmation  
of an outbreak of category A disease in an establishment**

1 Following the official confirmation of an outbreak of a category A disease in accordance with Article 77, the competent authority shall in addition to the measures provided for Article 72 and Article 73, order that the following disease control measures are immediately applied under the supervision of the official veterinarians, to the establishment where the official confirmation of an outbreak of a category A disease has occurred:

- a fish and crustaceans of listed species shall be killed as soon as possible and molluscs of listed species shall be removed from water as soon as possible;
- b animals referred to in (a) shall by way of derogation from Article 10(i) of Regulation (EC) No 1069/2009 be disposed of as category 1 or category 2 material in accordance with that Regulation;
- c the measures provided for in point (a) and (b) shall be carried out either:
  - (i) in the establishment where the official confirmation of an outbreak of a category A disease has occurred with subsequent processing on site; or
  - (ii) in a disease control aquatic food establishment, or in a plant approved in accordance with Regulation (EC) No 1069/2009 for processing or disposal in a way that prevents risk of spreading the category A disease;
- d aquaculture animals of non-listed species shall, as soon as possible, be killed or slaughtered for human consumption or, in case of molluscs, removed from water in accordance with paragraph 1(b);
- e appropriate measures shall be applied to limit any possible spread of the category A disease to and from any wild aquatic animals that might be in epidemiological contact with the establishment;

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**Changes to legislation:** There are currently no known outstanding effects for the Commission Delegated Regulation (EU) 2020/687, Article 78. (See end of Document for details)

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- f all potentially contaminated products, materials or substances shall be isolated until:
- (i) they are disposed of in accordance with Regulation (EC) No 1069/2009, in the case of animal by-products;
  - (ii) by way of derogation from Article 10(i) of Regulation (EC) No 1069/2009 they are disposed of or processed as category 1 or category 2 material in accordance with that Regulation, in the case of products of animal origin;
  - (iii) cleaning and disinfection measures have been completed in accordance with the provisions in Article 80, in the case of materials and substances which are fit for cleaning and disinfection; and
  - (iv) they are removed from the establishment and disposed of under the supervision of official veterinarians, in the case of feeding stuff and other materials unfit for cleaning and disinfection.
- 2 The competent authority shall order and supervise:
- a the transport from the affected establishment of animal by-products referred to in paragraph 1(f)(i) and of the products of animal origin referred to in paragraph 1(f)(ii) being in compliance with the provisions of Regulation (EC) No 1069/2009; and
  - b the transport from the affected establishment of materials or substances referred to in paragraph 1(f)(iv) being in compliance with its instructions regarding biosecurity and biosafety conditions to prevent the spread of category A disease agent.
- 3 By way of derogation from paragraph 1(a), the competent authority may, after carrying out a risk assessment, allow slaughter of fish or crustaceans or in case of molluscs removal from water, for human consumption, at the establishment or in a disease aquatic control food establishment, provided that appropriate biosecurity and other necessary risk-mitigating measures to prevent the spread of the category A disease are taken. All animal by-products resulting from that derogation shall, by way of derogation from Article 10(i) of Regulation (EC) No 1069/2009, be processed or disposed of as category 1 or category 2 material in accordance with that Regulation.
- 4 By way of derogation from paragraph 1(d), the competent authority may, after carrying out a risk assessment, decide not to kill, slaughter or remove from water aquaculture animals of non-listed species provided that appropriate risk-mitigating measures are applied to prevent any risk of spreading of the relevant category A disease from the establishment.
- 5 By way of derogation from paragraph 1(f)(ii), the competent authority may, after carrying out a risk assessment, allow the placing on the market of products of animal origin in accordance with Article 83.

**Changes to legislation:**

There are currently no known outstanding effects for the Commission Delegated Regulation (EU) 2020/687, Article 78.