

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 1

*Preliminary disease control measures in the event of
suspicion of a category A disease in aquaculture animals*

Article 70

**Obligations on operators in the event of suspicion of
category A disease in aquaculture animals in establishments**

In the event of suspicion of a category A disease in aquaculture animals of listed species, operators shall take the following disease control measures in order to prevent the spread of the category A disease from the affected animals and aquaculture establishments under their responsibility to other unaffected aquatic animals until the competent authority rules out the presence of the category A disease:

- (a) isolate, where technically possible, all aquaculture animals in the establishment suspected of being infected with the category A disease;
- (b) prevent movements of aquaculture animals into and from the establishment;
- (c) keep records of all visits and movements from and to the establishment;
- (d) keep any product, piece of equipment, material or substance likely to be contaminated with and to transmit category A diseases isolated and as far as practicable protected from vectors and other aquatic animals;;
- (e) implement the appropriate biosecurity measures to avoid spread of the category A disease;
- (f) provide the competent authority, on its request, with any relevant information regarding the category A disease; and
- (g) follow any instructions given by the competent authority regarding the control of category A disease, in accordance with Regulation (EU) 2016/429 and this Regulation.

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Article 71

Investigation by the competent authority of the suspicion of a category A disease in aquaculture animals in an establishment

1 In the event of the suspicion of a category A disease in aquaculture animals in an establishment in accordance with Article 9(1), (3) and (4) of Delegated Regulation (EU) 2020/689, the competent authority shall immediately conduct an investigation to confirm or rule out the presence of the suspected listed disease.

2 In the course of the investigation referred to in paragraph 1 the competent authority shall ensure that the official veterinarians perform at least:

- a clinical examinations of aquaculture animals; and
- b the collection of samples for laboratory examination.

Article 72

Preliminary restriction and biosecurity measures to be applied in the event of the suspicion of a category A disease in aquaculture animals

1 In the event of suspicion of a category A disease in an establishment, the competent authority shall place the establishment under official surveillance and immediately impose the following preliminary restriction and biosecurity measures, in order to prevent the spread of the category A disease from the affected aquaculture animals and the establishment to unaffected aquatic animals:

- a prohibition of movements of aquaculture animals into and from the establishment;
- b prohibition of non-essential movements from the establishment of means of transport and equipment;
- c prohibition of slaughter of aquaculture animals for human consumption;
- d where technically feasible and regarded necessary, order the isolation of all aquaculture animals; and
- e when practicable, implement adequate means and measures to control birds and other predators.

2 The competent authority may order preventive killing of listed species at the affected establishment where a category A disease is suspected provided that all necessary biosecurity and other risk-mitigating measures are applied to prevent the spread of the category A disease from the establishment.

3 The competent authority shall by way of derogation from Article 10(i) of Regulation (EC) No 1069/2009 and after carrying out a risk assessment, authorise movements of aquaculture animals for the sole purpose of immediate killing in a disease control aquatic food establishment or a plant approved for processing or disposal of as animal-by-products of category 1 or category 2 in accordance with that Regulation. The authorisation may only be granted when the necessary biosecurity and other risk-mitigating measures are applied to prevent the spread of the category A disease.

4 All animal by-products from dead aquaculture animals which have died or have been killed in accordance with this Article, including molluscs shells with meat, 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 to ensure that the relevant

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disease agent is inactivated and to prevent the transmission of the disease to other aquatic animals.

Article 73

Inventory and record analysis in the event of the suspicion of a category A disease in aquaculture animals

1 In the event of suspicion of a category A disease, the competent authority shall order and verify that, without delay, operators of the establishments where a category A disease is suspected compile and maintain an up-to-date inventory of the following:

- a the species, categories and quantities (numbers, volume or weight) of all aquaculture animals kept in the establishment;
- b any product, material or substance likely to be contaminated with or likely to transmit the category A disease; and
- c the mortality in each epidemiological unit within the establishment, recorded on a daily basis.

2 In the framework of the epidemiological enquiry, as referred to in Article 57 of Regulation (EU) 2016/429 and carried out in establishments where the disease is suspected, the official veterinarians shall analyse at least the records listed in paragraph 1 of Article 186 of Regulation (EU) 2016/429.

Article 74

Extension of disease control measures in the event of the suspicion of a category A disease to other establishments

In order to prevent the spread of a category A disease the competent authority shall conduct an investigation as provided for in Article 71 and, after carrying out a risk assessment, extend the relevant measures provided for in Articles 72 and 73 to:

- (a) establishments situated in the same compartment as the establishment where the disease is suspected, or which, due to distance, hydrodynamic conditions or topographic conditions, have an increased risk for contracting the relevant disease agent from the establishment where the disease is suspected;
- (b) any establishment other than those referred to in point (a) which has a direct epidemiological link with the establishment where the disease is suspected.

Article 75

Temporary restricted zones around the establishment

The competent authority may establish a temporary restricted zone around the establishment where there is a suspicion of category A disease and where preliminary disease control measures are applied as referred to in Article 72 and Article 73 taking into account the following circumstances:

- (a) the location of the establishment in an area with other establishments keeping aquaculture animals of listed species for which a category A disease is suspected;

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- (b) the movement of animals in the vicinity of the suspected establishment;
- (c) the delay in confirming the category A disease pursuant to Article 77;
- (d) the insufficient information on the possible origin and routes of introduction of the suspected category A disease; and
- (e) the disease profile, in particular the routes and speed of transmission of the disease and the persistence of the disease in the relevant population of aquaculture animals of listed species.

Article 76

Measures to apply in the event of suspicion of a category A disease in food and feed businesses, purification centre, dispatch centre, border control posts, animal by-products establishments or any other location of relevance, including means of transport

1 In the event of suspicion of a category A disease in accordance with Article 9(1), (3) and (4) of Delegated Regulation (EU) 2020/689 in food and feed businesses, purification centres, dispatch centres, border control posts, animal by-products establishments or any other location of relevance, including means of transport, the competent authority shall apply:

- a the measures provided for in Articles 71 to 75; and
- b if needed, additional measures adapted to the specific situation in order to prevent the spread of the category A disease from the animals and establishments or locations under suspicion to unaffected animals.

2 The competent authority shall apply provisions laid down in Articles 71 to 75 also in the establishments of origin of the animals or products present in the establishments and locations referred to in paragraph 1.

Section 2

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

Article 77

Official confirmation of a category A disease in aquaculture animals

The competent authority shall officially confirm an outbreak of a category A disease in aquaculture animals when the conditions set out in Article 9(2), (3) and (4) of Delegated Regulation (EU) 2020/689 are met.

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

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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;
- 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.

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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.

Article 79

Specific derogations from control measures in establishments where listed species are kept for scientific purposes or purposes related to conservation of endangered species

1 The competent authority may grant derogations from the measures provided for in Article 78(1)(a) and (c) in the event of an official confirmation of a category A disease in establishments where listed species are kept for scientific purposes or purposes related to conservation of endangered species, provided that:

- a the animal health status of the concerned Member State, or of other Member States, is not jeopardised; and
- b all appropriate biosecurity measures as listed in Article 78 are taken to prevent any risk of spreading of the category A disease agent.

2 Where a derogation is granted pursuant to paragraph 1, the competent authority shall ensure that aquaculture animals of listed species covered by the derogation are:

- a kept in premises where appropriate biosecurity measures to avoid spread of the relevant category A disease are implemented; and
- b subjected to further surveillance and laboratory examination and are not moved from the establishment until the laboratory tests have indicated that they do not pose a risk of further spread of the relevant category A disease.

Article 80

Cleaning and disinfection

1 The competent authority shall order the operators to carry out, immediately after the completion of the disease control measures provided for in Article 78, the cleaning and disinfection of:

- a the establishment, as far as the competent authority considers it is technically possible;
- b any husbandry-related equipment including but not limited to feeding, grading, treatment, vaccination and workboats;
- c any production-related equipment including but not limited to cages, netting, trestles, bags and long-lines;
- d any protective clothing or safety equipment used by operators and visitors; and
- e all means of transport including tanks and other equipment used to move infected animals or personnel who have been in contact with infected animals.

2 The cleaning and disinfection as provided for in paragraph 1 shall be carried out:

- a in accordance to a protocol previously agreed between the competent authority and the operator; and
- b under the supervision of official veterinarians.

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Article 81

Fallowing of the affected establishment

The competent authority shall order operators to carry out, after the completion of the cleaning and disinfection provided for in in Article 80, the fallowing of the affected establishment for the period of time laid down in Annex XIII.

Article 82

Extension of disease control measures in the event of confirmation of a category A disease

In order to prevent the spread of a category A disease the competent authority shall conduct an investigation provided for in Article 71 and after carrying out a risk assessment, extend some or all of the measures provided for in Articles 78, 80 and 81 to:

- (a) establishments of the same compartment or which due to distance, hydrodynamic conditions or topographic conditions, have an increased risk for contracting the relevant disease agent from the suspected establishment where the disease is confirmed;
- (b) any establishment which as a result of the enquiry provided for in Article 57 of Regulation (EU) 2016/429, has shown a direct epidemiological link with the establishment where the disease is confirmed.

Article 83

Placing on the market of products of animal origin from aquaculture animals of listed species produced in infected establishments

1 When granting a derogation pursuant Article 78(5), the competent authority may allow the placing on the market of products of animal origin only if the following conditions are fulfilled:

- a fish must be slaughtered and eviscerated before dispatch;
- b molluscs and crustaceans must be fully traceable and processed to non-viable products unable to survive if returned to the water, before dispatch.

When purification is required before processing and placing on the market, it shall be conducted at a disease control aquatic food establishment or in a bio-secure purification centre.

- 2 The products of animal origin referred to in paragraph 1 shall be intended for:
- a to the final consumer directly; or
 - b for further processing in a disease control aquatic food establishment.

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Article 84

Measures to be applied in the event of confirmation of category A diseases in, food and feed businesses, purification centre, dispatch centre, border control posts or any other location of relevance, including means of transport

1 In the event of confirmation of a category A disease in food and feed businesses, purification centre, dispatch centre, border control posts or any other location of relevance, including means of transport, in accordance with Article 77, the competent authority shall apply:

- a the measures provided for in Articles 78, Article 80 and Article 81; and
- b if needed, additional measures adapted to the specific situation in order to prevent the spread of the category A disease from the affected animals and establishments or locations to unaffected animals.

2 The competent authority shall apply provisions laid down in Articles 78, Article 80 and Article 81 also in the establishments of origin of the animals or products present in the establishments and locations referred to in paragraph 1.

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