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"I/A" ITEM NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee/Council
Subject:	Draft Regulation of the European Parliament and of the Council on transmissible animal diseases and amending and repealing certain acts in the area of animal health ("Animal Health Law") (first reading) - Adoption (a) of the Council's position (b) of the draft statement of the Council's reasons = Statements

Statement by Austria

With regard to the position of the Council at first reading with a view to the adoption of Regulation (EU) 2015/… of the European Parliament and of the Council of … on transmissible animal diseases and amending and repealing certain acts in the area of animal health ('Animal Health Law'), Austria wishes to draw attention to the following.

In Austria's view, the diseases listed under Article 5 of the Regulation represent the key element of the Regulation, since the specific rules for prevention and control apply to those diseases. Austria regrets, in this regard, that the Regulation does not follow the approach taken in Regulation (EU) No 652/2014 ('Financial Regulation') nor stipulate that diseases may be removed from the list only by way of the co-decision procedure.

Austria is concerned that, as a result of the procedure selected, certain diseases that have been covered for decades by additional guarantees in EU legislation, could be removed. Securing a particular animal health status is expensive and time-consuming for the Member States. It would not be reasonable to lose the status achieved due to a change in legislation aimed at ensuring as uniform a level as possible across the Union. Austria supports the idea of a comparable level of animal health, but this must not be achieved by lowering standards. If animal health status in the EU were to worsen under the new regime, rather than being at least maintained or even improved, this would also have a negative impact on public opinion.

Austria will therefore vote against the Council's position at first reading with a view to the adoption of Regulation (EU) 2015/… of the European Parliament and of the Council of … on transmissible animal diseases and amending and repealing certain acts in the area of animal health ('Animal Health Law').

Statement by the United Kingdom

The UK would like to thank the Presidency and past Presidencies for their hard work and determination in getting the Animal Health Regulation to the final stage. The UK would like especially to mention the flexibility to manage disease threats appropriately and the emphasis on prevention of diseases as well as cure which the Regulation provides, all underpinned by a very welcome risk based approach. Protecting our individual countries and the Union from animal disease is a top priority for us all and this Regulation goes a long way to ensure this aim and simplify how we go about it. The UK therefore regrets that it is not able to support the Regulation, specifically due to areas where Delegated Acts will be used to define technical detail such as the list of diseases to which the Regulation applies. For these reasons, the UK OPPOSES the Regulation.

Statement by Slovenia

Agreeing with the majority of provisions in the new Regulation on transmissible animal diseases (Animal Health Law) Slovenia welcomes modernisation of legislation in the field of animal health and wishes to express the gratitude and congratulations to everyone involved in bringing this proposal to the conclusion of the legislative process. Animal Health Law will undoubtedly bring additional clarity to the EU system of prevention, control and eradication of transmissible diseases.

Nevertheless, Slovenia is of the opinion that the new regulation covering animal health should also promote a new and improved approach to listing of transmissible diseases which should be the very essence of the document and indeed the reason for taking on this immense task of modernising this piece of very important legislation. The final proposal in our view does not reflect such ideas.

The new listing of diseases will serve as the base for further categorisation of diseases therefore it must be up to date. Final proposal contains the list which was transposed from the new CFF regulation (Reg. 652/2014). Unfortunately, this list only includes diseases relevant for financial intervention of the EU and thus a number of transmissible diseases that are currently regulated and have an impact on trade and animal health management (e.g. EGL, AD, IBR) are not included in the scope of the new AHL. Moreover, the list had not been updated in time of adoption of the CFF regulation. Thus it includes diseases, which have been removed from OIE listing years ago (i.e. Teschen disease) and diseases, believed to be completely eradicated (i.e. Rinderpest).

Furthermore, Slovenia is concerned about the envisaged procedure for updating the said list of diseases. Throughout the discussions, Slovenia's position has been that the legal instrument for updating the list should be an implementing act rather than a delegated act.

Albeit Slovenia welcomes the general concept of the new Animal Health Law, Slovenia will ABSTAIN from voting on the proposal of the Regulation on transmissible diseases of the animals (Animal Health Law) for the above mentioned reasons.