

Animal Health Law and its connection to Animal Welfare Framework Law

Animal Health Law

The new animal health law is summing up all existing legislation on animal health and adopts it in a “single regulatory framework for animal health”. It aims to have greater focus on incentives than penalties, consistency with other EU policies and converging to international standards. The new law will contain more than 60 basic directives and regulations, some of them adopted as early as 1964.

The aim is to provide a single regulatory framework for animal health; setting basic principles for animal health, providing health rules for animal movements and movements of animal products, disease control measures, ensure conditions for early detection, disease notification, and surveillance including the provisions for the services in the Member States. As such, some of the current basic texts will be repealed by the new Law while others will be amended and/or gradually replaced over the coming years by separate legal acts that could supplement the new law in annexes or be adopted as independent quasi legislative acts.

The proposal will be followed by a subsequent proposal to revise the current legal provisions on veterinary expenditure (Council Decision 2009/470/EC) and other proposal(s) on veterinary checks of live animals and products at import.

The present proposal will re-define interfaces of animal health legislation with current legal framework on animal welfare, animal nutrition, food safety, public health, environmental protection, pharmaceutical products, Common Agricultural Policy legislation, and rules established by relevant international organizations (OIE, Codex Alimentarius). A link with the general food law (Regulation EC(NO. 178/2002) was studied in order to prevent duplications and to ensure a consistent approach. Furthermore, links to the official controls regulations were studied and showed that some part of the Regulation (EC) 882/2004 on official controls would need to be amended in order to properly address animal health controls (checks).

The animal health law consists of 4 pillars: prioritization of EU intervention, a modern animal health framework, animal-related threat prevention, surveillance and crisis preparedness, and science innovation and research.

The proposal was presented Monday the 6th of May by the Commission. It is expected to be discussed in the Council and the European Parliament in the coming months. The Commission has envisaged a period for adoption of 36 months. It might be longer due to the coming elections for the European Parliament in 2014. The proposals can be found here: http://ec.europa.eu/dgs/health_consumer/pressroom/animal-plant-health_en.htm

Who will be affected?

Animal keepers, owners, related business operators (e.g. traders of animals and products of animal origin), national veterinary services, consumers and general public. This means that the fur farmers will also be affected by this proposal.

The Animal Welfare Framework Law

The Animal Welfare Law will be a separate proposal, but with clear reference to the Animal Health Law. However, the initiative is not directly related to other SANCO initiatives on more detailed proposals on certain animal welfare areas (e.g. animal transport).

The main objective of the Animal Welfare Law is the same as the Animal Health Law, namely to simplify the EU legislative framework. The Commission states in its roadmap that there is a need for a common methodology to assess compliance for qualitative requirements, leaving a wide range of interpretations to national and regional authorities. Most of the animal welfare legislation is made under the form of directives. Therefore national animal welfare rules are

not subject to the same level of harmonization than other veterinary rules. The differences in Members states in perception of Animal Welfare are noticeable; the regulatory heterogeneity is creating an unequal regulatory framework affecting the competitiveness of farmers in some sectors.

During 2013 there will be several meetings to brief and include the stakeholders in the development of the law. The law is not expected to be proposed before the elections of the European Parliament in 2014.

Who will be affected?

Mainly farmers with animal production. In addition, it could also affect establishments performing scientific experiments with animals (medical research, universities, chemical industries etc.), zoos, aquaria, and perhaps operators putting on the market dogs and cats. It would also impact on the work of competent authorities such as veterinary practitioners, as well as educational institutions working in the field of agriculture.

The link between the two proposals

It is highly relevant to look at the Commissions' intension to make sure that the Animal Welfare Framework law is in line with and in clear reference to the Animal Health Law. This clearly states that if something is decided in the Animal Health Law it will be the same in the Animal Welfare Framework law. We have already seen in the proposal on official controls (review of (EC) NO 882/2004) that there is some reference to animal welfare and especially references to the European Reference Centers. We have been informed that this European Reference Center will play a significant role in the Animal Welfare Framework law, but already this year we expect the format of the center and the division of task to be discussed in the debate about the Animal Health Law.

EFBA will participate in a conference this week arranged by Copa-Cogeca and the Irish EU-Presidency where the Animal Health Law will be discussed. In the next newsletter we will inform you about the further discussions on the topic.