

## PROPOSALS TO UPDATE CURRENT LEGISLATION

# EU Animal Health Regulation

James Ridsdale, Myrtle O'Keefe and Pamela Thompson (Defra EU Animal Health Regulations)

**In May 2013, the European Commission published a package of proposals to update current legislation governing health controls in the food and agriculture industries.**

Central to this is a revision of legislation on official controls, which will replace and expand the scope of existing Regulation 882/2004 with which some readers may be familiar. The Smarter Rules for Safer Food package also includes new framework regulations for animal and plant health, plant reproductive material and the EU's (European Union) financial support in these fields.

## Animal Health

Those involved in the world of bees will have a particular interest in the proposal for an EU Animal Health Regulation. This aims to provide a legal basis for a common EU animal health policy and a single, simplified, transparent, flexible and clear regulatory framework for animal health. It will replace a complex set of more than 40 Regulations and Directives, some of which date back as far as 1964, covering the health of a wide range of animals, including livestock species, zoo animals

and aquatic animals, as well as bees and bumblebees.

The Animal Health Regulation aims to implement the vision and commitments in the EU Animal Health Strategy for 2007 to 2013. It will cover all aspects of animal health, setting basic principles for operator responsibilities, disease notification, control measures, surveillance, biosecurity, movements, vaccination and trade, both within the EU and with third countries (non-EU). Based on the principle that 'prevention is better than cure', it aims to improve standards and to provide a common system to detect and control animal disease better and tackle the risks such disease poses to animal and public health, food and feed safety in a coordinated way.

The Regulation is intended to promote 'evolution, not revolution'. In other words, it will build on what already works well rather than producing significant or wholesale change in animal health policy. At the same time, it should provide opportunities for doing things differently, where improvements can be made. From a UK perspective, we are looking for the Regulation to provide greater regulatory simplicity, a strong focus on outcomes

rather than process, flexibility to manage disease threats appropriately, a clear risk, evidence and science-based approach and opportunities to reward good practice through earned recognition.

## Implications

What does the Regulation mean for beekeepers and bee health professionals?

The proposed Regulation will provide a flexible framework for animal health. This means that much of the detail contained in existing legislation will not sit in the Regulation itself but in subordinate legislation known as delegated and implementing acts. This means that in the face of changing disease situations, any necessary adjustments can be made more quickly. This should all lead to a significant reduction in the volume of existing legislation at both EU and national level, helping the drive to cut red tape and making the regulatory framework simpler and less costly to use for beekeepers, bee inspectors and everyone involved in bee health. The Regulation will, for the first time, prioritise and categorise animal diseases, including bee diseases such as foul brood and varroa, on a scientific and evidential basis. This should

allow better targeting of EU resources to the most serious risks.

As a general principle, the Regulation is also intended to provide the flexibility necessary to adapt animal health requirements to different types and sizes of establishment, maintaining a risk basis throughout. We expect this to be particularly important for the bee sector, given the prevalence of microbusinesses as well as bee clubs and hobby keepers. For example, the Regulation harmonises requirements for the registration and approval of holdings keeping all kinds of animals, including bees, while providing for derogations from these requirements on a risk basis. Some larger establishments could be subject to compulsory registration requirements if they were considered to pose a risk for the spread of bee diseases, while hobbyist beekeepers posing a very low risk may not need to register. In implementing this, we will want to build on existing voluntary systems of registration such as BeeBase.

The Regulation focuses more on prevention of disease than is often the case in existing legislation and will clarify the responsibilities of beekeepers

and other operators in practising good husbandry. Everyone keeping animals, other than pets, will need to have knowledge of animal health and basic biosecurity requirements appropriate to the type, size and scale of their operation. We expect that animal keepers may need to have their holdings visited periodically by a veterinarian or similar professional, based on the level of risk associated with their operations, with the aim of providing a first line of surveillance for disease and providing advice to operators on best practice for animal health. For beekeepers it is likely this task will fall to the existing Bee Health Inspectorate. This will all form part of a broader review of surveillance across the EU to target the most serious risks, reducing burden on low-risk operators and giving inspectors more flexibility on what to target and when.

The Regulation also provides an opportunity to review existing rules on the movement of animals. The existing rules in Directive 92/65 on intra-EU trade in bees and other animals not covered by specific legislation, will be re-examined in the context of the overall proposal to determine whether they are still appropriate and proportionate. Greater flexibility in the use of compartments and zones should also permit increased trade in live animals and products from disease-free areas within a Member State experiencing a disease outbreak.

Beekeepers and bee inspectors may also be interested in provisions in the related proposal on Official Controls, requiring competent authorities to charge for all official controls carried out in order to ensure compliance with the Regulations, with the

exception of those carried out in microbusinesses. The Food Standards Agency conducted a consultation on these provisions earlier this year to inform the UK negotiating position on this important element of the Official Controls proposal, which is still under discussion in both Parliament and Council. Here, the UK is arguing for flexibility for Member States to decide how and where charges are most appropriately applied.

## Timetable and Next Steps

Since the Animal Health Regulation proposal was published, all Member States have been involved in discussion through a series of European Council Working Parties, which have provided the UK and others with the opportunity to clarify issues and suggest improvements. At the same time, committees of the European Parliament discussed the proposals and produced a report in February, which was then voted on by the whole body of MEPs in April this year.

Over the next few months, the UK will continue to discuss the proposals in Council Working Parties, the aim being to agree a text which satisfies all Member States as much as possible. Meanwhile, the newly elected European Parliament will confirm the report of the last session at a vote in the autumn. Once the Council and the European Parliament have each reached internal agreement, discussions will begin between Parliament, Council and Commission in an effort to arrive at a final agreed text for the Regulation.

These talks are likely to continue into 2015 and, once the Regulation is adopted, there will be an implementation

period, expected to be of three years duration. During this time, the underlying and more detailed rules to sit beneath the framework Regulation will be developed and the UK and other Member States will bring relevant national legislation into line. This means that, according to the current timetable, we can expect the new EU Animal Health Regulation to come into force around 2018.

Defra officials have been working

with beekeepers and bee health professionals to look at the risks and opportunities the proposed Animal Health Regulation provides and we continue to welcome involvement from the bee sector. Although implementation in 2018 may seem far off, the base Regulation will set fundamental principles for many years to come and the time to influence it is now. Further information and contact details are set out below. 

## Further Information

- Contact the team leading the negotiations on behalf of the UK at: [animalandplanthealthproposals@defra.gsi.gov.uk](mailto:animalandplanthealthproposals@defra.gsi.gov.uk)
- Full details of the Animal Health Regulation and other proposals in the Smarter Rules for Safer Food package can be found at: [http://ec.europa.eu/dgs/health\\_consumer/pressroom/animal-plant-health\\_en.htm](http://ec.europa.eu/dgs/health_consumer/pressroom/animal-plant-health_en.htm)

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