

Commission Decision of 26 November 2009 approving annual and multi-annual programmes and the financial contribution from the Community for the eradication, control and monitoring of certain animal diseases and zoonoses presented by the Member States for 2010 and following years (notified under document C(2009) 9131) (2009/883/EC)

COMMISSION DECISION

of 26 November 2009

approving annual and multi-annual programmes and the financial contribution from the Community for the eradication, control and monitoring of certain animal diseases and zoonoses presented by the Member States for 2010 and following years

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(2009/883/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Decision 2009/470/EC of 25 May 2009 on expenditure in the veterinary field⁽¹⁾, and in particular Article 27(5) thereof,

Whereas:

- (1) Decision 2009/470/EC lays down the procedures governing the Community's financial contribution for programmes for the eradication, control and monitoring of animal diseases and zoonoses.
- (2) In addition, Article 27(1) of Decision 2009/470/EC provides that a Community financial measure is to be introduced to reimburse the expenditure incurred by the Member States for the financing of national programmes for the eradication, control and monitoring of the animal diseases and zoonoses listed in the Annex to that Decision.
- (3) Council Decision 2006/965/EC of 19 December 2006 amending Decision 90/424/EEC on expenditure in the veterinary field⁽²⁾ replaced Article 24 to that Decision by a new provision. By way of transitional measures, Decision 2006/965/EC provided that programmes for enzootic bovine leucosis and for Aujeszky's disease could continue to be funded until 31 December 2010.
- (4) Commission Decision 2008/341/EC of 25 April 2008 laying down Community criteria for national programmes for the eradication, control and monitoring of certain animal diseases and zoonoses⁽³⁾ provides that in order to be approved under the measures provided for in Article 27(1) of Decision 2009/470/EC, programmes submitted by the Member States must meet the criteria set out in the Annex to Decision 2008/341/EC.
- (5) Regulation (EC) No 999/2001 of the European Parliament and of the Council of 22 May 2001 laying down rules for the prevention, control and eradication of

Changes to legislation: There are currently no known outstanding effects for the Commission Decision of 26 November 2009 approving annual and multi-annual programmes and the financial contribution from the Community for the eradication, control and monitoring of certain animal diseases and zoonoses presented by the Member States for 2010 and following years (notified under document C(2009) 9131) (2009/883/EC), Introductory Text. (See end of Document for details)

- certain transmissible spongiform encephalopathies⁽⁴⁾, provides for annual monitoring programmes by Member States for transmissible spongiform encephalopathies (TSEs) in bovine, ovine and caprine animals.
- (6) Council Directive 2005/94/EC of 20 December 2005 on Community measures for the control of avian influenza⁽⁵⁾ also provides for surveillance programmes by Member States to be carried out in respect of poultry and wild birds in order to contribute, inter alia, on the basis of regularly updated risk-assessments, to the knowledge on the threats posed by the wild birds in relation to any influenza virus of avian origin in birds. Those annual programmes, and their financing, for monitoring should also be approved.
 - (7) Certain Member States have submitted to the Commission annual programmes for the eradication, control and monitoring of animal diseases, programmes of checks aimed at the prevention of zoonoses, and annual monitoring programmes for the eradication and monitoring of certain TSEs for which they wish to receive a financial contribution from the Community.
 - (8) In 2008 and 2009 certain multi-annual programmes submitted by Member States for the eradication, control and monitoring of the animal diseases were approved under Commission Decision 2007/782/EC⁽⁶⁾ and Commission Decision 2008/897/EC⁽⁷⁾. The commitment of the expenditure for those multi-annual programmes was adopted in accordance with Article 76(3) of Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Union⁽⁸⁾. The first budget commitment for those programmes was made after their approval. Each subsequent annual commitment should be made by the Commission in function of the execution of the programme for the previous year, on the basis of a decision to grant a contribution referred to in Article 27(5) of Decision 2009/470/EC.
 - (9) Regulation (EC) No 999/2001, as amended by Commission Regulation (EC) No 103/2009⁽⁹⁾, provides for more stringent requirements to be complied with in the case of milk producing flocks infected with classical scrapie.
 - (10) In 2009 Cyprus submitted a multi-annual, programme for the monitoring and eradication of scrapie, adapted to that recent amendment of Regulation (EC) No 999/2001. Commission Decision No 2009/560/EC⁽¹⁰⁾, approved the multi-annual scrapie programme where the cost of personnel specifically hired for carrying out tasks within the programme and the cost of destroying the carcasses was included in the costs eligible for a Community financial contribution. The second and last year of the multi-annual scrapie programme submitted by Cyprus should therefore be approved and provide for the same level of Community financing and eligible measures as for the first year.
 - (11) The Commission has assessed the annual programmes submitted by the Member States, as well as the subsequent year (second or third) of the multi-annual programmes approved in 2008 and 2009, from both the veterinary and the financial point of view. Those programmes were found to comply with relevant Community veterinary legislation and in particular with the criteria set out in Decision 2008/341/EC.

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- (12) In the light of the importance of the annual and multi-annual programmes for the achievement of Community objectives in the field of animal and public health, as well as the obligatory application in all Member States in the case of the TSE and avian influenza programmes, it is appropriate to fix the appropriate rate of financial contribution of the Community to reimburse the costs to be incurred by the Member States concerned for the measures referred to in this Decision up to a maximum amount for each programme.
- (13) For the sake of better management, more efficient use of Community funds and improved transparency, it is also necessary to fix for each programme, where appropriate, average cost to be reimbursed to the Member States for certain costs, such as the tests used in the Member States and compensation to owners for their losses due to the slaughter or culling of animals.
- (14) Under Council Regulation (EC) No 1290/2005 of 21 June 2005 on the financing of the common agricultural policy⁽¹⁾, programmes for the eradication and control of animal diseases are to be financed under the European Agricultural Guarantee Fund. For financial control purposes, Articles 9, 36 and 37 of that Regulation are to apply.
- (15) The financial contribution from the Community should be granted subject to the condition that the actions planned are efficiently carried out and that the competent authorities supply all the necessary information within the time limits laid down in this Decision.
- (16) For reasons of administrative efficiency all expenditure submitted for a financial contribution by the Community should be expressed in Euro. In accordance with Regulation (EC) No 1290/2005, the conversion rate for expenditure in a currency other than the Euro should be the most recent exchange rate set by the European Central Bank prior to the first day of the month in which the application is submitted by the Member State concerned.
- (17) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS DECISION:

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- (1) OJ L 155, 18.6.2009, p. 30.
- (2) OJ L 397, 30.12.2006, p. 22.
- (3) OJ L 115, 29.4.2008, p. 44.
- (4) OJ L 147, 31.5.2001, p. 1.
- (5) OJ L 10, 14.1.2006, p. 16.
- (6) OJ L 314, 1.12.2007, p. 29.
- (7) OJ L 322, 2.12.2008, p. 39.
- (8) OJ L 248, 16.9.2002, p. 1.
- (9) OJ L 34, 4.2.2009, p. 11.
- (10) OJ L 194, 25.7.2009, p. 56.
- (11) OJ L 209, 11.8.2005, p. 1.

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