

Council Directive of 13 December 1977 establishing the Community criteria for national plans for the accelerated eradication of brucellosis, tuberculosis and enzootic leukosis in cattle (78/52/EEC)

CHAPTER III

Specific provisions relating to bovine tuberculosis

Article 13

Member States shall ensure that under a plan for the accelerated eradication of tuberculosis:

- (a) the presence and suspected presence of tuberculosis are compulsorily and immediately notifiable to the competent authority;
- (b) the following are prohibited:
 - (i) any therapeutic or desensitizing treatment of tuberculosis;
 - (ii) anti-tuberculosis vaccination.

Article 14

1 Where a herd contains an animal suspected of having tuberculosis, the competent authorities shall ensure that official investigations are carried out as soon as possible to confirm or rule out the presence of that disease.

Pending the outcome of these investigations, the competent authorities shall order:

- the herd to be placed under official surveillance,
- the prohibition of any movement into or out of the herd unless authorized by the competent authorities for the purpose of slaughter without delay,
- isolation within the herd of the suspect animals.

2 The orders referred to in paragraph 1 shall not be lifted until the presence or suspected presence of tuberculosis in the herd concerned has been officially ruled out.

3 Where the presence of tuberculosis is officially confirmed, the Member States shall take appropriate measures to prevent any spread of the disease and shall ensure in particular that:

- all movement into or out of the herd in question is prohibited unless authorized by the competent authorities for the purpose of slaughter without delay,
- cattle in which the presence of tuberculosis has been officially confirmed, and cattle which may have been infected by them, are isolated within the herd,
- the cattle undergo an examination for tuberculosis without delay,
- cattle in which the presence of tuberculosis has been officially confirmed, cattle which have been examined as stipulated in the third indent with unfavourable results, and cattle considered by the competent authorities as infected are isolated and marked until their slaughter pursuant to Article 15,
- milk from infected cows may only be fed to animals on the same farm after suitable heat treatment,

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- without prejudice to national provisions concerning foodstuffs, milk from cows from an infected herd, cannot be delivered to a dairy, except to undergo suitable heat treatment,
- carcasses, half-carcasses, quarters, pieces and offal from infected cattle intended for use as feed for animals are treated in such a way as to avoid contamination,
- official regulations for the control of establishments such as carcase disposal plants ensure that there is no danger of the material produced spreading tuberculosis,
- manure from sheds or other quarters used by the animals is stored in a place inaccessible to farm animals, treated with a suitable disinfectant and stored for at least three weeks. Use of disinfectant is not required if the manure is covered with a layer of uninfected manure or earth. Liquid waste from sheds or other quarters used by the animals must be disinfected if it is not collected at the same time as the manure.

Article 15

Member States shall ensure that, following a bacteriological, pathological or tuberculin examination, animals in which the presence of tuberculosis has been officially established and those considered by the competent authorities to be infected are slaughtered under official supervision as soon as possible and not later than 30 days after the owner or the person in charge has been officially notified of the results of the tests and of his obligation, under the eradication plan, to slaughter the cattle concerned within that time limit.

However, in the case of animals which have been examined for tuberculosis with unfavourable results without showing clinical symptoms of the disease, the competent authorities may extend to not more than three months the period provided for in the above paragraph,

- in the case of a female animal which is expected to calve within the three month period,
- where they order the slaughter of all cattle in a herd of more than 20 head in a region in which, for technical reasons connected with the capacity of the slaughter-houses designated for this purpose, slaughter cannot be carried out within the 30 days.

Article 16

Member States shall ensure that:

1. after the slaughter of the cattle referred to in Article 15 and prior to restocking, sheds and other herd quarters, and all containers, equipment and other articles used for the animals are cleaned and disinfected under official supervision, in accordance with the instructions given by the official veterinarian;
2. all means of transport, containers and equipment are cleaned and disinfected after the transport of animals from an infected herd or of materials from such animals or of materials or substances which have been in contact with such animals. Loading areas for such animals must be cleaned and disinfected after use;
3. the disinfectant to be used and its concentrations are officially authorized by the competent authority of the Member State concerned.

Article 17

Member States shall ensure that after the slaughter of the cattle referred to in Article 15,

- without prejudice to the provisions of Article 19, no cattle may leave the herd concerned, unless authorization has been given by the competent authority for the purpose of slaughter without delay,

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- tuberculosis tests are carried out on the herd concerned to confirm that the disease has been eliminated,
- the herd is not re-stocked until the cattle over six weeks old remaining in it have passed one or more official tuberculosis tests.

Article 18

Member States shall ensure that, under a plan for the eradication of tuberculosis, officially supervised intradermal tuberculin testing is carried out on all cattle over six weeks old at least every six months in type T₁ and type T₂ herds until such time as they become type T₃ herds.

Article 19

Member States shall ensure that:

- (i) any animal from a type T₁ herd and destined for a type T₂ herd:
 - has passed an intradermal tuberculin test carried out within the 30 days prior to movement and is accompanied by a certificate to this effect from the official veterinarian,
 - is isolated immediately upon arrival for at least 60 days and has passed a further official intradermal tuberculin test before admission to the herd;
- (ii) any animal from a type T₂ herd and destined for another type T₂ herd:
 - has passed an intradermal tuberculin test within the 30 days prior to movement and is accompanied by a certificate to this effect from the official veterinarian,
 - does not come into contact, during transfer, with cattle from herds of a lower health status;
- (iii) all transfers of cattle between type T₃ herds are carried out subject to observance of the requirements of Directive 64/432/EEC.

Article 20

Member States shall ensure that:

- official control measures are taken to prevent a herd in which tuberculosis has been eliminated from being re-infected from other sources of infection,
- all movements of cattle into and within herds covered by an eradication plan are subject to official supervision,
- the movement control measures referred to in the second indent can be applied without prejudice to existing Community measures concerning movement into and out of officially tuberculosis-free herds.