

Council Directive 2006/88/EC of 24 October 2006 on animal health requirements for aquaculture animals and products thereof, and on the prevention and control of certain diseases in aquatic animals

CHAPTER V

NOTIFICATION AND MINIMUM MEASURES FOR CONTROL OF DISEASES OF AQUATIC ANIMALS

SECTION 4

Minimum control measures in the case of confirmation of non-exotic diseases in aquaculture animals

Article 38

General provisions

1 In the case of confirmation of a non-exotic disease listed in Part II of Annex IV in a Member State, zone or compartment declared free of that disease, the Member State concerned shall either:

- a apply the measures provided for in Section 3 in order to regain such disease-free status,
- or
- b draw up an eradication programme in accordance with Article 44(2).

2 By way of derogation from Article 34(2), where a Member State decides to apply the measures provided for in Section 3, it may allow clinically healthy animals to be raised to market size before slaughter for human consumption or to be moved to another infected zone or compartment. In such cases, measures shall be taken to reduce and as far as possible, prevent the further spreading of the disease.

3 Where the Member State concerned does not wish to regain disease-free status, Article 39 shall apply.