

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 VII

**DISEASE-FREE STATUS**

*Article 49*

**Disease-free Member State**

1 A Member State shall be declared free of one or more of the non-exotic diseases listed in Part II of Annex IV in accordance with the procedure referred to in Article 62(2), if paragraph 2 of this Article is complied with and:

- a none of the species susceptible to the disease(s) in question is present in its territory;
- or
- b the pathogen is known not to be able to survive in the Member State, and in its water source;
- or
- c the Member State meets the conditions laid down in Part I of Annex V.

2 Where neighbouring Member States, or water catchment areas shared with neighbouring Member States, are not declared disease-free, the Member State shall establish appropriate buffer zones in its territory. The demarcation of buffer zones shall be such that they protect the disease-free Member State from passive introduction of the disease.

[<sup>X13</sup> The specific requirements for surveillance, buffer zones, sampling and diagnostic methods that shall be used by Member States to declare disease-free status in accordance with this Article shall be adopted in accordance with the procedure referred to in Article 62(2).]

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**Editorial Information**

- X1** Substituted by [Corrigendum to 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 \(Official Journal of the European Union L 328 of 24 November 2006\)](#).