

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 7

Alternative measures and national provisions

Article 42

Procedure for adoption of ad hoc epidemiological measures for diseases listed in Part II of Annex IV

A decision may be adopted in accordance with the procedure referred to in Article 62(2) to authorise the implementation of ad hoc measures for a limited period of time, under conditions appropriate to the epidemiological situation where:

- (a) the measures provided for in this chapter are found not to be suited to the epidemiological situation;
- or
- (b) the disease appears to be spreading despite the measures taken in accordance with this chapter.

Article 43

Provisions for limiting the impact of diseases not listed in Part II of Annex IV

1 Where a disease not listed in Part II of Annex IV constitutes a significant risk for the animal health situation of aquaculture or wild aquatic animals in a Member State, the Member State concerned may take measures to prevent the introduction of or to control that disease.

Member States shall ensure that these measures do not exceed the limits of what is appropriate and necessary to prevent the introduction of or to control the disease.

2 Member States shall notify to the Commission any measures referred to in paragraph 1 that may affect trade between Member States. Those measures shall be subject to approval in accordance with the procedure referred to in Article 62(2).

3 Approval referred to in paragraph 2 shall only be granted where the establishment of intra-Community trade restrictions is necessary to prevent the introduction of or to control the disease, and shall take into account the provisions laid down in Chapters II, III, IV and V.