

Regulation (EU) 2016/429 of the European Parliament and of the Council of 9 March 2016 on transmissible animal diseases and amending and repealing certain acts in the area of animal health ('Animal Health Law') (Text with EEA relevance)

PART I

GENERAL RULES

CHAPTER 2

Listed diseases and emerging diseases and listed species

Article 5

Listing of diseases

1 The disease-specific rules for the prevention and control of diseases provided for in this Regulation shall apply to:

- a the following listed diseases:
 - (i) foot and mouth disease;
 - (ii) classical swine fever;
 - (iii) African swine fever;
 - (iv) highly pathogenic avian influenza;
 - (v) African horse sickness; and
- b the listed diseases set out in the list in Annex II.

2 The Commission shall adopt delegated acts in accordance with Article 264 concerning amendments to the list referred to in point (b) of paragraph 1 of this Article.

3 A disease shall be included on the list referred to in point (b) of paragraph 1 of this Article if it has been assessed in accordance with Article 7 and it meets:

- a all of the following criteria:
 - (i) scientific evidence indicates that the disease is transmissible;
 - (ii) animal species are either susceptible to the disease or vectors and reservoirs thereof exist in the Union;
 - (iii) the disease causes negative effects on animal health or poses a risk to public health due to its zoonotic character;
 - (iv) diagnostic tools are available for the disease; and
 - (v) risk-mitigating measures and, where relevant, surveillance of the disease are effective and proportionate to the risks posed by the disease in the Union; and
- b at least one of the following criteria:

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- (i) the disease causes or could cause significant negative effects in the Union on animal health, or poses or could pose a significant risk to public health due to its zoonotic character;
- (ii) the disease agent has developed resistance to treatments which poses a significant danger to public and/or animal health in the Union;
- (iii) the disease causes or could cause a significant negative economic impact affecting agriculture or aquaculture production in the Union;
- (iv) the disease has the potential to generate a crisis or the disease agent could be used for the purpose of bioterrorism; or
- (v) the disease has or could have a significant negative impact on the environment, including biodiversity, of the Union.

4 The Commission shall adopt delegated acts in accordance with Article 264 concerning the removal of a disease from the list referred to in point (b) of paragraph 1 of this Article when that disease no longer fulfils the criteria provided for in paragraph 3 of this Article.

5 The Commission shall review the listing of each disease in the light of newly available significant scientific data.

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Changes and effects yet to be applied to the whole legislation item and associated provisions

- Art. 17(1A) words substituted by [S.I. 2021/1273 reg. 8Sch. 2 para. \(t\)](#)