

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 III

## DISEASE AWARENESS, PREPAREDNESS AND CONTROL

### TITLE II

## DISEASE CONTROL MEASURES

### CHAPTER I

#### *Disease control measures for listed diseases as referred to in point (a) of Article 9(1)*

#### *Section 1*

#### *Disease control measures in the event of suspicion of a listed disease in kept animals*

#### *Article 53*

#### **Obligations on operators and other relevant natural and legal persons concerned**

1 In the event of suspicion of a listed disease as referred to in point (a) of Article 9(1) in kept animals, in addition to complying with the notification obligation laid down in Article 18(1) and pending any disease control measures being taken by the competent authority in accordance with Articles 54(1) and 55(1), Member States shall take measures to ensure that operators and other relevant natural and legal persons concerned take the appropriate disease control measures provided for in points (c), (d) and (e) of Article 55(1), to prevent the spread of that listed disease from the affected animals, establishments and locations under their responsibility to other unaffected animals or to humans.

2 The Commission shall be empowered to adopt delegated acts in accordance with Article 264 concerning detailed rules for supplementing the disease control measures provided for in paragraph 1 of this Article.

#### *Article 54*

#### **Investigation by the competent authority in the event of suspicion of a listed disease**

1 In the event of suspicion of a listed disease as referred to in point (a) of Article 9(1) in kept animals, the competent authority shall conduct without delay an investigation to confirm or rule out the presence of that listed disease.

2 For the purpose of the investigation provided for in paragraph 1, the competent authority shall, when appropriate, ensure that:

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- a official veterinarians carry out a clinical examination of a representative sample of the kept animals of listed species for the listed disease in question;
  - b official veterinarians take appropriate samples from those kept animals of listed species and other samples for examination in laboratories designated for that purpose by the competent authority;
  - c such designated laboratories carry out examinations to confirm or rule out the presence of the listed disease in question.
- 3 The Commission shall adopt delegated acts in accordance with Article 264 concerning detailed rules supplementing the rules for investigations by competent authorities as provided for in paragraph 1 of this Article.

### *Article 55*

#### **Preliminary disease control measures by competent authorities**

- 1 The competent authority shall, in the event that it suspects the presence of a listed disease as referred to in point (a) of Article 9(1) in kept animals, carry out the following preliminary disease control measures, subject to national requirements for gaining access to private residences, pending the results of the investigation provided for in Article 54(1) and the carrying-out of the disease control measures provided for in Article 61(1):
- a place the establishment, food and feed business or animal by-products establishment concerned, or any other location where the disease is suspected of having occurred, including locations where the suspected disease may have originated, under official surveillance;
  - b compile an inventory of:
    - (i) the kept animals in the establishment, food and feed business, or animal by-products establishment concerned, or in any other location;
    - (ii) the products in that establishment, food and feed business, or animal by-products establishment, or in any other location, where relevant for the spread of that listed disease;
  - c ensure that appropriate biosecurity measures are applied to prevent the spreading of that listed disease agent to other animals or to humans;
  - d when appropriate to prevent the further spread of the disease agent, ensure that the kept animals of listed species for that listed disease are isolated, and that they are prevented from coming into contact with wildlife;
  - e restrict the movements of kept animals, products and, if appropriate, people, vehicles and any material or other means by which the disease agent could have spread to or from the establishment, food and feed business or animal by-products establishment, or from any other location where that listed disease is suspected, as far as necessary to prevent its spread;
  - f take any other necessary disease control measures, taking into account the disease control measures provided for in Section 4 of this Chapter, concerning:
    - (i) the application of the investigation by the competent authority provided for in Article 54(1) and disease control measures provided for in points (a) to (d) of this paragraph to other establishments, food and feed businesses, or animal by-products establishments, or to any other location;
    - (ii) the establishment of any temporary restricted zones which are appropriate, taking into account the disease profile;

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g initiate the epidemiological enquiry provided for in Article 57(1).

2 The Commission shall adopt delegated acts in accordance with Article 264 concerning detailed rules supplementing those laid down in paragraph 1 of this Article as regards the specific and detailed disease control measures to be taken depending on the listed disease referred to in point (a) of Article 9(1), based on the risks involved for:

- a the species or category of animals concerned;
- b the type of production concerned.

### *Article 56*

#### **Review and extension of the preliminary disease control measures**

The disease control measures provided for in Article 55(1) shall be:

- (a) reviewed by the competent authority, as appropriate, following the findings of:
  - (i) the investigation provided for in Article 54(1);
  - (ii) the epidemiological enquiry provided for in Article 57(1);
- (b) further extended to other locations as referred to in point (a) of Article 55(1), where necessary.

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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. \(t\)](#)