

European Law on Transmissible Animal Diseases (“Animal Health Law”) – main achievements

The European Law on Transmissible Animal Diseases (“Animal Health Law”) will, for the first time ever, establish the link between the wellbeing of animals and public health, i.e the “One Health approach”. Below are listed some examples of the main achievements.

1) Animal welfare

In addition to the safeguard rules as regards stray animals (see below), the Animal Health Law would cover general animal welfare aspects in many different ways, such as:

- a reference to Article 13 in the TFEU and the commitment of proper implementation of existing animal welfare rules (Recital 5b),
- a general obligation of sparing the animals all avoidable pain, distress or suffering when disease control measures are taken, also as regards wild and stray animals (Recital 5b and Article 1.2b).
- a part of “the disease profile” as an assessment criteria for the listing of diseases (Article 6.1b),
- **a legal requirement for all operators and animal keepers to apply the principle of a good animal husbandry (Article 9), in addition to other biosecurity measures,**
- a legal requirement for all operators and animal keepers to have knowledge about what a good animal husbandry entails (Article 10),
- a legal requirement for veterinarians to raise awareness of the interaction between animal health, animal welfare and human health (Article 11), and
- a Commission statement in which it commits to ensure the appropriate development of European animal welfare legislation.

2) Antimicrobial resistance

The Animal Health Law would cover the antimicrobial resistance in many different ways:

- by treating microorganism that have developed resistance to antimicrobials as if they were transmissible diseases (Recital 29),
- as a factor to be taken into account when deciding whether a certain disease should be listed or not (Article 6.1),
- **as a legal requirement for all operators and animal keepers to ensure a prudent and responsible use of veterinary medicines (Article 9),**
- as a legal requirement for all operators and animal keepers to have knowledge about what a responsible use of veterinary medicines entails (Article 10),
- as a legal requirement for veterinarians to raise awareness of the problem of antimicrobial resistance (Article 11), and
- as a joint statement, where the Member States are called upon to collect relevant, comparable and sufficiently detailed data on the use of antimicrobials, and to send that data to the Commission who undertakes to publish a regular report on this.

3) Transparent, science based decisions

The Animal Health Law provides for decisions to be taken in a transparent, science based manner in many different ways, for instance:

- **by establishing and updating the list of diseases, based on the criteria decided by the co-legislators, through a Delegated Act where experts should be consulted and due account should be taken to the opinion of the European Food Safety Authority (Recital 13, Articles 5-8 and Article 253),**
- by categorising each disease according to the criteria decided by the co-legislators (Annex III),
- **by requiring that the decision making procedures and the application of disease control measures are organised in a clear, transparent and inclusive manner (Recital 47), and**
- by requiring that stakeholders should be consulted when contingency plans are drafted and updated (Article 43).

4) National protective measures

The possibility for a Member State to protect its disease-free zones has increased in many different ways, for instance:

- **by extending the scope for so-called additional guarantees (Annex III, Section 3), and clarifying that also diseases which pose a risk only to some parts of the EU are covered by this possibility (Recital 31).**
- by adding the possibility of taking additional disease control measures which goes beyond restrictions concerning the movements of animals (Articles 80a and 168).

5) Stray animals

Despite being a law on animal disease control and not animal population control, the Animal Health Law tackles the problem of stray animals in different ways, for instance:

- by a clear-cut division of responsibility, where the health and wellbeing of wild animals (i.e animals who are not under direct control by a person, which in this regulation would also apply to stray animals) would be the responsibility of the public authorities (Recital 16),
- **by requiring a humane treatment, where pain, distress and suffering of the animal should always be avoided when disease control measures are taken (Article 1) and where the measures must always be proportionate to the risk (Article 80a),**
- by taking into account the special risk of disease transmission that stray animals pose due to their contacts with humans and kept animals (Articles 70 and 80a),
- by enabling the introduction of an obligation for Member States to establish a computer database for dogs and other pets, if such a requirement is considered as necessary from a disease control point of view (Article 103).
- **by preventive measures such as the compulsory registration of all professional pet breeders and sellers (Recital 91a and Article 83). In addition to this, the Commission may adopt specific supplementing requirements on the movements of animals, related to pet shops and animal shelters (Article 137).**