COUNCIL DIRECTIVE

of 13 December 1977

prolonging certain derogation measures in respect of brucellosis and tuberculosis granted to Denmark, Ireland and the United Kingdom

(78/51/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 43 and 100 thereof,

Having regard to Council Directive 64/432/EEC of 26 June 1964 on animal health problems affecting intra-Community trade in bovine animals and swine [1], as last amended by Directive 77/98/EEC [2], and in particular Article 4a thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament [3],

Having regard to the opinion of the Economic and Social Commitee [4],

Whereas, under Article 104 (3) of the Act of Accession, Denmark, Ireland and the United Kingdom are authorized to maintain until 31 December 1977 certain of their national rules relating to brucellosis and tuberculosis ; whereas, under Article 104 (4) of the Act of Accession, certain derogations are granted in respect of exports of cattle from Ireland to the United Kingdom ;

Whereas Article 4a of Council Directive 64/432/EEC, as last amended by Directive 77/98/EEC, provides that any amendments to Annexes A, B and C to the Directive or any other measures, including provisions relating to traditional trade between Ireland and the United Kingdom, shall be adopted by the Council before 1 January 1978 ;

Whereas, in view of the time required to provide solutions to basic technical problems, it is necessary to prolong by one year the derogations by virtue of which the new Member States are authorized to retain the methods applied in their territory for declaring a herd of cattle officially free of tuberculosis or brucellosis-free within the meaning of Article 2 of Directive 64/432/EEC ;

Whereas, for the same reason and in order not to interrupt the traditional trade in live animals between Ireland and the United Kingdom it is necessary to prolong for the same period the special derogations granted in respect of such trade,

HAS ADOPTED THIS DIRECTIVE :

Article 1

By way of derogation from Directive 64/432/EEC, Denmark, Ireland and the United Kingdom are hereby authorized to retain the methods applied in their territory for declaring a herd of cattle officially free of tuberculosis or brucellosis-free, within the meaning of Article 2 of Directive 64/432/EEC, subject to the application of the provisions thereof relating to the presence of animals vaccinated against brucellosis.

The provisions relating to the tests laid down for animals traded within the Community shall continue to apply, subject to Article 2.

Article 2

Cattle may be traded from Ireland to the United Kingdom by way of derogation from the provisions of Directive 64/432/EEC relating to :

(a) the brucellosis test laid down for animals traded within the Community, which shall not apply to trade in castrated cattle ;

(b) the intradermal tuberculin test laid down for animals traded within the Community, which shall be replaced by a test in accordance with the national rules of the abovementioned receiving Member State ; and

(c) the obligation to seperate breeding and store cattle from slaughter cattle.

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(1) OJ No 121, 29. 7. 1964, p. 1977/64.
(2) OJ No L 26, 31. 1. 1977, p. 81.
(3) OJ No C 266, 7. 11. 1977, p. 45.
(4) Opinion delivered on 26 October 1977 (not yet published in the Official Journal).

Article 3

This Directive shall apply until 31 December 1978.

Article 4

The Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by 1 January 1978 at the latest and shall forthwith inform the Commission thereof.

Article 5

This Directive is addressed to the Member States.

Done at Brussels, 13 December 1977.

For the Council

The President

A. HUMBLET