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**COMMISSION IMPLEMENTING DECISION (EU) 2016/645**

**of 22 April 2016**

**concerning certain protective measures against lumpy skin disease in Bulgaria**

*(notified under document C(2016) 3261)*

**(Only the Bulgarian text is authentic)**

**(Text with EEA relevance)**

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*Article 1*

**Subject matter and scope**

This Decision lays down protective measures in relation to the outbreak of lumpy skin disease in Bulgaria and the additional measures to be taken by the Member States concerned in accordance with Directive 92/119/EEC.

*Article 2*

**Definitions**

For the purposes of this Directive, the definitions laid down in Article 2 of Directives 64/432/EEC, 92/65/EEC and 92/119/EEC respectively apply.

In addition, the following definitions shall apply:

- (a) ‘bovine animal’ means ungulates of the species *Bos taurus*, *Bos indicus*, *Bison bison* and *Bubalus bubalis*;
- (b) ‘restricted zone’ means the part of the territory of a Member State listed in the Annex to this Decision which includes the area where lumpy skin disease was confirmed and any protection and surveillance zones established in accordance with Article 10 of Directive 92/119/EEC;
- (c) ‘captive wild ruminant’ means an animal of the suborder Ruminantia within the order Artiodactyla that has a phenotype not significantly affected by human selection but that lives under direct human supervision or control, including zoo animals;
- (d) ‘wild ruminant’ means an animal of the suborder Ruminantia within the order Artiodactyla that has a phenotype unaffected by human selection and lives independent of direct human supervision or control;
- (e) ‘meat products’ means meat products, as defined in point 7.1 of Annex I to Regulation (EC) No 853/2004, and treated stomachs, bladders and intestines, as defined in point 7.9 of that Annex, which have undergone one of the treatments laid down in Part 4 of Annex II to Decision 2007/777/EC.



### *Article 3*

#### **Prohibition on the movement and dispatch of certain animals and semen and embryos thereof, and placing on the market of certain products of animal origin and animal by-products**

1. Bulgaria shall prohibit the dispatch of the following commodities from the restricted zone to other parts of Bulgaria, to other Member States and to third countries:

- (a) bovine animals and captive wild ruminants;
- (b) semen, ova and embryos of bovine animals.

2. Bulgaria shall prohibit the placing on the market outside the restricted zone and the dispatch to other Member States and to third countries of the following commodities produced from bovine animals and wild ruminants kept in or hunted in the restricted zone:

- (a) fresh meat and meat preparations and meat products produced from such fresh meat;
- (b) colostrum, milk and dairy products of bovine animals;
- (c) fresh hides and skins other than those falling within the definitions in points 28 and 29 of Annex I to Regulation (EU) No 142/2011;
- (d) unprocessed animal by-products, unless destined and channelled under official supervision of the competent authority for disposal or processing in an approved plant in accordance with Regulation (EC) No 1069/2009 within the territory of Bulgaria.

### *Article 4*

#### **Derogation from the prohibition on the dispatch of bovine animals and captive wild ruminants for direct slaughter and the dispatch of fresh meat, meat preparations and meat products obtained from such animals**

1. By way of derogation from the prohibition provided for in Article 3(1)(a), the competent authority may authorise the dispatch of bovine animals and captive wild ruminants from holdings situated in the restricted zone to a slaughterhouse located in other parts of Bulgaria provided that:

- (a) the animals have been resident since birth, or for the past 28 days, on a holding where no case of lumpy skin disease was officially reported during that period;
- (b) the animals were clinically checked at loading and did not present any clinical signs of lumpy skin disease;
- (c) the animals are transported for immediate slaughter directly, without stopping or unloading;
- (d) the slaughterhouse is designated for this purpose by the competent authority;
- (e) the competent authority of the slaughterhouse must be informed in advance by the dispatching competent authority of the intention to send animals and notifies the dispatching competent authority of their arrival;

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- (f) on arrival at the slaughterhouse, the animals are kept and slaughtered separately from other animals within a period of less than 36 hours;
  - (g) the animals intended to be moved:
    - (i) were not vaccinated against lumpy skin disease and have been kept on holdings:
      - where vaccination was not carried out and which are situated outside protection and surveillance zones, or
      - where vaccination was carried out and which are situated outside protection and surveillance zones, and a waiting period of at least 7 days after vaccination in the herd has elapsed, or
      - which are situated in a surveillance zone maintained beyond 30 days because of the occurrence of further cases of the disease, as referred to in Article 13 of Directive 92/119/EEC; or
    - (ii) were vaccinated against lumpy skin disease at least 28 days prior to the date of movement and come from a holding on which all susceptible animals had been vaccinated at least 28 days prior to date of the intended movement.
2. Any dispatch of bovine animals and captive wild ruminants in accordance with paragraph 1 shall only take place if the following conditions are fulfilled:
- (a) the means of transport has been properly cleansed and disinfected before and after the loading of such animals in accordance with Article 9;
  - (b) before and during the transport, the animals are protected against the attacks of vector insects.
3. The competent authority shall ensure that fresh meat, meat preparations and meat products obtained from the animals referred to in paragraph 1 of this Article are placed on the market in accordance with the requirements provided for in Articles 5 and 6.

*Article 5***Derogation from the prohibition on the placing on the market of fresh meat and meat preparations of bovine animals and wild ruminants**

1. By way of derogation from the prohibitions provided for in Article 3(2)(a) and (c), the competent authority may authorise the placing on the market in Bulgaria outside the restricted zone of fresh meat, excluding offal other than liver, and meat preparations thereof, as well as fresh hides and skins obtained from bovine animals and wild ruminants:
- (a) kept on holdings in the restricted zone that were not under restrictions in accordance with Directive 92/119/EEC; or
  - (b) slaughtered or hunted before 13 April 2016; or
  - (c) referred to in Article 4(1).

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2. The competent authority shall only authorise the dispatch to other Member States or third countries of consignments of fresh meat obtained from bovine animals kept and slaughtered outside the restricted zone, and meat preparations produced from such fresh meat, provided that such meat and meat preparations were produced, stored and handled without coming into contact with meat and meat preparations not authorised for dispatch to other Member States in accordance with Article 3(2)(a), and the consignments to other Member States are accompanied by an official health certificate in accordance with the model set out in the Annex to Commission Regulation (EC) No 599/2004 <sup>(1)</sup>, of which Part II has been completed with the following attestation:

‘Fresh meat or meat preparations complying with Commission Implementing Decision (EU) 2016/645 of 22 April 2016 concerning certain protective measures against lumpy skin disease in Bulgaria.’.

*Article 6*

**Derogation from the prohibition on the placing on the market of meat products consisting of or containing meat of bovine animals or wild ruminants**

1. By way of derogation from the prohibition provided for in Article 3(2)(a), the competent authority may authorise the placing on the market of meat products produced in the restricted zone from fresh meat of bovine animals and wild ruminants:

- (a) kept on holdings in the restricted zone which are not subject to restrictions in accordance with Directive 92/119/EEC;
- (b) slaughtered or hunted before 13 April 2016; or
- (c) referred to in Article 4(1); or
- (d) kept and slaughtered outside the restricted zone.

2. The competent authority shall authorise the placing on the market of meat products referred to in paragraph 1, that comply with the conditions of points (a), (b) or (c) of that paragraph, only on the territory of Bulgaria, provided that the meat products have been subjected to a non-specific treatment which ensures that the cut surface of the meat products shows no longer the characteristics of fresh meat.

The competent authority shall ensure that the meat products referred to in the first subparagraph are not dispatched to other Member States or to third countries.

3. The competent authority shall only authorise the dispatch of consignments of meat products produced from fresh meat obtained from the animals referred to in paragraph 1(a), (b) and (c) to other Member States or to third countries, provided that the meat products have been subjected to a specific treatment, as set out in point B of

<sup>(1)</sup> Commission Regulation (EC) No 599/2004 of 30 March 2004 concerning the adoption of a harmonised model certificate and inspection report linked to intra-Community trade in animals and products of animal origin (OJ L 94, 31.3.2004, p. 44).

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Part 4 of Annex II to Decision 2007/777/EC, in hermetically sealed containers to an  $F_0$  value of three or more, and the consignments to other Member States are accompanied by an official health certificate in accordance with the model set out in the Annex to Regulation (EC) No 599/2004, of which Part II has been completed with the following attestation:

‘Meat products complying with Commission Implementing Decision (EU) 2016/645 of 22 April 2016 concerning certain protective measures against lumpy skin disease in Bulgaria.’.

4. The competent authority shall only authorise the dispatch to other Member States or third countries of consignments of meat products produced from fresh meat obtained from the animals referred to in paragraph 1(d), provided that the meat products have been subjected at least to a non-specific treatment, as set out in point A of Part 4 of Annex II to Decision 2007/777/EC, which ensures that the cut surface of the meat products shows no longer the characteristics of fresh meat and the consignments to other Member States are accompanied by an official health certificate in accordance with the model set out in the Annex to Regulation (EC) No 599/2004, of which Part II has been completed with the following attestation:

‘Meat products complying with Commission Implementing Decision (EU) 2016/645 of 22 April 2016 concerning certain protective measures against lumpy skin disease in Bulgaria.’.

#### *Article 7*

#### **Derogation from the prohibition on the dispatch and placing on the market of milk and dairy products**

1. By way of derogation from the prohibition provided for in Article 3(2)(b), the competent authority may authorise the placing on the market of milk for human consumption obtained from bovine animals kept on holdings situated in the restricted zone, and dairy products thereof, provided that the milk and dairy products have been subjected to a treatment described in points 1.1 to 1.5 of Part A of Annex IX to Directive 2003/85/EC.

2. The competent authority shall only authorise the dispatch to other Member States or to third countries of consignments of milk obtained from bovine animals kept on holdings situated in the restricted zone, and dairy products thereof, provided that the milk and dairy products are intended for human consumption, have undergone the treatment referred to in paragraph 1 of this Article and the consignments to other Member States are accompanied by an official health certificate in accordance with the model set out in the Annex to Regulation (EC) No 599/2004, of which Part II has been completed with the following attestation:

‘Milk or dairy products complying with Commission Implementing Decision (EU) 2016/645 of 22 April 2016 concerning certain protective measures against lumpy skin disease in Bulgaria.’.



#### *Article 8*

##### **Special marking of fresh meat, meat preparations and meat products referred to in Articles 5(1) and 6(2) respectively**

Bulgaria shall ensure that the fresh meat, meat preparations and meat products referred to in Article 5(1) and Article 6(2) are marked with a special health mark or identification mark that is not oval and cannot be confused with:

- (a) the health mark for fresh meat as set out in Chapter III of Section I of Annex I to Regulation (EC) No 854/2004;
- (b) the identification mark for meat preparations and meat products consisting of, or containing meat of bovine animals, as set out in Section I of Annex II to Regulation (EC) No 853/2004.

#### *Article 9*

##### **Requirements concerning transport vehicles, cleansing and disinfection**

1. The competent authority shall ensure that, for any vehicle which has been in contact with animals of susceptible species in the restricted zone and intends to leave this same zone, the operator or driver of this vehicle provides evidence showing that, since the last contact with those animals, the vehicle has been cleansed and disinfected in a manner to inactivate the lumpy skin disease virus.

2. The competent authority shall specify the information to be submitted by the operator or driver of the livestock vehicle in order to demonstrate the required cleansing and disinfection has taken place.

#### *Article 10*

##### **Information requirements**

Bulgaria shall inform the Commission and the other Member States, within the framework of the Standing Committee on Plants, Animals, Food and Feed, of the results of the surveillance for lumpy skin disease carried out in the restricted zone.

#### *Article 11*

##### **Application**

This Decision shall apply until 31 December 2016.

#### *Article 12*

This Decision is addressed to the Republic of Bulgaria.

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*ANNEX*

**Bulgaria:**

The following regions in Bulgaria:

— The entire territory of Bulgaria