

This draft has not been adopted or endorsed by the Commission. Any views expressed are the preliminary views of the Commission services and may not in any circumstances be regarded as stating an official position of the Commission. The information transmitted is intended only for the Member State or entity to which it is addressed for discussions and may contain confidential and/or privileged material.



EUROPEAN
COMMISSION

Brussels, **XXX**
PLAN/2025/1919
[...](2025) **XXX** draft

COMMISSION DELEGATED REGULATION (EU) .../...

of **XXX**

**amending Commission Delegated Regulation (EU) 2020/687 of 17 December 2019
supplementing Regulation (EU) 2016/429 of the European Parliament and the Council,
as regards rules for the prevention and control of certain listed diseases**

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EXPLANATORY MEMORANDUM

1. CONTEXT OF THE DELEGATED ACT

Regulation (EU) 2016/429¹ 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') lays down rules on transmissible animal diseases and rules on animal health requirements for movements within the Union of terrestrial animals.

Commission Delegated Regulation (EU) 2020/687² supplements the rules of the Animal Health Law on disease control measures for certain listed diseases including infection with bluetongue virus (serotype 1-24) ('infection with BTV').

Infection with BTV is a category C+D+E disease as provided for in Commission Implementing Regulation (EU) 2018/1882 and is as such, subject to optional eradication programmes to achieve freedom in accordance with Regulation (EU) 2016/429.

The provisions to obtain and maintain the infection with BTV free status are laid down in Delegated Regulation (EU) 2020/689 with the exception of the disease control measures in case of suspicion or confirmation of infection with BTV in areas with the disease-free status. These disease control measures are laid down in Articles 68 and 69 of Delegated Regulation (EU) 2020/687.

Infection with BTV is subject to re-categorisation to a category D+E disease by an ongoing amendment to Commission Implementing Regulation (EU) 2018/1882. Amongst other implications, such recategorization implies that the rules for BTV optional eradication programmes and disease freedom including the disease control measures in case of suspicion and confirmation of an outbreak in a disease-free areas are no longer relevant as they only apply to category C+D+E diseases.

Therefore, this amendment will update Delegated Regulation (EU) 2020/687 accordingly by removing the provisions on disease control measures to be taken in case of suspicion or confirmation of an outbreak in a disease-free area.

2. CONSULTATIONS PRIOR TO THE ADOPTION OF THE ACT

The Commission consulted with members of the Expert Group on Animal Health (E00930) on the content of this draft Delegated Regulation during meetings that took place on XXX 2025.

Several other exchanges and meetings also took place with stakeholders as well as with competent authorities of Member States where relevant drivers and elements were discussed regarding the purpose and content of the draft delegated act.

¹ OJ L 84, 31.3.2016, p. 1, ELI: <http://data.europa.eu/eli/reg/2016/429/oj>.

² Commission Delegated Regulation (EU) 2020/689 of 17 December 2019 supplementing Regulation (EU) 2016/429 of the European Parliament and of the Council as regards rules for surveillance, eradication programmes, and disease-free status for certain listed and emerging diseases (OJ L 174, 3.6.2020, p. 211, ELI: http://data.europa.eu/eli/reg_del/2020/689/oj).

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3. LEGAL ELEMENTS OF THE DELEGATED ACT

This Delegated Regulation is to be adopted within the framework of Regulation (EU) 2016/429, and in particular pursuant to Articles 76(5) and 77(2), thereof.

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COMMISSION DELEGATED REGULATION (EU) .../...

of XXX

amending Commission Delegated Regulation (EU) 2020/687 of 17 December 2019 supplementing Regulation (EU) 2016/429 of the European Parliament and the Council, as regards rules for the prevention and control of certain listed diseases

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Whereas:

Having regard to 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')³, and in particular Articles 76(5) and 77(2), thereof

Whereas:

- (1) Regulation (EU) 2016/429 lays down rules for the prevention and control of animal diseases that are transmissible to animals or to humans. That Regulation lays down in its Title II of Part III rules on disease control measures. Commission Delegated Regulation (EU) 2020/687⁴ supplements the rules on disease control measures for certain listed diseases including infection with bluetongue virus (serotype 1-24) ('infection with BTV').
- (2) In addition, Regulation (EU) 2016/429 includes rules for the prioritisation and categorisation of listed diseases that are of concern at Union level. According to Article 5 of that Regulation, disease-specific rules apply to the prevention and control of diseases that have been listed in accordance with that provision. Infection with infection with BTV is a listed disease in the sense of Article 5 of Regulation (EU) 2016/429.
- (3) Moreover, Article 9(1) of Regulation (EU) 2016/429 provides for different categories of listed diseases to be subject to the application of different disease-specific rules. Based on Article 9(2) of Regulation (EU) 2016/429, Commission Implementing Regulation (EU) 2018/1882⁵ categorises each listed disease as A, B, C, D or E

³ OJ L 84, 31.3.2016, p. 1, ELI: <http://data.europa.eu/eli/reg/2016/429/oj>.

⁴ Commission Delegated Regulation (EU) 2020/689 of 17 December 2019 supplementing Regulation (EU) 2016/429 of the European Parliament and of the Council as regards rules for surveillance, eradication programmes, and disease-free status for certain listed and emerging diseases(OJ L 174, 3.6.2020, p. 211, ELI: http://data.europa.eu/eli/reg_del/2020/689/oj).

⁵ Commission Implementing Regulation (EU) 2018/1882 of 3 December 2018 on the application of certain disease prevention and control rules to categories of listed diseases and establishing a list of

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diseases which are subject to the corresponding disease-specific rules referred to in Article 9(1), points (a) to (e) of Regulation (EU) 2016/429. Infection with BTV is currently categorised as a C+D+E disease as set out in the table of the Annex to Implementing Regulation (EU) 2018/1882. Consequently, it is subject to the disease-specific rules referred to in Article 9(1), points (c), (d) and (e) of Regulation (EU) 2016/429.

- (4) Infection with BTV is a category C+D+E disease and one of the disease-specific rules to prevent and control infection with BTV is the implementation of optional eradication programmes in order to obtain the infection with BTV free status. The provisions for optional eradication programmes for infection with BTV are laid down in Section 4 of Chapter 2 of Part II and in Part II of Annex V of Delegated Regulation (EU) 2020/689. Moreover, the provisions to obtain and maintain the infection with BTV free status are laid down in Chapter 4 of Part II of Delegated Regulation (EU) 2020/689 with the exception of the disease control measures in case of suspicion or confirmation of infection with BTV in areas with the disease-free status. These disease control measures are laid down in Articles 68 and 69 of Delegated Regulation (EU) 2020/687.
- (5) Infection with BTV is subject to re-categorisation to a category D+E disease by an ongoing amendment to Commission Implementing Regulation (EU) 2018/1882. Amongst other implications, such recategorization implies that the rules for BTV disease freedom, including the disease control measures in case of suspicion and confirmation of an outbreak in a disease-free areas are no longer relevant as they only apply to category C+D+E diseases. Therefore, they should be removed from Delegated Regulation (EU) 2020/687
- (6) Delegated Regulation (EU) 2020/687 should therefore be amended accordingly.

HAS ADOPTED THIS REGULATION:

Article 1
Amendments to Delegated Regulation (EU) 2020/687

Delegated Regulation (EU) 2020/687 is amended as follows:

1. in Article 68, point (c) is deleted.
2. in Article 69, point (c) is deleted.

Article 2

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

It shall apply as of XXXX.

species and groups of species posing a considerable risk for the spread of those listed diseases. (OJ L 308, 4.12.2018, p. 21, ELI: http://data.europa.eu/eli/reg_impl/2018/1882/oj).

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This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

For the Commission

The President

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