

Non-paper
in view of a
possible revision of
Regulation (EC) No 999/2001 as
regards TSE eradication measures in
goats and endangered breeds

Revision dated 9 November 2018

This draft has not been adopted or endorsed by the European Commission.

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

of **XXX**

amending Annexes I, VII and VIII to Regulation (EC) No 999/2001 of the European Parliament and of the Council as regards eradication measures for transmissible spongiform encephalopathies in goats and endangered breeds

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EC) No 999/2001 of the European Parliament and of the Council of 22 May 2001 laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies¹, and in particular the first paragraph of Article 23 thereof,

Whereas:

- (1) Regulation (EC) No 999/2001 lays down rules for the prevention, control and eradication of transmissible spongiform encephalopathies (TSEs).
- (2) Chapter B of Annex VII to that Regulation lays down the measures to be undertaken following the confirmation of the presence of a case of TSE in bovine, ovine and caprine animals. When a classical scrapie case is confirmed in an ovine or caprine animal, the holding shall be subject to the conditions set out in one of the three options provided in point 2.2.2 of Chapter B of Annex VII. Option 2 requires the killing and complete destruction of all ovine and caprine animals of the holding except those ovine animals having a prion protein genotype that is resistant to classical scrapie. Following the implementation of eradication measures in accordance with one of these three options, points 3 and 4 of that Chapter require the implementation, during a certain period of time, of movement restrictions into and out of the holding. Certain exceptions are allowed depending on the genetic susceptibility to classical scrapie of ovine animals or ovine products which are intended to be moved.
- (3) On 5 July 2017, the European Food Safety Authority (EFSA) adopted a scientific opinion on the genetic resistance to TSE in goats. According to the EFSA opinion, field and experimental data are robust enough to conclude that the K222, D146 and S146 alleles confer genetic resistance against classical scrapie strains known to occur naturally in the EU goat population. The EFSA opinion concludes that outbreak management for classical scrapie in goat herds could be based on the selection of genetically resistant animals, in a similar way as currently laid down in Regulation (EC) No 999/2001 for ovine animals.
- (4) It is therefore appropriate to amend Chapter B of Annex VII to Regulation (EC) No 999/2001 in order to introduce the possibility to restrict the killing and destruction of caprine animals to only those that are susceptible to classical scrapie.

¹ OJ L 147, 31.5.2001, p. 1.

- (5) The EFSA opinion highlights that while breeding for resistance can be an effective tool for controlling classical scrapie in goats, given the low frequencies of presence of these alleles in most breeds, high selection pressure would likely have an adverse effect on genetic diversity. The opinion therefore recommends that measures to build up genetic resistance in a caprine population are adapted at Member State level depending on the breed concerned.
- (6) The Member State should decide, based on the frequency of the polymorphism conferring genetic resistance in the concerned breed, the precise measures which should be implemented thereafter in order to build up the genetic resistance in the caprine population of the holding.
- (7) Regulation (EU) 2016/1012 of the European Parliament and of the Council² repealed Directive 89/361/EEC as from 1 November 2018. That Regulation, in its Article 2(24), lays down a definition for 'endangered breed', which means a local breed, recognised by a Member State to be endangered, genetically adapted to one or more traditional production systems or environments in that Member State and where the endangered status is scientifically established by a body possessing the necessary skills and knowledge in the area of endangered breeds.
- (8) It is therefore appropriate to replace the references to Directive 89/361/EEC by references to Regulation (EU) 2016/1012 in Chapter B of Annex VII and Chapter A of Annex VIII to Regulation (EC) No 999/2001. The expression 'local breed in danger of being lost to farming' as laid down in Delegated Regulation (EU) No 807/2014 has also to be changed by the expression 'endangered breed' as defined in Article 2(24) of Regulation (EU) 2016/1012.
- (9) Point 1 of Annex I, points 2.2.2(b), 2.2.2(c), 2.2.2(d), point 3 and point 4 of Chapter B of Annex VII and point 4.1 of Section A of Chapter A of Annex VIII to Regulation (EC) No 999/2001 should therefore be amended accordingly.
- (10) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

HAS ADOPTED THIS REGULATION:

Article 1

Annexes I, VII and VIII to Regulation (EC) No 999/2001 are amended in accordance with the Annex to this Regulation.

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* and shall apply from that date.

² Regulation (EU) 2016/1012 of the European Parliament and of the Council of 8 June 2016 on zootechnical and genealogical conditions for the breeding, trade in and entry into the Union of purebred breeding animals, hybrid breeding pigs and the germinal products thereof and amending Regulation (EU) No 652/2014, Council Directives 89/608/EEC and 90/425/EEC and repealing certain acts in the area of animal breeding ('Animal Breeding Regulation') (OJ L 171, 29.6.2016, p. 66).

Done at Brussels,

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