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COMMISSION DECISION

of 28 August 2003

approving programmes for the purpose of obtaining the status of approved zones and of approved farms in non-approved zones with regard to viral haemorrhagic septicaemia (VHS) and infectious haematopoietic necrosis (IHN) in fish

(notified under document number C(2003) 3101)

(Text with EEA relevance)

(2003/634/EC)

(OJ L 220, 3.9.2003, p. 8)

Amended by:

		Official Journal		
		No	page	date
► <u>M1</u>	Commission Decision 2003/904/EC of 15 December 2003	L 340	69	24.12.2003
► <u>M2</u>	Commission Decision 2004/328/EC of 5 April 2004	L 104	129	8.4.2004
► <u>M3</u>	Commission Decision 2005/67/EC of 28 January 2005	L 27	55	29.1.2005
► <u>M4</u>	Commission Decision 2005/414/EC of 30 May 2005	L 141	29	4.6.2005
► <u>M5</u>	Commission Decision 2005/770/EC of 3 November 2005	L 291	33	5.11.2005
► <u>M6</u>	Commission Decision 2006/685/EC of 6 October 2006	L 282	44	13.10.2006
► <u>M7</u>	Commission Decision 2007/570/EC of 20 August 2007	L 217	36	22.8.2007

**COMMISSION DECISION****of 28 August 2003****approving programmes for the purpose of obtaining the status of approved zones and of approved farms in non-approved zones with regard to viral haemorrhagic septicaemia (VHS) and infectious haematopoietic necrosis (IHN) in fish***(notified under document number C(2003) 3101)***(Text with EEA relevance)**

(2003/634/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/67/EEC of 28 January 1991 concerning the animal health conditions governing the placing on the market of aquaculture animals and products ⁽¹⁾, as last amended by Directive 98/45/EC ⁽²⁾, and in particular Article 10(2) thereof,

Whereas:

- (1) Pursuant to Directive 91/67/EEC a Member State may submit to the Commission a programme designed to enable it subsequently to initiate the procedures for a zone or a farm situated in a non-approved zone to obtain the status of approved zone or approved farm situated in a non-approved zone, as regards one or more of the fish diseases viral haemorrhagic septicaemia (VHS) and infectious haematopoietic necrosis (IHN).
- (2) Certain Member States submitted such programmes, which were approved by Commission Decision 2002/304/EC ⁽³⁾, as last amended by Decision 2003/376/EC ⁽⁴⁾.
- (3) By letters dated 12 March 2003 and 12 June 2003, the veterinary authority of Finland asked for an amendment to the programme listed in Annex I(6B) to Decision 2002/304/EC. In order to preserve the vulnerable species Baltic salmon (*Salmo salar*), sea trout (*Salmo trutta m trutta*) and whitefish (*Coregonus lavaretus lavaretus*), restocking in the River Kymijoki and River Summanjoki watercourse is necessary. Finland has submitted amendments to its programme providing for transfer of live eggs from wild fish from the Pyhtää restriction zone provided that all appropriate measures are taken to ensure that the eggs are free of VHS and IHN. Delimitation of the zone as established in Annex I to Decision 2002/304/EC does not change.
- (4) By letter dated 4 March 2003, the veterinary authority of Italy proposed an amendment to the programme listed in point 5.1 of Annex I to Decision 2002/304/EC. In order to increase the level of protection as regards introduction of fish into the area covered by the programme, live trout and other fish destined to restaurants for direct consumption as well as rainbow trout intended for introduction into certain artificial lakes or fish water, must come from farms or areas recognised as free of VHS and IHN. Delimitation of the zone as established in Annex I to Decision 2002/304/EC does not change.

⁽¹⁾ OJ L 46, 19.2.1991, p. 1.⁽²⁾ OJ L 189, 3.7.1998, p. 12.⁽³⁾ OJ L 104, 20.4.2002, p. 37.⁽⁴⁾ OJ L 130, 27.5.2003, p. 21.

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- (5) The amendments submitted have been found to comply with Article 10 of Directive 91/67/EEC and should therefore be approved.
- (6) Decision 2002/304/EC has been amended several times. In the interests of clarity and rationality, it should be repealed and replaced by this Decision.
- (7) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS DECISION:

Article 1

1. The programmes listed in Annex I, submitted under Article 10(1) of Directive 91/67/EEC for the purpose of obtaining approved zone status with regard to one or more of the fish diseases viral haemorrhagic septicaemia (VHS) and infectious haematopoietic necrosis (IHN), are hereby approved.

2. The programmes listed in Annex II, submitted under Article 10(1) of Directive 91/67/EEC for the purpose of obtaining status as approved farm situated in a non-approved zone with regard to one or more of the fish diseases VHS and IHN, are hereby approved.

Article 2

The Member States concerned shall bring into force the laws, regulations and administrative provisions necessary to comply with the approved programmes.

Article 3

Decision 2002/304/EC is hereby repealed.

References to the repealed Decision shall be construed as references to this Decision.

Article 4

This Decision is addressed to the Member States.

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ANNEX I

PROGRAMMES SUBMITTED FOR THE PURPOSE OF OBTAINING APPROVED ZONE STATUS WITH REGARD TO ONE OR MORE OF THE FISH DISEASES VHS AND IHN1. *DENMARK*

THE PROGRAMMES SUBMITTED BY DENMARK ON 22 MAY 1995 COVERING:

- The catchment area of FISKEBÆK Å
- All PARTS OF JUTLAND south and west of the catchment areas of Storåen, Karup å, Gudenåen and Grejs å
- The area of all THE DANISH ISLES

2. *GERMANY*

THE PROGRAMME SUBMITTED BY GERMANY ON 25 FEBRUARY 1999 COVERING:

- A zone in the water catchment area OBERN NAGOLD

3. *ITALY*

3.1. THE PROGRAMME SUBMITTED FOR THE AUTONOMOUS PROVINCE OF BOLZANO BY ITALY ON 6 OCTOBER 2001 AS AMENDED BY LETTER OF 27 MARCH 2003, COVERING:

Zona Provincia di Bolzano

- The zone comprises all water catchment areas within the Province of Bolzano.

The zone includes the upper part of the ZONA VAL DELL'ADIGE — i.e. the water catchment areas of the Adige river from its sources in the Province of Bolzano to the border with the Province of Trento.

(NB: The remaining, lower part of the ZONA VAL DELL'ADIGE is covered the approved programme for the Autonomous Province of Trento. The upper and lower parts of this zone must be viewed as a single epidemiological unit.)

3.2. THE PROGRAMMES SUBMITTED FOR THE AUTONOMOUS PROVINCE OF TRENTO BY ITALY ON 23 DECEMBER 1996 AND 14 JULY 1997 COVERING:

Zona Val dell'Adige — lower part

- The water catchment areas of the Adige river and its sources in the territory of the Autonomous Province of Trento, from the border with the Province of Bolzano to the Ala dam (hydroelectric generating station).

(NB: The upper part of the ZONA VAL DELL'ADIGE is covered by the approved programme for the Province of Bolzano. The upper and lower parts of this zone must be viewed as a single epidemiological unit.)

Zona Torrente Arnò

- The water catchment area from the source of the Arnò stream to the dams down-stream, near the point where the Arnò stream flows into the Sarca river

Zona Varone

- The water catchment area from the source of the Magnone stream to the waterfall

Zona Alto e Basso Chiese

- The water catchment area of the Chiese river from its source to the Condino dam, excluding the catchment areas of the Adanà and Palvico streams

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— The water catchment area of the Palvico stream to the concrete and stone dam

3.3. THE PROGRAMME SUBMITTED FOR THE VENETO REGION BY ITALY ON 21 FEBRUARY 2001 COVERING:

Zona Torrente Astico

— The water catchment area of the Astico river, from its sources (in the Autonomous Province of Trento and in the Province of Vicenza (Veneto Region) to the dam near the Pedescala bridge in the Province of Vicenza.

The downstream part of the Astico river between the dam near to the Pedescala bridge and the Pria Maglio dam is considered a buffer zone.

3.4. THE PROGRAMME SUBMITTED FOR THE UMBRIA REGION BY ITALY ON 20 FEBRUARY 2002 COVERING:

Zona Fosso de Monterivoso

— The water catchment area of the Monterivoso river from its sources to the Ferentillo dams

3.5. THE PROGRAMME SUBMITTED FOR THE TUSCANY REGION BY ITALY ON 23 SEPTEMBER 2004 COVERING:

Zona Valle di Tosi

— The water catchment area of the Vicano di S. Ellero river from its sources to the dam at Il Greto near the village of Raggioli

3.6. THE PROGRAMME SUBMITTED FOR THE TUSCANY REGION BY ITALY ON 22 NOVEMBER 2005 COVERING:

Bacino del Torrente Taverone

— The water catchment area of the Taverone river from its sources to the dam situated downstream from the fish farm Il Giardino

3.7. THE PROGRAMME SUBMITTED FOR BY ITALY IN THE PIEMONTE REGION BY ITALY ON 2 FEBRUARY 2006 COVERING:

Zona Valle Sessera

— The water catchment area of the Sessera river from its sources to the 'Ponte Granero' dam in the municipality of Coggiola

3.8. THE PROGRAMME SUBMITTED FOR THE LOMBARDY REGION BY ITALY ON 21 FEBRUARY 2006 COVERING:

Zona Valle del Torrente Bondo

— The water catchment area of the Bondo river from its sources to the Vesio dam

3.9. THE PROGRAMME SUBMITTED FOR THE LOMBARDY REGION BY ITALY ON 22 MAY 2006 COVERING:

Zona Fosso Melga — Bagolino

— The water catchment area of the Fosso Melga river from its sources to the dam where Fosso Melga drains into the river Caffaro

4. *FINLAND*

4.1. THE PROGRAMME FOR VHS-FREEDOM INCLUDING SPECIFIC ERADICATION MEASURES DESCRIBED BY FINLAND IN LETTERS OF 27 MARCH AND 4 JUNE 2002, 12 MARCH, 12 JUNE AND 20 OCTOBER 2003 COVERING:

— the Province of Åland

— the restriction area in Pyhtää

— the restriction area covering the municipalities of Uusikaupunki, Pyhäranta and Rauma

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5. *UNITED KINGDOM*

5.1. THE PROGRAMME FOR VHS FREEDOM SUBMITTED BY THE UNITED KINGDOM ON 28 MARCH 2007 COVERING:

- The river Ouse from its sources to the normal tidal limit at Naburn lock and Weir

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ANNEX II

**PROGRAMMES SUBMITTED FOR THE PURPOSE OF OBTAINING
STATUS AS APPROVED FARM SITUATED IN A NON-APPROVED
ZONE WITH REGARD TO ONE OR MORE OF THE FISH DISEASES
VHS AND IHN**

1. *ITALY*

- 1.1. THE PROGRAMME SUBMITTED FOR THE PROVINCE OF
UDINE IN THE REGION OF FRIULI VENEZIA GIULIA BY
ITALY ON 2 MAY 2000 COVERING:

Farms in the water catchment area of the Tagliamento river:

— Azienda Vidotti Giulio s.n.c., Sutrio

- 1.2. THE PROGRAMME SUBMITTED FOR THE CALABRIA REGION
BY ITALY ON 11 JANUARY 2007 COVERING:

Farms in the water catchment area of the Noce river:

— Pietro Forestieri-Tortora (CS) Loc. S. Sago.