

Council Directive 2006/88/EC of 24 October 2006 on animal health requirements for aquaculture animals and products thereof, and on the prevention and control of certain diseases in aquatic animals

CHAPTER V

**NOTIFICATION AND MINIMUM MEASURES FOR CONTROL OF DISEASES OF AQUATIC ANIMALS**

SECTION 3

**Minimum control measures in the case of confirmation of exotic diseases in aquaculture animals**

*Article 31*

**Introductory provision**

This Section shall apply in the case of confirmation of an exotic disease listed in Part II of Annex IV in aquaculture animals.

*Article 32*

**General measures**

Member States shall ensure that:

- (a) the farm or mollusc farming area is officially declared infected;
  - (b) a containment area appropriate to the disease in question is established, including a protection zone and surveillance zone, around the farm or mollusc farming area declared infected;
  - (c) no restocking takes place and no aquaculture animals are moved into, within, and out of the containment area unless authorised by the competent authority;
- and
- (d) any additional measures necessary to prevent the further spread of the disease are implemented.

*Article 33*

**Harvesting and further processing**

1 Aquaculture animals which have reached commercial size and show no clinical sign of disease may be harvested under the supervision of the competent authority for human consumption, or for further processing.

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2 Harvesting, introduction into dispatch centres or purification centres, further processing and any other related operations involved in the preparation of the aquaculture animals for entry into the food chain shall be carried out under conditions which prevent the spread of the pathogen responsible for causing the disease.

3 Dispatch centres, purification centres or similar businesses shall be equipped with an effluent treatment system inactivating the pathogen responsible for causing the disease, or the effluent shall be subject to other types of treatment reducing the risk of transmitting diseases to the natural waters to an acceptable level.

4 Further processing shall be performed in authorised processing establishments.

#### *Article 34*

### **Removal and disposal**

1 Member States shall ensure that dead fish and crustaceans, as well as live fish and crustaceans showing clinical signs of disease, are removed and disposed of under the supervision of the competent authority in accordance with Regulation (EC) No 1774/2002 of the European Parliament and of the Council of 3 October 2002 laying down health rules concerning animal by-products not intended for human consumption<sup>(1)</sup>, as soon as possible in accordance with the contingency plan provided for in Article 47 of this Directive.

2 Aquaculture animals which have not reached commercial size and do not show clinical signs of disease shall, in an appropriate timeframe taking into account the type of production and the risk such animals pose for further spread of the disease, be removed and disposed of under the supervision of the competent authority in accordance with Regulation (EC) No 1774/2002, and the contingency plan provided for in Article 47 of this Directive.

#### *Article 35*

### **Fallowing**

Where possible, infected farms or mollusc farming areas shall undergo an appropriate period of fallowing after being emptied and, where appropriate, cleansed and disinfected.

For farms or mollusc farming areas rearing aquaculture animals not susceptible to the disease in question, decisions on fallowing shall be based on a risk assessment.

#### *Article 36*

### **Protection of aquatic animals**

Member States shall take the necessary measures to prevent the spreading of diseases to other aquatic animals.

#### *Article 37*

### **Lifting measures**

The measures provided for in this Section shall be maintained until:

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- (a) the eradication measures provided for in this Section have been carried out;
- (b) sampling and surveillance as appropriate for the disease in question and the types of aquaculture production businesses affected has been carried out in the containment area with negative results.

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- (1) [OJ L 273, 10.10.2002, p. 1](#). Regulation as last amended by Commission Regulation (EC) No 208/2006 ([OJ L 36, 8.2.2006, p. 25](#)).