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NOTE

From: General Secretariat of the Council
To: Delegations

Subject: African Swine Fever (ASF)
- Information from the Polish delegation

Delegations will find attached an information note received from the Polish delegation on the above mentioned subject to be dealt with under "Any other business" at the meeting of the Council (Agriculture and Fisheries) on 15 February 2016.

African Swine Fever (ASF)**(a) Extension of the area under restrictions in Poland as regards ASF**

On 12 January 2016, during the meeting of the Standing Committee on Plants, Animals, Food and Feed, the Commission presented for an opinion of the Member States a draft Decision extending the area under restrictions with regard to ASF occurrence in Poland (draft Commission Implementing Decision amending the Annex to Implementing Decision 2014/709/EU - doc. SANTE/7133/2015). Despite the fact, that Poland opposed the draft Decision in the form proposed by the Commission, the Commission put it for a vote, further endorsed by all Member States with the objection of Poland.

In Polish opinion, the proposed amendment was unreasoned and premature due to the stable epizootic situation in Poland and no spread of ASF virus outside zone II currently under restrictions; and contrary to the rules of regionalisation set out by the Commission (doc. SANTE/7112/2015). Poland has also duly in advance, presented the Commission with its scientifically based arguments against the amendment concerned.

Poland states that the restrictions should be implemented only in the administrative areas with recorded ASF cases. Such principle should apply to all Member States affected with ASF, since it prevents arbitrary treatment of individual Member States and imposing premature and unreasoned solutions having grave socioeconomic effects.

Due to ASF occurrence, two years ago, Poland has taken rapid, firm and effective actions aiming at preventing further spread of the disease. The effectiveness of the actions taken by Poland is proven by limitation of disease spread to the identified area at the border with Belarus and no further spread of ASF from Poland to other Member States till date.

Poland continues to control ASF situation at its territory. All actions taken are effective and compliant with the EU legislation. With regard to the above, Poland believes that it should have greater impact on the decisions regarding its territory. Therefore, Poland asks the Commission and Member States to consider current epizootic situation, as well as Polish opinion and interests when making their decisions on extending the area under restrictions in Poland, since it is Poland that bears socioeconomic burdens of the decisions made at the EU level and acts as the buffer zone for the other, currently free from ASF, Member States. Such approach could prevent making unreasonable decisions which will not contribute to improve epizootic situation and result only in negative social response.

With regard to present situation, Poland considers taking actions aiming at revision of the Decision voted on 12 January 2016.

(b) EU financial support for Ukraine to control ASF at its territory and secure the EU-Ukrainian border against transmission of the disease

EU legislation provides that grants may be awarded to third countries in respect of protection measures taken in the case of a direct threat to the health status of the Union as a result of, among others, occurrence of ASF in the territory of a third country (Art. 6(3) of Regulation of the European Parliament and of the Council (EU) No. 652/2014).

In 2012 and 2014, single outbreaks and cases of the disease were recorded at the territory of Ukraine. According to official data, there were 7 ASF cases in wild boar and 31 ASF outbreaks in domestic pigs in the different regions of Ukraine in 2015 - in at least 7 of 26 oblasts. The outbreak situated in the closest distance to Poland is located nearly 200 km from the border. While in the previous years the disease occurred primarily along the Ukrainian and Russian border, since 2015 the spread of ASF virus into the other regions of Ukraine has been observed.

With regard to the epizootic situation referred to above, the risk of ASF transmission from Ukraine to Poland and therefore to the other Member States increases rapidly, which may have extremely harmful economic consequences for the European Union as a whole.

In the opinion of Poland, preventing spread of ASF from Ukraine into the EU requires support to the Ukrainian party by the Commission in working-out the solutions aiming at development of the disease control programme, which could be financed from the EU budget.

Poland is aware that the Commission (DG SANTE) carefully monitors the situation in Ukraine and offered its support to the competent authorities to limit the occurrence of disease, focusing for the most on improving the diagnostic capabilities. Poland has information that the Commission requested the Ukrainian authorities to develop the control plan which could form a basis for financial contribution from the EU budget; however the Ukrainian party failed to provide such plan till this day.

Considering the above, Poland requests the Commission to notify of any further planned actions supporting the competent Ukrainian authorities in preparing such plan and any other potential actions protecting the EU territory against ASF transmission from Ukraine.

At the same time, Poland declares its readiness to support the Commission at the expert level in preparing and implementing the actions for protection of the territory of the European Union against ASF spreading.

We should also emphasized that Poland bears the entire effort of protecting the European Union against further spread of ASF from the territory of Ukraine and therefore it appeals to the Member States for their support for the Polish motion submitted to the Commission on taking immediate actions towards securing the EU-Ukrainian border against transmission of ASF virus.