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Conclusions of the rapporteur

Temporary Committee on Foot and Mouth Disease

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The following conclusions contain what the rapporteur sees as the essence of the results of the committee's work to date. They are based on the earlier internal Working Document No 5. Wherever possible, the rapporteur has tried to take account of the numerous comments and proposals made by colleagues in the committee.

These conclusions will be incorporated in the rapporteur's draft report without any changes of substance. This means that Members will already (i.e. as from 30 September 2002) have the opportunity to formulate amendments. The rapporteur himself will if appropriate include additional conclusions in the draft report, but will place them at the end so that the sequence of the text as shown here will remain unaltered.

A. Observations and considerations

General

1. The speed at which foot and mouth disease (FMD) of the Pan-Asia O type spread within the European Union, particularly the United Kingdom, in 2001, was unprecedented in the history of FMD, as was the scale of the outbreaks.
2. In the United Kingdom alone, according to the British National Audit Office, 6.5 million animals (cattle, sheep, pigs, goats and wild animals) were slaughtered, either to combat the spread of the disease or in the interests of animal welfare, in connection with 2030 confirmed outbreaks; other estimates suggest that the number of animals slaughtered may even have been as high as 10 million. In the Netherlands, the figure was around 285 000 animals, in France around 63 000 and in Ireland 53 000. The species most affected by the crisis was sheep, in which it is very difficult to diagnose the disease externally.
3. The 2001 FMD epidemic and the measures to tackle it had a massive impact on agriculture in the areas concerned. Particularly farmers whose livestock were not slaughtered and the upstream and downstream sectors of food production, as well as other sectors of the economy, particularly tourism, suffered serious financial losses.
4. The source of the epidemic has not been definitely identified. Inquiries by the British Government suggest that it was caused by feeding pigs on a farm at Heddon-on-the-Wall in Northumberland with waste from illegally imported meat, which infected them at the beginning of February 2001, after which the virus spread to sheep on a nearby farm and so, probably via the Longtown sheep market and other markets, to the whole country, France, the Netherlands, the Republic of Ireland and Northern Ireland. Suspicions have been expressed that the crisis may have arisen from different causes, but these have not been substantiated.

The parameters for FMD control in 2001

5. The substantial increase in the number and stocking density of livestock in the EU in recent decades has increased the risk of infection of large animal populations in the EU and led to correspondingly large losses to the industry and costs to the public purse because of the requisite inspection and disease control measures, as well as compensation payments. Production and marketing mechanisms in the EU encourage intensive

transport of and trade in animals susceptible to FMD within the internal market, and thus the spread of animal diseases, but there has not been any corresponding expansion of inspections or veterinary systems.

6. Since 1992, contrary to the practice previously adopted in most Member States, the EU has banned prophylactic vaccination against FMD. On the basis of this ban, the EU pursues a 'no vaccination' policy as a general rule, including when an outbreak of FMD occurs. The 'no vaccination' policy is based on the trade-policy rules of the International Office of Epizootics (OIE), which, at least at the time of the crisis in 2001, did not adequately regulate the preconditions and consequences of emergency vaccinations in the event of an FMD outbreak. The OIE rules provided for excessively long periods before 'FMD-free' status, which is absolutely vital to trade, could be reacquired if emergency vaccination (prophylactic inoculation) programmes were carried out during an outbreak, and did not take account of the state of the art with regard to tests to distinguish vaccinated animals from infected animals.
7. In addition, OIE rules did not provide for a rapid procedure for the recognition of FMD-free areas within a country where outbreaks had occurred and an FMD-infected area had been designated. Only after a considerable delay would it have been possible to designate an FMD-free area, with the result that any regionalisation, particularly in conjunction with emergency vaccinations, did not seem attractive.
8. The EU's policy in the event of an FMD outbreak has accordingly hitherto been geared to culling livestock from infected herds and FMD-susceptible animals which might have come into contact with the source of infection or infected vectors or which were suspected of having been infected in any other way (a 'stamping-out' policy). As a general rule, emergency vaccinations were to be avoided and performed only – at the request of the Member State concerned – by way of exception, in the event of a major epidemic. In the light of experience of FMD in 2001, this policy cannot continue in its present form.
9. The 2001 FMD crisis was a traumatic experience in the areas affected. For the purpose of determining control strategies and methods, the policy of the EU and the Member States must therefore in future take account of the social and psychological impact on the public and effects on non-agricultural sectors of the economy, such as tourism, in the areas affected by a major FMD outbreak. Hitherto the basic 'no vaccination' policy has assigned undue priority to trade-policy aspects.

Prevention and control of FMD in the United Kingdom in 2001

10. The United Kingdom tackled FMD by means of a contingency plan pursuant to Article 5(2) of Directive 90/423/EEC, as adopted by the Commission in 1993 and last amended in 2000; the contingency plan complied with the criteria laid down in Decision 91/42/EEC. The plan was based on previous experience of FMD and on the assumption that the spread of the disease would remain localised, i.e. the number of outbreaks would not exceed ten.

11. In the United Kingdom, there were already 50 to 70 outbreaks at the time of confirmation of FMD, and subsequently 12 epidemics (or mini-epidemics) occurred. The scale of the 2001 crisis far exceeded the presumed scale on which the national contingency plan and regional contingency plans were based. Yet in the light of previous experience and the foreseeable risk, it would have been disproportionate to gear the FMD contingency plan and the associated human and material resources to such a large scale. However, in retrospect the contingency plan ought to have included a scenario for a serious and extensive outbreak, including options for action if the reality were to prove even worse than the assumed 'worst-case' scenario.
12. However, contingency plans and the logistical and staffing preparations for an outbreak of FMD or other notifiable exotic animal diseases in the United Kingdom were suffering from considerable shortcomings, according to a report of February 1999 commissioned by the state veterinary service (Drummond Report). Hardly anything had been done to implement this report's recommendations for remedying the shortcomings before the crisis arose, although in July 2000 the head of the state veterinary service expressed extreme concern about the state of preparations, particularly with regard to slaughter, disposal of animal carcasses, staff training and the availability of up-to-date contingency plans.
13. In retrospect, an immediate nationwide ban on transporting FMD-susceptible animals would have been appropriate when the first case of FMD was detected in the United Kingdom, but large sections of the population would have considered this disproportionate at the time.
14. According to the Commission's Food and Veterinary Office, the incomplete transposition of Directive 92/102/EEC hampered efforts to identify and trace rapidly the transport routes taken by sheep, the species most affected by the epidemic, thus impeding rapid and properly targeted measures to control the disease.
15. The structures and organisation of the public service (government and administrative bodies) in the UK are very complex. In addition, the epidemic broke out at a time when the Ministry of Agriculture was being restructured. This made it more difficult to combat the epidemic in a coordinated manner.
16. The number of full-time State veterinary staff in the UK has been reduced by about half in the past 20 years, although according to the British Government the number of official vets normally working in the field has changed little. Moreover, this considerable cut in the number of staff employed by the State veterinary service has been accompanied by the closure of local veterinary centres and a concentration on regional centres, which has inevitably resulted in a loss of knowledge of local conditions. Overall, this has weakened the capacity for responding to the crisis, particularly as the number of livestock has increased significantly over the same period. At the beginning of the epidemic, there were not enough staff to cope with the rapidly growing number of infected farms and carry out the requisite inspection and eradication measures. Accordingly, hundreds of foreign vets had to be deployed, which led to confusion and uncertainty among farmers, partly on account of linguistic communication problems.

17. The British Government's information policy was inadequate, both before and during the crisis. The content of the contingency plan was not known to the public at the beginning of the outbreak or for some time during it (it was not placed on the website of the Ministry of Agriculture until August 2001). At the beginning of the outbreak the Ulster Farmers' Union did not even know that a contingency plan existed.
18. The provision of information from State sources to local bodies and the farmers affected was poor, according to statements by those concerned, and advice from the various government departments was repeatedly altered, inconsistent or even contradictory.
19. Particularly common complaints from some of the population most affected concerned bureaucratic and formalistic procedures for obtaining compensation, recurrent delays in decision-making and carrying out of measures by the authorities, particularly in connection with the disposal of animal carcasses, the lack of effective contingency plans, inadequately informed veterinary staff, staff shortages at the locally established disease control units, and violations of animal welfare legislation during culls and in connection with the 'standstill'. In individual cases, it was also reported that farmers who were affected had been intimidated and pressurised in connection with the culls. These shortcomings and the sometimes inadequate information policy caused considerable stress among those concerned, many of whom were still suffering psychologically as a result months after the crisis.
20. On the other hand, the Commission's Food and Veterinary Office observed in March 2001 that the UK's organisational response to the FMD outbreak was effective and efficient, at both national and local level, and the speed with which the central and local crisis centres were set up was impressive. The selfless commitment of the staff detailed to tackle the crisis was also singled out for comment.
21. Despite the rapid spread of the disease in the first few weeks, the British authorities succeeded in keeping large parts of the country free of FMD and rapidly bringing the disease under control and eradicating it in some parts of the country, such as Kent.
22. The British Government based its decisions on epidemiological models. The mode of transmission of the virus did not play any part in the models, according to statements by the head of the British Government's scientific advisory group. The appropriateness of the models used to model the course of the epidemic remains scientifically controversial. The four models used ultimately resulted in the proposal at the end of March 2001 for 24/48 hours contiguous culls (i.e. slaughtering susceptible animals at infected farms within 24 hours of the infection's being diagnosed and slaughtering susceptible animals at neighbouring farms within 48 hours).
23. Initially, the British authorities' measures were unable to prevent the epidemic from getting out of control, which happened four weeks after its discovery. Only from the end of March 2001, when the 24/48 hours contiguous cull strategy was implemented and the army was deployed to overcome logistical problems, did the number of new cases begin to fall and were the most urgent problems in disposing of animal carcasses solved. However, it remains controversial and doubtful whether the 24/48 hours contiguous cull strategy was really responsible for curbing the epidemic (halting the increase in the

number of cases and bringing about a decrease); apart from any other consideration, in many cases it proved impossible to carry out the culls on neighbouring farms within 48 hours. However, the course of the epidemic from April 2001 onwards largely accorded with predictions from models.

24. The deployment of the army, particularly to provide logistical support in disposing of animal carcasses, took place only at a relatively late stage, when the epidemic was already out of control and, in some cases, dead animals had been lying about on the affected farms for days.
25. The disease control measures in the UK were evidently more successful in Scotland (County of Dumfries and Galloway) than in other areas, because lines of communication were shorter and the approach adopted was one of integrated contingency planning (political decisions and logistic control located primarily at regional level, although, in accordance with special agreements within the State, the State veterinary service also performed in Scotland the duties for which they provided. In addition, since the Lockerbie air disaster, special procedures had been developed for responding to crises. However, the total number of cases of FMD was in any case smaller in Scotland.
26. The mass culls, including the 24/48 hours contiguous culls, caused enormous problems of disposing of animal carcasses, which could perhaps to some extent have been reduced by means of suppressive vaccinations on neighbouring farms or within a certain radius of infected farms, as the example of the Netherlands shows. It is quite possible, on the other hand, that this approach might ultimately have led to more animals being slaughtered.
27. The British Government's decision to bury animal carcasses in mass graves or burn them on pyres as part of the mass culls was, at least in some cases, taken without adequate consultation of local institutions. This increased risks to human health and the environment from emissions and groundwater pollution. It placed a huge burden on the populations of the areas concerned, and television pictures of the burning pyres and mass burials shocked the public on animal welfare grounds and had a catastrophic impact on tourism in those areas. It was not possible to monitor in detail the environmental impact of these methods of disposal at the locations where they were employed.
28. In a number of cases the carrying-out of the 24/48 hours contiguous cull may have involved violations of animal welfare legislation because of the pressure of time to which it gave rise. It was reported that unnecessary pain and suffering had been inflicted on animals because of the inexpert performance of staff, some of whom were not adequately trained.
29. The mass culls and movement of carcasses to mass burial or incineration sites also gave rise to a risk of accidental further transmission of the virus via the staff deployed or their equipment and on account of the transport of slaughtered animal carcasses through uninfected areas. However, there is no definite evidence that such transmission actually occurred.
30. The 3 km cull which was ordered in Cumbria and in Dumfries and Galloway, which entailed culling sheep, pigs and goats within a 3 km radius of an infected farm, may not

have had a basis in domestic law, irrespective of the question of the practicability and proportionality of this measure. However, only the courts can definitively determine whether the 3 km cull was legal. It is not apparent that this is either explicitly permitted or explicitly prohibited at European level.

31. In Cumbria, from the end of March/beginning of April 2001, vaccinating cattle was an option recommended by the Chief Scientific Adviser to the government and the Chief Veterinary Officer on condition that certain criteria were complied with, including that of support from farmers. The government did not consider this option practicable, because it did not enjoy sufficient support from the National Farmers' Union or the food trade (some farmers' opposition to vaccinations was evidently due to the mistaken belief that EU law prohibited the payment of compensation for the possible loss of value of vaccinated animals). Relatively small special-interest groups (parts of the meat-producing farming sector and the food trade) seem to have had an undue influence over decisions affecting the wellbeing of whole regions in the management of the FMD outbreak in the UK in 2001. This is all the more worrying because fears in the food trade that consumers would not accept products from vaccinated livestock were unsubstantiated.

Control of FMD in the Netherlands

32. The organisation of measures to control FMD in the Netherlands was based on experience of the swine fever crisis. The FMD contingency plan clearly assigned responsibilities and laid down procedures, with decisions being taken centrally and implemented regionally; local and regional expertise received too little recognition.
33. However, the decision to set up the crisis management organisation was taken only when the first outbreak occurred; it took several days to build up the regional organisation – staff and bodies – so that valuable time was lost before the implementing organisation was completely operational and effective in carrying out the veterinary measures and developing a network of contacts with other parties concerned in the region.
34. The Netherlands' strategy was one of eradicating the FMD virus as quickly as possible in order to regain 'FMD-free without vaccination' status; the government accepted as a necessary evil the resultant strong social and psychological impact on rural communities.
35. The mass culls caused considerable public indignation in the Netherlands; in particular, many smallholders who kept and bred animals as a hobby argued in favour of prophylactic vaccination instead of culls.
36. At times, there was insufficient capacity to carry out the measures, which led to unwanted changes in the implementation plans.
37. In the Netherlands too, one important shortcoming in the FMD control measures was the authorities' inadequate coordination and information policy and the lack of arrangements to enable the farmers concerned to contact the State agencies responsible.
38. The Netherlands used the 'ring vaccination' concept to bring the epidemic under control. All livestock within the vaccination ring were ultimately slaughtered in order for exports

to resume at an early stage. In the end, around 10 000 animals were slaughtered per infected farm in the Netherlands, as against 2000 in the UK, although this was also due to the particularly high stocking density in the Netherlands and to the fact that, in the area around Oene, vaccination was planned and authorised for a wide radius (25 km) as an emergency-vaccination measure with the aim of ensuring that the vaccinated animals could continue to be used as normal.

39. In some cases, the Netherlands' rules on the reduction of compensation for farmers resulted in extreme reductions, which were not felt to be justified; the systems of compensation and deductions from it in the event of livestock epidemics vary so widely within the EU as to give rise to a danger of distortion of competition.

Experience in France

40. Immediately after the first outbreak in the UK was reported, the French authorities activated the FMD contingency plan at national and regional level and set up crisis staffs, involving the relevant professional organisations.
41. In France too, FMD was combated by means of preventive culls combined with serological tests and a temporary ban on the movement of susceptible livestock, without resorting to vaccination. Following the two FMD outbreaks in France, susceptible animals were slaughtered within a 3 km radius of the farms concerned.
42. Measures to control FMD in France in 2001 were efficient and successful, although here too it was recognised that the identification and registration of sheep needed to be improved. It may be noted that the economic and social consequences did not play any significant role in the strategy for controlling FMD in France either. Plans for controlling FMD should take account of possible public resistance to large-scale culls in the event of a major outbreak.
43. The issue of unequal compensation for damages has also arisen in France.

Experience in the Republic of Ireland and Northern Ireland

44. The authorities in the Republic of Ireland and Northern Ireland were forewarned by the outbreaks on the British mainland and were able to prepare themselves very well for the outbreak of FMD. Cooperation and coordination between the Republic of Ireland and Northern Ireland went smoothly, and it was largely thanks to this that the FMD outbreaks remained very small in the region. The measures were effective and efficient.
45. The issue of vaccination did not arise, because there were so few outbreaks in Ireland.

The role of the Commission in controlling FMD

46. The Commission responded to the crisis immediately and took the necessary decisions. In the course of the crisis, it promptly altered and documented its decisions on the basis of the opinions of the Standing Veterinary Committee in the light of events. No shortcomings have been identified in the Commission's management of the crisis. The

high quality of the Commission's work in controlling the crisis has also been expressly stressed by the national veterinary authorities of Member States concerned.

47. The Commission failed to review the Member States' contingency plans within an appropriate period following the introduction of the ban on prophylactic vaccination in 1992. At the time of the 2001 crisis it had still not reviewed the contingency plans of the UK, the Netherlands or France.

Control of FMD in third countries

48. Systematic preventive vaccination is practised in many countries where FMD is endemic. In recent years, emergency vaccinations in conjunction with extensive culls have rapidly eradicated the disease in Albania (1996), Korea and South Africa (2000), Uruguay (2001) and finally in the Netherlands (2001).
49. The way in which Uruguay tackled FMD in 2001 demonstrates the considerable positive aspects of emergency vaccination without subsequent slaughter in the event of a widespread outbreak, although local conditions there are not comparable to those in the EU. Thanks to mass vaccination of 10 million cattle, accompanied by transport restrictions, the disease was eradicated within 15 weeks. Only just under 7000 animals were slaughtered. The human impact was limited and the cost of eradicating the disease (vaccines, disinfection, compensation for farmers) totalled only USD 13.6 m.

The question of vaccination in connection with the future strategy to control FMD in the EU

50. In the light of the experience in 2001, the question of whether and to what extent livestock ought to be vaccinated in the event of an FMD outbreak cannot be definitely resolved in advance for all eventualities. The decision on vaccination is in any case not a scientific matter but a political one and therefore depends on the circumstances and interests which are taken into account and the priority objectives adopted for the purpose of controlling the epidemic.
51. Experts attending the hearings held by the European Parliament's Temporary Committee on FMD were not agreed amongst themselves as to the appropriateness of vaccinations to stem an outbreak or eradicate the disease, from the point of view, inter alia, of veterinary medicine or in the light of epidemiological considerations. However, many of the experts stressed that, under certain conditions, emergency vaccination is a better way of controlling FMD than the 'stamping out' method. The issue of vaccination needs to be resolved in the context of the particular situation. It must also be seen in the light of the seriousness of the risk of future FMD outbreaks due to the particular control method adopted.
52. Mass culling of livestock and the subsequent destruction of meat can be ethically justified only by special socioeconomic grounds. Decisions must be taken in a transparent manner: otherwise it will be difficult to persuade those sections of the population who suffer most from a non-vaccination policy to provide the necessary cooperation during a future FMD outbreak.

53. The disease-control objective (motivated by trade considerations) of eradicating the disease as quickly as possible while culling the minimum number of animals should not entail an absolute non-vaccination policy, and must always be offset against other politically relevant objectives such as avoiding excessive economic losses in upstream and downstream sectors of food production and in other sectors of the economy and avoiding traumatic psychological and social consequences in the regions concerned.
54. The vaccines currently available make it possible – at least on a herd by herd basis – to distinguish between infected and vaccinated animals. It is true that the problem of transmission of FMD by carrier animals (animals in which the virus can under certain circumstances still be detected more than 28 days after infection but which may possibly not be producing any antibodies to non-structural proteins or displaying clinical symptoms) still remains in principle and is not quantifiable so far. However, many experts consider the risk of transmission of FMD by carrier animals to be extremely slight.
55. The international recognition of serological tests to demonstrate the presence of antibodies to 3ABC or other non-structural proteins – at least on a herd by herd basis – for the purposes of regaining ‘FMD-free’ status more rapidly after emergency vaccination is a vital element in decision-making on vaccination in the event of an outbreak of FMD.
56. The adverse impact of vaccination on exports of live animals and animal products has been considerably reduced following the change in the OIE’s Animal Health Code in May 2002 (reduction of the period before ‘FMD-free’ status can be regained to 6 months in the event of emergency vaccination without subsequent culling).
57. In future, therefore, emergency vaccination with the aim of allowing animals to live for normal further use should no longer be regarded only as a last resort for controlling FMD but must be considered as a first-choice option from the outset when an outbreak occurs, except in the case of the actual farms which unequivocally have to be regarded as infected. A transparent list of criteria should be applied in order to assess the likely consequences of each control strategy. Staff and equipment for the effective implementation of a vaccination strategy should be made available quickly throughout the EU.
58. The list of criteria for emergency vaccination in the event of an outbreak of FMD which the Commission may compile in connection with a proposal for new rules on the control of FMD would be incomplete if it ignored the economic, psychological and social impact of the decision in the areas concerned. Such effects must be taken into account in deciding how to control FMD. Incidentally, measures to tackle FMD should not only – as on previous occasions – be regarded as an operation to police the epidemic with the aim of safeguarding livestock holdings or particular commercial interests but should also have regard for changes in people’s way of life and in attitudes towards the environment and animal welfare and increased mobility, combined with a cost-benefit analysis of any given control strategy.

59. In the case of rare animals in zoos or game parks and scientifically valuable animals at research centres, culls should be avoided as a general rule and, if the spread of the virus cannot be prevented in any other way, the animals should be vaccinated.
60. Emergency vaccinations ought always to be carried out in those cases in which they make it possible to avoid mass burial or burning on pyres, which are dangerous to the environment and health, and the risk of further spread of the virus from the vaccinated animals is relatively small.
61. The division of a country into FMD-free and FMD-infected zones ought in future to play an essential part in the event of a major outbreak, inter alia in deciding the control strategy. If animals are vaccinated, such a division should always be carried out.
62. A return to systematic prophylactic vaccination against FMD is not yet at this stage an option to aspire to, particularly because there are seven different serotypes, which cannot be tackled by a single vaccination, and 80 known subtypes exist within them, which likewise cannot be fully covered by a vaccination. Only by chance, therefore, could the right vaccine be chosen. Moreover, the impact on trade would still at this stage be very serious, not only because under OIE rules vaccinated animals cannot be exported to countries which are 'FMD-free without vaccination' but also because exports of other animal products derived from vaccinated animals to countries FMD-free without vaccination would in practice be substantially hampered.

Rules and controls on imports in the EU

63. The rules on imports which are designed to prevent the entry of pathogens, particularly those on the OIE's A list, are harmonised throughout the EU. In addition to veterinary inspections at the external borders, they entail a range of import restrictions on health grounds for animals and animal products and inspection and approval procedures for the countries from which the EU imports live animals or animal products.
64. The EU does not import any FMD-susceptible animals from third countries which are not 'FMD-free without vaccination'. Imports of meat from countries which are not 'FMD-free without vaccination' are subject to special conditions (for example, beef must be deboned and matured). Contrary to assertions which have been made in public, these conditions are no less strict than those for exports of meat from an EU Member State where FMD has broken out to another Member State.
65. In recent years, livestock epidemics in the EU have not been caused by products which are imported regularly and checked in the process. The Food and Veterinary Office's inspections of border control posts have however revealed serious shortcomings in import controls.
66. The most serious source of the risk of entry of FMD is illegal imports of animal products from countries where FMD is endemic. However, goods are imported in such massive quantities that it is neither economically nor logistically realistic to suppose that sufficient capacity could be made available to inspect goods for FMD at border control

posts, for example goods in containers, so effectively as to reduce the risk of illegal imports to zero.

67. Checks on imports of products of animal origin by tourists are far less strict at EU airports than they are for example in the USA, Australia or New Zealand. While the risk that FMD will be brought in by tourists or in food for consumption during travel is relatively slight, it is not negligible, bearing in mind that, for example, at Heathrow airport within a period of a few days in May 2000 illegally imported food with a total weight of 3100 kg was seized during checks on passengers' baggage, including meat from exotic animals ('bushmeat') and various types of fish. At Dublin airport, around two tons of illegally imported animal products are found and confiscated every month.

Budgetary aspects

68. According to the Commission, measures to control FMD are placing a considerable burden on the EU budget. In 2001, commitment appropriations for them totalled €421 141 381 (€2 700 000 for Ireland, €3 300 000 for France, €39 000 000 for the Netherlands and €376 141 381 for the United Kingdom). In 2002, payments totalling €400 m were made (€2 700 000 for Ireland, €3 300 000 for France, €39 000 000 for the Netherlands and €355 000 000 for the United Kingdom). These figures include the advance payments decided upon in August 2001.
69. As animal diseases are unpredictable, there are in principle only two options for responding to them, using the EU budget. Either one does not make any special provision for an outbreak and, if an outbreak occurs, tries to find and use spare appropriations within the existing budget or obtains the requisite appropriations by means of a supplementary budget. This has been the practice to date, and should remain so. Alternatively, one could institute a special reserve in the budget, but there would be no meaningful basis for calculating the amount to be placed in it.
70. The method of assessing the losses of farmers eligible for compensation also determines the size of the contribution to be made by the Community and should therefore be transparent and objective and should not be influenced by chance fluctuations in market prices.

Compensation aspects

71. It is unacceptable that only farmers – in whose interest the non-vaccination policy is being pursued – should receive compensation under Decision 90/424/EEC for livestock lost in an FMD outbreak while other sectors of the economy – particularly tourism – are compelled to foot the bill for their own losses arising from this policy. The rules on compensation need to be reviewed in the light of this.
72. The practice adhered to in compensating farmers in the event of an FMD outbreak is unjust. It is not clear why only farmers whose animals have been culled should receive compensation, while none is paid to farmers who have been unable to market animals or animal products properly because of the ban on transport.

73. Compensation for losses arising from FMD should as a general rule cover less than 100% of the losses, in order to increase the incentive to comply with the necessary biosafety rules on farms. Not more than 80% of losses eligible for compensation should be reimbursed from public funds.
74. The preconditions for compensation for losses due to animal diseases, particularly FMD, must be transparent, so that, in particular, the farmers concerned do not resist measures which are necessary in order to control disease because of misconceptions about the compensation which may be payable.

Other animal diseases

75. In addition to FMD, livestock in the EU are threatened by other animal diseases, some of which are also dangerous to humans, such as TSE and avian influenza. From the economic point of view the diseases which currently present the greatest risk are FMD, classical swine fever, swine vesicular disease, Newcastle disease and avian influenza, all of which are either endemic or occur sporadically in EU Member States.
76. Possibly as a result of global warming, incidentally, such diseases as bluetongue and African horse sickness, which are transmitted by mosquitoes, have recently appeared in temperate latitudes.
77. Policy on vaccination against animal diseases which can cause serious economic damage and of whose introduction there is a high risk is only partially harmonised in the EU. The vaccines available – where they exist at all – sometimes only afford limited protection or, for economic reasons, are only used in emergency vaccination campaigns (as is the case with classical swine fever).
78. In view of the intensification of world trade and global warming, a thorough analysis of the existing and likely future threats arising from the introduction of animal diseases into the EU which could cause major economic damage is urgently needed at European level.

B. Future measures to control FMD and other animal diseases / calls for action by the Commission, Council or Member States

International aspects

79. Lasting success can be achieved in efforts to control FMD worldwide only if it proves possible, through close international cooperation, to reduce the disease decisively in areas where it is still endemic. The Commission should therefore do more to assist the countries concerned in their efforts to control or eradicate FMD and seek to improve cooperation with regard to information (early warning systems).
80. In the accession negotiations, the Commission should ensure that, at the time of accession, the applicant countries' border control posts at the future external borders of the EU are of the same standard as those of the present Member States. Member States, coordinated by the Commission, should develop cooperation with the applicant countries in the field of prevention and control of livestock diseases.
81. Member States and the Community should keep sufficient stocks of vaccines/antigen material to be able to supply them quickly to countries bordering on the EU without difficulty if that becomes necessary.
82. As members of the OIE, Member States should, in cooperation with the Commission, seek to ensure that OIE rules constantly keep pace with scientific progress in the development of vaccines and test procedures and that OIE procedures permit rapid decision-making.
83. The Commission and Member States are called upon to actively strive to bring the waiting period for regaining FMD-free status after application of a strategy of vaccination without subsequent slaughter of the vaccinated animals into line with the period used when a vaccination-to-kill policy is applied, in other words 3 months in both cases.
84. As a major FMD outbreak within the EU internal market can very quickly assume international proportions, the interests of countries bordering on a Member State where FMD has broken out and those of the Community as a whole must be taken into account. The Community should be in a position if necessary to determine the strategy for controlling FMD itself if this is required in order to protect vital interests of Member States threatened by FMD or of the Community. Member States should approve Commission proposals to this end.

Prevention, contingency plans and methods of controlling animal diseases

85. On the basis of an analysis of the existing and likely future threats arising from the introduction of animal diseases into the EU which could cause major economic damage, the Commission should draw up an overall strategy for preventing and controlling livestock diseases in the EU.

86. Member States should gear their animal disease monitoring systems to ensuring that outbreaks are detected at an early stage.
87. Member States should consider on the basis of risk analyses to what extent restrictions on the transport of livestock should be introduced even at times when no outbreak of disease has occurred, especially if there is a particular risk that a disease may break out, for example when it has already done so in another Member State.
88. Member States should review their contingency plans in the light of experience of the FMD crisis in 2001 – particularly with reference to the staff available for deployment, equipment and laboratory capacity – and should test them regularly.
89. Contingency plans should be based on risk analysis and provide for various scenarios so that even major outbreaks can be kept under control.
90. Contingency plans should be so designed that emergency vaccinations can be carried out as a control measure of first choice from the beginning of an outbreak.
91. The criteria for emergency vaccination should be defined as precisely as possible without unduly restricting the discretion which the authorities must enjoy when controlling epidemics. The plans should involve not only agriculture but also the food trade and other relevant sectors of the economy, local authorities and consumers' organisations.
92. Member States, in cooperation with the Commission, should establish compatible, networked electronic animal epidemic information systems containing and linking all information which is of relevance for the purposes of effective management of livestock epidemics, into which relevant information from the operatives on the ground (especially vets) can be input in real time in the event of an outbreak.
93. Member States should provide an integrated crisis management system and short lines of communication to the bodies involved and, in case of doubt and provided that this does not jeopardise the implementation of national strategies, assign decision-making powers to local or regional level. When drafting contingency plans, provision should be made upstream for adjusting the measures to be taken in the light of the risks which arise, and it should be decided what channels will be used to inform the public.
94. Member States should coordinate their contingency plans, particularly with reference to regions near borders.
95. The establishment of continuous contact, upstream and downstream, between all the organisations concerned (public authorities, farmers, members of the public) should play a leading part in the drafting of contingency plans and should receive particular attention in the Commission's evaluations thereof.
96. The Commission should examine the contingency plan of each Member State at least once every three years on the spot.
97. Member States should keep their contingency plans accessible by Internet at all times.

98. Member States are called upon to immediately halt and reverse the trend towards cutting the number of staff in public veterinary services and to permanently provide sufficient veterinary staff to prevent and control livestock diseases so that even major epidemics do not get out of control.
99. Member States should regularly carry out training measures and crisis exercises to control epidemics, involving farmers and vets, including internationally in cooperation with neighbouring Member States.
100. Member States should increase the provision of information to the public concerning livestock diseases and their impact on human health.
101. The Commission should as quickly as possible submit a proposal for amending Directive 92/102/EC so as to improve the individual marking of pigs, sheep and goats.
102. Member States should issue guidelines comprising elementary precautions to prevent animal diseases which must be complied with on farms where livestock are kept. Where breaches are repeatedly found to have occurred, it should be possible to ban those responsible from livestock farming.

Import controls

103. Member States should appropriately increase the number of staff performing inspections at airports in order to reduce the risk of livestock diseases being carried by means of illegal meat imports in the luggage of air passengers, and make more use of sniffer dogs to detect meat.
104. The Community should as soon as possible revoke the authorisation pursuant to Directive 72/462/EEC for travellers to import small quantities of meat intended for their personal consumption as part of their personal baggage. Failure to comply with the ban on this should be punished by means of fines sufficiently substantial to be effective.
105. Member States' inspection measures at the external borders of the EU to prevent imports of susceptible animals and of products derived from them from countries at risk of FMD and when there are FMD outbreaks in neighbouring countries should be uniform.
106. Member States should strictly apply the EU harmonised system for imports of ungulates and ensure that imports come only from third countries listed as safe and only if accompanied by the required animal health certificates. Products of animal origin should come only from approved producers and imports should only be possible via special, properly equipped veterinary border control posts. In the event of breaches of import regulations in the food trade, Member States should impose deterrent penalties, which should be as identical as possible.
107. The Commission should without delay take measures to improve the existing system for monitoring the transport of live animals within the EU (Animo system). In addition, the

system for the monitoring of imports into the EU (Shift system) should be introduced quickly.

Research and development

108. The Commission should immediately designate a Community reference laboratory for vesicular virus diseases, which should maintain contact with the officially designated national laboratories, assist them and be in a position to make optimal methods of diagnosis of vesicular virus diseases of animals available, perform experiments and field trials relevant to FMD and provide information and further-training programmes.
109. The Commission and Member States should provide more funding and coordination for research into livestock diseases which figure in the OIE's A list and occur or are likely to occur in the EU, with the aim of facilitating systematic vaccination. In the case of FMD, the priorities should be as follows:
- to improve vaccines with the aim of developing a vaccine which needs to be administered only once and which covers as many serotypes as possible, builds up protection very quickly and blocks transmission of the virus in order to exclude carrier status,
 - to improve tests with the aim of reliably distinguishing between vaccinated animals and animals which are both vaccinated and infected and detecting FMD earlier than hitherto after an infection,
 - mathematical models which will improve prediction of the impact of the various control strategies, including vaccination.

Compensation

110. The Commission should submit a proposal to amend Directive 425/90/EC so as, in general, to permit the Community to contribute to compensation payments for losses arising from FMD control measures only if the Member State concerned has transposed all relevant directives on FMD before the outbreak and the Member State's preparations for a possible FMD outbreak (contingency plan, staffing, equipment and infrastructure) were adequate. Compensation should also be conditional on the recipient's making an appropriate contribution by means of premiums for relevant insurance or in some other way.
111. The Commission and Member States should investigate to what extent the existing system of compensation payments unduly influences the control of FMD; in particular, the unjust system whereby compensation is paid only to one group of victims (farmers whose livestock is culled) should be overhauled, especially where compensation is not linked to an insurance system.
112. In the Netherlands it should be reviewed whether the compensation system could potentially be dissociated from the penalties for non-compliance with biosafety conditions, particularly since Dutch farmers, unlike those in some other Member States,

meet the cost of part of the losses themselves through the payment of contributions to the emergency fund.

Miscellaneous

113. The Commission is called upon, on the basis of the experience of 2001, to draw up a cost-benefit analysis of prophylactic vaccination, which was successfully employed by a number of Member States before 1992. This study should include an analysis of the advantages and disadvantages in the field of international trade, public opinion and marketing possibilities within the EU.
114. In addition, the Commission should commission a study (cost-benefit analysis) of strategies for controlling FMD outbreaks (emergency vaccinations/stamping out), taking account of both the economic and non-economic impact in the areas concerned and at national and EU level.
115. Member States should ensure by means of legislation and organisational measures that in the event of vaccination, products derived from animals vaccinated against FMD can be marketed at least regionally, but if possible throughout the EU, provided that there are no objections to this on grounds of disease control. Major food businesses should be involved in the planning.
116. Member States are called upon to transpose properly Directive 91/628/EEC (as amended by Directive 95/29/EC) on the protection of animals during transport.
117. The Commission should submit a legislative proposal to set a limit of 8 hours or 500 km on journeys by cattle, horses, goats, sheep and pigs not intended for specific breeding and/or sporting purposes.
118. The Commission should submit to Parliament and the Council an evaluation report as to whether the FVO has the right staff and infrastructure to enable it to carry out its duties effectively in the long term. In the context of enlargement, too, the advantages and disadvantages of moving the office to Brussels should be investigated, particularly in the light of the rapid staff turnover.
119. The Commission should quickly submit a proposal for Community measures to control FMD, taking account of the conclusions of this resolution.