

MODERNISING VETERINARY LEGISLATION FOR GOOD GOVERNANCE

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Since enlargement, the European Union comprises 27 Member States, an area of more than 4 million km², 500 million citizens and 23 official languages. Internal trade and animal production have increased dramatically. The EU is the biggest exporter and importer of agricultural products in the world, and enjoys a very high status in terms of both animal and public health. Since the implementation of the Single Market (1993), free movement of goods has prevailed. It may be restricted only in exceptional cases (i.e. to address risks to animal or public health, the environment, or consumers). Goods, including live animals and animal products, once admitted into the EU, can be freely traded between Member States.

Thus there was a need for a fully harmonised legislation in animal and veterinary public health. This has been done under the EU legislative framework, wherein: the Treaty for the EU is the basis for all other EU legislation; "Regulations" are directly applicable by Member States' Competent Authorities; "Directives" must be transposed into national legislations; and "Decisions" are directly applicable by the relevant addressee (i.e. administration, institution, or private body).

Two forms of legislation exist within the EU system. There is "horizontal" legislation, such as veterinary checks in EU internal trade, veterinary certification for EU trade and export, identification/registration of holdings and animals, border inspection posts for imports, and bilateral veterinary agreements with some third countries. The second form is "vertical" legislation, such as harmonised veterinary public health standards, harmonised approach to the control/eradication of major animal diseases including zoonoses, and financial support to MS to ensure or improve animal health.

The legislative drafting and adoption procedures, in particular the roles of the Commission, Parliament and the Member States and of the Standing Committee for the Food Chain and Animal Health (SCOFACH), are described in this presentation through some examples.

The entire legal architecture is on its way to being renewed under the legal framework established under the Lisbon Treaty (in force since 1 December 2009). This will imply a broad Animal Health Law. This law is the main instrument to achieve the objectives of the EU Animal Health Strategy and will replace the existing complex set of related acts by a single, simple and coherent legal framework. This will simplify and clarify the current legislation, improve coherence and eliminate duplication and ambiguity. It implies more consultation, more accessibility and more responsibility, and should generate less administrative burden and compliance costs. It will be based on the principles established in the EU Animal Health Strategy, which emphasize prevention, flexibility and compatibility with OIE Standards.

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