

## Preparing the European Animal Health Regulation

### Factsheet 3: Exports – valuing the “Animal Health Law tool”

*(Article 245 of the AHL)*

Exports of animals and products of animal origin are vital to Europe’s agricultural economy. With, for example, over a million cattle exported to Third countries each year (mainly to our neighbours around the Mediterranean) livestock farmers benefit from these additional outlets which allow them to diversify their sales and balance the internal market. These exports also contribute towards satisfying the needs of importing countries by offering a high level of health quality.

This explains why our federation is particularly vigilant with regard to the potential impact of the Animal Health Law on importing Third countries. FESASS takes the view that this draft represents an exceptional opportunity for enhancing our situation and our health tools. But we must also ensure that this does not compromise our ability to compete on external markets by placing an unnecessary burden on the production costs of European livestock farming<sup>1</sup>. Finally, there must be closer cooperation and synergies with regard to the Commission so as to be able to adapt effectively the means needed to access new markets.

1. **An instrument to promote:** With the adoption of key principles and shared objectives, this draft regulation must guarantee even more effective and homogenous management of Animal Health. Consequently, this text will convey an especially strong and positive image to the Third countries. Therefore, and on a permanent basis, we must be concerned about the international impact of the text. This means ensuring that our mechanism is comprehensible and convincing. It must retain and even serve to increase the confidence of our trading partners. This is an essential objective. Through its transparent management of Animal Health and its international political dimension, the Union is effectively exposed to the excessive use of precautionary measures adopted by some Third countries. It must therefore have a mechanism in place which provides answers to this type of problem ahead of time. Three chapters appear essential here: prevention, the ability to react and the regional dimension.
  - 1.1. **A system based more on prevention:** the decision to adopt a more prevention-based policy is a very positive argument for exports if it is based on credible measures. Besides, the current project could be more ambitious. It could encourage the development of tools for prevention, both from an individual and collective point of view (encouragement of awareness-raising, training and the collective organisation of livestock farmers and veterinarians, assessment and management of risk on farms and in given geographical areas, clarification of the conditions for resorting to certain tools such as preventive vaccination). It should emphasize objectives and use of results from European level surveillance. Whilst these various points remain underdeveloped in the basic text, they represent weak points. Furthermore, it is essential to find the right balance between the subsidiarity needed and the proper homogeneity of the health guarantee offered by European livestock farming.

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<sup>1</sup> This concern is identical to that presented in the factsheet on imports and is offered here merely as a reminder.

Furthermore an active communication to promote the European prevention policy should be developed for export purposes.

- 1.2. A more reactive system based on partnership: With the Animal Health Law, the various stakeholders must have their responsibilities reinforced and there must be better measures in place for preparing for emergency situations. These measures must allow for faster reaction times and be able to react better to these risks. Once again, these provisions could help to promote the European system. This, however, requires us to be in a position to demonstrate the mobility of the various stakeholders in the event of a crisis in a true spirit of partnership. For example, the fast reaction of the French epidemiosurveillance platform during the Schmallenberg outbreak meant that sufficient export guarantees could be provided and that the export flows to some Third countries could be maintained. This is why it is essential for the future regulation to encourage Member States further to forge partnerships which will allow effective guarantees to be provided under the impetus of the competent authorities.
  - 1.3. Regionalisation and robust traceability: The Single Market is an asset but recent history has also shown that some Third countries have used it as an argument to contest the effectiveness of regionalisation measures in the event of a crisis. Nevertheless, to improve the Union's position, the regulation must allow for the drafting of common guidelines to harmonize contingency plans.
2. **Reinforced competences for the Commission:** In its 2007-2013 strategy, the Commission had announced its intention to move “towards a community export strategy”. This is in keeping with the logic of article 207 of the Treaty. This ambitious objective, however, requires action that goes further than article 245 of the draft regulation alone which, furthermore, does not cover this strategy.
- 2.1. Incorporate points of clarification: a recital and an article must specify what commitments the Commission intends to sign up to and the working methods used with regard to the Member States and negotiating health conditions and protocols for exports
  - 2.2. Crisis management measures: history in recent years has shown that it is even more difficult to exercise this competence in the event of a crisis (see Schmallenberg and ASF). Cooperation and synergies must therefore be organised between the Member States and the Commission to increase the effectiveness and so as not to create divisions. Might it be possible to contemplate in the AHL the setting up of a task force between DG SANCO, DG TRADE and the Member States?
  - 2.3. Additional comment: Lastly, in addition to incorporating these provisions into the future regulation, FESASS considers it absolutely vital to obtain a political commitment from the Commission with regard to the means which will be deployed to ensure this competence.