

L.N. 310 of 2005

**VETERINARY SERVICES ACT
(CAP. 437)**

Classical Swine Fever (Precautions) Rules, 2005

IN exercise of the powers conferred by article 5(1) of the Veterinary Services Act, the Minister for Rural Affairs and the Environment, after consultation with Veterinary Services, has made the following rules:-

1. (1) The title of these rules is Classical Swine Fever Title and scope.
(Precautions) Rules, 2005.

(2) The scope of these rules is to implement the rules found under European Union Council Directive 80/1095/EEC laying down the conditions to render and keep Malta free from classical swine fever, and in accordance with articles 5(1) and 23(b) of the Veterinary Services Act.

2. For the purposes of these rules, the following definitions shall Definitions.
apply:

“officially swine fever-free holding” means a holding in which:

- (i) no swine fever has been detected for at least the preceding 12 months,
- (ii) there are no pigs which have been vaccinated against swine fever in the preceding 12 months,
- (iii) vaccination against swine fever has not been authorized for at least the preceding 12 months,

In addition, no swine fever must have been detected for at least the preceding 12 months at least within a radius of two kilometers around the holding;

“officially swine fever-free Member State” means a European Union Member State in which:

- (i) no swine fever has been detected for at least the preceding 12 months,

(ii) vaccination against swine fever has not been authorized for at least the preceding 12 months, in which the holdings contain no pigs which have been vaccinated against swine fever in the preceding 12 months and which has been so recognized under rule 3 (2) or 7 (1);

“officially swine fever-free region” means a region in which:

(i) no swine fever has been detected for at least the preceding 12 months,

(ii) vaccination against swine fever has not been authorized for at least the preceding 12 months, in which the holdings contain no pigs which have been vaccinated against swine fever in the preceding 12 months and which has been so recognized under rule 7 (2);

“swine fever-free Member State or region” means a European Union Member State or region in which no swine fever has been detected for at least the preceding 12 months.

Plan for eradication
of swine fever.

3. (1) The competent authority shall prepare a plan for the accelerated eradication of swine fever.

(2) Not later than six months after the date of notification of this Legal Notice, the status of Malta shall be established under the European Community procedure for the purpose of determining the requirement to submit a plan in accordance with sub-rule (1) hereof.

(3) Such plan, which must be carried out over a period of not more than six years, must meet the requirements of rule 4 hereof and be approved in accordance with Article 5 (3) of Council Decision 80/1096/EEC introducing Community financial measures for the eradication of classical swine fever.

(4) If Malta is not officially swine fever-free upon completion of the measure specified in sub-rules (1), (2), and (3) hereof, the Veterinary Services shall prepare a new plan for completing the eradication of the disease.

(5) The period for implementing the new plan shall be such that the total period for implementing the measures specified in the provisions of the sub-rules hereof is of 10 years. The new plan must meet the requirements laid down in rule 4 and be approved in accordance with Article 5 (3) of Decision 80/1096/EEC.

4. (1) The plan referred to in rule 3 hereof must be designed to ensure that Malta will be officially free from swine fever after six years at most. Specifications of plan of eradication of disease.

(2) Such plan must specify as appropriate:

(i) the date of prohibition of vaccination of breeding pigs,

(ii) the date of prohibition or, in the first two years of implementing the plan, of restriction of vaccination of fattening pigs,

(iii) the date of commencement of the swine fever detection campaign, where such has proved necessary,

(iv) the measures, resources and timetable proposed by the competent authority in order to attain the objective fixed in sub-rule (1) hereof.

(3) The plan may be implemented on a regional basis if the competent authority is able to guarantee that the status of the regions concerned will be protected and maintained. In that event, the details required under sub-rule (2) hereof must relate to each of the regions defined in the plan.

(4) The competent authority shall notify the European Commission of:

(a) the annual expenditure in connection with swine fever in each of the past three years, with a breakdown of such expenditure;

(b) the forecast annual expenditure on the six-year plan.

5. (1) The new plan referred to in sub-rules 3(4) and 3(5) hereof, must be designed to ensure that, upon expiry of the period specified, Malta will be officially free from classical swine fever. Further specifications of plan.

(2) The new plan must specify as appropriate:

(a) in the case of regions where vaccination has been performed for upwards of one year:

(i) the number of holdings selected for the purpose of obtaining samples which are representative of the region concerned, and the number of pigs in each holding,

(ii) the number of piglets which have been produced by vaccinated sows on those holdings and which will not be vaccinated,

(iii) the number and type of the tests which those piglets will undergo over a six-month period with a view to detecting whether or not the classical swine-fever virus is present,

(iv) that vaccination must be discontinued if the tests referred to in paragraph (iii) hereof reveal that the classical swine-fever virus is not present, and the date on which the prohibition is likely to take effect;

(b) in the case of regions where vaccination has been performed for less than 12 months:

(i) the date of commencement of vaccination,

(ii) the likely date on which the measures referred to in sub-paragraph (a) will be implemented;

(c) if vaccination has been suspended, but the region is not yet officially swine fever free:

(i) the number of herds (breeding, multiplier, mixed and fattening herds) in which spot checks will be carried out,

(ii) the total number and description of the tests carried out on those herds each year,

(iii) the number of spot serological tests which will be carried out each year on slaughter pigs at the time of slaughter.

Spot-Checks by
European
Commission.

6. (a) The European Commission shall make regular on-the-spot checks to verify from a veterinary viewpoint whether the plans are being applied.

(b) The competent authority shall take the necessary steps to facilitate such checks and shall in particular ensure that the experts are supplied at their request with all information and documentation needed for assessing the execution of the plans.

(c) The general provisions for implementing this rule, especially as regards the frequency and method of carrying out the checks referred to in paragraph (a) hereof, the rules governing the appointment of veterinary experts and the procedure which they must follow when

drawing up their report, shall be laid down in accordance with European Community procedure.

7. (1) The competent authority shall, in accordance with Article 5 (1) of Decision 80/1096/EEC, forward to the Commission the plans provided for in sub-rules 3 (1), (2), and (3) or, in accordance with Article 5 (1) (a) of that Decision, the new plans provided for in sub-rules 3 (4) and (5).

Plans to be forwarded to the Commission.

(2) Such plans shall be approved in accordance with the procedure set out in Article 5 (3) of that Decision. The new plans shall be approved in accordance with the procedure set out in Article 5 (3) of Decision 80/1096/EEC.

(3) Should swine fever spread alarmingly in Malta or in any other part of the European Community territory during the implementation of a plan approved under sub-rule (2), the competent authority may review the situation and take the precautionary measures deemed appropriate, including the reintroduction of organized preventive vaccination. The European Commission shall be informed accordingly.

(4) Plans approved under sub-rule (2) may be modified or supplemented by the same procedure in order to keep pace with developments in the situation with regard to swine fever in Malta, and in particular to take account of possible implementation of the measures provided for in sub-rule (3).

8. (1) Malta shall be recognized as officially swine fever-free territory once the following conditions have been fulfilled in the Malta for at least 12 months:

Conditions for recognition of Malta being free from swine fever.

- (a) no swine fever has been detected;
- (b) vaccination against swine fever has been discontinued.

(2) Under European Community procedure, any part of the territory to which sub-rule 4 (3) applies may be recognized as officially swine fever-free, though not earlier than three months after it has fulfilled the conditions of sub-rule (1) of this rule, provided Malta can supply adequate guarantees that the status of that part of the territory will be maintained, in particular by showing evidence of the existence of measures:

- (i) either to prohibit the introduction into the part of the territory concerned of pigs from holdings which are not officially swine fever-free;

(ii) or to prohibit vaccinated pigs from leaving holdings situated in a part of the territory which is not officially swine fever-free or which is not swine fever-free except for immediate slaughter or for introduction into another holding of the same status.

Loss of status as
officially swine
fever free.

9. (1) If Malta, during the period laid down in Article 2 (1) of Decision 80/1096/EEC, loses its status as officially swine fever free, it may avail itself of sub-rule 3(1) provided its plan does not extend beyond that period. Similarly, if Malta, during the whole period laid down in Article 2 (1) of Decision 80/1096/EEC, loses its status as officially swine fever-free, it may avail itself of sub-rule 3(4) provided the execution of its plan does not extend beyond the duration of the supplementary measures.

(2) (a) However, if an outbreak or a number of epizootiologically interrelated outbreaks of swine fever occur within a geographically limited area in the local territory which is officially swine fever-free, the status of Malta shall not be withdrawn for a period of 15 days if Malta takes measures to isolate the area in question.

(b) Within the said 15-day period, however a decision may be taken under the procedure in Article 9 of European Union Council Directive 80/1095/EEC to withdraw the status or if the measures taken by Malta are deemed satisfactory, to maintain it for a maximum of three months.