

Takeaways From the New EU Animal Health Regulation

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The new Animal Health Law, Regulation 2016/429 (Regulation), became applicable on April 21, 2021, creating a consolidated European Union (EU)-wide framework to control the spread of animal diseases. As is the case with many EU laws, this regulation has direct implications for Swiss commercial operators.

The previous framework was a collection of hundreds of individual pieces of legislation (some adopted as early as 1964) and was in urgent need of consolidation and modernization. Although the new framework largely consolidates existing law, it has also been adapted to enable rapid and effective responses to outbreaks of emerging diseases and to embrace new technology to facilitate an expanding but more tightly controlled animal health industry.

The Regulation concerns animal diseases that can pass from animal to animal or to humans (zoonoses) and takes a “One Health” approach focusing on the link between animal health and public health, the environment, food and feed safety, animal welfare, food security, and economic, social, and cultural considerations. This legal framework focuses on the interaction and connection among animals, people, and the environment rather than considering such issues in isolation.

The Regulation provides for the following:

- prioritization and categorization of diseases of EU concern and for establishment of responsibilities for animal health
- early detection, notification, and reporting of diseases, surveillance, eradication programs, and disease-free status
- disease awareness, preparedness, and control
- registration and approval of establishments and transporters, movements, and traceability of animals, germinal products, and products of animal origin within the EU
- the entry of animals, germinal products, and products of animal origin into the EU and the export of such consignments from the EU
- non-commercial movements of pet animals
- emergency measures to be taken in the event of a disease emergency situation

New elements of the Regulation that put these measures into effect include the creation of clear criteria for specific diseases and the identification of animal species to which the Regulation will apply. Importantly, the responsibilities for professional keepers of animals, animal professionals, and, to a certain extent, pet keepers have been clarified. For operators such as farmers or laboratories, this includes requirements in relation to animal health, the prudent use of veterinary medicines, biosecurity measures, early detection and prevention of animal diseases, surveillance, and animal health visits. Operators should also be aware of

a series of new animal health certificate requirements for the movement of animals in the EU.

The Regulation also embraces the use of new technologies for animal health activities, including the surveillance of pathogens, electronic identification and registration of animals, and a new system for EU notification and reporting of animal diseases, the Animal Disease Information System (ADIS).

It is hoped that the creation of the new consolidated animal health framework will clarify and streamline EU animal health rules while raising standards of animal health and putting measures in place to better identify and control the spread of disease. Although the Regulation largely consolidates existing rules, individuals and businesses with responsibility for animals in the EU, particularly commercially, should ensure that they are compliant with existing and new requirements.

The new requirements set out by the Regulation are also applicable in Switzerland by virtue of the EU/Swiss Veterinary Agreement (Annex 11 of the Agreement Between the European Community and the Swiss Confederation on Trade in Agricultural Products), which covers

- control of certain animal diseases and their notification
- trade between Switzerland and the EU of living animals, their sperm, egg cells and embryos, and animal products (dairy and meat products)
- import of these animals and products from third countries
- animal breeding

Notably, the Regulation affects livestock farmers in Switzerland who wish to continue exporting to the EU. Further important changes concern the export of horses but also the border crossing with kept birds that are not poultry, such as carrier pigeons.

Keepers of goats, deer, or camelids who want to export such animals to the EU must start on-farm health monitoring programs at least one year before (first) export. This means, among other things, that the animals must be regularly examined for certain diseases. In addition, potential exporters are allowed to take animals from farms only where such measures have been implemented.

For border crossings with pet animals, the previous regulations (Regulations EU 576/2013 and 577/2013) will continue to apply until 2026.