

## **Translation from Finnish**

**Legally binding only in Finnish and Swedish**

**Ministry of Agriculture and Forestry, Finland**

## **Decree of the Ministry of Agriculture and Forestry on Combating Category A Animal Diseases (628/2023)**

By decision of the Ministry of Agriculture and Forestry, the following is enacted under the Animal Diseases Act (76/2021) and section 9, subsections 2 and 3 of the Act on the Medication of Animals (387/2014):

### **Chapter 1**

#### **General provisions**

##### **Section 1**

##### **Scope of application**

This Decree applies to combating category A animal diseases defined in section 3, subsection 1, paragraph 3 of the Animal Diseases Act (76/2021).

This Decree lays down provisions on:

- 1) prohibitions to vaccinate animals against category A diseases;
- 2) exemptions from the requirements concerning certification of animal health in movements of terrestrial animals and products thereof within the country;
- 3) final disinfection in an establishment where the presence of a disease has been confirmed;
- 4) zones to be established due to African swine fever and disease combat measures in them.

##### **Section 2**

##### **Definitions**

In this Decree, the definitions of section 3 of the Animal Diseases Act and Article 4 of Regulation (EU) 2016/429 of the European Parliament and of the Council on transmissible animal diseases

and amending and repealing certain acts in the area of animal health (Animal Health Law) are used.

### **Section 3**

#### **Prohibitions concerning vaccination**

Vaccination of animals against the following category A diseases is prohibited:

- 1) African horse sickness;
- 2) African swine fever;
- 3) epizootic haematopoietic necrosis (EHN);
- 4) infection caused by rinderpest (cattle plague) virus;
- 5) classical swine fever;
- 6) highly pathogenic avian influenza;
- 7) sheep pox or goat pox;
- 8) infection caused by lumpy skin disease virus;
- 9) infection caused by Newcastle disease virus in birds other than pigeons defined as birds kept in captivity;
- 10) infection caused by sheep and goat plague virus (PPR);
- 11) infection caused by Rift Valley fever virus;
- 12) *Burkholderia mallei* infection (glanders);
- 13) foot and mouth disease;
- 14) *Mycoplasma mycoides* subsp. *mycoides* SC infection (contagious bovine pleuropneumonia, CBPP);
- 15) contagious caprine pleuropneumonia (CCPP).

### **Section 4**

#### **Exemptions from requirements concerning an animal health certificate when moving terrestrial animals and products thereof from a zone established due to a category A disease**

When kept terrestrial animals or their germinal products are moved outside a restricted zone or temporary restricted zone referred to in section 26 of the Animal Diseases Act or established as an emergency measure referred to in section 61 of the said Act in a manner allowed in the decision concerning the zone or by an exemption of the Regional State Administrative Agency, an animal health certificate referred to in Articles 143 or 161 of the Animal Health Law is not required for the movement, provided that animals or germinal products are not moved outside the borders of Finland. Such consignments shall be accompanied by a document by means of which the animals or germinal products can be traced and which contains a reference to the decision on establishing the zone. Operators who dispatch, transport and receive animals or germinal products shall store the documents and keep records on the consignments.

When category 2 or 3 by-products obtained from terrestrial animals are moved outside a restricted zone referred to in section 26 of the Animal Diseases Act or established as an emergency measure referred to in section 61 of the said Act in a manner allowed in the decision concerning the zone or by an exemption of the Regional State Administrative Agency, an animal health certificate referred to in Article 22, paragraph 5 of Commission Delegated Regulation (EU) 2020/687 supplementing Regulation (EU) 2016/429 of the European Parliament and the Council, as regards rules for the prevention and control of certain listed diseases is not required for the movement, provided that by-products are not moved outside the borders of Finland. Such consignments shall be accompanied by a commercial document which contains a reference to the decision on establishing the zone.

When products of animal origin obtained from terrestrial animals are moved outside a restricted zone or temporary restricted zone referred to in section 26 of the Animal Diseases Act or established as an emergency measure referred to in section 61 of the said Act in a manner allowed in the decision concerning the zone or by an exemption of the Regional State Administrative Agency, an animal health certificate referred to in Article 167 of the Animal Health Law is not required for the movement, provided that products of animal origin are not moved outside the borders of Finland. Such consignments shall be accompanied by a commercial document which contains a reference to the decision on establishing the zone.

When requested, information from records concerning consignments referred to in this section shall be submitted to the animal health authority without delay. The minimum storage period of the records is three years. The operator shall discontinue movements that take place without an animal health certificate immediately if the operator detects that animal health requirements have been violated.

## **Section 5**

### **Cleaning and final disinfection**

The Finnish Food Authority shall decide, by virtue of section 25, subsection 4 of the Animal Diseases Act and Article 61 of the Animal Health Law, that final cleaning and disinfection is carried out in accordance with Annex IV to Commission Delegated Regulation (EU) 2020/687 in an establishment where terrestrial animals are kept where the presence of an infection has been confirmed. The decision shall include the necessary regulations to ensure that all animal by-products and products obtained from animals, feeds, bedding and other materials, goods and waste in the establishment that are likely to be contaminated with the disease in question are disposed of or treated so as to destroy any pathogens present in them.

## **Chapter 2**

### **Infected zone established due to African swine fever**

## **Section 6**

### **Establishment of an infected zone**

An infected zone referred to in section 26, subsection 1, paragraph 2 of the Animal Diseases Act and in accordance with Article 63 of Commission Delegated Regulation (EU) 2020/687 shall be established around the location where African swine fever detected in wild boars occurs. The boundary of an infected zone may be located at a distance of no more than 50 kilometres from the location where the disease occurs unless special reasons exist for establishing a larger zone.

When areas belonging to an infected zone are included in restricted zone II that is established by amending Annex I to Commission Implementing Regulation (EU) 2023/594 laying down special disease control measures for African swine fever and repealing Implementing Regulation (EU) 2021/605, the infected zone shall be adjusted to the restricted zone with regard to its boundaries as required by the said Implementing Regulation.

## **Section 7**

### **Measures to be applied in an infected zone**

A municipal veterinary officer shall inspect a representative number of establishments for kept pigs which, based on risk assessment by the Regional State Administrative Agency, are considered to involve the highest risk of spreading of African swine fever and, in connection with the inspection, check the markings of pigs and lists of animals and that direct and indirect contacts between kept pigs and wild boars have been prevented effectively.

As risk reduction and biosecurity measures referred to in Articles 64 and 65 of Commission Delegated Regulation (EU) 2020/687 the Finnish Food Authority shall:

- 1) prohibit bringing of meat and unprocessed by-products obtained from wild boars, parts of wild boars and materials and equipment that may be contaminated by African swine fever virus to establishments located in the infected zone;
- 2) order the persons responsible for establishments for kept pigs to ensure that direct and indirect contacts between pigs kept in the infected zone and wild boars have been prevented effectively;
- 3) order persons visiting establishments for kept pigs to wear protective clothing only used in the establishment in question, change their footwear in connection with entry to and exit from animal housing facilities in such a way that the footprints of footwear used in animal housing facilities and outside them do not come into contact with each other and wash and disinfect their hands and footwear when entering and exiting the animal housing facility, and operators responsible for establishments to provide the opportunity to disinfect footwear and wash and disinfect hands;
- 4) order the Regional State Administrative Agency to ensure that all wild boars killed and found dead in the infected zone are examined and samples are taken to be tested for African swine fever;
- 5) order the Regional State Administrative Agency to ensure that the carcasses and organs of all wild boars shot dead, otherwise killed and found dead in the infected zone are disposed of in such a manner that does not pose the risk of spreading African swine fever; and
- 6) order hunters to submit monitoring samples from all wild boars shot dead to be tested for African swine fever.

In addition, as measures under the provisions mentioned in subsection 2 the Finnish Food Authority shall

- 1) prohibit the hunting of wild boars other than hunting organised by the Regional State Administrative Agency in an area belonging to the infected zone where infection is likely to occur and, if deemed necessary, other activities in the terrain that are likely to spread the infection;
- 2) order that vehicles used for transporting kept pig or wild boars in the infected zone or by-products obtained from them shall be cleaned and disinfected immediately after every transport in a place designated by the animal health authority, and that the transport operators shall store the evidence concerning cleaning and disinfection in the vehicle; and

3) prohibit the movement of materials and equipment that may have been contaminated with African swine fever virus away from the infected zone unless these have been rendered harmless in a manner that destroys the virus.

In addition, the Finnish Food Authority shall by its decision order the prohibitions, conditions and measures referred to in sections 8–11 to be complied with. However, the decision shall specify that these shall be complied with only during the time when special measures under Commission Implementing Regulation (EU) 2023/594 are not applied in an area included in the infected zone.

## **Section 8**

### **Prohibition to move pigs within an infected zone or from an infected zone outside it**

The movement of pigs within an infected zone or from an infected zone outside it shall be prohibited.

However, the prohibition shall not be extended to concern the movement of pigs that fulfil the following conditions to establishments located in an infected zone or elsewhere in Finland:

- 1) pigs have been kept in the establishment for at least 30 days prior to the movement or since birth;
- 2) for 30 days prior to the movement no pigs have been introduced to the establishment where pigs are kept from establishments in the infected zone other than ones that fulfil the requirements of this section;
- 3) a clinical examination by a municipal veterinary officer has been carried out on the pigs within 24 hours prior to the movement and, based on the findings of the examination, an examination for the causative agent of African swine fever has been carried out prior to the movement, where necessary;
- 4) a sufficient number of pigs other than those to be moved have also been examined in the manner referred to in paragraph 3 at the establishment where pigs are kept to verify that they are free of the disease;
- 5) the prohibitions and measures referred to in section 7, subsection 2, paragraphs 1–3 and reinforced biosecurity measures under Annex III, paragraph 2(a–g) of Commission Implementing Regulation (EU) 2023/594 are complied with at the establishment where pigs are kept;
- 6) during the period of 15 days prior to movement each week at least two dead pigs over the age of 60 days or, in the absence of such dead animals, any pigs that have died after weaning have been examined at the establishment where pigs are kept for African swine fever virus;

7) pigs are transported to the establishment of destination primarily along major highways and without unloading or stopping; and

8) pigs are kept at the establishment of destination for at least 15 days.

The provisions of subsection 2, paragraphs 1, 2 and 8 shall not apply to pigs that are taken to a slaughterhouse located in Finland for immediate slaughter. It must be possible to separate the pigs from other pigs and fresh meat and meat products obtained from the pigs can only be sold in Finland. By-products obtained from such pigs shall be treated in accordance with section 10, paragraph 3. However, meat products that have been treated in accordance with Annex VII of Commission Delegated Regulation (EU) 2020/687 may also be sold to other Member States and third countries.

## **Section 9**

### **Prohibition to move germinal products obtained from pigs outside an infected zone**

The movement of germinal products of pigs from an infected zone outside it shall be prohibited.

However, the prohibition shall not be extended to concern the movement of germinal products of pigs collected in an infected zone that are moved to establishments located elsewhere in Finland and that have been collected at an approved germinal product establishment from pigs that fulfil the conditions of section 8, subsection 2, paragraphs 2 and 4–6 and on which a clinical examination by a municipal veterinary officer has been carried out within 24 hours prior to the collection of germinal products and, based on the findings of the examination, an examination for the causative agent of African swine fever has been carried out prior to the collection of germinal products, where necessary.

## **Section 10**

### **Prohibition to move by-products obtained from pigs outside an infected zone**

The movement of by-products obtained from pigs outside the infected zone shall be prohibited.

However, the prohibition shall not be extended to concern by-products obtained from pigs kept outside the infected zone and slaughtered in a slaughterhouse located in the infected zone subject to the condition that such by-products are kept separate from by-products obtained from pigs kept in the infected zone.

The prohibition shall also not be extended to concern by-products obtained from pigs that are transported directly to an establishment located in Finland that has been approved in accordance with Regulation of the European Union and of the Council laying down health rules as regards

animal by-products and derived products not intended for human consumption and repealing Regulation (EC) No 1774/2002 where they are treated or disposed of in a manner referred to in Article 24, paragraph 2(a, b or c) of the said Regulation. An official veterinarian shall seal each means of transport immediately after the loading of the consignment of animal by-products.

## **Section 11**

### **Prohibition to move products of animal origin obtained from pigs outside an infected zone**

The movement of fresh meat and meat products obtained from pigs outside the infected zone shall be prohibited.

However, the prohibition shall not be extended to concern fresh meat and meat products obtained from pigs that fulfil the conditions of section 8, subsections 2 and 3 or pigs kept outside the infected zone. Meat and meat products can only be sold in Finland. The by-products created in the manufacturing shall be treated in accordance with section 10, subsection 3. However, meat products that have been treated in accordance with Annex VII to Commission Delegated Regulation (EU) 2020/687 may also be sold to other Member States and third countries.

## **Chapter 3**

### **Additional restricted zone established due to African swine fever**

## **Section 12**

### **Establishment of an additional restricted zone and measures to be applied in the zone**

As a measure under Article 70, paragraphs 1 and 2 of the Animal Health Law, a restricted zone referred to in section 26, subsection 1, paragraph 1 (hereinafter additional restricted zone) that borders on an infected zone can be established in an area proposed or intended to be proposed as restricted zone I, which is established by amending Annex I to Commission Implementing Regulation (EU) 2023/594. An additional restricted zone can be established if it is considered that it takes time to establish a restricted zone I and disease control measures to be implemented immediately in the area are necessary to prevent the risks and harm to the trade and export of products caused by African swine fever.

When restricted zone I has been established, an additional restricted zone shall be established in the area covered by it. If an additional restricted zone has already been established by virtue of subsection 1, it shall be adjusted to the restricted zone I with regard to its boundaries as required by the Commission Implementing Regulation referred to in subsection 1.

As measures in accordance with Article 70, paragraphs 1 and 2 of the Animal Health Law, the Finnish Food Authority shall by its decision order the risk reduction and biosecurity measures on which provisions are laid down in section 7, subsection 2 with regard to an infected zone to be complied with within an additional restricted zone. However, the decision shall allow hunters to use in their own households wild boar meat examined for African swine fever where the disease was not detected. In addition, the Finnish Food Authority shall prohibit the movement of pigs from the zone outside Finland.

## **Chapter 4**

### **Miscellaneous provisions**

#### **Section 13**

##### **Entry into force**

This Decree enters into force on 21 April 2023.

This Decree repeals:

- 1) the Decree of the Ministry of Agriculture and Forestry on Combating African Swine Fever (280/2014);
- 2) the Decree of the Ministry of Agriculture and Forestry on Combating Classical Swine Fever (281/2014);
- 3) the Decree of the Ministry of Agriculture and Forestry on Combating Highly Pathogenic Avian Influenza (721/2014);
- 4) the Decree of the Ministry of Agriculture and Forestry on Combating Newcastle Disease (1120/2014);
- 5) the Decree of the Ministry of Agriculture and Forestry on Preventing the Spread of Avian Influenza in Wild Birds (157/2015);
- 6) the Decree of the Ministry of Agriculture and Forestry on Combating Foot and Mouth Disease (107/2020);
- 7) the Decree of the Ministry of Agriculture and Forestry on Vaccinating Messenger, Show and Ornamental Pigeons (1118/2014).