



AAC Recommendation on Animal Health Law

AAC 2025-2

April 2025



The Aquaculture Advisory Council (AAC) gratefully acknowledges EU funding support





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Background

Clinical inspection for HPR-deleted infectious salmon anaemia virus (HPR-deleted ISAV).

Article 208 in the Animal Health Law (2016/429) stipulates that movements of aquatic animals into a Member State, a zone or compartment thereof which has been declared disease-free requires an animal health certificate if the animals in question are of listed species for one or more list B or C diseases.

All Member States are declared disease-free from infection with HPR deleted ISAV.

Article 15 in Commission Delegated Regulation 2020/990 stipulates that before issuing an animal health certificate, the official veterinarian shall carry out inter alia an on-farm clinical inspection.

Consequently, all movements of live rainbow trout and brown trout between Member States require an on-farm clinical inspection before dispatch of the aquaculture animal (eggs within 4 weeks).

The EU Reference Laboratory for Fish and Crustaceans Diseases has concluded that *“the possibility for an official veterinarian to be able to find an infection with HPR-deleted ISAV by a clinical inspection is negligible and will not be possible”*¹.

Article 12 in 2020/990 provides a derogation from the animal health certificate for certain species of aquaculture animals subject to compliance with specific conditions inter alia that the competent authority of the Member State of destination has notified the Commission and the other Member States that such movements are authorised and that the competent authority of the Member State of origin has authorised the movement.

The AAC finds that Article 12 includes the movement of rainbow trout and brown trout between Member States as infection with HPR-deleted ISAV has never occurred in any Member State. The AAC is not aware that Article 12 has ever been activated.

Preamble 19 in the Delegated Regulation 2020/990 states that *“Clinical signs of disease are less obvious in certain categories of aquaculture animals, such as eggs and molluscs. It is therefore, an inappropriate use of resources to require that clinical inspections of such categories of aquaculture animals take place in advance of every movement from an aquaculture establishment. This Regulation should therefore, provide for a derogation from the requirement to carry out clinical inspections of eggs and molluscs every time they are required to be certified, provided certain checks are carried out in relation to documentation, the date of the previous*

¹ Note concerning the susceptibility of rainbow trout and brown trout to infection with HPR-deleted ISAV, EU Reference Laboratory for Fish and Crustacean diseases, 10. December 2021

clinical inspection of the aquaculture animals kept in the aquaculture establishment and details of movements to the establishment”.

The AAC finds that Preamble 19 includes the movement of rainbow trout and brown trout (*Salmo trutta*) between Member States as the required clinical inspections lead to an inappropriate use of resources.

Water exchange points

Water exchange points are not considered in the Animal Health Law and the delegated regulation. There is no definition on water exchange points and no articles refer specifically to water exchange points. This causes uncertainty on the legal framework for water exchange points and may lead to differences in the Members States legislation and governance on water exchange points.

Recommendations

To the European Commission:

- Principal, the AAC asks to amend the Animal Health Law by introducing a derogation to omit clinical inspections for HPR-deleted ISAV. Subsidiary, the AAC asks to encourage Member States to make use of Article 12 of of Delegated Regulation 2020/990 in relation to movements of rainbow trout and brown trout.
- The AAC asks to clarify the legal framework for water exchange points in the context of the Animal Health Law.



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