

Case No: 59843  
Event No: 408048  
Decision No: 29/07/COL



EFTA SURVEILLANCE  
AUTHORITY

## THE EFTA SURVEILLANCE AUTHORITY DECISION

of 19 February 2007

approving the plan submitted by Norway for the preventive vaccination of birds kept in zoos  
against highly pathogenic avian influenza

THE EFTA SURVEILLANCE AUTHORITY,

HAVING REGARD to the Agreement on the European Economic Area, and in particular Article 109 and Protocol 1 thereof,

HAVING REGARD to the Agreement between the EFTA States on the Establishment of a Surveillance Authority and a Court of Justice, and in particular Article 5(2)(d) and Protocol 1 thereof,

HAVING REGARD to the Act referred to at Point 3.1.5a of Chapter I of Annex I to the EEA Agreement,

*Council Directive 2005/94/EC of 20 December 2005 on Community measures for the control of avian influenza and repealing Directive 92/40/EEC*<sup>1</sup>,

as adapted to the EEA Agreement by Protocol 1 thereto, and in particular to Articles 56(2) and 57(2) thereof,

HAVING REGARD to the Act applicable to Norway following the procedures referred to in Article 3(b) of the introductory part of Chapter I of Annex I to the EEA Agreement,

*Commission Decision 2006/474/EC of 6 July 2006 concerning measures to prevent the spread of highly pathogenic avian influenza caused by influenza A virus of subtype*

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<sup>1</sup> OJ L 10/16, 01.14.2006, p.16

*H5N1 to birds kept in zoos and approved bodies, institutes and centres in the Member States and repealing Decision 2005/744/EC<sup>2</sup>,*

HAVING REGARD to the EFTA Surveillance Authority Decision 22/07/COL of 14 February 2007, whereby the competent Member of the College is instructed to adopt the Decision if the draft decision is in accordance with the opinion of the EFTA Veterinary Committee (EVC),

WHEREAS avian influenza is an infectious viral disease in poultry and birds, causing mortality and disturbances which can quickly take epizootic proportions liable to present a serious threat to animal and public health and to reduce sharply the profitability of poultry farming,

WHEREAS due to their confinement, birds kept in zoos and approved bodies, institutes or centres cannot normally come into contact with poultry or other captive birds and do therefore not pose any risk of contamination for poultry or other captive birds and given the value of birds kept in zoos, preventive vaccination of such birds may constitute an appropriate additional preventative measure,

WHEREAS Council Directive 2005/94/EC lays down rules for the introduction of preventive vaccination against avian influenza, *inter alia*, of captive birds, such as birds kept in zoos and provides for the submission by the EEA EFTA States to the EFTA Surveillance Authority for approval of their preventive vaccination plans for poultry or other captive birds,

WHEREAS Commission Decision 2006/474/EC lays down certain requirements in relation to bio-security measures for the prevention of highly pathogenic avian influenza caused by influenza A virus of subtype H5N1 in birds kept in zoos and in approved bodies, institutes and centres in the EEA EFTA States to protect wild fauna and to conserve bio-diversity,

WHEREAS, Commission Decision 2006/474/EC also lays down rules concerning preventive vaccination of birds kept in zoos and approved bodies, institutes and centres that the EEA EFTA States should follow, if they consider it appropriate to vaccinate such birds, and provides for the submission by EEA EFTA States to the EFTA Surveillance Authority of their plans for the vaccination of birds kept in zoos,

WHEREAS the EFTA Surveillance Authority, in close co-operation with the European Commission, has examined the preventive vaccination plans against avian influenza submitted by Norway in accordance with Council Directive 2005/94 and Commission Decision 2006/474/EC and it is therefore appropriate to provide for its approval,

WHEREAS the measures provided for in this Decision are in accordance with the opinion of the EFTA Veterinary Committee assisting the EFTA Surveillance Authority.

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<sup>2</sup> OJ L 187, 8.07.2006, p.37

HAS ADOPTED THIS DECISION

1. The plan for the preventive vaccination of birds kept in zoos against highly pathogenic Avian influenza submitted by Norway on 15 May 2006 in accordance with Article 56(2) of Directive 2005/94/EC and Article 4 of Commission Decision 2006/474/EC is hereby approved.
2. Pursuant to Article 109(2) of the EEA Agreement, the EFTA Surveillance Authority shall forward to the European Commission the preventive vaccination plan submitted by Norway and any amendments thereto.
3. This Decision shall enter into force on 19 February 2007.
4. This Decision shall be authentic in the English language.

Done at Brussels, 19 February 2007

For the EFTA Surveillance Authority



Bjørn T. Grydeland  
President



Niels Fenger  
Director