

Draft regulation concerning temporary measures to reduce the spread of Chronic Wasting Disease (CWD)

Legal basis: Adopted by the Ministry of Agriculture and Food xx. June 2016 with legal basis in Law 19 December 2003 No 124 relating to Food Production and Food Safety (Food Act) § 6, § 12 and § 19.

EEA-reference: The regulation is notified to the EFTA Surveillance Authority pursuant to requirements in Law 17 December 2004 No 101 on European notification of technical rules (Law on EEA-hearing) and Annex II Chapter XIX No 1 (Directive 98/34/EC as amended by Directive 98/48/EC).

§ 1 Objective

The objective of this regulation is to limit the spreading of Chronic Wasting Disease (CWD) between cervids.

§ 2 Definition

In this regulation, live cervid means any cervid, including reindeer, roedeer, deer, moose and fallow deer.

§ 3 Prohibition on export of live cervids

Export of live cervids from Norway is prohibited. The prohibition applies to owners of cervids and others responsible for cervids.

The prohibition does not include the export of domestic reindeer that:

- graze on both sides of the border between Norway and Sweden,
- graze in areas in the proximity of the Norwegian Finnish border where the Reindeer Fence Commission allows for grazing across the border,
- the return of Swedish and Finnish domestic reindeer that have crossed the border on their own accord, or
- are sent directly to slaughterhouses in Sweden and Finland.

§ 4 Authorisation requirement before movement of cervids between counties

Those moving cervids from one county to another must have an authorization from The Norwegian Food Safety Authority before moving the animals. The Norwegian Food Safety Authority may grant an authorization after assessing the risk of spreading Chronic Wasting Disease.

The authorization requirement does not apply to domestic reindeer that cross the county borders in accordance with prescribed rules on grazing areas. The authorisation requirement does not apply to cervids moved directly to slaughterhouses in Norway.

§ 5 *Prohibition on the import, sale, purchase and use of scents from cervids*

The import, sale, purchase and use of scents from cervids from countries with CWD is prohibited.

§ 6 *Prohibition of feedingstations and salt licks for cervids*

It is prohibited to lay feed and salt licks out for cervids that are not fenced in or otherwise kept physically separate from other susceptible animals. The prohibition applies in the following counties:

- Nord-Trøndelag
- Sør-Trøndelag
- Møre og Romsdal
- Sogn og Fjordane
- Hedmark
- Oppland
- Buskerud.

§ 7 *Duty to notify*

Owners, transporters and others responsible for the following animals shall notify the local office of The Norwegian Food Safety Authority about:

- live, killed or dead cervids that show, or have shown, neurological or behavioural disorders or a gradual deterioration of health.
- cervids older than 12 months that have died or been killed, other than those that have been slaughtered for human consumption.

§ 8 *Derogations*

The Norwegian Food Safety Authority may, after assessing the risk of spreading Chronic Wasting Disease, grant an (individual) exemption from the export prohibition in § 3. The exemption may only be granted if the competent authority in the state of destination has consented to the import.

The Norwegian Food Safety Authority may grant an (individual) exemption for the use of salt licks for reindeer if necessary because of levels of radioactivity.

§ 9 *Control and decisions*

The Norwegian Food Safety Authority may carry out controls and make necessary (individual) decisions, cf. Food Act § 23, to ensure compliance with provisions given in this regulation or in accordance with it. The Norwegian Food Safety Authority may also make decisions in accordance with Food Act § 24 to § 26.

§ 10 *Penalties*

The breach of provisions in this regulation, or a decision taken pursuant to this regulation, is a criminal offence pursuant to Food Act § 28.

§ 11 *Dispensation*

The Food Safety Authority may in exceptional circumstances grant a dispensation from provisions in this regulation, on condition that the dispensation does not breach Norway's international obligations, including the EEA-Agreement.

§ 12 *Entry into force*

This regulation enters into force immediately and applies until 1 January 2017