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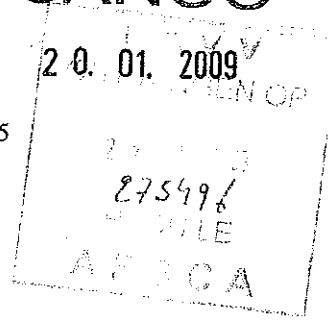
Directorate E - Safety of the food chain  
The Director



SANCO

20.01.2009

Brussels,  
SANCO.E.2/MP/mtd - D(2009) 520015



**Subject: new BSE surveillance regime as from 1<sup>st</sup> January 2009**

Dear Colleagues,

Since 1<sup>st</sup> January 2009 and in application of Commission Decision 2008/908/EC, a new BSE surveillance system may be applied in certain Member States. According to Article 2 of the Decision, this new system shall apply only to *"the national bovine population of the concerned Member State"*.

I have been informed that the above-quoted wording could lead to different interpretations between Member States, especially regarding the sampling regime to be applied on bovine animals moving from a Member State to another one.

The leading element to decide whether a bovine animal should be tested according to Article 2 of the Decision or to Annex III to Regulation (EC) No 999/2001 is the place of birth of the animal. In other words, all bovine animals born in one of the Member States listed in the Annex to the Decision (i.e. the national bovine population of the concerned Member States) may be tested for BSE according to the new surveillance regime.

DG SANCO intends to propose an amendment to this Article in order to make it unequivocal. This could be made when the Decision will be updated in order to list new eligible Member States in its Annex. Awaiting this amendment and in order to ensure meanwhile a non-discriminatory application of the Decision, I would appreciate you consider that the place of birth of the animal is the key element to decide whether a bovine animal should be tested according to Article 2 of the Decision or to Annex III to Regulation (EC) No 999/2001.

Yours sincerely,

Eric Poudelet

C.c.: K. Van Dyck

Addressees: all EU CVO