

Message 001

Communication from the Commission - TRIS/(2026) 0499

Directive (EU) 2015/1535

Notification: 2026/0078/LU

Notification of a draft text from a Member State

Notification – Notification – Notifizierung – Нотификация – Oznámení – Notifikation – Γνωστοποίηση – Notificación – Teavitamine – Ilmoitus – Obavijest – Bejelentés – Notifica – Pranešimas – Paziņojums – Notifika – Kennisgeving – Zawiadomienie – Notificação – Notificare – Oznámenie – Obvestilo – Anmälan – Fógra a thabhairt

Does not open the delays - N'ouvre pas de délai - Kein Fristbeginn - Не се предвижда период на прекъсване - Nezahtuje prodlení - Fristerne indledes ikke - Καμμία έναρξη προθεσμίας - No abre el plazo - Viivituste perioodi ei avata - Määräaika ei ala tästä - Ne otvara razdoblje kašnjenja - Nem nyitja meg a késésekét - Non fa decorrere la mora - Atidējimai nepradedami - Atlikšanas laikposms nesākas - Ma jiftaħ il-perijodi ta' dewmien - Geen termijnbegin - Nie otwiera opóźnień - Não inicia o prazo - Nu deschide perioadele de stagnare - Nezačína oneskorenia - Ne uvaja zamud - Inleder ingen frist - Ní osclaíonn sé na moilleanna

MSG: 20260499.EN

1. MSG 001 IND 2026 0078 LU EN 18-02-2026 LU NOTIF

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4. 2026/0078/LU - C30A - Veterinary services

5. Draft Government amendments to draft law 8300 on official controls and other official activities concerning transmissible animal diseases

6. Animal health, official controls, surveillance, prevention and control of transmissible animal diseases

7.

8. The purpose of these draft amendments is to amend the draft law on official controls and other official activities concerning transmissible animal diseases. As this draft law has not been the subject of a TRIS notification submitted by the Luxembourg authorities, it is submitted together with the draft amendments. The purpose of the draft law is to establish a system of official controls in the field of animal health. It provides for the application of certain provisions of European regulations in the animal health sector and in particular those of Regulation (EU) 2017/625 of the European Parliament and of the Council of 15 March 2017 on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products.

The draft thus lays down rules concerning the performance of official controls and other official activities relating to the prevention of transmission of animal diseases to animals and humans, as well as rules for combating transmissible animal diseases.

The purpose of the draft amendments is to take into account Opinion No 61.628 of 25 June 2024 of the Council of State as well as the opinions of the trade associations.

They are also intended to harmonise the provisions with other sectoral draft laws relating to official controls on foodstuffs, animal feed, plant protection products and harmful organisms.

The amendments mainly concern designation of the competent authority, the regulation of fees relating to official controls, and criminal and administrative penalties.

The text clarifies the issue of the competent authority and ensures a clearer division between the powers of the Minister and those of the Luxembourg Veterinary and Food Administration (Administration luxembourgeoise vétérinaire et alimentaire – ALVA).

The articles concerning fees have been merged and the distinction between compulsory and optional fees has been removed.

Finally, the catalogue of infringements giving rise to criminal penalties has been updated to comply with the principle of specification of charges and a new article on administrative penalties has been introduced, in line with the other sectoral draft laws on the official controls mentioned above.

9. The purpose of these draft government amendments is to amend draft law No 8300 on official controls and other official activities concerning transmissible animal diseases, in order to take into account Opinion No 61.628 of the Council of State and the opinions of the trade associations. The main amendments made to draft law No 8300 concern the designation of the competent authority, fees relating to official controls and administrative fines. In the interests of harmonisation, these amendments are reproduced in other sectoral draft laws relating to official controls.

In particular, it is proposed that the draft law in question be amended in order to clarify the question of competent authority and to ensure a clear division between the responsibilities of the Minister and those of ALVA. It should be noted that, at the same time, the Law of 8 September 2022 on the creation and organisation of ALVA is also being amended to bring it into line with the sectoral draft laws concerned.

It is also proposed that the articles of the chapter on fees be merged, following the comment of the Council of State submitted on this subject. The distinction between 'compulsory fees' and 'optional fees' is thus removed.

In addition, updates are envisaged to the list of infringements subject to administrative fines, ensuring that

none of the behaviours subject to penalties under the article in question are also subject to criminal penalties under other legislation on official controls, in accordance with the principle of non bis in idem ('double jeopardy').

Finally, the draft amendments are intended to address the legal observations made by the Council of State.

10. References to the basic texts:

11. No

12.

13. No

14. No

15. Yes

16.

TBT aspects: No

SPS aspects:

The draft is a sanitary or phytosanitary measure

European Commission

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