

USA COMMENTS

SEPTEMBER 2009

CHAPTER 3.1.

QUALITY OF COMPETENT AUTHORITIES

Article 3.1.1.

The quality of *Competent Authorities* depends on multiple factors that include fundamental principles of an ethical, organisational, legislative, regulatory and technical nature. *Competent Authorities* should conform to these fundamental principles, regardless of the political, economic or social situation of their country.

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The quality of *Competent Authorities*, including aquatic animal health legislation and regulations, can be measured through an evaluation, the general principles of which are described in Article 3.1.3. and in Article 3.1.4.

Rationale : The US recognizes that some countries mandate industry action through governmental legislation while others do this through legislation and regulation. The AVMA, therefore, recommends that all mention of “legislative” or “legislation” be replaced with “legislative and regulatory” or “legislation and regulations,” as appropriate.

Article 3.1.2.

Fundamental principles of quality

1. ...

2. ...

3. ...

4. ...

5. ...

6. Aquatic animal health legislation and regulations

Aquatic animal health legislation is a fundamental element of quality as it supports good governance and

provides the legal framework for all key activities of the *Competent Authority*.

Legislation and regulations should be suitably flexible to allow for judgements of equivalence and efficient responses to changing situations. In particular, # they should define and document the responsibilities and structure of the organisations in charge of the animal identification system, control of aquatic animal movements, aquatic animal disease control and reporting systems, epidemiological surveillance and communication of epidemiological information.

A similar demonstration should be made by *Competent Authorities* when they are in charge of veterinary public health activities.

Rationale : We recognize that some countries mandate industry action through governmental legislation while others do this through legislation and regulation. We, therefore, recommend that all mention of “legislative” or “legislation” be replaced with “legislative and regulatory” or “legislation and regulations,” as appropriate. Deletion or clarification of the final sentence is recommended, because as written, its intent is not at all clear. Because its intent is not clear, we are unable to offer editorial changes and so recommend deletion.

67. General organisation

Competent Authorities must be able to demonstrate by means of an appropriate legislation and regulations ~~regulatory framework~~, sufficient financial resources and

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