



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 28.04.2004
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2002/0141 (COD)

OPINION OF THE COMMISSION

**pursuant to Article 251 (2), third subparagraph, point (c) of the EC Treaty,
on the European Parliament's amendments
to the Council's common position regarding the
proposal for a**

**REGULATION OF THE EUROPEAN PARLIAMENT
AND OF THE COUNCIL**

laying down specific rules for the organisation of official controls on products of animal
origin intended for human consumption

**AMENDING THE PROPOSAL OF THE COMMISSION
pursuant to Article 250 (2) of the EC Treaty**

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1. INTRODUCTION

Article 251(2), third subparagraph, point (c) of the EC Treaty provides that the Commission is to deliver an opinion on the amendments proposed by the European Parliament at second reading. The Commission sets out its opinion below on the amendments proposed by Parliament.

2. BACKGROUND

Date of adoption of the proposal ¹ by the Commission	11.07.2002
Date of the opinion of the Economic and Social Committee ²	26.02.2003
Date of the opinion of the European Parliament, first reading:	05.06.2003
Date of political agreement in Council	22.07.2003
Date of adoption of the amended proposal.	21.10.2003
Date of adoption of the common position ³ :	27.10.2003
Adoption by Parliament of the Recommendation for a second reading :	30.03.2004

¹ OJ C 262 E, 29.10.2002, p. 449.

² OJ C 95, 23.4.2003, p. 22.

³ OJ C 48 E, 24.2.2004, p. 82.

3. PURPOSE OF THE PROPOSAL

Third proposal of a package of five proposals consolidating and updating current Community rules on food hygiene.

Main purpose of the proposal is to make the existing rules on official controls on the hygiene of food of animal origin more science- and risk-based, and to introduce the main principles of food law (farm-to-table principle, definition of the obligations of the competent authorities). The products that are affected by the proposal are meat, fishery products, bivalve molluscs, and milk.

4. OPINION OF THE COMMISSION ON THE AMENDMENTS BY THE EUROPEAN PARLIAMENT

A compromise package of amendments was submitted to the European Parliament with the endorsement of the Council.

The following amendments approved by the Parliament reflect the compromise agreement reached between the three institutions:

- Amendment 11: technical amendment clarifying the need to proceed, in the event of the emergency slaughter of animals, to an examination of the carcass as soon as possible.
- Amendment 18: editorial amendment of the German version only.
- Amendment 19: technical amendment that must ensure that control staff, in carrying out their control tasks, has free access to the premises of food businesses.
- Amendment 20: obliges Member States to ensure that there is sufficient control staff for performing meat inspection in slaughterhouses.
- Amendment 22: introduces flexibility with regard to certain control activities in small businesses

The Commission accepted these amendments.

The following amendments do not reflect the compromise reached between the three institutions:

- Amendments 9 and 14: these limit the possibility for slaughterhouse staff to assist the official veterinarian in carrying out meat inspection to poultry and rabbits, excluding veal calves and fattening pigs.

The Commission did not accept these two amendments. However, in order to reach a final agreement and to avoid conciliation, the Council is prepared to accept amendments 9 and 14 provided the Commission issues the declaration in Annex herewith. Under these circumstances, the Commission can also accept the final compromise which includes all of the amendments referred to above.

5. CONCLUSION

Pursuant to Article 250(2) of the EC Treaty, the Commission amends its proposal as set out above.

ANNEX

Declarations of the Commission within the framework of the second reading on the proposal for a Regulation of the European Parliament and of the Council laying down specific rules for the organisation of official controls on products of animal origin intended for human consumption

With regard to Article 5, paragraph 6 and Annex I, Section III, Chapter III, the Commission will, as soon as possible after the entry into force of the Regulation, produce a report on slaughterhouse staff assisting in meat inspection with a view to examine whether and under what conditions the system in force at present for poultry meat and rabbit meat can be extended to other species such as fattening pigs and veal calves. The report will be accompanied by a legislative proposal as appropriate.