

# COMMISSION OF THE EUROPEAN COMMUNITIES

COM(93) 605 final

Bruxelles, 30 novembre 1993

Proposal for a

COUNCIL DECISION

amending Decision 90/218/EEC concerning the placing  
on the market and administration of  
Bovine Somatotrophin (B.S.T.)

(presented by the Commission)

Explanatory Memorandum

Council Decision 90/218/EEC<sup>(1)</sup> requires Member States to ensure until 31st December 1993, that the placing on the market of bovine somatotrophin (B.S.T.) and its administration on their territory to dairy cows by any means whatsoever will not be authorized.

It was recognized that further time was needed to study the effects and consequences of the administration of this product. These studies have been completed and in accordance with Article 4 of the Decision a report on the situation for the Parliament and the Council has been agreed by the Commission (2).

The Commission's report concluded that the marketing of B.S.T. and its administration to dairy cows in the Community be prohibited for the duration of the application of the regime for milk quotas established by Council regulation 3950/92/EEC<sup>(3)</sup> establishing an additional levy in the milk and milk products sector. In accordance with Article 4 of Council Decision 90/218/EEC the Commission is required to submit appropriate proposals on the matter. The present proposal fulfills this obligation.

The proposed measure comes under the Common Agricultural Policy. In order to obtain the measures objectives, it is necessary to adopt a Decision.

The measures take the form of a Decision, its implementation will be the responsibility of the Member States.

The Commission invites the Council to adopt a rapid Decision.

---

(1) O.J. N° L116, 08.05.1990, Decision amended by Decision 92/98/EEC (O.J. N° L 39, 15.02.1992, p. 41.

(2) COM (93) 331 Final of 16th September 1993.

(3) O.J. N° L 405, 31.12.1992, p. 1.

PROPOSAL

COUNCIL DECISION

of .....

amending Decision 90/218/EEC concerning the placing  
on the market and administration of  
Bovine Somatotrophin (B.S.T.)

---

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and  
in particular Article 43 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament<sup>(1)</sup>,

Having regard to the opinion of the Economic and Social Committee<sup>(2)</sup>

Whereas, by Decision 90/218/EEC<sup>(3)</sup> as amended, the Council called on Member  
States to prohibit, until 31st December 1993, the administration of bovine  
somatotrophin (B.S.T.) on their territory by any means whatsoever to dairy  
cows in view of the fact that the effects and consequences of the  
administration of this product were not sufficiently clear at the time;

Whereas in the meantime in depth studies have been undertaken on the effects  
and consequences of the administration of bovine somatotrophin to dairy cows,  
whereas the Committee on Veterinary Medicinal Products (C.V.M.P.), created by  
Directive 81/851/EEC arrived at the view that the B.S.T. products it studied  
satisfy the traditional criteria for authorisation of "quality", "safety" and  
"efficacy";

---

(1) O.J. N° C

(2) O.J. N° C

(3) O.J. N° L 116, 08.05.1990, Decision amended by Decision 92/98/EEC  
(O.J. N° L 39, 15.02.1992, p. 41).

Whereas, however, the same Committee indicated that its favorable approach depends on several requirements, e.g. the respect of high standards of animal husbandry, the choice of animals for treatment and their subsequent care, a specific nutritional regime for these animals, a veterinary prescription in each case and a good hygiene at the injection site; whereas the same Committee stressed the need of a permanent monitoring of somatic cell counts of milk obtained from B.S.T. treated animals for health reasons;

Whereas, the group of Advisers to the Commission on ethics recommended safeguard similar to those requested by the C.V.M.P.;

Whereas the effect of the introduction of B.S.T. would conflict with the objectives of the Common Agricultural Policy, in particular the milk quota scheme introduced since 1984;

Whereas negative consumer reactions and related effects on consumption, likely major changes in production practices, and potentially adverse effects on Community exports could continue to exacerbate market and structural imbalances in both the milk and beef sectors;

Whereas in order to take these policies into account the marketing of B.S.T. and its administration to dairy cows in the Community should at least be prohibited for the duration of the application of the milk quotas regime in the Community;

HAS ADOPTED THIS DECISION :

Article 1

Decision 90/218/EEC is hereby amended as follows :

1. Article 1 shall be replaced by the following :

'Article 1

Member States shall ensure that, until the end of the regime established by Council Regulation (CEE) No 3950/92<sup>(3)</sup> establishing an additional levy in the milk and milk products sector, the placing on the market of bovine somatotrophin and its administration on their territory to dairy cows by any means whatsoever will not be authorized.'

2. Article 4 shall be replaced by the following :

'Article 4

In case of review of the regime referred to in Article 1 the Commission shall present to the European Parliament and to the Council a report on the situation together with appropriate proposals.'

Article 2

This Decision is addressed to the Member States.

Done at Brussels,

For the Council,

The President

---

(3) O.J. N° L 405, 31.12.1992, p. 1.

COM(93) 605 final

# DOCUMENTS

**EN**

**03**

---

Catalogue number : CB-CO-93-642-EN-C

ISBN 92-77-61779-9

---

Office for Official Publications of the European Communities

L-2985 Luxembourg