

Amended proposal for a Directive of the European Parliament and of the Council amending Council Directives 90/425/EEC and 92/118/EEC as regards health requirements for animal by-products ⁽¹⁾

(2002/C 103 E/09)

(Text with EEA relevance)

COM(2001) 747 final — 2000/0230(COD)

(Submitted by the Commission pursuant to Article 250(2) of the EC Treaty on 12 December 2001)

⁽¹⁾ OJ C 62 E, 27.2.2001.

INITIAL PROPOSAL

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 152(4)(b) thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the Economic and Social Committee,

Having regard to the opinion of the Committee of the Regions,

Acting in accordance with the procedure laid down in Article 251 of the Treaty,

Whereas:

- (1) The animal and public health conditions for the processing and disposal of animal waste and for the production, placing on the market, trade and importation of products of animal origin not intended for human consumption were laid down in numerous Community acts.
- (2) The rules contained in those acts have been replaced by Regulation (EC) . . . of the European Parliament and of the Council of [...] laying down the health rules concerning animal by-products not intended for human consumption.
- (3) In order to take account of those new rules, Council Directive 90/425/EEC of 26 June 1990 concerning veterinary and zootechnical checks applicable in intra-Community trade in certain live animals and products with a view to the completion of the internal market ⁽¹⁾ and Council Directive 92/118/EEC of 17 December 1992 laying down animal health and public health requirements governing trade in and imports into the Community of products not subject to the said requirements laid down in specific Community rules referred to in Annex A(I) to Directive 89/662/EEC and, as regards pathogens, to Directive 90/425/EEC ⁽²⁾, should therefore be amended,

AMENDED PROPOSAL

Unchanged

⁽¹⁾ OJ L 224, 18.8.1990, p. 29. Directive as last amended by Directive 92/118/EEC.

⁽²⁾ OJ L 62, 15.3.1993, p. 49. Directive as last amended by Decision 1999/724/EC (OJ L 290, 12.11.1999, p. 32).

INITIAL PROPOSAL

AMENDED PROPOSAL

HAVE ADOPTED THIS DIRECTIVE:

Article 1

In Directive 90/425/EEC, the seventh indent of Section 1 of Chapter I of Annex A is replaced by the following:

'Regulation (EC) ... of the European Parliament and of the Council laying down the health rules concerning animal by-products not intended for human consumption (OJ L ...).'

Article 2

Directive 92/118/EEC is amended as follows:

1. In Article 2, points (e) and (g) are deleted;
2. In Article 3, in the first indent the following words are deleted:
'together with gelatins not intended for human consumption';
3. In Article 10(2), point (b) is replaced by the following:
'(b) unless otherwise specified in Annex II, products must come from establishments on a Community list to be drawn up in accordance with the procedure laid down in Article 18';
4. Annex I is amended as follows:
 - (a) Chapters 1, 3 and 4 are deleted;
 - (b) Chapter 5 is amended as follows:
 - (i) In the title, the following words are added:
'intended for human consumption';
 - (ii) In part A, the following is deleted:
'A. where they are intended for human or animal consumption';
 - (iii) Part B is deleted;
 - (c) Chapter 6 is amended as follows:
 - (i) In the title, the following words are added:
'intended for human consumption';
 - (ii) Part I is amended as follows:
— Paragraph (A) is replaced by the following:
'A. as regards trade, to the production of document or certificate provided for in Directive 77/99/EEC stating that the requirements of that Directive have been complied with';

INITIAL PROPOSAL

— In paragraph (B)1, point (a) is replaced by the following:

‘(a) the products fulfil the requirements of Directive 80/215/EEC’;

(d) In Chapter 7, part II is deleted;

(e) Chapters 8, 10 and 12 to 15 are deleted.

Article 3

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive on ⁽¹⁾. 1 February 2003. They shall forthwith inform the Commission thereof.

When Member States adopt those provisions, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.

Article 4

This Directive shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Communities*.

Article 5

This Directive is addressed to the Member States.

AMENDED PROPOSAL

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive on ... ⁽¹⁾. They shall forthwith inform the Commission thereof.

Unchanged

⁽¹⁾ This date must correspond to the date of application of the Regulation on animal by-products not intended for human consumption.

⁽¹⁾ This date must correspond to the date of application of the Regulation on animal by-products not intended for human consumption.