

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(93) 550 final - SYN 377

Brussels, 28 October 1993

Re-examined proposal for a

COUNCIL DIRECTIVE

on the subject of additional measures
concerning the official control of foodstuffs

(presented by the Commission pursuant to Article 149.2(d)
of the EEC treaty)

Explanatory Memorandum

The proposal regards a horizontal Directive relating to additional measures concerning the official control of foodstuffs as referred to in article 13 of Council Directive 89/397/EEC on the official control of foodstuffs.

The Commission adopted the proposal on 6 February 1992. It was sent to the Council on 10 February 1992.

The Committee on the Environment, Public Health and Consumer Protection delivered its opinion on 9 November 1992, incorporating also the opinion of the Committee on Economic and Monetary Affairs and Industrial Policy, delivered on 15 April 1992.

The opinion of the Economic and Social Committee was voted on 22 October 1992.

The opinion of the European Parliament was adopted on 10 November 1992.

The Commission adopted an amended Proposal on 11 December 1992.

The Council adopted the Common Position on 14 June 1993.

At its Plenary Session, on 27 October 1993, the European Parliament voted a recommendation (document P 205.995) introducing 3 amendments.

Amendment 1

Obliges the Commission to bring forward proposals for the establishment of Community levels of competence for food control officials.

The Commission felt that it would be against the principle of subsidiarity to go further than the general requirements on formation mentioned in the Common Position. It therefore rejected the amendment.

Amendment 2

Requires the Commission to present an annual report to the Member States and to the European Parliament on the implementation of article 5.

The Commission accepted the amendment as it had no problems to include Parliament and to make the report on an annual basis.

Amendment 3

Requires that the Directive will not prevent the use of information in case of obligations under the Product Safety Directive or the Rapid Exchange of Information System.

The Commission accepted the amendment in principle although the text is partly covered by the Common Position (art. 6 par. 7)

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The Commission is in agreement with the Common Position stated in Council document n° 4241/1/93

1. Change article 5 paragraph 3 as follows.

The Commission shall present an annual report to the Member States and to the European Parliament on the implementation of this Article.

2. Add the following subparagraph to article 7 paragraph 3 (a)

This Directive shall not prevent the use in the case of obligations under the Product Safety Directive or the Rapid Exchange of Information System of any information obtained pursuant to this Directive.

COM(93) 550 final

DOCUMENTS

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Catalogue number : CB-CO-93-584-EN-C

ISBN 92-77-60701-7

**Office for Official Publications of the European Communities
L-2985 Luxembourg**