



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 23.07.2003
COM(2003) 455 final

2000/0182 (COD)

Amended proposal for a

DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

**repealing certain Directives on the hygiene of foodstuffs
and the health conditions for the production and placing on the market
of certain products of animal origin intended for human consumption,
and amending Directives 89/662/EEC and 91/67/EEC**

(presented by the Commission pursuant to article 250(2)
of the EC Treaty)

EXPLANATORY MEMORANDUM

I. PROCEDURE

1. On 14 July 2000, the Commission adopted a package of five proposals aiming to recast Community food hygiene legislation [Document COM (2000) 438]. The package was submitted to the Council and the European Parliament on 24 July 2000 for adoption by co-decision.

(Except for the fourth proposal of the package which was based on Article 37 of the Treaty and already adopted as Council Directive 2002/99/EC).

2. On 3 June 2003, the European Parliament has in first reading given a favourable opinion on the fifth proposal [2000/0182(COD)] of the package, with one amendment, accepted by the Commission.

(A favourable opinion on the first and second proposals was already given in May 2002, and a favourable opinion on the third proposal was given on 5 June 2003).

3. The present proposal amends the fifth proposal of the package so as to take into account the amendment of the European Parliament.

II. OBJECTIVES OF THE PROPOSAL

4. The proposal aims to repeal 17 Council Directives further to the recast of the Community rules on food hygiene.

The proposal also contains a “standstill” clause that must ensure that the implementing decisions based on these 17 Directives remain in place.

III. OVERVIEW OF AMENDMENTS OF THE EUROPEAN PARLIAMENT

5. The proposal foresees that:

*“Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive **by 1 January 2004** at the latest. They shall forthwith inform the Commission thereof.”*

The amendment of the European Parliament states that:

*Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive **by [insert date : (one year after the entry into force of the Directive)]**. They shall forthwith inform the Commission thereof.*

This seems a reasonable approach since the formal adoption of the package of proposals is foreseen for after 1 January 2004.

IV. CONCLUSION

6. Pursuant to Article 250(2) of the EC-Treaty, the Commission amends its proposals in accordance with the lines set out above.