

# EUROPEAN PARLIAMENT

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*Session document*

**A6-0279/2008**

30.6.2008

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## **REPORT**

on the proposal for a regulation of the European Parliament and of the Council  
amending Regulation (EC) No 999/2001 as regards the implementing powers  
conferred on the Commission  
(COM(2008)0053 – C6-0054/2008 – 2008/0030(COD))

Committee on the Environment, Public Health and Food Safety

Rapporteur: Gyula Hegyi

### ***Symbols for procedures***

- \* Consultation procedure  
*majority of the votes cast*
- \*\*I Cooperation procedure (first reading)  
*majority of the votes cast*
- \*\*II Cooperation procedure (second reading)  
*majority of the votes cast, to approve the common position*  
*majority of Parliament's component Members, to reject or amend the common position*
- \*\*\* Assent procedure  
*majority of Parliament's component Members except in cases covered by Articles 105, 107, 161 and 300 of the EC Treaty and Article 7 of the EU Treaty*
- \*\*\*I Codecision procedure (first reading)  
*majority of the votes cast*
- \*\*\*II Codecision procedure (second reading)  
*majority of the votes cast, to approve the common position*  
*majority of Parliament's component Members, to reject or amend the common position*
- \*\*\*III Codecision procedure (third reading)  
*majority of the votes cast, to approve the joint text*

(The type of procedure depends on the legal basis proposed by the Commission.)

### ***Amendments to a legislative text***

In amendments by Parliament, amended text is highlighted in ***bold italics***. In the case of amending acts, passages in an existing provision that the Commission has left unchanged, but that Parliament wishes to amend, are highlighted in **bold**. Any deletions that Parliament wishes to make in passages of this kind are indicated thus: [...]. Highlighting in *normal italics* is an indication for the relevant departments showing parts of the legislative text for which a correction is proposed, to assist preparation of the final text (for instance, obvious errors or omissions in a given language version). Suggested corrections of this kind are subject to the agreement of the departments concerned.

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## DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

on the proposal for a regulation of the European Parliament and of the Council amending Regulation (EC) No 999/2001 as regards the implementing powers conferred on the Commission

(COM(2008)0053 – C6-0054/2008 – 2008/0030(COD))

(Codecision procedure: first reading)

*The European Parliament,*

- having regard to the Commission proposal to the European Parliament and the Council (COM(2008)0053),
  - having regard to Article 251(2) and Article 154(4)(b) of the EC Treaty, pursuant to which the Commission submitted the proposal to Parliament (C6-0054/2008),
  - having regard to Rule 51 of its Rules of Procedure,
  - having regard to the report of the Committee on the Environment, Public Health and Food Safety (A6-0279/2008),
1. Approves the Commission proposal as amended;
  2. Calls on the Commission to refer the matter to Parliament again if it intends to amend the proposal substantially or replace it with another text;
  3. Instructs its President to forward its position to the Council and Commission.

### Amendment 1

#### Proposal for a regulation – amending act

##### Article 1 – point 1 a (new)

Regulation (EC) No 999/2001

Article 9 – paragraph 3

*Text proposed by the Commission*

*Amendment*

***(1a) Article 9, paragraph 3 shall be replaced by the following:***

**"3. Paragraphs 1 and 2 shall not apply, in the light of the criteria set out in point 5 of Annex V, to ruminants which have undergone an alternative test which has been recognised by the Commission, where the results of the test were negative.**

*Those measures, designed to amend non-essential elements of this Regulation, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 24(3)."*

*Justification*

*This measure should be aligned to the regulatory procedure with scrutiny, like the rapid tests under Article 5(3) and the alternative tests under Article 8(2).*

**Amendment 2**

**Proposal for a regulation – amending act**

**Article 1 – point 1 b (new)**

Regulation (EC) No 999/2001

Article 13 – paragraph 1 – subparagraph 3

*Text proposed by the Commission*

*Amendment*

*(1b) In Article 13, paragraph 1, the third subparagraph shall be replaced by the following:*

**"By way of derogation from this paragraph, Member States may apply other measures offering an equivalent level of protection, if those measures have been approved in accordance with the procedure referred to in Article 24(2), on the basis of criteria adopted in accordance with the regulatory procedure with scrutiny referred to in Article 24(3)."**

*Justification*

*The assessment whether the level of protection is equivalent should be based on criteria adopted under the regulatory procedure with scrutiny.*

**Amendment 3**

**Proposal for a regulation – amending act**

**Article 1 – point 5 – point a**

Regulation (EC) No 999/2001

Article 23a – point a

*Text proposed by the Commission*

(a) approval of the rapid tests referred to in Article 5(3) third subparagraph, Article 6(1) **and** Article 8(2),

*Amendment*

(a) approval of the rapid tests referred to in Article 5(3) third subparagraph, Article 6(1), Article 8(2) **and Article 9(3)**,

*Justification*

*Also Article 9.3 refers to these tests.*

## **EXPLANATORY STATEMENT**

Transmissible spongiform encephalopathy (TSE) is a serious threat to our health; this deadly infectious disease spreads by a specific protein, which can be found in infected meat. It results deterioration of the human brain. We decreased this epidemic, thanks to strict European legislation. In this report, your Rapporteur supplements the great work of the previous Rapporteur adding new elements to be regulated with regulatory procedure with scrutiny. The Commission's proposal leads to the right direction, but it should be amended. We have to be extremely cautious to ensure that the regulatory procedure with scrutiny does not slow down the measures against TSE. We also have to avoid the creation of loopholes in legislation when giving exceptions to Member States. The role of the European Parliament is very important in this process as its work and documents are transparent. After the well known scandals concerning TSE cases, the European public rightly needs and deserves this transparency.



## PROCEDURE

<b>Title</b>	Amendment of Regulation (EC) No 999/2001 as regards the implementing powers conferred on the Commission
<b>References</b>	COM(2008)0053 – C6-0054/2008 – 2008/0030(COD)
<b>Date submitted to Parliament</b>	6.2.2008
<b>Committee responsible</b> Date announced in plenary	ENVI 21.2.2008
<b>Committee(s) asked for opinion(s)</b> Date announced in plenary	JURI 21.2.2008
<b>Not delivering opinions</b> Date of decision	JURI 8.4.2008
<b>Rapporteur(s)</b> Date appointed	Gyula Hegyi 26.2.2008
<b>Discussed in committee</b>	27.5.2008
<b>Date adopted</b>	24.6.2008
<b>Result of final vote</b>	+: 39 -: 0 0: 1
<b>Members present for the final vote</b>	Adamos Adamou, Margrete Auken, Liam Aylward, John Bowis, Frieda Brepoels, Hiltrud Breyer, Magor Imre Csibi, Chris Davies, Avril Doyle, Mojca Drčar Murko, Matthias Groote, Satu Hassi, Gyula Hegyi, Jens Holm, Dan Jørgensen, Christa Klač, Eija-Riitta Korhola, Urszula Krupa, Marios Matsakis, Linda McAvan, Roberto Musacchio, Riitta Myller, Miroslav Ouzký, Vladko Todorov Panayotov, Vittorio Prodi, Frédérique Ries, Guido Sacconi, Horst Schnellhardt, Richard Seeber, Kathy Sinnott, María Sornosa Martínez, Antonios Trakatellis, Thomas Ulmer, Anja Weisgerber, Glenis Willmott
<b>Substitute(s) present for the final vote</b>	Iles Braghetto, Jutta Haug, Erna Hennicot-Schoepges, Karsten Friedrich Hoppenstedt
<b>Substitute(s) under Rule 178(2) present for the final vote</b>	Elspeth Attwooll