COMMISSION OF THE EUROPEAN COMMUNITIES



Brussels, 8.9.2006 COM(2006) 487 final

2006/0162 (CNS)

Proposal for a

COUNCIL REGULATION

on the marketing of the meat of bovine animals aged twelve months or less

(presented by the Commission)

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EXPLANATORY MEMORANDUM

I – Context

The production and marketing of the meat of bovine animals aged twelve months or less varies depending on the Member State.

Essentially, there are two major types of production system. In the first, the animals are fed mainly on milk and milk products and are slaughtered before the age of eight months, generally at around six or seven months. In the second, the animals are fed almost exclusively on cereals – primarily maize – supplemented with fodder, and are slaughtered at an age of ten months and above.

The first type of production system exists in almost all the Member States, but has developed in five of them in particular (France, Italy, the Netherlands, Belgium and Germany). The second, on the other hand, is known and has developed in only a small number of Member States, mainly the Netherlands, Denmark and Spain.

Meat produced under these two systems may be marketed under various names, but generally it is marketed under one single sales description, at least on the main consumer markets in the Community. As a rule, no reference is made to the type of feed received by the animals or their age at the time of slaughter.

Experience shows that this practice could disturb trade and encourage unfair competition. Consequently, it has a direct effect on the establishment and functioning of the single market: ex slaughterhouse, there are price differences of about EUR 2 to EUR 2.50 per kilogram between meat produced under the two systems.

This practice could also cause confusion for consumers because it is likely to mislead them as regards the actual characteristics of the product they are buying.

Several Member States have requested the Commission to submit proposals to improve the conditions for marketing the meat of bovine animals aged twelve months or less.

II – The Commission's proposal

In developing its proposal, the Commission held wide-ranging consultations with government experts as well as the trade, consumers and consumer organisations. In particular, a public consultation on the internet was organised at the beginning of spring 2005. This was followed, in June 2005, by a public hearing in which technical experts and representatives of the main socio-professional organisations involved in this field in the Community were invited to take part.

In the internet consultation, the majority of consumers confirmed that tenderness and flavour are major criteria in choosing which meat to buy. The importance attached to colour varies depending on the Member State. Similarly, the participants said that the age of the animals and what they had been fed on were important criteria for determining the characteristics of their meat. On the other hand, in their eyes the weight of the animals on slaughter was less important.

Various studies have also shown that the organoleptic characteristics of meat, such as tenderness, flavour and colour, change with the age of the animals from which it is obtained and the feed used. The characteristics of the meat of animals slaughtered at around seven months are different from those of animals slaughtered at around ten months.

During the consultation, most consumers thought that animals aged eight months or less belonged in a category of their own. This view was confirmed by the majority of consumer protection organisations which voiced their opinion at the public hearing. That age limit is also used in Article 130 of Council Regulation (EC) No 1782/2003 of 29 September 2003 establishing common rules for direct support schemes under the common agricultural policy to determine the eligibility of such animals for the slaughter premium. Lastly, it is also used in several Member States, where it commands broad consensus. Consequently, it should be used to create two sub-categories of animal, from zero to not more than eight months, and from more than eight months to not more than twelve months.

Controlling age on slaughter is easier than controlling the type of feed used. Also, as a rule the systems of production and the type of feed used for animals aged twelve months or less are linked to the age at which the animals go to slaughter. Consequently, it is sufficient to take as a basis the criterion of age on slaughter to establish the various sales descriptions for the meat of animals in the two sub-categories.

The consultation also showed that, depending on the Member State, consumer expectations of the same sales description can differ. The straightforward translation of a term referring to a given product in a Member State into the language of another Member State will not necessarily provide the required clarification if it does not refer to an identical product in that other Member State. Therefore, when selecting sales descriptions, it makes sense to take account as far as possible of customs and cultural traditions to help consumers make a choice in line with their expectations.

The Commission therefore proposes the establishment of sales descriptions to be used in each Member State for the marketing of the meat of animals in each of the two sub-categories of animal defined, coupled with a requirement to indicate the age of the animals on slaughter.

To ensure correct use of the sales descriptions in accordance with this Regulation, the meat of bovine animals in each of the two sub-categories defined should be identified by a letter, and the data enabling the correctness of the information on the labelling to be verified should be recorded.

Traders wishing to supplement the sales descriptions provided for in this Regulation by other voluntary information should be able to do so in accordance with Regulation (EC) No 1760/2000 of the European Parliament and of the Council of 17 July 2000 establishing a system for the identification and registration of bovine animals and regarding the labelling of beef and beef products and repealing Council Regulation (EC) No 820/97².

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OJ L 270, 21.10.2003, p. 1. Regulation as last amended by Regulation (EC) No 319/2006 (OJ L 58, 28.2.2006, p. 32).

OJ L 204, 11.8.2000, p. 1. Regulation as amended by the 2003 Act of Accession.

In certain cases, the meat of bovine animals aged twelve months or less enjoys protection under Council Regulation (EC) No 510/2006 of 20 March 2006 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs³. It is marketed under the protected indication or designation and, as a result, can be clearly identified by traders and consumers. Also, it is usually marketed at a local level. Accordingly, the provisions of this Regulation must not affect the designations protected under Regulation (EC) No 510/2006.

The Member States should designate the authorities competent to carry out checks relating to the conditions laid down in this Regulation and provision should be made for the Commission to ensure, where necessary by means of on-the-spot checks, that those conditions are met.

Lastly, for the sake of consistency and in order to avoid any distortion of competition, meat imported from third countries should also be subject to the provisions of this Regulation.

III – Impact of the Commission's proposal

The proposal aims to increase transparency in the marketing of the meat of animals aged twelve months or less. It is designed to improve the functioning of the single market and provide better information for consumers.

As indicated, as far as possible the proposal takes account of common practice in the Member States as regards both production and consumption. The introduction of two sub-categories with a limit of eight months should not pose any problems. In fact, this limit is already used in several of the Member States which are the main producers of animals in this first sub-category but, because of the reduction in the Community cow herd, it could also be of interest to producers of animals in the first sub-category in other Member States who have not yet adopted it. In addition, the requirement to indicate the age will enable a clearer distinction between the various types of product to be made.

If the proposal is adopted as it stands, the vast majority of Member States will have a similar approach to the use of sales descriptions for the meat of animals aged twelve months or less.

For the remaining Member States, the proposal provides for the differentiation of the meat of animals in the second sub-category by means of a requirement to use a different sales description. As a result, only that category of produce could be affected. However, in most of these countries the vast majority of this category of produce is consumed on their national territory. In addition, following the entry into force of the 2003 reform of the common agricultural policy and the introduction of decoupling, it is likely that this category of produce will decline in some of these countries in future. At the same time, it should also be pointed out that the rise in prices in the beef and veal sector in some of these Member States since the end of 2004 has been less favourable for the meat of animals in this sub-category compared to beef and veal from older animals. The previous price difference between these two types of meat has virtually disappeared today and the downward trend already observed could therefore become more marked in future. Consequently this category of produce will be most affected by other factors and not by this proposal.

³ OJ L 93, 31.3.2006, p. 12.

Animal welfare is the responsibility of DG SANCO. This proposal lays down the sales descriptions to be used for beef and veal from animals aged twelve months or less and does not prejudice compliance with the rules on animal welfare, which are laid down elsewhere. For meat in each of the sub-categories defined, it will be possible to signal compliance with welfare rules going beyond the existing regulations, on the basis of voluntary labelling.

The proposal has no implications for the Community budget.

Proposal for a

COUNCIL REGULATION

on the marketing of the meat of bovine animals aged twelve months or less

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 37(2) thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament⁴,

Whereas:

- (1) The second subparagraph of Article 2, in conjunction with point (b) of the first subparagraph of that Article, of Council Regulation (EC) No 1254/1999 of 17 May 1999 on the common organisation of the market in beef and veal⁵ provides that the Council is to adopt general rules concerning measures to promote better organisation of production, processing and marketing.
- (2) The systems of production of bovine animals aged twelve months or less and their characteristics at the time of slaughter often differ from one Member State to another. On the main consumer markets in the Community, meat from these different production systems is generally marketed under one single sales description.
- (3) Experience shows that this practice could disturb trade and encourage unfair competition. Consequently it has a direct effect on the establishment and functioning of the single market.
- (4) This practice could also cause confusion for consumers and is likely to mislead them.
- (5) To improve the functioning of the single market, the marketing of the meat of bovine animals aged twelve months or less should be organised in such a way as to make it as transparent as possible. This will also enable such production to be better organised. For that purpose, the sales descriptions to be used in each language of the Member States for the marketing of the meat of bovine animals aged twelve months or less should be specified. This will also improve information for consumers.

OJ C ..., p.

OJ L 160, 26.6.1999, p. 21. Regulation as last amended by Regulation (EC) No 1913/2005 (OJ L 307, 25.11.2005, p. 2).

- (6) In certain cases, the meat of bovine animals aged twelve months or less enjoys protection under Council Regulation (EC) No 510/2006 of 20 March 2006 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs⁶. It is marketed under the protected indication or designation and, as a result, can be precisely identified by traders and consumers. Accordingly, this Regulation should not affect the designations protected under Regulation (EC) No 510/2006.
- (7) Various studies have shown that the organoleptic characteristics of meat, such as tenderness, flavour and colour, change with the age of the animals from which it is obtained and the feed used.
- (8) In a public consultation organised by the Commission in 2005, the majority of consumers confirmed that the age of the animals and what they had been fed on were important criteria in determining the characteristics of their meat. On the other hand, in their eyes the weight of the animals on slaughter was less important.
- (9) It is easier to monitor age on slaughter than the type of feed used. Also, as a rule the systems of production and the type of feed used for animals aged twelve months or less are linked to the age at which the animals go to slaughter. Consequently, the use of different sales descriptions according to the age of the animals should be sufficient to provide the necessary transparency.
- (10) During the consultation, most consumers thought that animals aged eight months or less belonged in a category of their own. That age limit is also used in Article 130 of Council Regulation (EC) No 1782/2003 of 29 September 2003 establishing common rules for direct support schemes under the common agricultural policy and establishing certain support schemes for farmers and amending Regulations (EEC) No 2019/93, (EC) No 1452/2001, (EC) No 1453/2001, (EC) No 1454/2001, (EC) 1868/94, (EC) No 1251/1999, (EC) No 1254/1999, (EC) No 1673/2000, (EEC) No 2358/71 and (EC) No 2529/2001⁷ to determine the eligibility of animals for the slaughter premium. Therefore, that age limit should be used to divide the category of animals aged twelve months or less into two sub-categories.
- (11) The consultation also showed that, depending on the Member State, consumer expectations of the same sales description can differ. Therefore, when selecting sales descriptions, it makes sense to take account as far as possible of customs and cultural traditions to help consumers make a choice in line with their expectations.
- (12) Provision should also be made for the meat of bovine animals aged twelve months or less to be identified by a letter representing the category to which they belong, and the age on slaughter to be indicated on the labels attached to such meat.
- (13) Traders wishing to supplement the sales descriptions provided for in this Regulation by other voluntary information should be able to do so in accordance with the procedure provided for in Articles 16 or 17 of Regulation (EC) No 1760/2000 of the European Parliament and of the Council of 17 July 2000 establishing a system for the

⁶ OJ L 93, 31.3.2006, p. 12.

⁷ OJ L 270, 21.10.2003 p. 1. Regulation as last amended by Regulation (EC) No 319/2006 (OJ L 58, 28.2.2006, p. 32).

- identification and registration of bovine animals and regarding the labelling of beef and beef products and repealing Council Regulation (EC) No 820/97⁸.
- (14) To ensure correct use of the information on the labelling in accordance with this Regulation, the data enabling the correctness of the information on the labelling to be verified should be recorded at all stages of production and marketing.
- (15) The Member States should designate the authorities competent to carry out checks relating to the conditions laid down in this Regulation and provision should be made for the Commission to ensure, where necessary by means of on-the-spot checks, that those conditions are met.
- (16) For the sake of consistency, provision should be made to ensure that meat imported from third countries meets the requirements of this Regulation. For that purpose, where checks are carried out by an independent third-party body, that body must provide full assurance of expertise, impartiality and objectivity.
- (17) The measures required to implement this Regulation should be adopted in accordance with Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission⁹,

HAS ADOPTED THIS REGULATION:

Article 1 **Purpose and scope**

- 1. This Regulation lays down the conditions for the marketing on the Community territory of the meat of bovine animals aged twelve months or less, in particular the sales descriptions to be used.
 - It shall apply to the meat of bovine animals aged twelve months or less produced in the Community or imported from third countries.
- 2. This Regulation shall apply without prejudice to Council Regulation (EEC) No 1208/81¹⁰.
- 3. This Regulation shall not apply to the meat of bovine animals aged twelve months or less for which a protected designation of origin or geographical indication has been registered in accordance with Article 7 of Regulation (EC) No 510/2006.

Article 2 **Definition**

For the purposes of this Regulation, "meat" means all carcases, meat on the bone or boned, and offal, whether or not cut, obtained from bovine animals aged twelve months or less, presented fresh, frozen or deep-frozen, whether or not wrapped or packed.

OJ L 204, 11.8.2000, p. 1. Regulation as amended by the 2003 Act of Accession.

⁹ OJ L 184, 17.7.1999, p. 23.

OJ L 123, 7.5.1981, p. 3.

Article 3

Classification of bovine animals at the slaughterhouse

On slaughter, all bovine animals aged twelve months or less shall be classified by the operators, under the control of the competent authority referred to in Article 8(1), in one of the categories listed in Annex I.

Article 4 **Sales descriptions**

1. The meat of bovine animals aged twelve months or less shall only be marketed in the various Member States under the sales description(s) listed in Annex II laid down for each Member State.

The sales descriptions referred to in the first subparagraph may be supplemented by an indication of the name or designation of the pieces of meat or offal concerned.

2. The sales descriptions listed in Annex II(A) and any new name derived from those sales descriptions may not be used in marketing the meat of bovine animals aged more than twelve months.

Similarly, the terms "veau", "ternera", "kalv", "Kalb", "veal", "vitello", "kalf", "μοσχάρι", "vitella" and "vitela" may not be used in a sales description or be indicated on the labelling of the meat of bovine animals aged more than twelve months.

Article 5 Compulsory information on the label

- 1. Without prejudice to Article 3(1) of Directive 2000/13/EC of the European Parliament and of the Council¹¹ and Articles 13, 14 and 15 of Regulation (EC) No 1760/2000, at each stage of production and marketing, traders shall label the meat of bovine animals aged twelve months or less with the following information:
 - (a) the category identification letter as defined in Annex I to this Regulation,
 - (b) the sales description in accordance with Article 4 of this Regulation,
 - (c) the age of the animals on slaughter, indicated, as the case may be, in the form "age on slaughter: n months or less" in the case of the meat of animals aged eight months or less, or "age on slaughter: more than eight months but not more than n months" in the case of the meat of animals aged more than eight months but not more than twelve months, where n represents the number of months.
- 2. In the case of the meat of bovine animals aged twelve months or less presented for sale unprepacked at the point of retail sale to the final consumer, Member States shall lay down rules on how the information referred to in paragraph 1 is to be indicated.

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OJ 109, 6.5.2000, p. 29.

They may not make an indication of the information referred to in paragraph 1(a) compulsory unless it is ensured that the purchaser is provided with the correct information

Article 6 Optional information on the label

Traders may supplement the compulsory information referred to in Article 5 by optional information approved in accordance with the procedure provided for in Article 16 or 17 of Regulation (EC) No 1760/2000.

Article 7 Recording system

At each stage of production and marketing of the meat of bovine animals aged twelve months or less, traders shall set up a detailed recording system.

The system provided for in the first subparagraph shall be applied so as to guarantee the accuracy of the labelling information referred to in Articles 5 and 6. It shall comprise in particular:

- (a) an indication of the identification number and the date of birth of the animals;
- (b) an indication of a reference number making it possible to establish a link between, on the one hand, the identification of the animals from which the meat originates and, on the other hand, the sales description, the age on slaughter and the category identification letter given on the meat label;
- (c) an indication of the date of arrival and departure of the animals and meat in the establishment, indicating the quantities entering and leaving, to ensure that a correlation between arrivals and departures is established.

Article 8 **Official checks**

- 1. Before [1 July 2007] Member States shall designate the competent authority or authorities responsible for checks relating to the application of this Regulation and inform the Commission thereof.
- 2. The Commission, jointly with the competent authorities, shall ensure that Member States are complying with the provisions of this Regulation.

The Commission's experts shall carry out, where required, jointly with the competent authorities concerned and, where applicable, the Member States' experts, on-the-spot checks to ensure that this Regulation is being implemented.

Any Member State on whose territory checks are carried out shall provide the Commission with any assistance which it may require for the accomplishment of its tasks.

Article 9 Meat imported from third countries

- 1. The meat of bovine animals aged twelve months or less imported from third countries shall be marketed on the Community market in accordance with this Regulation.
- 2. Traders from a third country wishing to place on the Community market meat as referred to in paragraph 1 shall subject their activities to checks by the competent authority designated by that third country or, failing that, an independent third-party body. That body shall provide full assurance of compliance with the conditions laid down in European Standard EN 45011 or ISO/IEC Guide 65 'General requirements for bodies operating product certification systems').

The designated competent authority or, where applicable, independent third-party body shall ensure that the requirements of this Regulation are met.

Article 10 Implementing rules

- 1. The measures required for the implementation of this Regulation shall be adopted in accordance with the procedure referred to in Article 43(2) of Regulation (EC) No 1254/1999. Such measures shall relate, in particular, to:
 - (a) the practical method of indicating the age of the animals on slaughter and the category identification letter referred to in Article 5, as regards the location and size of the characters used:
 - (b) trade with third countries as referred to in Article 9, as regards the method of verifying compliance with the provisions of this Regulation.
- 2. Amendments may be made to Annexes I and II in accordance with the procedure referred to in Article 43(2) of Regulation (EC) No 1254/1999.

Article 11 Entry into force

This Regulation shall enter into force on the seventh day following that of its publication in the *Official Journal of the European Union*.

It shall apply to all animals aged twelve months or less slaughtered from [1 July 2007].

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

For the Council
The President

ANNEX I

Categories of bovine animals aged twelve months or less

On slaughter, bovine animals aged twelve months or less must be classified in one of the following two categories:

- (A) Category X: bovine animals aged eight months or less
 - Category identification letter: X;
- (B) Category Y: bovine animals aged more than eight months but not more than twelve months

Category identification letter: Y.

In the Member States, this classification must be carried out on the basis of the information contained in the passport accompanying the bovine animals or, failing this, on the basis of the data contained in the computerised database provided for in Article 5 of Regulation (EC) No 1760/2000.

ANNEX II

List of sales descriptions referred to in Article 4

(A) For the meat of bovine animals in category X:

Country of marketing	Sales descriptions to be used
Belgium	veau, viande de veau / kalfsvlees / Kalbfleisch
Bulgaria	месо от малки телета*
Czech Republic	Telecí
Denmark	lyst kalvekød
Germany	Kalbfleisch
Estonia	Vasikaliha
Greece	μοσχάρι γάλακτος
Spain	ternera blanca (o lechal), carne de ternera blanca (o lechal)
France	veau, viande de veau
Ireland	Veal
Italy	vitello, carne di vitello
Cyprus	μοσχαράκι
Latvia	teļa gaļa
Lithuania	Veršiena
Luxembourg	veau, viande de veau / Kalbfleisch
Hungary	Borjúhús
Malta	Vitella
Netherlands	Kalfsvlees
Austria	Kalbfleisch
Poland	Cielęcina
Portugal	Vitela
Romania	carne de vitel*
Slovenia	Teletina
Slovakia	tel'acie mäso
Finland	vasikanliha / kalvkött
Sweden	Kalvkött
United Kingdom	Veal

^{*} subject to the entry into force of the Treaty of Accession of Bulgaria and Romania at the time of adoption of this Regulation.

(B) For the meat of bovine animals in category Y:

Country of marketing	Sales descriptions to be used
Belgium	jeune bovin, viande de jeune bovin / jongrundsvlees / Jungrindfleisch
Bulgaria	телешко месо*
Czech Republic	hovězí z mladého dobytka
Denmark	kalvekød
Germany	Jungrindfleisch
Estonia	Noorloomaliha
Greece	Μοσχάρι
Spain	ternera, carne de ternera
France	jeune bovin, viande de jeune bovin
Ireland	Beef
Italy	vitellone, carne di vitellone
Cyprus	μοσχάρι
Latvia	liellopu gaļa
Lithuania	jautiena
Luxembourg	jeune bovin, viande de jeune bovin / Jungrindfleisch
Hungary	marhahús
Malta	canga
Netherlands	rose kalfsvlees
Austria	Jungrindfleisch
Poland	wołowina
Portugal	Vitelão
Romania	carne de tineret bovin*
Slovenia	meso mlade govedi
Slovakia	mäso z mladého dobytka
Finland	nuori nauta / nötkött
Sweden	nötkött
United Kingdom	Beef

^{*} subject to the entry into force of the Treaty of Accession of Bulgaria and Romania at the time of adoption of this Regulation.

	FINANCIAL STAT	EMEN	NT .					
1.	BUDGET HEADING: 05 02 13		PROPRIATIONS: R 388 million					
2.	TITLE: Council Regulation on the marketing of the meat of bovine animals aged twelve months or less.							
3.	LEGAL BASIS: Article 37 of the Treaty							
4.	AIMS: To lay down the conditions for the marketing on the Community territory of the meat of bovine animals aged twelve months or less, and in paraticular the sales descriptions to be used.							
5.	FINANCIAL IMPLICATIONS	12-MONTH PERIOD	FINANCIAL YEAR 2006		FOLLOWING FINANCIAL YEAR 2007			
5.0	EXPENDITURE - CHARGED TO THE EC BUDGET (REFUNDS/INTERVENTIONS) - NATIONAL AUTHORITIES - OTHER	(EUR millio	n) (EUR million) -		(EUR million)			
5.1	REVENUE - OWN RESOURCES OF THE EC (LEVIES/CUSTOMS DUTIES) - NATIONAL	-		_	_			
		2008	2009	2010	2011			
5.0.1 5.1.1	ESTIMATED EXPENDITURE ESTIMATED REVENUE	_ _	_ _	_ _	_ _			
5.2	METHOD OF CALCULATION:							
6.0	CAN THE PROJECT BE FINANCED FROM APPROPRIATIONS ENTERED IN THE RELEVANT CHAPTER OF THE CURRENT BUDGET? YES Y							
6.1	CAN THE PROJECT BE FINANCED BY TRANSFER BETWEEN CHAPTERS OF THE CURRENT BUDGET? YES!							
6.2	WILL A SUPPLEMENTARY BUDGET BE N	YES NO						
6.3	WILL APPROPRIATIONS NEED TO BE EN	YES NO						
ORSE	ERVATIONS:							

OBSERVATIONS:

The proposal to establish sales decscriptions for the meat of bovine animals aged twelve months or less has no impact on the Community budget.