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Committee on Agriculture and Rural Development

2007/0102(COD)

18.12.2007

OPINION

of the Committee on Agriculture and Rural Development

for the Committee on the Environment, Public Health and Food Safety

on the proposal for a directive of the European Parliament and of the Council
amending Council Directive 96/22/EC concerning the prohibition on the use in
stockfarming of certain substances having a hormonal or thyreostatic action
and of beta-agonists
(COM(2007)0292 – C6-0154/2007 – 2007/0102(COD))

Draftsman: Duarte Freitas

PA_Legam

SHORT JUSTIFICATION

European Commission proposal

The Commission proposes to remove pet animals from the scope of the Council Directive 96/22/EC which would enable the treatment of these kinds of animals with substances having a thyrostatic action and of beta-agonists. The ban on these substances will, however, continue for food-producing animals.

Furthermore the Commission proposes to prohibit entirely the use of oestradiol 17 β and its ester-like derivates in food-producing animals, putting an end to the various derogations that still exist today.

The Commission intends to simplify and to improve the comprehensibility of Community legislation and to maintain and improve the provisions regarding food security considering that these substances may cause important health problems to human beings.

Position of the draftsman

The draftsman envisages achieving a balance between consumer protection, animal welfare and scientific assessment.

Underlining the need to ensure health and welfare of animals by making veterinary medicinal products available, the draftsman welcomes the Commission's proposal to take pet animals out of the scope of the existing legislation on substances having a thyrostatic action and of beta-agonists.

The draftsman notes that a comparison of prices and presentations of products with e.g. a thyrostatic action intended for use on pet animals, shows that it is economically unattractive to use pet products e.g. on cattle. Furthermore, these substances could strongly contribute to improving the well-being of pet animals that suffer from diseases like hyperthyroidism.

The draftsman welcomes the entire prohibition of the use of oestradiol 17 β and its ester like derivates in food producing animals. The draftsman pleads for a rapid adoption of the new provisions, explaining that the changes in relation to the banning of use of oestradiol 17 β and its ester-like derivatives are in line with the conclusions of the Commission report¹ presented in 2005.

The draftsman proposes to take advantage of these changes to Directive 96/22/EC to amend the definition of therapeutic treatment used therein in order to allow the use of beta-agonists to treat navicular disease and laminitis in *equidae* raised for purposes other than meat production.

¹ "Report concerning the availability of alternative veterinary medicinal products to those containing oestradiol 17 β or its ester-like derivatives for the treatment of fetal maceration or mummification in cattle, and for the treatment of pyometra".

AMENDMENTS

The Committee on Agriculture and Rural Development calls on the Committee on the Environment, Public Health and Food Safety, as the committee responsible, to incorporate the following amendments in its report:

Text proposed by the Commission

Amendments by Parliament

Amendment 1 RECITAL 6

(6) It is therefore appropriate to limit the scope of this Directive only to food producing animals and withdraw the prohibition for pet animals.

(6) It is therefore appropriate to limit the scope of this Directive only to food producing animals and withdraw the prohibition for pet animals, ***as well as to adjust the definition of therapeutic treatment.***

Justification

The definition of Therapeutic Treatment must also include the possibility to treat navicular disease and laminitis in horses raised for purposes other than meat production. These two relevant diseases cause important suffering in horses and should be adequately treated.

Amendment 2 ARTICLE 1, POINT -1 (new) Article 1, paragraph 2, point (b) (Directive 96/22/EC)

(-1) In Article 1, paragraph 2, point (b) is replaced by the following:

"(b) 'therapeutic treatment' shall mean the administering - under Article 4 of this Directive - to an individual farm animal of an authorized substance to treat, after examination by a veterinarian, a fertility problem - including the termination of unwanted gestation - and, in the case of beta-agonists, to induce tocolysis in cows when calving as well as to treat respiratory problems, navicular disease and laminitis and to induce tocolysis in equidae raised

for purposes other than meat production;"

Justification

The definition of Therapeutic Treatment must also include the possibility to treat navicular disease and laminitis in horses raised for purposes other than meat production. These two relevant diseases cause important suffering in horses and should be adequately treated.

Amendment 3

ARTICLE 1, POINT 1 A (new)

Article 4, paragraph 2, point (i) (Directive 96/22/EC)

(1a) In Article 4, paragraph 2, point (i) is replaced by the following:

"(i) allyl trenbolone, administered orally, or beta-agonists to equidae raised for purposes other than meat production, provided they are used in accordance with the manufacturer's instructions;"

Justification

The reference to pet animals should be removed from Article 4, point 2(i), in accordance with the new scope of the Directive. Furthermore, Member States should be allowed to authorise the use of beta-agonists to treat respiratory problems, navicular disease and laminitis in horses since alternatives are limited.

Amendment 4

ANNEX

Annex II (Directive 96/22/EC)

List of prohibited substances:

List A:

- Thyrostatic substances,
- Stilbenes, stilbene derivatives, their salts and esters,
- Oestradiol 17 β and its ester-like derivatives.

List B:

List of prohibited substances:

List A: ***prohibited substances***

- Thyrostatic substances,
- Stilbenes, stilbene derivatives, their salts and esters,
- Oestradiol 17 β and its ester-like derivatives.

List B: ***prohibited substances with***

derogations

- Beta-agonists”

- Beta-agonists”

Justification

It is important to clarify that beta-agonist, although prohibited in general, may be used in certain specific cases.

PROCEDURE

Title	Prohibition on the use in stockfarming of certain substances having a hormonal or thyreostatic action and of beta agonists
References	COM(2007)0292 - C6-0154/2007 - 2007/0102(COD)
Committee responsible	ENVI
Opinion by Date announced in plenary	AGRI 7.6.2007
Drafts(wo)man Date appointed	Duarte Freitas 4.7.2007
Discussed in committee	20.11.2007 18.12.2007
Date adopted	18.12.2007
Result of final vote	+: 26 -: 1 0: 0
Members present for the final vote	Sergio Berlato, Bernadette Bourzai, Niels Busk, Luis Manuel Capoulas Santos, Giuseppe Castiglione, Albert Deß, Gintaras Didžiokas, Carmen Fraga Estévez, Duarte Freitas, Ioannis Gklavakis, Lutz Goepel, Friedrich-Wilhelm Graefe zu Baringdorf, Esther Herranz García, Lily Jacobs, Elisabeth Jeggle, Heinz Kindermann, Neil Parish, María Isabel Salinas García, Agnes Schierhuber, Willem Schuth, Czesław Adam Siekierski, Alyn Smith, Dimitar Stoyanov, Donato Tommaso Veraldi
Substitute(s) present for the final vote	Pilar Ayuso, Katerina Batzeli, Esther De Lange