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A7-0082/2009

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*****I**
REPORT

on the proposal for a regulation of the European Parliament and of the Council amending Regulation (EC) No 998/2003 on the animal health requirements applicable to the non-commercial movement of pet animals (COM(2009)0268 – C7-0035/2009 – 2009/0077(COD))

Committee on the Environment, Public Health and Food Safety

Rapporteur: Bairbre de Brún

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 998/2003 on the animal health requirements applicable to the non-commercial movement of pet animals (COM(2009)0268 – C7-0035/2009 – 2009/0077(COD))

(Codecision procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to the European Parliament and the Council (COM(2009)0268),
 - having regard to Article 251(2) and Articles 37 and 152(4)(b) of the EC Treaty, pursuant to which the Commission submitted the proposal to Parliament (C7-0035/2009),
 - having regard to Article 294(3) of the Treaty on the Functioning of the European Union,
 - having regard to Rule 55 of its Rules of Procedure,
 - having regard to the report of the Committee on the Environment, Public Health and Food Safety (A7-0082/2009),
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 the Commission.

Amendment 1

Proposal for a regulation – amending act

Article 1 - point 2

Regulation (EC) No 998/2003

Article 5 - paragraph 1 - point b - point ii

Text proposed by the Commission

(ii) where necessary, preventive measures regarding other diseases were carried out on the animal in question.'

Amendment

(ii) where necessary, preventive **health** measures regarding other diseases were carried out on the animal in question.'

Justification

This addition is to specify that the preventive measures have to be directly related to health.

Amendment 2

Proposal for a regulation – amending act

Article 1 - point 3

Regulation (EC) No 998/2003

Article 5 - paragraph 1

Text proposed by the Commission

Amendment

'The preventive measures referred to in point (b)(ii) may be laid down by the Commission. Those measures, designed to amend non-essential elements of this Regulation by supplementing it, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 24(4).'

'The preventive **health** measures referred to in point (b)(ii) may be laid down by the Commission. Those measures, designed to amend non-essential elements of this Regulation by supplementing it, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 24(4).'

Justification

See justification to Am 1.

Amendment 3

Proposal for a regulation – amending act

Article 1 - point 5

Regulation (EC) No 998/2003

Article 8 - paragraph 1 - point b - point ii

Text proposed by the Commission

Amendment

'(ii) until 31 December 2011, one of the Member States listed in part A of Annex II, either immediately or after transit through one of the territories listed in part B of Annex II, be placed in quarantine.'

'(ii) until 31 December 2011, one of the Member States listed in part A of Annex II, either immediately or after transit through one of the territories listed in part B of Annex II, be placed in quarantine **unless they have been brought into conformity with the requirements of Article 6 after their entry into the Union.**'

Justification

This addition reflects a logical, technical rectification of an omission in the proposed text.

EXPLANATORY STATEMENT

Introduction

The harmonised rules for the non-commercial movement of pets within and into the Community are laid down in Regulation (EC) No 998/2003.

These rules provide for a 'general regime' requiring pets (cats, dogs and ferrets) travelling between Member States to be identified and accompanied by a passport giving proof of an anti-rabies vaccination.

They also provide for a transitional regime, allowing certain Member States to apply more stringent requirements, depending on the disease.

The Commission proposal

The transitional regime as regards rabies was initially to come to an end in October 2008. It was subsequently extended by Regulation No 454/2008 to June 2010 and the Commission is now proposing that it run until 31 December 2011, for movements of pets both between Member States and from third countries. It is proposed that the transitional regime as regards echinococcosis and ticks, too, should apply until 31 December 2011.

The end of the proposed extension coincides better with the period when the European Commission expects to terminate EU funding of vaccination programmes to eradicate sylvatic rabies in some Member States, which is the main rabies problem in the EU.

Depending on the situation, the Commission has the possibility to introduce measures concerning other diseases (i.e. echinococcosis and ticks but also others) under comitology procedures if required.

In addition, some technical adaptations are proposed, *inter alia* on:

- identification of a pet (Article 1(1) of and Annex Ia to the Commission proposal);
- the technical requirements for the anti-rabies vaccination (Article 1(2) of and Annex Ib to the Commission proposal)
- the comitology procedures applying to new point (b)(ii) in Article 5(1), and to Annex Ia (Article 1(8) of the Commission proposal).

Conclusion

The rapporteur recommends adoption of this Commission proposal and does not intend to table any amendments other than three technical changes resulting from typographical errors in the Commission proposal.

The Commission has opted for a careful precautionary approach, giving priority to prevention and to additional health considerations related to the internal market and free movement of

pets.

The different policy options have been compared and considered by the Commission, taking into account the various EFSA opinions.

The proposed date for ending the transitional regimes will allow the infrastructure to be converted and the staff in place to be retrained gradually and adapt to the new situation.

PROCEDURE

| | |
|---|---|
| Title | Animal health requirements applicable to the non-commercial movement of pet animals |
| References | COM(2009)0268 – C7-0035/2009 – 2009/0077(COD) |
| Date submitted to Parliament | 16.6.2009 |
| Committee responsible Date announced in plenary | ENVI 14.7.2009 |
| Committee(s) asked for opinion(s) Date announced in plenary | AGRI 14.7.2009 |
| Not delivering opinions Date of decision | AGRI 2.9.2009 |
| Rapporteur(s) Date appointed | Bairbre de Brún 11.9.2009 |
| Discussed in committee | 4.11.2009 |
| Date adopted | 1.12.2009 |
| Result of final vote | +: 35 -: 0 0: 1 |
| Members present for the final vote | Elena Oana Antonescu, Pilar Ayuso, Paolo Bartolozzi, Milan Cabrnoch, Nessa Childers, Chris Davies, Bairbre de Brún, Esther de Lange, Anne Delvaux, Karl-Heinz Florenz, Gerben-Jan Gerbrandy, Jolanta Emilia Hibner, Karin Kadenbach, Christa Kläß, Corinne Lepage, Peter Liese, Marisa Matias, James Nicholson, Vladko Todorov Panayotov, Gilles Pargneaux, Antonyia Parvanova, Andres Perello Rodriguez, Sirpa Pietikäinen, Pavel Poc, Vittorio Prodi, Carl Schlyter, Catherine Soullie, Anja Weisgerber, Åsa Westlund, Glenis Willmott, Sabine Wils |
| Substitute(s) present for the final vote | Christofer Fjellner, Mairead McGuinness, Judith A. Merkies, Miroslav Mikolášik |
| Substitute(s) under Rule 187(2) present for the final vote | Silvia-Adriana Țicău |