



**2021/0055(COD)**

18.5.2021

# **AMENDMENTS**

## **5 - 19**

**Draft report**

**Pascal Canfin**

(PE691.399v01-00)

Amending Regulation (EU) 2017/625 as regards official controls on animals and products of animal origin exported from third countries to the Union to ensure compliance with the prohibition of certain uses of antimicrobials

Proposal for a regulation

(COM(2021)0108 – C9-0094/2021 – 2021/0055(COD))



## Amendment 5

Agnès Evren, Anne Sander

### Proposal for a regulation

#### Recital 1 a (new)

*Text proposed by the Commission*

*Amendment*

***(1a) Regulation (EC) No 853/2004 of the European Parliament and of the Council of 29 April 2004 lays down specific hygiene rules on the hygiene of foodstuffs, including, pursuant to point (i) of point (c) of Article 6 thereof, ‘products of animal origin from outside the Community’;***

Or. fr

## Amendment 6

Ivan David, Joëlle Mélin, Aurélie Beigneux, Catherine Griset, Annika Bruna

### Proposal for a regulation

#### Recital 3

*Text proposed by the Commission*

*Amendment*

(3) Under Article 118(1) of Regulation (EU) 2019/6, third country operators exporting animals and products of animal origin to the Union are required to respect the prohibition of the use of antimicrobials for growth promotion and yield increase, as well as the prohibition of the use of antimicrobials reserved for treatment of certain infections in humans in order to preserve the efficacy of those antimicrobials.

(3) Under Article 118(1) of Regulation (EU) 2019/6, third country operators exporting animals and products of animal origin to the Union are required to respect the prohibition of the use of antimicrobials for growth promotion and yield increase, as well as the prohibition of the use of antimicrobials reserved for treatment of certain infections in humans in order to preserve the efficacy of those antimicrobials. ***As set out in that Regulation, any such requirements on operators in third countries would need to respect Union obligations under relevant international agreements. The inspections and controls of compliance of Member State operators with those prohibitions should be carried out in accordance with Chapter VIII of that Regulation.***

### Justification

*The proposed addition to recital 3 explains that controls of compliance on the use of antimicrobials also for commodities imported from third countries are in line with WTO rules, which stipulate that a WTO member may require imported commodities to meet the same regulatory requirements as producers in their territory.*

## Amendment 7 Marlene Mortler

### Proposal for a regulation Recital 4

#### *Text proposed by the Commission*

(4) Article 118 of Regulation (EU) 2019/6 builds on the One Health Action Plan against antimicrobial resistance ('AMR')<sup>9</sup>, by enhancing the prevention and control of AMR and promoting a more prudent and responsible use of antimicrobials in animals. This is also reflected in the Commission's Farm to Fork Strategy<sup>10</sup>, in which the Commission has set the ambitious target of reducing by 50% overall EU sales of antimicrobials used for farmed animals and in aquaculture by 2030.

#### *Amendment*

(4) Article 118 of Regulation (EU) 2019/6 builds on the One Health Action Plan against antimicrobial resistance ('AMR')<sup>9</sup>, by enhancing the prevention and control of AMR and promoting a more prudent and responsible use of antimicrobials in animals. ***Moreover, the medically indicated use of antimicrobials contributes to animal welfare by ensuring healthy animals as well as providing safe and nutritious food, thus complementing the One Health approach. In this regard, the decrease in antimicrobial sales in livestock farming since 2011 is acknowledged<sup>1a</sup>.*** This is also reflected in the Commission's Farm to Fork Strategy<sup>10</sup>, in which the Commission has set the ambitious target of reducing by 50% overall EU sales of antimicrobials used for farmed animals and in aquaculture by 2030.

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<sup>1a</sup> ***European Medicines Agency, Sales of veterinary antimicrobial agents in 31 European countries in 2017, October 2019, <https://www.ema.europa.eu/en/documents/report/sales-veterinary-antimicrobial-agents-31-european-countries->***

<sup>9</sup> European Commission, A European One Health Action Plan against Antimicrobial Resistance (AMR), June 2017, [https://ec.europa.eu/health/sites/health/files/antimicrobial\\_resistance/docs/amr\\_2017\\_action-plan.pdf](https://ec.europa.eu/health/sites/health/files/antimicrobial_resistance/docs/amr_2017_action-plan.pdf).

<sup>10</sup> Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions of 20 May 2020, A Farm to Fork Strategy for a fair, healthy and environmentally-friendly food system, COM (2020) 381 final.

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<sup>9</sup> European Commission, A European One Health Action Plan against Antimicrobial Resistance (AMR), June 2017, [https://ec.europa.eu/health/sites/health/files/antimicrobial\\_resistance/docs/amr\\_2017\\_action-plan.pdf](https://ec.europa.eu/health/sites/health/files/antimicrobial_resistance/docs/amr_2017_action-plan.pdf).

<sup>10</sup> Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions of 20 May 2020, A Farm to Fork Strategy for a fair, healthy and environmentally-friendly food system, COM (2020) 381 final.

Or. en

## **Amendment 8**

**Ivan David, Joëlle Mélin, Aurélie Beigneux, Catherine Griset, Annika Bruna**

### **Proposal for a regulation**

#### **Recital 4**

*Text proposed by the Commission*

(4) Article 118 of Regulation (EU) 2019/6 builds on the One Health Action Plan against antimicrobial resistance ('AMR')<sup>9</sup>, by enhancing the prevention and control of AMR and promoting a more prudent and responsible use of antimicrobials in animals. This is also reflected in the Commission's Farm to Fork Strategy<sup>10</sup>, in which the Commission has set the ambitious target of reducing by 50% overall EU sales of antimicrobials used for farmed animals and in aquaculture by 2030.

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<sup>9</sup> European Commission, A European One Health Action Plan against Antimicrobial Resistance (AMR), June 2017,

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*Amendment*

(4) Article 118 of Regulation (EU) 2019/6 builds on the One Health Action Plan against antimicrobial resistance ('AMR')<sup>9</sup>, by enhancing the prevention and control of AMR and promoting a more prudent and responsible use of antimicrobials in animals. This is also reflected in the Commission's Farm to Fork Strategy<sup>10</sup>, in which the Commission has set the ambitious target of reducing by 50% overall EU sales of antimicrobials used for farmed animals and in aquaculture by 2030 **as well as in the Council Conclusions of 19 October 2020 on that Strategy**<sup>1a</sup>.

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<sup>1a</sup> **Document ST 12099/20**

<sup>9</sup> European Commission, A European One Health Action Plan against Antimicrobial Resistance (AMR), June 2017,

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[https://ec.europa.eu/health/sites/health/files/antimicrobial\\_resistance/docs/amr\\_2017\\_action-plan.pdf](https://ec.europa.eu/health/sites/health/files/antimicrobial_resistance/docs/amr_2017_action-plan.pdf).

<sup>10</sup> Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions of 20 May 2020, A Farm to Fork Strategy for a fair, healthy and environmentally-friendly food system, COM (2020) 381 final.

[https://ec.europa.eu/health/sites/health/files/antimicrobial\\_resistance/docs/amr\\_2017\\_action-plan.pdf](https://ec.europa.eu/health/sites/health/files/antimicrobial_resistance/docs/amr_2017_action-plan.pdf).

<sup>10</sup> Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions of 20 May 2020, A Farm to Fork Strategy for a fair, healthy and environmentally-friendly food system, COM (2020) 381 final.

Or. en

### *Justification*

*It is proposed to add a reference to the Council conclusions on this strategy. In an effort to speed up negotiations during the interinstitutional negotiations, the text is taken from a proposal from the Portuguese Presidency to the Council.*

## **Amendment 9** **Pascal Canfin**

### **Proposal for a regulation** **Recital 5 a (new)**

*Text proposed by the Commission*

*Amendment*

***(5a) In accordance with Article 18(7)(g) of Regulation (EU) 2017/625, the Commission is to adopt specific rules for the performance of official controls on criteria and conditions to determine, in relation to Pectinidae, marine gastropods and Holothuroidea, when production and relaying areas are not to be classified. Holothuroidea are a class of the phylum Echinoderms. Echinoderms are generally not filter feeder animals. Consequently, the risk of such animals accumulating micro-organisms related to faecal contamination is remote. In addition, no epidemiological information has been reported which could link public health risks to Echinoderms that are not filter feeders. For this reason, the possibility laid down in Article 18(7)(g) of Regulation (EU) 2017/625 to derogate from the***

*requirement to classify the production and relaying areas should be extended to all echinoderms which are not filter feeders, for example those belonging to class Echinoidea, and not be limited to Holothuroidea. For the same reason, it should be clarified that the conditions for the classification and monitoring of classified production and relaying areas to be laid down by the Commission apply to live bivalve molluscs, echinoderms, tunicates and marine gastropods, except those marine gastropods and echinoderms that are not filter feeders. The terminology used in Article 18(6) to (8) of Regulation (EU) 2017/625 should be aligned accordingly.*

Or. en

**Amendment 10**  
**Anja Hazekamp**

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point -1 (new)**  
Regulation (EU) 2017/625  
Article 1 – paragraph 2 – point (e)

*Text proposed by the Commission*

*Amendment*

**(-1)** *Article 1(2) point (e) is replaced by the following:*

***“(e) prevention and minimisation of risks to human and animal health arising from animal by-products and derived products, and of risks arising from the use of antimicrobials for growth promotion and yield increase as well as the use of antimicrobials reserved for treatment of certain infections in humans in animals and animal products imported in the EU;”***

Or. en

### *Justification*

*The current objectives as set out in Article 1(2) of the Official Controls Regulation do not contain a provision which covers the content of the extension of this Regulation to Article 118(1) of Regulation (EU) 2019/6. In order to ensure legal clarity and certainty, it is appropriate to insert an explicit mention in Article 1(2) of the OCR.*

#### **Amendment 11**

**Ivan David, Joëlle Mélin, Aurélie Beigneux, Catherine Griset, Annika Bruna**

#### **Proposal for a regulation**

**Article 1 – paragraph 1 – point -1 (new)**

Regulation (EU) 2017/625

Article 1 – paragraph 3 a (new)

*Text proposed by the Commission*

*Amendment*

**-1 In Article 1, the following paragraph is inserted:**

**“3a. This Regulation shall also apply to official controls performed on animals and products of animal origin entering the Union from third countries to verify their compliance with the requirements laid down in Article 118 Regulation (EU) 2019/6 of the European Parliament and of the Council.”**

Or. en

### *Justification*

*It is proposed to provide that the Regulation on official controls, after the entry into force of Regulation 2019/6 on veterinary medicinal products, will also be applicable to checks that animals and products of animal origin imported from third countries comply with the requirements laid down in this Regulation. Authorization to use it is given in Article 118 of Regulation 2019/6 on veterinary medicinal products. This amendment follows the substantive and procedural law of EU law on the use of antimicrobials in relation to the previous proposal.*

#### **Amendment 12**

**Ivan David, Joëlle Mélin, Aurélie Beigneux, Catherine Griset, Annika Bruna**

#### **Proposal for a regulation**

**Article 1 – paragraph 1 – point 1**



Regulation (EU) 2017/625  
Article 1 – paragraph 4 – point c

*Text proposed by the Commission*

*Amendment*

**(c) Regulation (EU) 2019/6 of the European Parliament and of the Council<sup>1</sup>; however, this Regulation shall apply to official controls for the verification of compliance with Article 118(1) of that Regulation.**

**deleted**

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<sup>1</sup> \* **Regulation (EU) 2019/6 of the European Parliament and of the Council of 11 December 2018 on veterinary medicinal products and repealing Directive 2001/82/EC (OJ L 4, 7.1.2019, p. 43).;**

Or. en

*Justification*

*The current wording of Regulation 2017/625 in Article 1 (4) (c) provides that the Regulation on official controls cannot be used to check that animals and products of animal origin from third countries comply with the requirements currently laid down in Directive 2001/6 of the European Parliament and of the Council. 82 / EC on the Community code relating to veterinary medicinal products, which regulates the use of antimicrobials in agriculture and food. This exclusion effectively makes it impossible to carry out checks on imported animals and products of animal origin from third countries to ensure that antimicrobials, the use of which is prohibited in the EU, have not been used in their production. It is proposed to cancel this exclusion. The following amendment will insert a reference to Regulation 2019/6 / EU on veterinary medicinal products with effect from the date of entry into force of this Regulation.*

**Amendment 13**  
**Pascal Canfin**

**Proposal for a regulation**  
**Article 1 – paragraph 1 a (new)**  
Regulation (EU) 2017/625  
Article 18

*Text proposed by the Commission*

*Amendment*

**(1a) Article 18 is amended as follows:**  
**(a) paragraph 6 is replaced by the**

*following:*

*“6. For the purposes of official controls referred to in paragraph 1 performed in relation to live bivalve molluscs, echinoderms, tunicates and marine gastropods, the competent authorities shall classify production and relaying areas.”*

*(b) in paragraph 7, point (g) is replaced by the following:*

*“(g) criteria and conditions to determine, by way of derogation from paragraph 6, when production and relaying areas are not to be classified in relation to:*

*(i) Pectinidae, and*

*(ii) where they are not filter feeders: echinoderms, tunicates and marine gastropods;”*

*(c) in paragraph 8, point (b) is replaced by the following:*

*“(b) the conditions for the classification and monitoring of classified production and relaying areas for live bivalve molluscs, echinoderms, tunicates and marine gastropods;”*

Or. en

#### **Amendment 14**

**Ivan David, Joëlle Mélin, Aurélie Beigneux, Catherine Griset, Annika Bruna**

#### **Proposal for a regulation**

**Article 1 – paragraph 1 – point 1 a (new)**

Regulation (EU) 2017/625

Article 18 – paragraph 7 – point g

*Text proposed by the Commission*

*Amendment*

*(1 a) in Article 18(7), point (g) is replaced by the following:*

*“(g) criteria and conditions to determine, in relation to Pectinidae, marine gastropods and Echinoderms which are*

*not filter feeders, by way of derogation from paragraph 6, when production and relaying areas are not to be classified”.*

Or. en

*Justification*

*The proposal concerns the implementation of controls on animals that feed by filtering water. The AM was tabled in the Council by the Portuguese Presidency. It is now discussing in the Council. AM is tabled to the committee ENVI to speeding up the co-legislators' agreement and simplify the trilogue. According to the version approved by the Council, it can be modified in committee by the CAM.*

**Amendment 15**

**Agnès Evren, Anne Sander**

**Proposal for a regulation**

**Article 1 a (new)**

Regulation (EC) No 853/2004

Article 1 – paragraph 3 – point d

*Text proposed by the Commission*

*Amendment*

*Article 1 a*

*Regulation (EC) 853/2004 is amended as follows:*

*In Article 1(3), point (d) is replaced by the following:*

*“(d) the direct supply, by the producer, of small quantities of meat from poultry and lagomorphs slaughtered on the farm to the final consumer or to local retail establishments directly supplying such meat to the final consumer;”.*

Or. fr

**Amendment 16**

**Nathalie Colin-Oesterlé**

**Proposal for a regulation**

**Article 1 a (new)**

Regulation (EC) No 853/2004

Article 1 – paragraph 3 – point d

*Text proposed by the Commission*

*Amendment*

***Article 1 a***

***Regulation (EC) 853/2004 is amended as follows:***

***In Article 1(3), point (d) is replaced by the following:***

***“(d) the direct supply, by the producer, of small quantities of meat from poultry and lagomorphs slaughtered on the farm to the final consumer or to local retail establishments directly supplying such meat to the final consumer;”.***

Or. fr

**Amendment 17**

**Ivan David**

**Proposal for a regulation**

**Article 1 a (new)**

Regulation (EC) No 853/2004

Article 1 – paragraph 3 – point d

*Text proposed by the Commission*

*Amendment*

***Article 1 a***

***Regulation (EC) 853/2004 is amended as follows:***

***In Article 1(3), point (d) is replaced by the following:***

***“(d) the direct supply, by the producer, of small quantities of meat from poultry and lagomorphs slaughtered on the farm to the final consumer or to local retail establishments directly supplying such meat to the final consumer;”.***

Or. en

*Justification*

*Until the end of 2020, the old Member States had an exception allowing for the slaughter of*

*lagomorphs and poultry on the farm and the sale of meat and meat products from them directly to the final consumer or to retailers. AM proposes to re-use this model in all EU Member States.*

## **Amendment 18**

**Pascal Canfin**

### **Proposal for a regulation**

#### **Article 2 – paragraph 2**

*Text proposed by the Commission*

It shall apply from 28 January 2022.

*Amendment*

***It shall apply from the date of its entry into force. However, point (1) of Article 1 shall apply from 28 January 2022.***

Or. en

## **Amendment 19**

**Ivan David**

### **Proposal for a regulation**

#### **Article 2 – paragraph 2**

*Text proposed by the Commission*

It shall apply from 28 January 2022.

*Amendment*

***It shall apply from 28 January 2022, with the exception of Article 1a, which shall apply from the date of entry into force.***

Or. en

#### *Justification*

*It is proposed that the whole amendment to the Regulation be applicable from 28 February 2021 - from the same date as the Regulation 2019/6 is applicable. In the case of an amendment to the Regulation 853/2004, is proposed applicability on the date of entry into force - the twentieth day after its publication in the Official Journal. There is an urgent legal interest in the renewal of the sales regime, which the Commission has failed to extend.*