

EUROPEAN PARLIAMENT

# Working Documents

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DOCUMENT 1-619/79

## Report

drawn up on behalf of the Committee on the Environment, Public Health and Consumer Protection

**on the proposal from the Commission of the European Communities to the Council (Doc. 1-231/79) for a directive amending Directive No 71/118/EEC on health problems affecting trade in fresh poultrymeat**

**Rapporteur: Mr F. COMBE**

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By letter of 12 July 1979 the President of the Council of the European Communities requested the European Parliament to deliver an opinion on the proposal from the Commission of the European Communities to the Council for a Directive amending Directive 71/118/EEC on health problems affecting trade in fresh poultrymeat.

The President of the European Parliament referred this proposal to the Committee on the Environment, Public Health and Consumer Protection.

On 25 September 1979 the Committee on the Environment, Public Health and Consumer Protection appointed Mr F. Combe rapporteur.

It considered this proposal at its meetings of 23 October and 22 December 1979.

At the same meeting the committee unanimously adopted the motion for a resolution and the explanatory statement.

Present: Mr Alber, acting chairman; Mr Johnson and Mrs Weber, vice-chairmen, Mrs Pruvot (deputizing for Mr Combe, rapporteur), Mr Adam (deputizing for Mrs Seibel-Emmerling), Mr Ceravolo (deputizing for Mr Segre), Mr Estgen, Mr Ghergo, Miss Hooper, Mrs Krouwel-Vlam, Mrs Maij-Weggen, Mr Mertens, Mr Muntingh, Mrs Roudy, Mrs Schleicher, Mr Sherlock, Mrs Spaak, Mrs Squarcialupi and Mr Verroken.

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A

The Committee on the Environment, Public Health and Consumer Protection hereby submits to the European Parliament the following motion for a resolution together with explanatory statement:

MOTION FOR A RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Directive amending Directive 71/118/EEC on health problems affecting trade in fresh poultrymeat.

The European Parliament,

- having regard to the proposal from the Commission of the European Communities to the Council<sup>1</sup>,
  - having been consulted by the Council pursuant to Article 100 of the EEC Treaty (Doc. 1-231/79),
  - having regard to the report of the Committee on the Environment, Public Health and Consumer Protection (Doc. 1-619/79),
1. Welcomes this proposal, which constitutes a definitive solution for relatively large traditional producers of foie gras and all other small poultry farmers in certain regions of the European Communities;
  2. Considers, however, that a number of the terms used must be more clearly explained;
  3. Considers it necessary to supplement the provisions on hygiene for these production methods, allowed by way of definitive derogation from the basic Directive, and to ensure that these provisions are respected;
  4. Approves therefore, with these reservations, the Commission's proposal.

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<sup>1</sup> OJ No. C 177, 14.7.1979, p. 3

EXPLANATORY STATEMENTI. CONTENT OF THE COMMISSION'S PROPOSAL

1. The Commission of the European Communities submitted a proposed amendment, with the purpose of placing on a permanent basis certain temporary derogations from the basic Directive 71/118/EEC on health problems affecting trade in fresh poultrymeat which the Council had approved in July 1975.

2. The 1971 basic Directive provides that trade in fresh poultrymeat shall be allowed only if the poultry has been slaughtered in an approved and supervised slaughterhouse.

3. However, Article 3(5) of the July 1975 amending Directive (75/431/EEC) states that 'until 15 August 1981, Member States may authorize the supply of fresh poultrymeat in small quantities by farmers raising poultry on a small scale,

- either directly to the final consumer at the weekly markets nearest to their holdings,
- or to retailers with a view to direct sale to the final consumer, provided that such retailers pursue their activity in the same locality as that of the producer or in a neighbouring locality.

This exception shall not apply in respect of itinerant sale, sale by mail order, or as regards the retailer, sale on a market. Member States shall take the necessary measures to ensure health controls for such transactions.'

4. The expiry of this derogation after the above-mentioned final date would put small-scale producers, who account for a considerable part of foie gras production, in such difficulty that they would no longer be able to pursue their business. In particular, the method of production makes the evisceration of the recently slaughtered ducks or geese impossible without seriously damaging the liver.

5. For these reasons the following measures are proposed:

- to allow, without limitation of time, the slaughtering of geese and ducks to take place on the farm where they have been reared, evisceration to be carried out within 24 hours on approved and supervised cutting premises,
- to allow small-scale producers to continue to supply fresh poultrymeat

direct to the final consumers after 15 August 1981, the date specified in the July 1975 Directive,

- the removal of the time-limit in respect of these derogations from the basic Directive shall, of course, be made subject to the fulfilment of additional requirements concerning hygiene.

## II. SPECIAL REMARKS

6. The Committee on the Environment, Public Health and Consumer Protection is, in principle, favourable to this proposed amendment, which allows the traditional producers of foie gras from geese and ducks to retain their production methods for an unlimited period, subject to additional requirements concerning hygiene.

7. However, it considers that too free an interpretation of the derogations from the basic Directive ought to be avoided, in order to ensure that the fundamental objectives of the 1971 Directive concerning public health, consumer protection and the regulation of the Community market are duly respected.

8. It is therefore proposed that the terms used in the definitively approved derogations be clearly defined and that the hygiene and inspection requirements be made compulsory.

9. The committee considers it necessary to define more precisely terms such as 'producers on a small scale', 'small quantities', 'weekly markets' and 'retail trade' in order to ensure uniform conditions of competition for a market which, to a considerable extent, is still controlled by poultry farmers and poultry merchants.

10. In this connection it must also be noted that trade in fresh poultrymeat is characterized by certain traditional sales practices which are covered by heading 02.02 of the Common Customs Tariff. Slaughtered poultry is sold as '83% chickens' (i.e. plucked and gutted, with heads and feet), '70% chickens' (i.e. plucked and drawn, without heads and feet but with hearts, livers and gizzards) or '65% chickens' (i.e. without heads, feet or entrails). The corresponding figures for ducks are 85%, 70% and 63% and for geese 82% and 75%.

11. Moreover certain studies have shown that slaughtered poultry with all the entrails removed cannot be preserved as well as if only eviscerated. It would seem that, for various reasons, many consumers like to buy slaughtered, plucked, bled and eviscerated poultry which has had the heads, feet, heart, livers and gizzards removed on the spot.

12. With regard to the above (points 9 and 10), a popular misunderstanding must be cleared up. Small-scale poultry breeders and merchants feel that their livelihood is being threatened. They fear that normal sales of 'volaille effilée' or slaughtered poultry which is plucked, bled and only eviscerated, in particular cocks, hens, chickens, ducks and geese expressed in percentages (see CCT), will no longer be permitted, as the provisions of the existing directive are due to expire on 15 August 1981. The opposite is in fact true.

13. According to the recitals of the present proposal the Commission has no intention of ending these traditional sales practices, which can apparently continue unchanged for all types of poultry. This is to be made possible by abolishing the time-limit of 15 August 1981 in Article 3(5) of the 1975 directive, on the understanding that this matter will be left to the Member States.

14. For the above reasons, additional information is perhaps necessary on Member States' health control measures in respect of sales practices for which derogations have been granted since 1975 and which will therefore be permitted on a permanent basis.

15. Finally, the new proposed amendment specifies that ante mortem inspection of geese and ducks in particular may take place in the last week of fattening. In the 1971 basic directive, however, it is stipulated that this should take place within 24 hours after arrival at the slaughterhouse and must be repeated if more than 24 hours have elapsed between inspection and slaughter. This relaxation of inspection rules for animal slaughter in small businesses which generally employ fewer than ten people is a sensible and practical measure.

### III. CONCLUSION

16. On the basis of the above interpretation of the proposed definitive derogation in the basic directive 71/118/EEC to help small-scale poultry farmers in general and producers of foie gras from geese and ducks in particular, the committee approves the proposed amendment.