



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 06.11.1995
COM(95) 525 final

95/0267 (CNS)

Proposal for a

COUNCIL DIRECTIVE

amending the Annex to Directive 85/73/EEC on the financing of veterinary
inspections and controls of animal products covered by Annex A
to Directive 89/662/EEC and by Directive 90/675/EEC

(presented by the Commission)

EXPLANATORY MEMORANDUM

Directive 85/73/EEC⁽¹⁾, as amended by Directive 93/118/EC⁽²⁾, lays down general rules on the financing of veterinary inspections of animal products produced in the Community or imported from third countries.

In the case of poultrymeat covered by Directive 71/118/EEC⁽³⁾, the minimum amount to be collected for ante-mortem and post-mortem inspections was fixed until 31 December 1995. This proposal aims to maintain the status quo. In this respect, Article 4 of Directive 85/73/EEC provides that the fees are to be payable by the operator or owner of the establishment, who is to have the option of passing on the cost of the fee for the operation concerned to the natural or legal person on whose behalf the said operation is carried out. Those provisions are sufficiently flexible for a distinction to be made between the costs of ante-mortem inspections and those arising from post-mortem inspections.

The Council is requested to consult the European Parliament on the proposal.

⁽¹⁾ OJ No L 32, 5.2.1985, p.14.

⁽²⁾ OJ No L 340, 31.12.1993, p.15.

⁽³⁾ OJ No L 55, 8.3.1971, p.23.

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THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 85/73/EEC of 29 January 1985 on the financing of veterinary inspections and controls of animal products covered by Annex A to Directive 89/662/EEC and by Directive 90/675/EEC⁽¹⁾, as last amended by Directive 93/118/EC⁽²⁾, and in particular Article 6(2) thereof,

Having regard to the proposal from the Commission⁽³⁾,

Having regard to the opinion of the European Parliament⁽⁴⁾,

Whereas, in the case of poultrymeat covered by Council Directive 71/118/EEC⁽⁵⁾, as last amended by the Act of Accession of Austria, Finland and Sweden, the provisions on the minimum amount to be collected for ante-mortem and post-mortem inspections should be maintained;

Whereas the maintenance of those provisions is warranted both on the grounds of experience gained and by the concern for stable rules applying to national authorities and operators,

⁽¹⁾ OJ No L 32, 5.2.1985, p.14.

⁽²⁾ OJ No L 340, 31.12.1993, p.15.

⁽³⁾ OJ No C

⁽⁴⁾ OJ No C

⁽⁵⁾ OJ No L 55, 8.3.1971, p.23.

HAS ADOPTED THIS DIRECTIVE:

Article 1

In Chapter I of the Annex to Directive 85/73/EEC, the words «Until 31 December 1995» are hereby deleted from the introductory part of point 1(e).

Article 2

1. By 31 December 1995 at the latest, the Member States shall introduce the laws, regulations and administrative provisions required to comply with this Directive. They shall immediately inform the Commission thereof.

The provisions adopted by the Member States shall contain a reference to this Directive or shall be accompanied by such a reference on their official publication. The way such reference is to be made shall be decided by the Member States.

2. The Member States shall forward to the Commission the main provisions of national law which they adopt within the scope of this Directive.

Article 3

This Directive shall enter into force on the day of its publication in the Official Journal of the European Communities.

Article 4

This Directive is addressed to the Member States.

Done at Brussels,

For the Council
The President

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