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REPORT

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

on the proposal from the Commission of the European Communities  
to the Council (COM(85) 192 final - Doc. C 2-38/85) for a  
directive concerning the examination of animals and fresh meat  
for the presence of residues

Rapporteur : Mr Kenneth D. COLLINS

PE 101 263/fin.  
Or.En.



By letter of 30.5.1985, the President of the Council of the European Communities requested the European Parliament to deliver an opinion, pursuant to Article 100 of the EEC Treaty on the proposal from the Commission of the European Communities to the Council for a directive concerning the examination of animals and fresh meat for the presence of residues.

On 10.6.1985, the President of the European Parliament referred the proposal to the Committee on the Environment, Public Health and Consumer Protection as the committee responsible and to the Committee on Agriculture for an opinion.

At its meeting on 27.6.85 the Committee on the Environment, Public Health and Consumer Protection appointed Mr COLLINS rapporteur.

The committee considered the Commission's proposal and the draft report at its meetings of 30 October 1985, 22 January and 24 February 1986.

At the last meeting the committee decided unanimously to recommend to Parliament that it approve the Commission's proposal with the following amendments.

The committee then unanimously adopted the motion for a resolution as a whole.

The following took part in the vote: Schleicher (vice-chairman and acting chairman); Collins (vice-chairman and rapporteur); Avgerinos (deputizing for Schmid), Boesmans (deputizing for Tognoli), Bombard, Elliott (deputizing for Weber), Garcia V. (deputizing for Veil), Hughes, Jackson Car., Lambrias (deputizing for Parodi), van der Lek, Lentz-Cornette, Llorca Vilaplana, Mertens, Muntingh, Sherlock, Squarcialupi, Tongue, Vittinghoff.

The opinion of the Committee on Agriculture is attached.

The report was tabled on 12 March 1986.

The deadline for tabling amendments to this report will be indicated in the draft agenda for the part-session at which it will be debated.

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

Proposal for a Council Directive concerning the examination of animals and fresh meat for the presence of residues

Text proposed by the Commission  
of the European Communities

Amendments tabled by the Committee on the Environment, Public Health and Consumer Protection

Preamble, recitals and Article 1 unchanged

Amendment no.1

Article 2

Article 2

(c) "Residue" means residue of substances having a pharmacological action and of conversion products thereof and other substances transmitted to meat which are likely to be dangerous to human health.

(c) "Residue" means residue of substances (15 words deleted) which are likely to be dangerous to human health.

Article 3 and Article 4 (1) and (2) (a) unchanged

Amendment no.2

Article 4

Article 4

2. (b) An investigation of the source or sources of the substance concerned is made as necessary at the levels of administration, distribution, sale, transport, handling, storage and manufacture.

2. (b) An investigation of the source or sources of the substance concerned is made as necessary at the levels of administration, distribution, sale, transport, handling, storage and manufacture.

Articles 5 to 12 unchanged

Annex

Chapter I

Group II Other substances with oestrogenic,  
androgenic or gestagenic action  
used for fattening.

Chapter II

7. Group II

(a) Trenbolone and Zeranol

Member States shall at least apply the  
sampling levels and frequencies laid  
down for Group Ia substances.

(b) Oestradiol 17B, Testosterone and Proges-  
terone

Member States shall ensure that the population  
of bovine animals for fattening is sampled  
annually at the sampling frequency laid down  
for Group III substances.

For each sample taken an examination shall be  
made at least for those substances which are  
atypical for the sex and physiological status  
of the animal concerned.

Articles 8, 9 and 10 unchanged

Amendment no.3

Annex

Chapter I

Group II Other substances with  
oestrogenic, androgenic or gestagenic  
action used for therapeutic purposes.

Remainder unchanged

Amendment no.4

Chapter II

7. Group II

(a) Trenbolone, Zeranol, Oestradiol 17B,  
Testosterone and Progesterone

Member States shall at least apply  
the sampling levels and frequencies  
laid down for Group Ia substances.

Remainder deleted

MOTION FOR A RESOLUTION

closing the procedure for consultation of the European Parliament on the proposal from the Commission of the European Communities to the Council for a directive concerning the examination of animals and fresh meat for the presence of residues

The European Parliament,

- having regard to the proposal from the Commission to the Council<sup>1</sup>,
  - having been consulted by the Council (Doc. C 2-38/85),
  - having regard to the report of the Committee on the Environment, Public Health and Consumer Protection and the Opinion of the Committee on Agriculture, Fisheries and Food (Doc. A 2-5/86),
  - having regard to the result of the vote on the Commission's proposal,
- A. Whereas any ban or restrictions on the use of anabolics or other substances having an undesirable effect cannot be effective without a system of controls which is capable of enforcement;
1. Welcomes the proposal which provides for controls and frequency of testing according to common criteria;
  2. Notes that the costs of the implementation of this directive will be substantial and that these costs will inevitably be passed on to the consumer;
  3. Underlines the subsidiary role these controls must perform when compared with controls on the sales and use of harmful substances;

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<sup>1</sup> OJ No. C 132, 31.5.1985, p.5

4. Draws attention to the question of imports of meat from third countries and calls for immediate discussions to be held with the trading partners concerned;
5. Considers that special provision must be made to cover those carcasses intended for purposes other than human consumption (for example, the manufacture of pet food);
6. Calls on the Commission to re-examine the question of detention of carcasses and to provide more specific guidelines as to the nature and location of the detention;
7. Requests the Commission to adopt, on the basis of Article 149, second paragraph of the EEC Treaty, the amendments which it has tabled to the Commission's proposal;
8. Instructs its President to forward to the Council and Commission as Parliament's opinion, the Commission's proposal as voted by the Parliament and the corresponding resolution.



EXPLANATORY STATEMENTIntroduction

1. Directive 81/602/EEC, Article 7, requires Member States to carry out controls on farm animals, the meat of such animals and the meat products obtained therefrom. Proposals have already been made to Council in the context of the amending directive on substances having a hormonal action. The present proposal complements and amplifies the measures proposed in that document, which have been examined recently by this committee.
2. In its report on hormones, the committee has already made a number of points which need no repetition at this stage. It is worthwhile emphasizing however that any ban or restriction on the use of substances which may prove dangerous for human health cannot be effective without a system of controls capable of enforcement.
3. The committee therefore welcomes the Commission's proposal which sets out detailed provisions concerning controls and the frequency of testing in accordance with common criteria in the Member States. It should be pointed out, however, in the interests of clarity, that the Commission has not indicated that Article 7 of Directive 81/602/EEC will be substantially modified by its proposal<sup>1</sup> on substances having a hormonal action.
4. The committee notes, however, that the proposal will have a significant impact on the work of the veterinary profession and livestock breeders and that the costs of implementing the controls will be substantial. These costs will, inevitably, be passed on to the consumer.

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<sup>1</sup>COM(84) 295 final

5. It should also be emphasized that such proposals can only perform a subsidiary role in the fight against the misuse of various harmful substances. The more effective the system of controlling the sales and use of these substances, the less need there would be for such expensive and time-consuming controls on the animals.

#### Comments on the provisions of the proposals

6. No account is taken in the proposals of the question of imports of meat from third countries. The committee suggests therefore that following the adoption of this proposal negotiations should immediately be opened with third country suppliers to discuss parallel requirements for the testing of animals and meat so that these can meet Community standards.
7. Article 2 of the proposed directive, when defining the term "residue", implies that all residues having a pharmacological action are harmful. While this is undoubtedly true for many substances, the committee considers that this paragraph should be redrafted to take into account those substances which may leave residues and which are not necessarily harmful to human health.
8. Article 3, paragraph 3, refers to "positive findings" following an examination for the presence of residues. The phrase "All positive findings" needs further definition.
9. Article 4 sets out the procedure to be followed when the presence of residues of prohibited substances is revealed. The underlying assumption is that the farm of origin of all carcasses can be quickly identified. It is also assumed that all the animals in a herd are intended for human consumption following slaughter. Account should be taken of the case where such carcasses may be intended for other purposes such as, for example, the manufacture of pet food and special provision should be made for these cases.

For greater clarity the committee suggests that in Article 4 (ii) (b) the word "administration" be inserted before "distribution", "sale", "transport", etc.

Article 4 (iv) requires that when examination of a carcass is necessary it must be "detained" until the result of the examination is known. The nature and location of such detention must be specified in greater detail as the examination provided for can, in some cases, be fairly lengthy and most abattoirs would have neither the space nor the facilities readily available for storage.

10. Articles 9 and 10 provide the terms of reference for the committee procedure, a procedure which has been frequently criticised by Parliament and the committee will therefore table an amendment to these articles. Article 10 differs in one major respect from previous articles of a similar nature by providing that the committee must deliver its opinion within two days. Even if the committee could accept the general principle of the Standing Committee, it considers that two days is totally insufficient to allow informed decisions to be taken.

#### Specific comments on the Annex

11. The Annex divides the substances covered into general groups. Group II refers to substances "used for fattening". Following Parliament's opinion on hormones, this definition must now be changed to read "for therapeutic purposes".
12. Group IV (Pesticides) and Group VI (Endo and Ectoparasitic Substances) could quite easily be amalgamated and it seems illogical to subject these substances to different controls.
13. Throughout the text the terms "region" and "area" are used in a vague manner. The drafting here needs tightening up.
14. The sampling levels for Group II are divided between Trenbolone and Zeranol on the one hand and Oestradiol 17B, Testosterone and Progesterone on the other. Following on Parliament's opinion on hormones, these substances must now be grouped together and treated as prohibited substances.
15. The Annex would benefit from the re-arranging of substances into those prohibited and those permitted.

Opinion  
of the Committee on Agriculture, Fisheries and Food

Letter from the committee chairman to Mrs Weber, chairman of the Committee on the Environment, Public Health and Consumer Protection

Brussels, 27 September 1985

Subject: Proposal for a Council directive concerning the examination of animals and fresh meat for the presence of residues (COM(85)192 final)

Dear Madam Chairman,

At its meeting of 27 September 1985, the Committee on Agriculture, Fisheries and Food considered the abovementioned proposal from the Commission for a directive.

The aim of the draft directive is to harmonize both the checks on animals and fresh meat for residues and the appropriate action to be taken where residues are found.

As soon as the examination of samples reveals unauthorized substances or quantities of residues the competent authorities shall determine the reason and the herd concerned; if prohibited substances are discovered, the animals concerned shall be confiscated or destroyed and if the examination reveals the presence of residues of authorized substances above the maximum permitted levels, the slaughter of the animals for human consumption shall be prohibited. If the residues of the substances (contained in the annex) turn out to be widespread, sampling is to be intensified.

The sampling criteria include among other things the various groups of possible residues (for example stilbenes, thyrostatic and oestrogenic substances, antibiotics, heavy metals, veterinary preparations etc.). Once the presence of residues has been officially confirmed, the herd of origin will be tested more frequently and more stringently for a specific period of time irrespective of official action such as the confiscation, destruction or slaughtering under supervision of the animals in question.

The proposed directive increases health protection by providing for methods of examination and sanctions which will be applied according to the same criteria in all Member States. The proposal also serves to reduce obstacles to trade in the intra-Community trade in animal, meat and meat products as such obstacles often consist of differences in health and veterinary regulations in the Member States.

The proposal therefore will also help to abolish discrimination at the expense of farmers throughout the Community.

The Committee on Agriculture therefore supports the proposed directive.

Yours sincerely

T. TOLMAN

The following took part in the vote: Mr Tolman, chairman; Mr Dalsass, Mr Früh, Mr Gaibisso (deputizing for Mr N. Pisoni), Mr Guarraci, Mr Herman (deputizing for Mr Clinton), Mr Maher, Mr Marck, Mr Mühlen (deputizing for Mr Mertens), Mr Prout (deputizing for Mr Simmonds), Mr Provan, Mrs Rothe, Mr Soath (deputizing for Mr Bocklet), Mr Stavrou, Mr Vernimmen and Mr Wettig.