



European Communities

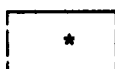
EUROPEAN PARLIAMENT

SESSION DOCUMENTS

English Edition

26 March 1991

A3-0075/91



REPORT

of the Committee on the Environment, Public Health and Consumer Protection

on the Commission proposal for a Council regulation (EEC) laying down health rules for the production and placing on the market of fresh meat
(COM(89) 0673 final - C3-0056/90)

Rapporteur: Mr Karl-Heinz FLORENZ

DOC_EN\RR\106872

PE 143.126/fin.
Or. DE

A Series: Reports - B Series: Motions for Resolutions, Oral Questions - C Series: Documents received from other Institutions (e.g. Consultations)

* = Consultation procedure requiring a single reading

**II = Cooperation procedure (second reading) which requires the votes of a majority of the current Members of Parliament for rejection or amendment

**I = Cooperation procedure (first reading)

*** = Parliamentary assent which requires the votes of a majority of the current Members of Parliament

C O N T E N T S

Procedural page 3

A. Amendments to Commission proposal 4

 MOTION FOR A RESOLUTION 10

B. EXPLANATORY STATEMENT 11

Opinion of the Committee on Budgets

Opinion of the Committee on Agriculture, Fisheries and Rural Development

Opinion of the Committee on Legal Affairs and Citizens' Rights

By letter of 19 February 1990 the Council consulted the European Parliament, pursuant to Article 43 of the EEC Treaty, on the Commission proposal for a Council Regulation (EEC) laying down health rules for the production and placing on the market of fresh meat.

At the sitting of 12 March 1990 the President of Parliament announced that he had referred this proposal to the Committee on the Environment, Public Health and Consumer Protection as the committee responsible and to the Committee on Agriculture, Fisheries and Rural Development and the Committee on Budgets for their opinions.

At its meeting of 23 March 1990 the Committee on the Environment, Public Health and Consumer Protection appointed Mr Florenz rapporteur.

By letter of 14 November 1990, the committee requested the President of Parliament, pursuant to Rule 36(3) of the Rules of Procedure, to consult the Committee on Legal Affairs and Citizens' Rights on the proposed legal basis.

It considered the Commission proposal and the draft report at its meetings of 30 May, 17 October and 8 November 1990 and 21 March 1991.

The amendments to the Commission proposal were adopted on 8 November 1990.

At its meeting of 21 March 1991, the committee adopted the draft legislative resolution unanimously.

The following took part in the vote : Collins, chairman; Schleicher and Scott-Hopkins, vice-chairmen; Florenz, rapporteur; Banotti, Bowe, Braun-Moser (for Oomen-Ruijten, pursuant to Rule 111(2)), de la Camara Martinez, Chanterie, Diez de Rivera Icaza, Green, Caroline Jackson, Jensen, Kuhn, Langenhagen (for Alber), Llorca Vilaplana, Simone Martin (for Veil), Partsch, Pimenta, Pollack, Roth-Behrendt, Santos (for Amendola), Seligman (for Simmonds), Llewellyn Smith, Valverde Lopez, Vernier, Vertemati and Vohrer.

The opinions of the Committee on Agriculture, Fisheries and Rural Development, the Committee on Budgets and the Committee on Legal Affairs and Citizens' Rights are attached.

The report was tabled on 26 March 1991.

The deadline for tabling amendments will appear on the draft agenda for the part-session at which the report is to be considered.

A

Commission proposal for a Council Regulation (EEC) laying down health rules for the production and placing on the market of fresh meat

Commission text¹

Amendments

(Amendment No. 1)
First citation

having regard to the Treaty having regard to the Treaty
establishing the European Economic establishing the European Economic
Community, and in particular Community, and in particular
Article 43 Article 100a

(Amendment No. 2)
Tenth recital (new)

Whereas the definitions used in this
regulation should be identical, as
part of a general coordination of all
guidelines in this area;

(Amendment No. 3)
Article 2(7)

(7) 'official veterinarian' means the veterinarian designated by the
competent central authority of the Member State;
(7) 'official veterinarian' means the veterinarian designated by the
competent central authority of the Member State or a comparable agency;

¹ For full text see COM(89) 673 final - OJ No. C 84, 2.4.1990, p. 8

(Amendment No. 4)
Article 3(3)

2. The official veterinarian may, be helped by assistants placed under his authority and responsibility but only in respect of the carrying out of the following operations:
- (a) Official veterinarian performing post-mortem inspection;
 - (b) Official veterinarian performing the health control of cut and stored meat;
 - (c) Official veterinarian performing supervision in compliance with requirements of Chapter XIII of Annex I;
 - (d) Official veterinarian performing the inspection and supervision of approved establishments referred to in Article 10(2);
3. The official veterinarian shall be involved in practical inspection work. There must be constant verbal contact between the official veterinarian and all the assistants in his team, whilst preserving the proximity of the veterinarian to the material under inspection, at every phase of the inspection process. The ratio of official veterinarian to his supporting assistants shall be confined to a maximum of 1:4, depending on the species of animal.

(Amendment No. 5)
Article 4(1)(a)

In addition to the requirements laid down in Article 3, fresh meat must meet the following conditions:

1.(a) fresh pigmeat and horsemeat - other than fresh pigmeat which has undergone cold treatment, in accordance with annexes to Council Directive 77/96/EEC¹ - must have undergone an examination for trichinosis in accordance with point 41(C) Chapter VII of Annex I to this Regulation.

¹ OJ No. L 26, 31.1.1977, p. 67

In addition to the requirements laid down in Article 3, fresh meat must meet the following conditions:

1.(a) fresh pigmeat and soliped meat - other than fresh pigmeat which has undergone cold treatment, in accordance with annexes to Council Directive 77/96/EEC¹ - must have undergone an examination for trichinosis in accordance with point 41(C) Chapter VII of Annex I to this Regulation.

¹ OJ No. L 26, 31.1.1977, p. 67

(Amendment No. 6)
Article 4(2), first subparagraph

2. Without prejudice to Council Directive 86/469 EEC¹ animals or their meat must undergo an examination for residues where the official veterinarian suspects their presence on the basis of the findings of the health inspection.
2. Without prejudice to Council Directive 86/469 EEC¹ animals or their meat must undergo an examination for residues where the official veterinarian suspects their presence on the basis of the findings of the health inspection, in which case such carcasses shall be subject to a retention system until the matter is fully clarified.

(Amendment No. 7)
Article 6

Fresh meat from the following:

- (a) Animals with moderate or small infestation by *Cysticercus bovis* or *Cysticercus cellulosae*;
- (b) Animals which have been slaughtered under emergency procedure and fulfil the conditions referred to at last indent point 42 B(b) of Annex I;
- (c) Other categories of animals to be established according to the procedure referred to in Article 14,
- (a) Animals with moderate or small infestation by *Cysticercus bovis* or *Cysticercus cellulosae*;
- (b) Animals which have been slaughtered under emergency procedure and fulfil the conditions referred to at last indent point 42 B(b) of Annex I;
- (c) Other categories of animals to be established according to the procedure referred to in Article 14,

after removal of affected parts may be declared fit for human consumption after treatment under official supervision in order to make it safe for human consumption

after removal of all affected parts may be declared fit for human consumption. The meat thus declared fit for human consumption may be sold only as low-grade meat¹.

¹ OJ No. L 275, 26.9.1986, p. 36

¹ OJ No. L 275, 26.9.1986, p. 36

¹ Low-grade meat: meat that is classified as 'for consumption on certain conditions' or 'low grade'. It may be sold by authorized low-grade meat undertakings after being rendered fit for use.

(Amendment No. 8)
Article 10(1) second subparagraph

- | | |
|--|--|
| <p>1. A Member State shall not approve an establishment unless compliance with this regulation is assured. Member States shall withdraw approval if the conditions for approval cease to be fulfilled.</p> | <p>1. A Member State shall not approve an establishment unless compliance with this regulation is assured. Member States shall withdraw approval if the conditions for approval cease to be fulfilled. <u>The establishment concerned shall be granted a right of appeal to the authority in the relevant Member State responsible for approval.</u></p> |
|--|--|

(Amendment No. 9)
Annex I, point 5

- | | |
|---|---|
| <p>5. Refrigeration equipment to keep the internal temperature of the meat at the levels required by this Regulation. This equipment must include a system for draining off water of condensation without any possibility of contamination of the meat;</p> | <p>5. Refrigeration equipment to keep the internal temperature of the meat at the levels required by this Regulation. This equipment must include a system for draining off water of condensation without any possibility of contamination of the meat; <u>it should be specified that water from defrosting is to be directly conducted to the waste-water system in a closed conduit.</u></p> |
|---|---|

(Amendment No. 10)

Annex I, Chapter V : ANTE MORTEM HEALTH INSPECTION, point 25, first paragraph

- | | |
|--|---|
| <p>25. Animals must undergo ante mortem inspection on the day of their arrival at the slaughterhouse <u>or before the beginning of daily slaughtering</u>. The inspection must be repeated immediately before slaughter if the animal has been in the lairage overnight.</p> | <p>25. Animals must undergo ante mortem inspection on the day of their arrival at the slaughterhouse. The inspection must be repeated immediately before slaughter if the animal has been in the lairage overnight.</p> |
|--|---|

(Amendment No. 11)
Annex I, Chapter VII, point 40 E (m)

- (m) All grey or white horses must be inspected for melanosis and melanomata as regards the muscles and lymph nodes (Lnn. lymphonodi subrhomboidei) of the shoulders beneath the scapular cartilage by loosening the attachment of one shoulder. The kidneys must be exposed and examined by incision through the entire kidney.
- (m) All grey or white solipeds must be inspected for melanosis and melanomata as regards the muscles and lymph nodes (Lnn. lymphonodi subrhomboidei) of the shoulders beneath the scapular cartilage by loosening the attachment of one shoulder. The kidneys must be exposed and examined by incision through the entire kidney.

(Amendment No. 12)
Annex I, Chapter VII, point 41 E (new)

E. The results of the carcass and meat inspection, the bacteriological inspection, the residue inspection and any other more detailed examinations shall form the basis of the assessment of each individual slaughtered animal.

(Amendment No. 13)
Annex I, Chapter VII, point 42 A, first sentence, (c) and (h)

- A. The official veterinarian, according to professional rules, should declare unfit for human consumption fresh meat originating from animals:
- A. The official veterinarian should declare unfit for human consumption fresh meat originating from animals:
- (c) affected by extensive or parasitic infestation in the subcutaneous or muscular tissues; in particular if they have been found positive to the investigation for trichinosis referred to in paragraph 41 (D)
- (c) whose muscular, connective or fatty tissue displays considerable and obvious signs of change, extensive infestation or positive evidence of trichinosis,
- (h) with anomalies as regards consistency, particularly oedema or severe emaciation,
- (h) with anomalies as regards consistency, composition, perishability, meat ageing or nutritional condition.

(Amendment No. 14)
Annex I, Chapter VIII, point 45(b)

During cutting, boning, wrapping and packaging, the internal temperature of meat must be kept at a constant +7°C or less. During cutting, the temperature of the cutting room must not exceed +12°C. During slicing, wrapping and packaging, the internal temperature of livers must be kept at a constant +3°C or less.

During cutting, boning, wrapping and packaging, the internal temperature of meat must be kept at a constant +7°C or less. During cutting, the temperature of the cutting room must not exceed +12°C. Livers, hearts and kidneys may be packaged at slaughter temperature, or at an internal temperature of no more than +3°C. Where they are packaged at slaughter temperature they must be chilled to an internal temperature of no more than +3°C immediately thereafter.

(Amendment No. 15)
Annex I, Chapter IX, point 47, final indent

- any other supervision which the veterinarian considers necessary for ensuring compliance with this Regulation.

- any other supervision which the veterinarian considers necessary and appropriate for ensuring compliance with this Regulation.

(Amendment No. 16)

64. Fresh meat must be chilled immediately after the post-mortem inspection and kept at a constant internal temperature of not more than +7°C for carcasses and cuts and +3°C for offal.

64. Fresh meat must be chilled immediately after the post-mortem inspection and kept at a constant internal temperature of not more than +7°C for carcasses and cuts and +3°C for offal.

Fresh meat may be transported at slaughter temperature within 2 hours of completion of slaughtering, provided that it is cut and processed or chilled immediately thereafter.

(Amendment No. 17)
Annex I, Chapter XII, point 68

68. Fresh meat must be transported in sealed means of transport, designed and equipped in such a way that the temperature specified in Chapter XII are maintained throughout transportation.

68. Fresh meat must be transported in means of transport designed and equipped in such a way that the temperature specified in Chapter XII are maintained throughout transportation.

A

DRAFT LEGISLATIVE RESOLUTION

embodying the opinion of the European Parliament on the Commission proposal for a Council regulation (EEC) laying down health rules for the production and placing on the market of fresh meat

The European Parliament,

- having regard to the Commission proposal to the Council (COM(89) 0673 final),¹
 - having been consulted by the Council pursuant to Article 43 of the EEC Treaty (C3-0056/90),
 - having regard to the report of the Committee on the Environment, Public Health and Consumer Protection and the opinions of the Committee on Agriculture, Fisheries and Rural Development, the Committee on Legal Affairs and Citizens' Rights and the Committee on Budgets (A3-0075/90),
1. Approves the Commission proposal subject to Parliament's amendments and in accordance with the vote thereon;
 2. Calls on the Council to notify Parliament should it intend to depart from the text approved by Parliament;
 3. Asks to be consulted again should the Council intend to make substantial modifications to the Commission proposal;
 4. Instructs its President to forward this opinion to the Council and Commission.

¹ OJ No. C 84, 2.4.1990, p. 8

B

EXPLANATORY STATEMENT

As frontiers are opened and intra-Community border controls are abolished, improved Community rules on meat hygiene will be required.

Clear, unambiguous provisions must be framed in order to meet the objective of a high level of public health and consumer protection.

The strict hygiene laws governing the slaughter, processing and sale of animals that are already in force in some Community countries should form the basis of this regulation.

The main requirements are therefore:

1. a ratio of 1 veterinarian to 4 assistants;
2. meat that is fit for consumption subject to certain conditions - i.e. restored to fitness for consumption by rendering it usable - may only be sold in special establishments;
3. special designation of meat from uncastrated male pigs with a weight of more than 50 kg;
4. derogations to apply to establishments with small production levels.

The aim should be safe and hygienic food products and harmonized conditions of competition in intra-Community trade.

OPINION IN LETTER FORM
(Rule 120)

of the Committee on Budgets

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

Brussels, 2 July 1990

Subject: Health rules for the production and placing on the market of
fresh meat (COM(89) 673 final - C3-0056/90)

Dear Mr Collins,

The Committee on Budgets considered the above subject at its meeting of
28 June 1990.

After examining the proposal the committee opposes the entering of operating
appropriations in Part B of the budget set aside for operational
appropriations.

It accordingly invites the Commission to propose a more suitable allocation of
these appropriations when drawing up the preliminary draft budget.

The committee also noted that for implementation of this decision the
Commission proposes to be assisted by a regulatory committee. In accordance
with Article 205 of the EEC Treaty and the conclusions of the working party
set up by Parliament's Bureau in March 1989 on the problems of comitology,
the Committee on Budgets adopted an amendment to Article 14 of the proposal
for a regulation with the aim of replacing the regulatory committee by a
management committee.

It also adopted an amendment to Article 2, point 7. These amendments are
attached.

Yours sincerely,

(sgd) Thomas von der Vring

Amendments adopted by the Committee on Budgets

Article 2, point 7

Commission text

"Official veterinarian" means the veterinarian designated by the competent central authority of the Member State.

Amendments

"Official veterinarian" means the holder of a meat inspection qualification designated by the competent central authority of the Member State.

Article 14
Paragraph 4

4. The Commission shall adopt the measures envisaged if they are in accordance with the opinion of the committee.

4. The Commission shall adopt measures which shall be applicable immediately.

Paragraph 5

5. If the measures envisaged are not in accordance with the opinion of the committee, or if no opinion is delivered, the Commission shall, without delay, submit to the Council a proposal relating to the measures to be taken. The Council shall act by a qualified majority.

5. If the measures envisaged are not in accordance with the opinion delivered by the committee the measures shall at once be communicated to the Council by the Commission.

If, on the expiry of a period of three months from the date of referral to the Council, the Council has not acted, the proposed measures shall be adopted by the Commission.

The Commission shall defer implementation of the measures adopted by it for a maximum period of three months from the date of communication.

The Council, acting by a qualified majority, may take a different decision within the period laid down in the preceding subparagraph.

The following were present for the vote : von der Vring, chairman; Arbeloa Muru, Colom I Naval, Goedmakers, Kellett-Bowman, Lamassoure, Lo Guidice, Napoletano and Theato.

OPINION
(Rule 120)

of the Committee on Agriculture, Fisheries and Rural Development

Draftsman : Mr Wilson

At its meeting of 22 and 23 March 1990, the Committee on Agriculture, Fisheries and Rural Development appointed Mr Wilson draftsman of the opinion.

At its meeting of 26 and 27 April 1990, the committee considered the Commission proposal and the draft opinion. It adopted the draft opinion at that meeting unanimously with three abstentions.

The following took part in the vote : Graefe zu Baringdorf, vice-chairman and acting chairman; Wilson, rapporteur (for Thareau); da Cunha, Oliveira, Funk, Guillaume, Howell, Keppelhoff-Wiechert, S. Martin, Rothe, Spencer, Stevenson and Woltjer.

The Community must reconcile the measures aimed at assuring the free circulation of products of animal origin with the need to protect public health. To this end, we must harmonize the health rules applying to fresh meat. The Commission has adopted Directive 64/433/EEC on health problems affecting intra-Community trade in fresh meat, and the present proposal extends to all Community production the principles of this Directive, which involve certain amendments to technical rules, as well as derogations for small establishments.

The requirements that must be met by fresh meat are set out; meat that can be placed on the market and declared fit for human consumption is defined (including cases where certain action is necessary to remove problem parts of the carcass); Member States are required to entrust to a central service or body the task of collecting and using the results of ante-mortem and post-mortem inspections carried out by the official veterinarian; veterinary establishments detailed on a list approved by each Member State need to be approved by the Commission; the Commission may make on-the-spot checks.

The General Conditions for the Approval of Establishments and the Professional Qualifications of Auxiliaries are set out in Annexes which may be revised under the Standing Veterinary Committee procedure.

The draftsman believes that the Committee on Agriculture, Fisheries and Rural Development can welcome this proposal.

OPINION IN LETTER FORM
(Rule 120)
of the Committee on Legal Affairs and Citizens' Rights

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

Brussels, 30 September 1990

Subject: Consideration of the legal basis for the Commission proposal for
 a Council regulation (EEC) laying down health rules for the
 production and placing on the market of fresh meat
 (COM(89) 0673 final - C3-0056/90)

Dear Mr Collins,

At its meeting of 13 November 1990 the Committee on the Environment, Public Health and Consumer Protection consulted the Committee on Legal Affairs and Citizens' Rights on the appropriateness of the legal basis of the above proposal for a regulation.

After considering the conclusions drawn up by Mrs Salema, the member responsible for questions concerning the legal basis, the committee decided at its meeting of 28 and 29 November 1990 that the legal basis proposed by the Commission, i.e. Article 43 of the Treaty was appropriate. Indeed, this provision of the Treaty should be regarded as a 'lex specialis' in relation to Article 100a, which is thus not applicable in this case.

Yours sincerely,

(sgd) Marie-Claude Vayssade,
 acting chairman

The following were present for the vote : Vayssade, vice-chairman; Salema, member responsible; Bontempi, Elliott, Garcia Amigo, Lord Inglewood, Medina Ortega, Ramirez Heredia and Schlechter.

