

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(82) 773 final

Brussels, 23 November 1982

COMMUNICATION FROM THE COMMISSION TO THE COUNCIL

on Community participation in the European Convention for the
Protection of Vertebrate Animals used for Experimental and other
Scientific Purposes

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COMMISSION MEMORANDUM TO THE COUNCIL

Subject : Community participation in the European Convention for the Protection of Vertebrate Animals used for Experimental and other Scientific Purposes

A. The draft European Convention for the Protection of Vertebrate Animals used for Experimental and other Scientific Purposes which is under negotiation at the Council of Europe is, the Commission would stress, of importance for the protection of animals, it may have consequences of giving rise to administrative excesses for conditions of research and risk of distortion of competition, but it also has implications for other activities governed by Community rules. Reference is made therein, for instance, to the use of animals for experimental purposes :

- in the veterinary field (cf., for instance, Annex B to Council Directive 64/432/EEC of 26 June 1964 and the second indent of Article 14(a) of Council Directive 80/217/EEC of 22 January 1980);
- in the field of animal nutrition (cf., for instance, Council Directive 70/524/EEC of 23 November 1970);
- in the field of pesticides and pesticide residues (cf., for instance, Council Directive 76/895/EEC of 23 November 1976 and Council Directive 79/117/EEC of 21 December 1978);
- in the field of chemicals (cf., for instance, Council Directive 79/831/EEC of 18 September 1979);
- in the field of human and veterinary medicine (cf., for instance, Council Directive 75/318/EEC of 20 May 1975 and Council Directive 81/852/EEC of 28 September 1981);
- in the field of food additives (cf., for instance, Commission Recommendation 80/1089/EEC of 11 November 1980);
- in the field of food contaminants (cf., for instance, Council Directive 76/893/EEC of 23 November 1976);

- in the cosmetics field (cf., for instance, Council Directive 76/768/EEC of 27 July 1976);
- in the toxicology field (cf., for instance, Council Directive 67/548/EEC of 27 June 1967).

B. The negotiation and possible signature and conclusion of this Convention therefore necessitates a joint action of the Community and its Member States.

At this stage it is in particular necessary to assure the possibility for the European Community to become a Contracting Party to the Convention, and to see to it that provisions which affect matters subject to Community competence are acceptable to the Community. The first point necessitates an editorial amendment of Articles 30, 33, 34 and 36 as well as the final clause of the draft Convention.

The Commission has no observations on the other point at this stage except for the need to clarify certain questions which may be examined during on-the-spot coordination between the representatives of the Member States and the Commission.

In consequence the Commission proposes :

- that the representatives of the Member States, within the framework of their common action at the Council of Europe concerning the elaboration of the European Convention on the Protection of Vertebrate Animals used for Experimental Purposes or other Scientific Purposes, shall support the proposal to provide for the possibility for the European Community to become a Contracting Party to the Convention by amending the draft Convention,
- that the Member States and the Commission coordinate their action on this subject on-the-spot and in particular during the meeting of the Ad hoc Committee of Experts for the Protection of Animals (CAHPA) of the 23-24 November 1982.