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Report

drawn up on behalf of the Committee on Agriculture

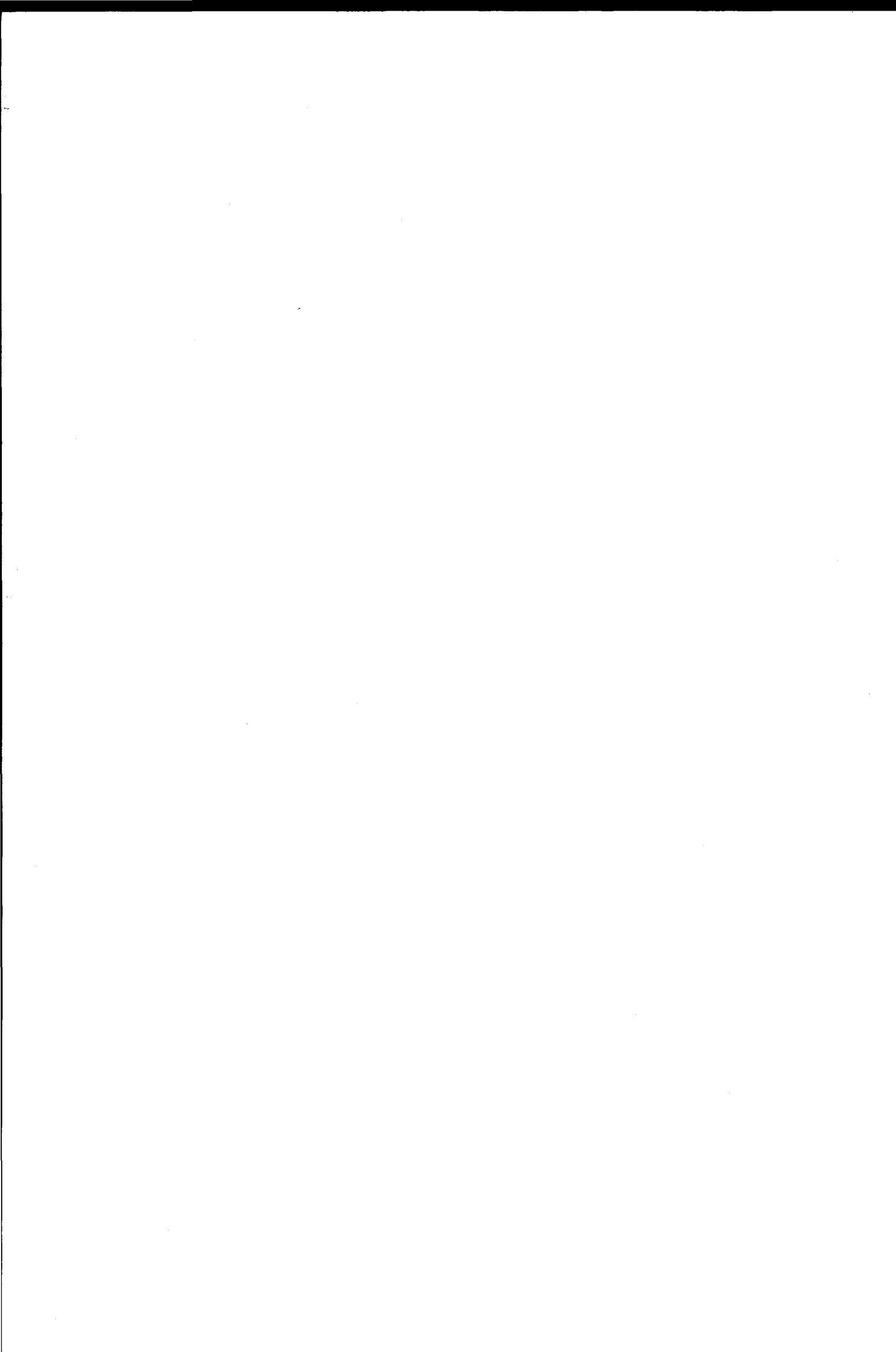
on the proposal from the Commission of the European Communities to the Council (doc. 330/74) on the financing by the Community of certain emergency measures in the field of animal health

Rapporteur : Mr Xavier HUNAUT

PE 38.875/fin.

1.2.2

English Edition



By letter of 24 October 1974 the President of the Council of the European Communities requested the European Parliament, pursuant to Article 43(2) of the EEC Treaty, to deliver an opinion on the proposal from the Commission of the European Communities to the Council for a decision on the financing by the Community of certain emergency measures in the field of animal health.

On 11 November 1974 the President of the European Parliament referred this proposal to the Committee on Agriculture as the Committee responsible and the Committee on Budgets and the Committee on Public Health and the Environment as the committees asked for their opinions.

The Committee on Agriculture appointed Mr Xavier Hunault rapporteur on 21 November 1974.

It considered this proposal at its meeting of 21 and 22 November 1974.

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

The following were present : Mr Vetrone, Vice-Chairman and Acting Chairman; Mr Laban, Vice-Chairman; Mr Hunault, rapporteur; Mr Baas, Mr Brugger, Mr De Keersmaeker, Mr Della Briotta, Mr Frehsee, Mr Früh, Mr Howell, Mr de Koning, Mr Liogier and Mr Scott-Hopkins.

The opinions of the Committee on Budgets and the Committee on Public Health and the Environment are attached.

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A

The Committee on Agriculture 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 decision on the financing by the Community of certain emergency measures in the field of animal health.

The European Parliament,

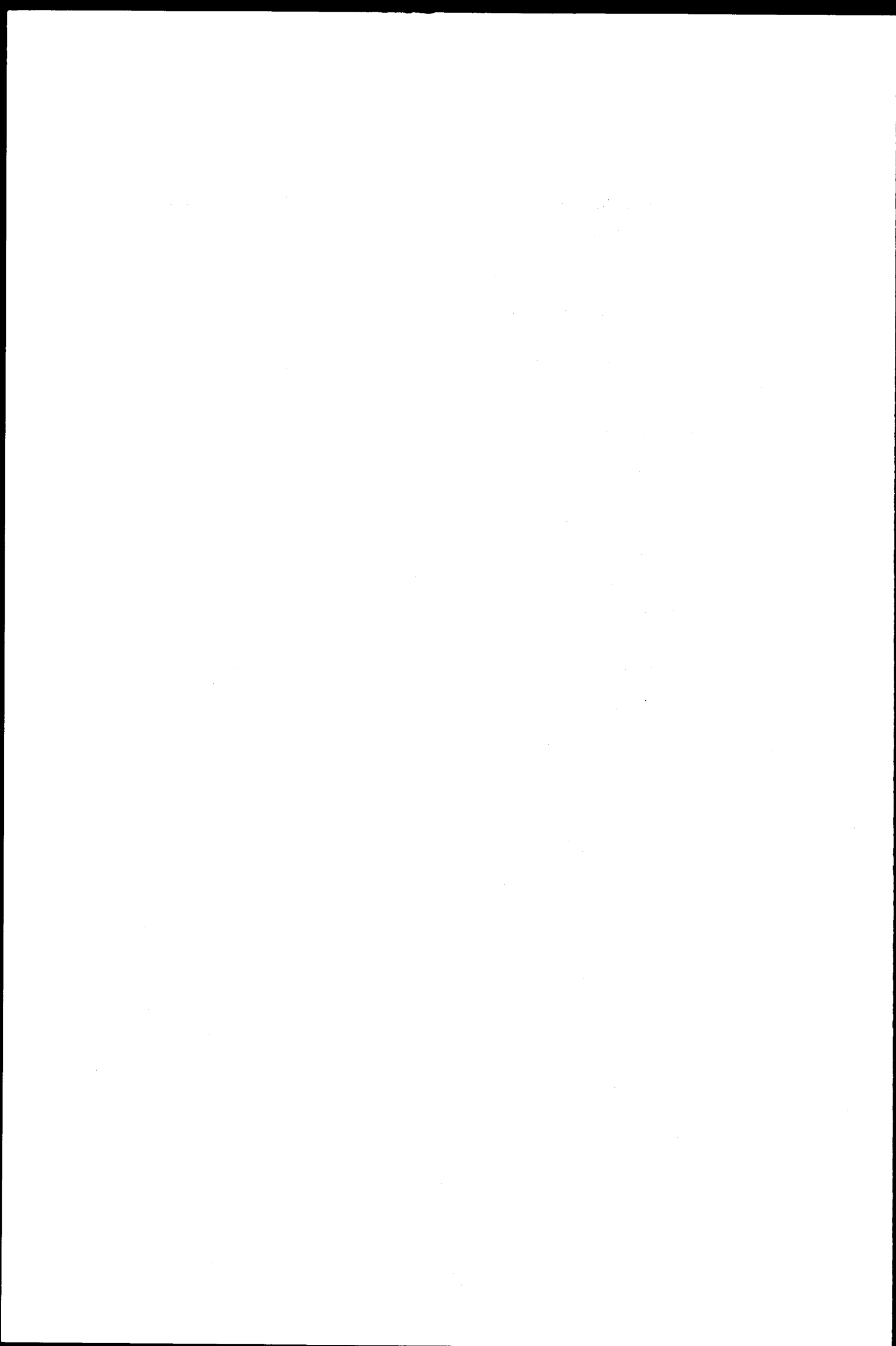
- having regard to the proposal from the Commission of the European Communities ¹,
- having been consulted by the Council pursuant to Article 43 of the EEC Treaty (Doc. 330/74),
- having regard to the report of the Committee on Agriculture and the opinions of the Committee on Budgets and the Committee on Public Health and the Environment (Doc. 374 /74),
- considering the communication from the Commission to the Council of 26 April 1974 on the resolution concerning animal and plant health and animal nutrition, ²
- considering the report drawn up by Mr Bourdelles on behalf of the Committee on Agriculture on that communication, ³

1. Approves the Commission's proposal;
2. Urges that this proposal be adopted with the minimum of delay;
3. Requests, furthermore, that the programme of measures in the veterinary field established in the Commission's communication of 26 April 1974 be respected as far as possible, so contributing to the protection of the agricultural sector, to the removal of barriers to trade and to the efficient operation of the common market;
4. Instructs its President to forward this resolution and the report of its committee to the Council and Commission of the European Communities.

¹ OJ No. C 145, 22.11.1974, p. 58

² Doc. 108/74

³ Doc. 162/74



EXPLANATORY STATEMENTPurpose of the Commission's proposal

1. The purpose of the Commission's proposal is to establish the financial rules governing the use of an emergency fund of 2,500,000 u.a. (for 1975) to be set up to enable the Community to intervene with the minimum of delay in the event of an outbreak of exotic diseases, either within the Community or in Third Countries. The financial participation of the Community may be 50% or up to 100% according to whether action taken by states consists of direct actions to combat disease (such as slaughter or disinfection) or the supply and stocking of vaccine.

The development of an overall policy in the Veterinary Sector

2. The proposal put forward at present by the Commission should be seen as but one element in a broader policy in the veterinary field that is being gradually carried through.

The Council in a Resolution of 12 March 1968¹ established a programme of work in the veterinary field (and given in a revised form as Annex I)² and of which a part has already been carried through. So far health directives have been adopted on :

- bovine animals and swine;
- fresh meat from domestic bovine animals, swine, sheep, goats and solipeds;
- fresh poultry meat;
- Community rules for imports of live animals and fresh meat from non-Member States;
- stunning of animals before slaughter;
- zootechnic standards applicable to pure-bred breeding cattle and the establishment of a Standing Committee on Zootechnics;
- and an amendment to the Directive on fresh poultry meat.

Much still needs to be done towards the removing of the remaining barriers to intra-Community trade and implementing arrangements for imports from non-Member States.

¹ O.J. No C 22, 18.3.1968.

² Drawn up by the Commission for the Council, SEC(74) 1553 final, 26.4.1974.

This can only be achieved if health inspection arrangements are harmonised.

This proposal represents one step towards the implementation of that goal, as well as being a concrete expression of past declarations of intention by the Council and the opinions expressed by the experts in this field

For example, the Council expressed its agreement on 29 June 1971 for the possible creation of a Common Veterinary Fund and had recognised the necessity to accelerate the harmonisation of national veterinary regimes, especially by means of a Community financial responsibility in this field.

Moreover, the Permanent Veterinary Committee on 24 September 1973 underlined the necessity of creating an emergency fund to allow for rapid intervention without a long procedural delay.

Furthermore, the Council on 12 December 1972 adopted a directive¹ for the setting up of a common regime concerning the sanitary policing of imports of bovine and porcine animals and fresh meats.

3. The present proposal, therefore, represents one step in a wider policy of harmonising national measures in the veterinary field, especially in respect of a common financial responsibility, and also a concrete measure to combat risks arising from exotic diseases, whose importance has been underlined by the Veterinary Committee.

The measures proposed

4. The Commission proposes that Member States may benefit from a financial participation of the Community, divided into several instalments and to a maximum of 50%, in the event of an outbreak of a contagious exotic disease in its territory, provided that measures are immediately implemented and include the isolation of the farm and the slaughter and destruction of contaminated animals and feedstuffs, disinfection, establishment of protection zones, to prevent the spread of disease (by transport or people) and the setting up of deadlines for the restocking of the animal population.

5. Where a Member State considers itself threatened by the development of a contagious disease in a Third or neighbouring State, Community participation may be 100% for the purchase of vaccine, and 50% for a vaccination campaign, to establish a buffer zone of vaccinated animals.

¹ O.J. No L 302/1972, p. 28.

6. The Community may also participate financially in the establishment of vaccine.

7. The Community may also help to combat contagious disease in Third Countries by financing the purchase of vaccine in urgent situations (rather than long-term programmes). This financial contribution may not exceed 25% of the appropriations shown in the Budget in any given year.

Procedure to be followed

8. When Member States implement measures to combat the outbreak of contagious diseases, they shall inform the Commission and other Member States of the measures applied and the results obtained. The Standing Veterinary Committee is to meet as soon as possible to examine the situation. The Commission shall submit draft measures for adoption and the Committee shall deliver its opinion within two days, by the weighted vote provided for in Article 148(2) of the Treaty. Measures in accordance with the opinion of the Committee shall be put into effect immediately. Where the measures are not in accordance with the opinion of the Committee, or if an opinion is not delivered, the Commission shall propose measures to the Council which shall act by qualified majority. Where the Council has not acted within 15 days the Commission shall adopt and put the measures into effect immediately.

List of contagious diseases

9. The list of contagious diseases covered by this proposed decision is given in Article 6 of the Council Directive of 12 December 1972 (and in Annex II to this report). It may be altered in accordance with the procedure described above.

Conclusions

10. The present proposal is part of a wider programme, a more detailed study of which reveals a number of the difficulties in the veterinary field.

The Resolution of the Council proposed by the Commission in April 1974 was, in fact, an effort to update, develop and make more concrete an earlier programme adopted by the Council in March 1968.

At the time of the Commission's presentation of its new programme in 1974, the greater part of the programme drawn up in 1968 had not been adopted. This demonstrates that Community legislation in the veterinary field is characterised by the problem of reaching agreement between opposing national viewpoints, even at the level of experts, and the slowness with which the Council reaches decisions on the proposals by the Commission.

11. Three important considerations follow from these observations.

12. Firstly, that while this proposal has been presented as part of a wider programme, the greater part of that programme is in danger of not being adopted by the Council, except in the very long term (and certainly not within the deadlines established by the Commission).

It is highly unlikely that the deadlines proposed by the Commission in April 1974 will be respected, even for this year.

13. Secondly, the necessity to create the means to intervene rapidly and without a lengthy procedure is underlined.

14. Thirdly, there is the danger that this proposed decision will not be implemented in the near future.

15. The Committee on Agriculture, as previously underlined by the Standing Veterinary Committee, believes that this proposal :

- is essential for the provision of Community funds in time of an emergency arising from the outbreak of contagious disease;
- is important in contributing to the harmonisation of national provisions relating to animal health, thus contributing to the freeing of trade;
- and is significant in establishing the principle of a Community financial responsibility in this field.

16. The Committee on Agriculture, therefore, requests that this proposed decision be adopted with the minimum of delay, and that the deadlines specified in the proposed Council Resolution of 26 April 1974 be respected as far as is possible.

PROGRAMME OF MEASURES TO BE ADOPTED IN THE
VETERINARY AND ZOOTECHNIC SECTORS¹

Drawn up
by the
Commission

Adopted by
the Council or
likely to be
adopted before
1 January 1975

I. Proposals to be adopted by the Council before
31 July 1974 :

- health and health inspection arrangements relative
to raw whole milk and heat-processed milk; * x
- stunning of animals before slaughter; * x
- EEC financial contribution to FAO for campaign
against foot and mouth disease.²

II. Proposals to be adopted by the Council before
1 January 1975 :

- preparation of a list of non-Member countries
authorised to export to the Community;
- financial measures by the Community in certain
emergency situations; * x
- amendment of the Directive on fresh poultrymeat; * x
- zootechnic standards applicable to pure-bred
breeding cattle and establishment of a Standing
Committee on Zootechnics. * x

III. Proposals to be adopted by the Council before
1 January 1976 :

- health and health inspection problems relating
to intra-Community trade in meat-based products; *
- setting of accepted tolerance levels for resi-
dues of certain substances in fresh meat;

¹ Given in Doc. 108/74, Annex I, 20 May 1974.

² Delayed by modifications introduced by the FAO.

- determination of the method and procedures for detecting trichina;
- medicated feeding-stuffs;
- intra-Community trade in live poultry, hatching eggs and day-old chicks.

IV. Proposals to be adopted by the Council before 1 January 1977 :

- health arrangements applicable to imports of fresh poultrymeat from non-Member countries;
- any proposals accompanying the Commission's report to the Council on the situation in the Community as a whole, submitted in connection with Articles 104 and 105 of the Treaty of Accession;
- health problems relating to intra-Community trade in egg products;
- imports of live poultry, day-old chicks and hatching eggs from non-Member countries.

ANNEX II

THE EXOTIC DISEASES LISTED BY THE DRAFT COUNCIL DECISION¹

Cattle plague
Exotic foot and mouth disease
Blue tongue disease
Contagious bovine pleuro-pneumonia
African swine fever
Contagious porcine paralysis (Teschen disease)
Contagious vesiculate stomatitis

¹This list appears in Article 6 of the Council Directive of 12 December 1972,
O.J. No L 302/72

OPINION OF THE COMMITTEE ON BUDGETS

Draftsman : Lord LOTHIAN

The Committee on Budgets appointed Lord Lothian draftsman of an opinion on 25 November 1974.

It considered the draft opinion at the same meeting and adopted it unanimously.

The following were present : Mr Petre, Acting Chairman, Lord Lothian, Draftsman, Mr Boano, Mr Cointat, Mr Gerlach, Mr Lagorce, Mr Radoux, Mr Shaw, Mr Terrenoire, Mr Vernaschi.

Introduction

1. The document under consideration relates to a proposal for a Council Decision which would enable the Community to render speedy financial assistance when certain contagious animal diseases occur in the territories of Member States. The purposes which the proposed Decision would serve are (i) to act as an incentive to accelerating the harmonisation of national provisions relating to animal health, and (ii) to facilitate a flexible Community response when there is a risk of outbreaks of exotic animal diseases in the territory of the Community.

Budgetary aspect

2. The information of a budgetary nature contained in the document describing the proposal (COM(74) 1670(final)) is quite brief only stating that

"The appropriations for all the measures would form part of the annual Community Budget. For 1975 the Commission has requested appropriations for this purpose amounting to 2,500,000 units of account".

3. However, the Commission also indicates that the Decision would apply solely in respect of real emergencies where the procedure used at present for granting aid would be too slow. By normal criteria, the material provided would, **therefore**, be considered inadequate as a basis for consideration of budgetary aspects.

Recent Comments of the Committee on Budgets

4. In Mr Durand's opinion (PE 38.141) on the financial arrangements relating to agricultural holdings structure survey, it was recommended that Commission documents should be drafted in a clearer and more direct style and that the Commission should endeavour to provide at least a brief explanation for every modification when the significance of such modification is not immediately apparent. In that instance the Committee on Budgets gave a favourable opinion subject, however, to the proviso that the Commission should, in future, have regard to the need to provide the Committee with clear and adequate data on the financial aspects of such proposals.

5. In recent weeks, two other draft proposals from the Commission pertaining to agricultural topics have come before the Committee on Budgets for an opinion. These were (i) for a regulation on the establishment of a Community register of olive cultivation (Doc. 276/74) and (ii) for a decision supplementing the Community programme of research into classical swine fever and African swine fever (Doc. 277/74). In both of these cases, the Committee delivered a negative opinion because the Commission had not provided adequate basic costings data on which to gauge the financial aspects.

6. In the case now under consideration, rather less budgetary information has been supplied by the Commission than was the case in either of the instances mentioned in the preceding paragraph. The document does not show how the 1975 estimate of 2,500,000 was calculated. However, the particularly tenuous nature of estimating for provisions against outbreaks of exotic diseases is recognised but a figure of 2¹/₂ million should be shown to have some basis.

Conclusions

7. While your draftsman has reservations about the question, he recommends (i) that in all the circumstances the proposal be noted by the Committee and (ii) that the Commission be urged to ensure that fuller explanatory material accompanies future proposals.

OPINION OF THE COMMITTEE ON PUBLIC HEALTH AND THE ENVIRONMENT

Draftsman : Mr ANTONIOZZI

On 18 November 1974 the Committee on Public Health and the Environment appointed Mr Antoniozzi draftsman.

It considered the draft opinion at its meetings of 26 November and 2 December 1974 and adopted it unanimously with one abstention.

Present: Mr Della Briotta, chairman; Mr Jahn and Mr Jakobsen, vice-chairmen; Mr Antoniozzi, rapporteur; Mr Adams, Mr Albertsen, Mr Cipolla, Mrs Fenner, Mr Gibbons, Mr Van der Gun, Mr Martens, Mr Willi Müller, Mr Noé, Mr Nyborg, Mr Rosati, Mr Springorum, Mr Walkhoff.

1. The Committee on Public Health and the Environment fully agrees with the Commission that the Community should assume certain financial responsibilities in the field of animal health and, therefore, approves this proposal for the setting up of an emergency fund, enabling aid to be given rapidly in case of outbreaks of contagious diseases.

2. The committee has one reservation, however, and asks the Committee on Agriculture to take note of this in its motion for a resolution. In each of the articles of the proposed decision, it is stated that the desirability of such action, rules for its implementation, etc., will be determined by reference to the procedure laid down in Article 5. This Article lays down the procedure of the Standing Veterinary Committee.

It provides that, unless the opinion of the Standing Committee is contrary to that of the Commission, decisions must be taken within two days. On the other hand, if the opinions differ, or if the Standing Committee has not delivered any opinion within the time-limit laid down, the proposals will then be sent to the Council.

The Council must take a decision within fifteen days; it is only if the Council has not acted after this delay that the Commission may adopt and put into effect the proposed measures.

3. In practice, it is unlikely that in an emergency situation, the Standing Committee will reject the proposals made by the Commission unless there is some grave reason for doing so. However, if this situation does arise, it is possible that at least 17 days could elapse before any decision is taken, and in an emergency, such as an outbreak of foot-and-mouth disease, such a delay could have serious consequences.

4. The Committee on Public Health and the Environment acknowledges that such a delay is probably unlikely, but would prefer, nonetheless, a procedure which would remove the possibility of this delay occurring.