

Health policy: animal by-products not intended for human consumption, animal proteins in animal feed

2000/0259(COD) - 28/05/2002 - Commission opinion on Parliament's position at 2nd reading

The amendments accepted by the Commission concern: - the marking of petfood and the amendment on the separation of plants are both acceptable as they are in line with the overall objectives of the original Commission proposal to increase traceability and to prevent of cross contamination; - material collected when treating waste water is acceptable as it clarifies that this material is a Category 1 material only if it contains Specified Risk Material; - catering waste excluding this waste from the control rules of Article 7 and making reference to environmental legislation are acceptable, as they would ensure that the goals of the Regulations are achieved without undermining separate collection schemes. Furthermore these amendments assure that high risk catering waste originating from international means of transport should remain subjected to the strict control rules of Article 7, by limiting the proposed amendments to Article 7 to Category 3 catering waste; - the extension of the derogation of feeding certain animals with Category 1 material to endangered and protected species of necrophagous birds is acceptable as it establishes that rules governing such derogation shall be proposed by the Commission only following scientific advice. The following amendments have been rejected by the Commission: - requirements of accompanying documents and records keeping are already established in the Annex of the Regulation and they may be supplemented if needed by Comitology; - on the use of catering waste in animal feed. This cannot be accepted first of all on institutional grounds, as it would undermine the Commission's right of initiative, as it imposes on the Commission the proposal of a legislative act with a deadline and with the content set by the European Parliament. Furthermore, the amendment cannot be supported for the following more specific issues: - 13 Member States are against any relaxation of the ban of swill feeding, which has already been introduced in EU legislation. The feeding of catering waste is potentially a major threat of transmission of serious animal diseases such as foot-and-mouth disease and classical swine fever. Given the huge damage which has arisen from recent outbreaks of these diseases, the insistence of the Member States on very high levels of protection is understandable and shared by the Commission. The continued feeding of catering waste to pigs is also difficult to reconcile with the objectives of full traceability of ingredients in animal feedingstuffs and a ban on intra-species re-cycling demanded by the European Parliament and fully accepted by Council and Commission. Given the above, the Commission has supported the decision of the Council to ban the practice of swill feeding under the swine fever directive and the common position of the Council on the animal byproducts regulation which takes a similar position; The disposal and recycling of catering waste is governed by existing and future environmental legislation. The request of the European Parliament for a separate Regulation governing would overlap with that legislation. Furthermore, this amendment has objectives which are directly opposed to those of amendments 22 and 23 above. In fact, while this amendment asks for a new set of strict controls on collection and destruction of catering waste, amendments 22 and 23 aim, on the contrary, to exclude catering waste from any additional control rules. Finally, the Commission has already officially declared to be ready to propose transitional measures to be adopted in comitology whenever this is justified and appropriate in order to allow the affected industries time to adapt to the new requirements introduced by this Regulation. However, reasonable transitional measures should be intensively discussed with technical experts and, possibly, with scientific experts to establish minimal interim health requirements to apply during the transitional period.