Procedure file

Basic information

CNS - Consultation procedure Directive	1999/0168(CNS)	Procedure lapsed or withdrawn
Feedingstuffs: additives Subject 3.10.08.01 Feedingstuffs, animal nutrition		

Key players

European Parliament	Committee responsible	Rapporteur	Appointed
	AGRI Agriculture and Rural Development	V/ALE GRAEFE ZU BARINGDORF Friedrich-Wilhelm	11/10/1999
	Committee for opinion	Rapporteur for opinion	Appointed
	JURI Legal Affairs and Internal Market	PPE-DE MAYER Hans-Peter	23/09/1999
	ENVI Environment, Public Health, Consumer Policy	The committee decided not to give an opinion.	
Council of the European Union			

Key events

26/07/1999	Legislative proposal published	COM(1999)0388	Summary
17/09/1999	Committee referral announced in Parliament		
25/01/2000	Vote in committee		Summary
25/01/2000	Vote in committee		
25/01/2000	Committee report tabled for plenary, 1st reading/single reading	A5-0015/2000	
15/02/2000	Debate in Parliament		
16/02/2000	Decision by Parliament	T5-0052/2000	Summary
16/02/2000	Report referred back to committee		
11/12/2001	End of procedure in Parliament		
11/12/2001	Additional information		Summary

Technical information

Procedure reference	1999/0168(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	Legislation
Legislative instrument	Directive
Legal basis	EC Treaty (after Amsterdam) EC 037
Stage reached in procedure	Procedure lapsed or withdrawn
Committee dossier	AGRI/5/12066

Documentation gateway

Legislative proposal		COM(1999)0388 OJ C 307 26.10.1999, p. 0038 E	26/07/1999	EC	Summary
Economic and Social Committee: opinion, report		CES1122/1999 OJ L 051 23.02.2000, p. 0028	08/12/1999	ESC	
Committee report tabled for plenary, 1st reading/single reading		A5-0015/2000 OJ C 309 27.10.2000, p. 0004	25/01/2000	EP	
Text adopted by Parliament, partial vote at 1st reading/single reading		T5-0052/2000 OJ C 339 29.11.2000, p. 0060-0129	16/02/2000	EP	Summary

Additional information

European Commission	EUR-Lex

Feedingstuffs: additives

PURPOSE: amendment of Council Directive 70/524/EEC concerning additives in feedingstuffs. CONTENT: Council Directive 70/524/EEC concerning additives in feedingstuffs, as amended by Directive 96/51/EC, establishes for high technology additives with a very specific composition (antibiotics, coccidiostats and other medicinal substances, and growth promoters) a system where the authorisation will be linked to the person responsible for putting the additive into circulation, in order to protect for a period fixed at ten years, scientific data or information which require costly investment. It is provided for that the Commission replaces the existing authorisations by authorisations linked to a person responsible for putting the additive into circulation through the adoption of a Regulation. The purpose of the proposed amendment is to ensure that these replacements can take place at the same time for all additives concerned, independently of the date when their authorisation was granted. Currently, Directive 70/524/EEC foresees different treatment of high technolcogy additive depending on the date of authorisation. In contrast to those which were authorised after 31 December 1987, high technology additives which were authorised before that date have to undergo a reevaluation procedure. However, beyond that distinction, while the replacement of the authorisations granted after 31 December 1987 is foreseen for 1 October 1999, a legal basis for a replacement of the authorisations granted before 1 January 1988 is missing. Article 9g of the Directive provides only for a replacement after compeltion of the re-evaluation in 2003. Given this legal situation, the consequence would be that copies may remain in circulation after 1 October 1999, which have been evaluated according to standards lower than those which were applied to substances authorised more recently (after 31 December 1987). Moreover, this applies not only to substances but also to uses of substances, authorised sunsequently to those authorised at the first authorisation of the substance. Therefore, it may occur in many cases, that a copy may still be put in circulation because a certain use of the substance was authorised before 1988, while the authorisation of the same substance authorised subsequently for another use would be linked to a person responsible for putting it into circulation. This situation is not acceptable, is contrary to the intentions of the legislator and should be corrected. To re-establish a coherent legal situation, the Commission proposes to introduce a legal basis in Directive 70/524/EEC for the replacement of the authorisations of those additives authorised before 1 January 1988 already on 1 October 1999.?

Feedingstuffs: additives

The committee adopted the report (consultation procedure) by Friedrich-Wilhelm GRAEFE zu BARINGDORF (Greens/EFA, D) approving the Commission proposal subject to a number of amendments. In particular, the committee wanted to ensure that GMO additives are clearly identified, only licensed for sale if they are safe for human health and the environment, and are subject to environmental impact assessments. Given the high level of public concern over food safety and "high-tech" feed additives such as GMOs, antibiotics and growth promoters, the committee felt that the proposal should be based on codecision procedure (which applies to measures involving protection of public health), rather than simple consultation procedure. The committee supported the basic aim of the Commission's original proposal (i.e. to harmonise procedures for replacing marketing authorisations for "high-tech" additives) and adopted a couple of amendments to tighten up the provisions and ensure that all firms were treated equally during the re-evaluation period for authorisations.?

Feedingstuffs: additives

The European Parliament adopted the report by Mr Graefe zu Baringdorf (GUE/EFA, D) subject to amendments. However, it was then referred back to committee after the Commission said it could not agree to Parliament's amendments, one of which seeks to change the legislative base from consultation to co-decision. Other amendments include items such as: - The addition of a new recital which states that whereas if, on the 1 April 1998, there was more than one person responsible for putting an additive into circulation, each such person shall hold a provisional authorisation linked to it during the re-evaluation procedure. That is provided he makes an application for authorisation in accordance with Article 9g(5). - The addition of a new Article that relates to the deliberate release into the environment of genetically modified organisms. This shall be authorised only if it is safe for human health and the environment; - The addition of a new Article that states that procedures ensuring that the environmental impact assessment and other relevant elements meet the requirements of Directive 90/220/EEC shall be introduced. Furthermore, there is an additional paragraph which states that genetically modified additives shall be clearly identified as such on any label or any document, official or otherwise, which under the provision of this Directive, is affixed to or accompanies the additive, the pre-mixture or the feedingstuff.?

Feedingstuffs: additives

The Directorates General or responsible departments have asked for this proposal to be withdrawn. The reasons are indicated as follows: A) for objective reasons (change of de facto situation, objectives already achieved by other means, etc) B) because the Commission has now adopted another approach : - the proposal is replaced implicitly, - a new proposal is in preparation, - no planned replacement.?