




# Procedure file

Basic information	
CNS - Consultation procedure Regulation	2007/0244(CNS) Procedure completed
Ovine and caprine animals: date of introduction of electronic identification Amending Regulation (EC) No 21/2004 <a href="#">2002/0297(CNS)</a>	
Subject 3.10.08 Animal health requirements, veterinary legislation and pharmacy 4.60.02 Consumer information, advertising, labelling	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	 Agriculture and Rural Development	Verts/ALE <a href="#">GRAEFE ZU BARINGDORF Friedrich-Wilhelm</a>	21/11/2007
Council of the European Union	Council configuration	Meeting	Date
	<a href="#">Agriculture and Fisheries</a>	<a href="#">2841</a>	17/12/2007
European Commission	Commission DG	Commissioner	
	<a href="#">Agriculture and Rural Development</a>	KYPRIANOU Markos	

Key events			
15/11/2007	Legislative proposal published	<a href="#">COM(2007)0710</a>	Summary
10/12/2007	Committee referral announced in Parliament		
10/12/2007	Vote in committee		Summary
10/12/2007	Committee report tabled for plenary, 1st reading/single reading	<a href="#">A6-0501/2007</a>	
12/12/2007	Debate in Parliament		
13/12/2007	Results of vote in Parliament		
13/12/2007	Decision by Parliament	<a href="#">T6-0619/2007</a>	Summary
17/12/2007	Act adopted by Council after consultation of Parliament		Summary
17/12/2007	End of procedure in Parliament		
22/12/2007	Final act published in Official Journal		

Technical information	
Procedure reference	2007/0244(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	Legislation
Legislative instrument	Regulation
	Amending Regulation (EC) No 21/2004 <a href="#">2002/0297(CNS)</a>
Legal basis	EC Treaty (after Amsterdam) EC 037
Stage reached in procedure	Procedure completed
Committee dossier	AGRI/6/56317

Documentation gateway					
Legislative proposal		<a href="#">COM(2007)0710</a>	15/11/2007	EC	Summary
Document attached to the procedure		<a href="#">COM(2007)0711</a>	16/11/2007	EC	Summary
Committee draft report		<a href="#">PE398.434</a>	29/11/2007	EP	
Amendments tabled in committee		<a href="#">PE398.465</a>	03/12/2007	EP	
Committee report tabled for plenary, 1st reading/single reading		<a href="#">A6-0501/2007</a>	10/12/2007	EP	
Text adopted by Parliament, 1st reading/single reading		<a href="#">T6-0619/2007</a>	13/12/2007	EP	Summary
Commission response to text adopted in plenary		<a href="#">SP(2008)0411</a>	23/01/2008	EC	

Additional information	
National parliaments	<a href="#">IPEX</a>
European Commission	<a href="#">EUR-Lex</a>

Final act
<a href="#">Regulation 2007/1560</a> <a href="#">OJ L 340 22.12.2007, p. 0025</a> Summary

## Ovine and caprine animals: date of introduction of electronic identification

PURPOSE: to amend Regulation (EC) No 21/2004 as regards the date of introduction of electronic identification for ovine and caprine animals.

PROPOSED ACT: Council Regulation.

CONTENT: according to Regulation (EC) No 21/2004, the Commission is required to examine the experience gained from several projects carried out in Member States on the implementation of the electronic identification (EID) systems and to submit a report to the Council. This report should be accompanied by a proposal on which the Council shall vote confirming or amending the date of 1 January 2008 for the obligatory introduction of electronic identification.

The Commission report indicates that a wider stakeholder discussion, in particular about the economic impact of the introduction of electronic identification, should take place before a final date for the mandatory use of EID is fixed. It is therefore proposed that Regulation (EC) No 21/2004 should be amended in order to lay down the procedures for the establishment of the date on which EID of sheep and goats shall become obligatory.

The setting of a new date will be agreed in accordance with the comitology procedure. The Commission envisages the establishment of such a date in 2008 with a view to the implementation of electronic identification system in all EU Member States by the end of 2009.

## Ovine and caprine animals: date of introduction of electronic identification

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Experiences gained during the 2001 foot-and-mouth disease highlighted the need to establish a traceability system for sheep, as is currently the case for bovine animals. Current legislation specifies that sheep and goats must be identified according to a system for the identification and registration of ovine and caprine animals (Regulation (EC) No 21/2004). This system includes four main elements: identifiers; a holding register; a movement document; and a computerised database. Under the terms of this system, the obligatory introduction of electronic identification is scheduled for 1 January 2008. Prior to the adoption of this obligation, however, the Commission is required to report to the Council on the implementation of the electronic identification system. The purpose of this report is to describe the current situation on electronic identification and to consider the feasibility, or not, of obligatory introduction of electronic identification for sheep and goats in the EU as from 1 January 2008.

To recall, Community rules on the identification and registration of sheep and goats was intended to allow for the individual traceability of sheep and goats through their lifetime. Implementation is to be taken in two steps. Firstly, all animals born after 9 July 2005 have to be identified individually with a visible ear tag in combination with a second identifier bearing the same code. The later could be a second ear tag, an electronic identifier and possibly a tattoo or mark on the pastern. Secondly, the individual animal codes should be linked to the movement of information. Thus, the movement document and the holding should contain the individual codes of the animals. This needs to be linked to the date on which obligatory electronic identification is to be introduced. Until this date has been approved only the number of animals are recorded and not their individual animal codes.

For the implementation of electronic identification the Commission has adopted some implementing Decision that form the technical basis and guidelines for interoperability between devices from different manufacturers. The Commission has also adopted measures to approve the electronic identifiers.

In preparing this report, the Commission invited the Member State to provide information on their experience on implementing the Regulation ? either on a voluntary basis or on pilot projects of electronic identification. In addition, the Commission examined and analysed the results from its own large scale project on livestock electronic identification (IDEA). Given the variation in scientific goals, the results can not always be compared.

This report, however, offers a summary of the results in more general terms. The main findings of the report are as follows:

- Tracing individual animal movements via different holdings required the recording of individual animal data for each movement. Electronic systems ensure that automatic reading and recording of individual animal data, especially for small ruminants, which are often moved in large numbers and sometimes via markets or assembly centres where the composition of these groups changes.
- Electronic reading systems are dispensable when individual animal codes can be read visually and recorded manually or in the case of group identification.
- Community legislation should not promote the use of one particular technical solution in order to take account of differing management and environmental conditions in the Member States. Community legislation already fixed the basic technical standards and the Commission's role to broker a common approach and agreed Community standards is crucial. The establishment of a Community Reference Laboratory (CRL) may need to be considered.
- The Member States should be allowed to approve new types of identifiers (such as electronic mark on the pastern, injectable transponders) on condition that the maximum period for tagging is respected and that each type of identifier is kept out of the food chain.
- The basic technical conditions to identify small ruminant in their holding of birth, with electronic identification, has been fulfilled. However, the date of obligatory introduction should consider the time-frame needed for the Member States to carry out the necessary legal and organisational arrangements before that date.
- Experience, in some Member States, shows that considerable investments in reading technology of higher performance placed in the whole production chain is essential for the functioning of the system.
- Successive electronic tagging of young animals in their holding of birth will lead to a situation where animals with or without electronic identifiers will have to be managed together during an introduction period. The Commission, therefore, intends to disassociate the date from which the movement information containing individual animal codes from the date of obligatory electronic identification.

For the reasons outlined above, the Commission concludes that at this stage it would not be possible to justify a decision regarding setting a final date for the obligatory introduction of electronic identification at Community level. It recommends the commissioning of a wider stakeholder discussion and preparing a report on the economic impact of introducing obligatory electronic tagging. The setting of a new date will be agreed in accordance with the comitology procedure. The Commission envisages the establishment of such a date in 2008 with a view to the implementation of electronic identification system in all EU Member States by the end of 2009. The legal framework should allow the Member States to implement electronic identification according to their national needs.

## Ovine and caprine animals: date of introduction of electronic identification

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The Committee on Agriculture and Rural Development adopted the report by Friedrich-Wilhelm GRAEFE ZU BARINGDORF (Greens/EFA, DE) amending, under the consultation procedure, the proposal for a Council regulation amending Regulation (EC) No 21/2004 as regards the date of introduction of electronic identification for ovine and caprine animals.

The committee introduced the following two amendments to the text:

- the Commission shall submit a report to the European Parliament and the Council by 31 December 2009 on the justification for individual electronic identification systems, and other traceability systems in terms of disease control and on how such systems could be further simplified for farmers and administrative authorities. The report shall be accompanied by appropriate legislative proposals;
- as from 31 December 2009, electronic identification according to the guidelines shall be obligatory for all animals born after that date.

In the explanatory memorandum, the rapporteur states that the Commission report on confirming or delaying the date of entry into force of obligatory electronic identification of ovine and caprine animals is almost 17 months overdue. The Commission has proposed to further delay the application of electronic identification originally foreseen for 1 January 2008. The rapporteur states that report does not deliver sufficient

information to judge the situation. It does not sufficiently take into account advantages for animal welfare and tracking of animals. Conventional ear-tags create indescribable sufferings for sheep and goats, especially for young animals and certain breeds with small ears, which is even more deplorable as other devices are at hand and working. The Commission proposes not only to delay the introduction of obligatory identification, it even proposes to delegate the decision to Comitology, thereby excluding the European Parliament on questions as important as the entry into force of certain regulations or parts of it (in this case quite an essential part). This approach is unacceptable for the Parliament as there is an urgent need to solve the animal welfare problems quickly.

## Ovine and caprine animals: date of introduction of electronic identification

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The European Parliament adopted a legislative resolution drafted by Friedrich-Wilhelm GRAEFE ZU BARINGDORF (Greens/EFA, DE) and made some amendments, under the consultation procedure, to the proposal for a Council regulation amending Regulation (EC) No 21/2004 as regards the date of introduction of electronic identification for ovine and caprine animals. The resolution was adopted by 347 votes for, 212 against and 8 abstentions.

The main amendments were as follows:

- a new recital states that the Commission should investigate, in the framework of the Health Check of the CAP Reform, the possibility of helping farmers to cope with the high costs of procuring the required equipment, by creating the possibility for Member States to incorporate such measures within their rural development programmes;
- as from 31 December 2009, electronic identification according to the guidelines referred to in the text, and in accordance with the relevant provisions of Section A of the Annex, shall be obligatory for all animals born after that date. The Commission had proposed that the date should be decided according to certain criteria ;
- the Commission must submit a report to the European Parliament and the Council by 31 December 2009 on the justification for individual electronic identification systems, and other traceability systems in terms of disease control and on how such systems might be further simplified for farmers and administrative authorities. The report must be accompanied by appropriate legislative proposals.

## Ovine and caprine animals: date of introduction of electronic identification

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The Council adopted by a qualified majority, with the Spanish and Italian delegations voting against, a Regulation postponing the date of introduction of mandatory electronic identification for small ruminants to 1 January 2010.

The Italian and Spanish delegations made the following statement:

In a declaration, the Italian and Spanish delegations expressed their dissatisfaction with the content of the proposal and explained the reasons that led them to vote against the adoption of the proposal to amend Regulation No 21/2004.

The United Kingdom delegation, supported by the German, Irish and Slovak delegations, made a statement expressing its support for a deferment of the introduction of compulsory Electronic Identification for sheep and goats. However, given the period of time that has elapsed since the agreement of the original Regulation, the UK called on the Commission to revise its impact assessment, taking into account the cost to industry and enforcement bodies, in order to confirm, before the entry into force of EID, that the objectives of the Regulation are being met in the most cost-effective way.

## Ovine and caprine animals: date of introduction of electronic identification

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**PURPOSE:** to postpone the entry into force of mandatory electronic identification for ovine and caprine animals to 31 December 2009.

**LEGISLATIVE ACT:** Council Regulation (EC) No 1560/2007 amending Regulation (EC) No 21/2004 as regards the date of introduction of electronic identification for ovine and caprine animals.

**CONTENT:** Council Regulation (EC) No 21/2004 establishing a system for the identification and registration of ovine and caprine animals provides that each Member State is to establish a system for the identification and registration of ovine and caprine animals in accordance with the provisions of that Regulation. The Regulation also provides that, as from 1 January 2008, electronic identification is to become obligatory for all animals born after that date.

In the report that is presented to the Council on the implementation of electronic identification, the Commission concluded that it was not possible to justify the date of 1 January 2008 as the date for the introduction of obligatory electronic identification.

The Council adopted by a qualified majority, with the Spanish and Italian delegations voting against, a Regulation postponing the date of introduction of mandatory electronic identification for small ruminants to 31 December 2009, in order to allow the Member States to take necessary measures to properly implement the system, taking into account its current and potential economic impact.

Before 31 December 2009, Member States may introduce the obligatory use of electronic identification for animals born on their territory.

In a statement, the Italian and Spanish delegations expressed their dissatisfaction with the content of the proposal and explained the reasons that led them to vote against the adoption of the proposal to amend Regulation No 21/2004.

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