

Proposal for a European Parliament and Council Regulation amending Council Regulation (EC) No 820/97, establishing a system for the identification and registration of bovine animals and regarding the labelling of beef and beef products

(1999/C 376 E/08)

COM(1999) 487 final — 1999/0205(COD)

(Submitted by the Commission on 27 October 1999)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 152 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the Economic and Social Committee,

Having regard to the opinion of the Committee of the Regions,

Acting in accordance with the procedure laid down in Article 251 of the Treaty,

Whereas:

- (1) Article 19 of Council Regulation (EC) No 820/97, establishing a system for the identification and registration of bovine animals and regarding the labelling of beef and beef products⁽¹⁾, lays down that a compulsory beef labelling system shall be introduced, which shall be obligatory in all Member States, from 1 January 2000 onwards. On the basis of a Commission proposal, the same Article also states that the general rules for that compulsory system shall be decided before that date.
- (2) The Commission has submitted to the Council a proposal for a regulation replacing Regulation (EC) No 820/97 and including the general rules for the compulsory beef labelling system. The procedures required for the adoption of that regulation are not likely to be completed before 1 January 2000.
- (3) In principle, the consequence of not adopting a new regulation would be that the compulsory system, based on origin, would immediately come into force with no general rules to guide it. This would create a very uncertain and unsatisfactory situation for beef operators not only in the Community but also in third countries.
- (4) Such an unsatisfactory situation can be avoided by prolonging the current voluntary arrangements laid down in Council Regulation (EC) No 820/97 and by delaying the entry into force of the compulsory labelling system laid down in Article 19 of the same Regulation, by one year.
- (5) The primary aim of the beef labelling system is protection of public health since it is intended to maintain and strengthen consumer confidence in beef which had been gravely affected by the BSE crisis. The appropriate legal basis for this Regulation is therefore Article 152 of the Treaty.

- (6) It is therefore necessary to amend Council Regulation (EC) No 820/97.

HAVE ADOPTED THIS REGULATION:

Article 1

Article 19 Council Regulation (EC) No 820/97 is hereby replaced by the following:

'Article 19

1. A compulsory beef-labelling system shall be introduced which shall be obligatory in all Member States from 1 January 2001 onwards. However, this compulsory system shall not exclude the possibility for a Member State to decide to apply the system merely on an optional basis to beef sold in that same Member State. The labelling system provided for in this Regulation shall apply until 31 December 2000.

On the basis of the report provided for in paragraph 3, the Parliament and the Council, in accordance with the procedure provided for in Article 152 of the Treaty, shall therefore take a decision before 1 January 2001 on the general rules for a compulsory beef-labelling system to apply as from that date, in accordance with the Community's international commitments.

2. Save where otherwise decided by the Parliament and the Council, the labelling system compulsory as from 1 January 2001 shall, in accordance with the Community's international commitments, in addition to the labelling information referred to in Article 16(3), also require indication of the Member State or third country where the animal from which the beef is derived was born, the Member States or third countries where the animal was raised and the Member State or third country where the animal was slaughtered.

3. Member States shall submit to the Commission, by 1 May 1999, reports on the implementation of the labelling system for beef. The Commission shall submit to the European Parliament and the Council a report on the situation regarding the implementation of beef labelling systems in the different Member States.

4. However, Member States where there is a sufficiently developed identification and registration system for bovine animals may before 1 January 2001 impose a compulsory labelling system for beef from animals born, fattened and slaughtered on their territory. Furthermore, they may decide that one or more of the items of information referred to in Article 16(1) and (2) must be indicated on labels.

⁽¹⁾ OJ L 117, 7.5.1997, p. 1.

5. A compulsory system as provided for in paragraph 4 must not lead to any disruption of trade between the Member States. The implementation arrangements applicable in those Member States intending to apply the provisions of paragraph 4 shall require prior approval from the Commission.

6. By 1 January 2001, the Parliament and the Council, in accordance with the procedure provided for in Article 152 of the Treaty, shall take a decision as to whether compulsory indication of data other than those provided

for in paragraph 2 and extension of the scope of this Regulation to products other than those indicated in the first indent of Article 13 are possible and desirable.'

Article 2

This regulation shall enter into force on the day following its publication in the *Official Journal of the European Communities*.

It shall be applicable from 1 January 2000.
