Products of animal origin, human consumption: health rules (amend. Directives 89/662/EEC, 91/67 /EEC). Food hygiene package

2000/0182(COD) - 27/10/2003 - Council position

The Council is pleased to note that the Commission accepts its common position and that the draft Regulation is consistent with the aim of the amendment that the European Parliament adopted at first reading. It hopes that this will permit the rapid adoption of the Directive and of the remainder of hygiene package. The main changes to the Council's common position are as follows: - Date of application : the main concern of the Council with regard to this proposal was to ensure that all the proposals of the package apply from the same date and that Member States are given enough time to adapt to the new situation. The Council therefore decided that for all the proposals of the package the measures should apply 18 months after entry into force and at the earliest on 1 January 2006. Although the date of application in the common position is not identical to the one proposed in the amendment of the European Parliament, it must considered that the objectives pursued by the Council do not conflict with the objectives pursued by the European Parliament in the amendments on this subject in the different proposals of the package. - Repeal of existing Directives : originally, the Commission had included the repeal of all existing food hygiene Directives in the fifth proposal of the package. In the common position, the Council proceeds to the repeal of Directive 93/43/EEC on general food hygiene within the context of the first proposal, and of the remaining 16 Directives in the fifth proposal. - Saving and standstill clause : the Commission's proposal provides for a saving clause in order to ensure that essential temperature and microbiological requirements would remain in place and that implementing decisions taken on the basis of the repealed acts would continue to apply. In the common position, these elements have been respected. In addition, the Council has made provision for the implementing rules that are based on Annex II of Directive 92/118/EEC to continue to apply (except for Decision 94/371 laying down specific public health conditions for the putting on the market of certain types of eggs), the content of which has been largely integrated in the second proposal of the food hygiene package). The Council has also made provision for the implementing decisions of Decision 95/408/EEC to continue to apply. These implementing decisions contain the lists of establishments in third countries that are authorised to export food of animal origin to the EC.