

# **Prevention, control and eradication of certain transmissible spongiform encephalopathies (TSEs)**

1998/0323(COD) - 12/02/2001 - Council position

Whilst sharing the approach and objectives proposed by the Commission and endorsed by the European Parliament, the Council found it necessary in drawing up its common position to make certain changes, to both the substance and the form of the proposal for a Regulation. In making these changes, the Council wished in particular to : - make the wording more precise and more consistent, and thus improve the legal clarity of the text; - introduce provisions aimed at managing intra-Community trade and imports, and if necessary exports, which would comply with the OIE's recommendations, so as to honour the Community's WTO commitments; - update the texts containing the measures decided on under the safeguard clause; - specify the scope of certain provisions adopted in the context of the said measures. The main amendments made to the Commission proposal concern : - the inclusion of all the provisions currently in force as safeguard measures (particularly the elimination of specified risk material) and the main recommendations adopted in May 2000 by the OIE, especially the country classification criteria (5 categories) in terms of the incidence of BSE. The Council also provided for transitional measures enabling the application of measures laid down in the new regulation to be modulated. Finally, the Council integrated into the text all the provisions to be applied with regard to scrapie. With regard to the Council's position on the European Parliament's amendments, it endorsed virtually all of the amendments accepted by the Commission. Furthermore, the Council responded to the demands of public health and consumer policy by making provision for a compulsory test on all bovine animals aged over 30 months and by amending the inspection provisions applicable. On the other hand, the amendments not incorporated into the common position relate to rapid diagnostic testing, a country or region presenting "no" risk is hard to envisage, therefore the Council has retained the reference to the "lowest risk". Also, the an extension of the period required for confirming a case of scrapie from 2 to 6 years was not justified. Pending a review of this period by the OIE, the Council extended the period to 3 years. Lastly, the Council considers that its common position, which includes the amendments set out above, takes extensive account of the European Parliament's opinion at first reading and represents a balanced solution which responds to the expectations of operators and consumers and which aims to allow for more satisfactory implementation by the national authorities, particularly as regards controls. It should be allowed for better management of the BSE crisis in the Union and restore consumer confidence.