Public health: monitoring of zoonoses and zoonotic agents (amend. Decision 90/424/EEC, repeal. Directive 92/117/EEC)

2001/0176(COD) - 20/02/2003 - Council position

The common position was adopted by a qualified majority, with the German and Greek delegations abstaining. As a consequence, the common position adopted by the Council encompasses the bulk of the amendments that the Parliament adopted at first reading. The Commission accepts these amendments and the other modifications made to its initial proposal. - Scope and aim of monitoring for zoonoses and zoonotic agents: The Council agrees that the monitoring of zoonoses and zoonotic agents ought, in principle, to cover all stages of the food chain, including food and feed. It also agrees that the aim of monitoring must be to collect comparable data. The common position is therefore consistent with the relevant parliamentary amendments. The common position clarifies the provisions concerning the harmonisation of Member States' monitoring systems. The aim of such harmonisation would be to lay down minimum requirements. It would concern as a priority those zoonoses and zoonotic agents in respect of which monitoring would be mandatory in all Member States. The common position also clarifies that co-ordinated monitoring programmes would be established only if data collected through routine monitoring were not sufficient. Concerning the monitoring of antimicrobial resistance, the Council agrees that the emergence of of antimicrobial resistance is alarming, that its monitoring should be a priority, and that there should be flexibility to extend the scope of such monitoring. The common position is therefore consistent with the relevant parliamentary amendments. However, rather than providing for the monitoring of zoonotic agents and other bacteriological agents, it would permit the monitoring of zoonotic agents and, insofar as they present a threat to public health, other agents. This would provide greater flexibility, while ensuring that monitoring would target those agents that present a health risk. In addition, the common position would extend the scope of the specific requirements that would apply initially to the monitoring of antimicrobial resistance to cover certain products of animal origin. - Timetable for reports : The Council believes that the collection and analysis of data should take place as rapidly as is practicable. The common position therefore incorporates those parliamentary amendments that are consistent with this aim 3, but not those that would have imposed unrealistic deadlines. - Food business operators' duties : The common position is consistent with the parliamentary amendment seeking to clarify that food business operators may, in principle, carry out examinations for the presence of any zoonosis or zoonotic agent subject to monitoring. In addition, to facilitate the investigation of outbreaks of food-borne diseases, it would require food business operators to preserve relevant isolates and to provide them to the competent authority on request. It would also provide for the laying down of detailed rules concerning these duties. - Comitology : The Council agrees that, while it should be possible to amend technical provisions contained in the Annexes through comitology, criteria governing such amendments ought to appear in the Articles. It also agrees that the Commission should, as appropriate, consult either the Committee on the Food Chain and Animal Health or the Committee set up underDecision 2119/98/EC. For legal reasons, however, the Commission cannot consult both committees on the same proposal. The common position is therefore consistent with the objective of the relevant parliamentary amendments. - Consultation of the European Food Safety Authority : The common position would require the Commission to consult the European Food Safety Authority before proposing: -amendments to the lists of zoonoses and zoonotic agents subject to monitoring contained in Annex I; - amendments to the detailed rules on the monitoring of antimicrobial resistance set out in Annex II; or the establishment of co-ordinated monitoring programmes. The Council does not agree, however, that such consultation ought to be automatic. In other cases, the Commission should have some discretion, to ensure that the Authority can concentrate on those issues that are the most significant for public health. The common position is therefore not consistent with the relevant parliamentary amendment. - Community co-financing : the common position on the Regulation on the control of zoonoses provides for the Commission to report on financial issues and, if appropriate, to make

proposals, within three years of its entry into force. So as not to prejudice the content of this report, and the outcome of discussions on any Commission proposals within the European Parliament and the Council, the common position on the Directive includes a consequential modification to the amendment to Article 29 of Decision 90/424/EEC. The modified amendment would provide for Community co-financing of up to 50% to be available, in principle, for any costs incurred implementing mandatory control measures, enabling the decision on the level of resources to be allocated to Community co-financing to be taken in the light of the Commission's report. - Zoonoses and zoonotic agents subject to monitoring : the Council agrees that the Directive ought to make explicit that the list of zoonoses and zoonotic agents to be monitored according to the epidemiological situation includes all viruses transmitted by arthropods (and not just by ticks). The common position therefore incorporates the relevant parliamentary amendment. The Council believes that it is premature to make the monitoring of Cryptosporidiosis mandatory in all Member States. Its monitoring should depend on the epidemiological situation. In the common position this zoonosis therefore appears in the list in Part B of Annex I. The Council accepts, however, that it should be possible to amend these lists through comitology, in particular to take account of epidemiological trends. It should also be noted the common position also incorporates parliamentary amendments: - clarifying the scope of the Directive. - requiring Member States' officials to undergo ongoing training; - providing for reports to describe methods of production, where relevant. The common position does not incorporate one amendment because the Council considers it inappropriate to require epidemiological and microbiological studies in respect of all food-borne outbreaks. It should be possible to tailor the response to the size and gravity of the outbreak. Finally, compared to the Commission's initial proposal, the common position would: - delete the definition of "communicable diseases", which was superfluous and created confusion; - to be consistent with the Regulation, enable Member States to designate more than one competent authority for the purposes of the Directive, provided that there is co-operation between the authorities and a single contact point for the Commission; - set relative dates for the transposition of the Directive and for the repeal of Directive 92/117/EEC (six months after entry into force of the Directive), to ensure that this takes place as soon as is reasonably practicable, whatever the date of adoption of the Directive.