Basic information

1993/1037(CNS) CNS - Consultation procedure Regulation	Procedure completed
Inspection of food: monitoring of substances and residues in live animals and meat Repealed by 2013/0140(COD) **Subject** 3.10.08 Animal health requirements, veterinary legislation and pharmacy 4.20.05 Health legislation and policy 4.60.04.04 Food safety	

Key players

Council of the European Union

Council configuration	Meetings	Date
Agriculture and Fisheries	1918	1996-04-29
Agriculture and Fisheries	1908	1996-03-19
Agriculture and Fisheries	1904	1996-02-26

Key events

Date	Event	Reference	Summary
22/09/1993	Legislative proposal published	COM(1993)0441	Summary
15/11/1993	Committee referral announced in Parliament		
22/03/1994	Vote in committee		
18/04/1994	Debate in Parliament		
07/07/1994	Modified legislative proposal published	COM(1994)0294	Summary
29/04/1996	Act adopted by Council after consultation of Parliament		Summary
29/04/1996	End of procedure in Parliament		
23/05/1996	Final act published in Official Journal		

Technical information

Procedure reference	1993/1037(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	Legislation
Legislative instrument	Regulation

Amendments and repeals	Repealed by 2013/0140(COD)
Legal basis	EC before Amsterdam E 043
Stage reached in procedure	Procedure completed

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, 1st reading/single reading		A3-0169/1994 OJ C 128 09.05.1994, p. 0007	22/03/1994	
Text adopted by Parliament, 1st reading/single reading		T3-0226/1994 OJ C 128 09.05.1994, p. 0038-0098	19/04/1994	Summary

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(1993)0441	22/09/1993	Summary
Modified legislative proposal	COM(1994)0294 OJ C 222 10.08.1994, p. 0017	07/07/1994	Summary
Follow-up document	SEC(2002)1278	22/11/2002	Summary
Follow-up document	SEC(2004)0100	27/01/2004	Summary
Follow-up document	SEC(2004)1137	09/09/2004	
Follow-up document	SEC(2007)0196	08/02/2007	Summary
Follow-up document	SEC(2008)2375	06/08/2008	Summary
Follow-up document	SEC(2008)3110	23/12/2008	
Follow-up document	SEC(2010)0255	05/03/2010	
Follow-up document	SEC(2011)0475	07/04/2011	
Follow-up document	SWD(2012)0067	20/03/2012	
Follow-up document	SWD(2013)0110	04/04/2013	Summary
Follow-up document	SWD(2014)0174	26/05/2014	Summary

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
EESC	Economic and Social Committee: opinion, report	CES1309/1993 OJ C 052 19.02.1994, p. 0030	21/12/1993	

Additional information		
Source	Document	Date
European Commission	EUR-Lex	

Final act	
Directive 1996/0023 OJ L 125 23.05.1996, p. 0010	Summary

Inspection of food: monitoring of substances and residues in live animals and meat

1993/1037(CNS) - 29/04/1996

The Council adopted the Directive by qualified majority, with the UK delegation voting against the proposal.

Inspection of food: monitoring of substances and residues in live animals and meat

1993/1037(CNS) - 29/04/1996 - Final act

OBJECTIVE: to strengthen monitoring and controls with regard to the use of illegal substances in meat. COMMUNITY MEASURE: Council Directive 96/23/EC on measures to monitor certain substances and residues thereof in live animals and animal products and repealing Directives 85/358/EEC and 86/469/EEC and Decisions 89/187/EEC and 91/664/EEC. SUBSTANCE: the Directive clarifies and improves existing procedures for the detection of residues in live animals and animal products. It requires controls be based essentially on targeted and unannounced inspections. Member States must draw up annual plans, in agreement with the Commission, for the detection of residues; those plans must cover a minimum level of sampling, while remaining sufficiently flexible to take account of specific local circumstances. The Directive prescribes the procedures to be used in the investigation and confirmation of suspected cases of fraud, which may include the destruction of the batch of animals concerned where half the samples taken from a representative sample have produced positive results indicating the presence of residues of illegal substances. ENTRY INTO FORCE: 23/05/1996. DEADLINE FOR TRANSPOSITION: 01/07/1997.

Inspection of food: monitoring of substances and residues in live animals and meat

1993/1037(CNS) - 27/01/2004 - Follow-up document

This Commission staff working paper concerns the implementation of national residue monitoring plans in the Member States in 2001. In accordance with Directive 96/23/EC, the Commission shall report to Member States within the Standing Committee on the Food Chain and Animal Health on the outcome of the checks carried out in particular on the implementation of the national plans and on the developments in the situation in the various regions of the Community. The aim of this report is to summarise the results of national residue monitoring plans during the year 2001 in the Member States. Member States are also requested to provide information on actions taken at regional and national level in response to the report. Moreover, in accordance with Article 8 of Directive 96/23/EC, the Member States were requested as a follow-up to provide information on actions taken at regional and national level. The objective is to provide an overview of actions taken as a consequence of positive1 results for residues of non authorised substances or when maximum residue limits (MRLs) established in EU legislation are exceeded. In order to collect information on action taken as a consequence of positive results, the Commission sent a questionnaire to the Member States. The responses of the Member States are summarised under the three headings below: - Subsequent sampling as suspects. In summary, this means that the terms "suspect sample" apply to a sample taken

as a consequence of : positive results and/or suspicion of an illegal treatment at any stage of the food chain and/or suspicion of non compliance with the withdrawal period for an authorised veterinary medicinal product; - Modifications of the national plan for 2002 and 2003. The national residue monitoring plan aims at detecting illegal treatment of food producing animals, controlling compliance with the maximum residue limits for veterinary medicinal products, the maximum residue levels for pesticides and the maximum levels for environmental contaminants. Positive results for a specific substance/group of substances or a specific food commodity should result in intensified controls for this substance/group or food commodity in the plan for the following year. The document summarises the changes introduced by some Member States for the 2002 plan; - Other actions are foreseen in Directive 96/23/EC such as blocking of farms, intensification of checks, fines, etc. The responses of the Member States in relation to this type of actions are as follows : investigations in the farm of origin: verification of records, additional sampling; animals held in the farm as a consequence of positive findings; animals slaughtered in case of confirmation of illegal treatment; farms subject to intensified checks after positive results; carcasses impounded at the slaughterhouse; carcasses and products declared unfit for human consumption; administrative measures; criminal penalties; denial of the opportunity of receiving or applying for Community aid for a period of 12 months.

Inspection of food: monitoring of substances and residues in live animals and meat

1993/1037(CNS) - 19/03/1996

The Council reached political agreement by a qualified majority, with the United Kingdom voting against.

Inspection of food: monitoring of substances and residues in live animals and meat

1993/1037(CNS) - 22/09/1993 - Legislative proposal

This proposal for a regulation, on measures to monitor certain substances and residues thereof in live animals and animal products, clarified and improved existing procedures for the detection of residues. It required monitoring to be based essentially on targeted and unannounced inspections, the system of random sampling being of secondary importance. The keystone of the system remained the preparation by Member States of annual residue control plans, which had to employ a minimum rate of sampling but remain sufficiently flexible to take account of specific local circumstances and experience. The proposal prescribed the procedures to be used in the investigation and confirmation of cases of suspected fraud, which could include destruction of the batch of animals concerned where at least 10% of them tested positive for residues of illegal substances. Member States would also be asked to take the requisite measures to ensure that abattoirs cooperated on investigations into presumed infringements of the rules. This draft incorporated the Council's decisions on the powers and designation of Community reference laboratories for residue testing. The list of designated laboratories would have to be adjusted to take account of substances or residues not yet allocated.

Inspection of food: monitoring of substances and residues in live animals and meat

1993/1037(CNS) - 07/07/1994 - Modified legislative proposal

The Commission's amended proposal incorporates the following amendments adopted by the European Parliament: - account to be taken of groups of producers who develop self-regulating systems in order to combat the illegal use of growth promoters, offering consumers a full guarantee that products do not contain hormones, and provision to be made for the possibility of granting aid, - the Commission to inform the Member States and the European Parliament every year of the application of national plans to fight hormones in the various regions of the Union, - Member States which consider that controls in another Member State are no longer being carried out to notify immediately the competent authority in that Member State, which will take suitable action to check the efficacy of controls, - if the event of failure to cooperate or obstruction by abattoir staff or animal keepers during monitoring inspections, appropriate criminal and/or administrative sanctions to be taken, - if it is proven that the person in charge of the abattoir has helped to conceal the use of illegal substances, Community aid to which the guilty party is entitled to be suspended for one year.

Inspection of food: monitoring of substances and residues in live animals and meat

1993/1037(CNS) - 19/04/1994 - Text adopted by Parliament, 1st reading/single reading

In 1981, a Council directive banned the use of certain fattening hormones but gave Member States the option of authorizing the use of other hormones. In 1988, a directive was passed introducing a general ban on hormones in animal production, while allowing the use of natural hormones to be authorised for therapeutic and zootechnical purposes. Finally, the Member States were called on to harmonise their legislation on the monitoring of residues. However, an investigation carried out between May 1990 and January 1992 demonstrated that growth promoters (hormones and beta-agonists) were easy to obtain and that this was contributing to their illegal use. The investigation also showed that residues of antibiotics and sulfamides were frequently traced in intensively reared stock. On the basis of this finding, Parliament called in May 1993 for new Community legislation on the use of beta-agonists, for possession of banned substances to be punished and for all Community aid for livestock treated illegally to be suspended. The Commission proposal submitted for Parliament's approval contains measures to check for residues of substances with hormonal

action or beta-agonists in livestock and their products. The Commission intends to achieve this by making producers and anyone involved in the food production chain responsible (pharmaceutical companies, veterinarians, abattoirs, dealers, wholesalers etc.). Adopting the report by Mr APOLIN RIO (PSE, P), Parliament approved this principle and called for help for groups of producers to develop self-regulating systems which guarantee that their meat is free from hormones. It also called, if it is proven that the owner or person in charge of the abattoir has helped to conceal the illegal use of banned substances, for Community aid to the guilty party to be suspended for a period of twelve months. Finally, it called for persons illegally in possession or using banned substances or illegally using authorised substances to be named and shamed in the specialist agricultural press and/or the national or regional daily press.

Inspection of food: monitoring of substances and residues in live animals and meat

1993/1037(CNS) - 26/02/1996

Most delegations agreed on the text resulting from previous discussions, subject to a number of technical adjustments. At the end of the discussions the Council instructed the Permanent Representatives Committee and the Special Committee on Agriculture to act on those majority positions so that the texts in question could be jointly adopted at a forthcoming meeting.

Inspection of food: monitoring of substances and residues in live animals and meat

1993/1037(CNS) - 06/08/2008 - Follow-up document

The aim of this report is to summarise the results of the national residue monitoring plans during 2006 in Member States. This report includes for the first time the data obtained in Romania and Bulgaria. 2006. Altogether, around 687 445 targeted samples (439 445 samples for all groups + 248 000 for inhibitor tests in Germany) and 52 000 suspect samples were taken in all Member States in 2006, i.e. 707 163 targeted samples (456 163 samples for all groups+ 251 000 for inhibitor tests) and 73 000 suspect samples in 2005.

Overall the picture shows a decrease of 3 % in the number of target samples taken for residue control together with an **increase in the global number of non-compliant results**.

There is a continuing problem with residues of **antimicrobial agents** throughout the commodities tested. This highlights the importance of Member States utilising broad spectrum antimicrobial screening tests and taking appropriate corrective and preventive measures to decrease the prevalence of such residues.

The banned substance chloramphenicol has been found in 13 Member States and in several food commodities.

Regarding animal products, in aquaculture most of non-compliant results were as in previous years for malachite green, found in fourteen Member States. The number of non-compliant results has increased from 45 targeted and 49 suspect in 2005 to 68 targeted and 101 suspect in 2006. Other non compliant results were for banned substances (chloramphenicol and nitrofurans one each), organochlorines, organophosphorous and heavy metals. The issue of **malachite green** warrants highlighting as the prevalence rate of residues detected in 2006 increased relative to 2005. Again Member States are reminded to redouble their efforts to eliminate the use of this non-authorised substance in aquaculture.

Inspection of food: monitoring of substances and residues in live animals and meat

1993/1037(CNS) - 22/11/2002 - Follow-up document

This Working Paper from the Commission looks at the implementation of national residue monitoring plans in the Member States. Council Directive 96 /23/EC on measures to monitor certain substances and residues in live animals and animal products requires Member States to adopt and implement a national residue monitoring plan for the specific groups of residues. The Directive lays down specific sampling levels and frequencies, as well as the groups of substances to be monitored for each food commodity. National monitoring plans should be targeted: samples should be taken with the aim of detecting illegal treatment or controlling compliance with the maximum residue limits (MRLs) of certain substances. This means that in the national plan, Member States target those groups of animal/gender/age combinations where the probability of finding residues is the highest. This approach is different from random sampling. Member States must forward annually to the Commission the national monitoring plans together with the results of the residue monitoring of the previous year. Annex 1 to this document contains a summary of the results of national residue monitoring plans for the year 2000. Trends within the EU are also indicated where comparison with previous reports is possible. Annex II to this document contains a questionnaire sent by the Commission to Member States to gain information on action taken as a consequence of positive results. The responses of the Member States are discussed. In summary, the term "suspect samples" applies to a sample taken as a consequence of: -positive results and/or -suspicion of an illegal treatment at any stage of the food chain and/or -suspicion of non-compliance with the withdrawal period for a veterinary medicinal product. Some Member States apply these conditions cumulatively, whereas others apply them separately. There is presently no harmonised approach to the definition of suspect samples. The Commission is considering this problem. Positive results for a specific substance/group of substances or a specific food commodity should result in intensified controls in the plan for the following year. Six Member States - Austria, Finland, Germany, Italy, the Netherlands and the United Kingdom - have indicated changes in the plan for 2001 as a consequence of positive results for 2000. This demonstrates that Member States apply flexibility and are willing to change their plans to reflect problems that have arisen. Articles 16 and Articles 22-28 of Directive

96/23/EC prescribe a series of actions (other than modifications of the residue monitoring plan) to be taken in the case of positive results or infringements. The responses of the Member States in relation to these actions are summarised.

Inspection of food: monitoring of substances and residues in live animals and meat

1993/1037(CNS) - 08/02/2007 - Follow-up document

To recall, the purpose of Council Directive 96/23/EC is to adopt and implement a national residue monitoring plan for specific groups of residues. Specific sampling levels and frequencies are laid down by the Directives as are the groups of substances that need to be monitored for each food commodity. In practice, the Member States' national plan target those groups of animals/gender/age combinations where the probability of finding residues is the highest. The results are then forwarded to the Commission on an annual basis.

The purpose of this Commission report is to summarise the results of the national residue monitoring plans for the year 2005. It includes data on the ten new Member States. Altogether, around 707 163 targeted samples and 73 000 suspect samples were taken in all Member States in 2005, i.e. 780 163 samples for residue control in all food commodities.

Inspection of food: monitoring of substances and residues in live animals and meat

1993/1037(CNS) - 04/04/2013 - Follow-up document

This Commission Staff Working document concerns the implementation of national residue monitoring plans in the Member States in 2011.

Its aim is to communicate to the European Parliament and to the Council of the European Union a summary of the Member States' findings and actions taken as a consequence of the **non-compliant results found in food of animal origin through the implementation of Council Directive 96/23/EC** on measures to monitor certain substances and residues thereof in live animals and animal products during 2011. Under the Directive, Member States must forward annually to the Commission the national monitoring plans, together with the results of their residue monitoring for the previous year, by 31 March at the latest. The Directive lays down a procedure by which these plans are approved on a yearly basis.

The document comprises three parts:

- In **Part I**, the Commission summarises the results of the national residue monitoring plans for the year 2011. Trends within the European Union are also indicated by comparison with previous reports.
- **Part II** is a compilation and analysis of data of the results obtained in the Member States in 2011.

The changes introduced by some Member States for the 2011 plan, together with the responses of the Member States in relation to this type of actions, are summarised in **Part III**.

Inspection of food: monitoring of substances and residues in live animals and meat

1993/1037(CNS) - 26/05/2014 - Follow-up document

This Commission Staff Working document concerns the implementation of national residue monitoring plans in the Member States in 2012.

Its aim is to communicate to the European Parliament and to the Council of the European Union a summary of the Member States' findings and actions taken as a consequence of the **non-compliant results found in food of animal origin through the implementation of Council Directive 96/23/EC** on measures to monitor certain substances and residues thereof in live animals and animal products during 2012.

This Communication report consists of two parts:

Part I: is a compilation and analysis of data of the results obtained in the Member States in 2012. This compilation and analysis of data is broken down by food commodities (bovines, pigs, sheep and goats, horses, poultry, rabbit, farmed game, wild game, aquaculture, milk, eggs and honey) and groups of substances (hormones, corticosteroids, beta-agonists, prohibited substances, antibacterials, other veterinary medicinal products, "other" substances and contaminants).

Part II of the report enumerates the follow-up actions in case of non-compliant findings performed by the individual Member States.