

Basic information	
2004/0270B(COD)	Procedure completed
COD - Ordinary legislative procedure (ex-codecision procedure) Regulation	
Prevention, control and eradication of certain transmissible spongiform encephalopathies (TSEs)	
Amending Regulation (EC) No 999/2001 1998/0323(COD)	
Subject	
3.10.08.05 Animal diseases 3.10.10 Foodstuffs, foodstuffs legislation 4.60.04.04 Food safety	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	ENVI Environment, Public Health and Food Safety	ROTH-BEHRENDT Dagmar (PSE)	20/01/2005
	Former committee responsible	Former rapporteur	Appointed
	ENVI Environment, Public Health and Food Safety	ROTH-BEHRENDT Dagmar (PSE)	20/01/2005
Council of the European Union	Former committee for opinion	Former rapporteur for opinion	Appointed
	AGRI Agriculture and Rural Development	GRAEFE ZU BARINGDORF Friedrich-Wilhelm (Verts/ALE)	29/11/2005
Council of the European Union	Council configuration	Meetings	Date
	Transport, Telecommunications and Energy	2765	2006-11-23

Key events			
Date	Event	Reference	Summary
06/12/2004	Legislative proposal published	 COM(2004)0775	Summary
14/12/2004	Committee referral announced in Parliament, 1st reading		
25/04/2006	Vote in committee, 1st reading		Summary

03/05/2006	Committee report tabled for plenary, 1st reading	A6-0161/2006	
16/05/2006	Debate in Parliament		
17/05/2006	Decision by Parliament, 1st reading	T6-0212/2006	Summary
17/05/2006	Results of vote in Parliament		
23/11/2006	Council position published	14224/4/2006	Summary
29/11/2006	Committee referral announced in Parliament, 2nd reading		
29/11/2006	Vote in committee, 2nd reading		Summary
04/12/2006	Committee recommendation tabled for plenary, 2nd reading	A6-0445/2006	
12/12/2006	Decision by Parliament, 2nd reading	T6-0535/2006	Summary
12/12/2006	Results of vote in Parliament		
18/12/2006	Final act signed		
18/12/2006	End of procedure in Parliament		
30/12/2006	Final act published in Official Journal		

Technical information	
Procedure reference	2004/0270B(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Regulation
Amendments and repeals	Amending Regulation (EC) No 999/2001 1998/0323(COD)
Stage reached in procedure	Procedure completed
Committee dossier	ENVI/6/42315

Documentation gateway				
European Parliament				
Document type	Committee	Reference	Date	Summary
Committee draft report		PE368.022	06/02/2006	
Amendments tabled in committee		PE370.276	10/03/2006	
Committee opinion	AGRI	PE367.645	29/03/2006	
Committee report tabled for plenary, 1st reading/single reading		A6-0161/2006	03/05/2006	
Text adopted by Parliament, 1st reading/single reading		T6-0212/2006	17/05/2006	Summary
Committee recommendation tabled for plenary, 2nd reading		A6-0445/2006	04/12/2006	
Text adopted by Parliament, 2nd reading		T6-0535/2006	12/12/2006	Summary

Council of the EU

Document type	Reference	Date	Summary
Council position	14224/4/2006 OJ C 311 19.12.2006, p. 0001-0009 E	23/11/2006	Summary
Draft final act	03681/2006	18/12/2006	

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(2004)0775 	06/12/2004	Summary
Commission response to text adopted in plenary	SP(2006)2902	22/06/2006	
Commission communication on Council's position	COM(2006)0701 	24/11/2006	Summary

Additional information

Source	Document	Date
National parliaments	IPEX	
European Commission	EUR-Lex	

Final act

Regulation 2006/1923
OJ L 404 30.12.2006, p. 0001

[Summary](#)

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

2004/0270B(COD) - 06/12/2004 - Legislative proposal

PURPOSE : to amend the TSE Regulation 999/2001/EC laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies.

PROPOSED ACT : Regulation of the European Parliament and of the Council.

CONTENT : this proposal is an amendment to the TSE Regulation on various matters and in the light of new developments since the adoption of the Regulation. The main amendments suggested by the Commission concern the following issues :

- Determination of BSE status : Regulation 1128/2003/EC extended the application of the transitional measures under Article 23 of the TSE Regulation by two years, until 30 June 2005. The aim of this extension was to allow the Commission to continue its attempts to reach an agreement at international level on the determination of BSE status of countries. The World Organisation for Animal health (OIE) presented a proposal to simplify the current criteria for the categorisation of countries according to their BSE risk. Since the Members did not express major objections to the proposal, a proposal for possible adoption will be presented at the OIE General session in May 2005 at the earliest. The intention is to reduce the number of categories, possibly in a step-wise way. To avoid multiple amendments to the Articles of the TSE Regulation pending the final modifications to the number of categories, it is proposed to transfer references to individual categories from the Articles to the Annexes. Moreover, a Resolution was adopted at the OIE General Session in May 2003 according to which OIE will classify all countries into one or other of the defined categories. It may be assumed that OIE will not conclude the final categorisation of countries according to their BSE risk before 1 July 2005. Therefore it is proposed to

prolong the period of application of the transitional measures. Therefore it is proposed to prolong the period of application of the transitional measures until 1 July 2007.

- Prevention of TSE : in March 2003, the Scientific Steering Committee (SSC) recommended to start a monitoring programme for TSEs in cervids. The TSE Regulation establishes a monitoring programme for BSE and scrapie. It is proposed to extend this provision to other TSEs, in particular in order to follow the SSC recommendation on cervids. Commission Decision No. 2003/100/EC introduced a harmonised breeding programme to select for resistance to TSEs in ovine animals as a transitional measure. It is proposed to introduce a permanent legal basis for the breeding programme in the TSE Regulation. The TSE Regulation prohibits the feeding of certain processed animal proteins to certain animals, with a possibility to extend the prohibition or lay down derogations in Annex IV. In order to make comprehensive amendments to the Annex, it is proposed to make certain technical amendments to the present wording of the corresponding Articles in order to develop the structure of the Annex. It is proposed to replace the present rules in the TSE Regulation on the disposal of specified risk materials and animals infected by TSEs with a reference to Regulation 1774/2002/EC laying down health rules concerning animal by-products not intended for human consumption. In addition, it is proposed to revise the present provisions on slaughter methods with a view to prohibit gas injection into the cranial cavity in connection with stunning. It is proposed to align the definition of mechanically recovered meat with the definition used in other Community legislation on food safety.

- Control and eradication of TSEs : in order to avoid that animals are moved from holdings where scrapie is officially suspected, it is proposed to lay down the same rules regarding movement restrictions as for bovine animals following the detection of a BSE suspect.

- Placing on the Market : To take account of possible emerging TSEs in other species it is proposed to introduce a possibility to extend the scope of the current provisions on the placing on the market and export of bovine, ovine and caprine animals, their semen, embryos and ova in order to cover other species. The Commission proposes to remove di-calcium phosphate from the list of products which the Regulation currently specifies shall not be subject to restrictions on placing on the market. Since no restrictions apply for milk for human consumption, the same derogation should apply for milk not intended for human consumption within the meaning of Regulation 1774/2002/EC. The list of products which shall not be subject to restrictions on placing on the market by the Regulation shall be modified accordingly.

- Controls : The TSE Regulation provides a legal basis for inspections by the Food and Veterinary Office (FVO) only within the Member States. The Commission considers it useful to lay down certain detailed rules concerning on-the-spot checks carried out in the veterinary field by Commission experts in third countries. It is proposed to amend the Regulation to provide for such checks.

The proposal has no implications for the budget of the European Community.

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

2004/0270B(COD) - 18/12/2006 - Final act

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

2004/0270B(COD) - 12/12/2006 - Text adopted by Parliament, 2nd reading

The European Parliament adopted a resolution drafted by Dagmar **ROTH-BEHRENDT** (PES, DE) approving the Council's common position on the amendment of Regulation 999/2001/EC laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies.

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

2004/0270B(COD) - 23/11/2006 - Council position

The Council adopted, by qualified majority, a common position on the adoption of a Regulation of the European Parliament and of the Council amending Regulation 999/2001/EC laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies.

In May 2006, an agreement was made at first reading on this report. In the meantime, the Council adopted Decision 2006/512/EC which introduced new provisions for the adoption of acts implementing Council and Parliament's legislation adopted via co-decision, the so-called "regulatory procedure with scrutiny", governed by the provisions laid down in the new Article 5a of Council Decision 1999/468/EC. This new procedure should be used for measures of a general scope which seek to amend non-essential elements of an adopted act according to the co-decision procedure, including by deleting some of those elements or by supplementing the instrument by the addition of new non-essential elements.

Awaiting the adoption of the co-decision proposal on TSEs, the Council made the necessary changes to include, where appropriate, the regulatory procedure with scrutiny in the Articles referred in the Commission proposal.

Given the urgency of the matter, the Parliament and the Council should adopt the proposed Regulation no later than December 2006.

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

2004/0270B(COD) - 17/05/2006 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted a resolution drafted by Dagmar **ROTH-BEHRENDT** (PES, DE) and made some amendments to the Commission's proposal. (For a summary of the main amendments, please see the preceding document.)

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

2004/0270B(COD) - 24/11/2006 - Commission communication on Council's position

The common position adopted by the Council by qualified majority represents a balanced further elaboration of the Commission proposal, where various provisions requested by the Council were included, and in which several of the 1st Reading amendments of the European Parliament have been taken into account.

The Commission agrees with the Council's position regarding the provisions to be subject to the regulatory procedure with scrutiny and thus should endorse the Common position.

The Commission stated that it will only grant the authorisations referred to in Article 7 after examining the risks and at the same time will take into account the control tools in place to evaluate and ensure the proper implementation of these derogations. Related to the use of fish meal intended for young ruminants, certain restrictions could be envisaged linked to the production or type of those feedingstuffs.

As regards the derogation for fish meal, the Commission will use the results of the microscopic method of analysis which aim to differentiate fish proteins from those of mammals, as well as the results of the next "proficiency-testing" organised by the Community reference laboratory.