

Basic information	
2008/0030(COD) COD - Ordinary legislative procedure (ex-codecision procedure) Regulation	Procedure completed
Prevention, control and eradication of certain transmissible spongiform encephalopathies (TSEs); Commission implementing powers	
Amending Regulation (EC) No 999/2001 1998/0323(COD)	
Subject 3.10.08.05 Animal diseases 4.60.04.04 Food safety	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	ENVI Environment, Public Health and Food Safety	HEGYI Gyula (PSE)	26/02/2008
Council of the European Union	Committee for opinion	Rapporteur for opinion	Appointed
	JURI Legal Affairs	The committee decided not to give an opinion.	19/12/2007
Council of the European Union	Council configuration	Meetings	Date
	General Affairs	2864	2008-04-29
	Agriculture and Fisheries	2881	2008-06-23
	Education, Youth, Culture and Sport	2923	2009-02-16

Key events			
Date	Event	Reference	Summary
06/02/2008	Legislative proposal published	COM(2008)0053 	Summary
21/02/2008	Committee referral announced in Parliament, 1st reading		
24/06/2008	Vote in committee, 1st reading		Summary
30/06/2008	Committee report tabled for plenary, 1st reading	A6-0279/2008	
23/09/2008	Decision by Parliament, 1st reading	T6-0427/2008	Summary
23/09/2008	Results of vote in Parliament		
16/02/2009	Act adopted by Council after Parliament's 1st reading		

11/03/2009	Final act signed		
11/03/2009	End of procedure in Parliament		
31/03/2009	Final act published in Official Journal		

Technical information	
Procedure reference	2008/0030(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)
Legal basis	EC Treaty (after Amsterdam) EC 152-p4b
Stage reached in procedure	Procedure completed
Committee dossier	ENVI/6/59257

Documentation gateway				
European Parliament				
Document type	Committee	Reference	Date	Summary
Committee draft report		PE405.940	06/05/2008	
Committee report tabled for plenary, 1st reading/single reading		A6-0279/2008	30/06/2008	
Text adopted by Parliament, 1st reading/single reading		T6-0427/2008	23/09/2008	Summary
Council of the EU				
Document type	Reference	Date	Summary	
Draft final act	03693/2008/LEX	11/03/2009		
European Commission				
Document type	Reference	Date	Summary	
Legislative proposal	 COM(2008)0053	06/02/2008	Summary	
Commission response to text adopted in plenary	SP(2008)6073	17/10/2008		
Other institutions and bodies				
Institution/body	Document type	Reference	Date	Summary
EESC	Economic and Social Committee: opinion, report	CES0766/2008	22/04/2008	

Additional information		
Source	Document	Date
National parliaments	IPEX	
European Commission	EUR-Lex	

Final act
Regulation 2009/0220 OJ L 087 31.03.2009, p. 0155

[Summary](#)

Prevention, control and eradication of certain transmissible spongiform encephalopathies (TSEs); Commission implementing powers

2008/0030(COD) - 11/03/2009 - Final act

PURPOSE: to introduce new implementing procedures concerning rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies (TSEs).

LEGISLATIVE ACT: Regulation (EC) No 220/2009 of the European Parliament and of the Council amending Regulation (EC) No 999/2001 laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies, as regards the implementing powers conferred on the Commission.

CONTENT: following a first reading agreement with the European Parliament, the Council adopted a Regulation bringing the whole Regulation on transmissible spongiform encephalopathies (TSE) into line with the new comitology rules, following a first-reading agreement with the Parliament.

The new legislative act confers scrutiny rights on the Council and the Parliament with regard to the articles concerning: (i) the approval of rapid tests; (ii) the extension of certain provisions to other products of origin; (iii) the adoption of implementing rules including the method of confirming bovine spongiform encephalopathy (BSE) in ovine and caprine animals; (iv) modification of the Annex; and (v) the adoption of transitional measures.

Since those measures are of general scope and are designed to amend non-essential elements of Regulation (EC) No 999/2001, *inter alia*, by supplementing it with new non-essential elements, they must be adopted in accordance with the regulatory procedure with scrutiny provided for in Decision 1999/468/EC.

ENTRY INTO FORCE: 20/04/2009.

Prevention, control and eradication of certain transmissible spongiform encephalopathies (TSEs); Commission implementing powers

2008/0030(COD) - 06/02/2008 - Legislative proposal

PURPOSE: to introduce new implementing procedures concerning rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies (TSEs)

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

BACKGROUND: in 2006 rules governing the Commission's implementing powers were amended by Council Decision 2006/512/EC. This Council Decision introduced a new "regulatory procedure with scrutiny for measures of general scope designed to amend non-essential elements of a basic instrument that have been adopted in accordance with the co-decision procedure". This may include deleting some elements, or supplementing the instrument, through the addition of new non-essential elements.

The Commission has examined all instruments adopted by co-decision in a bid to identify those which permit the Commission to adopt measures of a general scope and which are designed to amend "non-essential" elements of the basic instrument in question. Over 200 instruments have been identified.

CONTENT: the purpose of this proposal is to introduce the new regulatory procedure with scrutiny to Regulation (EC) No 999/2001 laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies (TSEs). This Regulation is currently subject to the Commission's codification programme and adaptation of the new procedure should take place, depending on how far the codification process has progressed – either by recasting the codified proposal or, as is currently being proposed, by legislative amendment.

Prevention, control and eradication of certain transmissible spongiform encephalopathies (TSEs); Commission implementing powers

2008/0030(COD) - 23/09/2008 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted, under the 1st reading of the codecision procedure, a legislative resolution amending the proposal the proposal for a regulation of the European Parliament and of the Council amending Regulation (EC) No 999/2001 as regards the implementing powers conferred on the Commission. The report had been tabled for consideration in plenary by Gyula HEGYI (PES, HU) on behalf of the Committee on the Environment, Public Health and Food Safety.

The amendments were the result of agreement between Council and Parliament. The main ones were as follows:

- certain measures relating to products of animal origin derived from or containing ruminant material will not apply to ruminants which have undergone an alternative test which has been recognised in accordance with the regulatory procedure with scrutiny, provided that this test is listed in Annex X, where the results of the test were negative;
- with regard to measures following confirmation of the presence of a TSE, Member States may apply other measures offering an equivalent level of protection, if those measures have been approved in accordance with the regulatory procedure;
- the method to confirm BSE in ovine and caprine animals shall be adopted in accordance with the regulatory procedure with scrutiny.

Prevention, control and eradication of certain transmissible spongiform encephalopathies (TSEs); Commission implementing powers

2008/0030(COD) - 23/06/2008

The Council decided not to oppose the adoption by the Commission of a regulation amending Annex IV to Regulation 999/2001 laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies.

Annex IV concerning animal feeding will be amended in two respects:

- in accordance with a risk assessment by the European Food Safety Authority, the feeding of fishmeal to unweaned calves as milk replacers will be allowed, subject to strict rules for the production, packaging, labelling and transport of such products. The reason for this authorisation is that fishmeal offers indispensable properties as milk replacer compared to other vegetable protein sources;
- exports of processed pet food containing processed animal proteins derived from ruminants to third countries will be allowed. This is in the interest of legal consistency as the use of such proteins for the production of pet food is currently allowed within the Community.

These measures have been endorsed by the Standing Committee on the Food Chain and Animal Health (Scofcah).

The amending Regulation is subject to the regulatory procedure with scrutiny. This means that after being agreed by the competent committee of experts (Scofcah) it needs to be given the green light by the Council and the European Parliament, upon which it can be formally adopted by the Commission.