Basic information

2009/0077(COD) COD - Ordinary legislative procedure (ex-codecision procedure) Regulation	Procedure completed
Animal health requirements: non-commercial movement of pet animals Amending Regulation (EC) No 998/2003 2000/0221(COD) **Subject** 3.10.08 Animal health requirements, veterinary legislation and pharmacy 4.20.05 Health legislation and policy	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
ENVI Environment, Public Health and Food Safety	DE BRÚN Bairbre (GUE /NGL)	11/09/2009

Former committee responsible	Former rapporteur	Appointed
ENVI Environment, Climate and Food Safety		

Committee for opinion	Rapporteur for opinion	Appointed
AGRI Agriculture and Rural Development	The committee decided not to give an opinion.	

Former committee for opinion	Former rapporteur for opinion	Appointed
AGRI Agriculture and Rural Development		

Council of the European Union

Council configuration	Meetings	Date
General Affairs	3010	2010-04-26

European Commission

Commission DG	Commissioner
Health and Food Safety	DALLI John

Key events

Date	Event	Reference	Summary
16/06/2009	Legislative proposal published	COM(2009)0268	Summary
14/07/2009	Committee referral announced in Parliament, 1st reading		
01/12/2009	Vote in committee, 1st reading		Summary
04/12/2009	Committee report tabled for plenary, 1st reading	A7-0082/2009	
08/03/2010	Debate in Parliament		
09/03/2010	Decision by Parliament, 1st reading	T7-0048/2010	Summary
09/03/2010	Results of vote in Parliament		
26/04/2010	Act adopted by Council after Parliament's 1st reading		
19/05/2010	Final act signed		
19/05/2010	End of procedure in Parliament		
29/05/2010	Final act published in Official Journal		

Technical information

Procedure reference	2009/0077(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Regulation
Amendments and repeals	Amending Regulation (EC) No 998/2003 2000/0221(COD)
Legal basis	Treaty on the Functioning of the European Union TFEU 043-p2 Treaty on the Functioning of the European Union TFEU 168-p4
Other legal basis	Rules of Procedure EP 165
Stage reached in procedure	Procedure completed
Committee dossier	ENVI/7/00327

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE428.317	15/10/2009	
Amendments tabled in committee		PE430.641	11/11/2009	
Committee report tabled for plenary, 1st reading/single reading		A7-0082/2009	04/12/2009	
Text adopted by Parliament, 1st reading/single reading		T7-0048/2010	09/03/2010	Summary

Council of the EU

Document type	Reference	Date	Summary
Draft final act	00007/2010/LEX	19/05/2010	

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(2009)0268	16/06/2009	Summary
Document attached to the procedure	SEC(2009)0776	16/06/2009	
Document attached to the procedure	SEC(2009)0777	16/06/2009	
Commission response to text adopted in plenary	SP(2010)2013	25/04/2010	

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
EESC	Economic and Social Committee: opinion, report	CES1467/2009	30/09/2009	

Additional information

Source	Document	Date
National parliaments	IPEX	
European Commission	EUR-Lex	

Final act

Regulation 2010/0438
OJ L 132 29.05.2010, p. 0003 Summary

Animal health requirements: non-commercial movement of pet animals

2009/0077(COD) - 16/06/2009 - Legislative proposal

PURPOSE: to extend, until the end of 2011, transitional measures on the non-commercial movement of pet animals.

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

BACKGROUND: in accordance with Regulation (EC) No 998/2003, pet dogs, cats and ferrets travelling with their owner to another Member State must be accompanied by a passport, or when imported by a certificate, providing proof of a valid anti-rabies vaccination (“general regime”). As of 3 July 2011 electronic identification of dogs, cats and ferrets will be mandatory.

In order to take account of the particular situation of Ireland, Malta, Sweden and the United Kingdom with regard to rabies, Regulation (EC) No 998 /2003 provides for a transitional period during which the entry of pet dogs and cats into those Member States is subjected to more stringent requirements.

The Regulation grants a period of five years starting from the date of its entry into force, i.e. until 3 July 2008 (extended to 30 June 2010), to Finland, Ireland, Malta, Sweden and the United Kingdom to make the entry of pet animals into their territory subject to compliance with certain **additional requirements** to prevent the risk of introducing rabies, echinococcus and ticks ("transitional regime").

In order to determine the regime to be applied with effect from 1 July 2010, the Commission carried out an impact assessment based on various recent consultations and on the report that was adopted on 8 October 2007 that took into account the recommendations made by the European Food Safety Authority (EFSA). EFSA identified that in 2005 certain Member States had a non negligible prevalence of rabies in their pet population, which is related to the rabies situation in wildlife (foxes are the main reservoir of rabies in Europe).

In view of the EFSA opinions and of the Community-supported programmes, the transitional measure provided for in Regulation (EC) No 998/2003 should be extended until 31 December 2011.

Moreover, from the opinions adopted by EFSA with regard to echinococcosis and ticks, it results that the data available did not allow EFSA to demonstrate a particular status of the five Member States applying the transitional regime with regard to certain ticks and the tapeworm *Echinococcus multilocularis* and to quantify the risk of pathogen introduction through the non-commercial movement of pet animals.

For reasons of consistency, it is appropriate to extend the transitional measure provided for in Article 16 of Regulation (EC) No 998/2003 until 31 December 2011.

IMPACT ASSESSMENT: the Commission considers **four policy options**:

- **Option 1**: no action - this option means that after 30 June 2010, Finland, Ireland, Malta, Sweden and the UK will no longer make the entry of pet animals into their territory subject to additional requirements regarding rabies, echinococcus and ticks.
- **Option 2**: extension of the transitional regime – this option means a further temporary extension of the transitional period until the end of 2011. This option would require a Commission proposal to the European Parliament and the Council extending the transitional period for the five Member States that currently apply special rules and clarifying the regime that would apply as from 1 January 2012.
- **Option 3**: adjustment of the current rules applicable to all Member States.
- **Option 4**: continuation of the transitional regime on a permanent basis.

Following on from the impact assessment, preference has been given to options 1 and 2, which are similar in principle. Either would entail removing, sooner or later, the unjustified disparities, discrimination and burden felt by citizens including citizens from the five Member States who are affected by additional requirements when returning from abroad. At the same time, both options would maintain a high level of safety for pet movements within and into the EU, by applying the general regime, which has proved to be effective in preventing human and pet animal cases of rabies caused by lawful movement of pets between and into Member States. However, the Commission concludes that there is a slight advantage in selecting **option 2** as it lowers the public health risk.

CONTENT: the overall objectives of this Regulation are to be seen in the light of the free circulation of people and the new Animal Health Strategy.

The specific objectives are:

- to harmonise requirements to remove disproportionate obstacles to the movement of pets for non-commercial purposes across the EU or entering the EU from third countries, while properly protecting public and animal health , in particular with regard to rabies;
- to provide EU rules that are proportionate, avoid causing difficulties and give clear benefits in terms of clarity and simplification for travelling pet owners.

The proposal foresees that special science based rules could be adopted by the Commission under the comitology procedure if a Member State demonstrates that they are necessary to effectively protect itself against the introduction and spread of disease agents that do not occur in their territory.

Lastly, two new Annexes, Annex Ia and Annex Ib, the texts of which are set out in the Annex to the present Regulation, shall be inserted. Part C of Annex I, Annex Ib and parts B and C of Annex II may be amended by the Commission to take account of developments in the situation within Community territory or in third countries as regards diseases affecting the species of animals covered by this Regulation, in particular rabies.

BUDGETARY IMPLICATIONS: this proposal has no implication for the Community budget.

Animal health requirements: non-commercial movement of pet animals

2009/0077(COD) - 19/05/2010 - Final act

PURPOSE: to extend, until the end of 2011, transitional measures on the non-commercial movement of pet animals.

LEGISLATIVE ACT: Regulation (EU) No 438/2010 of the European Parliament and of the Council amending Regulation (EC) No 998/2003 on the animal health requirements applicable to the non- commercial movement of pet animals.

CONTENT: the Council adopted a regulation introducing technical adaptations to requirements on the vaccination and identification of pet animals and extending **until the end of 2011** transitional measures existing in some Member States on non-commercial movements of pet animals.

This follows an agreement on the text with the European Parliament in first reading.

The current transitional regime, established by regulation 998/2003, authorises Finland, Ireland, Malta, Sweden and the United Kingdom to make the entry of pet animals into their territory subject to compliance with certain additional requirements until 30 June 2010, in order to prevent the risk of introducing rabies, echinococcus and ticks.

Moreover, from the opinions adopted by EFSA with regard to echinococcosis and ticks, it results that the data available did not allow EFSA to demonstrate a particular status of the five Member States applying the transitional regime with regard to certain ticks and the tapeworm *Echinococcus multilocularis* and to quantify the risk of pathogen introduction through the non-commercial movement of pet animals.

In view of the EFSA opinion and of the Community-supported programmes for the eradication of rabies in certain Member States, the transitional measure provided for in Article 6 of Regulation (EC) No 998/2003 should be extended until 31 December 2011.

In order to ensure the control of diseases other than rabies, likely to spread due to the movement of pet animals, the Commission should be empowered to adopt delegated acts in accordance with Article 290 of the Treaty on the Functioning of the European Union in respect of preventive health measures regarding diseases other than rabies, and modifications of technical requirements for the identification of animals and for the anti-rabies vaccination as laid down in the Annexes inserted, in accordance with this Regulation, into Regulation (EC) No 998/2003. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level.

The text contains news provisions as regards the delegation of powers, revocation of the delegation and the objections to delegated acts.

ENTRY INTO FORCE: 18/06/2010.

Animal health requirements: non-commercial movement of pet animals

2009/0077(COD) - 09/03/2010 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 618 votes to 17, with 5 abstentions, a legislative resolution on the proposal for a regulation of the European Parliament and of the Council amending Regulation (EC) No 998/2003 on the animal health requirements applicable to the non-commercial movement of pet animals.

The European Parliament set out its position at first reading under the ordinary legislative procedure (formerly known as the codecision procedure). The amendments are the result of a compromise negotiated between the European Parliament and the Council. They amend the Commission’s proposal as follows:

Under the terms of the compromise reached, the Commission should be empowered to adopt **delegated acts** in accordance with Article 290 of the Treaty on the Functioning of the European Union (TFEU) in respect of preventive health measures regarding diseases other than rabies, and modifications of technical requirements for the identification of animals and for the anti-rabies vaccination as laid down in the Annexes. It is of particular importance that the Commission carries out appropriate consultations during its preparatory work, including at experts' level.

The amended text contains new provisions concerning the exercise of the delegation, the revocation of the delegation and objections to delegated acts.

The Parliament also a declaration of the European Parliament, the Council and the Commission concerning Article 290 of the TFEU, that is annexed to the legislative resolution: the three institutions declare that the provisions of this Regulation shall be without prejudice to any future position of the institutions as regards the implementation of Article 290 TFEU or individual legislative acts containing such provisions.