

Proposal for a European Parliament and Council Directive amending Council Directive 91/68/EEC as regards scrapie

(1999/C 45/03)

(Text with EEA relevance)

COM(1998) 623 final — 98/0324(COD)

(Submitted by the Commission on 7 January 1999)

THE EUROPEAN PARLIAMENT AND THE COUNCIL
OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 100a ⁽¹⁾ thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the Economic and Social Committee,

Acting in accordance with the procedure laid down in Article 189b of the Treaty,

Whereas the animal health conditions for scrapie, covering placing on the market of animals are laid down in Council Directive 91/68/EEC of 28 January 1991 on animal health conditions governing intra-Community trade in ovine and caprine animals ⁽²⁾, as last amended by Commission Decision 94/953/EC ⁽³⁾;

Whereas the Commission has obtained new scientific opinions, in particular from the Scientific Steering Committee, on several aspects of TSEs, whereas the rules laid down in Directive 91/68/EEC must be reviewed in the light of those opinions;

Whereas provisions should be laid down for all the issues related to TSEs; whereas these rules should apply to the production and placing on the market of live animals and products of animal origin; whereas the European Parliament and the Council have adopted Regulation (... laying down rules for the prevention and control of certain transmissible spongiform encephalopathies) ⁽⁴⁾;

Whereas this Directive directly concerns public health and is relevant to the functioning of the internal market; whereas, therefore, it is appropriate to choose Article 100a of the Treaty as the legal basis;

Whereas Directive 91/68/EEC should therefore be amended accordingly,

HAVE ADOPTED THIS DIRECTIVE:

Article 1

Directive 91/68/EEC is hereby amended as follows:

1. In Article 2(7), the words 'as listed under sections I and II of Annex B' are replaced by the words 'as listed under section I of Annex B'.
2. Article 6(b) is deleted.
3. In Article 7(1), the words 'referred to in Annex B, sections II and III' are replaced by the words 'referred to in Annex B, section III'.
4. In Article 8(1), the words 'listed in Annex B, sections II and III' are replaced by the words 'listed in Annex B, section III'.
5. Section II of Annex B is deleted.

Article 2

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive 30 June 2000 at the latest. They shall forthwith inform the Commission thereof.

They shall apply those provisions as from 1 July 2000.

When Member States adopt those provisions, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.

2. Member States shall communicate to the Commission the provisions of national law which they adopt in the field covered by this Directive. The Commission shall inform the other Member States thereof.

Article 3

This Directive shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Communities*.

Article 4

This Directive is addressed to the Member States.

⁽¹⁾ At the moment at which the Amsterdam Treaty comes into force, please read 'Article 152'.

⁽²⁾ OJ L 46, 19.2.1991, p. 19.

⁽³⁾ OJ L 371, 31.12.1994, p. 14.

⁽⁴⁾ OJ L ...