Opinion of the European Economic and Social Committee on the 'Proposal for a Directive of the European Parliament and of the Council amending Council Directive 64/432/EEC as regards computer databases which are part of the surveillance networks in the Member States'

COM(2011) 524 final — 2011/0228 (COD)

and the 'Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 1760/2000 as regards electronic identification of bovine animals and deleting the provisions on voluntary beef labelling'

COM(2011) 525 final — 2011/0229 (COD)

(2012/C 43/14)

Rapporteur: **Mr BRICHART**

On 14 and 20 September respectively the Council, and on 13 September 2011 the European Parliament, decided to consult the European Economic and Social Committee, under Article 43 of the Treaty on the Functioning of the European Union, on the

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The Section for Agriculture, Rural Development and the Environment, which was responsible for preparing the Committee's work on the subject, adopted its opinion on 21 November 2011.

At its 476th plenary session, held on 7 and 8 December 2011 (meeting of 7 December 2011), the European Economic and Social Committee adopted the following opinion by 180 votes to 3 with 9 abstentions.

1. **Conclusions and recommendations**

1.1 The EESC takes note of the large amount of work undertaken by the bovine sector to restore consumer confidence following the BSE (Bovine Spongiform Encephalopathy) crisis.

1.2 The system for the identification and registration of bovine animals set up provides transparency and traceability with a high level of accuracy and responsiveness.

1.3 The ability to locate and identify animals is also of considerable assistance in combating infectious diseases.

1.4 Implementing the various techniques, however, places a significant financial burden on the sectors concerned.

1.5 The technological advances made since 1997 can be of considerable assistance to actors in this area, particularly regarding electronic identification (EID).

1.6 It can however be seen that the direct costs and benefits generated by these techniques are not distributed equally along the food chain. The costs are mainly borne by farmers, while the financial benefits are largely for downstream actors in the food production chain.

1.7 For this reason, the EESC thinks it would be better for the electronic identification of bovine animals system not to be made mandatory at European level, since it is unlikely that the market will offset the very high cost of this technique. Moreover, it will not bring any real additional benefits for consumers.

1.8 However, if production chain actors in a given Member State accept its application, that Member State should have the option of making it mandatory within its own territory.

1.9 The EESC also considers that those livestock farmers who so wish should be allowed to use electronic identification.

1.10 In order to avoid any distortion of competition that could threaten the common market, a country that has made identification mandatory should itself bear the cost of electronic tagging for animals brought onto its territory.

1.11 Furthermore, the EESC believes that with a view to harmonising practices, all electronic tags should use the same technologies. It is consequently crucial that such technologies be harmonised by reference to international standards.

1.12 The EESC welcomes the overall thrust of the Commission's proposal, provided that special attention is given to the proper functioning of the common market, and to the impact on the different links in the chain.

1.13 Regarding voluntary beef labelling, the EESC is not opposed to deleting the Community provisions, insofar as operators can include additional information they consider important on the labels.

2. **Background**

2.1 Under Regulation (EC) No 1760/2000, each Member State must establish a system for the identification and registration of bovine animals providing for the individual identification of each animal by means of ear tags, a holding register on each farm, an individual passport for each animal containing data on all movements and reporting all movements to a computerised database that is able to quickly trace animals and identify cohorts in the event of disease. By ensuring transparency and full traceability of bovine animals and beef products, the regime has served to restore consumer confidence in beef while also making it possible to locate and trace animals for veterinary purposes, which is of crucial importance in controlling infectious diseases.

2.2 The Regulation was listed in the Communication from the Commission to the Council and the European Parliament on an *Action Programme for Reducing Administrative Burdens in the EU* as one of the 'information obligations with special importance in terms of the burdens they impose on businesses'. Under the Action Plan of the new EU Animal Health Strategy, information obligations are to be simplified by the Commission as bovine electronic identification is introduced.

2.3 When the current rules for bovine identification were adopted in 1997, EID was not sufficiently developed from the technical point of view to be applied to cattle. Electronic identification based on radio frequency identification (RFID) has developed considerably over the last ten years and provides for a faster and more accurate reading of individual animal codes directly into data processing systems. The use of electronic identifiers could help to reduce the administrative burden and paper work, especially when the holding register is kept on a computerised form (which is the case for a growing percentage of farms). In addition, a faster and more reliable system will allow a faster and more accurate reading than conventional ear tags, easing the procedure for reporting animal movements to the central database, and will therefore provide for better and faster traceability of infected animals and/or infected food.

2.4 Electronic identification has already been introduced in the EU for several animal species. Several Member States have started to use EID on a voluntary basis for bovine animals. As no harmonised EU technical standards have been established, there is a risk that different types of electronic identifiers and readers, with different RFID frequencies, could be used by individual Member States. This approach is likely to lead to a lack of harmonisation jeopardising electronic exchange of data; as a result the benefits of having EID systems would be lost.

2.5 An impact assessment concluded that introducing bovine EID on a voluntary basis as a tool for official identification would allow actors time to familiarise themselves with the system. In contrast, mandatory implementation of electronic identification could have negative economic repercussions for some operators.

2.6 Regulation (EC) No 1760/2000 also introduced a voluntary beef labelling system. The Commission has identified deficiencies in this system concerning the disproportionate administrative burden and costs, and the lack of uniform application in all Member States.

3. **The Commission's proposals**

3.1 The proposal by the Commission (COM(2011) 525 final) takes account of the results of the stakeholder consultations and an impact assessment. The Commission proposes to introduce electronic identification of bovine animals on a voluntary basis. Under this voluntary regime:

— Bovine animals could be identified by two conventional ear tags (current system) or by one conventional visible ear tag and one electronic identifier that complies with harmonised EU standards.

— Member States would also be able to opt for a mandatory regime on their own territory.

3.2 The proposal also repeals the notification requirement for the use of additional voluntary labelling indications, on account of the costs and excessive administrative burden involved.

3.3 The proposal brings Regulation (EC) No 1760/2000 into line with the provisions of the Treaty on the Functioning of the European Union (TFEU).

3.4 The proposed regime for the electronic identification of bovine animals necessarily entails amending Council Directive 64/432/EEC as regards computer databases which are part of the surveillance networks in the Member States. The elements of the computer databases laid down in Directive 64/432/EEC do not so far include any reference to electronic means of identification. On this basis, the two proposals are presented under the same legislative package.

Brussels, 7 December 2011.

The President
of the European Economic and Social Committee
Staffan NILSSON