It-Tlieta, 10 ta' Mejju 2005

P6_TA(2005)0162

Transmissible spongiform encephalopathies ***I

European Parliament legislative resolution on the proposal for a regulation 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 (COM(2004) 0775 — C6-0223/2004 — 2004/0270(COD))

(Codecision procedure: first reading)

The European Parliament,

— having regard to the Commission proposal to the European Parliament and the Council (COM(2004) 0775) ([1]),

— having regard to Article 251(2) and Article 152(4)(b) of the EC Treaty, pursuant to which the Commission submitted the proposal to Parliament (C6-0223/2004),

— having regard to Rule 51 of its Rules of Procedure,

— having regard to the report of the Committee on the Environment, Public Health and Food Safety (A6-0098/2005),

1. Approves Article 1(14) and amends Article 2 of the Commission proposal;

2. Will continue its examination of the remainder of the Commission proposal and adopt its first reading thereon at the earliest opportunity;

3. Splits the proposal accordingly;

4. Calls on the Commission and the Council to consider the amendments to the transitional regime of Regulation (EC) No 999/2001 and the substantive amendments to the Regulation in two separate Regulations;

5. Calls on the Commission to refer the matter to Parliament again if it intends to amend the proposal substantially or replace it with another text;

6. Instructs its President to forward its position to the Council and the Commission.

([1]) Not yet published in OJ.

P6_TC1-COD(2004)0270

Position of the European Parliament adopted at first reading on 10 May 2005 with a view to the adoption of Regulation *(EC) No …/2005* 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 extension of the period for transitional measures*

(Text with EEA relevance)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 152(4)(b) thereof,

Having regard to the proposal from the Commission,

After consulting the European Economic and Social Committee,

After consulting the Committee of the Regions,

It-Tlieta, 10 ta' Mejju 2005

Acting in accordance with the procedure laid down in Article 251 of the Treaty [1],

Whereas:

(1) Regulation (EC) No *999/2001* [2] *is* intended to provide a single legal framework for transmissible spongiform encephalopathies (TSEs) in the Community.

(2) Regulation (EC) No 1128/2003 of the European Parliament and of the Council of 16 June 2003 amending Regulation (EC) No 999/2001 as regards the extension of the period for transitional measures [3] prolonged the period of application of the transitional measures provided for in Regulation (EC) No 999/2001 until 1 July 2005 at the ***latest.***

(3) In order to ensure legal certainty beyond the expiry of the transitional measures provided for in Regulation (EC) No 999/2001 and pending the revision of permanent measures as well as the creation of an overall strategy on TSEs, it is appropriate to extend those transitional measures further until 1 July 2007.

(4) In the interests of legal certainty and in order to protect any legitimate expectations of economic operators, pending the substantive revision of Regulation (EC) No 999/2001, the present regulation should enter into force on 1 July 2005.

(5) Regulation (EC) No 999/2001 should be amended accordingly,

HAVE ADOPTED THIS REGULATION:

Article 1

The *second paragraph of* Article 23 *of Regulation (EC) No 999/2001* shall be replaced by the following:

"In accordance with that procedure, transitional measures shall be adopted for a period ending on 1 July 2007 at the latest, to permit the change-over from the current arrangements to the arrangements established by this Regulation."

Article 2

This Regulation shall enter into force on ***1 July 2005***.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at …, on …

For the European Parliament
The President

For the Council
The President

[1] *Position of the European Parliament of 10 May 2005.*
[2] OJ L 147, 31.5.2001, p. 1. Regulation as last amended by Commission Regulation (EC) *No 260/2005 (OJ L 46, 17.2.2005, p. 31).*
[3] OJ L 160, 28.6.2003, p. 1.