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**NOTE**

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To: Council

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Subject: Proposal for a Directive of the European Parliament and of the Council amending Directives 89/608/EEC, 90/425/EEC and 91/496/EEC as regards references to zootechnical legislation

Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on the zootechnical and genealogical conditions for trade in and imports into the Union of breeding animals and their germinal products

- Progress report

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**I. INTRODUCTION**

1. The Presidency hereby submits its report on the progress achieved during the second half of 2014 on the abovementioned proposals. This report has been drawn up under the responsibility of the Presidency and on the basis of the positions expressed within the preparatory bodies of the Council.
2. The Commission submitted the abovementioned proposals to the Council on 11 February 2014. These are based on Articles 42 and 43(2) TFEU (ordinary legislative procedure).

3. The proposals relate to the bovine, porcine, ovine, caprine and equine species. They aim to provide a single legal framework encompassing the principles and rules governing breed societies of purebred breeding animals and breeding operations of hybrid breeding pigs and their activities, the official controls applicable to them as well as the imports from third countries of breeding animals, their semen, ova and embryos.
4. The proposals were not accompanied by an impact assessment. The Commission representative justified this choice by explaining that the basic principles and main rules of the current Union zootechnical legislation were maintained.

## **II. PROCEEDINGS UNDER THE ITALIAN PRESIDENCY**

### **A. Proceedings in the Council**

5. In the Council, the proposal was examined by the Working Party of Veterinary Experts (Animal Husbandry) at its meetings of 3 September, 6 October and 28 November 2014.
6. During these meetings the Italian Presidency finalised the first technical examination of the proposals that was initiated by the Hellenic Presidency and drafted a questionnaire<sup>1</sup> on the main issues raised by the proposals. 27 delegations answered the questionnaire.
7. In the light of these answers and of other oral and written contributions from Member States, the following main issues were identified:
  - the possibility that the scope of the Regulation could be extended to other species through delegated acts and, more generally, the empowerments of the Commission to adopt delegated and implementing acts;

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<sup>1</sup> Doc. 13671/14.

- the inclusion of hybrid breeding pigs and equines in the scope of the proposal;
- the absence of a definition of “breed”;
- the need to include public bodies and official services having breeding activities;
- the separation of the recognition of the breed society from the approval of its breeding programme(s);
- the possibility to establish new breed societies for the same breed in the same Member State;
- the possibility for breed societies to outsource to third parties all their activities and to extend their activities over the territories of different Member States;
- the provisions on the rights and obligations of breeders, breed societies and breeding operations and those on official controls, administrative assistance and cooperation between Member States and enforcement by Member States;
- the possibility to establish European Union reference centres for breeds and species others than cosmopolitan dairy cattle breeds.

8. The Italian Presidency presented suggestions for rewording Articles 1 to 16 of the proposal for a Regulation<sup>2</sup> during the last meeting. Broad support from delegations was noted on the following Presidency suggestions:

- to delete the possibility to extend the scope of the Regulation to other species through delegated acts;
- to keep hybrid breeding pigs and equines in the scope of the proposal;

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<sup>2</sup> Doc. 15828/14.

- to include public bodies and official services having breeding activities (in particular in relation to local or endangered breeds) in the proposal;
- to allow breed societies to outsource only some specific activities in relation to their breeding programmes;
- to thoroughly revise the provisions on the rights and obligations of breeders, breed societies and breeding operations.

9. Although the Italian Presidency has already proposed some alternative redrafting on the following issues, they might require some further adjustments:

- the separation of the recognition of the breed society and the approval of its breeding programme(s);
- the possibility to establish new breed societies for the same breed in the same Member State;
- the possibility for breed societies to extend their activities over the territories of different Member States.

## **B. Proceedings in the other institutions and bodies**

10. The European Parliament has just begun its examination of the proposals: the lead committee, the Committee on Agriculture and Rural Development (rapporteur: Mr Michel DANTIN, EPP - FR), had a first exchange of views on 3 December 2014 and is expected to adopt its position on 5 May 2015.
11. In March 2014, the European Economic and Social Committee decided not to issue a new opinion but to refer to its previous positions on the same subject, which were taken in 1988 and in 2013. In May 2014, the Committee of the Regions declined to issue an opinion.

12. Three national parliaments delivered an opinion on the application of the principles of subsidiarity and proportionality<sup>3</sup>.

### **III. CONCLUSIONS**

13. The substantive work carried out will serve as a solid basis for finalising the Presidency's draft text and examining the European Parliament's amendments as soon as they become available.
  14. The Presidency invites the Permanent Representatives Committee (Part 1) to take note of its intention to submit its progress report to the Council.
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<sup>3</sup> See docs. 8750/14, 8848/14 and 14259/14.