



Brussels, 11 May 2015

8787/15

PE 99
INST 153
ENV 279
AGRI 256
MI 301
PHYTOSAN 28
PI 33
SAN 141
CONSOM 79

NOTE

from: General Secretariat of the Council
to: Delegations
Subject: Partial summary record of the meeting of the **Committee on the Environment, Public Health and Food Safety (ENVI)** of the European Parliament, held in Brussels on 6-7 May 2015

The ENVI Committee adopted a draft report on the limitation of emissions from medium combustion plants following a vote on a number of compromises and amendments (427 amendments had been tabled in total) and approved the relevant mandate to enter into negotiations with the Council by a comfortable majority.

The Committee's exchange of views on the veterinary medicines package reflected wide support and appreciation for the rapporteur's draft report. However, the discussion on the draft report on emissions from road vehicles reflected the wish of most of the shadow rapporteurs to see a higher level of ambition in both the Commission proposal and the rapporteur's report on improving air quality, so as to benefit both human health and the environment.

The discussion on the follow-up to the European Citizens' Initiative "Right2Water" reflected a wide consensus that water should be treated as a citizens' right and a public good rather than a market product.

The committee approved a draft report on the EU ratification of the Doha Amendment to the Kyoto Protocol to the UNFCCC and of Iceland's participation in the second commitment period of that Protocol. It adopted draft opinions on organic farming, on the Green Employment Initiative and on procedures and practices regarding Commissioners' hearings.

The Chair announced a public hearing on 11 May 2015 organized by the AGRI committee and involving the ENVI, ITRE and PETI committees on the European Citizens' Initiative "Stop Vivisection".

4. Veterinary medicinal products

The rapporteur Mrs GROSSETÊTE (EPP, FR) presented her draft report in which she tabled 106 amendments focusing on three priority concerns (improving access to medicinal products, boosting incentives to innovation, tackling antibiotic resistance), and protecting the environment.

The shadow rapporteurs Mr TĂNĂSESCU (S&D, RO), Mr PIECHA (ECR, PL), Ms PAULSEN (ALDE), Ms KYLLÖNEN (GUE/NGL, FI), Mr HÄUSSLING (Greens/EFA, DE) and Mr PEDICINI (EFDD, IT) all welcomed the rapporteur's report. There was broad agreement on most of the elements proposed by the rapporteur and consensus on the notion that human medicines should be only be used for animals in exceptional circumstances and as a last resort. Ms PAULSEN (ALDE, SV) criticized the Commission's approach for focusing on products rather than on animal welfare and human health. Mr PEDICINI stated that the Commission proposal barely pleased anyone since it mostly focused on the industry's interests; the objectives of improving animal welfare and good hygiene practices, and promoting good human nutrition and extensive farming practices, should instead have been highlighted. He rapporteur's report had the merit of considerably improving the initial proposal. He had some reservations about the proposed extension of the duration of patents, which would primarily benefit major firms, a view supported by Mr TĂNĂSESCU and Ms RIVASI (Greens, FR), who also stressed the importance of decoupling the interests of veterinarians and pharmacists and of establishing rules to ensure traceability in the use of veterinary products.

Following the clarifications provided by the Commission representative, the rapporteur requested a Commission contribution on practical ways to evaluate the environmental impact of active substances and adjuvants.

- Deadline for tabling amendments: **15 June 2015, 16.00**
- committee vote : **22 September 2015**

5. Amendment to Regulation (EC) No 726/2004 laying down Community procedures for the authorisation and supervision of medicinal products for human and veterinary use and establishing a European Medicines Agency

Following a presentation by the Rapporteur Mr TĂŃĂSESCU (S&D, RO), the shadow rapporteurs expressed broad support for the draft report and agreed with the rapporteur that the issue should be handled under the ordinary legislative procedure (codecision).

- Deadline for tabling amendments: **15 June 2015, 16.00**
- committee vote : **22 September 2015**

6. Reduction of pollutant emissions from road vehicles

Mr LINS (EPP, DE), on behalf of the rapporteur Mr DESS (EPP, DE), presented the draft report suggesting a number of amendments to the Commission proposal. These reflect his disagreement with regard to the proposed accounting of methane into CO₂ emissions of vehicles and to a separate NO₂ emission limit. The rapporteur suggests increasing the proposed flexibility allowing heavy-duty vehicles that are close to the light-duty limit to fall within the scope of light-duty vehicles.

The shadow rapporteur Ms DALLI (S&D, MT) had major concerns with the methodology and criticized the total absence of an impact assessment, disagreed with the extension of flexibility for vehicles proposed by the rapporteur and argued for extended recourse to the ordinary legislative procedure for establishing a position on emission limits for NO_x and other aspects. Mr Gerbrandy, on behalf of Mr TORVALDS (ALDE, FI), announced amendments to the report to enhance its level of ambition with regard to air quality requirements, an issue which was closely related to public health, as pointed out in a recent WHO report. The latter point was also stressed by Mr TAYLOR (Greens, UK), who regretted the lack of ambition of both the proposal and the rapporteur's report and argued that the proposal should be technology-neutral and should not give preferential treatment to natural gas vehicles. Mr GERBRANDY, Mr TAYLOR, Ms EVI (EFDD, IT) and Ms MEISSNER (ALDE, DE) all pointed to the fact that methane was not as harmful as CO₂ to human health, but had a much more damaging impact on the climate.

The Commission representative broadly welcomed the draft report as going in the same direction as the Commission proposal, although its specifics needed to be further examined.

- Deadline for tabling amendments: **19 May 2015, 12.00**
- consideration of amendments: 25 June 2015
- committee vote : 15 July 2015
- Plenary vote: October 2015

*** *Electronic vote* ***

8. Conclusion of the Doha Amendment to the Kyoto Protocol to the United Nations Framework Convention on Climate Change and the joint fulfilment of commitments thereunder

The draft report (Rapporteur: Mrs GARDINI (EPP, IT) was adopted as amended.

9. Agreement concerning Iceland's participation in the second commitment period of the Kyoto Protocol to the UN Framework Convention on Climate Change

The draft report (Rapporteur: Mr LA VIA (EPP, IT) was adopted.

10. Limitation of emissions of certain pollutants into the air from medium combustion plants

The draft report (Rapporteur: Mr GRZYB (EPP, PL) was adopted as amended and the draft legislative Resolution as a whole was adopted.

The decision (Rule 73) to open negotiations on the basis of the draft report as amended, with the negotiating team presided over by the Chairman and consisting of the Rapporteur (Mr GRZYB) and the Shadow Rapporteurs (Mr PAOLUCCI, Ms WISNIEWSKA, Mr HUITEMA, Ms TORRES MARTINEZ, Ms RIVASI and Mr PEDICINI) (required majority: 35 votes), was adopted.

11. Green Employment Initiative: Tapping into the job creation potential of the green economy

The draft opinion (Rapporteur for the opinion: Mrs EVI (EFDD, IT) was adopted as amended.

12. Organic production and labelling of organic products, amendment to Regulation (EU) No XXX/XXX of the European Parliament and of the Council [Official Controls Regulation] and repeal of Council Regulation (EC) No 834/2007

The draft opinion (Rapporteur for the opinion: Mrs PIETIKÄINEN (EPP, FI) was adopted as amended.

13. Procedures and practices regarding Commissioner hearings and lessons to be drawn from the 2014 process

The draft opinion (Rapporteur for the opinion: Mr PATRICIELLO (EPP, IT) was adopted as amended.

***** End of electronic vote *****

14. 30th and 31st annual reports on monitoring the application of EU Law (2012-2013)

The rapporteur for the opinion Ms GUTELAND (S&D) noted that Member States tended to delay the implementation of EU environment and health legislation directives. The largest number of infringement procedures launched by the Commission were related to environment and health legislation. There were considerable challenges with regard to implementation and transposition. Looking at a simplification in the context of REFIT and checking whether legislation was fit for purpose was certainly legitimate, but REFIT or the non-application of EU law should not serve as excuses for slowing down on legislation or lowering the level of standards or ambition on protecting the environment.

The shadow rapporteurs made, *inter alia*, the following comments. Mr VANDENKENDELAERE (EPP, BE) argued that the EU's economic prosperity was largely related to the single market so the implementation of EU law was of paramount importance. Mr DOHRMANN (ECR, DK) considered that the Commission should make the implementation of EU law a priority. Mr HUITEMA (ALDE, NL) suggested a database for monitoring implementation. Ms KONEČNÁ (GUE/NGL, CZ) criticized the Commission for not treating all Member States equally with regard to EU law implementation. Mr PEDICINI (EFDD, IT) regretted the lack of transparency of information from the Commission on infringement procedures. He argued for reviewing such practices.

The Commission representative confirmed that the record on implementation of EU environmental law was low and was a core concern for the new Commission. This situation was being examined within the context of better regulation. REFIT was not about reducing legislation but about checking the effectiveness of EU legislation in terms of implementation. The Commission was implementing a set of standards on notification of the Member States concerned in cases of infringement.

The Chair pointed out that, although it did not want to admit it, the Commission was clearly aiming towards proposing less legislation so there would be more time devoted to looking into issues related to the implementation of existing EU law.

The rapporteur urged the retention of the same level of ambition on health and environmental legislation.

- Deadline for tabling amendments: **19 May 2015, 12.00**

15. Objection pursuant to Rule 106: removal from the Union list of certain flavouring substances

Co-rapporteurs Ms GARDINI (EPP, IT) and Ms SOMMER (PPE) explained that the Commission intended to remove five flavouring substances from the EU's list and that their objection was based on the principle of proportionality. The co-rapporteurs were opposing a draft Commission regulation adopted under the regulatory procedure with scrutiny which would amend Annex I to the flavouring Regulation (EC) No 1334/2008 to remove those flavouring substances from the authorised Union list. They argued that the Commission had removed five substances from the list on the basis of data that had been submitted to the European Food Safety Authority (EFSA) after the deadline and that those five substances were being used in many different food categories and over 2000 flavouring formulations, so their removal would entail costly and complex reformulations and would have significant economic implications.

The Commission representative explained the reasons behind the Commission's decision. He indicated that the 2012 list included over 2000 substances, plus 411 for which impact assessments had not been completed. All the required impact assessments had been tabled in due time, except for those five. The measure to remove the five substances in question was not bureaucratic but based on safety concerns related to them; no additional studies on those concerns had been submitted by the deadline, and in some cases not even one year after the deadline. The operators had failed to comply with the conditions required to prevent disruption on the market. The decision had been taken in the competent committee by a very large majority of Member States. The studies that had been tabled in the meantime needed to be thoroughly examined. As yet there was no evidence that the substances were safe. In conclusion, the measure was proportionate and non-discriminatory.

19. Follow up to the European Citizens' Initiative Right2Water

The rapporteur Ms BOYLAN (GUE/NGL, IE) indicated that 1.9 million signatures had been collected for this European citizens' initiative (ECI) on the right to water which had focused on the following three key goals: 1) "Guaranteed water and sanitation for all in the EU", 2) "Global access to water and sanitation for all", and 3) "No liberalisation of water services". The rapporteur criticized the Commission's approach towards liberalisation of water services. The draft report called for the recognition and full implementation of the human right to water and sanitation, and for a permanent exclusion of water and sanitation from internal market rules and the full integration of universal access to water and sanitation in EU development policies.

Additionally, the draft report sought to enhance public participation and transparency in water service provision, and to encourage solidarity measures targeting vulnerable populations.

Ms HERRANZ GARCÍA (EPP, ES) announced she would table amendments to the report to include references to the 2013 EP Resolution and the UN resolutions on the Right to Water (UNGA and UNHRC resolutions), with a view to specifying the state of play at UN level. She would suggest a further set of amendments clarifying the issues with regard to public and private water management companies and to the various issues related to water use. There were differences between those Member States that had easy access to major quantities of water and those that were vulnerable to water shortages.

Ms GARCÍA PÉREZ (S&D) stated that water was a citizens' right. All citizens should have the right of access to drinkable water and sanitation. She referred to the droughts in many countries. Water was a public good so any concessions to the private sector should be subject to very strict conditions. There was a difference between ownership and management, and water could not be owned privately. The EU institutions needed to work hard to get closer to citizens, who were disenchanted with the EU. She would table amendments on innovative tariffs and fees, on ways to save water and on mainstreaming the issue across the economy. Access to water was a right and the crisis had jeopardized this right.

Mr DOHRMANN (ECR, NL) said that the ECI was a good opportunity for EU institutions to link up with citizens. His group took the view that the EU should not legislate on water. Water policy should remain in the hands of Member States and local authorities. There was no need for the Commission to legislate on the need to privatize water supply. Water supply was providing easy profits to companies.

Mr FARIA (ALDE, PT) agreed that the issue was an issue for subsidiarity, but was a public good and a human right. Appropriate governance and sustainable management of water had to be ensured and ecosystems preserved. To this end, both investment and education campaigns were needed.

Mr AFFRONTE (EFDD, IT) stated that water was a public good and must not be liberalized. The European Commission should ensure that this right was upheld. The decision by the Commission as a follow-up to the ECI was, in this respect, very disappointing. He pointed to a number of additional issues and possible solutions. Referring in particular to the growing problem in a number of Member States of people not having access to water because they could not pay their water bills, he called for establishing a right to a certain amount of water per citizen.

He referred to the risks of water shortages, including as a consequence of climate change. Fresh water and drinking water were a rare resource throughout the world and this was an issue directly linked to people's survival. Water should not be wasted and awareness campaigns were needed. Investment was needed on infrastructure to avoid increasing losses as a result of water leakages.

Mr TURMES (Greens/EFA) said the issue of water quality needed more attention. High quantities of pesticide residues in water were damaging drinking water quality and were a risk to human health.

The Commission representative assured MEPs that the Commission was not interfering in Member States' decisions with regard to water policy and management, but was paying sufficient attention to the issue and providing appropriate follow-up to the Right2Water ECI. He referred inter alia to the unanimous decision taken by the competent committee to review Annexes I and II to the Drinking Water Directive.

The rapporteur did not accept the Commission's assurances and regretted the fact that the Commission had, as part of the troika, adopted positions that undermined the Member States' prerogatives with regard to water policy issues - thus echoing a previous statement by one of her colleagues. She said that education was not being given enough attention and argued that campaigns on the need to avoid wasting water should be part of the water framework. Such campaigns and policies should include agriculture and industry. Citizens needed to have their say on how water was managed as it was vital to their existence. She agreed that affordability of water was a growing problem that needed to be addressed. The model of public-public partnerships should be further developed.

- Deadline for tabling amendments: 21 May 2015, 12.00
- Vote in ENVI on 25 May,
- vote in plenary in September

21. Next meetings

- 18 May 2015 (Strasbourg)
 - 26 May 2015 (Brussels)
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