



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 17.12.1999
COM(1999) 664 final

Proposal for a

COUNCIL REGULATION

providing for the general rules for a compulsory beef labelling system

(presented by the Commission)

EXPLANATORY MEMORANDUM

The Commission has submitted to the Council and Parliament a proposal based on Article 152 of the Treaty replacing Council Regulation (EC) No 820/97 and including the general rules for the compulsory beef labelling system.

As procedures required for the adoption of that regulation were not likely to be completed before 1 January 2000, the Commission also submitted to the Council and the Parliament a proposal to amend Article 19 of Regulation (EC) No 820/97 to prolong the current voluntary arrangements laid down in that regulation and to delay the entry into force of the compulsory labelling system by up to 8 months.

However, in its Report to the European Parliament and to the Council on the situation regarding the implementation of beef-labelling systems in the different Member States as laid down in Article 19(3) of Regulation (EC) No 820/97, the Commission explicitly reserved the possibility, should Council and Parliament fail to come to a decision on the second of these proposals before 31 December 1999, to present to Council an urgent proposal, for adoption before the end of 1999, based on the current text of Article 19 of Regulation (EC) No 820/97.

Since this situation might arise, the Commission is now obliged to make this proposal under Article 19 of Regulation (EC) No 820/97 in order to avoid the situation whereby the compulsory system, based on origin would immediately come into force with no general rules to guide it. Such a legal void would create a very uncertain and unsatisfactory situation for beef operators and operators not only in the Community but also in third countries.

This proposal therefore aims to establish simple general rules for a compulsory beef labelling system, corresponding to the indications that are already compulsory in all Member States, that is, certain indications provided for in Article 12(1), as well as those provided for in Article 19(4) of Regulation (EC) No 820/97, where Member States choose to do so.

At the same time, the current arrangements for voluntary labelling are continued by giving the possibility for voluntary indications to be added to the compulsory indications on the labels. Provision for such voluntary arrangements is in any event necessary in order that Member States may choose to make use of Article 19(4), rendering such provisions obligatory in relation to their own production.

Proposal for a
COUNCIL REGULATION

providing for the general rules for a compulsory beef labelling system

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 820/97 of 21 April 1997, establishing a system for the identification and registration of bovine animals and regarding the labelling of beef and veal products¹, and in particular Article 19 thereof,

Having regard to the proposal from the Commission²,

Whereas:

- (1) Article 19 of Regulation (EC) No 820/97 lays down that a compulsory beef labelling system shall be introduced, which shall be obligatory in all Member States, from 1 January 2000 onwards. On the basis of a Commission proposal, the same Article also states that the general rules for that compulsory system shall be decided before that date.
- (2) These general rules for a compulsory beef-labelling system should be applicable only on a provisional basis for a maximum period of 8 months to enable the Council and the Parliament to come to a decision on the proposal for a regulation, establishing a system for the identification and registration of bovine animals and regarding the labelling of beef and beef products, and repealing Regulation (EC) No 820/97³, presented by the Commission on 13 October 1999.
- (3) It is therefore appropriate to establish simple general rules for a compulsory beef labelling system, which all Member States can presently fulfil. The rules should refer to the provisions laid down in application of Article 12(1) of Regulation (EC) No 820/97.
- (4) Member States should also continue to have recourse to the possibility of imposing a compulsory labelling system for beef from animals born, fattened and slaughtered on their own territory, in accordance with Article 19(4) of Regulation (EC) No 820/97, on a provisional basis for a maximum period of 8 months.
- (5) Such compulsory indications should not lead to any disruption of trade between Member States.

¹ OJ L 117, 7.5.1997, p. 1.

² OJ C ..., ..., p. ...

³ COM(1999) 487 final, 13.10.1999.

- (6) It is also necessary to allow operators to continue to give voluntary indications on beef labels, as a complement to the compulsory indications.

HAS ADOPTED THIS REGULATION:

Article 1

1. Operators and organisations marketing beef within the meaning of Article 13 of Regulation (EC) No 820/97 shall label it in accordance with the rules referred to in the first, third and fourth indents of the second subparagraph of Article 12(1) of Regulation (EC) No 820/97.

However, Member States may continue to have recourse to the possibility provided for in Article 19(4) of Regulation (EC) No 820/97 after 1 January 2000. In this case, the provisions of Article 19(5) of Regulation (EC) No 820/97 shall continue to apply.

2. The rules relating to the voluntary system, which applied until 31 December 1999 in accordance with the provisions of Article 19 of Council Regulation (EC) No 820/97, will continue to be applicable to any voluntary indication, additional to the obligatory labelling system referred to in the preceding paragraph.

Article 2

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

This Regulation shall be applicable in all Member States from 1 January 2000 until 31 August 2000.

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

Done at Brussels,

For the Council
The President

FINANCIAL STATEMENT

1. BUDGET HEADING: B1-21	APPROPRIATIONS: 4 542 Mio EUR (Amending letter to the PDB 2000)
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2. TITLE:
Council Regulation providing for the general rules for a compulsory beef labelling system.

3. LEGAL BASIS:
Council Regulation (EC) No 820/97 (in particular Article 19)

4. AIMS:
To lay down general rules for a compulsory beef labelling system and to prolong the current voluntary labelling arrangement by 8 months.

5. FINANCIAL IMPLICATIONS	12 MONTH PERIOD (EUR million)	CURRENT FINANCIAL YEAR [1999] (EUR million)	FOLLOWING FINANCIAL YEAR [2000] (EUR million)
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5.0 EXPENDITURE			
- CHARGED TO THE EC BUDGET (REFUNDS/INTERVENTIONS)	-	-	-
- NATIONAL AUTHORITIES			
- OTHER			

5.1 REVENUE			
- OWN RESOURCES OF THE EC (LEVIES/CUSTOMS DUTIES)	-	-	-
- NATIONAL			

	2002	2003	2004	2005
5.0.1 ESTIMATED EXPENDITURE	-	-	-	-
5.1.1 ESTIMATED REVENUE	-	-	-	-

5.2 METHOD OF CALCULATION:

6.0 CAN THE PROJECT BE FINANCED FROM APPROPRIATIONS ENTERED IN THE RELEVANT CHAPTER OF THE CURRENT BUDGET? YES / ~~NO~~

6.1 CAN THE PROJECT BE FINANCED BY TRANSFER BETWEEN CHAPTERS OF THE CURRENT BUDGET? YES / ~~NO~~

6.2 WILL A SUPPLEMENTARY BUDGET BE NECESSARY? YES / ~~NO~~

6.3 WILL APPROPRIATIONS NEED TO BE ENTERED IN FUTURE BUDGETS? YES / NO

OBSERVATIONS:
The measure as such has no direct impact for the budget.