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COMMISSION OF THE EUROPEAN COMMUNITIES

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2007/0244 (CNS)

Proposal for a

COUNCIL REGULATION

amending Regulation (EC) No 21/2004 as regards the date of introduction of electronic identification for ovine and caprine animals

(presented by the Commission)

EXPLANATORY MEMORANDUM

According to Regulation (EC) No 21/2004, the Commission is required to examine the experience gained from several projects carried out in Member States on the implementation of the electronic identification (EID) systems and to submit a report to the Council. This report should be accompanied by a proposal on which the Council shall vote confirming or amending the date of 1 January 2008 for the obligatory introduction of electronic identification.

The Commission report indicates that a wider stakeholder discussion, in particular about the economic impact of the introduction of electronic identification, should take place before a final date for the mandatory use of EID is fixed.

Regulation (EC) No 21/2004 should therefore be amended in order to lay down the procedures for the establishment of the date on which EID of sheep and goats shall become obligatory.

Proposal for a

COUNCIL REGULATION

amending Regulation (EC) No 21/2004 as regards the date of introduction of electronic identification for ovine and caprine animals

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 37 thereof,

Having regard to the proposal from the Commission¹,

Having regard to the opinion of the European Parliament²,

Having regard to the opinion of the European Economic and Social Committee³,

Whereas:

- (1) Council Regulation (EC) No 21/2004 of 17 December 2003 establishing a system for the identification and registration of ovine and caprine animals⁴ provides that each Member State is to establish a system for the identification and registration of ovine and caprine animals in accordance with the provisions of that Regulation.
- (2) Article 9(3) of Regulation (EC) No 21/2004 provides that, as from 1 January 2008, electronic identification is to become obligatory for all animals covered by that Regulation.
- (3) In addition, Article 9(4) of that Regulation provides that the Commission is to submit to the Council, by 30 June 2006, a report on the implementation of the electronic identification system, accompanied by appropriate proposals, on which the Council is to vote confirming or amending, if necessary, the date of the introduction of the obligatory use of that system.
- (4) The Commission report indicates that a wider stakeholder discussion, in particular about the economic impact of the introduction of electronic identification, should take place before a final date for the obligatory use of that system is fixed. Accordingly, more time is needed in order to consult stakeholders and take into consideration their comments.

¹ OJ L xx, xx.xx. xxxx, p. xx.

² OJ L xx, xx.xx. xxxx, p. xx.

³ OJ L xx, xx.xx. xxxx, p. xx.

⁴ OJ L 5, 9.1.2004, p. 8. Regulation as amended by Regulation (EC) No 1791/2006 (OJ L 363, 20.12.2006, p. 1).

- (5) A number of Member States have already developed the technology necessary for the introduction of electronic identification and gained significant experience with its implementation. They should not be prevented from introducing it at national level if they consider it appropriate. Their experience would provide the Commission and the other Member States with further valuable information on the technical implications of electronic identification and on its impact, which is to be taken into account in establishing the date on which it should become obligatory at Community level.
- (6) Regulation (EC) No 21/2004 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 21/2004 is amended as follows:

- (1) In Article 9(3), the first subparagraph shall be replaced by the following:
- "3. As from a date to be established in accordance with the procedure referred to in Article 13(2), electronic identification according to the guidelines referred to in paragraph 1 of this Article, and in accordance with the relevant provisions of Section A of the Annex, shall be obligatory for all animals born after that date. That date:
- (a) shall be established on the basis of the assessment of the technical implications, of the costs and of the overall impact of the use of electronic identification;
- (b) must be established no later than 12 months before the date the use of electronic identification becomes obligatory."
- (2) Article 9(4) shall be replaced by the following:
- "4. Member States may introduce the obligatory use of electronic identification for animals born on their territory before the date to be established, as provided for in paragraph 3."

Article 2

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

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

Done at Brussels,

For the Council
The President