



***Feed back for the Commission's questionnaire
sent to EU Member States
on the current system of harmonised minimum
level of controls for identification of bovines,
ovine and caprine
in the European Union***

AHW/CIC Committee (13-14 January 2015)

**European Commission
DIRECTORATE-GENERAL FOR HEALTH AND FOOD SAFETY
(DG SANTE)**

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Background

- *Graphics (2010-2012) presented at SCOFCAH 8th April 2014*
- *Commission noted (for the period 2010-2012), amongst others, that there is a general trend to lower numbers of established non-compliances and sanctions in most of the EU Member States...*
- *Besides*
 - *Is the current system being **effective** ?*
 - *Is the current system helpful in terms of **preventing NC** cases for the following years ?*
 - *Shall the system tend to go in future towards a **zero non-compliance** ?*
 - *Future and next steps...*
 - *Shall we **keep the current system** or...*
 - *Shall we **change or improve** the current system ?*
 - *To launch an internal reflection...?*

The questionnaire...

- COM's request for input was sent to EU MS in June 2014
- **Objective:** *Commission wanted to explore the level of satisfaction amongst EU Member States in relation to the current system of controls on animal identification and whether a review of the current system of controls for animal identification may be needed*



1-General overview of the results/feedback to the Commission's questionnaire sent by EU MS

- A total of 23 EU MS reacted
- Still lacking feedback from 5 Member States (**ROM, AT, LUX, MT, EST**)
- Numerous suggestions and concrete proposals for improving the current system coming from **19 MS**
- About **30 concrete proposals/suggestions**

The questionnaire

Questions:

- 1- *Is the current system of harmonised minimum level of controls for identification of bovines, ovines and caprines being **effective**?*
- 2- *Is the current system of controls for animal identification helpful and **deterrent** in terms of "preventing non-compliances)?"*
- 3- *Will the current system of controls for animal identification ensure in the future a **continued tendency for reduction** of non-compliances and sanctions?*
- 4- *Is the current system at the end of the day **fulfilling its objectives**?*
- 5- *Shall **we keep the current system** or shall we change/improve the current system?*
- 6- *any **concrete suggestions/proposal for improvement** ?*
- 7- *shall the Commission **launch an internal reflection** with Member States and stakeholders for the current system of controls on animal identification...?*

2-Detailed data/feedback

1- Is the current system of harmonised minimum level of controls for identification of bovines, ovines and caprines being effective?

- most of EU MS (23) find the current system of harmonised minimum level of controls for identification of bovines, ovine and caprine **as effective**
- **Only one EU MS** find the current system as non-effective (NL)
- and three MS find however the current system for sheep and goats as non-effective (IT, FR, HR)

2-Detailed data/feedback

2- Is the current system of controls for animal identification helpful and deterrent in terms of "preventing non-compliances)?"

- Most EU MS, (apart from two: **NL, EL**) find the current system of controls for animal identification sufficiently **helpful and enough** of a deterrent to prevent non-compliances.
- In the **case of bovine**, some MS (**IT, IE, EL**) stated that the entry into force of Regulation (EU) No 1053/2010 (*amending Regulation (EC) No 494/98*), resulted in a decrease on the deterrent effect of controls since this *has limited the powers of the competent authorities for the **destruction of non-identified bovines*** (farmers can appeal to a real health risk to justify the destruction of the animal).
- **4 EU MS (IT, EL, FR, LT)** expressed reservations about the lack of deterrence of the current system **for sheep and goats**, including:
 - a lack of obligation for **registration of individual animal movements in the central database**
 - A lack of incentives for keepers **of backyard sheep** intended for domestic consumption to follow provisions

2-Detailed data/feedback

3- Will the current system of controls for animal identification ensure in the future a continued tendency for reduction of non-compliances and sanctions?

- Most EU MS (apart from two: **EL, NL**) find that the current system of controls for animal identification *ensures a continued trend for reduction of non-compliance and sanctions in the future*
- Some EU MS (**IT, EL**) noted however that the current situation of **financial and economic crisis** may represent a serious risk for any kind of reliable assessment on future trends and in addition or it will not help to get the actual application of sanctions imposed, especially when it comes to administrative sanctions involving payments in cash.
- Two EU MS (**FR, NL, SI**) noted that the current system **for sheep and goats does not ensure** a continued trend for reduction of non-compliance and sanctions in the future.
- Two EU MS (**UK, DK**) noted that 100% compliance is difficult to achieve

2-Detailed data/feedback

4- Is the current system at the end of the day fulfilling its objectives?

- Most EU MS (apart from one: **NL**) find that the current system is **fulfilling its objectives**
- One EU MS (**DK**) would like to discuss on the quality of the risk analyses and selection of holdings
- Other EU MS (**EL**) noted that the current system may be fulfilling its objectives in terms of the detection of non-compliances but *not in terms of prevention of new cases in the future*
- Some EU MS (**IT, FR, BE**) noted that while the current system is fulfilling its objectives for bovine, is not doing so **for sheep and goats** and that the system in place should be able to ensure full traceability for sheep and goats

2-Detailed data/feedback

5- Shall we keep the current system or shall we change/improve the current system?

- 15 EU MS (out of 23) have a **preference for keeping** the current system while 8 EU MS may prefer to change or to improve it
- Out of these 23 EU MS having a preference for keeping the current system, two of them (**IT, HUN**) would prefer to keep it only for bovine and **not for sheep and goats**, in particular for young lambs intended for slaughter on trans-border areas
- **DK, BE** suggest **more subsidiarity** for MS to set risk criteria and the level of controls, MS could take into account the characteristics of their own production systems
- **FIN** suggest to keep the current system till bovine EID is implemented and till there is a more a clear direction on sheep & goats ID under the framework of the new AH Law

2-Detailed data/feedback

6- Do you have any concrete suggestions or proposals for improvement?

- 19 EU MS (out of 23) have submitted proposals for improvement
- More than 30 concrete proposals
- Major elements for improvement refer to modifications related to:

- **The level of checks**
- **Central databases**
- **Sanctions**
- **Risk analyses/Selection of holdings for controls**
- **Announcements of controls**
- **Cross-compliance controls**
- **More transparency in terms of results of controls**
- **Training**
- **Others**

2-Detailed data/feedback

6- Do you have any concrete suggestions or proposals for improvement?

Some practical samples:

-reviewing Council Regulation (EC) N° 21/2004, including provisions for registration in the **central database** or to **increase the *minimum level of controls in sheep and goats***

-for bovine, some EU MS suggested taking ***more advantage of the information contained in the central database***

-limiting the obligations to keep a ***holding register***

-some EU MS suggested to have a more coherent framework with EU Regulation (EC) N° 1122/2009 for ***cross-compliance*** (e.g.: issues like administrative sanctions or announcements of on-the-spot inspections).

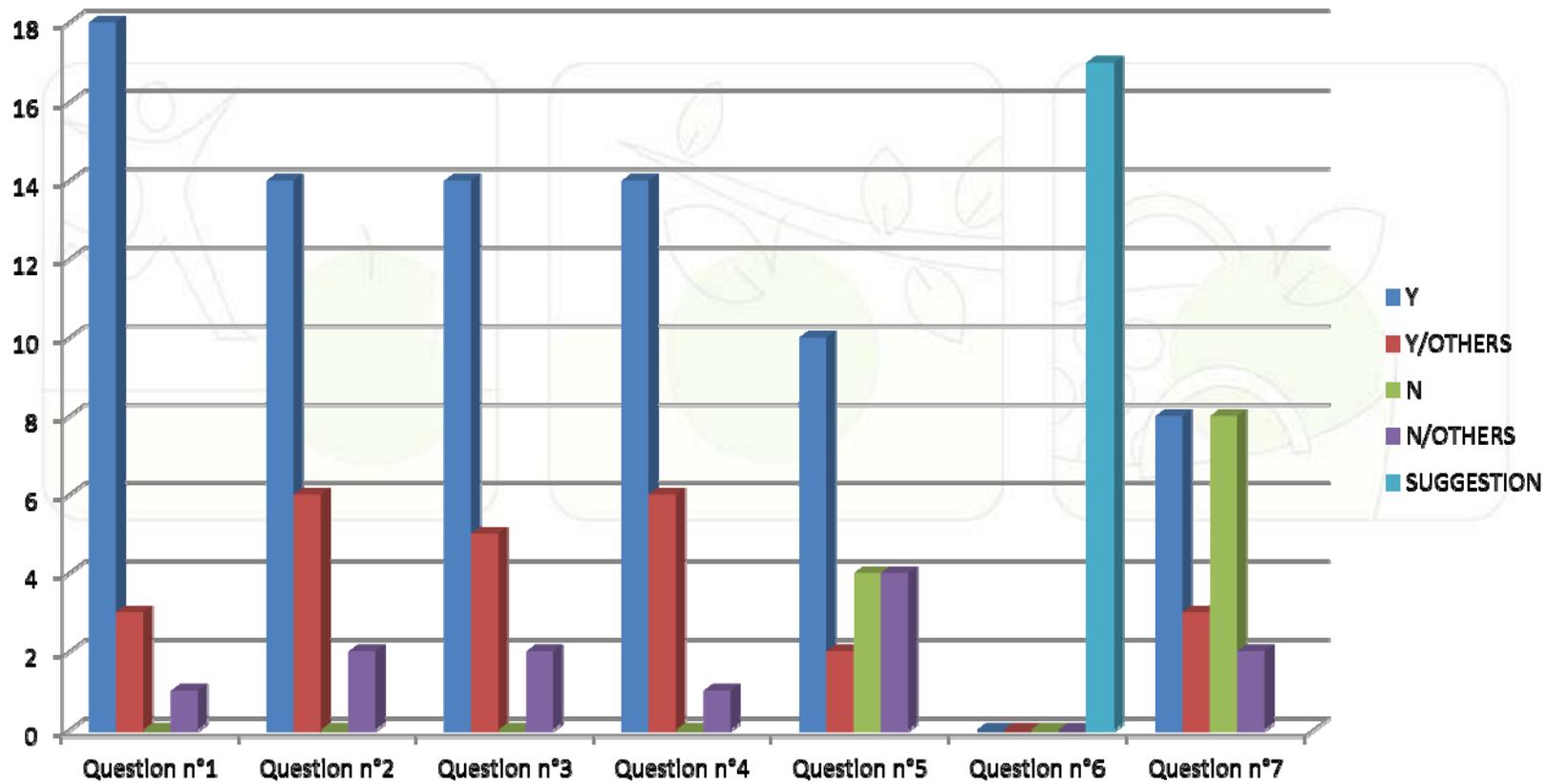
-In relation to the setting of the level of controls, EU MS suggested ***increasing the subsidiarity for MS*** to adjust and refine their own control criteria or to precise conditions for using a representative sample.

2-Detailed data/feedback

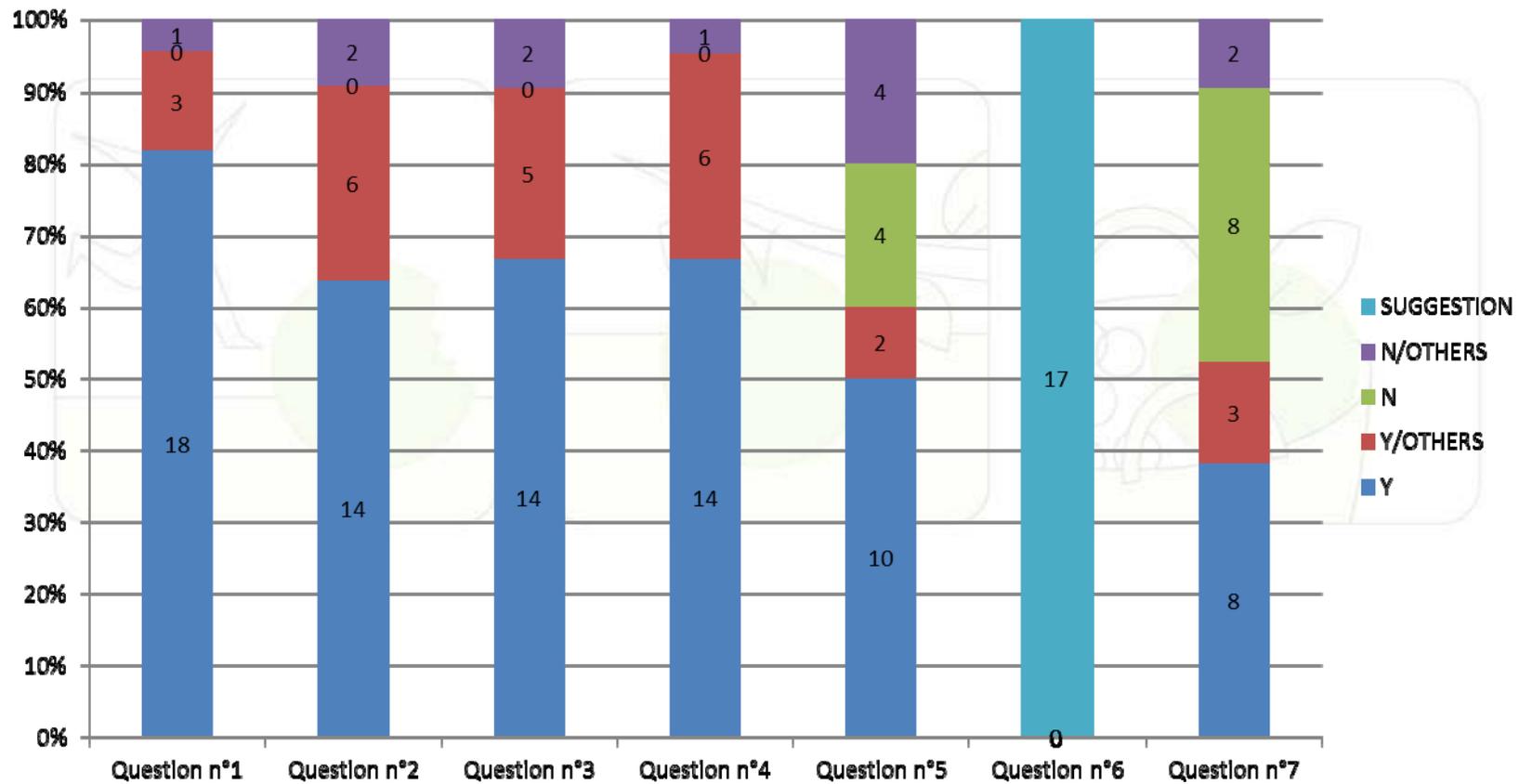
7- shall the Commission *launch an internal reflection* with Member States and stakeholders for the current system of controls on animal identification...?

1. Situation seems to be more balanced
2. 11 EU MS (out of 23) are *against launching an internal reflection* with Member States and stakeholders for the current system of controls on animal identification...12 (out of 23) are in favour
3. BE suggested not to modify the current approach before proposal regulation intended to replace regulation (EC) N882/2004 is approved and published (modification of the system of identification control could be addressed with the delegated acts as foreseen in article 17 of the proposal)
4. DE suggest **to simplify** the current system including penalties for infringements
5. CZ agreed but only if this reflection has as objective **the integration of conformity assessment from food safety, cross-compliance** and eligibility points of views and submission to DG SANCO and DG AGRI

Data of responses



Data of responses



3-Main conclusions

EU MS find the current system:

- effective
- sufficiently helpful and enough of a deterrent as to prevent non-compliances
- ensures a continued trend for reduction of non-compliance and sanctions in the future
- is fulfilling its objectives

In addition:

- 60 % of MS (14 out of 23) have preference for keeping the current system
- 47 % of MS (11 out of 23) are not in favour of launching an internal reflection

4- Next steps

- **Doing nothing**
- **Doing something: involves changing the existing legislation...**
 - *Shall the COM launch a **major review** ?*
 - *Shall the COM review only **non-fundamental elements** of the current legislation? (avoiding Co-decision)*
 - *Shall the COM produce a **Working/explanatory Document** ? (without binding effect)*
- **How to proceed...**
 - *Shall COM involve **stakeholders** in addition to competent authorities ?*
 - *shall we produce an **impact assessment** before any step?*
 - *We should see horizontally...will this conflict with other major EU legislation related to **official controls** ? COM's proposal on **Animal health law** ?*
 - *Better to wait ?*
 - *Shall next steps **be decided** at SCOFCAH ?*

5. Time for questions

Thank you for your attention

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