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2021/2675(RPS)

14.6.2021

# DRAFT MOTION FOR A RESOLUTION

pursuant to Rule 112(2) and (3), and (4)(c) of the Rules of Procedure

on the draft Commission regulation amending Annex IV to Regulation (EC) No 999/2001 of the European Parliament and of the Council as regards the prohibition to feed non-ruminant farmed animals, other than fur animals, with protein derived from animals  
(D070606/03– 2021/2675(RPS))

**Committee on the Environment, Public Health and Food Safety**

Members responsible: Piernicola Pedicini, Anja Hazekamp

**European Parliament resolution on the draft Commission regulation amending Annex IV to Regulation (EC) No 999/2001 of the European Parliament and of the Council as regards the prohibition to feed non-ruminant farmed animals, other than fur animals, with protein derived from animals (D070606/03 – 2021/2675(RPS))**

*The European Parliament,*

- having regard to the draft Commission regulation amending Annex IV to Regulation (EC) No 999/2001 of the European Parliament and of the Council as regards the prohibition to feed non-ruminant farmed animals, other than fur animals, with protein derived from animals (D070606/03 – 2021/2675(RPS)),
  - having regard to Regulation (EC) No 999/2001 of the European Parliament and of the Council of 22 May 2001 laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies<sup>1</sup>, and in particular the first paragraph of Article 23 thereof;
  - having regard to the opinion delivered on 9 April 2021 by the Standing Committee on Plants, Animals, Food and Feed,
  - having regard to the opinion adopted by the European Food Safety Authority (EFSA) on 7 June 2018, and published on 17 July 2018<sup>2</sup>,
  - having regard to the opinion adopted by EFSA on 22 September 2020, and published on 28 October 2020<sup>3</sup>,
  - having regard to Article 5a(3)(b) of Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission,<sup>4</sup>
  - having regard to Rule 112(2) and (3), and (4)(c) of its Rules of Procedure,
  - having regard to the motion for a resolution of the Committee on the Environment, Public Health and Food Safety,
- A. whereas Bovine Spongiform Encephalopathy (BSE) is a transmissible spongiform encephalopathy (TSE) of adult cattle that belongs to a family of slowly progressive and ultimately fatal diseases of the central nervous system; whereas contamination of meat and bone meal (MBM) in feed with prions is considered to have caused the BSE epidemic that originated in the late 1980s in the United Kingdom;
- B. whereas processed animal protein (PAP) is animal protein derived entirely from Category 3 material which has been treated so as to render it suitable for direct use as

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<sup>1</sup> OJ L 147, 31.5.2001, p. 1.

<sup>2</sup> EFSA scientific opinion on updated quantitative risk assessment (QRA) of the BSE risk posed by processed animal protein (PAP), EFSA Journal 2018;16(7):5314;  
<https://efsa.onlinelibrary.wiley.com/doi/full/10.2903/j.efsa.2018.5314>

<sup>3</sup> EFSA scientific opinion on potential BSE risk posed by the use of ruminant collagen and gelatine in feed for non-ruminant farmed animals, EFSA Journal 2020;18(10):6267,  
<https://efsa.onlinelibrary.wiley.com/doi/full/10.2903/j.efsa.2020.6267>

<sup>4</sup> OJ L 184, 17.7.1999, p. 23.

feed material or for any other use in feedingstuffs, including petfood, or for use in organic fertilisers or soil improvers; whereas PAP comprises MBM and meat meal (MM), and is a product obtained by heating, drying and grinding whole or parts of warm-blooded land animals from which the fat may have been partially extracted or physically removed; whereas Category 3 material, as set out in Article 10 of Regulation (EC) No 1069/2009 of the European Parliament and of the Council<sup>5</sup>, includes animal by-products (ABPs), such as carcasses and parts of animals slaughtered, degreased bones and greaves, products of animal origin or foodstuffs containing products of animal origin, petfood and feeding stuffs of animal origin, and adipose tissue from animals which did not show any signs of disease communicable to humans or animals;

- C. whereas the use of PAP of mammalian origin in the feed of cattle, sheep and goats was banned in the Union in 1994 as a preventive measure in the context of the then emerging BSE crisis; whereas that initial feed ban was extended to all farmed animals in 2001 to prevent cross-contamination between feed containing PAP intended for species other than ruminants and feed intended for ruminants;
- D. whereas the feed ban for non-ruminants was initially introduced as a precautionary measure, not to counter a known TSE risk;
- E. whereas, thanks to those strict measures, only very few cases of BSE have arisen in recent years, and the BSE epidemic can be considered under control today;
- F. whereas, under the draft Commission regulation, the following new uses would be authorised:
  - pig PAP in poultry feed;
  - poultry PAP in pig feed;
  - gelatine and collagen of ruminant origin in the feed of non-ruminant farmed animals;and
  - insect PAP in poultry and pig feed;
- G. whereas appropriate laboratory methods to quantify the presence of PAP in feed are still lacking; whereas the prevention of cross-contamination is therefore crucial;
- H. whereas it is doubtful whether the proposed measures to prevent cross-contamination, such as segregation of production lines will be successful; as in many Member States the industry is organised with only one production line processing feed for poultry and pigs, and creating another one would be a huge challenge; whereas probably only a few big companies would be able to benefit from such a change;
- I. whereas permitting PAP in the food chain of farm animals again, even if accompanied by measures designed to decrease the risks, would increase the risk that ruminants come in contact with them, and thus endanger the successes achieved so far;
- J. whereas the conduct of official controls to verify the correct application of feeding restrictions is a responsibility of the Member States' competent authorities, and is based on laboratory analytical methods;

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<sup>5</sup> Regulation (EC) No 1069/2009 of the European Parliament and of the Council of 21 October 2009 laying down health rules as regards animal by-products and derived products not intended for human consumption and repealing Regulation (EC) No 1774/2002 (Animal by-products Regulation) (OJ L 300 14.11.2009, p. 1).

- K. whereas, more specifically, serious doubts remain as regards the feasibility of implementing fully segregated production lines, as well as fully separated collection, storage, transport and packaging facilities; whereas the correct implementation and the enforcement of these provisions would be highly challenging for both the companies involved and the competent authorities;
- L. whereas the Directorate-General for Health and Food Safety (DG SANTE) audit reports repeatedly show that resources for controls are often lacking; whereas the DG SANTE 2017 overview report on Hazards and Management of Risks in the Feed Sector in Member States<sup>6</sup> concluded that, in a general context of resource constraints, risk prioritisation of official controls in the feed sector was weak or at an early stage of development; whereas the DG SANTE 2018 overview report on Audits of Official Controls in EU-Member States<sup>7</sup> showed that the degree to which audit services could ensure and demonstrate that the audit programme was risk-based varied considerably and that other demands and lack of resources also affect coverage of official controls; whereas common problems identified included poor or limited implementation of official controls on channelling of consignments of ruminant PAP intended for export and, as regards intra-union trade of PAP, failure of the competent authority of destination to inform the competent authority of origin on the arrival of PAP consignments, thus undermining the traceability of those consignments<sup>8</sup>;
- M. whereas this leads to serious doubts as to whether the proposed lifting of the precautionary measures will ensure that human and animal health are properly protected from the risk of BSE, which is the objective of Regulation (EC) No 999/2001;
- N. whereas, according to the European Fat Processors and Renderers Association (EFPRA), around 60 % of pig and poultry PAP produced in the Union is used in the Union, while around 40 % is exported to third countries;
- O. whereas, according to EFPRA, the vast bulk of pig and poultry PAP today is used in petfood (around 76 % of the amount that remains in the Union), followed by fish feed (around 12 %) and fertilizers (9 %); whereas incineration does not play a role with regard to PAP;
- P. whereas, compared to the roughly 1,3 million tonnes of PAP produced in the Union per year, Union imports of soybeans were estimated to be around 32,2 million tonnes in 2020/21<sup>9</sup>; whereas therefore, permitting PAP in the feed chain for farmed animals will not solve the problem of Union dependency on soybean imports for animal feed;

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<sup>6</sup> <https://op.europa.eu/nl/publication-detail/-/publication/334f3009-ec38-11e6-ad7c-01aa75ed71a1/language-en/format-PDF/source-115701722>

<sup>7</sup> <https://op.europa.eu/en/publication-detail/-/publication/0ee0a8e9-97c0-11e9-9369-01aa75ed71a1>

<sup>8</sup> Commission Staff Working Document. Accompanying the document Report from the Commission to the European Parliament and the Council on the overall operation of official controls performed in Member States (2017-2018) to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products (COM(2020) 756 final): <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:52020SC0283&rid=1#footnoteref17>

<sup>9</sup> [https://ec.europa.eu/info/sites/default/files/food-farming-fisheries/farming/documents/eu-feed-protein-balance-sheet\\_2020-2021\\_en.pdf](https://ec.europa.eu/info/sites/default/files/food-farming-fisheries/farming/documents/eu-feed-protein-balance-sheet_2020-2021_en.pdf) Moreover, even though PAP has a higher protein content compared to soybeans, it is obvious that other protein-containing feedstuffs, such as rapeseed (imports of 5,0 million tonnes), sunflower

- Q. whereas, as regards the proposed authorisation of ruminant collagen and gelatine in the feed of non-ruminant farmed animals, it has to be noted, firstly, that feeding highly processed feed and former foodstuffs, such as sweets, to farmed animals is far from their natural eating habits, and, secondly, that such re-utilisation would make it extremely challenging to ensure that there is sufficient traceability in order to comply with ongoing obligations, such as intra-species recycling;
- R. whereas balanced diets for farmed animals are perfectly possible without resorting to PAP;
- S. whereas it can be presumed that the majority of consumers is not in favour of re-authorising PAP in animal feed; whereas from a consumer's point of view, the availability of adequate information on what has been fed to animals is important, for example in the context of religious constraints;
- T. whereas the Union face the difficult challenge of shifting to more sustainable food production systems; whereas the communication of the Commission of 20 May 2020 entitled 'A Farm to Fork Strategy for a fair, healthy and environmentally-friendly food system' aims at delivering on a fair, healthy and environmentally-friendly food system by addressing the serious climate and environmental impact of our current food and farming system and ensuring improved animal welfare;
- U. whereas Article 191(2) of the Treaty on the Functioning of the European Union (TFEU) sets out the precautionary principle as one of the fundamental principles of the Union;
- V. whereas Article 168(1) TFEU states that '[a] high level of human health protection shall be ensured in the definition and implementation of all Union policies and activities';
1. Opposes adoption of the draft Commission regulation;
  2. Considers that the draft Commission regulation is not compatible with the aim and content of Regulation (EC) No 999/2001;
  3. Is concerned that the control and enforcement of the new measures, especially with regard to the separation of specialised production lines, as well as the collection, storage, transport and packaging facilities, may not be implemented in a way that is in accordance with the highest safety standards;
  4. Notes the need for effective analytical tools to quantify the presence of prohibited PAP;
  5. Believes that the supposed economic advantage of the draft Commission regulation does not justify the increased risk involved in permitting PAP in the food chain of farmed animals;
  6. Considers that the current rules as regards the feeding of pig and poultry proteins, as

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seed/meal (4,0 million tonnes) and maize (22,0 million tonnes) are also contributing to a considerable amount of Union feed protein supply.

well as collagen and gelatine derived from ruminants, should stay in place;

7. Calls on the Commission to put measures in place to eliminate the problem of Union dependency on soybean imports for animal feed, such as fostering the cultivation of sustainable protein plants in the Union, and to foster research in methods of transformation and processing, with a view to making protein crops that are adapted to the climatic conditions in the Union usable for animal feed; notes that any measure taken in this respect should not discourage a positive shift towards more sustainable farming systems;
8. Calls on the Commission to ensure that imports from third countries meet the strict Union criteria, as, under Union legislation, imported products must meet the same safety standards as products produced in Member States; asks the Commission to work towards a change in international standards with regard to BSE, in order to create a level playing field and avoid giving an unfair competitive advantage to operators from third countries over Union producers;
9. Calls on the Commission to withdraw the draft regulation and submit a new one to the committee;
10. Instructs its President to forward this resolution to the Council and the Commission, and to the governments and parliaments of the Member States.