

COUNCIL DIRECTIVE 93/114/EC

of 14 December 1993

amending Directive 70/524/EEC concerning additives in feedingstuffs

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 43 thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the opinion of the European Parliament ⁽²⁾,

Having regard to the opinion of the Economic and Social Committee ⁽³⁾,

Whereas Council Directive 70/524/EEC concerning additives in feedingstuffs ⁽⁴⁾ lays down the principles relating to the authorization and the use of additives;

Whereas the inclusion of enzyme and micro-organisms in Directive 70/524/EEC means that products belonging to both of these new categories and their manufacturers are subject to the same requirements which apply to the authorization of additives and to manufacturers in general; whereas it is particularly necessary to ensure that the products marketed are innocuous to the environment, workers, animal owners and consumers of animal products and furthermore that they satisfy the requirements set as regards effectiveness, quality and ability to be checked;

Whereas in order to make possible the evaluation and authorization of enzymes produced by or derived from genetically modified organisms, the Commission must provide an assessment of such products with the aim of preventing damage to human or animal health or the environment;

Whereas it appears necessary for the Scientific Committee for Feedingstuffs to be assisted by experts in the field of genetic engineering and in assessing risks linked to the use of genetically modified organisms, so as to ensure that the testing procedure is such as to rule out any damaging effects on human or animal health or the environment caused by the products concerned;

Whereas in the Community authorization procedure for additives the requirements of Directive 90/220/EEC ⁽⁵⁾ concerning a specific environmental risk evaluation must be applied in respect of all additives containing or consisting of genetically modified organisms; whereas these requirements should therefore be inserted in Council Directive 87/153/EEC of 16 February 1987 fixing guidelines for the assessment of additives in animal nutrition ⁽⁶⁾, and that they apply concomitantly with this Directive;

Whereas advances in scientific and technological knowledge permit the use of certain enzymes, micro-organisms and their preparations in animal nutrition in order to improve the digestibility of nutrients or to stabilize the flora of the digestive system of animals and to reduce the quantity of certain environmentally undesirable substances;

Whereas Directive 93/113/EEC ⁽⁷⁾ permits the Member States to allow temporarily and subject to certain conditions the use and marketing of enzymes, micro-organisms and their preparations at national level until those products receive Community authorization pursuant to Directive 70/524/EEC;

Whereas the granting of such authorization implies that special labelling provisions be inserted in the abovementioned Directive for this new generation of additives and for the premixtures and feedingstuffs into which they are incorporated,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Directive 70/524/EEC is hereby amended as follows:

1. the following Article shall be inserted after Article 7:

'Article 7a

If an additive contains or consists of genetically modified organisms within the meaning of Article 2

(1) OJ No C 117, 17. 4. 1993, p. 11

(2) OJ No C 329, 6. 12. 1993.

(3) OJ No C 201, 26. 7. 1993, p. 33.

(4) OJ No L 270, 14. 12. 1970, p. 1. Directive as last amended by Commission Directive 93/55/EEC (OJ No L 206, 18. 8. 1993, p. 11).

(5) OJ No L 117, 8. 5. 1990, p. 15.

(6) OJ No L 64, 7. 3. 1987, p. 19.

(7) See page 17 of this Official Journal.