



EUROPEAN COMMISSION

Brussels, 26.10.2012
C(2012) 7430 final

Dear President,

The Commission would like to thank the Senato della Repubblica for its Opinion on the Proposal for a Regulation of the European Parliament and of the Council on the non-commercial movement of pet animals {COM(2012) 89 final} and the Proposal for a Directive of the European Parliament and of the Council amending Council Directive 92/65/EEC as regards the animal health requirements governing intra-Union trade in and imports into the Union of dogs, cats and ferrets {COM(2012) 90 final}. Let me apologise for the delay in replying.

The Senato della Repubblica expresses concerns about Article 37 of the proposal on the non-commercial movement of pet animals, regulating the actions to be taken by Member States in case of non-compliance revealed during the checks provided by the proposal. The Commission takes note of the suggestion to restore the wording used in Regulation (EC) No 998/2003 of the European Parliament and of the Council, i.e. providing the putting down of the non-compliant animal only as a last resort.

As regards the possible overlap between the rules of the proposal on the non-commercial movement of pet animals and national rules on pet animals and stray animals, the Commission would like to stress that the two Commission proposals apply to movement into a Member State from another Member State or a third country or territory but not to movements of pet animals within a Member State. The protection of the health and welfare of stray animals remains under the sole responsibility of the Member States.

The Commission takes note that the Senato della Repubblica questions the proposed delegation of powers allowing the Commission to amend Annex II to {COM(2012) 89 final}, defining the territorial scope of the proposal. The aim of the Commission is to clarify the content of Annex II to Regulation (EC) No 998/2003, and to allow for the adaptation of the regulation's territorial scope should the area of application of the Treaties and/or the list of territories decided by the Member States change, for example as a result of enlargement. In addition to that, any delegation of powers is subject to the control of the co-legislators: it can duly enter into force if no objection has been expressed by the Council or the European Parliament, and both institutions can also revoke the delegation.

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Presidente
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I hope that these clarifications address the concerns raised by the Senato della Repubblica and I am looking forward to continuing our political dialogue in the future.

Yours faithfully,

*Maroš Šefčovič
Vice-President*