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Standing Committee on
Economic and Financial Affairs*

16th July 2013

H.E. M. Barroso
President
European Commission

The Standing Committee on Foreign and European Affairs, acting in its scrutiny function, wishes to express its concern with regard to a 'one size fits all' approach that is being adopted with regards to the "Proposal for a Regulation of the European Parliament and the Council on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health, plant reproductive material, plant protection products and amending Regulations (EC) No 999/2001, 1829/2003, 1831/2003, 1/2005, 834/2007, 1099/2009, 1069/2009, 1107/2009, Regulations (EU) No 1151/2012, [...] /2013 [Office of Publications, please insert number of Regulation laying down provisions for the management of expenditure relating to the food chain, animal health and animal welfare, and relating to plant health and plant reproductive material], and Directives 98/58/EC, 1999/74/EC, 2007/43/EC, 2008/119/EC, 2008/120/EC and 2009/128/EC (Official controls Regulation)".

The Committee calls upon the Commission to retain at all times the distinct realities and specificities of the EU Member States, in particular small island Member States such as Malta, which are faced with particular intrinsic challenges and which may therefore carry a disproportionate burden in implementing certain EU legislation and proposals.

Attached is an explanatory note relative to this specific case.

Christopher Fearne
Chairman
Standing Committee on Foreign and European Affairs
House of Representatives of Malta

Encl.

Proposal for a Regulation of the European Parliament and the Council on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health, plant reproductive material, plant protection products and amending Regulations (EC) No 999/2001, 1829/2003, 1831/2003, 1/2005, 834/2007, 1099/2009, 1069/2009, 1107/2009, Regulations (EU) No 1151/2012, [...] /2013 [Office of Publications, please insert number of Regulation laying down provisions for the management of expenditure relating to the food chain, animal health and animal welfare, and relating to plant health and plant reproductive material], and Directives 98/58/EC, 1999/74/EC, 2007/43/EC, 2008/119/EC, 2008/120/EC and 2009/128/EC (Official controls Regulation)

The Regulation provides for a general framework for official controls in the sectors of feed and food law, animal health and animal welfare rules, laying down rules governing both the organisation and the financing of such controls. In this regard, the proposal itself aims to ensure the availability of stable and appropriate resources, ensure equity and fairness in the financing of official controls and improve transparency.

Nevertheless, whereas the need for standard procedures on an EU level with respect to health and safety rules concerning the food chain is acknowledged, smaller Member States may be in a better position to respond to specific national contexts and safeguard the economic viability of the sector which otherwise will be jeopardised due to the potential disproportionality of harmonised approaches given that circumstances and realities (and hence economics of scale) of operators differ greatly across and indeed within Member States.

The Commission has made exceptions for small businesses/companies whose turnover is below two million euros and employing less than ten people but this Proposal does not solve the problems for the small and medium enterprises in Malta. Member States should therefore be left the free choice to determine themselves the amount of controlled taxes.