



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 19 April 2013

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**AGRILEG 52
VETER 30**

COVER NOTE

from: European Commission

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to: General Secretariat of the Council

No. prev. doc.: 8487/13 AGRILEG 48 VETER 29

No. Cion prop.: D025828/03

Subject: Commission Regulation (EU) No .../.. of XXX amending Regulation (EU) No 142/2011 as regards the transit of certain animal by-products from Bosnia and Herzegovina

Delegations will find attached a letter from Mr Tonio BORG, member of the European Commission, to Mr Angel BOIXAREU CARRERA, Director General of Agriculture, Fisheries, Social Affairs and Health.

TONIO BORG
MEMBER OF THE EUROPEAN COMMISSION

Brussels,
HV/cs/A 691789 (13) D

Dear Mr Boixareu Carrera,

Bilateral agreements between the Republic of Croatia and Bosnia and Herzegovina grant free access to the Croatian port of Ploče for products from Bosnia and Herzegovina. This port is the only possibility for Bosnia and Herzegovina to export by boat.

As soon as Croatia joins the Union, i.e. on 1 July 2013, it will have to apply the EU food safety and animal health rules. Those rules restrict the possibility of transit of products of animal origin. As a result, Bosnia and Herzegovina would lose the possibility to transit Croatia and subsequently export by boat to third countries most products of animal origin.

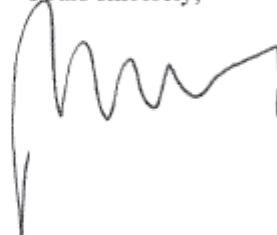
After several rounds of negotiations including two meetings between the Foreign Affairs Ministers from both countries and several Commissioners, a special transit regime was agreed. This would allow Bosnia and Herzegovina to continue to use the port of Ploče for the trade of products of animal origin, notably animal by-products, with third countries, even after the accession of Croatia into the EU.

To this end, the Commission has prepared a draft Regulation containing required measures. This Regulation would need to be adopted in accordance with the regulatory procedure with scrutiny. It has been submitted to the Standing Committee on the Food Chain and Animal Health and on 5 March 2013 it received a favourable opinion. It has been uploaded in the Comitology Register on 9 April 2013 under Reference D 025828/03 to allow the European Parliament and the Council to exercise their right of scrutiny.

In view of the political implications for Croatia and Bosnia and Herzegovina, I would be grateful if the Council could examine the draft measures in question by 31 May 2013.

I thank you in advance for your cooperation and understanding in this matter.

Yours sincerely,



Mr Angel Boixareu Carrera
Director General of Agriculture, Fisheries, Social Affairs and Health
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