



**COUNCIL OF
THE EUROPEAN UNION**

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2008/0183 (COD)**

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NOTE

from: General Secretariat of the Council
to: Permanent Representatives Committee / Council

Subject: **ADOPTION OF LEGISLATIVE ACT FOLLOWING THE EUROPEAN
PARLIAMENT'S SECOND READING**
Proposal for a Regulation of the European Parliament and of the Council
amending Council Regulation (EC) No 1290/2005 and Council Regulation (EC)
No 1234/2007 as regards distribution of food products to the most deprived
persons in the Union
– Outcome of the European Parliament's second reading
(Strasbourg, 13 to 16 February 2012)

I. VOTE

Since no amendments had been submitted, the President of the European Parliament declared the Council's position at first reading approved.

The text of the European Parliament's legislative resolution is annexed to this note.

II. ADOPTION OF LEGISLATIVE ACTS FOLLOWING THE EUROPEAN PARLIAMENT'S SECOND READING

Since the European Parliament has approved the Council's position at first reading, the act in question is deemed to have been adopted in the wording which corresponds to the Council's position at first reading, as provided for in Article 294 (7)(a) of the TFEU.

After signature by the President of the European Parliament, the President of the Council and the Secretaries-General of the two Institutions, the act in question will be published in the *Official Journal* of the European Union.

Food distribution to the most deprived persons in the Union *II**

European Parliament legislative resolution of 15 February 2012 on the Council position at first reading with a view to the adoption of a Regulation of the European Parliament and of the Council amending Council Regulations (EC) No 1290/2005 and (EC) No 1234/2007 as regards distribution of food products to the most deprived persons in the Union (18733/1/2011 – C7-0022/2012 – 2008/0183(COD))

(Ordinary legislative procedure: second reading)

The European Parliament,

- having regard to the Council position at first reading (18733/1/2011 – C7-0022/2012),
 - having regard to the reasoned opinions submitted, within the framework of the Protocol (No 2) on the application of the principles of subsidiarity and proportionality, by the Danish Parliament, Swedish Parliament and the United Kingdom House of Lords, asserting that the draft legislative act does not comply with the principle of subsidiarity,
 - having regard to the opinions of the European Economic and Social Committee of 20 January 2011¹ and 8 December 2011²,
 - having regard to the opinion of the Committee of the Regions of 27 January 2011³,
 - having regard to its position of 26 March 2009⁴,
 - having regard to its resolution of 5 May 2010 on the consequences of the entry into force of the Treaty of Lisbon for ongoing interinstitutional decision-making procedures (COM(2009)0665) – 'omnibus'⁵,
 - having regard to the amended Commission proposals (COM(2010)0486) and COM(2011)0634),
 - having regard to Article 294(7) of the Treaty on the Functioning of the European Union,
 - having regard to Rule 72 of its Rules of Procedure,
 - having regard to the recommendation for second reading of the Committee on Agriculture and Rural Development (A7-0032/2012),
1. Approves the Council position at first reading;
 2. Notes that the act is adopted in accordance with the Council position;

¹ OJ C 84, 17.3.2011, p. 49.

² Not yet published in the Official Journal.

³ OJ C 104, 2.4.2011, p. 44.

⁴ OJ C 117 E, 6.5.2010, p. 258.

⁵ OJ C 81 E, 15.3.2011, p. 1.

3. Instructs its President to sign the act with the President of the Council, in accordance with Article 297(1) of the Treaty on the Functioning of the European Union;
4. Instructs its Secretary-General to sign the act, once it has been verified that all the procedures have been duly completed, and, in agreement with the Secretary-General of the Council, to arrange for its publication in the *Official Journal of the European Union*;
5. Instructs its President to forward its position to the Council, the Commission and the national parliaments.