



**COUNCIL OF
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INFORMATION NOTE

from: General Secretariat
to: Special Committee on Agriculture/Council
Subject: Proposal for a regulation of the European Parliament and of the Council amending Council Regulations (EC) No 2008/97, (EC) No 779/98 and (EC) No 1506/98 in the field of imports of olive oil and other agricultural products from Turkey as regards the delegated and implementing powers to be conferred on the Commission
- Outcome of the European Parliament's first reading
(Strasbourg, 10 to 13 September 2012)

I. INTRODUCTION

The Committee on International Trade submitted thirteen amendments to the proposal for a Regulation.

II. VOTE

When it voted on 12 September 2012, without prior debate, the plenary adopted the Committee's thirteen amendments

Rather than vote on the draft legislative resolution, however, the Parliament decided to refer the matter back to the Committee for reconsideration pursuant to Rule 57(2) of the Parliament's Rules of Procedure.

Imports of olive oil and other agricultural products from Turkey as regards the delegated and implementing powers to be conferred on the Commission *I**

Amendments adopted by the European Parliament on 12 September 2012 on the proposal for a regulation of the European Parliament and of the Council amending Council Regulations (EC) No 2008/97, (EC) No 779/98 and (EC) No 1506/98 in the field of imports of olive oil and other agricultural products from Turkey as regards the delegated and implementing powers to be conferred on the Commission (COM(2011)0918 – C7-0005/2012 – 2011/0453(COD))¹

(Ordinary legislative procedure: first reading):

Amendment 1

Proposal for a regulation

Recital 5

Text proposed by the Commission

5. In order to supplement or amend certain non-essential elements of Regulation (EC) No 2008/97, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission in respect of the adoption of the resulting adjustments necessary for that Regulation where the present conditions of the special arrangements provided for in the Association Agreement are amended, in particular as regards the amounts, or where a new agreement is concluded. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level. The Commission, when preparing and drawing-up delegated acts, should ensure a simultaneous, timely and appropriate transmission of relevant documents to the European Parliament and

Amendment

5. In order to supplement or amend certain non-essential elements of Regulation (EC) No 2008/97, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission in respect of the adoption of the resulting adjustments necessary for that Regulation where the present conditions of the special arrangements provided for in the Association Agreement are amended, in particular as regards the amounts, or where a new agreement is concluded. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level. The Commission, when preparing and drawing-up delegated acts, should ensure a simultaneous, timely and appropriate transmission of relevant documents to the European Parliament and

¹ The matter was referred back to the committee responsible for reconsideration pursuant to Rule 57(2), second subparagraph (A7-0209/2012).

Council.

Council. *The Commission should provide full information and documentation on its meetings with national experts within the framework of its work on the preparation and implementation of delegated acts. In this respect, the Commission should ensure that the European Parliament is duly involved, drawing on best practices from previous experience in other policy areas in order to create the best possible conditions for future scrutiny of delegated acts by the European Parliament.*

Amendment 2

Proposal for a regulation

Article 1 – point -1 (new)

Regulation (EC) No 2008/97

Recital 5 a (new)

Text proposed by the Commission

Amendment

-1. The following recital is inserted:

"Whereas, in order to ensure uniform conditions for the adoption of certain measures for the implementation of this Regulation, implementing powers should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers*."

*** OJ L 55, 28.2.2011, p. 13."**

Amendment 3

Proposal for a regulation

Article 1 – point -1 a (new)

Regulation (EC) No 2008/97

Recital 6

Text proposed by the Commission

Amendment

-1a. Recital 6 is replaced by the following:

"Whereas in order to supplement or amend certain non-essential elements of this Regulation, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of the adoption of the resulting adjustments necessary for this Regulation where the present conditions of the special arrangements provided for in the Association Agreement are amended, in particular as regards the amounts, or where a new agreement is concluded. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level. The Commission, when preparing and drawing up delegated acts, should ensure a simultaneous, timely and appropriate transmission of relevant documents to the European Parliament and to the Council. The Commission should provide full information and documentation on its meetings with national experts within the framework of its work on the preparation and implementation of delegated acts. In this respect, the Commission should ensure that the European Parliament is duly involved, drawing on best practices from previous experience in other policy areas in order to create the best possible conditions for future scrutiny of delegated acts by the European Parliament."

Amendment 4

Proposal for a regulation

Article 1 – point 1

Regulation (EC) No 2008/97

Article 7

Text proposed by the Commission

The Commission shall, by means of implementing acts, adopt measures necessary to implement the rules for the application of the special import arrangements laid down in this Regulation. Those implementing acts shall be adopted

Amendment

The Commission shall, by means of implementing acts, adopt measures necessary to implement the rules for the application of the special import arrangements laid down in this Regulation. Those implementing acts shall be adopted

in accordance with the examination procedure referred to in *Article [323(2)] of Regulation (EU) No [xxxx/yyyy] of the European Parliament and of the Council [aligned Single CMO Regulation]**.

in accordance with the examination procedure referred to in *Article 7a(2)*.

Amendment 5

Proposal for a regulation

Article 1 – point 1

Regulation (EC) No 2008/97

Article 7 a (new)

Text proposed by the Commission

Amendment

1. The following Article is inserted:

"Article 7a

Committee procedure

1. The Commission shall be assisted by theCommittee established by Article [xx] of Regulation (EU) No [xxxx/yyyy] of the European Parliament and of the Council of [aligned Single CMO Regulation]*. That Committee shall be a committee within the meaning of Regulation (EU) No 182/2011.**

2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.

3. Where the opinion of the committee is to be obtained by written procedure, that procedure shall be terminated without result when, within the time-limit for delivery of the opinion, the chair of the committee so decides or a majority of committee members so request.

*** OJ L**

**** OJ L 55, 28.2.2011, p. 13."**

Amendment 6

Proposal for a regulation

Article 1 – point 2

Regulation (EC) No 2008/97

Article 8a - paragraph 2

Text proposed by the Commission

2. The delegation of power referred to in Article 8 shall be conferred on the Commission for *an indeterminate* period of *time from [insert date of entry into force of this amending Regulation]*.

Amendment

2. The delegation of power referred to in Article 8 shall be conferred on the Commission for *a* period of *five years from ...* *. *The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.*

* *OJ: Please insert the date of entry into force of this Regulation.*

Amendment 7

Proposal for a regulation

Article 1 – point 2

Regulation (EC) No 2008/97

Article 8a – paragraph 5

Text proposed by the Commission

5. A delegated act adopted pursuant to Article 8 shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of 2 months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by *2 months* at the initiative of the European Parliament or the Council.

Amendment

5. A delegated act adopted pursuant to Article 8 shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by *four months* at the initiative of the European Parliament or the Council.

Amendment 8

Proposal for a regulation

Article 2 – point -1 (new)

Regulation (EC) No 779/98

Recital 4 a (new)

Text proposed by the Commission

Amendment

-1. The following recital is inserted:

"Whereas, in order to ensure uniform conditions for the adoption of certain measures for the implementation of this Regulation, implementing powers should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers*."

*** OJ L 55, 28.2.2011, p. 13."**

Amendment 9

Proposal for a regulation

Article 2 – point 1

Regulation (EC) No 779/98

Article 1

Text proposed by the Commission

Amendment

The Commission shall, by means of implementing acts, adopt rules necessary for the application of the import regime for products listed in Annex I to the Treaty on the Functioning of the European Union which originate in Turkey and which are imported into the Union under the conditions laid down in Decision No 1/98 of the EC-Turkey Association Council. Those implementing acts shall be adopted in accordance with the examination procedure referred to in **Article [323(2)] of Regulation (EU) No [xxxx/yyyy] of the European Parliament and of the Council**

The Commission shall, by means of implementing acts, adopt rules necessary for the application of the import regime for products listed in Annex I to the Treaty on the Functioning of the European Union which originate in Turkey and which are imported into the Union under the conditions laid down in Decision No 1/98 of the EC-Turkey Association Council. Those implementing acts shall be adopted in accordance with the examination procedure referred to in **Article 2a(2)**.

Amendment 10

Proposal for a regulation

Article 2 – point 1 a (new)

Regulation (EC) No 779/98

Article 2 a (new)

Text proposed by the Commission

Amendment

1a. The following Article is inserted:

"Article 2a

Committee procedure

1. The Commission shall be assisted by the Committee established by Article [xx] of Regulation (EU) No [xxxx/yyyy] of the European Parliament and of the Council of[aligned Single CMO Regulation]*. That Committee shall be a committee within the meaning of Regulation (EU) No 182/2011.**

2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.

3. Where the opinion of the committee is to be obtained by written procedure, that procedure shall be terminated without result when, within the time-limit for delivery of the opinion, the chair of the committee so decides or a majority of committee members so request.

*** OJ L**

**** OJ L 55, 28.2.2011, p. 13."**

Amendment 11

Proposal for a regulation

Article 3 – point -1 (new)

Regulation (EC) No 1506/98

Recital 6 a (new)

Text proposed by the Commission

Amendment

-1. The following recital is inserted:

"Whereas, in order to ensure uniform conditions for the adoption of certain measures for the implementation of this Regulation, implementing powers should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers*.

**** OJ L 55, 28.2.2011, p. 13."***

Amendment 12

Proposal for a regulation

Article 3 – point 1

Regulation (EC) No 1506/98

Article 3

Text proposed by the Commission

The Commission shall, by means of an implementing act, confirm the termination of the suspension referred to in Article 2 once the barriers to the preferential exports from the Union to Turkey have been lifted. That implementing act shall be adopted in accordance with the examination procedure referred to in ***Article [323(2)] of Regulation (EU) No [xxxx/yyyy] of the European Parliament and of the Council [aligned Single CMO Regulation]*.***

Amendment

The Commission shall, by means of an implementing act, confirm the termination of the suspension referred to in Article 2 once the barriers to the preferential exports from the Union to Turkey have been lifted. That implementing act shall be adopted in accordance with the examination procedure referred to in ***Article 3a(2).***

Amendment 13

Proposal for a regulation

Article 3 – point 1 a (new)

Regulation (EC) No 1506/98

Article 3 a (new)

Text proposed by the Commission

Amendment

1a. The following Article is inserted:

"Article 3a

Committee procedure

1. The Commission shall be assisted by theCommittee established by Article [xx] of Regulation (EU) No [xxxx/yyyy] of the European Parliament and of the Council of [aligned Single CMO Regulation]. That Committee shall be a Committee within the meaning of Regulation (EU) No 182/2011**.*

2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.

3. Where the opinion of the committee is to be obtained by written procedure, that procedure shall be terminated without result when, within the time-limit for delivery of the opinion, the chair of the committee so decides or a majority of committee members so request.

** OJ L*

*** OJ L 55, 28.2.2011, p. 13."*