



Brussels, 18 March 2015  
(OR. en)

7055/15

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**Interinstitutional File:**  
2014/0275 (COD)

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CODEC 332  
CODIF 34  
AGRI 117  
NT 9  
PE 50

#### **INFORMATION NOTE**

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From:	General Secretariat of the Council
To:	Permanent Representatives Committee/Council
Subject:	Proposal for a Regulation of the European Parliament and of the Council suspending certain concessions relating to the import into the Union of agricultural products originating in Turkey (codification) – Outcome of the European Parliament's first reading (Strasbourg, 9 to 12 March 2015)

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#### **I. INTRODUCTION**

The rapporteur, Mr Andrzej DUDA (ECR - PL), presented a report, on behalf of the Committee on Legal Affairs, which proposed to take over the Commission proposal without amendment.

In accordance with the provisions of Article 294 of the TFEU and the joint declaration on practical arrangements for the codecision procedure <sup>1</sup>, informal contacts have taken place between the Council, the European Parliament and the Commission with a view to reaching an agreement on this dossier at first reading, thereby avoiding the need for second reading and conciliation.

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<sup>1</sup> OJ C 145, 30.6.2007, p. 5

## II. VOTE

Pursuant to Rule 103 of the European Parliament's Rules of Procedure, the report was adopted by means of a single vote, without amendment or debate.

The text adopted and the legislative resolution constitute the European Parliament's first reading position<sup>1</sup>, it reflects what had been agreed during the informal contacts referred to above.

The Council should therefore be in a position to approve the Parliament's position.

The act would then be adopted in the wording which corresponds to the Parliament's position.

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<sup>1</sup> The text adopted and the European Parliament's legislative resolution are set out in the Annex.

## **Suspending certain concessions relating to the import into the Union of agricultural products originating in Turkey \*\*\*I**

**European Parliament legislative resolution of 11 March 2015 on the proposal for a regulation of the European Parliament and of the Council suspending certain concessions relating to the import into the Union of agricultural products originating in Turkey (codified text) (COM(2014)0593 – C8-0170/2014 – 2014/0275(COD))**

**(Ordinary legislative procedure – codification)**

*The European Parliament,*

- having regard to the Commission proposal to the European Parliament and the Council (COM(2014)0593),
- having regard to Article 294(2) and Article 207(2) of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C8-0170/2014),
- having regard to Article 294(3) of the Treaty on the Functioning of the European Union,
- having regard to the opinion of the European Economic and Social Committee of 10 December 2014<sup>1</sup>,

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<sup>1</sup> Not yet published in the Official Journal.

- having regard to the Interinstitutional Agreement of 20 December 1994 - Accelerated working method for official codification of legislative texts<sup>1</sup>,
  - having regard to Rules 103 and 59 of its Rules of Procedure,
  - having regard to the report of the Committee on Legal Affairs (A8-0050/2014),
- A. whereas, according to the Consultative Working Party of the legal services of the European Parliament, the Council and the Commission, the proposal in question contains a straightforward codification of the existing texts without any change in their substance;
1. Adopts its position at first reading hereinafter set out;
  2. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

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<sup>1</sup> OJ C 102, 4.4.1996, p. 2.

**Position of the European Parliament adopted at first reading on 11 March 2015 with a view to the adoption of Regulation (EU) 2015/... of the European Parliament and of the Council suspending certain concessions relating to the import into the Union of agricultural products originating in Turkey (codification)**

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 207(2) thereof,

Having regard to the proposal from the European Commission,

After transmission of the draft legislative act to the national parliaments,

Having regard to the opinion of the European Economic and Social Committee<sup>1</sup>,

Acting in accordance with the ordinary legislative procedure<sup>2</sup>,

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<sup>1</sup> Opinion of 10 December 2014 (not yet published in the Official Journal).

<sup>2</sup> Position of the European Parliament of 11 March 2015.

Whereas:

- (1) Council Regulation (EC) No 1506/98<sup>1</sup> has been substantially amended<sup>2</sup>. In the interests of clarity and rationality, that Regulation should be codified.
- (2) Under the Agreement establishing an Association between the European Economic Community and Turkey<sup>3</sup> ('the Agreement') concessions were granted to that country in respect of certain agricultural products.
- (3) Decision No 1/98 of the EC-Turkey Association Council<sup>4</sup> provides for the improvement and consolidation of trade preferences relating to the import into the Union of agricultural products originating in Turkey and establishes a series of preferential concessions for Union exports of meat and live animals to Turkey.
- (4) Turkey has since 1996 been applying a ban on the import of live animals of the bovine species (CN code 0102) and restrictions on the import of beef (CN codes 0201-0202). Those measures, being quantitative restrictions, are incompatible with the Agreement and prevent the Union from benefiting from the concessions granted to it under Decision No 1/98. Despite talks intended to achieve a negotiated solution with Turkey to the problem, the quantitative restrictions are still in place.
- (5) As a result of those measures, exports to Turkey of the products in question originating in the Union are blocked. In order to protect the Union's commercial interests, the situation should be counterbalanced by means of equivalent measures. The concessions set out in Annex I to this Regulation should therefore be suspended.

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<sup>1</sup> Council Regulation (EC) No 1506/98 of 13 July 1998 establishing a concession in the form of a Community tariff quota for Turkey in 1998 in respect of hazelnuts and suspending certain concessions (OJ L 200, 16.7.1998, p. 1).

<sup>2</sup> See Annex II.

<sup>3</sup> OJ 217, 29.12.1964, p. 3687/64.

<sup>4</sup> Decision No 1/98 of the EC-Turkey Association Council of 25 February 1998 on the trade regime for agricultural products (OJ L 86, 20.3.1998, p. 1).

- (6) In order to ensure uniform conditions 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<sup>1</sup>,

HAVE ADOPTED THIS REGULATION:

*Article 1*

The two tariff quotas set out in Annex I are suspended.

*Article 2*

The Commission shall, by means of implementing acts, terminate the suspension referred to in Article 1 once the barriers to preferential exports from the Union to Turkey have been lifted. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 3(2).

*Article 3*

1. The Commission shall be assisted by the Committee for the Common Organisation of the Agricultural Markets established by Article 229 of Regulation (EU) No 1308/2013 of the European Parliament and of the Council<sup>2</sup>. 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.

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<sup>1</sup> 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).

<sup>2</sup> Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007 (OJ L 347, 20.12.2013, p. 671).

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 at least a quarter of committee members so request.

*Article 4*

Regulation (EC) No 1506/98 is repealed.

References to the repealed Regulation shall be construed as references to this Regulation and shall be read in accordance with the correlation table in Annex III.

*Article 5*

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union* .

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at ...,

*For the European Parliament*

*For the Council*

*The President*

*The President*

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## ANNEX I

Serial No	CN code	Description of goods	Size of quota per year or per period indicated (tonnes)	Rate of duty applicable
09.0217	ex0807 11 00	Watermelons, fresh:	14 000	Free
		from 16 June to 31 March		
09.0207	2002 90 31	Tomatoes prepared or preserved otherwise than by vinegar or acetic acid, other than whole or in pieces, with a dry matter content of 12 % or more by weight	30 000 with a dry matter content of 28-30 % by weight	Free
09.0209	2002 90 39			
	2002 90 91			
	2002 90 99			

## ANNEX II

### **Repealed Regulation with the amendment thereto**

Council Regulation (EC) No 1506/98

(OJ L 200, 16.7.1998, p. 1)

Regulation (EU) No 255/2014 of the European Parliament  
and of the Council

Article 3 only

(OJ L 84, 20.3.2014, p. 57)

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## ANNEX III

### CORRELATION TABLE

Regulation (EC) No 1506/98	This Regulation
Article 1	–
Article 2	Article 1
Article 3	Article 2
Article 3a	Article 3
–	Article 4
Article 4	Article 5
Annex I	–
Annex II	Annex I
–	Annex II
–	Annex III