



Council of the
European Union

Brussels, 28 October 2015
(OR. en)

13340/15

Interinstitutional File:
2015/0090 (COD)

CODEC 1399
AGRI 541
AGRIORG 78
AGRIFIN 91
PE 167

INFORMATION NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee/Council
Subject:	Proposal for a Regulation of the European Parliament and of the Council repealing Council Directive 76/621/EEC relating to the fixing of the maximum level of erucic acid in oils and fats and Council Regulation (EC) No 320/2006 establishing a temporary scheme for the restructuring of the sugar industry - Outcome of the European Parliament's first reading (Strasbourg, 26 October to 29 October 2015)

I. INTRODUCTION

In accordance with the provisions of Article 294 of the TFEU and the joint declaration on practical arrangements for the codecision procedure¹, a number of informal contacts took 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.

In this context, the Committee on Agriculture and Rural Development submitted one amendment to the plenary. This amendment had been agreed during the informal contacts referred to above. No other amendments were submitted to the plenary.

¹ OJ C 145, 30.6.2007, p.5

II. VOTE

When it voted on 27 October 2015, the plenary adopted the amendment.

The Commission's proposal as thus amended constitutes the Parliament's first-reading position, which is contained in its legislative resolution as set out in the Annex hereto².

The Parliament's position reflects what had been previously agreed between the institutions. The Council should therefore be in a position to approve the Parliament's position.

² The version of the Parliament's position in the legislative resolution has been marked up to indicate the changes made by the amendments to the Commission's proposal. Additions to the Commission's text are highlighted in ***bold and italics***. The symbol "■" indicates deleted text.

Common Agricultural Policy: repealing obsolete acts *I**

European Parliament legislative resolution of 27 October 2015 on the proposal for a regulation of the European Parliament and of the Council repealing Council Directive 76/621/EEC relating to the fixing of the maximum level of erucic acid in oils and fats and Council Regulation (EC) No 320/2006 establishing a temporary scheme for the restructuring of the sugar industry (COM(2015)0174 – C8-0101/2015 – 2015/0090(COD))

(Ordinary legislative procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to Parliament and the Council (COM(2015)0174),
 - having regard to Article 294(2), Article 42, first paragraph, and Article 43(2) of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C8-0101/2015),
 - having regard to the opinion of the Committee on Legal Affairs on the proposed legal basis,
 - having regard to Article 294(3) and Article 114 of the Treaty on the Functioning of the European Union,
 - having regard to the opinion of the European Economic and Social Committee of 1 July 2015³,
 - having regard to the undertaking given by the Council representative by letter of 7 September 2015 to approve Parliament's position, in accordance with Article 294(4) of the Treaty on the Functioning of the European Union,
 - having regard to Rules 59 and 39 of its Rules of Procedure,
 - having regard to the report of the Committee on Agriculture and Rural Development (A8-0255/2015),
1. Adopts its position at first reading hereinafter set out;
 2. Calls on the Commission to refer the matter to Parliament again if it intends to amend its proposal substantially or replace it with another text;
 3. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

³ Not yet published in the Official Journal.

Position of the European Parliament adopted at first reading on 27 October 2015 with a view to the adoption of Regulation (EU) 2015/... of the European Parliament and of the Council repealing Council Directive 76/621/EEC relating to the fixing of the maximum level of erucic acid in oils and fats and Council Regulation (EC) No 320/2006 establishing a temporary scheme for the restructuring of the sugar industry

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 the first paragraph of Article 42, Article 43(2) *and Article 114* 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 Committee⁴,

Acting in accordance with the ordinary legislative procedure⁵,

⁴ Opinion of 1 July 2015 (not yet published in the Official Journal).

⁵ Position of the European Parliament of 27 October 2015.

Whereas:

- (1) Improving the transparency of Union law is an essential element of the better law-making strategy that Union institutions are implementing. In that context it is appropriate to repeal those legal acts which no longer have real effect.
- (2) The following legal acts relating to the common agricultural policy have become obsolete, even though formally they are still in force:
 - Council Directive 76/621/EEC⁶. The content of that Directive has been taken up by Commission Regulation (EC) No 1881/2006⁷.
 - Council Regulation (EC) No 320/2006⁸. The temporary scheme established by that Regulation was applicable only until the marketing year 2009/2010.
- (3) For reasons of legal certainty and clarity, those obsolete legal acts should be repealed,

HAVE ADOPTED THIS REGULATION:

⁶ Council Directive 76/621/EEC of 20 July 1976 relating to the fixing of the maximum level of erucic acid in oils and fats intended as such for human consumption and in foodstuffs containing added oils or fats (OJ L 202, 28.7.1976, p. 35).

⁷ Commission Regulation (EC) No 1881/2006 of 19 December 2006 setting maximum levels for certain contaminants in foodstuffs (OJ L 364, 20.12.2006, p. 5).

⁸ Council Regulation (EC) No 320/2006 of 20 February 2006 establishing a temporary scheme for the restructuring of the sugar industry in the Community and amending Regulation (EC) No 1290/2005 on the financing of the common agricultural policy (OJ L 58, 28.2.2006, p. 42).

Article 1

Directive 76/621/EEC and Regulation (EC) No 320/2006 are repealed.

Article 2

This Regulation shall enter into force on the third 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
The President

For the Council
The President
