



Brussels, 3 May 2019
(OR. en)

8818/19

AGRI 227
AGRILEG 87
PHYTOSAN 14
DELECT 123

'I/A' ITEM NOTE

From: General Secretariat of the Council

To: Permanent Representatives Committee/Council

No. Cion doc.: C(2019) 1922 - ST 7641/19 + ADD 1

Subject: COMMISSION DELEGATED REGULATION supplementing Regulation (EU) 2016/2031 of the European Parliament and of the Council on protective measures against pests of plants, authorising Member States to provide for temporary derogations in view or of testing, scientific or educational purposes, trials, varietal selections, or breeding
- Delegated act - Intention not to raise objections

1. On 14 March 2019, the Commission submitted the above delegated act to the Council in accordance with the procedure set out in Article 290 TFEU and with Articles 8(5) and 48(5) of Regulation (EU) 2016/2031¹. The Council may object to it until 15 May 2019.
2. During a silence consultation, one delegation indicated reasons that could be grounds for objecting to the delegated act.

¹ Regulation (EU) 2016/2031 of the European Parliament and of the Council of 26 October 2016 on protective measures against pests of plants, amending Regulations (EU) No 228/2013, (EU) No 652/2014 and (EU) No 1143/2014 of the European Parliament and of the Council and repealing Council Directives 69/464/EEC, 74/647/EEC, 93/85/EEC, 98/57/EC, 2000/29/EC, 2006/91/EC and 2007/33/EC (OJ L 317, 23.11.2016, p. 4)

3. Consequently, the Presidency organised a meeting of the Working Party of Agricultural Counsellors/Attachés (Phytosanitary Matters) on 24 April 2019. At that meeting, the Presidency noted that there was no qualified majority in favour of objecting to the act.
 4. It is therefore suggested that the Coreper recommend that the Council, as an "A" item on the agenda of one of its forthcoming meetings, confirm that it has no intention to object to the delegated act and that the Commission and the European Parliament are to be informed thereof.
 5. This implies that, unless the European Parliament objects to it, the delegated act shall be published and enter into force in accordance with Articles 8(5) and 48(5) of Regulation (EU) 2016/2031.
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