



Council of the  
European Union

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**Interinstitutional File:**  
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COEST 824  
POLCOM 169  
AGRI 631  
VETER 81  
PHYTOSAN 54  
DENLEG 81  
COMPET 893  
RELEX 1523

#### **LEGISLATIVE ACTS AND OTHER INSTRUMENTS**

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Subject: COUNCIL DECISION on the position to be adopted on behalf of the European Union within the Sanitary and Phytosanitary Sub-Committee established by the Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and Georgia, of the other part, as regards the modification of Annex XI-B to that Agreement

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**COUNCIL DECISION (EU) 2022/...**

**of ...**

**on the position to be adopted on behalf of the European Union within  
the Sanitary and Phytosanitary Sub-Committee established by the Association Agreement  
between the European Union and the European Atomic Energy Community and  
their Member States, of the one part, and Georgia, of the other part,  
as regards the modification of Annex XI-B to that Agreement**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular  
Article 207(4), first paragraph, in conjunction with Article 218(9) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and Georgia, of the other part<sup>1</sup> ('the Agreement') entered into force on 1 July 2016.
- (2) Article 65 of the Agreement established the Sanitary and Phytosanitary Sub-Committee (the 'SPS Sub-Committee'), which is to consider any matter relating to Chapter 4 (Sanitary and phytosanitary measures) of Title IV (Trade and Trade-related Matters) of the Agreement, including its implementation, and is empowered to review and modify Annex XI-B to the Agreement.
- (3) The SPS Sub-Committee is to adopt a decision modifying Annex XI-B to the Agreement, which contains an approximation list of sanitary and phytosanitary, animal welfare and other Union legislative measures to which Georgia is to gradually approximate its sanitary and phytosanitary, animal welfare and other legislative measures pursuant to Article 55(1) of the Agreement.
- (4) The SPS Sub-Committee finalised the approximation list set out in Annex XI-B to the Agreement by means of Decision No 1/2017 of the EU-Georgia Sanitary and Phytosanitary Sub-Committee<sup>2</sup>.

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<sup>1</sup> OJ L 261, 30.8.2014, p. 4.

<sup>2</sup> Decision No 1/2017 of the EU-Georgia Sanitary and Phytosanitary Sub-Committee of 7 March 2017 modifying Annex XI-B to the Association Agreement [2017/683] (OJ L 98, 11.4.2017, p. 22).

- (5) At seven annual meetings of the SPS Sub-Committee, Georgia informed the Commission on the progress made regarding the approximation of its legislation to the Union *acquis*. Georgia also informed the Commission of Union legal acts that should be removed from Annex XI-B on the consideration that those Union legal acts are not relevant for Georgia as they are only applicable to Member States.
- (6) Since the adoption of Decision No 1/2017, several Union legal acts listed in Annex XI-B to the Agreement have been repealed and some of those repealed Union legal acts have been replaced by new Union legal acts, while other Union legal acts have exhausted their legal effect.
- (7) It is thus necessary to modify Annex XI-B to the Agreement in order to reflect the evolution of the Union *acquis* listed in that Annex and to replace it.
- (8) It is therefore appropriate to establish the position to be adopted on the Union's behalf within the SPS Sub-Committee with regard to the modification of Annex XI-B to the Agreement,

HAS ADOPTED THIS DECISION:

### *Article 1*

The position to be adopted on the Union's behalf within the Sanitary and Phytosanitary Sub-Committee (the 'SPS Sub Committee') established by Article 65 of the Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and Georgia, of the other part, as regards the modification of Annex XI-B to the Agreement, shall be based on the draft Decision of the SPS Sub-Committee attached to this Decision.

Minor technical changes to the draft Decision of the SPS Sub-Committee attached to this Decision, which do not jeopardise the attainment of the objective of those modifications of Annex XI-B to the Agreement, may be agreed by the representatives of the Union within the SPS Sub-Committee without further decision of the Council.

*Article 2*

This Decision shall enter into force on the date of its adoption.

Done at ...,

*For the Council*

*The President*

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