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'I' ITEM NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee (Part 1)
No. Cion doc.:	7238/20
Subject:	Proposal for a DECISION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Council Decision 2003/17/EC as regards the equivalence of field inspections carried out in Ukraine on cereal seed-producing crops and on the equivalence of cereal seed produced in Ukraine <i>- Mandate for negotiations with the European Parliament</i>

Delegations will find in Annex the text supported by the Working Party on Agricultural Questions (Seeds and Propagating Material)¹ as the basis for negotiations with the European Parliament on the above-mentioned proposal.

¹ WK 4024/2020 INIT + ADD 1.

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DECISION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

amending Council Decision 2003/17/EC² as regards the equivalence of field inspections carried out in Ukraine on cereal seed-producing crops and on the equivalence of cereal seed produced in Ukraine

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 43(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 Committee²,

Acting in accordance with the ordinary legislative procedure,

Whereas:

- (1) Council Decision 2003/17/EC³ provides that under certain conditions field inspections carried out on certain seed-producing crops in the listed third countries are to be considered equivalent to field inspections carried out in accordance with Union law and that under certain conditions seed of certain species of cereal produced in those countries is to be considered equivalent to seed produced in accordance with Union law.
- (2) Ukraine has submitted a request for the Commission to grant equivalence to its system of field inspections of cereal seed and to cereal seed produced and certified in Ukraine.
- (3) The Commission examined the relevant legislation of Ukraine, and, based on an audit carried out in 2015 concerning the system of official controls and of certification of cereal seed in Ukraine, and its equivalence with Union requirements, published its findings in a report entitled 'Final report of an audit carried in Ukraine from 26 May 2015 to 04 June 2015 in order to evaluate the system of official controls and certification of cereal seed and their equivalence with European Union requirements'.

² OJ C , , p. .

³ Council Decision 2003/17/EC of 16 December 2002 on the equivalence of field inspections carried out in third countries on seed-producing crops and on the equivalence of seed produced in third countries (OJ L 8, 14.1.2003, p. 10).

- (4) Following that audit, it has been concluded that field inspections of seed-producing crops, sampling, testing and official post-controls of cereal seed are carried out appropriately, and satisfy the conditions of Annex II to Decision 2003/17/EC and the respective requirements of Directive 66/402/EEC. Moreover, it has been concluded that the national authorities responsible for the implementation of seed certification in Ukraine are competent and operate appropriately.
- (5) Therefore it is appropriate to grant equivalence as regards field inspections carried in respect of cereal seed in Ukraine and as regards cereal seed produced in Ukraine and officially certified by its authorities.
- (6) Decision 2003/17/EC should be therefore amended accordingly,

HAVE ADOPTED THIS DECISION:

Article 1
Amendments to Decision 2003/17/EC

Annex I to Decision 2003/17/EC is amended as follows:

- (a) In the table, the following entry is inserted between 'TR' and 'US':
- | | | |
|-----|--|-------------|
| "UA | Ministry of Agrarian
Policy and Food of
Ukraine
Khreshchatyk str., 24,
01001, KYIV | 66/402/EEC" |
|-----|--|-------------|
- (b) In the footnote to that table, the following terms are inserted between 'TR — Turkey' and 'US — United States': :
- "UA – Ukraine,".

Article 2
Entry into force

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

Article 3
Addressees

This Decision is addressed to the Member States.

Done at Brussels,

For the European Parliament
The President

For the Council
The President

