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NOTE

From:	General Secretariat of the Council
To:	Council
No. prev. doc.:	ST 9520/21 INIT
Subject:	COUNCIL DECISION requesting the Commission to submit a study on the Union's situation and options regarding the introduction, evaluation, production, marketing and use of invertebrate biological control agents within the territory of the Union and a proposal, if appropriate in view of the outcomes of the study – <i>Adoption</i>

1. Biological Control Agents (BCAs) are a sustainable plant pest control alternative to the use of chemical products and a fundamental component of Integrated Pest Management (IPM). At the moment there are significant differences in approach among Member States regarding the assessment, use and placing on the market of BCAs and a more harmonized EU framework could increase their availability and guarantee their safe use.
2. With this in mind the Presidency submitted on 12 February 2021 to the Working Party of Chief Plant Health Officers (COPHS) the outcome of a questionnaire that had been sent to delegations showing the diversity of Member States' rules and a wide support for the notion that the EU should consider the development of common criteria on imports and release of BCAs. The Presidency also tabled a proposal based on Article 241 TFEU requesting the Commission to submit a study on the Union's situation and options regarding the import, evaluation, production and marketing of biological control agents within the territory of the Union and a proposal, if appropriate in view of the outcomes of the study.

3. At the Agriculture and Fisheries Council on 22-23 March 2021 Ministers held a policy debate on this issue on the basis of a background note¹ and broadly backed the Presidency's initiative to request the Commission's study.
4. On 30 March 2021 the Working Party of Counsellors/Attachés (Phytosanitary matters) examined the text of the draft decision and agreed through an informal silence procedure on the draft text as set out in WK 4166/2021 REV 3.
5. At its meeting on 16 June 2021 the Permanent Representatives Committee confirmed the agreement reached at working party level.
6. In view of the above the Council is invited at its forthcoming session on 28-29 June 2021 (Agriculture and Fisheries) to:
 - adopt, by simple majority, the draft Council Decision set out in document 9112/21 (text finalised by the Jurist-Linguists); and
 - decide to publish it in the EU Official Journal ("L" series) as soon as possible.

¹ 6645/21